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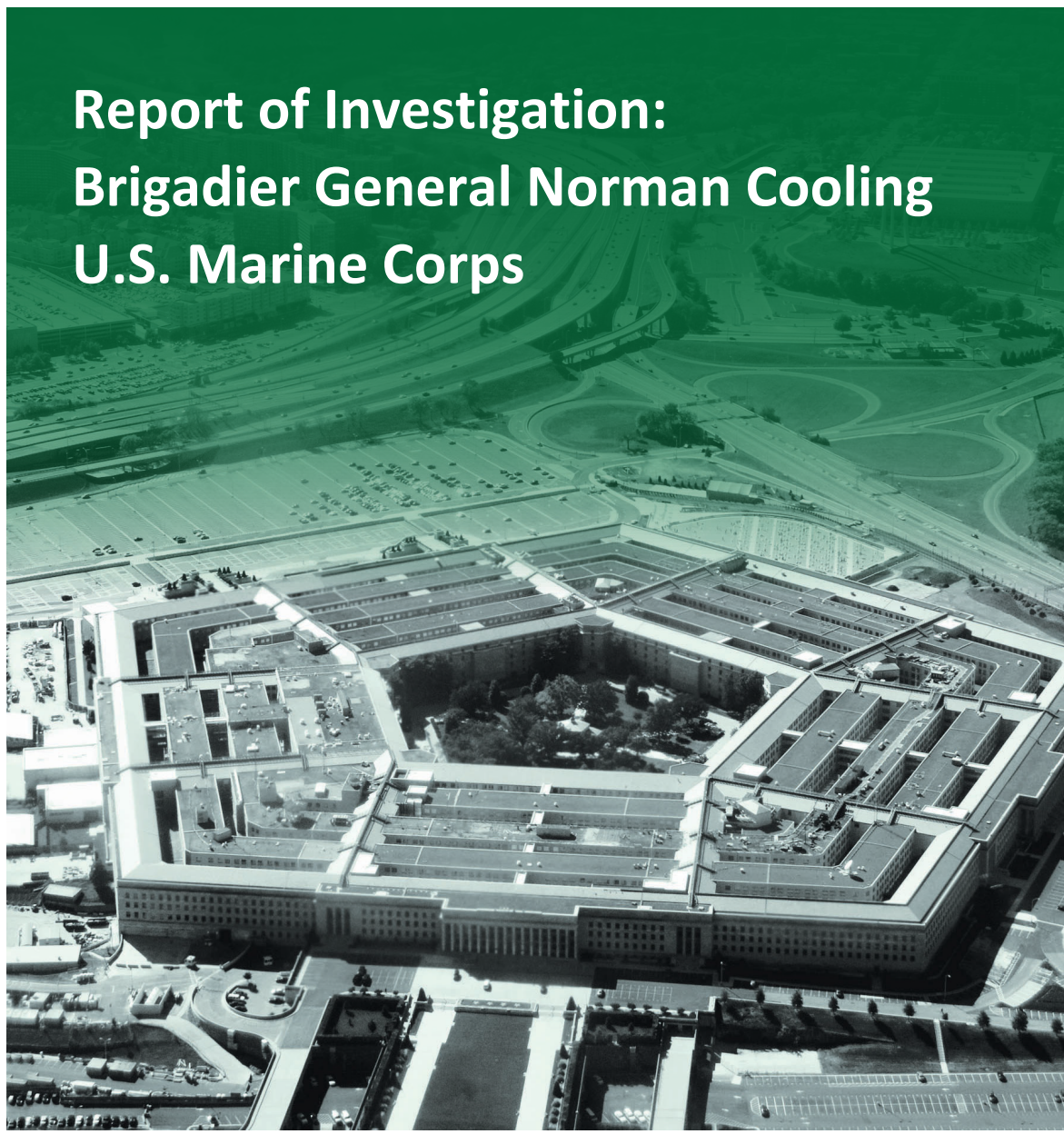
INVESTIGATION OF SENIOR OFFICIALS

**INSPECTOR GENERAL**

*U.S. Department of Defense*



May 24, 2019



**Report of Investigation:  
Brigadier General Norman Cooling  
U.S. Marine Corps**

INTEGRITY ★ INDEPENDENCE ★ EXCELLENCE

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**REPORT OF INVESTIGATION:  
BRIGADIER GENERAL NORMAN L. COOLING  
U.S. MARINE CORPS**

**I. INTRODUCTION AND SUMMARY**

*Complaint Origin and Allegations*

On February 27, 2018, the U. S. Senate Armed Services Committee (SASC) sent a complaint to the Secretary of Defense stating the Committee had received information from “multiple sources” alleging that Brigadier General (BGen) Norman L. Cooling, United States Marine Corps (USMC), created a hostile work environment through disparaging treatment of personnel that led to a “general distrust” of his impartiality toward women and his overall leadership.

The allegation pertained to BGen Cooling’s service as the Legislative Assistant to the Commandant of the Marine Corps (CMC). The SASC complaint provided six examples of BGen Cooling’s allegedly “disparaging and inappropriate” treatment of personnel. We initiated this investigation on March 15, 2018, to examine the six examples in the SASC complaint, as well as to interview witnesses about the SASC’s assertion about “general distrust” in BGen Cooling’s impartiality and leadership.

If substantiated, this allegation could violate standards summarized throughout this report. We present the applicable standards in full in Appendix A to this report. We base our conclusions on a preponderance of the evidence standard.

*Scope and Methodology of the Investigation*

We interviewed 37 witnesses who had direct and frequent interaction with BGen Cooling through the Marine Corps Office of Legislative Affairs (OLA), or other individuals whom witnesses told us had knowledge relevant to our investigation.

Several witnesses we interviewed told us that a female SASC attorney and a female Senate staff member allegedly heard BGen Cooling make inappropriate comments. We attempted to interview both the SASC attorney and the Senate staff member about what they allegedly heard or observed regarding BGen Cooling’s conduct and leadership. The Office of the Senate Legal Counsel did not make the SASC attorney available to interview with us or respond to written questions, and the Senate staff member declined to cooperate with this investigation.

In addition to asking witnesses about the six examples and one “general concern” presented in the SASC complaint, we asked witnesses if they had ever heard BGen Cooling make derogatory comments about Marine Corps leadership, Members of Congress or their staffs, or anyone else, and witnesses provided us with 12 examples. We expanded the scope of our investigation to evaluate these additional comments not mentioned in the SASC complaint. We present 4 of these 12 additional comments in Section III of this report. Of the remaining 8 of 12 additional comments witnesses identified to us, there was insufficient evidence to determine whether BGen Cooling made 5 of the comments as alleged and the remaining 3 comments did not violate any standard. We address these eight comments in Appendix B of this report.

We also reviewed 11,650 official e-mails, a 2018 OLA Command Climate Survey the SASC requested that DoD conduct, BGen Cooling's performance assessments of his staff, BGen Cooling's "USMC Fitness Reports," and applicable standards.<sup>1</sup>

On March 22, 2019, we provided BGen Cooling our Tentative Conclusions Letter (TCL) containing our preliminary conclusions for his review and comment before finalizing our report. On April 16, 2019, BGen Cooling provided us with his response to our preliminary conclusions. We carefully considered BGen Cooling's comments on our preliminary conclusions, re-examined our evidence, and include his comments, in part, throughout this report.<sup>2</sup>

### **DoD OIG Conclusions**

We substantiated the allegation that BGen Cooling's overall course of conduct disparaged, bullied, and humiliated subordinates, devalued women, and created a negative OLA work environment that led to a general distrust of his impartiality and leadership. His overall course of conduct violated 10 U.S.C. Section 5947, "Requirement of Exemplary Conduct," DoD 5500.07-R, "Joint Ethics Regulation," DoD Instruction 1020.03, "Harassment Prevention and Response in the Armed Forces," and U.S. Navy Regulations, "Responsibility," and "Abuse of Authority."<sup>3</sup>

We summarize our conclusions in this Introduction and Summary, and we provide the facts and analysis underlying these findings in Section III of this report.

We determined that BGen Cooling violated applicable standards for exemplary conduct, leadership, and treatment of subordinate personnel. BGen Cooling had a duty to promote and safeguard workplace morale, to treat subordinates with dignity and impartiality, to be a positive influence, and to avoid bullying subordinates by verbally berating or humiliating them or spreading rumors about them that could damage their reputations. On numerous occasions described in this report, BGen Cooling's comments and conduct demeaned, bullied, and humiliated his subordinates. For example, BGen Cooling told a female NCO who aspires to be a Marine Corps pilot that he would rather have his daughter work in a brothel than be a pilot. He loudly and publicly berated two staff members whom he accused of trying to "f\*\*k" him and asked them repeatedly, "Where the f\*\*k have you been?" He publicly yelled to a staff member that if the staff member did not give him requested budget information he would castrate the staff member. In a staff meeting, he bullied a staff officer when he publicly berated, belittled, and singled her out for ridicule in front of her peers when a Member of Congress canceled a meeting with the Assistant Commandant. He then told his entire staff in the same meeting that if any of them failed to get an office call for the Assistant Commandant with a Member of Congress, he was "going to jump out this f\*\*king window." He bullied a subordinate when he attempted to damage her reputation by spreading a rumor about her and potentially damaging her future career by warning the most senior Marine Corps officer in the subordinate's career field, "watch

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<sup>1</sup> The USMC Fitness Report is the primary means for evaluating a Marine's performance and is the Commandant's primary tool for selecting personnel for promotion, augmentation, resident schooling, command, and duty assignments.

<sup>2</sup> We recognized that summarizing BGen Cooling's response risked oversimplification and omission. Accordingly, we included BGen Cooling's comments throughout this report and provided his supervisor with a copy of BGen Cooling's full response to our TCL.

<sup>3</sup> We present these standards in more detail in Appendix A of this report.



yourself, you've got to watch out" for her. BGen Cooling further blamed the subordinate for the SASC complaint against him, his removal from the Legislative Assistant position, and this investigation into his conduct.

With regard to the meeting with Senate staff described in the SASC complaint, we determined that BGen Cooling made the statement that opening combat roles to women had negatively impacted men because women are physically inferior to men. At a Congressional fellows' breakfast, BGen Cooling stated that women naturally make better schedulers than men, a comment that angered Marines in attendance because it suggested that scheduling or similar secretarial work was a "woman's position."

We determined that throughout his tenure as Legislative Assistant to the Commandant, BGen Cooling demeaned, bullied, and humiliated subordinates, and made comments that devalued women. The adjectives a majority of witnesses used to describe his leadership were abusive, bullying, toxic, abrasive, and aggressive. Some subordinates considered him an "equal opportunity offender," disparaging men and women. BGen Cooling denied making some of the comments attributed to him, but more than one witness told us they heard him make each of the comments described in this section of our report.

The SASC complaint described two other comments that BG Cooling allegedly made at a Congressional fellows' breakfast that devalued women. Regarding the first comment, we confirmed that BGen Cooling stated, "few women have a propensity to serve in the infantry," as alleged. A witness who was present asserted to us that the term "propensity" is a "catch-phrase" used in the Marine Corps as rationale for why women should not be allowed in the infantry. Another witness who was present told us "propensity" is used by some in the Marine Corps as a challenge to women's "intestinal fortitude" to serve in the infantry. These witnesses told us they believed that the context in which BGen Cooling used the term was not supportive of women in combat.

With regard to the second comment BGen Cooling made at a congressional fellows' breakfast, we determined that he made the comment described in the SASC complaint: "in the aftermath of Marines United, we don't have a culture problem." However, the primary concern witnesses expressed to us about this comment was that it conflicted with the Commandant's public comments about Marine Corps culture. The congressional fellows were concerned about a mixed message from Marine Corps leadership, and they were uncertain as to what position they should represent to their assigned Members of Congress because BGen Cooling's message was different from the Commandant's public statements about Marine Corps culture. We considered BGen Cooling's public statements differing from the Commandant's to be a work performance issue, but that his stated opinion about Marine Corps culture on that occasion did not violate applicable standards and did not constitute misconduct.

In sum, we substantiated the allegation that BGen Cooling's overall course of conduct disparaged, bullied, and humiliated subordinates, devalued women, and created a negative OLA work environment that led to a general distrust of his impartiality and leadership.

*BGen Cooling's Tentative Conclusions Letter Response*

In his response to our TCL, BGen Cooling wrote that he “fell short of maintaining a positive climate throughout the Office of Legislative Affairs (OLA), and I accept responsibility for that shortfall.” BGen Cooling also wrote, “However, the record does not provide sufficient evidence by any legitimate legal standard to support a finding that I created a hostile work environment or that I made demeaning remarks about women.” He asserted that the preliminary report failed to consider his “service reputation and leadership style” and “multiple letters, e-mails and social media postings I provided to the investigator from people with whom I have worked over the last four years as a general officer (including statements from far more women than those cumulatively serving in OLA, including the Fellows.)”

Regarding BGen Cooling's assertion that our investigation failed to consider his overall service reputation and leadership style, or to present character reference letters he provided through his attorney to our investigators from personnel who served under his command in other assignments, we note that the allegations we received involved misconduct during BGen Cooling's 7 month and 17 day OLA assignment. However, we determined that character letters submitted by former subordinates who were not witnesses of his conduct in OLA did not rebut the direct evidence pertaining to the allegations that we received and investigated in this case.

In his TCL response, BGen Cooling disagreed with our initial determination that his “propensity” comment at the fellows' breakfast disparaged women. He asserted that his use of the term was appropriate in context, and that the SASC complaint mischaracterized his comment. BGen Cooling's TCL response referenced an ongoing Marine Corps talent management task force e-mail dialogue between Marine Corps general officers, including a former Commanding General, Marine Corps Recruit Depot Paris Island and Eastern Recruiting Region, a female marine lieutenant general. The task force e-mail dialogue explained to Marine Corps leadership the difficulties of recruiting women into combat infantry roles because few recruits “are propensed” in today's societal culture to serve in combat roles. After reviewing these e-mail conversations in which “propense” or “propensity” was used, and re-examining evidence already obtained, we modified our tentative conclusion. We determined that the term “propensity” as BGen Cooling used it at the Congressional fellows' breakfast was a commonly used doctrinal term in the context of Marine Corps recruiting of women into combat roles. He was not stating his own opinion of whether women are capable of serving, or should serve, in combat. Therefore, we concluded that BGen Cooling's “propensity” comment on this occasion did not violate applicable standards.

BG Cooling further asserted about our preliminary report:

- the report failed to state what standard of proof it applied;
- Title 10 U.S.C. § 5947, DoD 5500.07-R [Joint Ethics Regulation (JER)], US Navy Regulations Articles 0802 and 1023, and Marine Corps Manual Section B, 1100, were “aspirational and provide no objective standards by which to judge the conduct in question;”
- DoD 1350.2, was not applicable since there were no allegations that he engaged in conduct “of a sexual nature;” and

- Marine Corps Order (MCO) 5354. IE (w/Admin Changes), was not in effect at the time of any alleged conduct.<sup>4</sup>

In concluding his TCL response, BGen Cooling wrote:

none of the individual points of evidence used to substantiate these allegations meets the legal standard of proof by preponderance. . . . This draft [report] can only legitimately establish that I made a few isolated comments that some construed in the worst possible way and told third parties so that they ended up in the [SASC complaint]. . . . At no time during that brief assignment, nor at any other time during my career, did I ever discriminate against anyone for anything other than their performance.

We gave BGen Cooling's TCL response the broadest consideration and re-examined the facts concerning his comments and conduct. We clarified certain portions of the report, and modified some of our initial determinations based on additional information BGen Cooling provided to us.

We agree with BGen Cooling's observation that Marine Corps Order (MCO) 5354. IE (w/Admin Changes) was not in effect at the time of the alleged misconduct. We modified our report and replaced MCO 5354 with an applicable standard that was in effect at that time for two allegations that involve bullying: DoD Instruction 1020.03, "Harassment Prevention and Response in the Armed Forces," February 8, 2018. This DoD Instruction is presented in more detail in Appendix A of this report. However, this modification did not change the conclusion.

BGen Cooling asserted that Title 10 U.S.C. § 5947, DoD 5500.07-R, Joint Ethics Regulation (JER), U.S. Navy Regulations Articles 0802 and 1023, and Marine Corps Manual Section B, 1100, are "aspirational and provide no objective standards by which to judge the conduct in question." We disagree with his characterization that Military Service and DoD regulations, as well as Title 10 U.S.C., are "aspirational" standards, as that term implies that compliance with them is optional for general officers or that there are no consequences for failing to obey. Standards need not have specific punitive language in them to be applied and enforced as required standards of conduct for DoD personnel. For example, the DoD OIG has applied the JER consistently to evaluate allegations involving dignity and respect toward subordinates or "toxic" leadership. Furthermore, in our oversight role for all senior official investigations conducted in the DoD, we have instructed the Military Service IGs and Defense Agency IGs to apply the JER as a standard of conduct applicable to all DoD personnel regardless of rank or position, using a preponderance of evidence standard. It is clear that his conduct violated the JER.

In his TCL response, BGen Cooling also dismissed the JER as merely "aspirational." We disagree. Treating subordinates with dignity, caring, and fairness as described in the JER is a requirement for DoD officials who lead others. Rather, we agree with BGen Cooling's self-assessment that he "fell short" in his treatment of subordinates throughout his assignment in OLA.

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<sup>4</sup> We removed references to the outdated MCO 5354.1E (w/Admin Changes) along with Marine Corps Manual Section B, 1100; we also removed reference to DoD 1350.2 from this final report along with the term "hostile" associated with DoD 1350.2 in the context of sexual harassment, as our investigation found no evidence of sexual harassment.



In his interview and in his TCL response, BGen Cooling denied making some of the comments attributed to him, but for each comment that we determined violated an applicable standard, more than one witness told us they heard him make each of these comments.

Finally, we respond throughout this report to some of the factual assertions BGen Cooling made in his TCL response.

In sum, we stand by our conclusions that BGen Cooling created a negative work environment through disparaging and bullying treatment of personnel, and devaluing women, that led to distrust in his impartiality and leadership.

The following sections of this report present our findings and conclusions, and BGen Cooling's response to our tentative conclusions, in more detail.

## **II. BACKGROUND**

### *Brigadier General Norman L. Cooling*

BGen Cooling, a Marine general officer, served as the Legislative Assistant to the CMC from July 10, 2017 through February 27, 2018. As the Legislative Assistant, BGen Cooling interacted directly with Members of Congress, congressional committee staffs, and as necessary, the personal staffs of individual Members of Congress on a daily basis. BGen Cooling's role as Legislative Assistant was to represent the Commandant to Congress and seek congressional support for Marine Corps initiatives. When BGen Cooling served as the Legislative Assistant, OLA consisted of 42 staff personnel and 16 congressional fellows.<sup>5</sup> BGen Cooling previously served as the Deputy Marine Liaison Officer in the House of Representatives from 1996 to 1998. From July 2014 through July 2017, BGen Cooling served first as the Deputy Commander, Marine Corps Forces Europe and Africa, and later as the Deputy Director, J3 Operations, U.S. European Command.<sup>6</sup>

### *Office of Legislative Affairs*

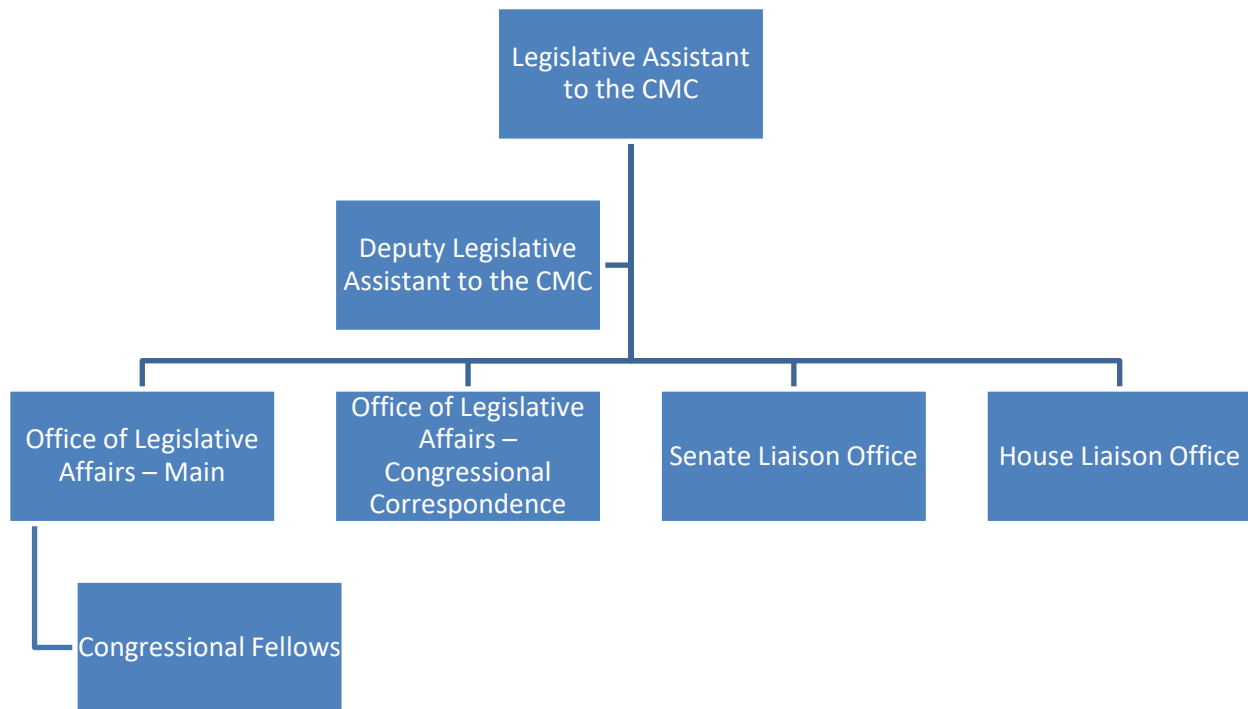
The OLA manages the CMC's legislative priorities and requirements. Figure 1 shows the OLA office components.

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<sup>5</sup> OLA's congressional fellows are Marines who serve one-year assignments in a U.S. Senator's or a U.S. Representative's office to address Marine Corps-related issues and questions.

<sup>6</sup> The ACMC removed BGen Cooling as the Legislative Assistant to the CMC on February 27, 2018, the same date as the SASC complaint to the Secretary of Defense regarding BGen Cooling's alleged misconduct. As of March 2019, BGen Cooling is serving as the Assistant Deputy Commandant, Plans, Policies & Operations.

*Figure 1. Marine Corps Office of Legislative Affairs*



The OLA consists of four offices. OLA Main contains portfolio officers who coordinate the day-to-day interaction between the USMC and the professional and personal staff members on the SASC and the U.S. House Committee on Armed Services. The Congressional Correspondence office responds to questions or inquiries from Members of Congress and their constituents. The Senate and House liaison offices coordinate USMC activities in the Congress. The USMC congressional fellows report to OLA Main, but work in the offices of their respective U.S. Senator or U.S. Representative.

### III. ANALYSIS OF THE ALLEGATION

#### *Chronology of Significant Events*

#### *Complaints*

The Secretary of Defense received a complaint on February 27, 2018, from the SASC alleging that BGen Cooling created a work environment that was “intimidating, hostile, or abusive,” when he “made disparaging and inappropriate comments regarding women.” The SASC complaint identified six examples of alleged “disparaging and inappropriate” treatment of personnel, and one “general concern” about BGen Cooling’s overall leadership and impartiality toward women.

The following section first describes in more detail the facts surrounding the six examples of allegedly disparaging and inappropriate treatment that the SASC requested that we evaluate. Then we address four additional examples of BGen Cooling’s allegedly derogatory comments or conduct not mentioned in the SASC complaint, but that witnesses identified to us. In the final portion of this section, we address the SASC’s general concern about BGen Cooling’s overall leadership and impartiality.

Table 1 chronologically lists the significant events associated with this case and 10 examples of alleged disparaging and inappropriate treatment that the SASC complaint, or witnesses, identified to us. The SASC complaint provided the six examples in bold print in Table 1. Witnesses provided us the four additional examples shown in normal print in Table 1.

*Table 1. Chronology of Significant Events and Alleged Disparaging and Inappropriate Treatment*

Date	Treatment
July 10, 2017	BGen Cooling assumes duties as the Legislative Assistant to the CMC.
Aug. 30, 2017	<b>BGen Cooling tells congressional fellows “in the aftermath of Marines United, we [the Marine Corps] don’t have a culture problem.”</b>
Aug. 30, 2017	<b>BGen Cooling makes a comment to congressional fellows about the “propensity of women” Marines to serve in the infantry or combat roles.</b>
Sept. 15, 2017	BGen Cooling asks two OLA staff members if they are “trying to f**k” him by giving him information late.
Oct. 17, 2017	<b>BGen Cooling tells a Senate staff member that opening combat roles to women adversely affected men.</b>
Dec. 5, 2017	<b>BGen Cooling tells congressional fellows that he thinks women make better “schedulers or secretaries” than men.</b>
Dec. 17, 2017	<b>BGen Cooling tells a staff member that he would rather have his daughter work in a brothel than be a marine pilot.</b>
Jan. 24, 2018	BGen Cooling tells a staff member that he is going to castrate him.
Feb. 26, 2018	BGen Cooling tells a staff member in a staff meeting that she is a “bad officer” and that he will “jump out the f**king window” if any other personnel perform like her.
July 2017 – Feb. 2018	<b>BGen Cooling's staff believed that he treated women differently than men.</b>
Feb. 27, 2018	The Secretary of Defense receives the SASC complaint. The ACMC removes BGen Cooling from the Legislative Assistant to the CMC position.
After Feb. 27, 2018	BGen Cooling tells the USMC Communications Director that he needed to “watch yourself, you’ve got to watch out” for an OLA staff member because BGen Cooling believed she “was the link to [him] getting dismissed” from the Legislative Assistant position.
Mar 22, 2019	We provided BGen Cooling our TCL containing our preliminary conclusions for his review and comment.
Apr 16, 2019	BGen Cooling provided us with his response to our TCL.

### *Six Examples Identified in Senate Complaint*

#### U.S. Marine Corps Culture

On March 14, 2017, the CMC testified at a Senate Armed Service Committee hearing. The Committee Chairman opened the hearing by stating that the purpose of the meeting was “to



receive testimony on information surrounding the unfortunate matter of the Marines United Facebook group.”<sup>7</sup> The CMC’s opening statement included the following testimony:

Such actions [online posting of explicit and lewd pictures and sexually violent comments about female Marines] pervert our culture and bring me here.... I struggle with labeling the problem we face. Some say we have a problem with our culture. Some say it is an insider threat. My natural inclination is to resist this because I believe in my heart the Marine Corps culture is based on our core values of honor, courage, and commitment. It represents who we are. The online behavior of some individuals, whether they are currently serving Marines, former Marines, or others who simply wandered in, have attacked our Marine Corps values, our ethos.... The vast majority of Marines, past and present, are American citizens who are good and decent people. They are as upset by the behavior represented on Marines United as you and I. And I am calling on all Marines to take a stand against this destructive conduct, to take a stand and support and respect every marine, to demonstrate to the American people who we really are, that we embody our ethos of honor, courage, and commitment.... We all have to commit to getting rid of this perversion in our culture. Enough is enough.

During the question and answer portion of his testimony, the CMC added:

all Marines are Marines. And the female Marines that are there are a small group in our Corps, and for whatever reason, there are still some number -- and I do not think this is separate from the sexual assault issue, but this issue of denigration of women, objectification of women, misogyny, however you want to articulate it [is] just bad behavior. It is tied to the way that some group of male Marines look at women in the Marine Corps.... I think we can fix it by holding those [Marines] accountable.

Later, when a U.S. Senator asked about “high levels of sexual assault” in the Marine Corps, the CMC told the U.S. Senator, “As you clearly and rightfully state, this is a problem with our culture.”

On August 30, 2017, BGen Cooling held a congressional fellows’ breakfast. Approximately fifteen fellows, the Deputy Legislative Assistant, and two OLA staff personnel attended the breakfasts. BGen Cooling initiated the breakfasts to make sure that the fellows understood the Commandant's vision for the Marine Corps. The fellows were embedded in the offices of individual Members of Congress and were tasked with performing “strategic messaging” to seek congressional support for Marine Corps needs and priorities.

The SASC complaint alleged that during the August 30, 2017, congressional fellows’ breakfast at the Dirksen Senate Cafeteria, BGen Cooling told the fellows:

In the aftermath of Marines United, we don't have a culture problem. I keep telling CMC to stop saying this. Our culture is fine, there are just a few Marines

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<sup>7</sup> Marines United was a Facebook user group with more than 50,000 members who shared a database of nude photos of females, including female Marines, as well as disparaging user comments about the females in the photos. There was extensive news coverage surrounding the discovery and criminal investigation of the photo-sharing group. The investigation led to prosecutions, courts-martial, and administrative actions for more than 100 personnel. The investigation reviewed more than 130,000 images to identify the victims.

who are ruining it, and those individuals are mostly Marines who got out. We can't throw the baby out with the bath water.

A fellow in attendance told us that BGen Cooling "a hundred percent" made that statement. The fellow said he became "upset" when BGen Cooling then said the "[CMC] was totally wrong. We don't have a culture problem. I told him to stop saying that ... that we can't throw the baby out with the bath water." The fellow added, "... is that the message I'm supposed to carry back to my [assigned Member of Congress's] office? Like are you telling me -- are you directing me to now say this instead of what the [CMC] said?"

Another fellow in attendance said he "definitely" remembered BGen Cooling making the culture statement. The fellow stated that "several of us [fellows] were worried" that the fellows had a new leader in OLA who was not following what they understood was the Marine Corps' theme or message about changing its culture. The fellow was "worried" because, as the Legislative Assistant, BGen Cooling interacted with Members of Congress. The fellow stated, "Is he carrying the same message [about Marine Corps culture] that everybody else [is], and that we understand? Or are we being given different guidance [than the CMC's]?"

A staff officer in attendance said he "absolutely remembered" BGen Cooling making the statement. The staff officer thought BGen Cooling was trying to say that Marines United was the behavior of a select few instead of an overall cultural problem within the USMC. The staff officer told us:

I know that the Commandant acknowledges a culture problem. I know that the Commandant recognizes the challenges where we are. I absolutely do. The Commandant has a right to say whatever he wants to say about us. If he wants to say we have a culture problem, that's his initiative to say that. I think [BGen Cooling's] intention was to try and eliminate stray messaging, to take the vernacular of a culture problem off the table, focus on the specifics or the particulars of the individuals that did the deed [Marines United] and focus the direction of the conversation towards them instead of the Marine Corps writ large, is the way I interpreted his conversation.

BGen Cooling told us that the SASC complaint took his statement out of context and was a "purposeful mischaracterization" of what he said. According to BGen Cooling, he told the fellows:

That our advice to the [CMC] is to quit saying that our culture is broken because ours is a premier war fighting culture. Now, and I also added very specifically that that doesn't mean that we don't have cultural issues that we have to work on, changing laws and regulations and societal norms all require us to change certain aspects of our culture. That's different than saying our culture is broken which had been our -- that's what the [CMC] had said.

BGen Cooling said that he was not the only general officer to provide that counsel to the CMC. He told us that a task force headed by the ACMC addressed the subject of Marine Corps culture. In a December 21, 2017, e-mail from the task force commander to the ACMC, the task force commander wrote, "(-) OLD NARRATIVE \*Our culture is broken.....(+) NEW NARRATIVE \*We are strengthening our culture in order to meet the challenges of the 21st century battlefield." BGen Cooling told us that to change the culture, the USMC had to focus on former Marines who talk about "drinking and

womanizing,” and “until we change that we are going to continue to struggle with some of the problems and challenges that our institution has.” BGen Cooling further stated to us:

And so the task force that is trying to reengineer talent management in the Marine Corps, make sure we're getting rid of things, the bias conscious and unconscious, all of the rhetoric and things that we talk about routinely in the task force are, okay, you're not going to change the culture by telling everybody that's in it that they are broken. You need to change that messaging because and fundamentally, most of us don't believe our culture is broken. Does it got [*sic*] a flaw in it that we've got to fix? Yes, absolutely but that's a big difference than saying our culture is broken.

We asked BGen Cooling if anyone ever approached him after a breakfast to express concerns about or discuss his statements. He told us

No. No. No one has ever come to me about these breakfasts at all until this SASC complaint. In fact . . . the only time anyone has talked to me about it has been positive about those breakfasts, both from the fellows and the staff who run those meetings.

#### *BGen Cooling's Tentative Conclusions Letter Response Regarding His U.S. Marine Corps Culture Comments*

In BGen Cooling's TCL response, he told us that since our report concluded that his comments about the U.S. Marine Corps culture did not violate a standard, we should remove the analysis and discussion of his comments from our final report.

#### **DoD OIG Conclusion Regarding BGen Cooling's U.S. Marine Corps Culture Comments**

Regarding BGen Cooling's assertion that we should remove the “analysis and discussion” of this allegation from our report, we note that our investigation addressed every example of BGen Cooling's alleged misconduct described in the SASC complaint we received. This report presents each example of alleged misconduct described in the SASC complaint and our conclusion for each example, whether substantiated or not.

We determined that BGen Cooling made the comment described in the SASC complaint, “in the aftermath of Marines United, we don't have a culture problem.” However, the primary concern witnesses expressed to us about this comment was that it conflicted with the Commandant's public comments about Marine Corps culture. The congressional fellows were concerned about a mixed message from Marine Corps leadership, and they were uncertain as to what position they should represent to their assigned Members of Congress because BGen Cooling's message was different from the Commandant's public statements about Marine Corps culture. After reviewing BGen Cooling's TCL response, we stand by our conclusion. We considered BGen Cooling's public statements that differed from the Commandant's to be a performance issue for the Commandant to resolve, but that BGen Cooling's publicly stated opinion about Marine Corps culture did not violate applicable standards and did not constitute an example of the substantiated overall course of conduct described in this report.



Social Issues in the Marine Corps and "Propensity" of Women in the Infantry

The SASC complaint also alleged that at the same August 30, 2017, congressional fellows' breakfast, BGen Cooling told the fellows:

We do have some social issues that we are going to need to address: homosexual relationships, transgender, and gender integration. For the few women who have the propensity to serve in the infantry ....

A fellow in attendance told us that BGen Cooling said to the fellows:

I'm going to talk to you about the challenges of the Marine Corps. Challenge No. 1, money; Challenge No. 2, amphibious shipping, amphibious assault, you know, actual Marine Corps strategy; No. 3, social challenge.

"And that's where it all went sideways," the fellow stated. "He talked about the social challenges and then propensity."

She added that she "believed" BGen Cooling was trying to communicate to the fellows that the Marine Corps had social issues. She told us that he said, "We have a lot of these social challenges that we're working through, and these are issues that we need to be cognizant [of] in Congress." The fellow said that BGen Cooling may have attempted to be "benign," but the way in which he communicated the message was "very surprising." She stated that with "gender integration," the Marine Corps was working to ensure the proper training and equipping of women, but it was not a social challenge.

We also asked the fellow about BGen Cooling's statement as described in the SASC complaint, that "few women have a propensity to serve in the infantry." She told us that the term "propensity" is a word frequently used in the Marine Corps, and that "It's a catch-phrase." She added:

by continuing to say [women] have low propensity, so that's why [women] only have one infantry officer going through [the infantry officer course], is such a copout -- right? -- to say, "We don't have a lot of women who want to be in the infantry." So it's also used as a rationale for why women should not be allowed in the infantry. We only have a couple, so why bother to make this change for only so few people?

Another fellow in attendance told us that BGen Cooling said to the fellows that the USMC had "four big challenges . . . national threats, amphibious shipping, crisis response, and the fourth was, social." He told us that BGen Cooling "talked about social integration, transgender, sexual preference . . . standards, not gender based . . . [and] the need [for the USMC] to make a cultural adjustment."

The fellow told us that he questioned whether this was new guidance and asked himself, "Is this [BGen Cooling's] personal opinion? Or is this the Marine Corps' position?" He said that many of the topics BGen Cooling discussed at the breakfast were already familiar, "but now we were kind of getting a different perspective, or conflicting perspective." The fellow told us that he had heard the term "propensity" used in the Marine Corps in the context of calling on "your intestinal fortitude," such as "Are you man- -- or woman- -- enough to do it?" However, the fellow told us that he believed the context in which BGen Cooling said "for the few women who have the propensity" was not supportive of

women in the infantry. He added that because he believed BGen Cooling was not approachable by subordinates, or the type of leader to say, "Okay, thanks, I'll consider that," or, "Thank you for bringing that to my attention," the fellow did not imagine that anybody approached BGen Cooling about his comments after the breakfast.

A staff officer in attendance told us, "Yeah [he made the propensity comment]. I don't think he said infantry. I think he said combat arms." The staff officer told us that he "100 percent" agreed with BGen Cooling's statement and that he did not find the statement "derogatory."

BGen Cooling told us that he remembered discussing social issues at the breakfast, and said:

We do have to make changes in our culture to account for changing societal norms, and the laws and regulations that are an extension of those. I mean clearly that's the case with the integration of gay service members. It's the case with the integration of women in traditional ground combat arms. I mean that's what I said.

BGen Cooling told us that he did not recall using the word "propensity" during his conversation with the fellows. However, BGen Cooling added that it was possible he brought the subject up with the fellows because "propensity" was something talked about in the task force on Marine Corps culture. BGen Cooling stated:

What propensity is, is one of our institutional challenges with integrating women is their propensity to be Marines and their propensity of those who want to be Marines to actually be in ground combat arms. Propensity means they want to do it. So I mean it's kind of hard to recruit people who don't want to be in the Marine Corps and it's even harder to recruit Marines into the infantry who don't want to be in the infantry.

According to BGen Cooling, the "propensity" issue is "not only a problem with the women in the current generation it's increasingly becoming a challenge with males, particularly officers." BGen Cooling said it is "a fact" that few women in the USMC want to be in the infantry. He added, "putting that into the characterization that it is in [the SASC complaint] is absolutely wrong."

*BGen Cooling's Tentative Conclusions Letter Response Regarding His Social Issues and Propensity Comments*

In his TCL response, BGen Cooling wrote:

The ROI uses this mischaracterized exchange as an example of how I "devalued Marine Corps women in a manner that created a hostile work environment." As indicated in my statement, we did talk about social issues and the cultural adjustments needed to accommodate greater integration of women. This was a reflection of the ongoing Talent Management Task Force dialogue. The ROI appears to accept one Fellow's personal interpretation of "propensity." The Fellow believes that "propensity" is a "catch phrase" frequently used in the Marine Corps to justify "why women shouldn't be allowed in the infantry." According to Webster's Unabridged Dictionary, propensity means a natural or favorable inclination or tendency. The term "propensity" is used by the Marine Corps Recruiting Command, Manpower & Reserve Affairs, and the Task Force to

describe an individual's (regardless of gender) tendency toward a favorable inclination to serve in a particular occupational specialty. There is no special code for the term propensity as suggested by the Fellow and seemingly accepted by the investigator. The aforementioned organizations include women who also use the term without any negative connotation. Any member of those organizations should be able to confirm this. At no time during the discussion did I say or suggest that "it was rationale for why women should not be allowed in the infantry." The Fellow indicated that this is how he/she interpreted it. Yet he/she does not indicate that I said "women should not be in the infantry" because I did not say that. The Fellow's sophomoric interpretation reflects a lack of understanding of the common official use of the term within the Marine Corps, belies the dictionary definition of the term, and exposes a personal bias and agenda.

Using the word "propensity" in this circumstance cannot be evidence that I "devalued Marine Corps women, in a manner that created a hostile working environment" because: (1) I was not aware that a Fellow considered the word to be "code talk" for why women should not be in the infantry, and (2) use of the word "propensity" in the manner alleged would not be harassment of the particular Fellow or others at the breakfast who had only irregular contact with OLA.

BGen Cooling also referenced an e-mail exchange regarding a paper on transformation that he worked on with two other U.S. Marine Corps general officers and members of his OLA staff. The following excerpt from the paper discussed the term "propensity:"

The Transformation begins with the recruiter's first encounter with a prospect. The recruiter seeks out and screens the finest young men and women our country has with a propensity to serve and enters them into the longest, most arduous, standards-based, entry level military training program in the Nation.

In the same e-mail exchange, the term "propensity" is used by a female former Commanding General, Marine Corps Recruit Depot Parris Island and Eastern Recruiting Region. She stated, "we want more women to join and they are coming from a society where women are not propensed as strongly as men." The former female Recruit Depot Commanding General added

Need better mastery of the English language to NOT disparage all women while still acknowledging that a large percentage women we recruit have not benefitted by contact sports. We want to appeal to and be able to train all women and men who are willing to work to fit an organization with a strong warfighting culture. That culture demands physical strength, intellectual and physical courage and mental agility.

A fellow who visited the Marine Corps Recruit Command (MCRC) supported what the former female Recruit Depot Commanding General stated about propensity. The fellow wrote:

MCRC frequently used the term "propensity" and when they do they are referring to the "willingness" of women to serve in combat arms. . . . They talked specifically about having a problem with identifying women who have the propensity to serve in combat roles.



**DoD OIG Conclusion on Social Issues and Propensity Comments**

We reviewed BGen Cooling's TCL response and the additional evidence he provided concerning the use of the term "propensity" in Marine Corps recruiting contexts. We found his explanation credible that the U.S. Marine Corps' recruiting community, including a female Marine lieutenant general who served as the commanding general of a recruiting command, commonly used the term to describe a female recruit's preference or willingness to serve in combat arms. We determined that on this occasion, BGen Cooling used the term consistent with how Marine Corps recruiting commands use it, with reference to an acknowledged challenge recruiting females into infantry positions because current society does not "propense" them to choose the infantry. In this instance, BGen Cooling was not stating his own opinion of whether women are capable of serving, or should serve, in combat. Therefore, we modified our tentative conclusion and determined that BGen Cooling's use of the term "propensity" at the fellows' breakfast as alleged in the SASC complaint was not an example of the substantiated overall course of conduct described throughout this report.

Combat Roles for Women

The SASC complaint also alleged that in a meeting with Senate staff, BGen Cooling stated that "... opening combat roles to women has impacted men now having to serve alongside women." According to the SASC complaint, BGen Cooling gave the following two examples: "(1) women were physically inferior to men, and men had to pick up the slack, and (2) men have had a difficult time adjusting to open combat roles because they can no longer refer to certain rifle parts as female body parts."

The meeting referred to in the SASC complaint was between BGen Cooling and a Senate staff member on October 17, 2017. A liaison officer told us that he scheduled the meeting so BGen Cooling could "talk to some of the young leaders that [OLA personnel] work with directly [and] daily." The liaison officer and a fellow assigned to a Senator's office also attended the meeting.

We attempted to interview the Senate staff member. She declined to cooperate with this investigation.

The liaison officer told us that he attended this meeting and recalled BGen Cooling making the comment that opening combat roles to women has burdened men with picking up the slack because women were physically inferior to men. The liaison officer confirmed to us that BGen Cooling also made the comment attributed to him in the SASC letter that men were having a hard time adjusting to women in combat roles because they could no longer refer to rifle parts as female body parts. The liaison officer also stated:

I have not heard [the rifle parts and female body parts example] that way [before]. I have heard it in movies .... The Hollywood ... renditions of the Marine Corps from Full Metal Jacket ... which are very much caricatures.

According to the liaison officer, when the Senate staff member heard BGen Cooling's comments about women in this meeting, "she just clamped up. She just stopped talking, you know, she just pretty much nodded the rest of the engagement." The liaison officer added that after BGen Cooling's removal as Legislative Assistant, he had a conversation with the staff member's Senator about this meeting. The liaison officer stated:

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'Well, ma'am [the Senator], you know, I think perhaps there may have been some damage done and some offense taken from my understanding with -- with your staff, and for that I -- I am very sorry.' . . . And I said, 'Well, ma'am, if there's anything I -- you know, I -- that position is not a Marine Corps position, okay, that's an individual viewpoint. I want you to know that.' She was very cordial and very -- very accommodating with that understanding.

The fellow told us that in the meeting BGen Cooling said:

that it was a forgone conclusion that women were physically inferior to men, that that was just an absolute and that would make any integration process extremely difficult or impossible, I guess, or not advantageous ... [and] that men could no longer refer to the specific parts of their rifle by names for genitalia.

The fellow also told us the comments were, "(A) certainly not consistent with the Marine -- the executive values or thoughts of the Marine Corps or the Department of the Navy, and (B) not appropriate for the venue and/or the audience."

BGen Cooling told us that he knew the Senate staff member and recalled this meeting, "And I did not say those things at all." BGen Cooling told us:

The first [example] is absolutely something I would never say because it's not factually correct, and I mean, why would the legislative assistant to the Commandant [BGen Cooling's position at the time] go into a Senate Armed Services Committee military legislative assistant and suggest? I mean, it would counter every message that our service would -- was delivering, which is an accurate and factual message. It would be completely inconsistent with every other office call that I've ever had. So if someone somehow has misinterpreted something in that conversation, I wouldn't understand how.

He told us the following about the rifle parts and female body parts example:

Well, one that's a ludicrous statement. Two, I don't recall having any conversation [like that] at all with anybody on the Senate staff. The third thing I would offer is that I heard that statement recounted to me as I recall it was [REDACTED] recounting a task force visit to the West Coast as we were preparing to integrate Marine combat training on the West Coast.

The [REDACTED] told us that she "had not heard [the rifle parts comment] in a while" and added that "my command was recruit training and we got rid of that kind of verbiage a long time ago. The Marine Corps did. I mean that's really old school." She added that she was never a member of a west coast task force on Marine combat training integration, but that she was "aware of it because I was simply at [Office of the Secretary of Defense] at the time that [the task force was] going around the country and conducting -- they were the experimental battalion." She told us that she never talked about the comment with BGen Cooling and that she did not hear BGen Cooling or anyone in the office make the statement alleged in the SASC complaint.

*BGen Cooling's Tentative Conclusions Letter Response Regarding His Combat Roles for Women Comments*

In his TCL response, BGen Cooling wrote:

This allegation cannot be substantiated because: (1) only one person present makes this allegation recounting a conversation that occurred months earlier, (2) the recipient of the alleged comment will not give a statement, (3) there is no other evidence (in 11,650 emails, etc.) that I do not value women in the Marine Corps and there is a great deal of evidence that I do, (4) referring to rifle parts as female body parts makes no sense and there is no context for such a statement, (5) there is no allegation or evidence that this was part of a pattern of gender-based discrimination designed to make it uncomfortable for women to work in OLA, and (6) it is not possible for me to create a hostile working environment for a senate staffer.

**DoD OIG Conclusion on Combat Roles for Women Comments**

BGen Cooling's TCL response inaccurately stated that "only one" witness told us about his comments concerning combat roles for women. Two witnesses who were present told us that BGen Cooling made these comments. With regard to BGen Cooling's assertion that "it is not possible for me to create a hostile working environment for a Senate staffer," this was not what we concluded. The focus of our investigation of his comments on combat roles for women was how they affected his OLA subordinates. Both of the witnesses who were present told us that BGen Cooling's comments disparaged women.

BGen Cooling had a duty to promote and safeguard workplace morale, to treat subordinates with dignity and impartiality, and to be a positive influence. When BGen Cooling told the Senate staff member in the presence of two OLA subordinates that opening combat roles to women impacted men negatively because women were physically inferior to men, and made the comment about rifle parts and female body parts, BGen Cooling created a negative work environment by disparaging and devaluing women. BGen Cooling's statements on this occasion are also examples of the substantiated overall course of conduct described throughout this report. After carefully considering BGen Cooling's TCL response, we stand by our conclusion regarding this incident.

Women as Schedulers or Secretaries

On December 5, 2017, BGen Cooling held a fellows' breakfast in the Rayburn House Cafeteria. Approximately fifteen fellows and "maybe a couple" of OLA staff personnel attended the breakfast. The SASC complaint alleged that during a question and answer portion of the fellows' breakfast, a fellow in attendance suggested that future fellows "get trained in organizational relationships so that they understand the function and importance of various members of congressional staffs, such as the scheduler."<sup>8</sup> BGen Cooling then allegedly remarked that he "thinks women make naturally better schedulers or secretaries."

The fellow who made the suggestion about future fellows training to understand the importance of the scheduler on a congressional staff told us that he only mentioned schedulers and that

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<sup>8</sup> A scheduler is an executive assistant who maintains their principal's calendar.

BGen Cooling mentioned secretaries. The fellow told us that his suggestion was about the importance of the scheduler position on a congressional staff and had nothing to do with gender. The fellow also told us that BGen Cooling “missed the point totally.” He added that BGen Cooling’s response was “dismissive, to say ‘That’s a woman’s position. It’s menial and has no role.’”

Another fellow in attendance told us that she did not believe BGen Cooling “understood” the fellow’s suggestion. She told us that BGen Cooling “kind of goes off on a tangent” and BGen Cooling said, “. . . women, they just have this -- I found that they just have this, you know, innate ability. They are more caring. And, you know, they just make better schedulers.” She told us that after BGen Cooling made the comment, “I didn’t saying anything, just eye contact [with BGen Cooling], a shocked look on my face, surprised.” She added, “I am not personally offended by Gen Cooling’s comment because I think he’s an old-school thinker, and it just makes me mad.”

Another fellow in attendance told us that BGen Cooling said the following:

He was like, you know, ‘I think that women are just naturally better at being secretaries and doing work like scheduling than men are, and a lot of men don’t want to do work like that . . . And I was like sitting on my hands, because I was about to, like, leap out of my chair.

The second fellow told us that she did not feel the need to make a formal complaint because, “It’s not like he looked at me and said, ‘Women are inferior to men, period, end of story.’” She told us that BGen Cooling said that learning about the scheduler’s role on a congressional staff was a good idea. The second fellow told us that she did not talk to anyone about BGen Cooling’s comments and that she did not know if anyone else did.

A staff officer in attendance told us that he remembered the suggestion that future fellows should learn more about congressional schedulers, but could not remember if BGen Cooling mentioned “women” schedulers. The staff officer added that he believed BGen Cooling “disagreed with the [fellow’s] recommendation” to have fellows trained on the role of congressional schedulers.

BGen Cooling told us the following about the statement as alleged in the SASC complaint: “Well, that’s not entirely accurate.” BGen Cooling added:

What is accurate is ... you’ll notice that I didn’t bring this issue up. I mean the conversation ... was during the portion where the fellows provide their input and their feedback. During the conversation one of the fellows ... said ... ‘We probably want to cast that net a little wider ... and do scheduling in particular because [congressional] schedulers are pretty powerful people.’

BGen Cooling told us that he “emphatically” agreed with the fellow’s suggestion that future fellows be trained regarding congressional staffs. He said:

I mean schedulers have a considerable amount of clout, and influence on Capitol Hill. . . . You can get an appointment with a Member [of Congress] always through the scheduler. . . . I responded that, ‘You’re absolutely right on the scheduler thing. And then [that] reactionary type comment is mine, and what I’m contrasting in my mind is my current scheduler’s performance [a male] to my last executive assistant’s performance [a female]. I mean, based on my

experience, you know, women take great pride in -- and I'm actually sitting across from [the first fellow], so I'm not trying to insult anybody. I mean, why would I? I'm in a public place in a very sensitive position, in a post-Marines United environment. I mean the last thing I want to do is insult anybody, in particular women. But I saw when I said that, and I didn't say "secretary" at all because, you know, we don't call them secretaries. They're executive assistants or flag writers, I mean, what we call them is [Executive Assistants], and I've been one. I mean, I was the Executive Assistant to the Supreme Allied Commander Europe. I know exactly how important that position is, and frequently those positions are, you know, they're stepping stones to greater things ... you try to screen people for those positions. So in my mind, you know, this was all complimentary.

BGen Cooling added the following about the first fellow's reaction to his comment:

In hindsight, and I recognize that she kind of looked a little askance. I mean she didn't say anything, but because she was sitting across from me I remember her facial expressions ... [I thought] 'Okay. She didn't take that as I intended it.' So I tried to emphasize that point [the comment about females making good schedulers], but that's based on my own limited experience and then moved on from there.

BGen Cooling told us that his comment was not about a "gender bias."

*BGen Cooling's Tentative Conclusions Letter Response Regarding His Women as Schedulers or Secretaries Comment*

In his TCL response, BGen Cooling wrote to us:

In saying that, based on my experience, I think women are better schedulers, I meant it as a compliment and there was no underlying meaning. I did not say or infer that women could not do something well or that they could not do other things equally well. Although I do not recall using the term "secretaries," the equivalent positions to Congressional Schedulers in the Marine Corps are Executive Assistants and Staff Secretaries, which are both positions held in high regard and often reserved for those with the potential for future service as senior leaders. I now clearly recognize that this may be a generational communication issue and/or one that is perceived by some in a political context.

As alleged, this allegation and conclusion that I created a "hostile working environment" cannot be substantiated because: (1) my words and intent were misconstrued, (2) this occurred in a semi-public forum in an open House of Representatives office building cafeteria, (3) there is no evidence that I took any steps that constituted gender discrimination, and (4) the conclusion that I "devalued Marine Corps women" is not substantiated by an even cursory review of my career and the substantial support that female service members and civilians have showed for me in the correspondence provided to the investigator.

**DoD OIG Conclusion on Women as Schedulers or Secretaries Comment**

In his TCL response, BGen Cooling acknowledged that he thinks, "women are better schedulers" and did not deny that he also may have used the term "secretaries." BGen Cooling also stated that he



“now clearly recognize[s] that this may be a generational communication issue and/or one that is perceived by some in a political context.” We agree that BGen Cooling’s statement caused listeners to perceive that he considers scheduling or similar secretarial work to be more naturally suited for women than men. His comment angered Marines in attendance because it suggested that this type of work was a “menial role” and that it was a stereotypical “woman’s position.” BGen Cooling told us that he recognized immediately by physical reactions from listeners that his comment had upset them.

BGen Cooling also asserted in his TCL response that because he made this comment in a “semi-public forum” rather than a private setting, it somehow mitigated its impact on listeners. We disagree. The larger and more public forum in which he said it increased the number of those who heard it and found it demeaning to women.

BGen Cooling also referenced “correspondence” from former female subordinates that he provided to us to show that some females had positive things to say about his leadership in prior assignments. We reviewed all of these support letters and determined that they were not dispositive to this investigation because they did not provide evidence of BGen Cooling’s conduct at OLA or the work environment he created there, which was the focus of the SASC complaint we received.

After carefully considering BGen Cooling’s response, we stand by our conclusion that this comment devalued women and was another example of the substantiated overall course of conduct described in this report. BGen Cooling had a duty under the applicable standards described in this report to promote and safeguard workplace morale, to treat subordinates with dignity and impartiality, and to be a positive influence. BGen Cooling’s comment about women being better schedulers or secretaries contributed to the negative work environment he created at OLA and resulted in a general distrust in his impartiality and leadership.

#### Brothel Remark

The SASC complaint also alleged that BGen Cooling told, “members of his staff and a female Marine who was aiming to be a Marine pilot that he would rather have his daughter work in a whorehouse than be a female Marine pilot.”

We asked an NCO assigned to OLA whether she heard BGen Cooling say what the SASC complaint alleged. The NCO told us, “Yes. So, that statement is incorrect. That was me [he said it to], and it was not a whorehouse, it was a brothel.”

The female NCO told us that while closing the office one night in December 2017, she and BGen Cooling’s deputy were discussing what type of officer she wanted to be after she graduated from Officer Candidate School. She told us:

I think BGen Cooling walked in, and we were all just like joking around and having a conversation. And, he had mentioned that comment. And I kind of just stepped out of the conversation just as we are getting ready to go home. I didn't really think nothing of it.... Like we were all probably tired and smoked from working that week, and I felt comfortable enough to where I was in his office every single day like briefing him on the day, where if I have an issue about it [the pilot remark] or [was] uncomfortable that I could address it directly with General Cooling.... Like I said we were all just in there having a relaxed

conversation, and I mean I even laughed about it ... that was the end of the conversation, like after that nothing changed. He didn't treat me differently.

The NCO told us that the brothel remark "absolutely" did not change her mind about becoming a Marine Corps pilot.

According to the NCO, BGen Cooling's deputy told her the following day, "Hey, the comment that [BGen] Cooling said yesterday was inappropriate. The issue was addressed [with BGen Cooling]." She told us that she believed BGen Cooling's deputy "addressed the issue." The NCO said that BGen Cooling was never "disrespectful or unprofessional to work with," and that "perhaps the comment was a mistake." She added that BGen Cooling never addressed the matter with her and that she only discussed the matter with BGen Cooling's deputy.

Regarding this incident, BGen Cooling's deputy told us that he was having a conversation with the NCO about what type of officer she wanted to be. He was sitting at his desk and the NCO was in his doorway. BGen Cooling's deputy believed the NCO wanted to be a pilot. The deputy encouraged her to consider infantry because she "loves leading Marines." He told the NCO that pilots had fewer leadership opportunities than infantry officers did. BGen Cooling's deputy added that BGen Cooling (whose office was next to BGen Cooling's deputy's office) was changing clothes and getting ready to go home when he "just sort of jumped in on the conversation, and it was fine." BGen Cooling's deputy told us that BGen Cooling made the brothel remark "relatively quickly" after he entered the conversation. BGen Cooling's deputy told us that the brothel remark was "something along the lines of, 'I would rather my daughter work in the whorehouse than become a pilot.'" BGen Cooling's deputy added no one else was present to hear the conversation other than the NCO, himself, and BGen Cooling.

BGen Cooling's deputy described his reaction to the brothel remark as:

That's probably not the right thing to say. Here's a young impressionable kid. She and I are having a great conversation about the opportunities that exist for her in the Marine Corps. I don't know if General Cooling heard that or didn't hear that as he was in there changing and other stuff, but, we were having this great conversation and it ends with a turd in the punch bowl.

BGen Cooling's deputy told us that BGen Cooling thought very highly of the NCO and that it might have been an attempt to be humorous. BGen Cooling's deputy said that although there was "a healthy rivalry between ground guys and aviators," he had never heard that comment before. BGen Cooling's deputy also told us that he did not talk to BGen Cooling or the NCO about the brothel remark. BGen Cooling's deputy added that he did not think the NCO had much of a reaction.

Other witnesses we interviewed, including four aviators, told us that they had never heard this pilot-brothel remark during their careers.

BGen Cooling told us he "didn't recall the specifics of the occasion or anything because it's a pretty common joke . . . aimed at pilots, and at one point in time it was common." He told us that:

the joke goes, 'I would rather have a daughter in a brothel than a son that's a pilot' . . . That's the normal joke . . . the son is the pilot . . . I don't recall the conversation. I'll tell you I don't. I'm recalling the [NCO] because that's how it was recounted to me the way I said it since these allegations surfaced.

He added that he had used the brothel remark “up until this point several times” throughout his career and that he used the word “brothel,” not “whorehouse” as stated in the SASC complaint. He said the brothel remark “has nothing to do with gender discrimination or bias. It has everything to do with a good natured tease towards pilots and aspiring pilots.”

BGen Cooling added that he did not mean any offense by the brothel remark, other than encouraging “an aspiring pilot to be an aspiring infantryman instead.” BGen Cooling told us that:

In hindsight, I certainly, because of this experience, I wouldn't tell that joke again, but I -- I'm at a loss for how using a common sense, common person viewpoint, someone would take that as an insult or as trying to dissuade someone [to be a pilot] who considers me a personal mentor to be -- to be sexist or hostile in any way.

BGen Cooling added, “I'm an infantryman ... ground combat guy just poking fun at our pilots. I love pilots, and they know it.”

BGen Cooling also told us:

I can guarantee you that I have on multiple occasions told [the NCO] to pursue her dreams and her aspirations, don't limit herself by other people's expectations. So, whatever she wanted to do in the Marine Corps she could be, she could excel at.

#### *BGen Cooling's Tentative Conclusions Letter Response Regarding His Brothel Remark*

In his TCL response, BGen Cooling wrote that the report does not reference what specific standard the joke violated. He added that the joke was common and on Google in a variety of forms. Additionally, BGen Cooling said it was his deputy that “inflamed” the allegation by changing “brothel” to “whorehouse” and that his deputy’s “embellished version is used in the SASC allegation letter.” BGen Cooling asserted that his deputy falsely told the female NCO that he addressed the matter with BGen Cooling but told investigators that he did not. BGen Cooling added:

The [report] ignores the Deputy's duplicity and focuses on a joke to a female who was not offended. Certainly, [the deputy] was not offended, demeaned, bullied, or humiliated and neither was [the female NCO]. Although this joke was in poor taste, its context does not devalue or demean anyone and is not any form of gender discrimination. Therefore, this cannot be the basis of any substantiated allegation related to a hostile working environment.

#### **DoD IG Conclusions on Brothel Remark**

We do not agree with BGen Cooling's assertion that his deputy “inflamed” this allegation by changing "brothel" to "whorehouse." Either term is inappropriate in conversation with a female subordinate.

BGen Cooling acknowledged in his response that the brothel remark was “in poor taste.” We agree. Although BGen Cooling claimed that this brothel remark was a commonly used joke, witnesses with long Military service, including in aviation, told us they had never heard it before.

BGen Cooling further asserted that his remark could not be demeaning or devalue women because the female NCO “was not offended, demeaned, bullied, or humiliated” by it. We disagree. Although the female NCO told us that BGen Cooling’s inappropriate and demeaning comment did not affect her future career decisions, her reaction did not alter the conclusion that BGen Cooling engaged in less than exemplary conduct in violation of the applicable standards of conduct described throughout this report and presented in full in Appendix A of this report. BGen Cooling demonstrated a lack of leadership, responsibility, and restraint, especially as a general officer, when he communicated, jokingly or not, to a female NCO preparing to become an officer and considering becoming a U.S. Marine Corps pilot, that he would respect her career choice more if she were to work in a brothel instead. After carefully considering BGen Cooling’s response, we stand by our conclusion that BGen Cooling’s brothel remark is an example of his overall course of conduct that disparaged and devalued women and created a negative work environment at OLA.

#### Treating Women Differently than Men

The SASC complaint alleged that BGen Cooling’s staff believed that he treated women differently than men. The SASC complaint stated, “BGen Cooling will not yell at women the way that he yells at and insults men. Some have suggested that they will take a woman into a staff meeting with them to ensure that the meeting is less hostile.”

We asked 23 witnesses who had direct and frequent interaction with BGen Cooling about the complaint’s assertion that BGen Cooling would not yell at women the way he yelled at men. Seven agreed with the SASC complaint’s statement. The following are representative examples of the responses from these seven witnesses.

- He was definitely very gruff with many of the men. With the women he was more passive-aggressive . . . instead of being very direct, he would be more like, you know, ‘I’m very disappointed in this. You know, how are you going to work this out?’ Whereas, I think if he was displeased with something, with a guy there would be probably be a little -- he would be more overt. . . . For example, you know, ‘Who needs to get fired here?’
- He minded his Ps and Qs with women, distinctly different than the way that he handled men. . . . There are many times that things did not go the way that BGen Cooling wanted them to go with [REDACTED]. I would say that they are on par to some of the other things that have occurred in the office. He expressed displeasure with her. He was not yelling or berating.
- He never yelled at a female the way he yelled at some of the men.

Fourteen witnesses disagreed with the SASC complaint’s statement. Six of these 14 witnesses told us that BGen Cooling did not yell at his staff regardless of gender. Eight of these 14 witnesses told

us that BGen Cooling was an “equal opportunity offender” who yelled at both female and male staff personnel. The following are examples of these 14 witness statements.

- No . . . he talked to [his staff] the same way.
- He was respectful toward everybody.
- He may have come off as yelling when he did not have the information that he needed, or the support that he needed, but if you did your job it was never an issue.
- I don’t know how this thing became about women. . . . But it’s not . . . yeah, he’s an equal opportunity offender.

Two of the 23 witnesses did not observe this behavior and did not have an opinion on the accuracy of the statement in the SASC complaint.

BGen Cooling told us that the statement that he did not yell at women the way that he yelled at men was “not accurate,” and that he “typically” did not raise his voice. BGen Cooling told us, “I do express dissatisfaction, and I have done that with women as well as men.” BGen Cooling added:

You know, I mean, it doesn't take much for people to interpret what you're doing as being yelled at or screamed at when you're at this grade. And I understand that; I'm an emphatic person, but to me yelling or screaming means raising your voice, and I don't -- I don't remember raising my voice.

Regarding the statement in the SASC complaint that men took women into staff meetings with BGen Cooling to ensure that the meeting with him was less hostile because he would not yell at the women, 22 witnesses told us that they had no knowledge of this ever occurring. One liaison officer told us:

I would actually say I was the person -- at least among my personnel shop -- that first suggested this [taking women into meetings with BGen Cooling] could de-escalate a situation. . . . And I never heard of anybody else coming to that conclusion and then suggesting it to other people, but I certainly suggested it to other people and knew that to be true, in my experience.

BGen Cooling told us that he “was never given the impression that anyone brought members based upon gender to meetings with [me] for the purpose of receiving more favorable treatment” or to “avoid hostility.” He told us that he “invited all personnel assigned to OLA to speak with me directly about any subject of concern at any time.” He told us that he could not recall an instance where a man brought an uninvited woman into a meeting as described in the SASC complaint.

BGen Cooling told us that he had “no earthly idea” why someone would say he treated women differently than men. BGen Cooling told us:

None. Not to my knowledge. I mean I’m direct. . . . If I’m not pleased with something I tell them I’m not pleased [and] I am pretty good, I think, at telling them they did a great job.

*BGen Cooling's Tentative Conclusions Letter Response Regarding Treating Women Differently Than Men*

In his TCL response, BGen Cooling wrote:

The report is not clear on whether it substantiates this general claim or not and it does not cite an associated standard. Moreover, the report recounts a few opinions but fails to establish any facts that support the finding. The great majority of comments - even from those clearly not supporting me - corroborate my abject denial of this being the case from the outset. In addition to the numerous individuals contacted by the investigators that said I treat everyone the same, I provided a number of statements from women who have worked with me in the last several years testifying to the fact that I treat people the same, regardless of gender. Moreover, the ROI actually includes a complaint from . . . a female officer, that I was overly harsh with her during a staff meeting.

While some personnel interviewed believed I treated men and women differently, most did not believe that was the case. According to the ROI, fourteen (14) of twenty-three (23) witnesses interviewed disagreed with the characterization that I treated women differently than men, and two others did not have an opinion. This should not be cited as evidence of a "substantiated allegation" by an investigator. The proof is not adequate to make a general finding of this nature. One person thought bringing a woman with him/her to a meeting with me made me nicer, which appears to be part of the basis for this claim. Even some who offer unfavorable views of my leadership ardently reject this assertion. These allegations do not in any way support a conclusion based on a preponderance of the evidence that I treat women differently than men.

**DoD OIG Conclusions on Treating Women Differently Than Men**

Regarding BGen Cooling's assertion that our investigation failed to consider his overall service reputation and leadership style, or to present character reference letters he provided through his attorney to our investigators from personnel who served under his command in other assignments, we note that the allegations we received involved misconduct during BGen Cooling's 7 month and 17 day OLA assignment. The character letters submitted by former subordinates who were not witnesses of his conduct in OLA did not rebut the direct evidence pertaining to the allegations we received from the SASC and investigated in this case.

In his TCL response, BGen Cooling also asserted that his treatment of women relative to his treatment of men did not violate a standard. In our preliminary conclusions, we did not include this allegation, as described in the SASC complaint, as an example of substantiated misconduct. We determined, as described in this section, that OLA personnel considered BGen Cooling an "equal opportunity offender" who demeaned, bullied, and humiliated male and female subordinates. Therefore, we stand by our conclusion that as described in the SASC complaint, this allegation was not one of the seven substantiated examples of BGen Cooling's overall course of conduct described in this report.

*Four Additional Comments Witnesses Identified As Derogatory*Fellows Program List Reaction

We also identified various comments that witnesses identified BGen Cooling making that were derogatory, bullying, and demeaning.

A staff member told us that in September 2017, he gave BGen Cooling a list of the 2019 USMC congressional fellows that did not include more ground combat arms [fellows] than the previous year. BGen Cooling told the staff officer in charge of the fellows program: "You're giving it to me at the last second? Are you trying to f\*\*k me? What is this list? This isn't what my guidance is." The staff member added that BGen Cooling "took" the staff officer and went to the staff member's office. The staff member told us that BGen Cooling, while standing in the doorway, "accused us" of giving the list to him at the last second intentionally so he did not have the opportunity to revise it. The staff member stated that giving the list to BGen Cooling late was not their "intent at all."

The staff member added that BGen Cooling then turned to the staff officer, who had been on authorized extended leave out of the country and said, "And where the f\*\*k have you been? .... What the f\*\*k is this? This is bulls\*\*t." The staff member told us that BGen Cooling was yelling at him. The staff member stated that he believed BGen Cooling directed the profanity at the situation of the late list, and not toward him as an individual.

The staff officer told us that he recalled the incident and that BGen Cooling was upset with the candidates for the fellows program. He told us that BGen Cooling did not yell or scream, but his voice was "certainly loud enough in a small office" that everyone could hear. The staff officer recalled BGen Cooling asking him, "Where the f\*\*k were you?" in reference to his leave out of the country. The staff officer said he was okay with the whole incident because he had done everything right. The staff officer also told us that after the exchange, BGen Cooling's deputy apologized to him and the staff member, and then spoke with BGen Cooling about his behavior. The staff officer stated that he received an apology from BGen Cooling the following day.

A second staff member, whose office was next to the first staff member's office, told us that he heard the "loud" incident, and that "it was awkward."

Another staff officer told us he saw BGen Cooling giving the two personnel a "public talk down" or "beating" in the middle of the hallway.

BGen Cooling's deputy told us that he walked in on the end of the incident, and that the staff member and staff officer took the "brunt of the blasting" from BGen Cooling in the staff member's office. BGen Cooling's deputy told us that he believed that BGen Cooling dropped the "F bomb," but was not certain if it was at an individual or at the situation. BGen Cooling's deputy told us that he spoke with BGen Cooling about the exchange. He stated that BGen Cooling was concerned the two were going to file a complaint against him. BGen Cooling's deputy told BGen Cooling that he had talked to them, and that although they were unhappy about the exchange, "they weren't necessarily concerned about taking it any further." BGen Cooling's deputy told us that he recommended that BGen Cooling "reach out to them."



During BGen Cooling's first interview with us, he told investigators that the incident was an instance where he "overstepped." He said that while in the staff member's office, he became "frustrated" and "raised [his] voice" at the staff member and the staff officer for missing a milestone in the fellows program. BGen Cooling told us that later that day, his deputy told him, "Hey, you really shouldn't raise your voice because, you know, a lot of people in the office heard that." BGen Cooling said that later that evening he e-mailed an apology to the staff member and the staff officer. We reviewed the September 15, 2017, e-mail, which included the following apology:

Normally I go to bed with a clean conscience. Tonight, not so much. I clearly could have refrained from the assumption that you knew the direction I had passed about the fellows Program and been a lot less reactionary. My apologies. No intent to embarrass or be overbearing.

During BGen Cooling's second interview with us, he stated that although he raised his voice, "I did not say F this, F that . . . or F the other in that. . . . I certainly wouldn't have used profanity in that regard." BGen Cooling told us that he did not believe anyone else in the office heard the exchange. BGen Cooling also said that if he used profanity, he did not direct it at someone. He stated that profane words he would typically use were "hell," "damn," and "bulls\*\*t." He added that he could "not discount" the possibility that he said the "full F word." BGen Cooling told us that if he had said the word, it was not in "hostility."

#### *BGen Cooling's Tentative Conclusions Letter Response Regarding His Fellows Program List Reaction*

In his TCL response, BGen Cooling wrote:

This incident is notable because it is the only time a subordinate came to me to suggest I had erred. I was irritated, misinformed and went too far. My deputy addressed it with me as he should have and I made amends with the two staff members involved. This was an isolated incident and not a consistent course of conduct regarding the individuals involved. This entire incident occurred in September, about two months into my tenure, and reflects the way I handle criticism and feedback from my subordinates.

#### **DoD OIG Conclusions on Fellows Program List Reaction**

In his response, BGen Cooling wrote that this was "an isolated incident" and "reflects the way [he] handles[s] criticism and feedback." We disagree. As described throughout this report, we determined that BGen Cooling made disparaging, bullying, or humiliating comments to subordinates on six other occasions during his OLA tenure *after* this incident. This refutes his claim of an "isolated incident."

BGen Cooling's TCL response also suggests that he modified his behavior after his deputy corrected him relative to this incident. We disagree with this assertion as well. Although he did not make disparaging comments specifically to these two subordinates again, he made similar or more egregious comments to 7 other subordinates and approximately 15 Congressional fellows during his 7 ½ month OLA tenure. In addition, although BGen Cooling apologized for this incident, we found no evidence he intended to do so before his deputy intervened to point out the less than exemplary conduct BGen Cooling exhibited.

BGen Cooling had a duty to promote and safeguard workplace morale, to treat subordinates with dignity and impartiality, and to be a positive influence. When BGen Cooling used abusive language and disparaging comments toward the staff officer and staff member, he failed to create a positive work environment. Although BGen Cooling apologized privately for the incident, at least three other witnesses overheard BGen Cooling's reaction to the fellows program list and cited it to us as an example of the negative work environment BGen Cooling created at OLA. After carefully considering BGen Cooling's response, we stand by our conclusion. This incident was an example of his substantiated overall course of conduct that disparaged, bullied, and humiliated subordinates, creating a negative work environment that led to general distrust in his impartiality and leadership.

#### Castration Comment

A staff member told us that on January 24, 2018, BGen Cooling "yelled" down the OLA main hall to him:

I just heard that you have access to all this information . . . of what's going to go on next year in these budgets and this information. If I find out that you've been holding out on this information from me, I'm going to castrate you.

The staff member told us he responded, "No you're not." The staff member told us "castrate" was not a word used commonly in the office. He said that from his perspective, the statement was "inappropriate," "immature," and "disrespectful," but he did not perceive any threat from it; "it was just an odd terminology." The staff member did not talk to BGen Cooling about the statement, and he did not know if anyone else had.

A second staff member told us that he heard BGen Cooling yell, "[staff member], if you don't give me that information I'm going to castrate you." The second staff member told us, "I don't think [BGen Cooling] was serious."

BGen Cooling told us, "I have no recollection of saying anything to that nature. I mean, I might kid somebody but not with castration per se." BGen Cooling said that he would joke with the staff member, but that he did not recall saying anything about castration. BGen Cooling explained that he and the staff member, who BGen Cooling asserted grew up on a farm, had talked about a ranch and cattle that BGen Cooling's father purchased, and they might have talked about castration. He added, "I don't recall a specific conversation about castration, though. ... I definitely don't recall telling [the staff member], you know, challenging him with castration." BGen Cooling added that he joked with his staff all the time, "I press people hard so I try to -- I mean, I know that so I try to, you know, ease some of the tension with humor routinely."

#### *BGen Cooling's Tentative Conclusions Letter Response Regarding His Castration Comment*

In his TCL response, BGen Cooling wrote:

Even as alleged, this was clearly a figurative statement and neither the alleged recipient nor a bystander thought I was making a literal threat to castrate the person. This incident cannot serve as evidence, much less meet the preponderance of the evidence standard, that I "demeaned, bullied, and humiliated" subordinates because: (1) there is no identifiable standard

associated with such a sterile but figurative comment, and (2) nobody thought the comment was serious or an actual threat of physical action. It was figurative hyperbole and everyone seems to agree to that.

BGen Cooling added, "this is yet another example of a comment that I allegedly made, where the complainant is not the person addressed, and where the person addressed did not find the alleged comment to be offensive."

#### **DoD OIG Conclusions on Castration Comment**

In his TCL response, BGen Cooling stated, "nobody thought the comment was serious or an actual threat of physical action." We agree that none of his subordinates actually feared for their safety in this incident. However, threatening a subordinate with bodily physical harm such as castration, literally or figuratively, is less than exemplary workplace conduct and does not show dignity and respect to subordinates. Additionally, BGen Cooling asserted in his response, "the person addressed did not find the alleged comment offensive." This is not factually accurate. As described above, the staff member to whom BGen Cooling directed the castration comment told us that the statement was "inappropriate," "immature," and "disrespectful" to him. We agree with the staff member.

BGen Cooling had a duty to promote and safeguard workplace morale, to treat subordinates with dignity and impartiality, and to be a positive influence. When BGen Cooling threatened to castrate a subordinate, he created a negative work environment by failing to show dignity and respect for his subordinate to whom he directed the comment as well as those who heard it. After carefully considering BGen Cooling's response, we stand by our preliminary conclusion that this incident was an example of BGen Cooling's substantiated overall course of conduct that disparaged, bullied, and humiliated subordinates, leading to a general distrust in his impartiality and leadership.

#### Staff Meeting Comments

The [REDACTED] told us that she planned an office call for the ACMC with a Congresswoman, but "at the last minute," the Congresswoman decided she would not meet with any Military Service "Vices," and "would only talk to them on the phone." The [REDACTED] added that after she changed the ACMC's office call to a phone call with the Congresswoman, BGen Cooling found out that the Congresswoman went forward with giving the "Navy Vice" an office call with her but did not give that opportunity to the ACMC. The [REDACTED] told us that BGen Cooling turned to her during a February 26, 2018, OLA staff meeting and said to everyone in the meeting:

'[the [REDACTED]] is a bad officer. Don't ever do anything like her.' And then he looked at me and he said, 'You better never do that again.' And he just got louder and louder. I mean, people were like embarrassed and I was like, 'General, she [the Congresswoman] did not want to have this meeting with him [the ACMC].' And he was like, 'I don't f\*\*king care. Don't you ever do that again. Everyone in here you understand? If someone else gets an office call [with a Member of Congress] and the Marine Corps doesn't, I will kill you.'

The [REDACTED] added, "this sort of public shaming thing was definitely a part of him [BGen Cooling]."

We interviewed six staff personnel who were present during the OLA staff meeting. They confirmed to us that BGen Cooling made a comment about the [REDACTED] failure to secure an office call. None said that they recalled BGen Cooling saying, "I will kill you." None of the witnesses told us that they remembered BGen Cooling using the term "kill." Three witnesses recalled BGen Cooling threatening to jump out a "f\*\*king window" if anyone failed to get a similar office call in the future. One witnesses told us that BGen Cooling threatened to jump out "a window." Two witnesses told us they did not recall whether BGen Cooling mentioned a window. One witness said that BGen Cooling "expressed frustration" and was "emotional," but "didn't direct his ire directly at [the [REDACTED] [REDACTED]]." Another added, "It was loud, [he] was very frustrated." One witness told us she was impressed with how well the [REDACTED] took BGen Cooling's comments, which the witness described as taking a "face shot" from BGen Cooling. The same witness described BGen Cooling's comments about the [REDACTED] as an "awkward beating in front of us, the rest of us, you know, her peers."

During the [REDACTED] second interview, we asked her if BGen Cooling said, "I will kill you." She told us, "He said that -- when he said, 'I will kill you,' he didn't mean, 'I will kill you,' [the [REDACTED]]; he meant, 'I will kill everybody if you do this [fail to get the ACMC an office call with the Congresswoman].' So he used me as an example to say, 'you better not do this stuff.'" We also asked her if BGen Cooling said, "I'm going to jump out that f\*\*king window." She told us that she recalled that he had made the "jump out that f\*\*king window" comment, but that she forgot to tell us about that during her first interview with us.

Regarding this incident, BGen Cooling told us:

I was irritated about [not getting the office call]? Yes. Did I say that we should -  
- you know, there's no way we should have allowed that to happen?  
Absolutely. Did I say that I was going to throw anybody out the window or jump  
out the window? No, I did not.

BGen Cooling told us that he did not call the [REDACTED] a "bad officer" or raise his voice. He added:

You know, I mean, it doesn't take much for people to interpret what you're doing  
as being yelled at or screamed at when you're at this grade. And I understand  
that; I'm an emphatic person, but to me yelling or screaming means raising your  
voice, and I don't -- I don't remember raising my voice regarding it.

BGen Cooling told us that not getting the ACMC an office call with the Congresswoman was a mistake, and he told his staff it was unacceptable. He added:

You know, we can't have our [ACMC] asking for a call and then being told by  
some professional staff member that, no, she doesn't want a call with anybody  
and then find out later that, oh yeah, actually she did have calls. I mean, we  
should know that up front, and if that's not happening -- if we're asking and a  
professional staff member is not being honest, then we need to know that too.

BGen Cooling also told us that he used the incident as an example because it affected every one of his staff's engagements. BGen Cooling added that he thought "the world" of the [REDACTED]:  
"I thought she did actually a good job in the aggregate . . . but this was a mistake that was made."

*BGen Cooling's Tentative Conclusions Letter Response Regarding His Staff Meeting Comments*

In his TCL response, BGen Cooling wrote:

(1) I did not say the things alleged to her specifically, (2) the witnesses dispute her allegations as to what was said, (3) this does not meet the definition of "bullying" in the current standard (which was not in effect during this time), and (4) the entire exchange related to a performance issue on the staff.

In his TCL response, BGen Cooling used this incident with the [REDACTED] to illustrate his point that he treats women similarly to how he treats men because he yells at women just as he does at men. He described his "exchange" with the [REDACTED] in this staff meeting as "overly harsh."

**DoD OIG Conclusions on Staff Meeting Comments**

Witnesses differed somewhat on the specific details of what BGen Cooling said to or about the [REDACTED] during this staff meeting. However, all witnesses told us they felt sympathy for the [REDACTED] as BGen Cooling berated her. We agree with BGen Cooling's own assessment that he was "overly harsh" in his conduct toward the [REDACTED] in this instance. Four witnesses present at the staff meeting told us that BGen Cooling talked about jumping out of a "window" or a "f\*\*cking window" if anyone failed to perform in the manner he attributed to the [REDACTED]. These comments occurred during a staff meeting in front of the [REDACTED] peers. Although BGen Cooling asserted that his comments related to the [REDACTED] performance, his abusive language and disparaging comments in front of all personnel in a staff meeting violated applicable bullying standards and failed to show dignity and respect by humiliating his subordinate in front of others.

With regard to BGen Cooling's TCL response comment about the applicable standards, U.S. Naval Regulations and the JER required him to promote and safeguard workplace morale, to treat subordinates with dignity and impartiality, to be a positive influence, and to avoid abusive language. Additionally, DoD Instruction (DoDI) 1020.03, "Harassment Prevention and Response in the Armed Forces," which was in effect when BGen Cooling made the staff meeting comments, states that "Bullying may involve the singling out of an individual from his or her coworkers for ridicule." After carefully considering BGen Cooling's response, we stand by our preliminary conclusion that this incident was an example of BGen Cooling's substantiated overall course of conduct that disparaged, bullied, and humiliated subordinates, leading to a general distrust of his impartiality and leadership.

Comments to Communications Director about a Subordinate's Reputation

The [REDACTED] told us that the USMC Communications Deputy Director stopped her in the Pentagon hallway and told her about a conversation between the USMC Communications Director (a general officer referred to as communications director) and BGen Cooling. She said the communications deputy told her that BGen Cooling told the communications director "to be careful" with the [REDACTED] because she was a "career wrecker," "sneaky," and that the communications director "needs to watch out" for her. The [REDACTED] stated that the communications deputy told her:

that Gen Cooling believed that I was behind this [the SASC complaint], his relief [from the Legislative Assistant to the CMC position], due to my relationship with [a SASC staff member] and [the SASC attorney]. And he thought that I was someone who could ruin your career, could be nice to you in public and then be working her bolts on the side.

The [REDACTED] clarified that the communications deputy did not use the term “career wrecker” when he described to her the exchange between BGen Cooling and the communications director. The [REDACTED] told us that she was “concerned” about the conversation’s potential impact on her career because she was a [REDACTED] and the communications director was the senior officer in the USMC [REDACTED].

The communications director told us that he remembered the conversation with BGen Cooling, but he told us that BGen Cooling did not use the term “career wrecker.” The communications director told us that after a March 2018 staff meeting with the CMC he was sitting alone with BGen Cooling and asked BGen Cooling how he was doing. The communications director said that BGen Cooling whispered to the communications director “to watch yourself, you got to watch out.” The communications director told us that it was BGen Cooling’s belief that the [REDACTED] “was the link to [BGen Cooling] getting dismissed [because of the SASC complaint].” The communications director said that BGen Cooling was “just angry at the situation.” He added that no one else was present to hear the conversation. After returning to his office, the communications director told his communications deputy, “Hey, you know, [BGen] Cooling ... thinks that [the [REDACTED]] was the one who, kind of, spilled the beans [to the SASC].”

The communications deputy told us that the communications director informed him about the exchange with BGen Cooling immediately after it occurred. The communications deputy stated that the communications director told him that BGen Cooling was “very upset” about his removal and the [DoD OIG] investigation. The communications deputy added that BGen Cooling was “blaming much of [his removal and investigation]” on the [REDACTED]. The communications deputy also stated that he told the [REDACTED]:

BGen Cooling had talked about his frustration, being upset with the whole incident and potential ongoing investigation, and that he was very adamant about blaming the individuals within the Office of Legislative Assistance, very much pointing the finger at her, saying that she was behind much of it, apparently.

According to the communications deputy, the term “career wrecker” never came up in his conversation with the communications director and that he did not use “career wrecker” when he told the [REDACTED] about the conversation.

The communications director told us that “soon after” he told his communications deputy about the conversation with BGen Cooling, the [REDACTED] requested to speak to him. The communications director told her about his conversation with BGen Cooling. The communications director said that the [REDACTED] expressed concern for her reputation. The communications director said that he told her that BGen Cooling was “just venting, and that does not ... affect in any way how I felt professionally for [the [REDACTED]] and that he] dismissed it [BGen Cooling’s venting].” The communications director added that he did not know or hear of BGen Cooling talking to other senior officials regarding the [REDACTED] reputation.

BGen Cooling told us that he recalled the conversation about the [REDACTED] with the communications director. BGen Cooling told us that he told the communications director:

You need to be careful about [the [REDACTED]] relationship with a reporter. That reporter is the one . . . for *USA Today* that ties everything, you know, back to the [USMC] institutional scandals and things of that nature. So I knew [the reporter] was writing -- he was connecting me to [a USMC general officer's] relief.<sup>9</sup>

BGen Cooling told us that the conversation with the communications director occurred immediately after the USMC published a report about a general officer's relief. He told us that he told the communications director that there was no reason he [BGen Cooling] should be included in the subsequent *USA Today* article and that the article used [BGen Cooling] to discredit the USMC as an "institution." BGen Cooling also told us that he told the communications director that he believed the reporter talked to people in the Pentagon, and the [REDACTED] could be one. BGen Cooling stated that he was not suggesting that the [REDACTED] and the reporter had a romantic relationship. He told us, ". . . this is purely . . . she's been a [REDACTED] for the majority of her career, so she's cultivated relationships with a number of the press and she remains in contact with them."

BGen Cooling told us that that the [REDACTED] did not tell him she was providing information to the reporter about any USMC general officers. However, he stated, "I couldn't discount that. I mean, to be honest, I don't think she would or did."

BGen Cooling stated, "I didn't make any accusations against [the [REDACTED]] at all, and it wasn't related to the -- this investigation beyond what I just gave you, that she has a relationship with this reporter." He told us that the reason he talked to the communications director was that the communications director was a public affairs officer. BGen Cooling added that he never talked to the [REDACTED] regarding the reporter, and that he only talked to the communications director about the [REDACTED] once.

*BGen Cooling's Tentative Conclusions Letter Response Regarding Comments About His Subordinate's Reputation*

In his TCL response, BGen Cooling wrote:

The facts do not support finding by a preponderance of the evidence that I bullied [the [REDACTED]] because: (1) I did not spread or start a rumor; I only told [the Communications Director] facts relating to his duties, (2) . . . the Communications Director and the right person to raise concerns regarding high profile open source reporting about me, (3) [the Communications Director] was not in [the [REDACTED]] chain of command, (4) [the Communications Director] has no direct bearing on [the [REDACTED]] career, (5) I was also no longer in her chain of command, (6) She had already been selected for promotion and given a follow-on assignment, and (7) this does not meet the

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<sup>9</sup> The other general officer was in charge of Marine Corps sexual assault prevention and response efforts. The CMC relieved him after he said, at a public hearing, that sexual harassment claims at his command were "fake news."



definition of "bullying" in the current standard ( which also was not in effect during this time).

#### **DoD OIG Conclusions on Subordinate's Reputation Comment**

BGen Cooling asserted in his TCL response that the communications director was not in the [REDACTED] direct chain of command at the time and therefore could not influence the [REDACTED] career. We disagree. The [REDACTED] was a [REDACTED] officer temporarily assigned to OLA, and at the conclusion of the OLA assignment or at other points in her career would return to her Marine Corps career field – [REDACTED]. The communications director to whom BGen Cooling disparaged the [REDACTED] reputation was the senior officer in Marine Corps [REDACTED], and was in a position that could have significant influence on her future [REDACTED] career opportunities.

With regard to BGen Cooling's comment that the "bullying" standard cited in our tentative conclusions was not in effect at the time of this incident, DoDI 1020.03, which we reference in this final report, was in effect when BGen Cooling made the comment about the [REDACTED] reputation to the communications director. This DoDI states that bullying includes degrading or damaging another's reputation. Furthermore, under U.S. Naval Regulations and the JER, BGen Cooling had a duty to promote and safeguard workplace morale, to treat subordinates with dignity and impartiality, and to be a positive influence. We determined that BGen Cooling telling the communication director to "watch out" for the [REDACTED], as well as comments he made to other witnesses in which he blamed the subordinate for the SASC complaint against him, for his removal from the Legislative Assistant position, and for this investigation into his conduct as described in this section violated applicable standards. BGen Cooling's comment to the communications director had potential to injure the [REDACTED] reputation. After carefully considering BGen Cooling's response, we stand by our conclusion that this incident was an example of BGen Cooling's substantiated overall course of conduct that disparaged, bullied, and humiliated subordinates, leading to a general distrust of his impartiality and leadership.

#### Level of Trust in Brigadier General Cooling's Overall Leadership and Impartiality

The SASC complaint alleged that BGen Cooling's treatment of subordinates and demeaning comments about women had led to a "general distrust" in his impartiality and leadership.

We interviewed 23 witnesses who had direct and frequent interaction with BGen Cooling. Fifteen witnesses agreed with the SASC complaint's assertion, and had negative views of BGen Cooling's leadership. The following responses are representative examples of these 15 witnesses' statements.

- I think that fair and impartial may have been somewhat compromised .... His only motive is to continue to be a Marine. I think that's why he's so driven and results oriented. And I think that draws into question his ability to be impartial and fair.
- I would say that the consistency across the board in fair and impartial leadership was not there.
- He was purely self-motivated for promotion for himself and he would say or do anything, and demand anything of his staff that would facilitate that.

- He was insincere. . . . His leadership was not effective here because he was just killing the weakest in the herd, and we were all eventually the weakest in the herd, and so it wasn't a motivator. I never saw any unfairness or unequal treatment; I thought he treated everybody [all genders] in different ways but just as bad.

Eight witnesses disagreed with the SASC complaint's assertion about distrust in BGen Cooling's leadership. The following responses are representative of these eight witnesses' statements.

- I can only speak from my experience and I would work for BGen Cooling if I had the opportunity to do it again.
- I feel like he always treated me as a Marine first, like professionally and we developed trust because I was good at my job.
- It's just a very relaxed office setting [at the OLA - Main office]. I don't think anyone is stressed out over there.
- I think that's an unfair assessment. I think Gen Cooling's motives are honorable. I think his intentions are honorable. I think the man has a good heart. I think he simply applied a leadership style that was inappropriate for the situation.
- I would say he was calculated. He knew when it came to treating individuals he knew his boundaries.

When asked about BGen Cooling's leadership style, 17 witnesses expressed negative descriptions such as abusive, bullying, toxic, abrasive, and aggressive. Three witnesses viewed BGen Cooling's leadership style positively. The remaining witnesses either had heard negative things about his leadership from others, or were neutral.

BGen Cooling told us:

I mean I think in seven months if they're trying to lay out a case that I'm -- had established a hostile working environment relative to being sexist, that's my understanding of the allegation, and the examples that they provided you, one which is completely false, several others which are out of context, I don't see how any reasonable person could have come to that conclusion. I also don't think that in 32 years of service to include my two previous general officer assignments that you will find a single service member who would agree with that, and in fact I would argue that they would argue exactly the opposite .... I don't believe I would have been selected to be in this position, even considered close if it wasn't 180 degrees out from that accusation.

*BGen Cooling's Tentative Conclusions Letter Response Regarding the Level of Trust in his Overall Leadership and Impartiality*

In his TCL response, BGen Cooling wrote:

The report is unclear on whether this allegation supports any finding other than a conclusory statement that some did not trust my leadership while, notably,

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some others did. The SASC complaint specifically references "demeaning comments about women," yet none of the negative comments in the four "representative examples" references anything specific to a gender bias. The report also notes that "aggressive" leadership is incorrectly deemed by the investigator to be negative. It was my responsibility to maintain the trust and confidence of my subordinates and I clearly pressed them to the point where some experienced work-related stress and may have questioned my motivations. It should be noted that the comments perceived by some as inappropriate were related to substandard performance. The procedures, work ethic and standards of performance for the OLA office were generally poor and required a level of disruptive leadership to correct.

#### **DoD OIG Conclusion on Level of Trust in BGen Cooling's Overall Leadership and Impartiality**

We agree with BGen Cooling's TCL response comment that "aggressive" leadership is not inherently negative leadership. However, the seven examples of substantiated disparaging, bullying, humiliating, and devaluing comments described in this report were not simply "aggressive" leadership. They violated multiple applicable standards for exemplary conduct, leadership, workplace environment, bullying, and dignity and respect for subordinates.

The majority of the individuals we interviewed told us that they had concerns about BGen Cooling's impartiality and overall leadership. Witnesses told us their concerns were directly attributable to the seven examples of BGen Cooling's substantiated overall course of conduct during his 7 ½ month OLA tenure that disparaged, bullied, humiliated subordinates, and devalued women. After carefully considering BGen Cooling's response, we stand by our conclusion that BGen Cooling's conduct created a negative work environment that led to a general distrust of his impartiality and leadership.

#### **IV. DoD OIG's OVERALL CONCLUSIONS**

We substantiated the allegation that BGen Cooling's overall course of conduct toward subordinates disparaged, bullied, humiliated them, and devalued women. We determined that BGen Cooling conducted himself in a less than exemplary manner in his treatment of subordinates or in comments that devalued women on seven occasions during his 7 month and 17 day tenure at OLA. His treatment of subordinates created a negative work environment at OLA that led to a distrust in his impartiality and leadership.

BGen Cooling had a duty to promote and safeguard workplace morale, to treat subordinates with dignity and impartiality, to be a positive influence, and to avoid bullying subordinates by verbally berating or humiliating them or spreading rumors about them that could damage their reputations. We determined that he failed in this duty in the seven substantiated examples in this report. For example, we determined that BGen Cooling told a female NCO who aspires to be a Marine Corps pilot that he would rather have his daughter work in a brothel than be a pilot. He loudly and publicly berated two staff members whom he accused of trying to "f\*\*k" him and asked them repeatedly, "Where the f\*\*k have you been?" BGen Cooling acknowledged that he "went too far" in his abusive language to his subordinates on that occasion.

On another occasion, BGen Cooling publicly yelled to a staff member that if the staff member did not give him requested budget information he would castrate the staff member. In a staff meeting,

he bullied a staff officer when he publicly berated, belittled, and singled her out for ridicule in front of her peers when a Member of Congress canceled a meeting with the Assistant Commandant. He then told his entire staff in the same meeting that if any of them failed to get an office call for the Assistant Commandant with a Member of Congress, he was “going to jump out this f\*\*king window.” He bullied a subordinate when he attempted to damage her reputation by spreading a rumor about her and potentially damaging her future career by warning the most senior Marine Corps officer in the subordinate’s career field that he needed to “watch yourself, you’ve got to watch out” for her. BGen Cooling further blamed the subordinate in conversation with others for the SASC complaint against him, for his removal from the Legislative Assistant position, and for this investigation into his conduct.

We determined that in a meeting with Senate staff, BGen Cooling made the statement that opening combat roles to women had negatively impacted men because women are physically inferior to men, and men could no longer refer to their rifle parts by the names of female body parts. At a Congressional fellows’ breakfast, BGen Cooling stated that women naturally make better schedulers or secretaries than men, a comment that angered Marines in attendance because it suggested that scheduling or similar secretarial “menial work” was a “woman’s position.”

We concluded that throughout his OLA tenure as Legislative Assistant to the Commandant, BGen Cooling demeaned, bullied, and humiliated subordinates, and made comments that devalued women. The adjectives a majority of witnesses used to describe his leadership were abusive, bullying, toxic, abrasive, and aggressive. Some subordinates considered him an “equal opportunity offender,” disparaging men and women. BGen Cooling denied making some of the comments attributed to him, but with regard to those incidents, more than one witness told us they heard him make each of the comments substantiated in this report.

We concluded that two comments attributed to BGen Cooling in the SASC complaint did not violate applicable standards. Both were comments BG Cooling made at a Congressional fellows’ breakfast. Regarding the first comment, we confirmed that BGen Cooling stated, “few women have a propensity to serve in the infantry.” Two witnesses who were present asserted to us that the term “propensity” is used by some in the Marine Corps as rationale for why women should not be allowed in the infantry, or as a challenge to women’s “intestinal fortitude” to serve in the infantry. These witnesses told us they believed that the context in which BGen Cooling used the term was not supportive of women in combat. We initially concluded this comment was an example of BGen Cooling’s overall course of conduct that devalued women. We modified that initial determination after receiving additional evidence that “propensity” is a doctrinal term used throughout Marine Corps recruiting commands and concluded that BGen Cooling’s use of the term “propensity” at the fellows’ breakfast did not violate an applicable standard in its full context of Marine Corps recruiting efforts.

With regard to the second comment BGen Cooling made at a congressional fellows’ breakfast, we determined that he made the comment described in the SASC complaint: “in the aftermath of Marines United, we don’t have a culture problem.” However, the primary concern witnesses expressed to us about this comment was that it conflicted with the Commandant’s public comments about Marine Corps culture. The congressional fellows were concerned about a mixed message from Marine Corps senior leaders, and they were uncertain as to what position they should represent to their assigned Members of Congress, because BGen Cooling’s message differed from the Commandant’s public statements about Marine Corps culture. We considered BGen Cooling’s public statements differing from

the Commandant's to be a work performance issue, and concluded that his stated opinion about Marine Corps culture on that occasion did not violate applicable standards and did not constitute misconduct.

In sum, we substantiated the allegation that BGen Cooling's overall course of conduct disparaged, bullied, and humiliated subordinates, devalued women, and created a negative OLA work environment that led to a general distrust of his impartiality and leadership.

## **V. RECOMMENDATION**

We recommend that the Commandant of the Marine Corps take appropriate action with regard to BGen Cooling in light of the substantiated misconduct described in our report.

## **Appendix A: Standards**

### **A. APPLICABLE STANDARDS**

#### **10 U.S. Code, Section 5947 – Requirement of exemplary conduct**

All commanding officers and others in authority in the naval service are required to show in themselves a good example of virtue, honor, patriotism, and subordination; to be vigilant in inspecting the conduct of all persons who are placed under their command; to guard against and suppress all dissolute and immoral practices, and to correct, according to the laws and regulations of the Navy, all persons who are guilty of them; and to take all necessary and proper measures, under the laws, regulations, and customs of the naval service, to promote and safeguard the morale, the physical well-being, and the general welfare of the officers and enlisted persons under their command or charge.

#### **DoD 5500.07-R, “Joint Ethics Regulation,” August 30, 1993, including changes 1-7 (November 17, 2011)**

The JER provides a single source of standards of ethical conduct and ethics guidance for DoD employees.

Chapter 12, “Ethical Conduct,” Section 4, “Ethical Values,” states DoD employees should consider ethical values when making decisions as part of official duties. In that regard, the JER states in:

12-401. Primary Ethical Values. This paragraph cites several primary ethical values that should govern ethical decision-making. Among these are:

d. Accountability. DoD employees are required to accept responsibility for their decisions and the resulting consequences. This includes avoiding even the appearance of impropriety because appearances affect public confidence.

e. Fairness. Open-mindedness and impartiality are important aspects of fairness. DoD employees must be committed to justice in the performance of their official duties. Decisions must not be arbitrary, capricious or biased. Individuals must be treated equally and with tolerance.

g. Respect. To treat people with dignity, to honor privacy and to allow self-determination are critical in a government of diverse people. Lack of respect leads to a breakdown of loyalty and honesty within a government and brings chaos to the international community.

#### **DoD Instruction 1020.03, “Harassment Prevention and Response in the Armed Forces,” February, 8, 2018**

3.4. BULLYING. A form of harassment that includes acts of aggression by Service members or DoD civilian employees, with a nexus to military service, with the intent of harming a Service member either physically or psychologically, without a proper military or other governmental purpose. Bullying may involve the singling out of an individual from his or her coworkers, or unit, for ridicule because he or she is considered different or weak. It often involves an imbalance of power between the aggressor and the victim. Bullying can be conducted through the use of electronic devices or communications, and by other means including social media, as well as in person.

a. Bullying is evaluated by a reasonable person standard and includes, but is not limited to the following when performed without a proper military or other governmental purpose:

- (2) Intimidating, teasing, or taunting another person;
- (3) Oral or written berating of another person with the purpose of belittling or humiliating;
- (9) Degrading or damaging another's property or reputation; and

b. Bullying does not include properly directed command or organizational activities that serve a proper military or other governmental purpose, or the requisite training activities required to prepare for such activities (e.g., command-authorized physical training).

c. Service members may be responsible for an act of bullying even if there was actual or implied consent from the victim and regardless of the grade or rank, status, or Service of the victim.

d. Bullying is prohibited in all circumstances and environments, including off-duty or "unofficial" unit functions and settings.

3.6. RETALIATION. Retaliation encompasses illegal, impermissible, or hostile actions taken by a Service member's chain of command, peers, or coworkers as a result of making or being suspected of making a protected communication in accordance with DoDD 7050.06. Retaliation for reporting a criminal offense can occur in several ways, including reprisal. Investigation of complaints of non-criminal retaliatory actions other than reprisal will be processed consistent with Service-specific regulations. In addition to reprisal, defined in Paragraph 3.7, additional retaliatory behaviors include ostracism, maltreatment, and criminal acts for a retaliatory purpose in connection with an alleged sex-related offense or sexual harassment; or for performance of duties concerning an alleged sex-related offense or sexual harassment. For detailed definitions of the full range of retaliatory behaviors, see the RPRS Implementation Plan.

3.7. REPRISAL. In accordance with Section 1034 of Title 10, U.S.C., as implemented by DoDD 7050.06, reprisal is defined as taking or threatening to take an unfavorable personnel action, or withholding or threatening to withhold a favorable personnel action, for making, preparing to make, or being perceived as making or preparing to make a protected communication.

#### **U.S. Navy Regulations (1990)**

Chapter 8, Article 0802, "Responsibility," states in paragraph 4, "The commanding officer and his or her subordinates shall exercise leadership through personal example, moral responsibility and judicious attention to the welfare of persons under their control or supervision. Such leadership shall be exercised in order to achieve a positive, dominant influence on the performance of persons in the Department of the Navy."

Chapter 10, Article 1023, "Abuse of Authority," states, "Persons in authority are forbidden to injure their subordinates by tyrannical or capricious conduct, or by abusive language."



## **Appendix B: Other Matters**

### **B. OTHER MATTERS**

Witnesses told us about eight comments BGen Cooling allegedly made that they identified to us as potentially derogatory. Based on our review of witness statements and documents, we determined that there was either (1) insufficient evidence that BGen Cooling made the comments, or (2) the comments, as alleged, did not violate a standard. Accordingly, we did not address these comments in Section III of this report. Table 2 lists the eight comments witnesses attributed to BGen Cooling that we did not address in the body of this report.

*Table 2. Summary of Alleged Comments not Addressed*

Comment
<p><u><i>Myers-Briggs Results:</i></u></p> <p>BGen Cooling allegedly told a staff officer that the staff officer had the same Myers-Briggs personality test results as BGen Cooling's spouse. The staff officer said the conversation was "almost amusing" and that BGen Cooling was right because based on the staff officer's results, "[BGen Cooling] didn't make that up that I'm like a woman." This comment did not violate a standard.</p>
<p><u><i>Marriage and Children:</i></u></p> <p>BGen Cooling allegedly told the female SASC attorney during a one-on-one meeting [REDACTED] [REDACTED] We attempted to interview the SASC attorney but the Office of the Senate Legal Counsel did not make her available to interview with us or respond to written questions. BGen Cooling recalled the meeting but denied making the comment. There was insufficient evidence to determine whether BGen Cooling made the alleged comment.</p>
<p><u><i>Senate and House Staffers:</i></u></p> <p>The [REDACTED] said that BGen Cooling told her that one SASC and one HASC congressional staffers [REDACTED] No one else was present. BGen Cooling denied making the comment. There was insufficient evidence to determine whether BGen Cooling made the alleged comment.</p>
<p><u><i>Football Bat:</i></u></p> <p>BGen Cooling told two staff officers that they were [REDACTED] than a football bat" after they failed to reschedule a meeting. The staff officers acknowledged the mistake and promised not to repeat it. One of the staff officers made a "football bat" to commemorate the comment and brought it to the office because the comment was "funny." The second staff officer said the comment was "comical." The exchange "became a point of humor" among staff members. This comment did not violate a standard.</p>
<p><u><i>Senate Armed Services Committee Attorney (Male):</i></u></p> <p>BGen Cooling allegedly told the [REDACTED] that a male SASC attorney was a [REDACTED] [REDACTED] The [REDACTED] said that BGen Cooling's deputy was present. BGen Cooling's deputy recalled the conversation, but he told us that he never heard BGen Cooling refer to the SASC attorney as a [REDACTED] BGen Cooling denied making the comment. There was insufficient evidence to support that BGen Cooling made the alleged comment.</p>
<p><u><i>Critical Thinking Skills:</i></u></p> <p>BGen Cooling told a staff officer who was working on a product for presentation to a Member of Congress that she was "just not exercising the critical thinking skills of a field grade officer." No one else was present. The staff officer said that BGen Cooling never said anything "that blatantly offended me that I felt was necessarily sexist." Although BGen Cooling did not recall the comment, he told us that the comment sounded like something he would say. This comment did not violate a standard, as we determined BGen Cooling was making a performance-related observation of the staff officer's work product.</p>
<p><u><i>Assistant Commandant of the Marine Corps (ACMC):</i></u></p> <p>BGen Cooling allegedly told the [REDACTED] that the ACMC was a "[REDACTED] aviator." No one else was present. BGen Cooling denied calling the ACMC [REDACTED] or [REDACTED] The [REDACTED] [REDACTED] claimed she told BGen Cooling's deputy that BGen Cooling had made this alleged comment. BGen Cooling's deputy did not support that assertion. There was insufficient evidence to support that BGen Cooling made the alleged comment.</p>

Senate Armed Services Committee Attorney (Female):

The [REDACTED] said that, on one occasion, BGen Cooling called the female SASC attorney a [REDACTED] during a conversation in BGen Cooling's office. BGen Cooling denied making this comment. The [REDACTED] said that she told BGen Cooling's deputy and a staff member about the comment. The deputy told us that he did not recall the [REDACTED] telling him about the comment. The staff member told us that, from his office, he heard BGen Cooling make the comment during a conversation between the [REDACTED] and BGen Cooling. The [REDACTED] said the staff member could not have heard the conversation from his office. The [REDACTED] and staff member's recollections differed significantly concerning the month, location, topic of conversation between BGen Cooling and the [REDACTED], and precisely what words BGen Cooling allegedly said. There was insufficient evidence to support that BGen Cooling made the alleged comment.

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