



DEPARTMENT OF THE ARMY  
OFFICE OF THE INSPECTOR GENERAL  
1700 ARMY PENTAGON  
WASHINGTON DC 20315-1700

DEC 31 2012

US ARMY INSPECTOR GENERAL AGENCY  
PRELIMINARY INQUIRY  
(Case 12-00042)

**NAMES/POSITIONS:** (b)(7)(C)

(b)(7)(C) BG Peter Deluca, Commandant, US Army Engineer School,  
US Army Maneuver Support Center of Excellence, FLW, Missouri

**ALLEGATIONS AND CONCLUSIONS:**

1. The allegation that BG Deluca engaged in an inappropriate relationship was substantiated. The evidence indicated that BG Deluca was married to (b)(7)(C) (b)(7)(C) when he publically announced his fiancée, (b)(7)(C)

2. (b)(7)(C)  
(b)(7)(C)

3. (b)(7)(C)  
(b)(7)(C)

**BACKGROUND:** On 28 February 2012, DAIG-IN received an anonymous complaint from the FLW-IG alleging BG Deluca resided in housing with his fiancée. The complainant stated BG Deluca was married to another woman, but she was not living at FLW. Additionally, the complainant stated the FLW CG was aware of the situation.

**ALLEGATION # 1:** BG Deluca engaged in an inappropriate relationship.

**STANDARD:** AR 600-100, Army Leadership, paragraph 2-1, states that every leader will set and exemplify the highest ethical and professional standards as embodied in the Army Values.

**ANALYSIS/DISCUSSION:**

1. BG Deluca was married to (b)(7)(C) as reflected in the DOD Employee Interactive Data System (DEIDS). The DEIDS Family Member Listing report reflected (b)(7)(C) as BG Deluca's spouse and (b)(7)(C) as "other."

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2. (b)(7)(C) 1<sup>st</sup> Engineer BDE S-1 Shop, FLW, stated she in-processed BG Deluca and helped him add (b)(7)(C) to his emergency contact information form. (b)(7)(C) stated a person could be added to the Family Member Listing without actually being related. The person could be listed as "other" and would be considered a "not authorized dependant."

3. (b)(7)(C) GS-11, Deputy Director, Defense Military Pay Office, FLW, in-processed BG DeLuca on 8 December 2011. BG Deluca listed his marital status as "separated" and provided a separation agreement dated 25 January 2008.

4. The 22 November 2011 edition of the *Pulaski County Daily News* cited BG Deluca as the new Engineer School Commander and listed (b)(7)(C) as BG Deluca's "fiancée." The *Pulaski County Daily News* quoted BG Deluca: "This is a person who was a 26-year New Yorker who agreed to move to Missouri so I think it must be love. . . I certainly wasn't about to let her get away and I think when you meet her you'll know why." MG Yenter attended the ceremony.

[IO Note: The *Pulaski County Daily News* is an independent news source for the Fort Leonard Wood community. The site provides news and information on government, school, police, fire, and community events.]

5. BG Deluca testified he approached his wife in 2007 with a settlement and separation agreement and since then encountered years of unmet expectations in an attempt to finalize his divorce.

a. An initial, uncontested settlement and separation agreement was signed on 25 January 2008. Since 2008, Mrs. Deluca denied him every opportunity to finalize the divorce. (b)(7)(C) and (b)(7)(D)

(b)(7)(C) and (b)(7)(D)

[IO note: The Uniformed Services Former Spouse Protection Act (USFSPA) permits former spouses to continue receiving commissary, exchange, and health care benefits after a divorce in certain cases. To qualify for continued benefits, a former spouse must show that the Service member served at least 20 years of creditable service, that the marriage lasted at least 20 years, and that the period of the marriage overlapped the period of service by at least 20 years. A former spouse who meets these requirements

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is known as a 20/20/20 former spouse and is entitled to full commissary, exchange, and health care benefits. These benefits include TRICARE and inpatient and out-patient care at a military treatment facility. Under the USFSPA a 20/20/20 spouse may also receive up to 50% of the service member's retirement as payment directly from Defense Finance and Accounting Services (DFAS). BG Deluca and Mrs. Deluca were married 3 October 1992; 20 years was not until 3 October 2012. The marriage at that point overlapped 20 years of BG Deluca's active federal service.]

b. Mrs. Deluca and her lawyer obtained a change in venue to another county, further delaying the proceeding. BG Deluca believed his spouse was delaying the divorce's finality in order to establish herself as a 20/20/20 spouse. BG Deluca indicated that he was prepared to do whatever was needed to obtain the divorce.

c. He met (b)(7)(C) in 2009 in New York. By 2010 they were dating, and they became engaged in 2011. He was actively seeking his divorce. He told his son and estranged wife of the new relationship, and he wanted the divorce finalized. BG Deluca testified he was an old Soldier with a demanding career and an active social life associated with work but not outside of work. He did not see a relationship in his future, and it took him by surprise.

d. (b)(7)(C) signed a lease agreement on 9 April 2012 in St. Robert, MO. He and (b)(7)(C) did not live together at FLW, although it might have appeared that way on the housing paperwork. (b)(7)(C) was sensitive to the situation and remained in her own apartment in St. Robert, MO.

e. (b)(7)(C) helped BG Deluca establish his quarters at FLW. When she came to FLW in November 2011 to help set up the house, she stayed with him; she did not get a motel room. In 2011, they spent Thanksgiving and Christmas together. (b)(7)(C) had a presence on post and in the housing community after she arrived in November 2011. She visited BG Deluca once a month, and BG Deluca brought her to some events. They attended the Chemical Regimental Ball together.

f. MG Yenter knew BG Deluca had a pending divorce and knew he was engaged to (b)(7)(C). BG Deluca briefed MG Yenter on his situation when he first arrived at FLW in November 2011. He explained to MG Yenter that the divorce would be finalized very quickly. All the expectations of his divorce being finalized quickly were unmet.

g. BG Deluca wanted to protect the Army institution. He was honest with everyone, deceived no one, and misled no one. He tried to behave in a way that would not reflect badly on the Army. Because of expectations and a desire for some support, he testified he probably created a situation that could be misread and cast in a bad light for the service. He was "regretful;" he owed the Army everything, and would do whatever the Army felt he needed to do to rectify the situation.

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6. (b)(7)(C) a VA attorney, represented BG Deluca from 2007 to 2011 when the separation and settlement agreement was uncontested.

(b)(7)(C)

b. Mrs. Deluca used delaying tactics for years to stall the divorce. Every time Mrs. Deluca seemed willing to move forward with the divorce, she would change her mind. It went back and forth. She came back with amendments to the settlement, which BG Deluca quickly agreed to, only to change her mind again. BG Deluca did everything possible to make his estranged wife happy with the settlement and to finalize the divorce.

(b)(7)(C)

8. The evidence indicated BG Deluca engaged in an inappropriate relationship with (b)(7)(C). Despite his efforts to finalize his divorce since 2008, BG Deluca was engaged to (b)(7)(C) while he was still married to Mrs. Deluca. BG Deluca's engagement, which he admitted was romantic, did not represent the exemplary conduct expected of a senior officer and was not consistent with the standards embodied in the Army values.

ALLEGATION # 2: (b)(7)(C)

(b)(7)(C)

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(b)(7)(C)

ALLEGATION # 3: (b)(7)(C)

(b)(7)(C)

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(b)(7)(C)

**OTHER MATTER:** On 25 August 2011 BG Deluca submitted a housing application to the FLW Housing office which reflected (b)(7)(C) as his spouse. The housing application was signed on 15 November 2011. BG Deluca testified he did not fill out the housing paperwork for on post housing. He testified the *Leonard Wood Family Communities* housing office completed the form for him. BG Deluca informed the housing office (b)(7)(C) would move in with him once they were married. Although BG Deluca initialed the bottom of each page, he did not notice (b)(7)(C) had been added as his spouse. BG Deluca never portrayed (b)(7)(C) to be his spouse and did not falsify any information. (b)(7)(C) did not live with BG Deluca; she signed a one-year lease for her own apartment.

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**RECOMMENDATIONS:**

1. Record the allegation that BG Deluca engaged in an inappropriate relationship as substantiated.

2. (b)(7)(C)  
(b)(7)(C)

3. (b)(7)(C)  
(b)(7)(C)

4. The issue in other matters be dropped.

5. Refer this report to OTJAG.

(b)(7)(C)

LTC, IG  
Investigator

APPROVED:



PETER M. VANGJIL  
Lieutenant General, USA  
The Inspector General

**COORDINATION:**

IN, Legal	Initials:	(b)(7)(C)
Chief, PI Br	Initials:	
IG, Legal	Initials:	
Chief, IN Div	Initials:	
OGC	Initials:	

SA

Date: 20 Dec 12  
Date: 14 Dec 12  
Date: 18 Dec 12  
Date: 21 Dec 12  
Date: 21 Dec 12

Encls

**LIST OF EXHIBITS**

**EXHIBIT**

**ITEM**

**A Complaint/Legal Review**

**B Standard:**

B-1: AR 600-100

B-2: AR 600-20

**C Document Summary:**

C-1: DEERS enrollment for BG Deluca

C-2: Family Member Listing for BG Deluca

C-3: Customer Housing application for BG Deluca

C-4: Pulaski County Daily, dtd 22 November 2011

C-5: DA Form 5960, BAQ form from FLW Finance, dtd 8 December 2011

C-6: Separation and Settlement agreement for BG Deluca, dtd 25 January 2008

C-7: DEIDS Report

C-8: Command Policy #20 Housing Assignment for Key and Essential Personnel

C-9: DA Form 3881 for BG Deluca

C-10: Residential Lease for (b)(7)(C)

(b)(7)(C)

**D Testimony Summary:**

D-1: (b)(7)(C)

FOIA: Yes

D-2: BG Deluca

FOIA: No

D-3: (b)(7)(C)

FOIA: N/A

D-4: (b)(7)(C)

FOIA: N/A

D-5: MG Yenter

FOIA: No