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Complaints fuel probe of NASA inspector

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November 20, 2006

WASHINGTON

A federal probe of NASA Inspector General Robert Cobb outlines allegations that he stifled investigations, mistreated department employees and maintained a close personal relationship with top officials of the agency he was supposed to independently monitor.

Preliminary findings from a 10-month investigation into Cobb's conduct have been forwarded to an oversight group, the President's Council on Integrity and Efficiency. That group is expected to make a final decision before the end of the year on what, if any, action to take.

Cobb has denied any wrongdoing. However, he said during an interview with the Orlando Sentinel last week that it was inappropriate for him to publicly rebut many of the specific allegations until the process had run its course. Investigators from the Department of Housing and Urban Development, the federal agency called in to conduct the inquiry, have examined 69 allegations against Cobb, a White House appointee. The allegations came primarily from career employees in his own office.

A confidential summary of the HUD probe detailing the investigative findings was obtained by the Sentinel.

Not all of the allegations against Cobb were substantiated. However, current and former employees in Cobb's office interviewed by HUD inspectors and the Sentinel described him as a partisan manager who often failed in his responsibility to independently investigate possible wrongdoing at NASA.

Cobb vehemently disagreed with that characterization during last week's interview.

"I look forward to the integrity committee's review of all of the evidence and the resolution of this matter," Cobb said. "It is appalling that persons entrusted with part of the process would try to subvert it by releasing information."

Cobb sent a letter to FBI Director Robert Mueller on Friday requesting an investigation to learn how the Sentinel obtained the document and "take such action as necessary to address an obvious breach of law and investigative ethics." Those receiving copies of Cobb's letter included U.S. Attorney General Alberto Gonzales and a dozen members of Congress.

Some of the allegations against Cobb appear to raise serious questions.

According to the probe, the number of audit reports issued by Cobb's office plummeted from 62 in 2000 to seven during the first half of the 2006 fiscal year. An audit safety team was abolished. Investigations were derailed, witnesses said, including some related to safety and national security.

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Investigators found that Cobb lunched, drank, played golf and traveled with former NASA Administrator Sean O'Keefe, another White House appointee. E-mails from Cobb showed he frequently consulted with top NASA officials on investigations, raising questions about his independence.

Witnesses told investigators Cobb also intimidated and berated some subordinates to the point of tears. During his tenure as NASA inspector general, the department's employee attrition rate has increased by more than 50 percent, according to figures in the report.

Cobb said in his letter to Mueller that the report was "replete with easily demonstrable factual errors and inaccuracies." He described the investigation as having "spun out of control."

"Examples include the failure to interview persons with actual knowledge of relevant facts, apparent bias of investigators, the unlimited scope of the investigation . . . and other abuses by the investigators and the investigative process," Cobb wrote.

'Independent, objective'

There are 62 federal agencies that have inspectors general authorized by law. NASA's is one of 30 nominated by the president and confirmed by the Senate. Only the president can fire the NASA inspector general, and it requires an explanation to Congress.

The position is principally governed by the Inspector General Act of 1978, which was designed to create "independent and objective units" that would "promote economy, efficiency and effectiveness" and "prevent and detect fraud and abuse." While inspectors general report to the heads of their agencies, those agency chiefs are forbidden from intervening in audits and investigations.

Nicknamed "Moose," Cobb came to NASA in April 2002 after 15 months as an ethics lawyer in the Bush White House responsible for vetting financial-disclosure and conflict-of-interest issues for administration nominees who required Senate confirmation. He replaced Roberta Gross, a Clinton appointee, who had been in the job since 1995 and had earned a reputation on Capitol Hill as a competent, independent investigator.

The HUD report discusses Gross' departure from NASA.

Gross had contracted with the accounting firm Price Waterhouse Coopers to do NASA's chief financial audit, investigators wrote. After the White House tapped O'Keefe to succeed longtime NASA Administrator Dan Goldin in December 2001, O'Keefe told Gross he was unhappy with the audit. "Gross subsequently [was] asked to resign," the report said.

Cobb replaced Gross four months after O'Keefe's arrival and canceled the contract with Price Waterhouse Coopers.

HUD investigators heard testimony from other witnesses that suggested O'Keefe's and Cobb's association went beyond the traditional arm's-length relationship between agency heads and inspectors general. E-mail traffic between Cobb, O'Keefe and former NASA General Counsel Paul Pastorek indicated Cobb consulted with them on audits and investigations.

Cobb told HUD investigators he had "a collaborative style of conducting business." He frequently had lunch with O'Keefe and Pastorek, occasionally dined with them outside the office and acknowledged to investigators the trio sometimes had drinks in O'Keefe's office. Cobb and O'Keefe also traveled together on NASA aircraft and occasionally played golf.

NASA employees told investigators the three men were referred to as the "Holy Trinity."

In the interview last week, Cobb dismissed suggestions the relationship was inappropriate and pointed out that,

legally, he was under the general supervision of O'Keefe, to whom he was obligated to report.

"The idea that there is something inappropriate about my having communications and dealings with the senior managers of the agency is repugnant," Cobb said. "The idea that an office cannot maintain independence in the execution of its role if its people are talking to other people in the agency is ludicrous."

In one case, Cobb was accused of squelching part of an audit related to the international space station program after conferring with Pastorek. The report notes that investigators found an e-mail where Pastorek wanted to discuss the audit and questioned its analysis and conclusions. Investigators wrote that auditors were told to remove all of the findings from one section, reducing four pages of findings in the draft report to one paragraph in the final version.

In another case, investigators found an e-mail that Cobb sent to O'Keefe informing him of an undercover operation and the pending execution of search warrants. Cobb told investigators that any notifications he made were in accordance with regulations.

"At no time did we have any discussions that would constitute inappropriate behavior," said O'Keefe, now the chancellor at Louisiana State University, in an interview. "I thought it was a proper relationship, not one intended to compromise his independence."

'Diving saves'

According to witnesses in the HUD report, Cobb told his staff, as well as an outside group, that he had to do some "diving saves" to keep his auditors from embarrassing NASA.

During Gross' last two full years as NASA inspector general, the office issued an average of 51 audit reports annually, the HUD investigation indicated. During the 3 1/2 years since 2003, the first full year of Cobb's tenure, the office has issued an average of 26 reports annually -- about half as many.

In fall 2005, two years after the space shuttle Columbia accident, a safety audit team was abolished, according to HUD investigators. A semiannual report to Congress by the NASA inspector general's office earlier this year indicated that no safety audits were completed during the six-month period ending March 31.

Cobb's handling of several specific investigations is detailed in the HUD report. Some of the allegations contend:

After an audit director asked for budget information in 2002 to determine who was responsible for not spending enough money on the space shuttle's infrastructure, Cobb denied the request, the HUD report said. Witnesses told investigators when an audit manager tried to explain the importance of the information during a teleconference, Cobb told the manager to "shut up." An outside board investigating the Columbia accident the next year criticized NASA for shortchanging shuttle infrastructure.

NASA auditors were not allowed to verify that safety recommendations related to storage of an SR-71 aircraft at the Dryden Flight Research Center were being complied with, investigators wrote. A manager who oversaw the storage is quoted in the HUD report as saying in June 2006 "all of the problems are still the same." The problems included the disposal of hazardous waste.

Investigators found that a review of bird strikes on aircraft at the Kennedy Space Center, proposed amid doubts about the effectiveness of a program to deal with the issue, was delayed. Cobb decided the review "would be incorporated into an overall audit at another time," the HUD report said.

Concerns by several NASA employees that agency security personnel were carrying firearms aboard commercial aircraft without proper legal authority were not investigated.

"Many of these allegations are coming from people many levels down the chain of command," Cobb said. "Many of the specific allegations attribute decisions to me that were not mine, but were made down the chain of command."

Cobb denied an allegation that he failed to properly report the theft of up to \$1.9 billion worth of sensitive data stolen from NASA by a computer hacker.

HUD investigators wrote that Cobb ordered several reassessments of the hotly debated value of the loss and, despite protests from his staff, agreed with a determination by NASA's export controls office that the incident did not have to be reported to the State Department.

The Pentagon's Defense Technology Security Administration told HUD investigators the data loss "could have [a] significant impact on national security."

Cobb told the Sentinel that the HUD report provided "an inaccurate picture of what actually transpired." The President's Council on Integrity and Efficiency found Cobb "had not engaged in any wrongdoing" during an earlier review of his handling of the issue in 2004.

'Dramatic changes'

Some employees in the NASA inspector general's office complained to investigators they were mistreated by Cobb, whom they have accused of destroying the department's morale. For the 2001-2005 period analyzed in the HUD report, the office's attrition rate increased every year under his management.

Several witnesses said they were berated, intimidated and cursed at. One allegation accused Cobb of propping up his feet up on his desk in the faces of employees. Another allegation said Cobb mentioned that he wanted some of his auditors at NASA headquarters in Washington where he "could choke them."

Witnesses told investigators Cobb would remind employees that "I'm a [expletive] presidential appointee."

Cobb blamed much of the friction on disgruntled former employees.

"There have been, under my leadership, dramatic changes in the organization and manner in which this office conducts business," Cobb said. "There are a number of people who did not share my vision for how the mission of this organization should be executed."

With the HUD investigation now finished, the case has been forwarded to the President's Council on Integrity and Efficiency. There, an integrity committee, consisting of an FBI official, three or more inspectors general from federal agencies, and other government officials will decide Cobb's fate.

Capitol Hill watching

Sen. Bill Nelson, D-Fla., began receiving complaints from employees in the NASA inspector general's office in early 2005 and asked for the investigation. He is expected to take over as chairman of the Senate subcommittee responsible for NASA oversight when the new Congress convenes in January.

U.S. Rep. Henry Waxman, D-Calif., also is likely to pay close attention. Waxman, who was responsible for a 2004 study on how the Bush administration had politicized inspectors general, is in line to become chairman of the House Committee on Government Reform.

In the study, Waxman's staff found that more than 60 percent of the inspectors general appointed by Bush had political experience, while less than 20 percent had prior audit experience. In comparison, more than 60 percent of inspectors general appointed by the Clinton White House had prior audit experience, while less than 25 percent had prior political experience.

The report cited Cobb as an example of someone who had previously worked in the White House and had no audit experience. Cobb disputes the report's claim that he had no audit experience and insists that results are what count.

"The role of the inspector general is an extraordinarily important role which I and my senior staff take very seriously," Cobb said. "We work very hard to get things right. I'm proud of the record that we have."

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