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Description of document: **Closing memo/final report/transmittal memo for several National Aeronautics and Space Administration (NASA) Office of Inspector General (OIG) investigations**

Requested date: 12-January-2009

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Source of document: Office of Inspector General
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NASA OIG Records included in this file

1. 0-LA-08-0022-HL-S, December 5, 2007, REPORT OF INVESTIGATION - ALLEGED CHALLENGER DEBRIS FOR SALE ON EBAY
2. 0-KE-07-0167-S, March 11, 2008, Possible Misuse of NASA Aircrafts/Lisa Nowak
3. O-HS-06-0514-S, March 12, 2008, USAGE OF PARK FACILITIES AT KSC
4. OIG Hotline Complaint, FEB 13 2008, Mismanagement and Misuse of Position of [redacted] Park, 0-HS-06-0514-S
5. March 7, 2008, Mismanagement and Misuse of Position of [redacted] Park
6. 0-HS-08-0193-HL-S, March 14, 2008, NASA'S FAILURE TO MAINTAIN INFRASTRUCTURE AT LANGLEY, KENNEDY, AND WALLOPS
7. 0-KE-07-0389-P, April 1, 2008, Possible Theft of Space Shuttle Tiles

National Aeronautics and Space Administration
Office of Inspector General
Washington, DC 20546-0001



MAR 27 2009

SUBJECT: Freedom of Information Act (FOIA) Request
OIG FOIA Request Number 2009-16

I am responding to your January 12, 2009, FOIA request that was received by the OIG on January 29, 2009. You requested the closing memo, final report and transmittal memo for each of the following OIG investigations.


- 1) Alleged Challenger Debris for Sale on eBay
- 2) Possible Misuse of NASA Aircrafts/Lisa Nowak
- 3) Usage of Park Facilities at KSC
- 4) NASA's Failure to Maintain Infrastructure at Langley, Kennedy, and Wallops
- 5) Possible Theft of Space Shuttle Tiles

My initial determination is to provide you the enclosed redacted documents which respond to your request. Case numbers are being released in these documents. This information continues to be predominantly internal information that lacks genuine public interest, but I have decided to make a discretionary release of this information based on new guidelines issued by the Attorney General on March 19, 2009. Names of individuals (including OIG Special Agents, witnesses, informants, and individuals that have been investigated), other personally identifying information, addresses, and signatures are all being withheld where necessary to protect personal privacy under FOIA exemption (b)(7)(C). 5 U.S.C. § 552(b)(7)(C).

You have the right to appeal this initial determination to the Inspector General. Under 14 CFR § 1206.605(b), the appeal must: (1) be in writing; (2) be addressed to the Inspector General, NASA Headquarters, Washington, DC 20546; (3) be identified clearly on the envelope and in the letter as an "Appeal under the Freedom of Information Act"; (4) include

a copy of the request for the Agency record and a copy of the contested initial determination; (5) to the extent possible, state the reasons why the requester believes the contested initial determination should be reversed; and (6) be sent to the Inspector General within 30 calendar days of the date of receipt of the initial determination.

Sincerely,


for Kevin H. Winters
Assistant Inspector General for Investigations
OIG FOIA Officer – Investigations

Enclosures



O-LA-08-0022-HL-S

December 5, 2007

REPORT OF INVESTIGATION

ALLEGED CHALLENGER DEBRIS FOR SALE ON EBAY

NASA Headquarters
Washington, DC 20546

CASE CLOSING: This administrative investigation was predicated upon the receipt of an anonymous hotline complaint regarding possible Space Shuttle Challenger debris for sale on eBay. Subsequent inquiries conducted with the eBay Fraud Investigations Team identified the seller of item number b7c "Space Shuttle Challenger Debris" as b7c b7c

b7c was interviewed and reported that several years ago b7c found the alleged debris on a beach in the Wabasso, FL, area. b7c brought the item to an area museum and was told by a curator that the item was likely Challenger debris. b7c claimed b7c electronically mailed NASA to return the alleged debris but received no responses. b7c reported b7c then placed the item on eBay not in anticipation of selling it, but rather to generate discussion or information about returning it to the proper authorities. b7c released the item, a lightweight, gray piece of twisted metal approximately 2" x 1" in size, to the OIG.

On November 13, 2007, the item was sent to Steve McDanels, NASA Corrosion Technology, Kennedy Space Center, FL. McDanels routinely responds to matters involving recovery of possible space shuttle debris and will conduct testing and analyses to determine if the item released by b7c was authentic. If deemed to be Challenger debris, it will be appropriately stored with other recovered debris.

Based upon the recovery and subsequent transfer of the alleged Challenger debris to the cognizant NASA official this investigation is closed.

Prepared by: b7c
DISTR: File

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O-KE-07-0167-S

March 11, 2008

Possible Misuse of NASA Aircrafts/Lisa Nowak

INFORMATION MEMORANDUM/CLOSING: This case was initiated on February 7, 2007, when nasawatch.com posted an editor's note regarding the possible misuse of a NASA T-38 used to fly from Johnson Space Center (JSC), Texas to Kennedy Space Center (KSC), Florida on Tuesday February 6, 2007. Specifically, the editor's note questioned whether "it was proper for taxpayer dollars to be spent on jet aircrafts flying back and forth to handle a legal situation created by an employee (Lisa Nowak) on their own time?"

Results of the NASA Office of Inspector General (OIG) investigation showed that Steve Lindsey (Lindsey), NASA Chief Astronaut, and Chris Ferguson (Ferguson), Astronaut Corps' Senior Naval Officer, departed from Ellington Field, Texas on February 6, 2007, and were dispatched to KSC in a supersonic NASA T-38 trainer for the purposes of monitoring Nowak's movements through the Florida legal system. According to the Florida Today, February 7, 2007, Lindsey was quoted as saying that "our primary concern is her (Nowak) health and well-being and safety...we're down here supporting her like we would any employee at NASA if they were to get into this situation. We're a close family and we try to take care of our own"

According to NASA Form 740A, T-38 Flight Request Form, the Lindsey/Ferguson flight was prioritized by the NASA Astronauts Office as a number "6" under the priority list for scheduling guidelines. On Form 740A, priority number 6 reads as follows: "Proficiency flights in conjunction with official travel other than public appearances."

On February 8, 2007 the Reporting Agent (RA) obtained a copy of the Aircraft Operations and Training Procedures (AOD 09295), T-38 Operating Procedures. On page 6, under paragraph 1.0 of AOD 09295, T-38's purposes are explained as follows: "T-38 aircraft are assigned to the NASA Lyndon B. Johnson Space Center (JSC) to support space flight readiness training of NASA astronauts, to supply chase aircraft for flight-test projects, and to support research and experimental flight tests generated by NASA requirements and priority logistics programs."

On February 12, 2007, the RA interviewed David Finney (Finney), Chief of NASA Aircraft Operations, Ellington Field, JSC. Finney related that AOD 09295 is the policies and guidelines that govern T-38's. With regards to priority number 6, found on page 20, Table 5-2, in AOD 09295 (proficiency flights in conjunction with official travel other than public appearances), Finney related that a definition for "official travel" is not defined in the policy, but "official travel" relative to AOD 09295 would consist of "going somewhere to do NASA business."

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Finney related "official travel" consists of business routine to the job. He related that an example of "official travel" would be an astronaut attending an aircraft operations semi-annual meeting. Finney also related that there is no conflict between the term "official travel" and the purpose statement of AOD 09295, page 6, paragraph 1.0. Finney related the purpose statement lists all the legitimate uses of the T-38's and captures everything the T-38's should be used for.

Form 740A also required a brief description of the purpose of this trip. According to Ellen Ochoa, Flight Crew Operations Director, she made the following statement on the form: *"In the early morning hours of February 5, 2007, personnel at the Johnson Space Center (JSC) were informed that NASA Astronaut Lisa M. Nowak, Captain, United States Navy (USN), had been arrested in or near Orlando, Florida. At that time, very few specific details were known. In an effort to gain more information, to evaluate potential NASA interests and impacts, and to provide assistance to Captain Nowak, the JSC Center Director made the decision to send Captain Nowak's supervisor Mr. Steven W. Lindsey, Chief, Astronaut Office, and Captain Christopher J. Ferguson, USN, Astronaut Office Senior Ranking Naval Officer, to Orlando. Mr. Lindsey and Captain Ferguson are both pilots and are expected and budgeted to complete 45 hours of T-38 flight proficiency time each quarter. The flight hours to/from Florida (approximately 4.5 hours total round trip) counted towards their 45 hour proficiency time; no additional funds were disbursed by the Government to cover their T-38 flight time to/from Florida."*

On May 7, 2007, Raymond Sander, Johnson Space Center, presented the following scenario to Michael Griffin, NASA Administrator, at an ongoing "Ask the Administrator" meeting: *"If I, as a NASA employee in good standing get involved in some emotional, non lethal altercation and arrested by law enforcements agents in Florida, will NASA quickly dispatch my supervisor in a Government T-38 or equivalent, to represent NASA and assess the matter?"* The Administrator responded to this question by answering "No."

On June 27, 2007, John Corbett, Supervisory Agent in Charge, Central Field Office, interviewed Bernie Roan, NASA Chief Counsel, JSC. Roan related that Lindsey was directed by JSC Center Director Mike Coats to fly the T-38 to KSC during the Nowak arrest ordeal. The agency interest weighed heavily in the decision to send Lindsey, and Roan opined that NASA would make the same judgment call again if another astronaut was arrested. Roan stated NASA would never send a T-38 to deal with the arrest of himself or any other non-astronaut NASA employee. Lindsey must have 45 hours of flight proficiency time per quarter whether that's circling atop JSC or flying to FL to deal with the Nowak matter.

With regards to the second issue in this case, Nowak and Oefeleins' T-38 flight to Key West, Florida, on February 12, 2007. b7c NASA OIG JSC, interviewed b7c b7c Astronaut and b7c , regarding b7c knowledge of Nowak, and the criminal allegations brought against her by the Orlando Police Department. During that interview, b7c related that in May or June of 2005 the CEIT crew was at Cape Canaveral, FL for training. When the training was complete and the crew was ready to return to Houston, Nowak told b7c and b7c , Astronaut and b7c , she was

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staying in the Cocoa Beach area to look for a reception hall for an upcoming event and would not return to Houston with them. When b7c and b7c arrived at the airfield, b7c discovered that Nowak "beat" them there and departed in a T-38 piloted by Bill Oefelein (Oefelein) with a destination of Key West, FL. b7c felt that this circumstance was peculiar primarily because Nowak deceived b7c and b7c about her plans.

Based on the above information, the RA looked into the issue of whether or not Oefelein and Nowak's travel to Key West, FL in a government owned T-38 was unauthorized. Agency documentation clearly showed that Oefelein was approved to fly the T-38 to Key West, FL for proficiency training. Oefelein's initial flight request to Key West did not show Nowak as a passenger in the T-38, but other NASA flight management documentation clearly showed her as a passenger, which given her flight status, did not violate any agency regulation either.

Based on these facts, the OI has ceased further investigation into this matter.

Prepared by: b7c
DISTR: File

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O-HS-06-0514-S

March 12, 2008

USAGE OF PARK FACILITIES AT KSC

INFORMATION MEMORANDUM/CLOSING: The Office of Inspector General received an anonymous cyber Hotline complaint on March 6, 2006, alleging that b7c of the b7c parks and b7c at KSC was using b7c position for personal benefit.

No response was received from NASA management on this original allegation in 2006. The OIG then received other information regarding the park facilities, which resulted in the Office of Investigations at KSC and opening an investigation. The OIG investigation resulted in disciplinary action being taken on individuals named in this complaint.

Based on a memorandum provided by KSC management and the results of the OIG investigation, this complaint will be closed with no further action.

Attachment

1. KSC response, dtd 3/7/08.

Prepared by: b7c
DISTR: File

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National Aeronautics and
Space Administration

Office of Inspector General
Washington, DC 20546-0001



FEB 13 2008

TO: Director, Procurement Office
Kennedy Space Center

FROM: Special Agent in Charge, Headquarters Operations

SUBJECT: OIG Hotline Complaint
Mismanagement and Misuse of Position at b7c Park
O-HS-06-0514-S

The Office of Inspector General received a complaint with regard to the case identified in the enclosed memorandum. At that time, we requested that your office review and respond to this matter. To date, our records show that we have not received your response; perhaps this is an administrative oversight.

We are providing a copy of the complaint and request that you send a copy of your response to our office within two weeks of the date of this memorandum. Please contact me if you have questions at 202-358-2578.

b7c

Sarah L. Surber

Enclosure

National Aeronautics and
Space Administration
John F. Kennedy Space Center
Kennedy Space Center, FL 32899



March 7, 2008

Reply to Attn of:

AA-B

TO: Office of Inspector General
FROM: AA-B/Associate Director for Business Operations
SUBJECT: Mismanagement and Misuse of Position of b7c Park

This is in response to your memorandum concerning an OIG Hotline Complaint alleging mismanagement and misuse of position at b7c Park. These allegations were the subject of an OIG investigation. As a result of this investigation, formal discipline was taken against the employee in question.

b7c
James E. Hattaway, Jr.

Enclosure
OIG Memo Dated February 13, 2008



O-HS-08-0193-HL-S

March 14, 2008

**NASA'S FAILURE TO MAINTAIN INFRASTRUCTURE AT LANGLEY, KENNEDY,
AND WALLOPS**

NASA Headquarters

INFORMATION MEMORANDUM/CLOSING: The Office of Inspector General received information that NASA employees attending a workshop with an OIG employee expressed concerns at their home centers. The workers fear an increase in personal injuries, delays in providing contracted services and the loss of reimbursable business. The centers involved are Langley, Kennedy, and Wallops. The complainants give descriptions of their concerns listed by center in the attached.

The OIG Office of Audits conducted reviews of all three issues. OA's review found that the allegations could not be substantiated and were actually made up scenarios for training based on hearsay information.

OA will develop a datasheet for 09/10 consideration. Based on OIG conversations with the sources and other NASA personnel, the issues pose no imminent safety threat that requires immediate action by the OIG. OA will place the issue of the equipment maintenance on the list for future audit consideration.

Based on a review of the information provided, this matter does not warrant further investigative or administrative action by OI. This case is closed.

Attachment

1. OA Response

Prepared by:
DISTR: File

b7c

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b7c

**NASA's Failure to Maintain Infrastructure at Langley, Kennedy, and Wallops
SSRRC Item 8, 2/7/2008**

Concern: Complainant's sources reported that NASA was failing to maintain infrastructure at Langley, Kennedy, and Wallops. Per complainant's source, Langley was most concerning. Specific allegations reported were:

- Langley - wind tunnels do not undergo regularly scheduled maintenance resulting in frequent breakdowns. Repairs are made by shutting down other wind tunnels to cannibalize for spare parts, which are also worn and in need of replacement. Workers are concerned that pressure valves may blow killing someone.
- Kennedy - no action has been taken to comply with safety recertification of fuel storage tanks or plans to deactivate the tanks with the approaching end of the shuttle program.
- Wallops - Only two of three required satellites are operational for initiating a self destruct action during launch. Fuel storage tanks are in need of repair to prevent a catastrophic spill.

OA Action Taken:

Langley

b7c interviewed the complainant's source b7c on February 26, 2008, to request additional information concerning his allegations. b7c stated that b7c allegations concerning Langley infrastructure were made in conjunction with a practical exercise conducted at a leadership course that b7c attended in January 2008. b7c stated that the issues did not pose an imminent threat to personnel or equipment at Langley but that they represented a "general feeling that Langley blue collar personnel had concerning equipment maintenance." b7c stated that Langley personnel felt that the maintenance and repair program was not being funded appropriately to ensure that equipment was annually certified and repaired when needed. b7c added that b7c was privy to such information as the b7c and that b7c periodically heard complaints on the issue. b7c stated that for the last three years, the NASA b7c has voiced concerns about maintenance of NASA infrastructure to b7c in hopes that b7c would elevate the issue to the Administrator. b7c was unaware whether b7c had done so. b7c provided b7c a list of Langley personnel to interview if we pursued the maintenance issue further.

Kennedy

b7c was also the source of the Kennedy allegation. b7c stated that it was information that b7c had "heard" but that b7c had no specific data concerning the particular fuel storage tanks that were in need of safety recertification or those selected for deactivation.

b7c interviewed b7c concerning the deactivation of Kennedy fuel tanks. b7c b7c stated that b7c (Kennedy) was currently working to identify the fuel

tanks that would be deactivated as part of the Space Shuttle transition process. GAO is currently reviewing the disposition and deactivation of shuttle assets as part of a congressionally mandated review. b7c informed the GAO auditor in charge b7c about the issue. b7c stated that GAO has found that NASA has not yet definitized the "line item" deactivation items yet, which appears consistent with this allegation.

Wallops

b7c and b7c interviewed the complaint's source b7c b7c stated that b7c allegations had no basis in fact and that they were made solely to have input into a practical exercise conducted at a leadership course that b7c attended in January 2008 (same course as attended by b7c b7c

OA Recommendation: Based on b7c and b7c conversations with the complainant's sources and other NASA personnel, we do not believe that any of the issues pose an imminent safety threat that requires immediate action by the OIG. However, b7c and b7c agree that the information supports conducting an audit in FY 2009 or FY 2010 to review the NASA's equipment maintenance and repair programs for items such as fuel storage tanks, pressure vessels, and/or wind tunnels. OA will develop datasheet at later date due to other priorities.

OA Recommendations
closing @ 55000
but will develop
datasheet for 09/10
consideration (F+M)



O-KE-07-0389-P

April 1, 2008

Possible Theft of Space Shuttle Tiles

INFORMATION MEMORANDUM/CASE CLOSING: This case was initiated in July 2007, after when in December 2006, [redacted] at Kennedy Space Center (KSC) provided information to the Office of Inspector General (OIG) regarding the possible sale of a Challenger shuttle tile on eBay. In December 2006, the matter was referred to NASA OIG Legal Counsel for an opinion. In July 2007, the Reporting Agent (RA) reviewed Ebay for the specific tile that had been advertised but was unable to locate it, or additional identifying information on the seller. The RA did locate two additional shuttle tiles for sale. Both tiles were being offered for sale by another seller known only as [redacted]. The seller claimed both tiles were purchased during an auction from a now defunct space museum near "the Cape". Seller's location was listed in Leesburg Florida.

In July 2007, the RA interviewed [redacted] regarding the three space shuttle tiles that had been advertised on eBay. [redacted] related that NASA has not ever and currently did not sell space shuttle tiles at auctions, or as scrap materials. [redacted] identified the advertised serial numbers as the same numbers used by KSC to track shuttle tiles. [redacted] was unable to locate any of the three as having passed through her office for proper disposal. [redacted] believed the three tiles more likely than not had been stolen from KSC by employees. Theft of space shuttle tiles happened regularly, according to [redacted] stated United Space Alliance (USA) kept nearly 11,000 tiles in the Vehicle Assembling Building (VAB) in a non-secured room.

In July 2007, the RA contacted eBay Security and requested additional information on three specific space shuttle tiles that had been offered for sale on their website. In August, the RA received information from eBay Fraud Analyst (FA) [redacted]. FA [redacted] provided the RA contact information via email for the sellers and presumed buyers of space shuttle thermal tiles. They are as follows:

[redacted]

[redacted]

[redacted]

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FA b7c related that absent a court order, b7c was able to provide only limited information on the presumed buyers. Information is listed below:

b7c (purchased Challenger shuttle tile from b7c in December 2006)
 b7c
 b7c

b7c (purchased Columbia shuttle tile from b7c in July 2007)
 b7c
 b7c

b7c (purchased Columbia shuttle tile from b7c in July 2007)
 b7c
 b7c

In October 2007, the RA forwarded all pertinent findings of this matter to b7c
 b7c responded on the same date that the information had
 been forwarded to b7c for proper disposition. b7c
 b7c further related b7c would draft letters advising the sellers that
 space shuttle tiles were subject to Export Control regulations.

In March 2008, b7c requested the RA contact the sellers and inquire as to
 the origins of the shuttle tiles and to their disposition, in addition to their knowledge of Export
 Control laws, rules and regulations. The shuttle tiles advertised by the identified sellers had
 previously been sold in December 2006 and January 2007, respectively. The RA contacted b7c
 and b7c telephonically and inquired as to how they obtained the space shuttle tiles. Both
 admitted to purchasing the tiles at different auctions around KSC. Both also admitted to their
 lack of knowledge of Export Control laws, rules and regulations. The RA advised them as
 appropriate. Both pledged to adhere to Export Control rules in the future. The RA updated
 b7c on the contacts with the identified sellers. b7c
 advised the RA he would forward letters to NASA General Counsel with direction for them to
 send advisory notices to the identified sellers. On March 26, 2008, b7c provided
 the RA with a copy of a letter addressed to b7c
 b7c advising him of the OIG investigation and possible Export Control
 violations. Additionally, b7c provided examples of cautionary letters for NASA
 General Counsel to send to the sellers.

Findings from this inquiry would suggest that because shuttle tiles were maintained unsecured in
 the VAB and that the tiles in question did not properly pass through KSC property disposal it
 would be virtually impossible to trace these tiles using serial numbers. It is the previous
 experience of the KSC Resident Agency, based on multiple interviews of b7c that tiles in
 the past have been auctioned inadvertently during bulk item purchases. Based on the facts noted
 above, in addition to achieving the goals of identifying the sellers of possible Export Control

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regulated materials as well as coordinating with NASA General Counsel in providing cautionary letters to those sellers, the RA has requested this matter be closed.

Prepared by:
DISTR: File

b7c

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