

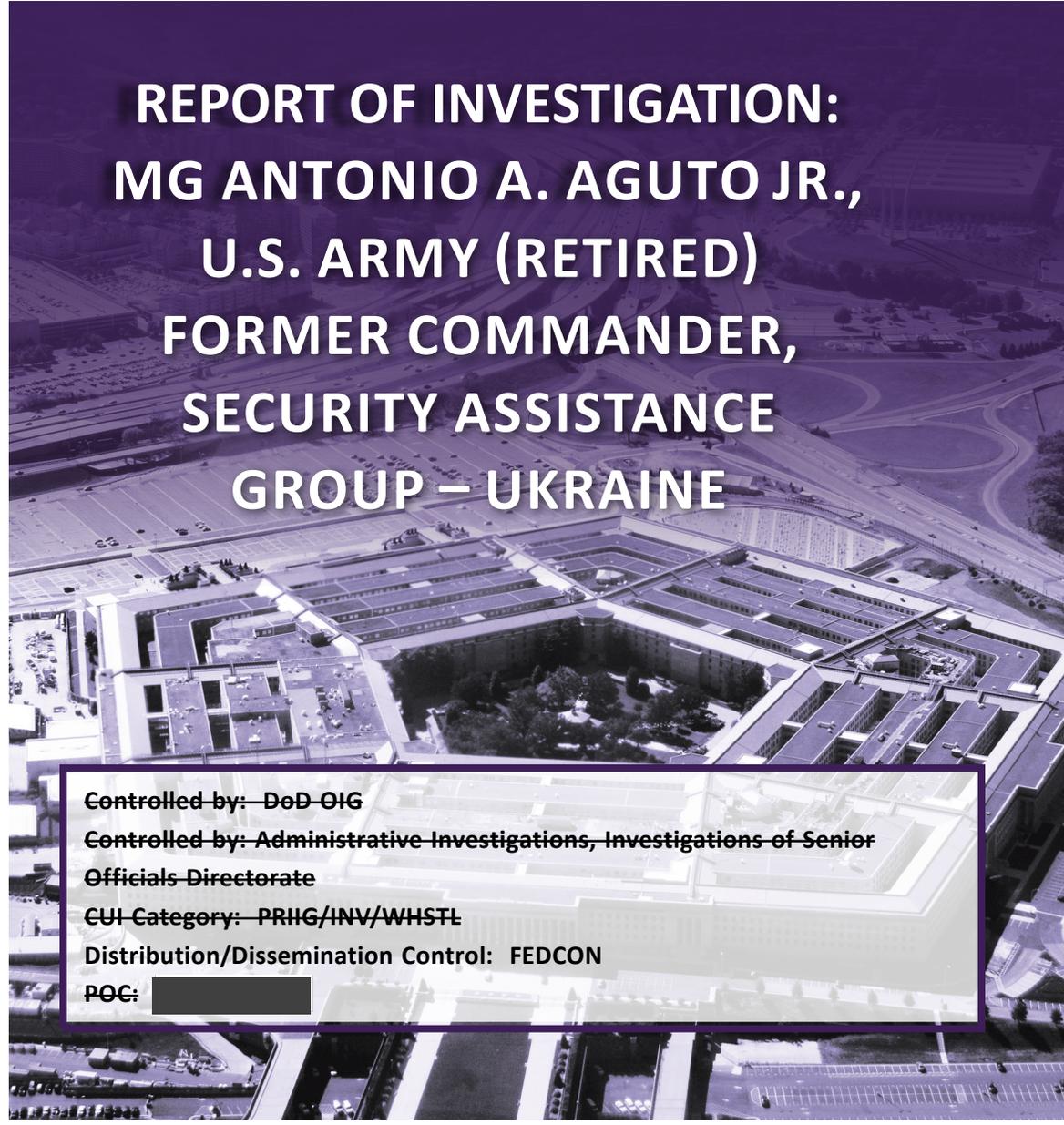
CUI



INSPECTOR GENERAL

U.S. Department of Defense

MARCH 12, 2026



REPORT OF INVESTIGATION: MG ANTONIO A. AGUTO JR., U.S. ARMY (RETIRED) FORMER COMMANDER, SECURITY ASSISTANCE GROUP – UKRAINE

Controlled by: DoD-OIG

Controlled by: Administrative Investigations, Investigations of Senior Officials Directorate

CUI-Category: PRIG/INV/WHSTL

Distribution/Dissemination Control: FEDCON

POC: [REDACTED]

INDEPENDENCE ★ INTEGRITY ★ EXCELLENCE ★ TRANSPARENCY

The document contains information that may be exempt from mandatory disclosure under the Freedom of Information Act.

CUI



Contents

Introduction and Summary	1
Complaint Origin and Allegations	1
Scope and Methodology of the Investigation	1
Conclusions	2
MG Aguto’s Response to Our Conclusions	4
Other Matters	5
Background	6
MG Aguto	6
Security Assistance Group-Ukraine	6
Analysis of the Allegations	7
Complaint Origin and Details	7
A. Security Incident	7
B. Violation of Policies and Intoxication	14
C. Counterproductive Leadership	31
Overall Conclusions	38
Recommendations	39
Appendixes	
Appendix A – Standards	40
UCMJ, Article 112, “Drunkenness and Other Incapacitation Offenses,” 2023 Edition	40
DoDM 5200.01, Volume 3, “DoD Information Security Program: Protection of Classified Information,” February 24, 2012 (Incorporating Change 3, Effective July 28, 2020)	41
Army Regulation 600-100, “Army Profession and Leadership Policy,” April 5, 2017	44
Army Doctrine Publication 6-22, “Army Leadership and the Profession,” Change 1, November 25, 2019	44
U.S. Embassy Kyiv, Chief of Mission Security Directive 2022-06, “Safeguarding and Handling Classified Materials,” July 10, 2022	45
U.S. Embassy Kyiv, Security Notice 2023-022, “Curfew, Metro, and Expanded Green Zone,” December 8, 2023	46
USEUCOM General Order Number 1 for Ukraine, “Prohibited Activities for DoD Personnel on Temporary Duty (TDY) in Ukraine,” April 15, 2015	46

Contents (cont'd)

Appendix B – Other Matters	48
Alleged Security Violations	48
Potential Assault	49
Acronyms and Abbreviations	50

REPORT OF INVESTIGATION: MAJOR GENERAL ANTONIO A. AGUTO JR. U.S. ARMY

Introduction and Summary¹

Complaint Origin and Allegations

The DoD Office of Inspector General (DoD OIG) received three anonymous complaints between May 20 and May 24, 2024, against Major General (MG) Antonio A. Aguto Jr., U.S. Army, former Commander, Security Assistance Group-Ukraine (SAG-U), Operation ATLANTIC RESOLVE.² The DoD OIG initiated an investigation on June 6, 2024, into allegations that MG Aguto:

- lost classified documents on a train in Europe;
- violated the U.S. European Command's (USEUCOM) General Order Number 1 (USEUCOM GO No. 1) for Ukraine, "Prohibited Activities for DoD Personnel on Temporary Duty (TDY) in Ukraine," April 15, 2015 and U.S. Embassy Kyiv, Security Notice 2023-022 (the U.S. Embassy Kyiv curfew policy); and
- was intoxicated at meetings

Additionally, we investigated a subsequent allegation that MG Aguto's counterproductive leadership style created a "toxic environment" within SAG-U headquarters.

Scope and Methodology of the Investigation

We interviewed MG Aguto and 33 witnesses. The witnesses included SAG-U staff members and U.S. Department of State (DOS) personnel who had direct knowledge of the events or direct interaction with MG Aguto during the period the alleged misconduct occurred. We also reviewed classified and unclassified documents and emails, including those from the DOS; official travel records; medical records; and applicable standards. Although our review included classified documents, we wrote this report in a manner to avoid revealing any classified information.

We evaluated MG Aguto's conduct against the applicable standards summarized throughout this report. We present the applicable information from these standards in Appendix A.

¹ This report contains information that has been redacted because it was identified by the DoD Office of Inspector General and the DoD as Controlled Unclassified Information (CUI) that is not releasable outside the Executive Branch. CUI is Government-created or -owned unclassified information that allows for, or requires, safeguarding and dissemination controls in accordance with laws, regulations, or Government-wide policies.

² When we opened this investigation, MG Aguto was the Commanding General of SAG-U, serving in the grade of Lieutenant General. He relinquished his command of SAG-U on August 5, 2024, and was conditionally retired as a Major General effective November 1, 2024, pending the outcome of this investigation. We refer to him as MG Aguto throughout this report.

Conclusions

Security Incidents

U.S. Embassy Kyiv, Chief of Mission Security Directive 2022-06, “Safeguarding and Handling Classified Materials,” July 10, 2022, states that only diplomatic couriers or specially authorized nonprofessional diplomatic couriers can hand-carry classified material across international borders. We substantiated that MG Aguto failed to comply with the Security Directive when he directed staff who were not diplomatic couriers to take classified documents across international borders.

We also substantiated that MG Aguto failed to comply with DoD Manual (DoDM) 5200.01, Volume 3, “DoD Information Security Program: Protection of Classified Information,” February 24, 2012 (Incorporating Change 3, Effective July 28, 2020), when he failed to package and seal the classified documents properly, failed to obtain hand-carry authorization statements, and lost possession and control of the classified documents. In this instance, MG Aguto lost control of the classified documents for more than 24 hours. We determined that he decided to bring classified maps for his use during a security assistance mission from Germany to Ukraine on March 24, 2024, and assigned control of the maps to his staff. We found insufficient evidence to determine who had control of the classified maps once the travelers boarded the train for the return trip. On April 4, 2024, the travelers left the classified maps on the train when they arrived back in Poland. The U.S. Embassy in Ukraine recovered the unattended classified documents from the train when it returned to Ukraine 1 day later. MG Aguto took responsibility for this incident.

Violation of Policies

We did not substantiate that MG Aguto violated the U.S. Embassy Kyiv, Security Notice 2023-022, “Curfew, Metro, and Expanded Green Zone,” December 8, 2023, policy on curfew. We did substantiate the allegation that MG Aguto violated USEUCOM General Order Number 1 (USEUCOM GO No. 1) for Ukraine, “Prohibited Activities for DoD Personnel on Temporary Duty (TDY) in Ukraine,” April 15, 2015, policy on alcohol consumption, but we did not substantiate that he was intoxicated at meetings. However, we substantiated that his inability to perform his duties on May 14, 2024, was a result of a concussion, which was diagnosed after MG Aguto sustained injuries from a series of falls. We determined by a preponderance of the evidence that the effects of MG Aguto’s intoxication from overindulgence in alcohol during a dinner on May 13, 2024, caused the first fall in his hotel room, resulting in the concussion.

MG Aguto traveled to Ukraine May 6 to May 15, 2024. On May 13, MG Aguto went to dinner with [REDACTED] and stayed past the 11:00 p.m. curfew set by U.S. Embassy Kyiv, Security Notice 2023-022. However, MG Aguto's security detail obtained an oral waiver to the curfew from the Acting Regional Security Officer (RSO) of U.S. Embassy Kyiv.³ Therefore, we concluded that MG Aguto did not violate the U.S. Embassy Kyiv curfew policy.

Throughout the May 13 dinner, MG Aguto and [REDACTED] drank from two bottles of liquor. Based on MG Aguto's description of the progress of the dinner and the toasting of drinks throughout the nearly 6-hour long dinner, it is more likely than not that MG Aguto consumed more than the two allowable alcoholic beverages, violating USEUCOM GO No. 1.

Additionally, witnesses' descriptions of MG Aguto's actions and behavior during and after the dinner support that MG Aguto was intoxicated on May 13. Furthermore, MG Aguto told us that on leaving the dinner, he was at "some level of intoxicated." We substantiated the allegation that MG Aguto violated USEUCOM's drinking policy.

We examined the possibility that MG Aguto could still have been intoxicated on May 14. Although several witnesses noticed a smell of alcohol on MG Aguto on May 14, we could not establish by a preponderance of the evidence that MG Aguto was still intoxicated on that day, because the smell of alcohol can be detected in breath up to 24 hours after drinking alcohol and after the drinker becomes sober.⁴

Most witnesses who were with MG Aguto on May 14 described a progressive decline in MG Aguto's condition and behavior, opposite of intoxication in which the effects of alcohol subside as the body metabolizes alcohol, and its concentration in the bloodstream decreases over time.

A preponderance of the evidence established that MG Aguto suffered a moderate-to-severe concussion caused by head injuries from at least one, if not all three, falls in the late evening of May 13 and the morning of May 14. MG Aguto's medical exam on May 14, and a comprehensive evaluation by a neurologist and imaging tests on May 16, confirmed that MG Aguto had a concussion.

Also, without evidence of a blood test result from MG Aguto on May 14, we cannot conclude that MG Aguto was still intoxicated that day from his consumption of alcohol the evening before, especially considering that the symptoms resulting from intoxication are similar to those resulting from a concussion. Moreover, we found no evidence that MG Aguto consumed any alcohol on May 14 and therefore do not conclude that he was intoxicated on duty.

³ The Deputy Regional Security Officer was in an "acting" capacity, performing the duties and functions of the Regional Security Officer.

⁴ American Addiction Centers, "How Long Does Alcohol Stay in Your System?" June 30, 2025.
The Recovery Village, "How Long Does Alcohol Stay in Your System?" January 30, 2025.
Cleveland Clinic, "How Long Does Alcohol Stay in Your System?" December 3, 2021.

We determined by a preponderance of the evidence that MG Aguto's inability to perform his duties on May 14 was due to a concussion that was diagnosed after he sustained injuries from his series of falls. We also determined by a preponderance of the evidence that the effects of MG Aguto's intoxication from overindulgence of alcohol during the dinner on May 13 caused the first fall in his hotel room, resulting in the concussion.

Counterproductive Leadership

We did not substantiate the allegation of counterproductive leadership. A preponderance of the evidence established that MG Aguto's leadership style did not have the harmful impact of creating a "toxic environment," as alleged by the complainant.

We found that various factors caused SAG-U's poor command climate and low morale, including the high operational tempo, austere living and working conditions due to limited installation amenities, high rate of personnel turnover, and Service culture differences. Most of the witnesses did not believe that MG Aguto was personally responsible for the low morale and poor climate in SAG-U.

We determined that although MG Aguto's leadership and direct communication style were not always well received, they were neither counterproductive nor indicative of misconduct and did not contribute to the poor command climate and low morale.⁵

MG Aguto's Response to Our Conclusions

We provided MG Aguto with our preliminary conclusions on September 30, 2025, for his review and comment before finalizing our report. On October 28, 2025, MG Aguto provided us with a response in which he disagreed with our conclusions and requested that we reconsider the substantiated findings of violating USEUCOM GO No. 1 and incapacitation for duty. MG Aguto also requested that we consider the circumstances before and after the incident involving the loss of classified material. We carefully considered MG Aguto's comments in response to our preliminary conclusions, reexamined our evidence, modified our report where appropriate, and included his comments, in part, throughout this report. However, MG Aguto's response did not change our final conclusions.

⁵ We based our conclusions on a preponderance of the evidence, consistent with our normal process in administrative investigations.

Other Matters

During this investigation, we received allegations that MG Aguto discussed classified information in an unsecured environment in July 2024; that during his first trip to Kyiv in December 2023, U.S. Embassy personnel observed MG Aguto accessing classified materials while they were in a bomb shelter; and that MG Aguto slapped the face of a member of his staff. We recommend that the Secretary of the Army refer these two security incidents to the EUCOM Special Security Office, and we referred the slapping allegation to the Army Criminal Investigation Division. We discuss our evaluation of these allegations in Appendix B.

Background

MG Aguto

MG Aguto assumed duties as the Commander, SAG-U, on December 9, 2022, and oversaw military support to Ukraine. Before commanding SAG-U, MG Aguto served as the Commanding General of the First United States Army from July 2021 to December 2022 and as the Commanding General of the Third Infantry Division from June 2019 to June 2021. He relinquished his command of SAG-U on August 5, 2024, and was conditionally retired effective November 1, 2024

Security Assistance Group-Ukraine

Established in 2022 and headquartered in Wiesbaden, Germany, SAG-U provides a long-term, focused organizational structure to coordinate and oversee the full spectrum of security assistance to the Armed Forces of Ukraine.

Analysis of the Allegations

Complaint Origin and Details

The DoD OIG received three anonymous complaints between May 20 and May 24, 2024, containing four allegations against MG Aguto. The allegations are listed below.

- MG Aguto carried classified material into Ukraine against the direction of the U.S. Ambassador to Ukraine and subsequently left the classified material on a Ukrainian train in Poland during his return to Germany.
- MG Aguto violated the U.S. Embassy Kyiv curfew policy for U.S. personnel in Kyiv, Ukraine.
- MG Aguto violated USEUCOM GO No. 1 on alcoholic beverage limits for all U.S. military performing temporary duty (TDY) in Ukraine.
- MG Aguto was intoxicated in a meeting with the U.S. Secretary of State hosted by the U.S. Ambassador to Ukraine and in a meeting with two Ukrainian general officers.

During our investigation, an additional allegation emerged that MG Aguto's counterproductive leadership style created a "toxic environment" within SAG-U headquarters.

We discuss the alleged security incident in section A. In section B, we discuss the U.S. Embassy Kyiv curfew policy, the USEUCOM order on alcohol consumption, and MG Aguto's alleged intoxication during high-level meetings with the Secretary of State and Ukrainian military leaders. In section C, we discuss the allegation that MG Aguto created a "toxic environment" through counterproductive leadership.

We discuss two additional security incidents that emerged during the investigation and a potential physical assault in Appendix B. We recommend that the Secretary of the Army refer the two additional security incidents to the USEUCOM Special Security Office.

A. Security Incident

Two of the three anonymous complaints alleged that MG Aguto left classified material on a Ukrainian train.

The first complaint stated that MG Aguto "illegally brought classified material into the country against [A]mbassador Brink's direction, carried this material around the country, and then left this material on the train when they departed by bus back for [G]ermany" The second complaint stated that the material was retrieved by the Ukraine intelligence service and turned over to U.S. officials. Although the second complaint stated, "This event occurred in January of 24," our investigation determined that MG Aguto left the classified documents on the train in Poland in the early morning of April 4, 2024.

DoDM 5200.01, Volume 3, states that hand-carry of classified material may be authorized only when other means of transmission or transportation cannot be used, and written authorization must be provided to each individual who is authorized to hand-carry classified material. When classified material is hand-carried, it must be enclosed in two opaque, sealed envelopes, wrappings, or containers. A locked briefcase or zippered pouch may serve as the outer wrapper. Everyone granted access to classified information is personally responsible for protecting the classified information they know, possess, or control, and classified information must be protected at all times by having it under the personal observation and control of an authorized individual. This regulation applies to all DoD personnel.

Chief of Mission Security Directive 2022-06, which applies to all USEUCOM personnel entering Ukraine, states that classified material can only be carried across international boundaries using a diplomatic courier.

In this section, we present the facts associated with the allegation and examine whether MG Aguto's actions violated these policies.

Chronology of Significant Events – Security Violation Allegation

Table 1 lists the significant events in this investigation that are related to the allegation of a security violation.

Table 1. Chronology of Significant Events Related to Allegation of Security Violation

Date	Event
March 24, 2024	MG Aguto and his staff travel from Wiesbaden, Germany, to Kyiv, Ukraine, carrying classified documents.
April 3, 2024	MG Aguto and his staff leave Kyiv on a DOS chartered train carrying classified documents.
April 4, 2024	MG Aguto and his staff arrive in Wiesbaden, Germany.
April 4 or 5, 2024	In either the evening of April 4 or the morning of April 5, MG Aguto cannot locate the classified documents and directs his staff to find the documents.
April 5, 2024	MG Aguto's Executive Officer (XO) calls the SAG-U J-2 director in Kyiv asking him to help locate the classified documents*
	The SAG-U J-2 director notifies the U.S. Embassy Ukraine RSO that classified documents were left on the train. The RSO contacts the Ukrainian director of Train Security and learns the documents were located on the train.
	A member of Train Security, a Ukrainian, delivers the classified documents to the Embassy.
	The RSO reports the loss of classified documents to the DOS Bureau of Diplomatic Security, Office of Information Security.

* The J-2 director rotated out of this position in June 2024. We refer to him as "J-2 director" in this report of investigation. We also interviewed the current J-2 director, whom we refer to as the "current SAG-U J-2 director."

Source: The DoD OIG.

U.S. Mission Train – Ukraine

On February 24, 2022, the Ukrainian government closed all airspace to commercial aviation in response to the Russian invasion.

In response to the airspace closure, the DOS contracted with Ukrainian Railways to provide rail service for U.S. Mission personnel, DoD personnel, and official visitors between Kyiv, Ukraine, and Przemysl, Poland. Operated by a Ukrainian crew, the chartered train transports only U.S. personnel and is not for public use.

Witnesses described the train as having a single engine and two to three sleeper cars. Each sleeper car contains approximately 10-15 cabins and a small bathroom on each end of the car. Each cabin contains two beds and a table. Typically, each traveler has his or her own cabin.

Loss of Documents

On March 24, 2024, MG Aguto and his staff traveled from Wiesbaden, Germany, to Kyiv, Ukraine, as part of the security assistance mission. A part of the trip required them to travel on the DOS chartered train from Poland to Ukraine.

MG Aguto and witnesses told us that MG Aguto decided to bring a set of classified maps to Kyiv for this trip. The classified maps were stored in a black, plastic, unsecured cylindrical map tube, 1.5 to 3 feet in length. MG Aguto and Witness 1 told us that the maps were not packaged in accordance with directives because the maps were too big to wrap and the map tube was too small. MG Aguto told us that they took maps classified as SECRET with them into Kyiv. He also said, “I used [sic] these maps quite frequently regardless of where I’m at to brief officials on the status of what’s going on in Ukraine, uh which is my job.”

At the conclusion of their mission, MG Aguto and his staff boarded the DOS chartered train in Kyiv on April 3, 2024, to begin their return trip to Wiesbaden, Germany.

One witness told us that all members of the travel party were responsible for physically carrying the map tube and that as a group, they bore the responsibility to ensure the map tube returned to Germany.

Another witness told us that he observed the communications non-commissioned officer carry the map tube onto the train. When they arrived in Poland, the witness performed a quick scan of the train and did not notice anything out of the ordinary, but he did not see the map tube come off the train.

Witness 1 told us that MG Aguto brought a map tube with him on the March 24 trip to use for briefing purposes. Witness 1 said that the map tube would have been with the travel party and that the staff typically placed the tube in MG Aguto’s cabin on the train. Witness 1 told

us that on prior trips after the train arrived in Poland, MG Aguto would gather his belongings, including the map tube, and leave the train and travel by automobile to an airport where they boarded a military airlift for their journey to Wiesbaden, Germany.

In the case of the April 3 and 4 return trip, Witness 1 told us that MG Aguto discovered that the map tube was missing after they arrived in Wiesbaden. MG Aguto told us that he could not recall who discovered the map tube was missing, but he recalled that his XO notified him that the map tube was missing.

Witness 1 told us that once MG Aguto asked where the map tube was, his staff immediately started calling SAG-U personnel at the Embassy to help locate the map tube and immediately notified the RSO of the situation.

The SAG-U J-2 director told us that on the morning of April 5, 2024, the XO contacted him while he was at the U.S. Embassy in Ukraine and told him that MG Aguto's map tube was missing. The XO also told him that the map tube contained maps produced by J-2, which were classified as SECRET/RELFVEY.⁶

The SAG-U J-2 director stated that he apprised the deputy commanding general (DCG) of SAG-U of the situation and told him that the RSO needed to be notified immediately. According to the SAG-U J-2 director, the DCG agreed and told him to notify the RSO.

Recovery of Documents

The SAG-U J-2 director told us that he notified the Embassy's RSO of the incident and sought his help locating the map tube. The RSO then called the Ukrainian director of Train Security to ask if anything was left on the train. The director of Train Security confirmed they found the map tube on the train and told the RSO he would bring it to the Embassy. Within approximately 45 minutes, a Ukrainian train attendant brought the map tube to the Embassy, and the RSO took custody of the map tube. The SAG-U J-2 director returned to Wiesbaden the following day, documented this incident in a classified memorandum, and sent the memorandum to the DCG.

Incident Reporting

Witness 1 told us that the RSO told Witness 1 that he was going to file a report through his normal channels. The RSO also asked Witness 1 "whether General Aguto would admit fault in leaving the classified maps." Witness 1 told us that MG Aguto stated, "Absolutely. I take full responsibility." Witness 1 relayed to the RSO that MG Aguto took full responsibility and that he would follow any necessary procedures.

The RSO stated to us that he confirmed with Witness 1 that the classified maps belonged to and were transported by MG Aguto.

⁶ The classification RELFVEY stands for "Releasable to USA, FVEY (Five Eyes)."

The RSO documented the incident on a Form OF-118, "Record of Incident," and determined compromise was possible. The RSO told us that he issued an "infraction" to MG Aguto by reporting the incident to the DOS Bureau of Diplomatic Security, Office of Information Security.⁷ It was unclear if the DOS reported this incident to the DoD. According to the Defense Counterintelligence and Security Agency's records, no incident report was in MG Aguto's security clearance profile as of November 8, 2024. Additionally, the USEUCOM Information Security Office had no record of this incident as of December 9, 2024.

The Movement of Classified Material to Ukraine

On July 10, 2022, the U.S. Ambassador to Ukraine, Bridget Brink, issued Chief of Mission Security Directive 2022-06, which directed that only diplomatic couriers would transport classified material across international boundaries.

A Commander United States European Command Task Order, dated June 21, 2023, states in part that "ALL USEUCOM personnel in UKR [Ukraine] on official travel will operate under Chief of Mission's authority and under the coordinating authority of the U.S. Senior Defense Official/Defense Attache."

Ambassador Brink and witnesses told us that during this trip, MG Aguto was traveling under the Chief of Mission Authority. Ambassador Brink told us that MG Aguto "has to abide by our security rules which includes a particular way of handling classified material."

The RSO told us that SAG-U, the DOS, and other mission personnel are not allowed to take classified documents outside of the embassy building nor travel with them. The RSO further told us, "The rules are pretty strict here for a lot of reasons. And we have couriers to move things, which now, the general and his team are aware of that if they need things moved, we move them for him or for them."

Witness 1 told us that it was typical for the SAG-U Special Security Officer (SSO) to provide classified material courier orders to MG Aguto and the staff when they traveled to Ukraine, but [REDACTED] could not remember if MG Aguto had courier orders for the trip at issue. Witness 1 further told us that the courier policy was never described to anyone in the SAG-U front office or to anyone in SAG-U if they ever went to Kyiv. Witness 1 also said that after this incident, the staff worked very closely with the RSO to understand the policy, and from that moment on, they adhered to the policy.

Witness 2 told us that the SSO did not issue courier orders for this trip because "we were not supposed to be carrying, uh, classified material."

⁷ An unclassified security infraction is an incident involving a contravention of law or DOS policy that does not result in actual damage to DOS information systems, or actual compromise or loss of control of administratively controlled DOS information. Infractions are often committed inadvertently but may still put the information or information system at risk.

The SAG-U J-2 director told us that MG Aguto should not have brought the classified maps into Ukraine. The SAG-U J-2 director told us, “He should have had them courier[ed] in either by one of our own couriers with the courier cards through the appropriate process or have the embassy team do that.”

The SAG-U SSO at the time of the incident told us that:

- no records existed of any courier memos or courier orders issued before May 2024;
- even if courier orders or courier memos were issued to MG Aguto and his staff, the orders would have only authorized carrying classified documents into Poland; and
- MG Aguto and his staff would have to coordinate with the U.S. Embassy in Kyiv before leaving Poland for approval to carry the classified documents into Ukraine.

MG Aguto told us that “up until this point we had carried classified information. All of us ... have uh appropriate courier cards for the classification that we were carrying.” MG Aguto further said that he discussed (the incident) with the RSO. MG Aguto said, “What we found out was and we didn’t know this at the time that we had to use uh Department of State courier to bring classified back and forth.”

MG Aguto told us that his XO or Aide were “generally” responsible for controlling any classified material required for the mission. MG Aguto said that for this trip, “[T]o be honest with you, I give it to my—my staff, my XO and from that point on how she does it from there I don’t—I don’t follow it.” MG Aguto also told us that he told his staff, “Hey, look, I was the senior guy. Put my name on the responsibility because I am the senior guy.” MG Aguto added that he told the RSO, “So I took responsibility for it, but I truthfully I don’t—[the SAG-U Staff] generally don’t [sic] let me carry my bags let alone a map case. So, I didn’t physically have uhm control of it, but I did take responsibility.”

DoD OIG Preliminary Conclusions on Loss of Classified Documents

DoDM 5200.01, Volume 3, states that:

- classified material must be properly packaged and sealed when being hand-carried;
- an authorization statement must be issued to each individual who is authorized to hand-carry the classified documents;
- everyone granted access to classified information is personally responsible for protecting the classified information they know, possess, or control; and
- classified information must be protected at all times by having it under the personal observation and control of an authorized individual.

This regulation applies to all DoD personnel.

Chief of Mission Security Directive 2022-06, which applies to all USEUCOM personnel entering Ukraine, states that classified material can only be carried across international boundaries using a diplomatic courier.

MG Aguto and witnesses told us that the maps were not properly packaged with double-wrapping nor were they placed in a locked container.

Although MG Aguto told us that he and his staff had appropriate courier cards for the level of classification that his staff was carrying, we found insufficient evidence to support this assertion. Although Witness 1 told us that it was typical for the SAG-U SSO to provide classified material courier orders to MG Aguto and the staff when they traveled to Ukraine, ■ could not remember if they had courier orders for the trip at issue. Witness 2 told us that the SSO did not issue courier orders for this trip because “we were not supposed to be carrying classified material.” Additionally, the former SAG-U SSO told us that no records exist of any courier memos or courier orders issued to MG Aguto and his staff for the March 24 to April 4, 2024 trip.

MG Aguto decided to bring classified maps for his use during the mission to Ukraine and assigned control of the maps to his staff. However, there was insufficient evidence to determine who controlled the classified maps once the travelers boarded the train for the return trip. The travelers left the classified maps on the train when they arrived in Poland on April 4, 2024. With the assistance of the Ukrainian director of Train Security and train attendants, the U.S. Embassy in Ukraine recovered the unattended classified maps from the train 1 day later. MG Aguto stated that he accepted responsibility for the loss of the classified maps.

We substantiated that MG Aguto failed to:

- comply with Chief of Mission Security Directive 2022-06 by directing his staff to physically carry classified maps across international boundaries for his use;
- properly wrap and transport classified materials as required by DoDM 5200.01, Volume 3, before entering Ukraine; and
- comply with DoDM 5200.01, Volume 3, by losing possession and control of the classified maps.

MG Aguto’s Response to our Preliminary Conclusions on Loss of Classified Documents

MG Aguto responded to our preliminary conclusions that he failed to comply with Chief of Mission Security Directive 2022-06 and DoDM 5200.01, Volume 3.

In his response, MG Aguto wrote, in part, “I acknowledge and accept responsibility for the temporary loss of classified materials associated with the incident in April 2024.”

MG Aguto also wrote that at the time neither he nor his staff knew of the requirement to transport classified material across international boundaries exclusively via diplomatic couriers. Once he learned of the policy, he directed the Deputy Commanding General to conduct a train-the-trainer course across SAG-U on security and communications security requirements, ensuring all personnel were in compliance with regulations, particularly those traveling to Ukraine in support of our mission.

MG Aguto further stated, “[T]here is no indication that there was a compromise of any classified information nor evidence the case was tampered with in any way.” He stated, “The map case was recovered on the train immediately upon our report of it missing and returned to the embassy within 45 minutes.”

Final DoD OIG Conclusions on Loss of Classified Documents

After carefully considering MG Aguto’s response to our preliminary conclusions, we reexamined previously collected evidence, and the additional review did not change our determination that MG Aguto failed to:

- comply with Chief of Mission Security Directive 2022-06 by directing his staff to physically carry classified maps across international boundaries for his use;
- properly wrap and transport classified materials as required by DoDM 5200.01, Volume 3, before entering Ukraine; and
- comply with DoDM 5200.01, Volume 3, by losing possession and control of the classified maps.

Although MG Aguto asserted that the classified documents were not compromised, those documents were left on the train, unsecured, and later recovered by Ukrainian nationals.

B. Violation of Policies and Intoxication

The anonymous complaints alleged that MG Aguto drank an excessive amount of alcohol while on official duty in Kyiv on May 13, 2024, in violation of the USEUCOM’s two-drink policy, that he broke the U.S. Embassy Kyiv curfew policy, and that he attended meetings the next morning with the U.S. Secretary of State and Ukrainian generals while still intoxicated.

As an active duty officer, MG Aguto is subject to the Uniform Code of Military Justice (UCMJ).⁸ Accordingly, we relied on the elements of Article 112(a) and (b) of the UCMJ to guide our analysis of the allegation. The elements of Article 112(a) and (b) as applied to this investigation include the following items.

- Drunk on duty.
 - That the accused was on a certain duty; and
 - That the accused was drunk while on duty.
- Incapacitation for duty from drunkenness or drug use.
 - That the accused had certain duties to perform;
 - That the accused was incapacitated for the proper performance of such duties; and
 - That such incapacitation was the result of previous indulgence in intoxicating liquor or any drug.

Incapacitated is defined as “unfit or unable to properly perform duties as a result of previous alcohol consumption,” and the article states that “[i]llness resulting from previous indulgence is an example of being ‘unable’ to perform duties.”⁹

USEUCOM GO No. 1 prohibits U.S. military personnel on TDY duty in Ukraine from consuming more than two alcoholic beverages in a 24-hour period. This provision is punitive.¹⁰ Per USEUCOM GO No. 1, a beverage containing 1.5 ounces (45 ml) of liquor or hard alcohol is considered one alcoholic beverage.¹¹ The first O-7 or above commander in the traveler’s chain of command is allowed to waive or modify this alcohol consumption limitation but USEUCOM GO No. 1 requires that the USEUCOM Joint Operations Center be notified of any waiver or modification.

The U.S. Embassy Kyiv curfew policy sets the curfew for all U.S. military and civilian personnel from 11 p.m. to 6 a.m.¹²

In this section, we present the facts associated with MG Aguto’s actions over a 2-day period related to the U.S. Embassy Kyiv curfew policy and USEUCOM GO No. 1 on alcohol consumption and discuss whether MG Aguto’s actions violated the USEUCOM and DOS policies.

⁸ To substantiate a criminal violation, a prosecutor must prove all elements beyond a reasonable doubt. However, our investigation is administrative in nature, so we used these elements to guide our investigation. To determine whether to substantiate an allegation, we examined whether the evidence supported meeting all elements by a preponderance of the evidence, consistent with our normal process in administrative investigations.

⁹ The Manual for Courts Martial provides the elements necessary to prove each UCMJ article and definitions for key terms of those elements.

¹⁰ See footnote 8 on use of the elements.

¹¹ We note that the USEUCOM Commander rescinded USEUCOM GO No. 1 on July 4, 2024. However, paragraph 7 of USEUCOM GO No. 1 stated, “This order is effective immediately and remains in effect until rescinded by Commander, USEUCOM or higher authority.” Therefore, we find that USEUCOM GO No. 1 was still in effect during the time of these events of May 13-16, 2024.

¹² U.S. Embassy Kyiv, Security Notice 2023-022, “Curfew, Metro, and Expanded Green Zone,” December 8, 2023.

Chronology of Significant Events – Allegation of Policy Violations

Table 2 lists the significant events in this investigation that are related to the allegation of policy violations.

Table 2. Chronology of Significant Events Related to Allegation of Policy Violations

Date	Event
May 6, 2024	MG Aguto arrives in Kyiv, Ukraine.
May 13, 2024	MG Aguto attends a dinner with [REDACTED] and consumes alcohol.
May 13 to 14, 2024	MG Aguto returns to his hotel. While in his hotel room, he falls backward and hits the back of his head on the wall. Sometime later that night or in the early morning, MG Aguto falls again and hits his forehead.
May 14, 2024, approximately 9:00 a.m.	MG Aguto falls a third time near the entrance of the U.S. Embassy in Kyiv, Ukraine.
May 14, 2024, approximately 9:10 a.m.	MG Aguto appears intoxicated during a meeting with the Secretary of State and Ambassador Brink.
May 14, 2024, approximately 10:30 a.m.	MG Aguto appears intoxicated during a video teleconferencing (VTC) meeting with SAG-U staff.
May 14, 2024, noon	An Embassy doctor evaluates MG Aguto and clears him of suffering from a heart attack or other injuries that need immediate medical attention.
May 14, 2024, 1:30 p.m.	MG Aguto attends a meeting with Ukrainian military leaders. MG Aguto's demeanor causes the Ukrainian military leaders to suspect intoxication.
May 14, 2024, approximately 3:00 p.m.	The Embassy doctor evaluates MG Aguto a second time, diagnoses him with a concussion, and refers him to a hospital.
May 14, 2024, approximately 4:00 p.m.	MG Aguto is examined at a local hospital in Kyiv and is diagnosed with a concussion.
May 15, 2024	MG Aguto leaves Kyiv to return to Germany.
May 16, 2024	MG Aguto arrives at Landstuhl Regional Medical Center, where he receives comprehensive medical tests and evaluations. He is diagnosed with a concussion from his at least one, if not all three, falls and is put on light duty for 1 week.

Source: The DoD OIG.

Some of the witnesses we interviewed told us that they did not know of USEUCOM GO No. 1. MG Aguto also told us that he did not know of USEUCOM GO No. 1 until he was notified of our investigation. He stated that on assuming command of SAG-U, he spoke with General (GEN) Darryl Williams, Commanding General, U.S. Army Europe and Africa, about the existence of any policies on alcohol consumption. According to MG Aguto, GEN Williams “clearly stated that the decision was mine on whether or not we allowed uh personnel in Ukraine to drink uh which I did.”

Events on May 13, 2024

At approximately 5:20 p.m., MG Aguto's security detail transported MG Aguto and Witness 1 to a dinner at a restaurant in Kyiv, Ukraine. MG Aguto and Witness 1 dined with [REDACTED]. During the dinner, MG Aguto's security detail—Witness 5 and Witness 11—waited in their vehicle in the restaurant parking lot.

MG Aguto described the purpose of the dinner as a social event. MG Aguto told us that it was customary that when he was in Kyiv that the [REDACTED] ordered and paid for the dinner. He said, "So, everything was already ordered for us to include all the alcohol, uh or the alcohol that was there."

MG Aguto told us that it is relatively common to drink at Ukrainian social engagements and particularly for military engagements. He told us, "[A]s a general rule, you start off a dinner with uh an alcoholic beverage and then you drink through the night, or through the ... meal"

MG Aguto told us that he and the [REDACTED] had "typical ... drinks," or toasts he described as "generally—it's standard. It's to the Army, to the soldiers, uhm to the fallen, or words to that effect." Although MG Aguto testified that he drank "Chacha" during the dinner, he did not recall how much he consumed that night, because he did not pour his own drinks. A review of the restaurant's Facebook page displayed its selection of Chacha, an alcoholic beverage, in clear 500ml bottles, each containing 40 to 50 percent alcohol. The contents of the clear bottles ranged in color from light gold to deep amber.

MG Aguto told us that he was "some level of intoxicated" at the dinner.

Witness 1 told us that they did not count how many drinks MG Aguto consumed that night. Witness 1 added that during the dinner, MG Aguto and the [REDACTED] were drinking Chacha from two bottles. The J-3 director told us that Witness 1 told him on May 14, 2024, that MG Aguto "drank approximately two bottles of Chacha throughout the course of the night."

Witness 5 told us that when [REDACTED] went into the restaurant to remind MG Aguto of the curfew, [REDACTED] saw on the table "like a bottle of wine and a clear liquid like I don't know if it was vodka or maybe Chacha because it was a Georgian restaurant."

Witness 2 was in MG Aguto's hotel room preparing MG Aguto's communications equipment to ensure it would be ready for MG Aguto on his return. Witness 2 sent a text message at 9:57 p.m. to Witness 1, writing, "How long before you get back?" At 10:05 p.m., Witness 1 replied to Witness 2, "We are still going strong ... I don't think he is going to check anything. Have it ready but he's too drunk."

Witness 8 texted the security team's internal group chat at 10:23 p.m. to confirm that MG Aguto's security detail was tracking the 11:00 p.m. curfew. Witness 5 responded that ■ would notify MG Aguto and Witness 1 of the approaching curfew.

Witness 5 went into the restaurant at 10:47 p.m. and reminded Witness 1 that curfew was approaching and that they needed to leave the restaurant soon, and then ■ informed Witness 3 that MG Aguto and Witness 1 would likely miss the curfew. Witness 3 coordinated with the RSO at 10:52 p.m. and received oral approval for MG Aguto, Witness 1, and the security detail to be out after curfew.

At approximately 11:03 p.m., Witness 5 reported to Witness 8 that MG Aguto was returning to the hotel. Witness 5 told us that when MG Aguto walked out of the restaurant, "he was intoxicated." Witness 5 stated that MG Aguto "was swaying when he was walking, and he had a glassy look in his eyes when I talked to him." Witness 5 told us that MG Aguto did not require assistance getting into or out of the vehicle on their return to the hotel.

Witness 11 noted that at approximately 11:07 p.m., MG Aguto and Witness 1 returned to the vehicle operated by Witness 11. Witness 11 stated that it was evident to ■ that MG Aguto and Witness 1 had been drinking, but ■ "did not detect any immediate signs [of] impairment" in either MG Aguto or Witness 1, such as slurred speech. Witness 11 said that ■ could smell alcohol once MG Aguto and Witness 1 got in the car and that it appeared MG Aguto needed help getting out of the car at the hotel.

Witness 8 told us that ■ was waiting at the hotel when MG Aguto arrived around 11:10 p.m., and when MG Aguto exited the vehicle, Witness 8 smelled alcohol on MG Aguto. Witness 8 described MG Aguto's behavior as "slowing way down and delayed responses," but did not need help getting out of the vehicle. When MG Aguto greeted Witness 8, Witness 8 noticed that MG Aguto's speech was "slightly slurred. A little bit delayed."

Witness 5 and Witness 8 escorted MG Aguto and Witness 1 to MG Aguto's hotel room, where Witness 2 was waiting. The witnesses told us that MG Aguto did not require any assistance walking from the garage to his hotel room. They left MG Aguto with Witness 1 and Witness 2.

Witness 2 told us that MG Aguto "appeared inebriated." Witness 2 said that "he [MG Aguto] was walking gingerly. Um, and, you know, walking slowly, you know, came in the room a little glossed over. Um, that's why I guess I would—I would say that would, uh, that appears drunk to me."

According to Witness 1 and Witness 2, they stood around a table in MG Aguto's room discussing with MG Aguto the meetings scheduled for the next day, and MG Aguto suddenly "lost his balance" and fell backward, striking the back of his head on the wall. Neither Witness 1 nor Witness 2 saw MG Aguto trip on anything.

MG Aguto told us that he remembered being near a table and trying to move a chair just before falling and hitting his head against a wall. He said that he felt “woozy” after the fall and sat down, and then things got “a little uhm blurry for lack of a better terms [sic].” He stated that he had medical conditions that might have contributed to the fall. He described [REDACTED] and told us that both conditions sometimes make him unsteady on his feet. He said that “it’s possible that any one of my [REDACTED] could have caused me to lose my balance. It’s happened before.” Additionally, MG Aguto testified that he had previously had [REDACTED] and that the prescribed medication he took could make him dizzy if he got up too fast.¹³

Witness 1 told us that [REDACTED] and Witness 2 helped MG Aguto stand up. Witness 2 said that [REDACTED] noticed that MG Aguto was a “little bit more ginger,” he “had a much harder time walking around,” his speech “slur[red] quite a bit more,” and “the look in his eyes changed a little bit.” Witness 2 thought that MG Aguto might have been concussed from the fall.

Witness 1 told us that after MG Aguto fell, [REDACTED] left the room, called Witness 4, and told [REDACTED] that MG Aguto needed help. Witness 1 told us, “[I]f I remember correctly, when I met up with [Witness 4] to have [Witness 4] then go take care of General Aguto I think I said, ‘He may have been drunk.’” Witness 1 continued, “I think what I said to [Witness 4] was, ‘He may be drunk.’ But again, I don’t know 100 percent because I wasn’t—I’m not a medical professional.” We asked Witness 1 what led [REDACTED] to that conclusion, and [REDACTED] responded, “The fact that he fell, and I knew, or I saw him drink some alcohol during dinner.”

Witness 4 told us that [REDACTED] was not present when MG Aguto fell in his room and expressed [REDACTED] hesitation to answer additional questions about MG Aguto’s condition because of privacy concerns.

MG Aguto told us that during the early morning hours of May 14, he fell again. He told us that he could not remember much about the circumstances of the fall and could not remember where he fell or what he hit his head on, but he said it caused a mark on his forehead that he described as “a bump, probably it was red, about a quarter of an inch long.” MG Aguto said, “... I do recall getting up to go into the bathroom. I don’t necessarily recall falling ... but I do know that I—I had bumped my head based off of uhm the—the mark on my forehead the next morning.” When asked to compare how he felt after the second fall compared to the first fall, MG Aguto said that the next morning, he “did not feel well at all,” and described that he had a headache and was extremely tired. He also told us that he felt a little “woozy,” “dizzy,” and confused, and found it “really hard to focus.”

¹³ One of MG Aguto’s medications was [REDACTED], which may cause dizziness or fainting, and the warnings state that alcohol consumption may intensify dizziness or fainting.

Mayo Clinic, “[REDACTED].”

Drugs.com, “[REDACTED].”

Events on May 14, 2024

8:30 a.m. – Hotel Departure

The U.S. Ambassador to Ukraine told us that on May 14, 2024, at approximately 8:30 a.m., she encountered MG Aguto at his hotel. The Ambassador stated:

[MG Aguto] came into the elevator, and I saw him, and I said, “Hello.” But he acted a little strange, uh like [he] didn’t seem to recognize me. And then as soon as he looked at me and kind of seemed to take a little bit of time to recognize me, he liked [sic] immediately backed out of the elevator, but I didn’t think anything of it actually. I just thought you know he’s—he’s trying to go somewhere else or something. I didn’t—he said hello, but you know only later did I think, “Okay. That was a little strange what he did.”

The Ambassador described MG Aguto’s behavior as “[j]ust a little slow I thought. Like—like someone who had just woken up.”

Witness 1, Witness 2, and Witness 4 were in the lobby of the hotel at approximately 8:45 a.m. when MG Aguto exited the elevator. Witness 1 and Witness 2 noticed a large brown rug-burn-like bruise on MG Aguto’s forehead. Witness 2 described MG Aguto’s appearance.

[W]hen he showed up, he looked very sluggish. Uh, he—he looked like he was out of it when he came out of that elevator, uh, like not himself.

[Paragraph omitted]

Um, basically, uh, having a hard time walking straight. Um, um, eyes, um, here—lids were not fully open. He was not standing straight up. Uh, he was um, his face was slightly more droopy and more relaxed. Um, not smiling. Um, had a serious look on his face. ... yeah, so all evidence to me that, like especially after seeing the mark that something had happened, that he is not quite himself.

Witness 1 told us that Witness 1 and Witness 4 noticed that something was wrong with MG Aguto and that they were contemplating whether “it was [MG Aguto] being drunk, or [MG Aguto] maybe being hung over, or something medically wrong with [MG Aguto].” Witness 1 stated that Witness 1 and Witness 4 talked about:

[h]ow slow [MG Aguto] was acting, how he kept asking the same questions over and over and over again. Uhm it was almost like he couldn’t keep a thought, or he couldn’t formulate a thought, so he kept just looping in questions. We talked about how slow, and lethargic, and sleepy he was acting.

Witness 1 told us that [REDACTED] and Witness 4 agreed that MG Aguto should not attend the meeting at the Embassy and that [REDACTED] and Witness 4 tried to tell MG Aguto “multiple times” that he should not attend the meeting with Secretary Anthony Blinken. MG Aguto slowly responded, “I got it.”

Witness 8 provided security for MG Aguto that day. Witness 8's notes for May 14, 2024, read, in part:

Movement from Hilton to Embassy scheduled for 0830. [MG Aguto] met his PSD [Protective Security Detail] and party in the [hotel] lobby at approximately 0845. I noted a large contusion on the center of [MG Aguto's] forehead (approximately 5cm horizontal and 3cm vertical).

MG Aguto testified that when he exited the elevator, he met his staff in the hotel lobby, and either his XO or aide said, "You don't look great." He said that his staff noticed the bump on his head, and one of them recommended that he shouldn't attend the meeting. MG Aguto told us, "[B]ut being who I am, knowing who I was going to see uhm I said let's push through this meeting and then we'll figure it out from there."

9:00 a.m. – Embassy Arrival

MG Aguto's security detail transported MG Aguto and his staff to the Embassy. They arrived approximately 15 minutes late at the Embassy due to a delay caused by Secretary of State Blinken's motorcade. Due to the traffic, MG Aguto and his staff decided to walk the remaining 50 meters to the Embassy's main gate. Shortly after exiting the vehicle, MG Aguto fell forward, striking his right elbow and his jaw on the concrete sidewalk, tearing his jacket and shirt sleeve. Witness 8 documented this incident in his May 14, 2024 notes, writing, "[MG Aguto's] staff recommended that we return to the Hilton. [MG Aguto] stated he was fine and that he wanted to go to the meeting."

MG Aguto told us:

I was notably concerned that we were late. Uhm or going to be late. So I remember jumping out of the vehicle quickly [...] I pushed out, I went around the door, and shortly thereafter is when I fell. I—I don't recall if it was because of the curb or just because I lost my balance. But uhm I fell. Landed on my elbow which got scratched up and then hit my head.

Witness 1 and Witness 4 again asked MG Aguto not to attend the meeting with Secretary of State Blinken. MG Aguto told us that he was concerned about being late for the meeting with the Secretary of State, so he told his Staff, "Yep. I'm good. Let's get going. We're late."

The RSO told us that he was present when MG Aguto exited the Embassy's elevator around 9:30 a.m. He described MG Aguto's appearance as "completely disheveled," "out of it," and "looked horrible," and his jacket was ripped. The RSO told us that although MG Aguto knew him quite well, MG Aguto looked at him like he barely knew him. He also noticed that MG Aguto "had a little bit of [the] smell of alcohol." At that time, Secretary Blinken and the Ambassador were waiting for MG Aguto to attend the meeting. One of MG Aguto's staff told the RSO that MG Aguto fell outside the Embassy. The RSO later reviewed the Embassy surveillance video and saw that MG Aguto fell in front of the Embassy's main entrance.¹⁴

¹⁴ We attempted to obtain a copy of the video from the Embassy RSO depicting MG Aguto's fall, but the video had been overwritten.

9:30 a.m. – DOS Meeting at the Embassy

At around 9:15 a.m., while waiting for MG Aguto to arrive, the SAG-U J-3 director entered the meeting with Secretary Blinken, the Ambassador, the Senior Defense Official/Defense Attache (Defense Attache), the Chief of Station, and other members of the DOS. About 1 minute into the meeting, the Ambassador's assistant told the SAG-U J-3 director to leave the meeting when MG Aguto arrived.

The SAG-U J-3 director told us that after exiting the meeting room, he saw Witness 1 and Witness 2, who asked him to return to the meeting on MG Aguto's behalf. They told the SAG-U J-3 director that MG Aguto had fallen outside the Embassy and that they believed MG Aguto was drunk. Meanwhile, several Embassy staff ushered MG Aguto toward the meeting room. The SAG-U J-3 director told us that he observed a mark on MG Aguto's forehead, noticed his clothes were dirty, and saw a tear in the elbow of his suit jacket. He described MG Aguto's demeanor as "[h]e did not look like uh he was in a normal state" Immediately after this encounter, the SAG-U J-3 director called the SAG-U DCG and told him that MG Aguto "was potentially in an inebriated state." The SAG-U J-3 director told us that Witness 1, Witness 2, and Witness 4 also confided in him that they believed MG Aguto had too much to drink the night before.

The Defense Attache told us that everyone was seated at the start time of the meeting, except for MG Aguto. He stated that MG Aguto walked into the meeting a few minutes late, and immediately the Defense Attache noticed a bruise on MG Aguto's forehead, along with tears in MG Aguto's jacket and shirt. He described MG Aguto as appearing "dazed and confused." He told us that when it was MG Aguto's turn to brief, MG Aguto tried to speak but was "confused and dazed." The Chief of Station quickly interjected to address the Ambassador. MG Aguto "tried to re-engage" at another point in the conversation but was still "cognitively diminished."

The Defense Attache told us that the Ambassador passed him a note during the meeting, asking, "What's wrong with General Aguto?" The Defense Attache responded in the note, "It looks like MG Aguto had a tremendous fall and ... may have gotten a concussion," or words to that effect. The Ambassador passed the note back to the Defense Attache, asking if he smelled alcohol on MG Aguto. The Defense Attache answered "No." The Defense Attache told us that he was seated next to MG Aguto but did not smell alcohol.

The Defense Attache told us that no one else at the meeting mentioned smelling alcohol or expressed concern that MG Aguto might have been drinking other than the Ambassador.

The Ambassador told us that MG Aguto came into the meeting a little late, and as soon as he entered the room, she realized that something was wrong. She described MG Aguto's appearance as "his jacket was ripped in the—in the elbow and he looked terrible, and he had like a red mark on his forehead, and he smelled of alcohol. And I thought, 'Oh no, what's happened?'" She told us that MG Aguto had trouble articulating his thoughts and was

struggling during his briefing. The Ambassador was worried that MG Aguto might have been drugged, because it was not uncommon that people were drugged at bars in Kyiv. She spoke with the Chief of Station to get MG Aguto medical treatment.

MG Aguto stated that he went into the meeting and had difficulty answering a question. He could not recall what the question was and told us that several of the events from that day were difficult to remember. MG Aguto denied being intoxicated at this meeting, but stated, "I was blurry and a little confused."

This DOS meeting lasted approximately 30 minutes.

10:30 a.m. – VTC Meeting

After the meeting with Secretary Blinken, MG Aguto remained at the Embassy for a scheduled VTC meeting with the SAG-U staff in Wiesbaden.

The SAG-U J-3 director told us that just before the start of the meeting, he smelled alcohol on MG Aguto, so he told MG Aguto, "[Y]ou do not look like you're in a very good condition right now." MG Aguto responded that he was okay.

The SAG-U J-3 director told us that during this meeting, MG Aguto was slow and slurred his words at times, which was not ordinary.

The DCG attended the VTC from Germany. He told us that something was "off" with MG Aguto, so he recommended stopping the meeting. He stated that he didn't get any pushback from MG Aguto, because "[MG Aguto] was clearly not in the right state of mind." He described MG Aguto's condition at this meeting as "slurring his words," "seemed distracted," and "not himself."

Witness 1 described MG Aguto's condition at this meeting as:

very slow speech, very slow movement, uhm and he continued to ask the same questions over and over again. When he tried to formulate a thought when he was trying to you know give guidance, he ... he couldn't really give them guidance. He just kept kind of saying the same thing over and over and over. So, it just wasn't making sense. It wasn't coherent.

MG Aguto told us that he did not recall attending this meeting.

Noon – Medical Evaluation No. 1

After the VTC meeting, Witness 1 and Witness 4 arranged for two doctors from the Embassy to evaluate MG Aguto. The medical examination ruled out a heart attack, broken bones, and any other issues that might require immediate medical treatment.

1:30 p.m. – Meeting with Ukrainian Generals

Despite his physical condition and his staff's advice not to attend any meetings, MG Aguto insisted on attending the scheduled meeting with two Ukrainian generals, a British general, and other U.S. military personnel.

Witness 6 told us that Witness 1 informed Witness 6 before the meeting that MG Aguto was going to be late for the meeting because MG Aguto fell outside the Embassy and possibly had a concussion.

Witness 7 told us that when MG Aguto arrived at the meeting, Witness 7 noticed that MG Aguto's eyes were "bloodshot," he was "stooped over," and "his eyes were not focusing." Witness 7 also noticed a "very large visible wound" on MG Aguto's forehead "the size of a pack of playing cards." According to Witness 7, a Ukrainian interpreter told █████ that one of the Ukrainian generals commented that MG Aguto smelled of alcohol. Witness 7 said that when Witness 7 shook MG Aguto's hand and asked MG Aguto if he was okay, Witness 7 smelled a "very strong smell of alcohol" on MG Aguto.

Two witnesses attending this meeting told us that MG Aguto's mental state continued to decline. He spoke more slowly, seemed confused, asked the same question repeatedly, and frequently revisited the same topic. At one point, the XO passed a note to MG Aguto, the British general, and the SAG-U J-3 director, saying that the meeting was nonproductive and needed to stop.

Witness 6 told us that a Ukrainian colonel asked Witness 6 if MG Aguto was under the influence. After the meeting, one of the Ukrainian generals asked Witness 6, "What's the deal with Aguto? He should have just called and canceled," or words to that effect. Witness 6 told us that the Ukrainian general felt that it was disrespectful that MG Aguto showed up in that condition. Witness 6 did not smell alcohol on MG Aguto and attributed MG Aguto's condition to a concussion.

MG Aguto told us that he was not aware of the state he was in at that time, other than his staff trying to convince him that he should not attend.

3:00 p.m. – Medical Evaluation No. 2

After the meeting with the Ukrainian generals, MG Aguto's staff took him back to his hotel room. Witness 1 told us that during the car ride to the hotel, Witness 1 contacted one of the two doctors who evaluated MG Aguto earlier that day, because MG Aguto's symptoms worsened after the initial medical evaluation. Witness 1 told us:

I called him and said I am more concerned than I was this morning. I need you to come back and reevaluate him because ... I told him kind of the symptoms he was having, and uhm he said absolutely. And I said please meet us at our hotel

Witness 1 told us that [REDACTED] and Witness 4 spoke to the doctor in the hallway about MG Aguto's symptoms before the doctor entered MG Aguto's room, because they believed that MG Aguto "mentally, and physically, and cognitively would not be able to tell the doctor all of his symptoms." Witness 1 told us what happened after the doctor arrived at the hotel.

When we knocked on the door to have General Aguto open the door so the doctor could go in, it took General Aguto a very long time to answer the door, and when he finally did answer the door, he couldn't even hold his balance. He had to hold on to the two walls that were uhm connected to the door [and] at one point [Witness 4] almost felt like [Witness 4] needed to try to catch [him] because he just wasn't stable. So he went back into the room. Uhm, he sat on his bed and that's when myself and [Witness 4] looked at the doctor [and] basically said, "Doc, we need you to reevaluate him."

Witness 1 told us that after evaluating MG Aguto again, the doctor concluded that MG Aguto had a moderate to severe concussion and recommended that he go to a hospital.

Approximately 4:00 p.m. – Medical Evaluation No. 3

Based on the doctor's advice, Witness 4 coordinated with the RSO to locate a hospital. MG Aguto's security detail transported MG Aguto to a Ukrainian hospital in Kyiv, where MG Aguto had a CT scan and an EKG and received a concussion diagnosis.

The Regional Medical Officer at the U.S. Embassy in Ukraine, who did not treat MG Aguto, told us that the RSO called him on May 14 and informed him that MG Aguto had fallen and possibly sustained a head injury. The Regional Medical Officer said that although he did not see MG Aguto on May 14, he communicated with the doctor who examined MG Aguto earlier in the day.

The Regional Medical Officer learned that MG Aguto had a CT scan at the hospital and that the scan revealed no bleeding inside the skull. The Regional Medical Officer did not know of any diagnosis for MG Aguto on May 14 but described that mild symptoms of a concussion could include headache, and severe symptoms could include difficulty with cognition, memory, word finding, speech, and fatigue.

Return to Hotel

Witness 4 told us that after leaving the hospital, MG Aguto and his security detail returned to the hotel. Witness 4 told us, "We just put [MG Aguto] in his room and told him like, 'Hey, the doctor told us you've [sic] likely have a concussion, and you need to rest. Like that's what you need [to] do boss.'"

Witness 4 told us that Witness 4 tried to keep an eye on MG Aguto but frequently saw him walking the hallway and around the hotel. Witness 4 asked MG Aguto, "Sir, what are you doing? Where are you going?" and MG Aguto said "[n]o." According to Witness 4, MG Aguto couldn't put a sentence together. Witness 4 likened MG Aguto's condition to someone who had dementia, like "they just get up and walk off sometimes not knowing where they're going."

Multiple witnesses told us that MG Aguto's condition on May 14 worsened throughout the day.

Medical Evaluation in Germany

On May 15, 2024, MG Aguto and his staff left Kyiv to return to Germany. The Embassy doctor who had evaluated MG Aguto accompanied him on this return trip and continued to monitor MG Aguto's health during the trip. When he arrived in Germany in the early morning of May 16, 2024, MG Aguto's staff took him to the Landstuhl Regional Medical Center for a comprehensive evaluation by a neurologist. Imaging tests confirmed that MG Aguto had a concussion. MG Aguto was referred to the Traumatic Brain Injury Clinic, where he received several tests. As a result of the diagnosis, MG Aguto was placed on light duty for 1 week.

Preliminary Conclusions on Violation of Policies and Intoxication

Curfew Policy

The U.S. Embassy Kyiv curfew policy states that the curfew in Kyiv starts at 11:00 p.m., and this policy applies to all American personnel in Kyiv.

We found that MG Aguto's security detail orally informed the RSO that MG Aguto was unlikely to make it back to his hotel before the 11:00 p.m. curfew, and the RSO waived the curfew for MG Aguto. Therefore, we determined that MG Aguto did not violate the Chief of Mission's curfew policy.

USEUCOM GO No. 1

USEUCOM GO No. 1 applies to DoD personnel on TDY to Ukraine and prohibits members from consuming more than two alcoholic beverages in a 24-hour period. According to USEUCOM GO No. 1, one alcoholic beverage contains 1.5 ounces (45 ml) of liquor or hard alcohol.

USEUCOM GO No. 1 provides that the first O-7 or above commander in the traveler's chain of command is allowed to waive or modify this alcohol consumption limitation but requires that the USEUCOM Joint Operations Center be notified of any waiver or modification. The USEUCOM Operations Division Chief told us that his office could not find any exceptions to USEUCOM GO No. 1 for SAG-U personnel covering the period from May 13 to May 16, 2024.

MG Aguto was subject to USEUCOM GO No. 1 because he was on official TDY in Ukraine. We found that MG Aguto and [REDACTED] drank from two bottles of Chacha throughout their dinner. Based on MG Aguto's description of the progress of the dinner and the toasting of drinks throughout the nearly 6-hour long dinner, it is more likely than not that MG Aguto consumed more than two allowable alcoholic beverages in violation of USEUCOM GO No. 1.

Additionally, witnesses' descriptions of MG Aguto's actions and behavior during and after the dinner support that MG Aguto was intoxicated on May 13, 2024. Witnesses told us that MG Aguto was swaying when walking and was walking gingerly and slowly after dinner.

He also had delayed responses and slurred speech. Furthermore, MG Aguto told us that on leaving the dinner, he was at “some level of intoxicated.” We substantiated the allegation that MG Aguto violated USEUCOM’s drinking policy.

Intoxication on May 14

We examined the possibility that MG Aguto could still have been intoxicated on May 14, 2024. Although several witnesses noticed a smell of alcohol on MG Aguto on May 14, 2024, we could not establish by a preponderance of the evidence that MG Aguto was still intoxicated on that day, because the smell of alcohol can be detected in breath up to 24 hours after drinking alcohol and after the drinker becomes sober.¹⁵

Most witnesses who were with MG Aguto on May 14, 2024, described a progressive decline in MG Aguto’s condition and behavior, which was further evidence of a concussion rather than intoxication, because the effects of alcohol subside as the body metabolizes alcohol and its concentration in the bloodstream decreases over time.

Additionally, MG Aguto’s three medical exams on May 14, 2024, determined that he had a concussion. A doctor who was familiar with MG Aguto’s condition on May 14 told us that MG Aguto’s behaviors and conduct on May 14 were consistent with the symptoms of a concussion. A comprehensive evaluation by a neurologist and imaging tests on May 16 confirmed that MG Aguto had a concussion.

Finally, without evidence of a blood test result from MG Aguto on May 14, we cannot conclude that MG Aguto was still intoxicated that day from his consumption of alcohol the evening before, especially because the symptoms resulting from intoxication are similar to those resulting from a concussion. Moreover, we found no evidence that MG Aguto consumed any alcohol on May 14. As a result, we do not substantiate that MG Aguto was intoxicated on duty.

Incapacitation for Duty on May 14

We examined MG Aguto’s actions and behavior on May 13 and 14, 2024, to determine whether he was incapacitated for duty on May 14 as a result of his drinking on May 13. We determined that MG Aguto’s inability to perform his duties on May 14 was due to a concussion, which was diagnosed after he sustained injuries from a series of falls. The facts established that MG Aguto drank alcohol at the dinner and was intoxicated after the dinner. Additionally, witnesses saw MG Aguto swaying and walking gingerly and slowly after dinner. Later in his hotel room, MG Aguto lost his balance while standing by a table, fell backwards, and hit the back of his head on a wall.

¹⁵ American Addiction Centers, “How Long Does Alcohol Stay in Your System?”
The Recovery Village, “How Long Does Alcohol Stay in Your System?”
Cleveland Clinic, “How Long Does Alcohol Stay in Your System?”

We also determined by a preponderance of the evidence that the effects of MG Aguto's intoxication from overindulgence in alcohol during the dinner on May 13 caused the first fall in his hotel room, resulting in a concussion. Based on witnesses' descriptions of his condition following the dinner, we found it unlikely that MG Aguto would have lost his balance, fallen, and hit the back of his head in the manner he did had he not been intoxicated from alcohol consumption.

We further found that this fall was the first in a series of events that led to MG Aguto being unable to properly perform his duties beginning the morning of May 14.¹⁶ MG Aguto stated that he felt "woozy" and "blurry" after the first fall, and witnesses confirmed that MG Aguto had a much harder time walking around and his speech slurred even more after this fall. As a result, MG Aguto most likely suffered a concussion from this fall that contributed to his subsequent falls. MG Aguto's second fall in his hotel room could have been caused either by the head injury he suffered from his first fall or by his intoxication, or both. He stated that he struck his head in the second fall, evident by the bruise on his forehead. He told us that the next morning he had a headache, was a little "woozy," "dizzy," and confused, and found it "really hard to focus." It is likely that the second fall exacerbated his concussion.

On May 14, 2024, when MG Aguto walked towards the embassy's entrance, he fell face first onto the sidewalk. It was possible that this fall was caused by the aftereffects of his intoxication from the night before, the head injuries from the two prior falls in the hotel, the condition of the road he was on, or a combination of all these factors. This third fall likely made his concussion worse.

MG Aguto decided to attend the scheduled meetings of May 14. Witnesses said that his condition deteriorated throughout the day. His appearance was disheveled, his eyes were bloodshot, he had a large and visible wound on his elbow, he spoke more slowly, he seemed confused, he asked the same question repeatedly, and he frequently returned to the same topic. Later in the afternoon he sought medical attention, which confirmed he had suffered a moderate to severe concussion.

We determined that MG Aguto's inability to perform his duties on May 14 was due to his concussion. We also determined by a preponderance of the evidence that the effects of MG Aguto's intoxication from overindulgence in alcohol during the dinner on May 13 caused the first fall in his hotel room, resulting in the concussion.

¹⁶ The definition of "incapacitated" under Article 112 includes illness resulting from previous overindulgence in alcohol as an example of being unable to perform duties. We find that an injury, such as a concussion from a fall caused by intoxication from overindulgence in alcohol and rendering one unfit or unable to perform duties, is analogous to illness and therefore meets the definition of incapacitated under Article 112.

Whether or not MG Aguto believed that he was permitted to consume more than two alcoholic beverages, he knew at the time he began consuming alcohol at the dinner that he had important meetings to attend beginning the following morning. Thus, he should have considered both the intoxicating effects of the alcohol and the potential interaction of the alcohol with his prescription medications when deciding how much alcohol to consume.

MG Aguto's Response to Our Preliminary Conclusions on Violation of Policies and Intoxication

MG Aguto disagreed with our findings and requested that we reconsider our substantiated findings of violating USEUCOM GO No. 1 and incapacitation for duty.

USEUCOM GO No. 1 Violation (May 13, 2024)

In his response, MG Aguto admitted that he participated in an "official social engagement" with the [REDACTED] on the evening of May 13. MG Aguto wrote, "While I do not recall the precise quantity, I likely consumed more than two alcoholic beverages over the course of a several [sic]-meeting." MG Aguto wrote of the significance of the social events, which "are not only accepted but also an essential element of relationship-building." MG Aguto further stated:

In recognition of the cultural and diplomatic importance of these engagements, prior to my first official visit to Ukraine, I sought and received verbal permission from GEN (R) Williams, then Commander of U.S. Army Europe and Africa, to consume alcohol during official travel to Kyiv, Ukraine ... I acted in good faith within what I believed to be appropriate guidance from General Williams as during our conversation he indicated no limitation on alcohol consumption.

MG Aguto's counsel presented emails from GEN Christopher Cavoli, U.S. Army (Retired), then USEUCOM Commander, and GEN Williams. GEN Cavoli wrote, "[T]he GO1 in question was issued by Gen(now Retired) Breedlove in 2015. I was completely unaware of it and I did not and do not endorse it." GEN Williams wrote, "Tony [MG Aguto] requested permission to consume alcohol while on official travel to Ukraine. In recognition of the cultural significance our Ukrainian partners place on alcohol consumption in these situations, I authorized [MG](R) Aguto's request."

MG Aguto stated that throughout the social engagement, he remained professional. He added that on conclusion of the social engagement, he returned to his quarters, "of [his] own cognizance, and did not exhibit behavior that compromised [his] conduct, safety, or mission effectiveness." He stated that his accompanying staff has a role to observe and intervene should circumstances arise that risk compromising his position or the mission. MG Aguto stated, "No such intervention was necessary that evening."

MG Aguto stated, “I accept full accountability for my actions and understand the importance of upholding both the letter and the spirit of established orders. I acted in good faith within what I believed to be appropriate guidance from General Williams ... I do not believe I violated General Order #1, to the extent it was active, based on this conversation with General Williams.”

Incapacitation for Duty Violation (May 14, 2024)

MG Aguto stated, “Both falls on the evening of 13 May contributed to the condition that caused me to lose balance and fall again on 14 May while exiting my vehicle, striking my head for a third time further aggravating my concussive event. I recognize that I was not fully cognizant or functioning for the remainder of the day.”

MG Aguto acknowledged that his behavior on May 14 fell short of the professionalism expected of a senior leader. MG Aguto stated that after sustaining two falls the evening prior, “I should have sought medical evaluation that morning for a possible concussion and refrained from duty until cleared. I chose to proceed because we were at a critical juncture with our Ukrainian partners and had multiple key engagements scheduled.”

MG Aguto continued, “I am not certain what caused my fall in the hotel room that resulted in a concussion. However, I do have a documented medical history of [REDACTED], which at times result in instability when walking or standing. In addition, I take prescribed medication for [REDACTED], which occasionally causes dizziness. It is likely that these conditions collectively contributed to the circumstances leading to my fall and subsequent concussion.”¹⁷

MG Aguto concluded, “While I acknowledge that I was incapacitated and should have sought medical attention[,] I believe that my incapacitation was due to the concussion and not from the intoxication the night prior.”

Final DoD OIG Conclusions on Violation of Policies and Intoxication

After carefully considering MG Aguto’s response to our preliminary conclusions, we reexamined previously collected evidence and the medical evidence provided by MG Aguto’s counsel. Our additional review did not change our determination about the following actions by MG Aguto.

He consumed more than two allowable alcoholic beverages in violation of USEUCOM GO No. 1. At the time of the drinking incident, USEUCOM GO No. 1 was still in effect, even though GEN Cavoli later rescinded it. MG Aguto asserted that he received oral authorization from

¹⁷ One of MG Aguto’s medications was [REDACTED], which may cause dizziness or fainting, and the warnings state that alcohol consumption may intensify dizziness or fainting.

Mayo Clinic, “[REDACTED].”
Drugs.com, “[REDACTED].”

GEN Williams to consume alcohol during official travels to Ukraine. However, we determined that GEN Williams' authorization was not an effective waiver to USEUCOM GO No. 1, because the authorization did not expressly remove the two-drink limit nor did it make any reference to USEUCOM GO No. 1. GEN Williams permitted MG Aguto to consume alcohol but did not specify that he was permitted to consume more than two drinks. While GEN Williams did not specify a limitation on drinking volume, the scope of GEN Williams' authorization must be interpreted under a standard of reasonableness, which encompasses moderate consumption, not excess intake resulting in intoxication.

Furthermore, USEUCOM GO No. 1 requires that the USEUCOM Joint Operations Center be notified of any waiver or modification to USEUCOM GO No. 1, including:

- all waiver or modification specifics,
- the time frames associated with the waiver, and
- the name of the approving official.

However, the USEUCOM Joint Operations Center does not have any record of MG Aguto receiving or submitting any waiver to USEUCOM GO No. 1.

Lastly, even if GEN Williams' authorization were a proper waiver to USEUCOM GO No.1, MG Aguto's consumption of alcohol on May 13, 2024, went beyond the intent and scope of the authorization. MG Aguto acknowledged, "I accept full accountability for my actions and understand the importance of upholding both the letter and the spirit of established orders."

While we agree that MG Aguto's inability to perform his duties on May 14, 2024, was a result of a concussion, we disagree on the most likely cause that led to his series of falls. Despite the limits of his stated medical conditions, MG Aguto knew at the time he began consuming alcohol at the dinner that he had important meetings to attend beginning the following morning and should have considered both the intoxicating effects of the alcohol and the potential interaction of the alcohol with his prescription medications when deciding how much alcohol to consume.

C. Counterproductive Leadership

During this investigation, we received an additional complaint that MG Aguto's counterproductive leadership style created a "toxic environment" within SAG-U headquarters. The complainant described MG Aguto as a "notoriously toxic leader" who was disrespectful to subordinates and would berate subordinate senior officers in front of junior personnel.

Army Doctrine Publication 6-22, "Army Leadership and the Profession," Change 1, November 25, 2019, states that the term toxic has been used when describing leaders engaging in what the Army now refers to as counterproductive leadership behaviors. Counterproductive leadership generally leaves organizations in a worse condition than when the leader arrived and has a long-term effect on morale and readiness.

Army Regulation 600-100, “Army Profession and Leadership Policy,” April 5, 2017, states that Army professionals must remain vigilant to guard against counterproductive leadership, and one such type of counterproductive leadership is toxic leadership, which is defined as:

a combination of self-centered attitudes, motivations, and behaviors that have adverse effects on subordinates, the organization, and mission performance. To be classified as toxic, the counterproductive behaviors must be recurrent and have a deleterious impact on the organization’s performance or the welfare of subordinates.¹⁸

We interviewed 25 witnesses who had direct and frequent interaction with MG Aguto. We also reviewed the Defense Organizational Climate Survey (DEOCS) that SAG-U conducted from October to November 2024 after MG Aguto’s August 2024 departure. We present interview responses and DEOCS survey results in the following sections.

MG Aguto’s Leadership Style

Nine witnesses described MG Aguto as demanding. The current SAG-U J-2 director told us that MG Aguto wanted answers for the multiple questions he posed and had high expectations for his leaders that the witnesses felt were sometimes unrealistic. A colonel who worked in SAG-U J-3 said that MG Aguto was a “demanding boss.” The colonel told us that MG Aguto wanted to understand the problem he was facing and needed his personnel to understand what they were telling him, and that put a lot of pressure on those who were not used to that kind of requirement.

Five witnesses described MG Aguto as passionate. The SAG-U J-3 colonel said that MG Aguto was very passionate and constantly reinforced the point that it was not about us, it was about them (Ukrainians), and that was what their focus should be on. The J-3 colonel told us that MG Aguto would say, “And if you aren’t giving everything to ensure that they come out of this on a positive note, then we’re failing them.”

Three witnesses described MG Aguto as a workaholic. The DCG told us that MG Aguto drove people “really hard,” he was “a workaholic, and he expect[ed] people to do the same.” Witness 9 told us that MG Aguto took “his job very seriously and [would] work 24 hours a day if you let him.”

Three witnesses described MG Aguto as focused. The former DCG for Operations described MG Aguto as “very uh focused on the task at hand. [...] Uhm very operationally focused. ... he was squarely focused on making sure he had 100 percent understanding of everything going on” Witness 6 said that MG Aguto was “ultra focused on the mission and you know working long hours putting in the work.”

¹⁸ We note that the version of AR 600-100, dated April 5, 2017, is the version that was in effect during the time of the alleged conduct.

The former DCG told us that he was concerned about MG Aguto's hubris. He said that MG Aguto acted "[a]s if everybody's here to help me because I am the one that's going to single-handedly win this war in Ukraine." He also told us that "[i]t was about making himself [MG Aguto] the focal point of all those external engagements, all those recommendations, [and] all that advis[ing]and assist[ing] that we were doing with our Ukrainian partners."

SAG-U conducted a DEOCS survey in November 2024, and 152 SAG-U members participated in this survey. Six members responded that MG Aguto created a toxic working environment and that his leadership led to low morale.

MG Aguto's Interaction with SAG-U Members

Sixteen witnesses told us that MG Aguto was demanding and hard to work for, but they did not believe that MG Aguto's leadership was toxic.

Another witness told us that he did not consider the work environment as toxic but believed that many SAG-U members might perceive the environment to be toxic because of long working hours and high mission demands. An additional witness believed that SAG-U's command climate was unhealthy because of its long working hours. However, this witness told us that MG Aguto should not take all the blame for the unhealthy command climate, as other SAG-U leaders contributed to the problem as well.

Seven other witnesses agreed with the allegation that MG Aguto belittled or talked down to employees, creating a toxic or counterproductive work environment. They explained their perspective based on various observations, including the following quotes.

- I would describe it [command climate] as, um, toxic. And if not all, the vast majority of them expressed discontent working there.
- I have seen how [MG Aguto] treats his—his people and it is as toxic of a culture—it's not the worst but it's up there. It's sort of the top three most toxic environments I've ... ever encountered.
- [MG Aguto] was probably one of the worst generals I had ever worked for ... I ...didn't believe in how he treated his people [...] I know privately he did belittle them ...I worked for him and did what he said out of ... fear.
- ... how [MG Aguto] would interact with others where it would be very condescending and controlling. [...] in my opinion is toxic.
- I'd say yes [to the allegation that MG Aguto belittled or talked down to employees, creating a toxic or a counterproductive work environment]. [...] I would not stay in the military if I had to work for Major General Aguto long term.
- [MG Aguto] lost the trust of his colonels. [...] there was a culture of toxic leadership, and there was a culture of alcohol. [...] we are at mission failure.

- I don't disagree [with the allegation that MG Aguto belittled or talked down to employees, creating a toxic work environment] there was an unhealthy work environment

Other witnesses who responded to our request for examples of MG Aguto belittling or talking down to employees focused on how MG Aguto treated briefers during meetings.

- Being publicly disrespectful to his subordinates and in a way that is highly unusual, even among toxic leaders, when he will berate a colonel in front of a bunch of junior people
- Asking the briefers rapid, probing questions and demanding extensive details
- Sharply criticizing briefers for not being prepared when they failed to provide the details he demanded
- Pressing the briever with harder questions until the briever conceded that they were not prepared for the questions
- If a briever was up front and honest about not having the answers, MG Aguto would usually give them a chance to provide the answers later

The witnesses also told us that MG Aguto was non-discriminatorily demanding and critical of the staff when they did not meet his expectations. Only five of the seven witnesses could illustrate MG Aguto's belittling of subordinates and described the following incidents.

- During one briefing, an enlisted Navy briever did not have the "nit-node detail" that MG Aguto asked for, and MG Aguto got angry at the briever. The SAG-U J-2 director told us that MG Aguto "went down this wild aggravated tangent questioning, questioning, then he'd turn to me of course and [say] this is your fault too." The SAG-U J-2 director added that while that was the norm, MG Aguto had since apologized to the briever.
- At the end of another briefing, MG Aguto walked in front of the SAG-U J-2 director and said, "If—if this happens again you will face career humiliation," but the SAG-U J-2 director said that he had no idea what MG Aguto was referring to.
- During a VTC meeting in December 2023, MG Aguto was displeased with the briefing. When the briever's supervisor tried to step in and remediate the situation, MG Aguto asked the supervisor, "Why are you looking at me like I had a dick growing on my forehead?" or words to that effect. The supervisor told us that he did not hear MG Aguto use the word "dick." The supervisor discussed MG Aguto's comment with the two briefers after the VTC meeting, and they all felt that MG Aguto's comment was inappropriate.

Witnesses also explained that MG Aguto's intense demands for extensive details from his subordinates were because of higher headquarters' information demands on MG Aguto. MG Aguto and several witnesses told us that MG Aguto briefed the Secretary of Defense and the Chairman of the Joint Chief of Staff weekly and that he had to absorb and be ready to transmit a tremendous amount of information at a moment's notice to Washington, D.C. Additionally, one witness said that their Ukrainian partners needed and valued extensive details in the information provided by SAG-U. A witness told us that MG Aguto put a lot of pressure on his staff because of the external pressure and demands for information on SAG-U.

MG Aguto told us that he let junior officers and enlisted members brief him instead of his staff directors. He said that he asked his briefers many questions and that he used the briefings as opportunities to mentor and teach those junior officers and enlisted members. Several witnesses confirmed that MG Aguto let junior members brief him and used those briefing opportunities to teach and mentor those junior members. The former DCG for Operations told us that he witnessed the growth and transformation of those junior members who had received sharp critiques from MG Aguto. He said that "... they had matured to the point where I would put them in front of the President"

Perspectives on Command Environment

Some witnesses also told us that different factors beyond MG Aguto's control affected the command climate and morale at SAG-U. The comments from the DEOCS Survey also reflect that multiple factors severely affected SAG-U's command climate and members' morale. We discuss some of the factors below.

Living Conditions

One hundred fifty-two SAG-U members completed the DEOCS survey, and 140 comments in the DEOCS survey reflected that the poor living conditions in SAG-U significantly affected morale. SAG-U members lived in either containerized housing units or in cubicle-like sleeping spaces in an open warehouse that was noisy, offered no connecting bathroom, had little privacy, and had no Wi-Fi. The living spaces were described as prison-like, with living conditions and food "[w]orse than Iraq and Afghanistan and even Syria." The base dining facility had limited food choices and did not operate in the evenings or on weekends when many SAG-U members worked, and the quality was substandard and unhealthy.

SAG-U Operational Tempo

One hundred three comments in the DEOCS survey reflected that the high operational tempo and long working hours were the most significant factors affecting morale. Witnesses told us that SAG-U's extremely high operational tempo was a contributing factor to the alleged toxic work environment and had a negative effect on SAG-U's morale and command climate.

Witnesses told us that SAG-U operated 24 hours a day, 7 days a week, year-round. Members in the J-2, J-3, and J-5 sections worked 12 plus hours a day, 7 days a week, and rarely had any days off. However, members from some other staff sections had more time off for leisure. The disparity in workloads created frustration and resentment among members who had to work longer hours.

Working Conditions

Witnesses told us that SAG-U's working conditions were another factor that affected morale, which was corroborated by the DEOCS survey. One witness told us that SAG-U's offices are in an abandoned community center, in which the basketball court was divided into office cubicles and a dark bowling alley was turned into an operations center. SAG-U is located on the same installation as U.S. Army Europe and Africa, whose members had regular working hours and normal office spaces. The contrast between U.S. Army Europe and Africa's working conditions and SAG-U's working conditions also created resentment among SAG-U members.

Personnel Turnover

Witnesses complained about personnel turnover and told us that SAG-U experiences frequent personnel turnover due to its manning documents. Every 3 months, Army personnel rotate in and out of SAG-U. Every 6 and 9 months, the other services' members are rotated. However, MG Aguto, the deputy commanders, and the staff directors served in SAG-U for over a year. The frequent turnover had a negative effect on training, knowledge retention, relationship building with SAG-U partners, and the overall morale of the command. SAG-U leadership was frustrated by having to constantly retrain new members and the lack of continuity of knowledge and understanding of SAG-U's operations.

Differences in Service Cultures

Witnesses complained about the service culture differences and told us that SAG-U is a joint command with members from all Military Services, both active duty and reserves. The cultural difference, Military Service rivalry, and ground operation skill level differences among Services were another source of contention.

Witnesses told us that MG Aguto was direct and demanding, and his Army communication style could be perceived as condescending, demeaning, and belittling, which was different from the more collaborative communication style in the Air Force and the Navy. Additionally, SAG-U's operation is largely focused on ground operations, which is unfamiliar territory for sailors, airmen, and some guardsmen. Those Service members' limited knowledge and skills in ground operations caused friction with the more knowledgeable soldiers in SAG-U.

DoD OIG Conclusions on Counterproductive Leadership

We did not substantiate the allegations of counterproductive leadership.

Army Regulation 600-100 defines toxic leadership as “a combination of self-centered attitudes, motivations, and behaviors that have adverse effects on subordinates, the organization, and mission performance. To be classified as toxic, the counterproductive behaviors must be recurrent and have a deleterious effect on the organization’s performance or the welfare of subordinates.” Army Doctrine Publication 6-22 states that the term toxic has been used when describing leaders engaging in what the Army now refers to as counterproductive leadership behaviors and can leave organizations in a worse condition than when the leader arrived and has a long-term effect on morale and readiness.

We found that various factors caused SAG-U’s poor command climate and low morale, including the high operational tempo; austere living and working conditions due to limitations from the installation amenities; high rate of personnel turnover; and Service culture differences. Most of the witnesses did not believe that MG Aguto was responsible for the low morale and poor climate in SAG-U.

The nature of SAG-U’s work in an active war, plus specific higher echelon briefing requirements, coupled with the Ukrainian partner’s demands for rapid and detailed information output, contributed to MG Aguto’s demanding leadership style. MG Aguto’s direct and stern communication style was not well received by some subordinates subject to his critiques, especially members from other Military Services.

Based on the evidence we reviewed, we determined that MG Aguto’s actions did not constitute self-centered attitudes, motivations, and behaviors having a deleterious effect on SAG-U’s performance or the welfare of SAG-U members. Instead, the high operational tempo, working conditions, personnel turnover, and differences in Service cultures were the main contributing factors that affected SAG-U’s performance and the welfare of SAG-U members.

Accordingly, we determined that although MG Aguto’s leadership and direct communication styles were not always well received, they were neither counterproductive nor indicative of misconduct.

Overall Conclusions

We concluded that MG Aguto failed to comply with Chief of Mission Security Directive 2022-06, “Safeguarding and Handling Classified Materials,” July 10, 2022, and DoDM 5200.01, Volume 3, “DoD Information Security Program: Protection of Classified Information,” February 24, 2012 (Incorporating Change 3, Effective July 28, 2020), by directing staff to transport classified documents across international boundaries without following the proper procedures; failing to properly package and transport classified materials; and failing to maintain possession and control of classified documents.

We concluded that MG Aguto did not violate the U.S. Embassy Kyiv, Security Notice 2023-022, “Curfew, Metro, and Expanded Green Zone,” December 8, 2023, policy on curfew.

We concluded that MG Aguto violated USEUCOM General Order Number 1 for Ukraine, “Prohibited Activities for DoD Personnel on Temporary Duty (TDY) in Ukraine,” April 15, 2015, by consuming more than two alcoholic beverages on May 13, 2024, without a proper waiver, resulting in intoxication.

We concluded that MG Aguto was not intoxicated on duty on May 14, 2024. We determined by a preponderance of the evidence that MG Aguto’s inability to perform his duties on May 14 was due to a concussion, which was diagnosed after he sustained injuries from a series of falls. We also determined by a preponderance of the evidence that the effects of MG Aguto’s intoxication from overindulgence in alcohol on May 13 caused the first fall in his hotel room, resulting in the concussion.

We concluded that MG Aguto did not create a “toxic environment” at SAG-U through counterproductive leadership.

Recommendations

We recommend that the Secretary of the Army take appropriate action with respect to MG Aguto in light of the substantiated misconduct described in our report.

We recommend that the Secretary of the Army refer the incident involving the improper transport and loss of classified documents to the USEUCOM Special Security Office.

We recommend that the Secretary of the Army refer the other two security incidents described in Appendix B to the USEUCOM Special Security Office

Appendix A – Standards

UCMJ, Article 112, “Drunkenness and Other Incapacitation Offenses,” 2023 Edition

(a) Drunk on Duty. Any person subject to this chapter who is drunk on duty shall be punished as a court-martial may direct.

According to the Manual for Courts-Martial, elements of drunk on duty include the following.

(1) Drunk on duty.

- (a) That the accused was on a certain duty; and
- (b) That the accused was drunk while on duty.

(b) Incapacitation for Duty from Drunkenness or Drug Use. Any person subject to this chapter who, as a result of indulgence in any alcoholic beverage or any drug, is incapacitated for the proper performance of duty shall be punished as a court-martial may direct.

According to the Manual for Courts-Martial, elements of incapacitation for duty include the following.

(2) Incapacitation for duty from drunkenness or drug use.

- (a) That the accused had certain duties to perform;
- (b) That the accused was incapacitated for the proper performance of such duties; and
- (c) That such incapacitation was the result of previous indulgence in intoxicating liquor or any drug.

Incapacitated is defined as “unfit or unable to properly perform duties as a result of previous alcohol consumption,” and the article states that “[i]llness resulting from previous indulgence is an example of being ‘unable’ to perform duties.”

DoDM 5200.01, Volume 3, “DoD Information Security Program: Protection of Classified Information,” February 24, 2012 (Incorporating Change 3, Effective July 28, 2020)

ENCLOSURE 2

SAFEGUARDING

2. **PERSONAL RESPONSIBILITY FOR SAFEGUARDING.** Everyone who works with classified information is personally responsible for taking proper precautions to ensure that unauthorized persons do not gain access to classified information. Everyone granted access to classified information is personally responsible for protecting the classified information they know, possess, or control and for complying with the pre-publication security review processes specified in DoDI 5230.09 (Reference (k)). Classified information shall be protected at all times either by storing it as this Volume prescribes or by having it under the personal observation and control of an authorized individual.

ENCLOSURE 3

STORAGE AND DESTRUCTION

5. **U.S. CLASSIFIED INFORMATION LOCATED IN FOREIGN COUNTRIES.** Except for classified information that has been authorized for release to a foreign government or international organization in accordance with Reference (y), and is under that government’s or organization’s security control, U.S. classified material may be retained and stored in a foreign country only when necessary to satisfy specific U.S. Government requirements. The Heads of the DoD Components shall prescribe requirements for protecting this information, paying particular attention to ensuring proper enforcement of controls on release of U.S. classified information to foreign entities. Compliance with the provisions of this enclosure is required. U.S. classified material in foreign countries shall be stored at a:

a. U.S. military installation, or a location where the United States enjoys extraterritorial status, such as an embassy or consulate.

ENCLOSURE 4

TRANSMISSION AND TRANSPORTATION

10. **PREPARATION OF MATERIAL FOR SHIPMENT.** When transferring classified information, it shall be enclosed in two opaque, sealed envelopes, wrappings, or containers, durable enough to properly protect the material from accidental exposure and facilitate detection of tampering.

b. When classified material is hand-carried outside an activity, a locked briefcase or zippered pouch may serve as the outer wrapper. In such cases, the addressing requirements of subparagraph 10.a.(1) of this section do not apply. Refer to section 11 of this enclosure for additional requirements on use of briefcases and pouches.

11. USE OF BRIEFCASES OR ZIPPERED POUCHES FOR HAND-CARRYING CLASSIFIED MATERIAL. A locked briefcase or zippered pouch made of canvas or other heavy-duty material and having an integral key-operated lock may be used for hand-carrying classified material outside an activity. Such cases may also be used to restrict access to classified material when the intended recipient is not immediately available.

12. ESCORT, COURIER, OR HAND-CARRY OF CLASSIFIED MATERIAL

a. Authority. Appropriately cleared and briefed personnel may be authorized to escort or carry classified material between locations when other means of transmission or transportation cannot be used. The Heads of the DoD Components shall establish procedures to ensure that hand-carrying of classified material is minimized to the greatest extent possible and does not pose unacceptable risk to the information. Hand carrying may be authorized only when:

(1) The information is not available at the destination and operational necessity or a contractual requirement requires it.

(2) The information cannot be sent via a secure e-mail, facsimile transmission or other secure means.

(3) The appropriate official authorizes the hand-carry according to procedures the Head of the DoD Component establishes.

(4) The hand-carry is accomplished aboard a U.S. carrier, or a foreign carrier if no U.S. carrier is available, and the U.S. escort retains custody and physical control of the information at all times.

(5) Arrangements have been made for secure storage of the information at a U.S. Government or cleared U.S. contractor facility.

b. Packaging Requirements. Classified material that is hand-carried shall be packaged in the same manner as described in section 10 of this enclosure for material being shipped.

13. ESCORT, COURIER, OR HAND-CARRY AUTHORIZATION. Responsible officials, as determined by DoD Component procedures, shall provide a written statement to each individual who is authorized to escort, courier, or hand-carry classified material. Procedures for authorizing on-site contractors to escort, courier, or hand-carry classified material shall comply with the requirements of References (w) and (az). Authorization to escort, courier, or hand-carry SCI shall be in accordance with Reference (i).

ENCLOSURE 6

SECURITY INCIDENTS INVOLVING CLASSIFIED INFORMATION

1. INTRODUCTION. Protection of classified information is essential to maintaining security and achieving mission success in DoD operational and warfighting environments. Prompt reporting of security incidents ensure that such incidents are properly investigated and the necessary actions are taken to negate or minimize the adverse effects of an actual loss or unauthorized disclosure of classified information and to preclude recurrence through an informed, properly tailored, and up-to-date security education and awareness program. In cases where compromise has been ruled out and there is no adverse effect on national security, a common sense approach to the early resolution of an incident at the lowest appropriate level is encouraged. All security incidents involving classified information shall involve a security inquiry, a security investigation, or both.

3. REPORTING AND NOTIFICATIONS

b. Every civilian employee and Active, Reserve, and National Guard Military member of the Department of Defense, and every DoD contractor or employee of a contractor working with classified material, as provided by the terms of the contract, who becomes aware of the loss or potential compromise of classified information shall immediately report it to the head of his or her local activity and to the activity security manager.

c. If the person believes that the head of the activity or the security manager may have been involved in or responsible for the incident, he or she may report it to the security authorities at the next higher level of command or supervision. If circumstances of discovery make such notification impractical, the individual shall notify the commanding officer or security manager at the most readily available DoD facility or contact any DoD law enforcement, counterintelligence (CI), or Defense criminal investigative organization (DCIO).

6. SECURITY INQUIRIES AND INVESTIGATIONS

a. Requirement. All known or suspected instances of unauthorized disclosure of classified information shall be promptly addressed by the cognizant DoD Component to decide the nature and circumstances of the disclosure and the extent of damage to national security, and appropriate corrective action shall be taken.

Army Regulation 600-100, “Army Profession and Leadership Policy,” April 5, 2017

1-11. Core leader competencies, “toxic” leadership, and destructive leadership styles

d. Army professionals are required to uphold the Army Ethic and model the core leader competencies described above. They must remain vigilant to guard against counterproductive leadership behaviors from themselves as well as in the units with which they serve. Counterproductive leadership can take different forms, from incompetence to abusiveness, all of which have detrimental impacts on individuals, the unit, and the accomplishment of the mission. Counterproductive leadership behaviors can span a range of behaviors to include bullying, distorting information, refusing to listen to subordinates, abusing authority, retaliating, blaming others, poor self-control (loses temper), withholding encouragement, dishonesty, unfairness, unjustness, showing little or no respect, talking down to others, behaving erratically, and taking credit for others’ work. One such type of counterproductive leadership is toxic leadership, which is defined as a combination of self-centered attitudes, motivations, and behaviors that have adverse effects on subordinates, the organization, and mission performance. To be classified as toxic, the counterproductive behaviors must be recurrent and have a deleterious impact on the organization’s performance or the welfare of subordinates.

Army Doctrine Publication 6-22, “Army Leadership and the Profession,” Change 1, November 25, 2019

COUNTERPRODUCTIVE LEADERSHIP

8-45. The Army expects all leaders to live the Army Values and demonstrate the positive characteristics described by the leader attributes and core leader competencies. Effective leadership is essential for realizing the full potential of an organization’s combat power and can compensate for deficiencies in other warfighting functions. The opposite is also true; counterproductive leader behaviors can negate combat power advantages.

8-46. **Counterproductive leadership is the demonstration of leader behaviors that violate one or more of the Army’s core leader competencies or Army Values, preventing a climate conducive to mission accomplishment.** Counterproductive leadership generally leaves organizations in a worse condition than when the leader arrived and has a long-term effect on morale and readiness. The term toxic has been used when describing leaders who have engaged in what the Army now refers to as counterproductive leadership behaviors. Counterproductive leadership is incompatible with Army leadership doctrine and Army Values. It often violates regulations and can impede mission accomplishment.

U.S. Embassy Kyiv, Chief of Mission Security Directive 2022-06, “Safeguarding and Handling Classified Materials,” July 10, 2022

This Security Directive applies to all U.S. citizen employees and contractors of the U.S. Government, civilian or military, whether permanently assigned or sent abroad on a temporary duty (TDY) basis, who are under COM authority and hold a security clearance.

Responsibilities

A. Supervisor Responsibilities

The responsibility for safeguarding classified information rests with each supervisor to the same degree that the supervisor is charged with functional responsibility for the organizational unit. While certain employees may be assigned specific security responsibilities, such as Top-Secret control officer or unit security officer, it is nevertheless the basic responsibility of supervisors to ensure that classified material entrusted to their organizational unit is handled in accordance with the procedures required by these regulations. (Ref 12 FAM 512.1-2)

Safeguarding Classified Material

A. General

1. A person is not entitled to receive classified information solely by virtue of official position or by virtue of having been granted a security clearance. (Ref 12 FAM 536.1-2)

C. Handling Classified Materials

1. The controlled access area (CAA) inside the Chancery is the only place where classified materials may be handled, stored, discussed, or processed. (Ref 12 FAH-6 030)
4. Classified information must not be made available to, or left in the custody of, foreign national employees. (Ref 12 FAM 536.a)

D. Storage of Classified Material

1. All classified material must be stored in approved storage containers (further described in 12 FAH-6 H-313.3) located inside CAA spaces. Open storage of classified material inside a vault is not allowed, except for material inside sealed diplomatic pouches. (Ref 12 FAM 531.2-2)

F. Transport of Classified Materials

1. Removal and hand-carrying of classified information from a diplomatic facility abroad, within the same country, must be authorized in writing by the RSO. The authorization, at a minimum, must include an inventory of the contents of the double-wrapped package and nonprofessional courier orders. The RSO will retain a copy of the authorization. (Ref 12 FAM 536.9-6)

Due to the security risk inherent in hand-carrying classified material, it will only be authorized when:

- a. The classified material is required at the destination;
 - b. The classified material is not available at the destination; and
 - c. Because of time or other constraints, the classified material cannot be transmitted by another authorized means.
2. Under no circumstances will classified material be physically carried across international boundaries except by diplomatic courier or specially authorized nonprofessional diplomatic couriers. In such isolated cases, the nonprofessional diplomatic courier must be in possession of a diplomatic passport and a courier letter, and the material must be enclosed in sealed diplomatic pouches until delivered to its official destination. (Ref 12 FAM 536.9-1)

U.S. Embassy Kyiv, Security Notice 2023-022, “Curfew, Metro, and Expanded Green Zone,” December 8, 2023

Effective immediately, Mission Kyiv’s curfew is set from 2300 to 0600.

USEUCOM General Order Number 1 for Ukraine, “Prohibited Activities for DoD Personnel on Temporary Duty (TDY) in Ukraine,” April 15, 2015

APPLICABILITY: This General Order applies to all TDY in Ukraine by U.S. military personnel, Department of Defense (DoD) civilians, and contractors authorized to accompany the force (“DoD personnel”). This General Order does not apply to TDY DoD personnel who meet both these requirements: (1) Department of State through the Chief of Mission has security responsibility for them; and (2) they are not assigned or allocated to, or under the command of, U.S. European Command (USEUCOM). This General Order does not apply to DoD personnel on an approved leave status.

2. PROHIBITED ACTIVITIES:

b. Any person subject to this Order is prohibited from consuming more than two (2) alcoholic beverages in a 24-hour period. An alcoholic beverage shall be considered one that contains 14 grams of pure alcohol (which can generally be found in 16 ounces (500 ml) of beer, 8 ounces (250 ml) of wine, or a beverage containing 1.5 ounces (45 ml) of liquor or hard alcohol). No person younger than the legal drinking age of Ukraine may consume alcoholic beverages. Personnel may not operate a motor vehicle within eight (8) hours of alcohol consumption. Personnel may not consume an alcoholic beverage within eight (8) hours of the start of scheduled regular duty; consumption of alcoholic beverages as part of an organized religious observance is excepted. Mission Commanders may further restrict the consumption of alcohol as necessary to accomplish the mission.

3. PUNITIVE ORDER: All provisions of paragraph 2 of this general order are punitive. Persons subject to the UCMJ may be punished thereunder.
4. INDIVIDUAL DUTY: Persons subject to this general order have the individual duty to know and understand the prohibitions contained herein.
6. WAIVERS AND AMENDMENTS: Authority to waive or modify the prohibitions within Paragraph 2 is hereby delegated to the first O-7 or above Commander in the chain of command of the traveler; for travelers who are not within a military chain of command, USEUCOM Director of Operations has the authority to waive or modify the prohibitions. The USEUCOM JOC [Joint Operations Center] will be notified of any waiver or modification to Paragraph 2 for their situational awareness. All notifications will be sent [REDACTED] and include all waiver or modification specifics, timeframes associated with the waiver, and the name of the General/Flag Officer approving official.

Appendix B – Other Matters

Alleged Security Violations

During this investigation, witnesses told us of two other potential security violations involving MG Aguto. We recommend that the Secretary of the Army refer these two security incidents to the USEUCOM Special Security Office.

Discussing Classified Information in Unsecured Environment

During this investigation, two witnesses revealed that MG Aguto discussed classified information in an unsecured environment in July 2024. The current J-2 director told us that his staff reported this incident to him and that he submitted a classified memorandum describing the event to the DCG. In the memorandum, the current J-2 director described MG Aguto discussing top secret sensitive compartmented information with members of the SAG-U J-2 staff. MG Aguto also discussed dispositions of Ukrainian and Russian ground forces, which are classified at the Secret level. These discussions happened in an open-air pavilion outside of an auditorium used for a SAG-U commander's call.

The DCG told us that MG Aguto was discussing Top Secret NOFORN (No Foreign Dissemination) information with a group of three to five SAG-U J-2 members. Although the individuals in the conversation cautioned MG Aguto on discussing classified information in an unsecure environment with other people around, MG Aguto continued talking about it. The DCG told us that the members felt uncomfortable about MG Aguto discussing the information and submitted a Memorandum for Record expressing their concerns to him. Following receipt of the Memorandum, the DCG contacted the USEUCOM deputy commander, who instructed the DCG to send the information to USEUCOM. The DCG forwarded the Memorandum to the USEUCOM J-2 director and the USEUCOM deputy commander. The DCG told us that he never received any update on how USEUCOM handled this incident.

Viewing Classified Information in an Unsecured Environment

The SAG-U J-2 director told us that during an air raid in Kyiv, everyone working in the Embassy evacuated to a shelter, where Embassy personnel observed MG Aguto accessing his SIPR [Secret Internet Protocol Router] tablet.

Witness 2 told us that during MG Aguto's first trip to Kyiv in December 2023, U.S. Embassy personnel told Witness 2 that they observed MG Aguto accessing classified materials while they were evacuated into a shelter. Witness 2 told us that to Witness 2's knowledge, "nobody was looking at [MG Aguto's] screen, and nobody was, um, seeing any of the classified content that he had."

Potential Assault

During this investigation, it was alleged that MG Aguto slapped the face of a member of his staff in the summer of 2024. The DCG told us that he and MG Aguto walked into a birthday celebration in a restaurant, where several SAG-U junior officers were playing a drinking game called “Manchester.” He said that MG Aguto approached the group, slapped a [REDACTED] SAG-U staff member across his face, and remarked, “See, I don’t need to play the game to do this,” or words to that effect. The DCG told us that he subsequently asked the SAG-U staff member if he wanted to file a complaint, and the staff member said no. The DCG said that the staff member told him that although he thought MG Aguto’s action was inappropriate, it was meant to be a joke.

We referred this allegation to the Army Criminal Investigation Division.

Acronyms and Abbreviations

CoS	Chief of Staff
DCG	Deputy commanding general
DEOCS	Defense Organizational Climate Survey
DoDM	DoD Manual
DOS	U.S. Department of State
GEN	General, U.S. Army
GO	USEUCOM General Order
MG	Major General, U.S. Army
RSO	Regional Security Officer
SAG-U	Security Assistance Group-Ukraine`
SSO	Special Security Officer
TDY	Temporary duty
UCMJ	Uniform Code of Military Justice
USEUCOM	U.S. European Command
VTC	Video teleconferencing
XO	Executive Officer

Whistleblower Protection

U.S. DEPARTMENT OF DEFENSE

Whistleblower Protection safeguards DoD employees against retaliation for protected disclosures that expose possible fraud, waste, and abuse in Government programs. For more information, please visit the Whistleblower webpage at www.dodig.mil/Components/Administrative-Investigations/Whistleblower-Reprisal-Investigations/Whistleblower-Reprisal/ or contact the Whistleblower Protection Coordinator at Whistleblowerprotectioncoordinator@dodig.mil

For more information about DoD OIG reports or activities, please contact us:

Legislative Affairs Division
703.604.8324

Public Affairs Division
public.affairs@dodig.mil; 703.604.8324



www.dodig.mil

DoD Hotline
www.dodig.mil/hotline



CUI

D-CATSe 20240524-095482-CASE-01



DEPARTMENT OF DEFENSE | OFFICE OF INSPECTOR GENERAL

4800 Mark Center Drive
Alexandria, Virginia 22350-1500
www.dodig.mil
DoD Hotline 1.800.424.9098

CUI