



DEPARTMENT OF THE NAVY
UNITED STATES FLEET FORCES COMMAND
1562 MITSCHER AVENUE SUITE 250
NORFOLK VA 23551-2487

5810
Ser N01L/034
10 Apr 18

SECOND Endorsement on COMUSFLTFORCOM ltr 5810 Ser N01L/032 of 29 Mar 18

From: Commander, U.S. Fleet Forces Command
To: Commander, Navy Personnel Command (PERS-834)

Subj: REPORT OF MISCONDUCT ICO LT PETER L. VAPOR, SC, USN

1. Forwarded.

(b)(7)(C)

9 Apr 18

From: LT Peter L. Vapor, SC, USN
To: Commander, Navy Personnel Command (PERS-834)
Via: Commander, U.S. Fleet Forces Command

SUBJ: RESPONSE TO REPORT OF MISCONDUCT RECEIVED ON 29 MARCH 18

Ref: (a) MILPERSMAN 1611-010

Encl: (1) USFLEETFORCOM Ser N01L/032 dtd 29 Mar 18

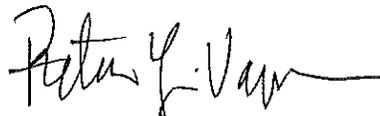
1. Pursuant to reference (a), I respectfully submit my response to enclosure (1). On 2 March 2018, I pled guilty at Admiral's Mast to violating Uniform Code of Military Justice (UCMJ) Article 107, False Official Statement, and Article 133, Conduct Unbecoming an Officer. The basis for the two specifications to which I pled guilty was my 15 November 2015 statement to NCIS agents. Enclosure (1) was a fair punishment with respect to those specifications.

2. In enclosure (1), however, Commander, U.S. Fleet Forces Command, reported uncharged misconduct beyond the scope of my Admiral's Mast. Specifically, he substantiated, without any disciplinary proceedings, allegations (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

3. I respectfully request that Commander, Navy Personnel Command, disregard paragraph (5) of enclosure (1) as irrelevant and improperly submitted under reference (a). I further request that the content of paragraph (5) be redacted to ensure something that was never the subject of disciplinary proceedings is not attached to my service record.

4. Thank you for your time and consideration.


P. L. VAPOR



DEPARTMENT OF THE NAVY
COMMANDER
U.S. FLEET FORCES COMMAND
1562 MITSCHER AVENUE, SUITE 250
NORFOLK, VA 23551-2487

5812
Ser N01L/032
29 Mar 18

From: Commander, U.S. Fleet Forces Command
To: Commander, Navy Personnel Command (PERS-834)
Via: (1) LT Peter L. Vapor, SC, USN
(2) Commander, U.S. Fleet Forces Command

Subj: REPORT OF MISCONDUCT ICO LT PETER L. VAPOR, SC, USN

Ref: (a) MILPERSMAN 1611-010
(b) SECNAV CDA Memo dtd 30 Sep 15
(c) VCNO ltr 5800 Ser N09D/16U112936 of 29 Aug 16
(d) DoD 5500.07-R
(e) Uniform Code of Military Justice
(f) DoDM 5200.02
(g) SECNAV M 5510.30
(h) DoDM 5105.21, vol. 3
(i) BANIF 002-16

Encl: (1) Report and Disposition of offense (NAVPERS 1626/7) w/ enclosures
(2) Summary of NJP proceedings
(3) COMUSFLTFORCOM ltr 5812 Ser N01L/022 of 2 Mar 18
(4) LT P. L. Vapor, SC, USN, ltr of 9 Mar 18
(5) COMUSFLTFORCOM ltr 5800 Ser CDA/389 of 29 Mar 18

1. Per reference (a), this Report of Misconduct in the case of LT Peter L. Vapor, SC, USN, is forwarded for review and action. As the Consolidated Disposition Authority (CDA) for the Glenn Defense Marine Asia (GDMA) matter per references (b) and (c), I reviewed matters forwarded by the Department of Justice (DoJ) and Defense Criminal Investigative Service (DCIS) regarding LT Vapor while he served as Petroleum Officer, Logistics Group Western Pacific, in 2012 and 2013. On 27 February 2018, non-judicial punishment (NJP) was imposed on LT Vapor for violations of the Uniform Code of Military Justice Article 92 (Violation of Lawful Order), Article 107 (False Official Statement), and Article 133 (Conduct Unbecoming an Officer and a Gentleman), two specifications. Enclosure (1) is the report and disposition of offenses from the proceeding, along with the evidence considered during NJP proceedings.

2. Pursuant to a written agreement, LT Vapor waived the statute of limitations applicable to NJP proceedings and accepted imposition of NJP for certain offenses. At Admiral's Mast, LT Vapor pleaded not guilty to violating UCMJ Article 92 for wrongfully accepting a gift of restaurant food and beverages with a value in excess of permissible limits from a prohibited source, namely Mr. Leonard Francis and GDMA, and one specification of violating UCMJ Article 133 for

conduct unbecoming an officer and gentleman related to his receipt of said gifts. LT Vapor pleaded guilty to violating UCMJ Article 107 for making a false official statement to investigators from the Naval Criminal Investigative Service (NCIS) when questioned by them about his knowledge and involvement with Mr. Francis and GDMA, and guilty to one specification of violating UCMJ Article 133 for conduct unbecoming an officer and gentleman related to his false official statement to NCIS. After careful review and consideration of the evidence, I found LT Vapor guilty of all charges and specifications before me at Admiral's Mast, awarded him a punitive letter of reprimand, and ordered him to forfeit \$2,000 pay per month for one month. By his actions, LT Vapor has shown his character is not in keeping with the standards expected of a naval officer.

3. A summary of the NJP proceedings is included at enclosure (2). A copy of the punitive letter of reprimand is attached as enclosure (3). LT Vapor acknowledged receipt of his punitive letter of reprimand and provided a response to accompany the letter in his official record on 9 March 2018, enclosure (4).

4. Pursuant to his agreement regarding these proceedings, contained at enclosure (1), LT Vapor waived his right to appeal the NJP. Accordingly, NJP is now final and will be reflected in the fitness report that covers the date NJP was imposed.

5. As a separate administrative matter in addition to the imposition of NJP, I substantiated an allegation of misconduct against LT Vapor while he served as Petroleum Officer, Logistics Group Western Pacific for violation of the Joint Ethics Regulation, reference (d),

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

These matters were not addressed via disciplinary proceedings under reference (e) because the statute of limitations associated with proceedings under Article 15 expired and LT Vapor did not otherwise waive the statute of limitations for these offenses.

6. After fully reviewing the facts and opinions of this case, the following administrative actions are recommended.

a. LT Vapor has agreed to submit a voluntary request for retirement and to waive any board of inquiry and retirement grade determination board that is based on any act or omission reflected in the charges and specifications that are the subject of the NJP agreement. In accordance with that agreement, I recommend he be retired at the earliest opportunity in paygrade O-3E.

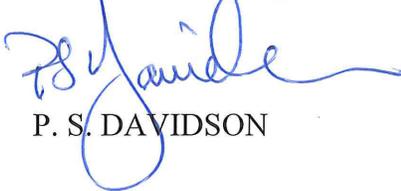
b. LT Vapor was selected for promotion to paygrade O-4. His misconduct warrants removal from the promotion list.

Subj: REPORT OF MISCONDUCT ICO LT PETER L. VAPOR, SC, USN

7. Additionally, the misconduct reported herein reflects on LT Vapor's suitability for continued access to classified information. I have therefore directed the U.S. Fleet Forces Command Special Security Officer (USFFSSO), by copy of this letter, to suspend LT Vapor's access to classified information. USFFSSO will contact LT Vapor's Security Manager to coordinate the provision of required notices to LT Vapor and the completion of appropriate security incident reports to the Department of Defense Central Adjudication Facility, in accordance with references (f) through (i), as applicable.

8. By copy hereof, LT Vapor is notified of his right, per reference (a), to submit comments within 10 days of receipt concerning this report of misconduct and my recommendations in paragraph 6, which may be included as adverse matters in his official record. His comments or declination to make a statement will be reflected in his endorsement to this letter.

9. My point of contact in this matter is [REDACTED] (b)(7)(C) USN. He may be reached by phone at [REDACTED] (b)(7)(C) [@navy.mil](mailto:[REDACTED]@navy.mil).



P. S. DAVIDSON

Copy to:
Commander, NCG-1
USFFSSO

REPORT AND DISPOSITION OF OFFENSE(S)
NAVPERS 1626/7

To: Commander, U.S. Fleet Forces Command Date of Report: 26 February 2018
 I hereby report the following named person for the offense(s) noted:

NAME OF ACCUSED	SERIAL NO.	SOCIAL SECURITY NO.	RATE/GRADE	BR. & CLASS	DIV/DEPT
VAPOR, Peter L.	N/A	(b)(6), (b)(7)(C)	LT/O-3	USN	

PLACE OF OFFENSE(S)	DATE OF OFFENSE(S)
At or near Singapore	On or about 6 September 2012; On or about 15 November 2013; On or about 15 November 2013

DETAILS OF OFFENSE(S) (Refer by Article of UCMJ if known. If unauthorized absence, give following info: time and date of commencement, whether over leave or liberty, time and date of apprehension or surrender and arrival on board, loss of ID card and/or liberty card, etc.):

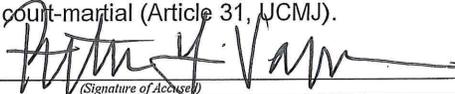
Charge I: Violation of UCMJ Article 92

Specification (Violation of a Lawful Order): In that Lieutenant Peter L. Vapor, U.S. Navy, Naval Construction Group ONE, on active duty, did, having knowledge of a lawful order issued by the Secretary of Defense, to wit: Paragraph 2-100 of the Joint Ethics Regulation, Department of Defense 5500.07-R, as implemented by Department of Defense Directive 5500.07, dated 9 November 2007, an order which it was his duty to obey, at or near Singapore, on or about 6 September 2012, fail to obey the same by wrongfully accepting a gift of a value exceeding the permissible limit of \$20 from Mr. Leonard Francis, owner of Glenn Defense Marine Asia, and a prohibited source, in the form of restaurant food and beverages purchased by Mr. Leonard Francis.

SEE CONTINUATION PAGE

NAME OF WITNESS	RATE/GRADE	DIV/DEPT	NAME OF WITNESS	RATE/GRADE	DIV/DEPT
(b)(7)(C)			(b)(7)(C)		
<i>(Rate/Grade/Title of person submitting report)</i>					

I have been informed of the nature of the accusations against me. I understand I do not have to answer any questions or make any statement regarding the offenses of which I am accused or suspected. However, I understand any statement made or questions answered by me may be used as evidence against me in event of trial by court-martial (Article 31, UCMJ).

Witness: (b)(7)(C) Acknowledged:  (Signature of Accused)

PRE-TRIAL RESTRAINT	<input type="checkbox"/> PRE-TRIAL CONFINEMENT	<input type="checkbox"/> RESTRICTED: You are restricted to the limits of _____ in lieu of arrest by order of the CO. Until your status as a restricted person is terminated by the CO, you may not leave the restricted limits except with the express permission of the CO or XO. You have been informed of the times and places which you are required to muster.
	<input checked="" type="checkbox"/> NO RESTRICTION	
_____ (Signature and title of person imposing restraint)		_____ (Signature of Accused)

INFORMATION CONCERNING ACCUSED						
CURRENT ENL. DATE	EXPIRATION CURRENT ENL. DATE	TOTAL ACTIVE NAVAL SERVICE	TOTAL SERVICE ON BOARD	EDUCATION	AFQT	AGE
4 Sep 1990	INDEF	27 yrs 5 mos	N/A	(b)(6), (b)(7)(C)		
MARITAL STATUS	NO. DEPENDENTS	CONTRIBUTION TO FAMILY OR QTRS. ALLOWANCE (Amount required by law)		PAY PER MONTH (Including sea or foreign duty pay, if any)		
(b)(6), (b)(7)(C)		N/A		\$6,741; ½ = \$3,370		

RECORD OF PREVIOUS OFFENSE(S) (Date type action taken etc. Nonjudicial punishment incidents are to be included.)
 None known.

PRELIMINARY INQUIRY REPORT

From: Commander

Date: _____

To: N/A

1. Transmitted herewith for preliminary inquiry and report by you, including, if appropriate in the interest of justice and discipline, the preferring of such charges as appeal to you to be sustained by expected evidence.

REMARKS OF DIVISION OFFICER (Performance of duty, etc.)

N/A

NAME OF WITNESS	RATE/GRADE	DIV/DEPT	NAME OF WITNESS	RATE/GRADE	DIV/DEPT

RECOMMENDATION AS TO DISPOSITION

DISPOSE OF CASE AT MAST

REFER TO COURT-MARTIAL FOR TRIAL OF ATTACHED CHARGES
(Complete Charge Sheet (DD Form 458) through Page 2)

NO PUNITIVE ACTION NECESSARY OR DESIRABLE

OTHER

COMMENT (Include data regarding availability of witnesses, summary of expected evidence, conflicts in evidence, if expected. Attach statements of witnesses, documentary evidence such as service record entries in UA cases, items of real evidence, etc.)

(Signature of Investigating Officer)

ACTION OF EXECUTIVE OFFICER

DISMISSED

REFER TO CAPTAIN'S MAST

SIGNATURE OF EXECUTIVE OFFICER

RIGHT TO DEMAND TRIAL BY COURT-MARTIAL

(Not applicable to persons attached to or embarked in a vessel)

I understand that nonjudicial punishment may not be imposed on me if, before the imposition of such punishment, I demand in lieu thereof trial by court-martial. I therefore ~~(do)~~ (do not) demand trial by court-martial.

WITNESS

SIGNATURE OF ACCUSED

ACTION OF COMMANDING OFFICER

- DISMISSED
- DISMISSED WITH WARNING (Not considered NJP)
- ADMONITION: ORAL/IN WRITING
- REPRIMAND: ORAL/IN WRITING
- REST. TO _____ FOR _____ DAYS
- REST. TO _____ FOR _____ DAYS WITH SUSP. FROM DUTY
- FORFEITURE: TO FORFEIT \$ 2000 PAY PER MO. FOR 1 MO(S)
- DETENTION: TO HAVE \$ _____ PAY PER MO. FOR (1, 2, 3) MO(S) DETAINED FOR _____ MO(S)
- CONF. ON _____, 1, 2, OR 3 DAYS
- CORRECTIONAL CUSTODY FOR _____ DAYS
- REDUCTION TO NEXT INFERIOR PAY GRADE
- REDUCTION TO PAY GRADE OF _____
- EXTRA DUTIES FOR _____ DAYS
- PUNISHMENT SUSPENDED FOR _____
- REFER TO ART. 32 INVESTIGATION
- RECOMMENDED FOR TRIAL BY GCM
- AWARDED SPCM
- AWARDED SCM

DATE OF MAST

27 February 2018

DATE ACCUSED INFORMED OF ABOVE ACTION

27 February 2018

SIGNATURE OF COMMANDER

[Signature]

It has been explained to me and I understand that if I feel this imposition of nonjudicial punishment to be unjust or disproportionate to the offenses charged against me, I have the right to immediately appeal my conviction to the next higher authority within 5 days.

SIGNATURE OF ACCUSED

[Signature]

DATE

27 Feb 18

I have explained the above

SIGNATURE OF WITNESS

(b)(7)(C)

DATE: 27 Feb 18

FINAL ADMINISTRATIVE ACTION

APPEAL SUBMITTED BY ACCUSED

DATED: N/A

FORWARDED FOR DECISION ON: N/A

FINAL RESULT OF APPEAL:

Waived right to appeal

APPROPRIATE ENTRIES MADE IN SERVICE RECORD AND PAY ACCOUNT ADJUSTED WERE REQUIRED

DATE:

(Initials)

FILED IN UNIT PUNISHMENT BOOK:

DATE: 7 MARCH 2018

(b)(7)(C)

(Initials)

Charge II: Violation of UCMJ Article 107

Specification (False Official Statement): In that Lieutenant Peter L. Vapor, U.S. Navy, Naval Construction Group ONE, on active duty, did, at or near Singapore, on or about 15 November 2013, with intent to deceive, make to Special Agents (b)(7)(C) Naval Criminal Investigative Service, an official statement, to wit: claiming he never interacted with Leonard Francis, which statement was totally false, and was known by Lieutenant Peter Vapor to be false.

Charge III: Violation of the UCMJ, Article 133

Specification 1 (Conduct Unbecoming): In that Lieutenant Peter L. Vapor, U.S. Navy, Naval Construction Group ONE, on active duty, being at the time the Petroleum Officer, Commander, Logistics Group Western Pacific, did at or near Singapore, on or about 15 November 2013, wrongfully and dishonorably make a false statement to agents of the Naval Criminal Investigative Service in relation to the investigation into Glenn Defense Marine Asia, which conduct was unbecoming an officer and a gentleman.

Specification 2 (Conduct Unbecoming): In that Lieutenant Peter L. Vapor, U.S. Navy, Naval Construction Group ONE, on active duty, being at the time the Commander, Logistics Group Western Pacific, did at or near Singapore, on or about 6 September 2012, wrongfully and dishonorably receive gifts of food and drink, in excess of the permissible limit of \$20, from Mr. Leonard Francis, owner of Glenn Defense Marine Asia, and a prohibited source, which conduct was unbecoming an officer and a gentleman.

AND NO OTHERS

**ADMIRAL'S MAST
ACCUSED'S NOTIFICATION AND ELECTION OF RIGHTS
ACCUSED NOT ATTACHED TO OR EMBARKED IN A VESSEL
RECORD MAY BE USED IN AGGRAVATION IN EVENT OF LATER COURT-MARTIAL**

Notification and election of rights concerning the contemplated imposition of non-judicial punishment in the case of **LT PETER L. VAPOR, USN**, assigned to **U.S. Fleet Forces Command**.

NOTIFICATION

1. In accordance with the requirements of paragraph 4 of Part V, MCM, 2012, you are hereby notified that the Commander, U.S. Fleet Forces Command, is considering imposing nonjudicial punishment on you because of the following alleged offenses:

Charge I: Violation of UCMJ Article 92

Specification (Violation of Lawful Order): In that Lieutenant Peter L. Vapor, U.S. Navy, Naval Construction Group ONE, on active duty, did, having knowledge of a lawful order issued by the Secretary of Defense, to wit: Paragraph 2-100 of the Joint Ethics Regulation, Department of Defense 5500.07-R, as implemented by Department of Defense Directive 5500.07, dated 9 November 2007, an order which it was his duty to obey, at or near Singapore, on or about 6 September 2012, fail to obey the same by wrongfully accepting a gift of a value exceeding the permissible limit of \$20 from Mr. Leonard Francis, owner of Glenn Defense Marine Asia, and a prohibited source, in the form of restaurant food and beverages purchased by Mr. Leonard Francis..

Charge II: Violation of UCMJ Article 107

Specification (False Official Statement): In that Lieutenant Peter L. Vapor, U.S. Navy, Naval Construction Group ONE, on active duty, did, at or near Singapore, on or about 15 November 2013, with intent to deceive, make to Special Agents (b)(7)(C) Naval Criminal Investigative Service, an official statement, to wit: claiming he never interacted with Leonard Francis, which statement was totally false, and was known by Lieutenant Peter Vapor to be false.

Charge III: Violation of the UCMJ, Article 133

Specification 1 (Conduct Unbecoming): In that Lieutenant Peter L. Vapor, U.S. Navy, Naval Construction Group ONE, on active duty, being at the time the Commander, Logistics Group Western Pacific, did at or near Singapore, on or about 15 November 2013, wrongfully and dishonorably make a false statement to agents of the Naval Criminal Investigative Service in relation to the investigation into Glenn Defense Marine Asia, which conduct was unbecoming an officer and a gentleman.

Specification 2 (Conduct Unbecoming): In that Lieutenant Peter L. Vapor, U.S. Navy, Naval Construction Group ONE, on active duty, being at the time the Commander, Logistics Group Western Pacific, did at or near Singapore, on or about 6 September 2012, wrongfully and dishonorably receive gifts of food and drink, in excess of the permissible limit of \$20, from Mr. Leonard Francis, owner of Glenn Defense Marine Asia, and a prohibited source, which conduct was unbecoming an officer and a gentleman.

2. The allegations against you are based on the following information:

- a. Defense Criminal Investigative Service and Naval Criminal Investigative Service investigative materials referred to the Department of the Navy by the Department of Justice

3. You have the right to demand trial by court-martial in lieu of nonjudicial punishment. If you refuse nonjudicial punishment, charges could be referred for trial by special or general court-martial. If charges are referred to a special or general court-martial you will have the right to be represented by counsel. Regardless of whether you accept or refuse

nonjudicial punishment, you could be processed for administrative separation based on your misconduct. The maximum punishment that could be imposed if you accept nonjudicial punishment is:

**Forfeiture of ½ months pay per month for two months

**60 days restriction

**30 days arrest in quarters

**Punitive Letter of Reprimand

4. If you decide to accept nonjudicial punishment, you may request a personal appearance before the Commander or you may waive this right.

a. Personal appearance waived. If you waive your right to appear personally before the Commander, you will have the right to submit any written matters you desire for the Commander's consideration in determining whether or not you committed the offenses alleged, and, if so, in determining an appropriate punishment. You are hereby informed that you have the right to remain silent and that anything you do submit for consideration may be used against you in a trial by court-martial.

b. Personal appearance requested. If you exercise your right to appear personally before the Commander, you shall be entitled to the following rights at the proceeding:

(1) To be informed of your rights under Article 31(b), UCMJ;

(2) To be informed of the information against you relating to the offenses alleged;

(3) To be accompanied by a spokesperson provided or arranged for by you. A spokesperson is not entitled to travel or similar expenses, and the proceedings will not be delayed to permit the presence of a spokesperson. The spokesperson may speak on your behalf, but may not question witnesses except as the commanding officer may permit as a matter of discretion. The spokesperson need not be a lawyer;

(4) To be permitted to examine documents or physical objects considered as evidence against you that the Commander has examined in the case and on which the Commander intends to rely in deciding whether and how much nonjudicial punishment to impose;

(5) To present matters in defense, extenuation, and mitigation orally, in writing, or both;

(6) To have witnesses attend the proceeding, including those that may offer testimony or evidence against you, if their statements will be relevant and the witness(es) are reasonably available. A witness is not reasonably available if the witness requires reimbursement by the U.S. for any cost incurred in appearing, cannot appear without unduly delaying the proceedings, or if a military witness, cannot be excused from other important duties; and

(7) To have the proceedings open to the public unless the Commander determines that the proceedings should be closed for good cause. However, this does not require that special arrangements be made to facilitate access to the proceeding.

5. In order to help you decide whether or not to demand trial by court-martial or to exercise any of the rights explained above should you decide to accept nonjudicial punishment, you may obtain the advice of a lawyer prior to any decision. If you wish to talk to a lawyer, a military lawyer will be made available to you, either in person or by telephone, free of charge, or you may obtain advice from a civilian lawyer at your own expense.

ELECTION OF RIGHTS

6. Knowing and understanding all of my rights as set forth in paragraphs 1 through 5 above, my desires are as follows:

a. Lawyer. (Check one or more, as applicable)

I wish to talk to a military lawyer before completing the remainder of this form.

I wish to talk to a civilian lawyer before completing the remainder of this form.

I hereby voluntarily, knowingly, and intelligently give up my right to talk to a lawyer.

(b)(7)(C)

USN

Witness


LT PETER L. VAPOR, USN
Accused

26 FEB 18

(Date)

(Note: If the accused wishes to talk to a lawyer, the remainder of this form shall not be completed until the accused has been given a reasonable opportunity to do so.)

I talked to (b)(7)(C) USN, a lawyer.

(b)(7)(C)

USN

Witness


LT PETER L. VAPOR, USN
Accused

26 FEB 18

(Date)

b. Right to refuse nonjudicial punishment. (Check one)

I refuse nonjudicial punishment. I understand that, upon refusal of nonjudicial punishment, charges could be referred against me for trial by special or general court-martial. I also understand that my refusal of nonjudicial punishment does not preclude administrative action against me based on my misconduct. This may include being processed for an administrative discharge which could result in an other than honorable discharge.

PLW I accept nonjudicial punishment. I understand that acceptance of nonjudicial punishment does not preclude further administrative action against me. This may include being processed for an administrative discharge which could result in an other than honorable discharge.

c. Personal appearance. (Check one)

I request a personal appearance before the Commander.

I waive my right to personal appearance. (Check one below)

I do not desire to submit any written matters for consideration.

Written matters are attached.

d. Elections at personal appearance. (Initial one or more)

_____ I request that the following witnesses be present at my nonjudicial punishment proceeding:

None

DW I DO DO NOT (circle one) request that my non-judicial punishment proceeding be open to the public.

(b)(7)(C)

USN

Witness

Peter L. Vapor
LT PETER L. VAPOR, USN
Accused

SUSPECT'S RIGHTS ACKNOWLEDGEMENT/STATEMENT (See JAGMAN 0170)

FULL NAME (ACCUSED/SUSPECT) PETER L. VAPOR	SSN (b)(6), (b)(7)(C)	RATE/RANK LT/O-3	SERVICE (BRANCH) USN
ACTIVITY/UNIT Naval Construction Group ONE			DATE OF BIRTH N/A
NAME (INTERVIEWER) PHILIP S. DAVIDSON	SSN N/A	RATE/RANK ADM/O-10	SERVICE (BRANCH) USN
ORGANIZATION US Fleet Forces Command		BILLET Commander	
LOCATION OF INTERVIEW NSA Hampton Roads, Norfolk,, VA		TIME	DATE

RIGHTS

I certify and acknowledge by my signature and initials set forth below that, before the interviewer requested a statement from me, he warned me that:

(1) I am suspected of having committed the following offenses:

Charge I: VUCMJ, Article 92 (Violation of Lawful Order)

Charge II: VUCMJ, Article 107 (False Official Statement)

Charge III: VUCMJ, Article 133, 2 specifications (Conduct Unbecoming)

(2) I have the right to remain silent; ----- PW

(3) Any statement I do make may be used as evidence against me in trial by court-martial, ----- PW

(4) I have the right to consult with lawyer counsel prior to any questioning. This lawyer counsel may be a civilian lawyer retained by me at my own expense, a military lawyer appointed to act as my counsel without cost to me, or both; and ----- PW

(5) I have the right to have such retained civilian lawyer and/or appointed military lawyer present during this interview. ----- PW

(6) If I decide to answer questions now without a lawyer present, I will have the right to stop this interview at any time ----- PW

WAIVER OF RIGHTS

I further certify and acknowledge that I have read the above statement of my rights and fully understand them, and that, ----- PW

(1) I expressly desire to waive my right to remain silent; ----- PW

(2) I expressly desire to make a statement; ----- PW

(3) I expressly do not desire to consult with either a civilian lawyer retained by me or a military lawyer appointed as my counsel without cost to me prior to any questioning; PW

(4) I expressly do not desire to have such lawyer present with me during this interview; and ----- PW

any promises or threats having been made to me or pressure or coercion of any kind having been used against me.----- PLV

(6) I further understand that, even though I initially waive my rights to counsel and to remain silent, I may, during the interview assert my rights to counsel or to remain silent.----- PLV

SIGNATURE (ACCUSED/SUSPECT) <i>Anthony Van</i>	TIME 12:30	DATE 2-27-18
SIGNATURE (INTERVIEWER)	TIME	DATE
SIG (b)(7)(C)	TIME 1230	DATE 27 FEB 18

The statement which appears on this page (and the following 0 page(s), all of which are signed by me), is made freely and voluntarily by me, and without any promises or threats having been made to me or pressure or coercion of any kind having been used against me.

Anthony Van

SIGNATURE (ACCUSED/SUSPECT)

6. My defense counsel has fully advised me of the meaning and effect of imposition of NJP, and its attendant effects and consequences.

7. I understand that the maximum punishment available to be imposed at Admiral's Mast for a service member in my pay grade is as follows: (1) a punitive letter of reprimand to be filed in my official military record; (2) arrest in quarters for 30 days; (3) restriction to specified limits for 60 days; and (4) forfeiture of one-half of one month's pay per month for two months. I understand that I may not be reduced in grade as a result of NJP.

8. Statute of Limitations: I agree that this Agreement hereby constitutes my consent to this NJP and my complete knowing and voluntary waiver of the statute of limitations that would otherwise apply if this NJP were initiated without a waiver of this right. I understand that I normally would have the right to refuse NJP, and that this NJP is being held outside the two-year statute of limitations, meaning it can only be held if I accept NJP and voluntarily waive the statute of limitations requirement and thereby allow the Government to impose NJP. I agree to this knowingly and voluntarily. I have not been forced or coerced to accept NJP or waive the statute of limitations. My signature on this document indicates my freely-given decision and agreement to waive the statute of limitations to allow this NJP to proceed.

9. I also understand, having discussed this with my counsel, that by agreeing to submit to NJP, I am losing several rights that I would have possessed had this case been referred to a court-martial, including the right to have my case adjudicated by a panel of members; the right to impose a burden of proof beyond a reasonable doubt on the Government; the right to hold the Government to the requirements of the Rules of Evidence; the right to confront witnesses against me; and the right to compel production of my own relevant witnesses. I understand that the burden of proof at NJP is a lower standard, more probable than not; that the rules of evidence and Confrontation Clause do not apply, and that I will have to produce any witnesses I intend to call in my own defense.

10. I expressly understand that this Agreement will become null and void in the event that I fail to submit to NJP.

11. I understand that if this Agreement becomes null and void, Commander, United States Fleet Forces Command is free to refer the charges and specifications preferred on or about 1 August 2017 for trial by court-martial.

12. In consideration of this agreement, I agree to accept Admiral's Mast to the following charges and will plead as follows:

Charge	Plea
Charge I: Violation of the UCMJ, Article 92	NOT GUILTY
Specification (Violation of a Lawful Order): In that Lieutenant Peter L. Vapor, U.S. Navy, Naval Construction Group ONE, on active duty, did, having knowledge of a	

lawful order issued by the Secretary of Defense, to wit: Paragraph 2-100 of the Joint Ethics Regulation, Department of Defense 5500.07-R, as implemented by Department of Defense Directive 5500.07, dated 9 November 2007, an order which it was his duty to obey, at or near Singapore, on or about 6 September 2012, fail to obey the same by wrongfully accepting a gift of a value exceeding the permissible limit of \$20 from Mr. Leonard Francis, owner of Glenn Defense Marine Asia, and a prohibited source, in the form of restaurant food and beverages purchased by Mr. Leonard Francis.	NOT GUILTY
Charge II: Violation of the UCMJ, Article 107	GUILTY
Specification (False Official Statement): In that Lieutenant Peter L. Vapor, U.S. Navy, Naval Construction Group ONE, on active duty, did, at or near Singapore, on or about 15 November 2013, with intent to deceive, make to Special Agents (b)(7)(C) (b)(7)(C) Naval Criminal Investigative Service, an official statement, to wit: claiming he never interacted with Leonard Francis, which statement was totally false, and was known by Lieutenant Peter Vapor to be false.	GUILTY
Charge III: Violation of the UCMJ, Article 133	GUILTY
Specification 1 (Conduct Unbecoming): In that Lieutenant Peter L. Vapor, U.S. Navy, Naval Construction Group ONE, on active duty, being at the time the Petroleum Officer, Naval Construction Group ONE, did at or near Singapore, on or about 15 November 2013, wrongfully and dishonorably make a false statement to agents of the Naval Criminal Investigative Service in relation to the investigation into Glenn Defense Marine Asia, which conduct was unbecoming an officer and a gentleman.	GUILTY
Specification 2 (Conduct Unbecoming): In that Lieutenant Peter L. Vapor, U.S. Navy, Naval Construction Group ONE, on active duty, being at the time the Petroleum Officer, Naval Construction Group ONE, did at or near Singapore, on or about 6 September 2012, wrongfully and dishonorably receive gifts of food and drink, in excess of the permissible limit of \$20, from Mr. Leonard Francis, owner of Glenn Defense Marine Asia, and a prohibited source, which conduct was unbecoming an officer and a gentleman.	NOT GUILTY

13. It is expressly understood that I will not commit any misconduct chargeable under the UCMJ between the date both parties have signed this Agreement and the date of my NJP. Any misconduct on my part after both parties have signed this Agreement and before the date of my NJP will be grounds for withdrawal from this Agreement by Commander, United States Fleet Forces Command.

14. Specially-Negotiated Provisions:

a. Date: I agree, and am fully prepared, to go to Admiral's Mast at your earliest convenience.

b. Jurisdiction: I agree to be placed on temporary additional duty (TAD) orders to United States Fleet Forces Command in Norfolk, Virginia, in order to facilitate imposition of NJP.

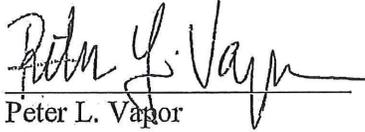
15. This Agreement constitutes all the conditions and understandings of both the Government and myself regarding the pleas and punishment limitations in this case. There are no other agreements, oral or written, expressed or implied, between myself and Commander, United States Fleet Forces Command, or any other representative of the Government.

16. I fully understand, and have discussed with my counsel, the terms, requirements and effects of this agreement. My signature below indicates my freely-given consent to this Agreement.

SIGNATURE PAGE

By my signature below I acknowledge that I have read this agreement completely, I have discussed it with my counsel, I understand it in all respects, and I am prepared to abide by its terms.

Accused:



Peter L. Vapor
Lieutenant
USN

Date: 31 Jan 18

Defense Counsel:

(b)(7)(C)

Date: 31 Jan 18

(b)(6), (b)(7)(C)

Date: 31 Jan 18

The foregoing pretrial agreement is approved, including the sentence limitation portion of this agreement.

Convening Authority:



Commander, U.S. Fleet Forces Command
Admiral
USN

Date: 9 Feb 2018

**ADMIRAL'S MAST
ACCUSED'S ACKNOWLEDGEMENT OF APPEAL RIGHTS**

I, LT PETER L. VAPOR, USN, assigned or attached to U.S. Fleet Forces Command, located at or near Norfolk, Virginia, have been informed of the following facts concerning my rights of appeal as a result of Admiral's Mast held on 27 February 2018.

a. I have the right to appeal my non-judicial punishment to the Vice Chief of Naval Operations.

b. My appeal must be submitted within a reasonable time. Five working days, excluding weekends and holidays, after the punishment is imposed is normally considered a reasonable time, in the absence of unusual circumstances. Any appeal submitted thereafter may be rejected as not timely. If there are unusual circumstances which I believe will make it extremely difficult or not practical to submit an appeal within five working days, I should immediately advise the officer imposing punishment of such circumstances, and request an appropriate extension of time which to file my appeal.

c. The appeal must be in writing.

d. There are only two grounds for appeal; that is:

(1) The punishment was unjust, or

(2) The punishment was disproportionate to the offense(s) for which it was imposed.

e. If the punishment imposed included reduction from the pay grade of E-4 or above, or was in excess of: arrest in quarters for 7 days, correctional custody for 7 days, forfeiture of 7 days' pay, extra duties for 14 days, restriction for 14 days, then the appeal must be referred to a military lawyer for consideration and advice before action is taken on my appeal.

f. For good consideration and after consultation with my detailed defense counsel, (b)(7)(C)
(b)(7)(C) **USN, I waive any appeal of NJP imposed on me.**



LT PETER L. VAPOR, USN
Accused

(b)(7)(C)

USN
Witness

Pages 21 through 83 redacted for the following reasons:

Pages (19) - (78) of Enclosure (1) are referred to: Department of Defense, Office of Inspector General
Withheld (b)(7)(A)

31 Jan 18

From: LT Peter L. Vapor, SC, USN
To: Commander, Fleet Forces Command

(b)(7)(C)

Subj: PERSONAL STATEMENT

1. In 2013, I was interviewed by two NCIS agents who asked me if I knew anyone who could be involved with GDMA. I responded, "No." During that NCIS interview, I knew that this answer was false because I knew that I had one meeting with Mr. Francis and deliberately withheld that piece of information from the NCIS agents. Lying to NCIS was also conduct unbecoming an officer and a gentleman in the United States Navy.

2. While serving in my capacity as Petroleum Officer at COMLOGWESTPAC (CTF73), I ensured that all vessels in the 7th Fleet AOR were in peak readiness mission, meeting their fuel requirements. My task was simple: to ensure our vessels avoid refueling at all costs through the Husbanding Service Provider (HSP). To that end, I was not aware of nor ever supported efforts by anyone to help GDMA, and I personally developed in-depth cost saving analysis for key stakeholders ensuring accurate and timely submission of fuel requirements. My efforts generated over \$25M in fuel cost avoidance versus paying HSP fuel prices, which is reflected in my FITREP and award from CTF73.

3. In my over 27 years in the Navy, without question, I am extremely proud of what I have accomplished. Starting out as a non-designated airman recruit in 1990, achieving a commission was my biggest accomplishment. I have fought extremely hard to get to my current position despite the many obstacles and challenges along the way. During my naval career I earned the coveted Sailor of the Year at COMPATRECONFORPAC in 2004, my bachelor's degree during off-duty hours, acceptance as the oldest candidate in my Officer Candidate School class and finally, selection for promotion to LCDR. Nothing was ever handed to me on a silver platter. My career path was not always easy but I am grateful for the mentors who helped me achieve my goals and even more grateful for the opportunities I have had to lead and mentor other officers and Sailors. While I understand my promotion to LCDR will not happen now, please understand finishing my career as an O-3E is very important to me and my family.

4. I understand that lying to investigators reflects very poorly on me as a Naval Officer. Again, I should have had the courage to offer the NCIS agents information regarding the meeting with (b)(7)(C) and Mr. Francis but failed. For that I am very remorseful and humbly apologize for my failure to report to the authorities when asked.


PETER L. VAPOR



UNITED STATES MARINE CORPS
MARINE CORPS INSTALLATIONS WEST-MARINE CORPS BASE
BOX 555010
CAMP PENDLETON, CALIFORNIA 92055-5010

20 February 2018

From: (b)(7)(C) United States Navy
To: Commander, United States Fleet Forces Command (b)(7)(C) 2/27

Subj: CHARACTER STATEMENT IN CASE OF LIEUTENANT PETE VAPOR, USN

1. My name is (b)(7)(C) I have been in the United States Navy for 22 years. I am currently stationed at Marine Corps Installations West-Marine Corps Base, Camp Pendleton as the (b)(7)(C)

(b)(7)(C)

2. I have served with Lieutenant (LT) Vapor at Naval Construction Group ONE from August 2015 - June 2017. My position as the (b)(7)(C) allowed me to interface with LT Vapor on a daily basis. LT Vapor was assigned to the Logistics Department as a Division Officer and I (b)(7)(C) and observed his work products on a frequent basis. I had the opportunity on several occasions to meet one on one with him to discuss his job performance and his professional interactions across the Navy Expeditionary Combat Command Enterprise.

3. I am aware that LT Vapor has an ongoing legal case and understand he accepted Non-Judicial Punishment (NJP) to be held in February 2018.

4. In my opinion and through my own observations, LT Vapor is a dedicated individual. I have had personal experience with LT Vapor's professionalism and work ethic. I do not know the finite details of his legal case. However, I can attest that LT Vapor performed honorably and operated superbly during our shared time together at Naval Construction Group ONE. LT Vapor excelled, delivering high end leadership in support of the Pacific Seabees, quickly taking responsibility for a variety of job responsibilities. Frequently, he would overachieve and outperform many of our senior officers. Time and again, he was selected by our command leadership to take on tough assignments, when it called for a leader we could trust. I understand LT Vapor will potentially receive discipline from the NJP process; however, I would readily serve with Pete again if the opportunity presented itself.

5. Through my discussions with Pete, he is a man of faith. He trusts the Lord and is ambitious to move forward in a positive direction for not only himself, but for his family. His commitment to decades of naval service and the dedicated sincerity he places into every assignment are professional hallmarks of LT Pete Vapor.

(b)(7)(C)

(b)(6), (b)(7)(C)

February 20, 2018

Commander, United States Fleet Forces Command (b)(7)(C) 127

(b)(6), (b)(7)(C)

Dear Commander,

I am one of Peter Vapors (b)(6), (b)(7)(C) I have known Peter Vapor for approximately 3 years. When Peter first arrived at our church with his family he asked for an appointment with me. He was eager to get involved in church community and went through training to be a small group leader. Peter has from day one been very up and honest about his failures and minimized any success he has had. He has always been a man of his word and has been someone I could count on getting things done and getting them done right. In my observations, Peter has always sought to put others before himself and has a servants heart. Anyone that has ever interacted with Peter has had a very good experience. For example; Peter's small group that he started is one of the most popular and well attended groups in the church. His group currently is at the point where it will reproduce itself. In my opinion this reproduction is in large part due to how Peter conducts himself with others seeking to serve and help build up those he is around.

I am aware of the charges that have been brought against him. two counts: Art 107 (False Official Statement) and Art 133 (Conduct Unbecoming due to the false official statement).

Peter Vapor has been above reproach in all areas I have observed. He is a person you want to represent you and I believe a good ambassador of the USN. When Peter first came to the church he made sure to set a meeting with leadership of the church and has been very transparent with every part of his life. In these meetings he had his wife present for accountability and accuracy. Peter was not required to meet with me nor did he have to include his wife, but because he did, I believe it shows how much he was willing to be open honest and accountable. Peter has served in various areas of the church always willing to lend a hand at all times. Peter is the type of person you are glad you have in your life. He is a person that you can count on and has a high level of integrity and character. Peter seems to live by the motto to say yes more than he says no, even when it's not convenient for him. His leadership skills are apparent and are a testament of his years of service in the USN. I know I can speak for the rest of the leadership here at (b)(6), (b)(7)(C) when I say Peter has shown a high level of humility, integrity and level of service that everyone should aspire to.

Sincerely,

(b)(6), (b)(7)(C)

21 Feb 2018

MEMORANDUM

From: (b)(7)(C)
To: Commander, United States Fleet Forces Command (b)(7)(C) *ht*
Subj: CHARACTER STATEMENT ICO LT PETE VAPOR, USN

1. Admiral, I have been in the Navy 27 years. I am currently the (b)(7)(C) My previous assignment was (b)(7)(C) (b)(7)(C) (b)(7)(C) It was during this assignment that I worked with and observed LT Pete Vapor. I have held non-judicial punishment authority and the authority to convene courts-martial, which I have taken very seriously throughout my career.

2. In the summer of 2015, I was informed by BUPERS that LT Vapor would be expeditiously reassigned to my Group pending GDMA investigations and accountability. I was not happy about the reassignment due to the discredit that the incidents have brought upon our Navy. However, I learned through my interactions with LT Vapor that I need to be more cautious in my judgment of others. During the year that Pete was assigned to my Command's staff as the Material Division and Automotive Repair Parts Officer (Aug 2015-Jul 2016), I found him to be incredibly dedicated to improving validity, accountability, and delivery of repair parts and logistics for Seabee readiness and missions throughout the Pacific. I also found him to be dedicated to his sailors and their career development. I met with my N4 and his key staff to include Pete monthly, as well as visiting my supply outlets. It was very evident to me that the N4 team respected Pete's work ethic and contributions. He also routinely received positive comments from ISIC inspectors and subordinate units. Additionally, Pete communicated with me regularly on status of FIAR audits on his outlets. Pete participated in wardroom events, but I did not observe him in many social settings. In summary, I found Pete worked exceptionally hard for me while he was attached to my command and delivered positive results for my mission and Seabees.

3. I am aware that LT Vapor is being charged with two counts: Art 107 (False Official Statement) and Art 133 (Conduct Unbecoming).

4. I believe LT Vapor acknowledges the discredit his actions have brought against our Navy, and I expect he will accept accountability and punishment for both charges. Despite his prior shortfalls, I believe Pete still has much to offer and I challenge him to find a way post Navy to continue to serve the betterment of our society and veterans, especially as it pertains to the improvement of honor and integrity.

Very Respectfully,

(b)(7)(C)

19 February 2018

From: (b)(7)(C)
To: Commander, United States Fleet Forces Command (b)(7)(C) 2/27
Subj: CHARACTER STATEMENT ICO LT PETE VAPOR, USN

1. My name is (b)(7)(C) and I have served in the United States Navy for 27 years. I am currently stationed at (b)(6), (b)(7)(C)

(b)(7)(C)

(b)(7)(C) and various other CONUS and OCONUS shore assignments. I have been an officer since May 1990, receiving my commission via NROTC. I have not had non-judicial punishment authority and/or the authority to convene courts-martial.

2. I have known the accused for 2 ½ years. During the period of 18 July 2015 – 15 June 2016, I was assigned as (b)(6), (b)(7)(C) for Naval Construction Group One (NCG-1) in Port Hueneme, California and on 3 August 2015 LT Peter Vapor was assigned to me as my Automotive Repair Parts Division Officer. During this time, I had the opportunity to observe his professional performance on a daily basis approximately five times a week, since he was one of four officers under my direct supervision. He received the same amount of time and attention as all my other division officers and I would check on him via phone or in person on average about once or twice a day. Pete did a phenomenal job leading eight Sailors and three civilian personnel in the shipment, receipt and management of parts and maintenance consumables assigned as part of NCG-1's Table of Allowance. One of his best characteristics was his interpersonal skills and concern for his Sailors. He made it a priority to know his team by conducting one-on-one sit down sessions with every member of his team and getting personally involved with Career Development Boards and other forms of counseling. He also worked with his (b)(7)(C) to foster a good team-building environment. His engagement made a noticeable and positive impact to the personal and professional well being of division personnel as evidenced by 100% retention and 92% college enrollment during that period. LT Vapor was always dependable and respectful; I never experienced any problems with his personal and/or professional performance.

3. I am aware that LT Vapor is scheduled to go to Admiral's mast and is charged with Article 107 (making a false official statement) and Article 133 (conduct unbecoming an officer). I do not have any other knowledge regarding his allegations.

4. In my opinion, LT Vapor is an outstanding officer who consistently carried out his duties in a reliable manner. I would rank him in the upper 25% of all junior officers that I served with during my career. He impressed me with his positive attitude, and willingness to take on all assigned tasking regardless of the circumstances that brought him to NCG-1. He was an effective leader who got things done and kept active within the wardroom. Establishing great relationships with our subordinate units and other NCG-1 departments, he facilitated the transfer of two major functions (Seabee Tech Trainer and homeport Material Liaison Office support) from Training Department to Logistics Department ensuring that we were ready to assume additional responsibilities. If he were allowed to continue to serve, I am sure that the Navy would continue to benefit from this kind of leadership that made him succeed at NCG-1 and also throughout his career starting as an enlisted Sailor and resulting in his selection for Lieutenant Commander. I believe that Pete can recover from the situation that he is accused of and continue his career because of the resiliency that he demonstrated at NCG-1 performing at a high level, while being investigated. Without a doubt, I would be willing to serve with him in the future whether under a peacetime or combat situation.

5. Like others I remain angered and disappointed by the damage done to our Navy by those convicted of being involved in the Glenn Defense Marine Asia scandal. However, based on my interactions with LT Vapor, I found him to be an honorable man with strong faith in God and a great love for his family. He was also active in his community, volunteering as a basketball referee for the local YMCA. I cannot fathom him committing any of the allegations that he is accused of. In my dealings with him, Pete was always forthcoming and honest with me and I never had cause to doubt him. In fact, I trusted him in helping me deal with and resolve a sensitive civilian EEO issue that had been lingering prior to his arrival. I believe that his performance at NCG-1 was a true reflection of his 27 years of service and would respectfully recommend that LT Vapor be allowed to retire from Naval Service.

V/L

(b)(7)(C)

27 February 2018

MEMORANDUM FOR THE RECORD

1. This memorandum documents the proceedings of Admiral's Mast held by Commander, United States Fleet Forces Command (USFFC) on 27 February 2018, to address alleged misconduct by LT Peter L. Vapor. Commander, USFFC, has been designated as the consolidated disposition authority (CDA) for all matters related to Glenn Defense Marine Asia (GDMA). LT Vapor's matter was referred to the CDA for review and adjudication by the Department of Justice (DoJ).

2. Present at the proceedings were ADM Philip Davidson, (Commander, USFFC),

(b)(7)(C)

(b)(7)(C)

(b)(7)(C)

and LT Peter Vapor.

3. ADM Davidson articulated LT Vapor's rights and ensured LT Vapor had an opportunity to review the evidence that would be considered.

4. LT Vapor had previously, through counsel, submitted a personal statement and other written character witness statements for consideration by ADM Davidson. LT Vapor's pleas were in accordance with the Memorandum of Understanding that was signed on 31 January 2018. In addition, at Mast, LT Vapor stated that he admitted to partaking in meals provided by Leonard Francis and admitted that he provided a false official statement to the NCIS agent regarding his interactions with Leonard Francis. LT Vapor apologized for lying when asked about his interactions with Leonard Francis, but denied repeatedly that he has never spoken to

(b)(7)(C)

(b)(7)(C)

on the phone about being anxious of pending investigations and never said "Filipinos don't rat"

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Leonard Francis. LT Vapor stated that as

the Petroleum Officer he had never purchased fuel from GDMA because the prices were too high and as a result saved the Navy over twenty-five million dollars. LT Vapor once again apologized for his actions and stated that he has served over twenty-seven years in the Navy for which he is proud of.

5. LT Vapor did not present any matters from his current chain of command in relation to his current performance.

6. ADM Davidson announced his findings. LT Vapor was found guilty of violating UCMJ, Article 92(violation of a lawful order as related to the Joint Ethics Regulation), Article 107 (false official statement as related to intent to deceive Special Agents of Naval Criminal Investigative Service), and Article 133, 2 specifications (conduct unbecoming as related to wrongfully and dishonorably making a false statement in the Glen Defense Marine Asia investigation and wrongfully and dishonorably receive gifts of food and drink from Leonard Francis). ADM Davidson imposed a forfeiture of \$2000.00 pay per month for one month and a punitive letter of reprimand.

7. Admiral Davidson dismissed LT Vapor.

(b)(7)(C)

9 Mar 18

From: LT Peter L. Vapor, SC, USN
To: Commander, U.S. Fleet Forces Command

SUBJ: RESPONSE TO PUNITIVE LETTER OF REPRIMAND RECEIVED ON 2 MARCH 18

Ref: (a) Article 15, Uniform Code of Military Justice
(b) Para. 5 of Part V, MCM (2016 ed.)
(c) JAGINST 5800.7F, Section 0114

Encl: (1) USFLEETFORCOM Ser N01L/022 dtd 2 Mar 18

1. Pursuant to references (a) through (c), I respectfully submit my response to enclosure (1). On 2 March 2018, I pled guilty to violating Uniform Code of Military Justice (UCMJ) Article 107, False Official Statement, and Article 133, Conduct Unbecoming an Officer. The basis for the two specifications to which I pled guilty was my 15 November 2015 statement to NCIS agents. Enclosure (1) was a fair punishment with respect to those specifications. For all other specifications, however, enclosure (1) inaccurately describes my conduct while assigned as Petroleum Officer, Logistics Group Western Pacific. I did not knowingly accept any gifts from Leonard Francis or GDMA.

2. On 6 September 2012, I attended what I was told was a birthday party for a fellow officer's friend. I was under the impression that food and drinks were being paid for by the host, as is Asian custom. I did not know that Leonard Francis was paying for the food or drinks. Additionally, I did not consume alcohol that night due to contraindications with prescribed medication. To the extent I received any food or drinks, I thought they were from the birthday celebrant. I knew to avoid gifts from Leonard Francis and GDMA in general. I was praised in my 12FEB01-13JAN31 Fitness Report (which includes the period in question) for my efforts to avoid GDMA. As the FITREP indicates, these efforts saved the U.S. Navy \$25 million.

3. I am extremely proud of what I have accomplished in my 27-year career. Starting out as a non-designated airman recruit in 1990, achieving a commission was my biggest accomplishment. I fought to get to my current position. I earned the coveted Sailor of the Year at COMPATRECONFORPAC in 2004, my bachelor and master's degrees during off-duty hours, acceptance as the oldest candidate in my Officer Candidate School class and finally, selection for promotion to LCDR. I am grateful for the mentors who helped me achieve my goals and even more grateful for the opportunities I have had to mentor other Sailors. These milestones represent the type of person I am, and while I made a mistake by lying about my contact with Leonard Francis, I would never knowingly accept gifts from a prohibited source.

4. I accept responsibility for lying, and I will have to live with that shame. I simply cannot accept responsibility for taking gifts from Leonard Francis, something I did not do. Thank you for your time and consideration.



P. L. VAPOR



DEPARTMENT OF THE NAVY
COMMANDER
UNITED STATES FLEET FORCES COMMAND
1562 MITSCHER AVENUE SUITE 250
NORFOLK VA 23551-2487

5800
Ser CDA/389
29 Mar 18

From: Commander, United States Fleet Forces Command
To: Chief of Naval Personnel
Naval Inspector General

Subj: ADVERSE INFORMATION ICO LT PETER L. VAPOR, SC, USN

Ref: (a) SECNAV CDA Memo dtd 30 Sep 15
(b) VCNO ltr 5800 Ser N09D/16U112936 of 29 Aug 16
(c) 5 C.F.R. § 2635
(d) DoD Instruction 1320.04

1. As the Consolidated Disposition Authority (CDA) for the Glenn Defense Marine Asia (GDMA) matter per references (a) and (b), I reviewed matters forwarded by the Department of Justice and Defense Criminal Investigative Service regarding LT Peter L. Vapor, SC, USN, while he served as Petroleum Officer, Logistics Group Western Pacific, in 2012 and 2013. Based on a preponderance of the evidence, I substantiated seven misconduct allegations against LT Vapor. The substantiated allegations occurred in Singapore in 2012 and 2013. As set forth below, I found that LT Vapor improperly accepted the gift of restaurant food and beverages with a value in excess of permissible limits from Mr. Leonard Francis/GDMA, a prohibited source, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C), made a false official statement to investigators from the Naval Criminal Investigative Service (NCIS) when questioned by them about his knowledge and involvement with Mr. Francis/GDMA, and (b)(6), (b)(7)(C) (b)(6), (b)(7)(C). Additionally, I found that LT Vapor engaged in conduct unbecoming an officer and gentleman.

2. In relation to the substantiated allegations:

a. In September 2012, while serving as Petroleum Officer, Logistics Group Western Pacific, LT Vapor improperly accepted the gift of restaurant food and beverages in Singapore, with a value in excess of ethical limits, from Mr. Francis/GDMA. Based upon the facts and circumstances known to me regarding this allegation, I determined that none of the exceptions in reference (c) apply.

b. I found LT Vapor's acceptance of the gift of restaurant food and beverages in Singapore in September 2012, with a value in excess of ethical limits, from Mr. Francis/GDMA, while serving as Petroleum Officer, Logistics Group Western Pacific, to be conduct unbecoming an officer and a gentleman.

c. From September 2012 to September 2013, on divers occasions, while serving as Petroleum Officer, Logistics Group Western Pacific, LT Vapor (b)(6), (b)(7)(C) (b)(6), (b)(7)(C). Based upon the facts and circumstances known to me regarding this allegation, I determined that none of the exceptions in reference (c) apply.

Subj: ADVERSE INFORMATION ICO LT PETER L. VAPOR, SC, USN

d. From September 2012 to September 2013, while serving as Petroleum Officer, Logistics Group Western Pacific, LT Vapor wrongfully (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Based upon the facts and circumstances known to me regarding this allegation, I also found his conduct prejudicial to good order and discipline and of a nature to bring discredit upon the armed forces, such that (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

e. In November 2013, while serving as Petroleum Officer, Logistics Group Western Pacific, LT Vapor made a false official statement to NCIS investigators claiming he never interacted with Mr. Francis.

f. I found LT Vapor's false official statement to NCIS investigators in November 2013 to be conduct unbecoming an officer and gentleman.

3. The substantiated findings above constitute adverse information in accordance with reference (d).

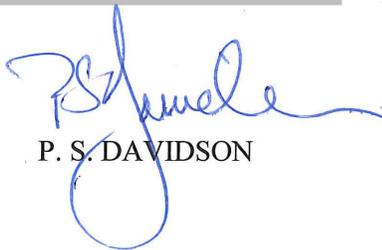
a. I personally addressed the issues discussed in paragraphs 2.a.-b, e-f above, with LT Vapor at Admiral's Mast and imposed non-judicial punishment (NJP) in the form of a punitive letter of reprimand and forfeiture of \$2,000 pay per month for one month for violation of UCMJ Article 92 (Violation of Lawful Order), one specification, violation of UCMJ Article 107 (False Official Statement), one specification, and violation of UCMJ Article 133 (Conduct Unbecoming an Officer and a Gentleman), two specifications.

b. In accordance with a memorandum of understanding concerning the NJP, LT Vapor agreed to waive all administrative separation processing and any retirement grade determination board. I recommended that LT Vapor be retired in paygrade O-3E.

4. The allegations discussed in paragraphs 2.c-d above were outside the statute of limitations for imposition of NJP and LT Vapor did not otherwise waive the statute of limitations for those offenses. Therefore, no NJP was imposed for these offenses and they were not the subject of Admiral's Mast. As a separate administrative matter, in addition to the imposition of NJP, I substantiated these allegations of misconduct.

5. I considered all potential and appropriate remedies consistent with the evidence and findings of fact, including restitution and reimbursement. The punishment imposed at Admiral's Mast appropriately addresses the benefits that LT Vapor obtained as a result of his misconduct.

6. My point of contact for this matter is (b)(7)(C) may be reached at (b)(7)(C) (b)(7)(C) @navy.mil.



P. S. DAVIDSON

Copy to:
VCNO (N09D)
CNP ((b)(7)(C))
NCIS ((b)(7)(C))
DCIS ((b)(7)(C))

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI) VAPOR, Peter, L		2. SSN (b)(6), (b)(7)(C)	3. RANK/RATE LT	4. PAY GRADE O-3
5. UNIT OR ORGANIZATION Naval Construction Group ONE			6. CURRENT SERVICE	
			a. INITIAL DATE 4 Sept 1990	b. TERM INDEF
7. PAY PER MONTH		8. NATURE OF RESTRAINT OF ACCUSED		9. DATE(S) IMPOSED
a. BASIC \$7194.60	b. SEA/FOREIGN DUTY \$0	c. TOTAL \$7194.60	None	
\$7026.00		\$7026.00	N/A	

(b)(7)(C)
30-118

II. CHARGES AND SPECIFICATIONS

10. CHARGE **1** VIOLATION OF THE UCMJ, ARTICLE 92

Specification 1 (Violation of a Lawful Order): In that Lieutenant Peter L. Vapor, U.S. Navy, Naval Construction Group ONE, on active duty, did, having knowledge of a lawful order issued by the Secretary of Defense, to wit: Paragraph 2-100 of the Joint Ethics Regulation, Department of Defense 5500.07-R, as implemented by Department of Defense Directive 5500.07, dated 9 November 2007, an order which it was his duty to obey, at or near Singapore, on divers occasions from about 6 September 2012 to about September 2013, fail to obey the same by wrongfully accepting gifts of a value exceeding permissible limits from Mr. Leonard Francis, ^{Group Executive Chairman and President} owner of Glenn Defense Marine Asia, and a prohibited source, in the form of restaurant meals ^{and liquor} purchased by Mr. Leonard Francis.

Specification 2 (Violation of a Lawful Order): ^{(b)(7)(C)} Lieutenant Peter L. Vapor, U.S. Navy, Naval Construction Group ONE, on active duty, did, ^{(b)(7)(C)} having knowledge of a lawful order issued by the Secretary of Defense, to wit: Paragraph 2-100 of the Joint Ethics Regulation, Department of Defense 5500.07-R, as implemented by Department of Defense Directive 5500.07, dated 9 November 2007, an order which it was his duty to obey, at or near Singapore, on divers occasions from about 6 September 2012 to about September 2013, fail to obey the same by wrongfully accepting gifts of a value exceeding permissible limits from Mr. Leonard Francis, ^{Group Executive Chairman and President} owner of Glenn Defense Marine Asia, and a prohibited source, ^{(b)(6), (b)(7)(C)} Lieutenant Peter L. Vapor.

(b)(7)(C)
THOU IT

(b)(7)(C)
THOU IT

SEE TWO (2) ADDITIONAL PAGES

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) (b)(7)(C)	b. GRADE (b)(7)(C)	c. ORGANIZATION OF ACCUSER United States Fleet Forces Command
d. SIGNATURE OF ACCUSER 		e. DATE (YYYYMMDD) 20170801

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 1st day of August, 2017, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

(b)(7)(C)

Typed Name of Officer

(b)(7)(C)

Grade and Service

(b)(7)(C)

United States Fleet Forces Command

Organization of Officer

(b)(7)(C)

Official Capacity to Administer Oaths
(See R.C.M. 307(b)—must be commissioned officer)

12. On 7 AUGUST, 20 17, the accused was informed of the charges against him/her and of the name(s) of the accuser(s) known to me. (See R.C.M. 308(a)). (See R.C.M. 308 if notification cannot be made.)

(b)(7)(C) _____
Typed Name
(b)(7)(C) _____
Organization
(b)(7)(C) _____
Grade
(b)(7)(C) _____
Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13. The sworn charges were received at 1730 hours, 8 AUGUST 20 17 at United States Fleet Forces Command
Designation of Command or

Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

FOR THE Commander
(b)(7)(C) _____
Typed Name of Officer
(b)(7)(C) _____
By Direction
Official Capacity of Officer Signing
(b)(7)(C) _____

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY U.S. Fleet Forces Command	b. PLACE Norfolk, Virginia	c. DATE 7 November 2017
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Referred for trial to the General court-martial convened by General Court-Martial
Convening Order I-17 dated

7, August 20 17, subject to the following instructions:² None.

By _____ Of _____
Command or Order

P.S. DAVIDSON _____
Typed Name of Officer
Commander
Official Capacity of Officer Signing
Admiral, U.S. Navy
Grade
[Signature]
Signature

15. On 16 NOVEMBER, 20 17, I (caused to be) served a copy hereof on (each of) the above named accused.

(b)(7)(C) _____
Typed Name of Trial Counsel
(b)(7)(C) _____
Grade or Rank of Trial Counsel
(b)(7)(C) _____
Signature

FOOTNOTES

1 -- When an appropriate commander signs personally, inapplicable words are stricken.
2 -- See R.C.M. 601(e) concerning instructions. If none, so state.

Continuation of DD FORM 458 ICO U.S. v. LT PETER L. VAPOR, USN

CHARGE II, VIOLATION OF THE UCMJ, ARTICLE 107

Specification 1 (False Official Statement): In that Lieutenant Peter L. Vapor, U.S. Navy, Naval Construction Group ONE, on active duty, did, at or near Singapore, on or about 18 November 2012, with intent to deceive, electronically sign an official record, to wit: Standard Form 86, which record was false in that Lieutenant Peter Vapor answered "No" to the question "Do you have, or have you had, close and/or continuing contact with a foreign national within the last seven (7) years with whom you, or your spouse, or cohabitant are bound by affection, influence, common interests, and/or obligation?" which answer was then known by the said Lieutenant Peter L. Vapor to be so false.

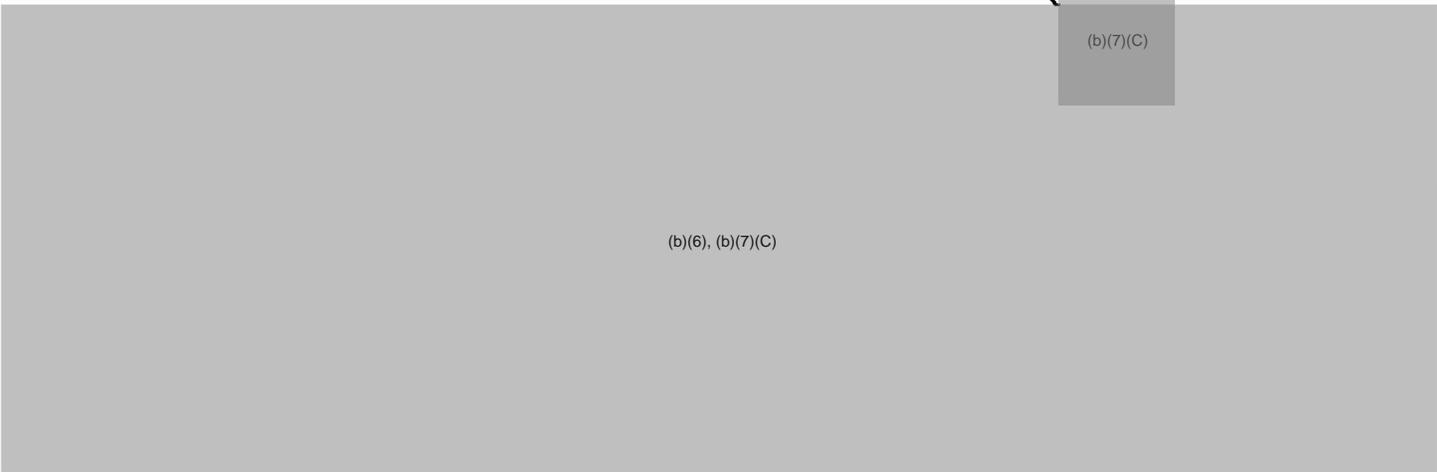
Specification 2 (False Official Statement): In that Lieutenant Peter L. Vapor, U.S. Navy, Naval Construction Group ONE, on active duty, did, at or near Singapore, on or about 15 November 2013, with intent to deceive, make to Special Agents (b)(7)(C) Naval Criminal Investigative Service, an official statement, to wit: claiming he never interacted with Leonard Francis, which statement was totally false, and was then known by the said Lieutenant Peter L. Vapor to be so false.

Specification 3 (False Official Statement): In that Lieutenant Peter L. Vapor, U.S. Navy, Naval Construction Group ONE, on active duty, did, at or near Singapore, on or about 15 November 2013, with intent to deceive, make to Special Agents (b)(7)(C) Naval Criminal Investigative Service, an official statement, to wit: claiming he never had never seen or heard of anyone taking gifts, bribes, (b)(6), (b)(7)(C) Leonard Francis or employees of Glenn Defense Marine Asia, which statement was false in that Lieutenant Peter L. Vapor received gifts of food, alcohol, (b)(6), (b)(7)(C) from Leonard Francis and witnessed other Naval Officers receive gifts (b)(6), (b)(7)(C) from Leonard Francis, and was then known by the said Lieutenant Peter L. Vapor to be so false.

CHARGE III, VIOLATION OF THE UCMJ, ARTICLE 133

Specification (Conduct Unbecoming): In that Lieutenant Peter L. Vapor, U.S. Navy, Naval Construction Group ONE, on active duty, being at the time the Petroleum Officer, Naval Construction Group ONE, did at or near Singapore, on divers occasions from on or about 6 September 2012 to about September 2013, wrongfully and dishonorably receive from Mr. Leonard Francis, owner of Glenn Defense Marine Asia, and a prohibited source, unreported (b)(6), (b)(7)(C) services and restaurant meals of food and liquor of a value exceeding permissible limits, which conduct was unbecoming an officer and a gentleman.

(b)(7)(C)
7 NOV 17



(b)(7)(C)

(b)(6), (b)(7)(C)

AND NO OTHERS.