
**Hearing before the Subcommittee on
Space, Aeronautics, and Related Sciences
Committee on Commerce, Science, and Transportation
United States Senate**

and

**Subcommittee on Investigations and Oversight
Committee on Science and Technology
United States House of Representatives**

**Oral Statement
Oversight Review of the Investigation
of the
NASA Inspector General
Mr. Robert W. Cobb**

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Assistant Inspector General for Investigations
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Mr. Chairman and members of the committees, I appreciate the opportunity to appear today to share my experience as the former Assistant Inspector General for Investigations under NASA Inspector General, Mr. Robert W. Cobb.

My professional life is one of public service starting with the United States Army with over six years of active duty and twelve years in the U.S. Army Reserve. I spent seventeen years with the NASA Office of Inspector General (OIG) and the last two years with the Postal Service OIG. In 25 years of public service I have served as a federal law enforcement officer, manager and executive.

When I became the NASA OIG Assistant Inspector General for Investigations in September 2002, Mr. Cobb was focusing efforts on the OIG's audit work. I recall at that time, Mr. Cobb was upset because some GS-15 level audit directors were being paid more than he was. Mr. Cobb decided to transfer the field audit director positions to OIG headquarters in Washington, DC. In order to accomplish the transfers, buyouts were used. This had a negative effect by not allowing these positions to be backfilled with the same audit job series that were eliminated through the buyout.

Mr. Cobb told me his expectations of my performance as the Assistant Inspector General for Investigations included being responsible for everything that happened in the Office of Investigations and he further expected me to know

every detail on every case at all times. We had over 400 open cases; it was an impossible expectation for anyone.

Mr. Cobb often complained that special agents did not write well and referred to their work as crap; regardless of any successes. To help mitigate Mr. Cobb's negative attitude about the special agents I reviewed and edited every investigative report or document that Mr. Cobb would see.

Mr. Cobb routinely referred to Special Agents as knuckle draggers. I repeatedly asked Mr. Cobb what he wanted and what we could do to improve. He always replied that he didn't know, but when he saw it he would tell me. Other than Mr. Cobb telling me to keep him informed of everything going on in the Office of Investigations, he never told me what he wanted in the three years I was the Assistant Inspector General for Investigations.

Mr. Cobb would tell me and other senior investigative managers that special agents do not work for the US Attorney and for us to make sure the special agents knew their boss was the IG. In addition, Mr. Cobb told our attorneys that their legal opinions did not count, that the IG's legal opinion was the only one that counted.

Mr. Cobb's personal interaction with the staff consisted of yelling and ridiculing and the more it affected them emotionally such as crying or other reactions, the

more he did it. The atmosphere became like sharks in a feeding frenzy. The Deputy IG and the Executive Officer would join in appearing to enjoy it while making reassuring and supportive glances to each other. As an example, Mr. Cobb in one instance told an attorney her opinion did not count and proceeded to demean and ridicule her in front of the group. The attorney left the meeting visibly shaken and had to be consoled by the Lead Counsel as she wept.

On another occasion, the OIG's special agent in charge at the Goddard Space Flight Center and several of his staff were briefing an investigative case at headquarters. Mr. Cobb and the Deputy IG verbally berated the special agent in charge because he misspoke facts concerning the case. There was an ensuing feeding frenzy that was uncalled for and embarrassing to everyone in the room, including the special agent in charge's subordinates.

Mr. Cobb routinely used profanity when he spoke to me and other employees, stating F___ them and G___ D ___ them. It was a daily occurrence that offended many in the office. On one occasion, Ms. Debra Herzog, my deputy was trying to make a legal point with Mr. Cobb from her perspective as a former federal prosecutor. Mr. Cobb did not agree with her and rose up out his chair from behind his desk, leaned forward and started yelling and cussing at her. As the tears began welling up in her eyes I changed the subject so we could leave the room.

At my mid-year and annual performance review sessions Mr. Cobb would always say he was not happy with my performance. When I asked for details, Mr. Cobb would respond that everything was wrong; I had to fix it, but he could not provide me with any specific examples. During one of my performance review meetings, Mr. Cobb brought up a complex fraud case I had worked as an agent and later supervised over a seven year period. The case resulted in a \$6.1 million recovery to NASA. Mr. Cobb told me he guessed he should have rewarded or recognized me for that case, but that I knew how it was.

In an attempt to show Mr. Cobb the quality of investigative work the OIG was doing; I showed Mr. Cobb a \$3.94 million settlement check payable to NASA we had just received. Mr. Cobb's response was that it did not mean anything to him. I asked him why and he said, "Because I had nothing to do with it." I explained that it was representative of our office, his office. He told me it didn't matter because he did not have anything to do with it.

The OIG was scheduled for a Presidents Commission on Integrity and Efficiency (PCIE) Peer Review by the Department of Transportation (DOT) OIG. Mr. Cobb asked to meet privately with the DOT's Assistant Inspector General for Investigations who would be leading the review. After the meeting, the DOT Assistant Inspector General for Investigations called me from his office and asked me what was going on? I told him I did not know what he was talking about. He said Mr. Cobb wanted the Peer Review to dig into the management

activities of the OIG's special agent in charge at the Goddard Space Flight Center, and also my activities. He went on to explain that Mr. Cobb was asking him to dig up dirt Mr. Cobb could use against us. He also said he told Mr. Cobb that the Peer Review was not set up to do that and he would not do it.

Sometime later, Mr. Cobb directed me to get rid of the special agent in charge at the Goddard Space Flight Center. I asked Mr. Cobb the reason for this decision because the special agent in charge was doing a good job. Mr. Cobb said he did not want him around. I told the special agent in charge that Mr. Cobb was not fond of him and if I were in his shoes, I'd look elsewhere. About a month later the special agent left to take a job with the Transportation Security Administration.

After the special agent in charge departed, Mr. Cobb again told me he was not happy with my performance and threatened to make me the special agent in charge at the Goddard Space Flight Center. I asked Mr. Cobb for specific reasons and he said he was just not happy. I told him I had done everything he had asked me to do. I told him I even submitted numerous management-training requests to the Deputy IG for continued improvement, but had no reply. He called the Deputy IG into the meeting and the Deputy IG confirmed he still had the requests and had not approved them.

In many investigative cases Mr. Cobb appeared to have a lack of independence when NASA officials were subjects, or if arrest/search warrants were obtained for NASA facilities. Mr. Cobb would question every aspect of the cases and gave the appearance he wanted to derail them before agents were given adequate time to investigate the allegations.

There were several cases where NASA officials were alleged to have committed crimes, and search warrants were obtained for their offices and computers. Mr. Cobb intervened claiming there was no probable cause and he did not want NASA agents executing the warrants. Only after explaining to Mr. Cobb that the cases were joint with the Federal Bureau of Investigation and the searches would be executed without NASA special agents did he relent.

Another case, Mr. Cobb's lack of independence became apparent after the fact. In this case OIG's Houston investigative office was asked by the Johnson Space Center Legal Office to assist the Texas Rangers with their ongoing investigation into an alleged missing ring, property of one of the female Columbia Astronauts. The Rangers had exhausted all leads attempting to determine if the ring existed and whether it was stolen. As a last resort, the Rangers drafted a Crime Stoppers alert they planned to distribute to the media and as a courtesy, asked the OIG to review it. I provided Mr. Cobb a copy of the draft alert. Mr. Cobb lost his temper and yelled at me saying that if the media got a hold of it he would have to resign. I reminded him that it was not our case and that we were merely

assisting the Rangers at the request of NASA. Later that evening Mr. Cobb called me at home and proceeded to yell and use profanities at me again about the crime stoppers alert. Mr. Cobb was so loud I had to go into the garage so my family would not hear him. Mr. Cobb would not listen or try to understand it was the Rangers decision. He continued to yell and use profanities, stating that he would have to resign if the alert was released.

I did not understand, at the time, why Mr. Cobb was so upset about the alert until weeks later at an OIG senior staff meeting. Mr. Cobb mentioned the NASA Administrator had previously ordered him and all NASA senior staff not to speak or do anything with the Columbia Astronauts' families. The Administrator was the only one who could talk to the families. I then realized why Mr. Cobb was upset about the alert. If the OIG and the Rangers issued the Crime Stoppers Alert, Mr. Cobb considered himself to be in direct violation of the order from the NASA Administrator.

Mr. Cobb was always dissatisfied with everything in the Office of Investigations. I finally asked him if he even wanted the special agents working cases. He told me no and I said that if that was the situation he did not need me around. He agreed and I told him I would seek employment elsewhere. Two weeks later I gave him my two weeks notice.

I would be pleased to answer any questions you may have.