



Ethics and Acquisition Professionalism: It is All About Trust

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One of my predecessors as Under Secretary for Acquisition, Technology, and Logistics, and my former boss, John Betti, once commented to me, “The most valuable thing any one of us has is our credibility; once credibility is gone, it can never be recovered.” Credibility, or our capacity to have other people trust what we say, is essential to any successful acquisition professional. Trust in our credibility matters when we interact with our supervisors, subordinates, customers (military operators), the media, Congress and industry—in other words with everyone we encounter. Once we lose credibility with any one of these groups, we aren’t far from losing it—and our effectiveness—with all of them.

There are a lot of ethics-related topics I could write about. I’ve chosen this one partly because of its importance, but also because of the frequency with which I’ve seen problems in this area and finally because it takes us into an area where there are a lot of shades of gray.

I won’t say much about the basic rules we are required to follow as a matter of integrity and public confidence, but I will mention them briefly. If you are a dishonest person who would violate fundamental ethical requirements, say by accepting a bribe in some form, then there probably isn’t anything I can write that would change that fact. If you are likely to yield to that sort of temptation, we will do all that we can to catch you and put you in jail. If that doesn’t deter you, I don’t think an article will have much effect.

Sustaining trust in our integrity as public servants also demands that we be very careful about avoiding any appearance of unethical conduct. We are reminded of these requirements frequently and all of us should follow them. The ethical problems I’d like to address instead involve times when one of us might be tempted to do something wrong

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in our professional lives because of a goal we believe has real merit; in other words, to rationalize that good ends justify unethical means. In my experience, those unethical means often involve misleading a decision maker, authority or stakeholder in some manner. People generally don't go to jail for this type of behavior and we aren't talking about appearances only. The people who commit these ethical lapses do, however, sacrifice their credibility—and sometimes their careers.

I'm sometimes asked about why the government or, more specifically, the Office of the Secretary of Defense, doesn't trust one party or another more—or even why I personally do not do so. When I'm asked this, it is usually in the context of someone asking for a decision such as a business commitment, or reducing the oversight used, or a milestone delegation, or agreement to limit risk mitigation activities and expenses. The party asking can be someone from industry or a military department program manager or another senior leader. The answer, I'm afraid, is simple enough: experience. My life in the military, government and industry taught me that it isn't wise to give trust away for free; it should be earned. We are all involved in situations where we are trying to persuade someone to accept our point of view. It can be for approval of a milestone or authorization of funding or continuation of a program. There can be strong temptations in these cases to be something less than fully honest. This is the gray area I want to discuss.

I'll start with what I consider unethical attempts to influence decision makers or stakeholders. The extreme form of this is simply lying. I have very rarely, as far as I know, been directly lied to by a government acquisition professional. I did have one well-reported occasion when direct lying was practiced. It originated in a program executive office associated with the infamous Navy A-12 program. That individual was relieved and forced to retire when it was revealed that he had directed his subordinates to report lies about the program. It shouldn't be necessary for me to exhort anyone in defense acquisition not to cover up problems in a program by actively lying about them. If you are doing that, my advice to you is to get out of our profession. The rest of us do not want to work with you.

The form of ethical lapse I have seen too often consists of more subtle attempts to mislead decision makers in order to obtain a desired result. There are two forms of conduct that in my experience are much more common. The first is simply omitting information that would support a conclusion that is different from the desired one. The second one I'll refer to as "marketing," which falls short of direct lying but not by a wide margin.

I think I'm a realist, and I know that when a Military Department asks me for a decision when it has already decided what

that decision should be. As the Defense Acquisition Executive (DAE), I'm not being asked by the Service to figure out the right decision; I'm being asked to ratify the one the Service believes it has already effectively made. Going back to John Betti for a moment, John came into the Department of Defense (DoD) from a nondefense company where he was a senior executive. Originally, John approached his job as DAE as being similar to a corporate chief executive officer being asked to make a decision about an investment for a company. I explained to John that DoD worked a little differently. I told him he should think of it more as if he were a banker being asked to approve a loan. The applicant (Service) already knows it should get the loan; its only interest is in getting the loan approved. There is no incentive for a loan applicant to explain in detail all the reasons his credit rating is overstated or to emphasize risks that the business plan might not be successful. Despite this disincentive, we do have an ethical obligation to provide senior decision makers with all the relevant information they should have before they can make an informed decision, whether or not it supports the decision we would prefer.

In this regard, the best way to ensure credibility is to tell the whole story. It's fine to make recommendations, and even to advocate for a decision you support, but it is not fine to omit important facts of which the decision maker should be aware before he or she makes the decision. Another of my bosses was Dr. John Deutch, also a former Under Secretary for Acquisition. John is one of the smartest people I've ever met. When I worked for him, John had a habit, however, of leaping ahead on a subject and reaching a conclusion before I could give him all the information he needed. On more than one occasion, I had to physically grab him and insist that he have the patience to wait for some more information from me before making a decision. Even if I thought he was right and making the decision I supported, I still wanted him to have all the relevant information. This was partly out of self-interest as well as a sense of the duty I owed to my boss. If I didn't give him the full story and his decision was later proven wrong by events, I didn't want to be in the position of not having given him all the relevant data—my future credibility with him was at stake.

For supervisors especially, please note that when we do any of the things I have described we are effectively training our workforce that these practices are "OK." One reaps what one sows.

The second type of behavior I see fairly often can be described as "marketing." A friend of mine in business was once appalled at the lies her associate was telling a prospective client. When challenged, the sales person responded, "That wasn't lying; it was marketing." In this case, what I'm referring to is a little more of a gray area; it consists of claims about judgments, such as risk levels, or future implications of decisions that stretch the truth instead of breaking it. More extreme versions of "marketing," as opposed to objective presentation, are easy to spot. It doesn't take too many questions to find out whether there is real substance behind an assertion or, to use a phrase from the legal world, to discover that the claim being made is "mere puffery."

I've found it to be an important practice to try to find out if a program manager (PM) is trying to "sell" me, or if he or she is really on top of the program and has a real basis for the assertions made. (As a style comment a "just the facts ma'am" delivery works a lot better with me than that of a used car salesman.) Most PMs are very professional about this; some are not. Once a PM told me his optimistic schedule projection was made because he planned to do things "differently." Unfortunately, when I probed a little more deeply, he had no specifics whatsoever about what he was going to do "differently." In short, we shouldn't make claims we can't back up just to get someone's approval.

In another instance, a PM told me the new design turbine engine for his UAV program was low-risk because it had over 100 hours of testing on a prototype. I asked him based on past experience how many hours of testing a new engine should have before it is ready to enter serial production. He had no idea. (Hint: It's a lot more than 100.) It doesn't take too many questions to find out if a PM, or anyone else, knows his business and has done his or her homework. If you haven't done your homework and get caught trying to fake it, you can forget about trust or credibility as an asset.

I'll also mention similar behaviors that don't occur as often, but which I have seen, including relatively recently. One that particularly galls me is the "let's hope he doesn't read

it" approach to getting something approved. Occasionally people will insert an action that they know I'm likely to disagree with into a document in the apparent hope I will miss it and grant approval. Even if I discover what I've done later, I would be in the unfortunate position of having to reverse myself. This doesn't happen often, but when it does the major impact is that I will read all the documents from the same organization very carefully in the future. A variation on this approach is to insert elements into a program option the Service or the PM doesn't support largely to make that option look less attractive from a cost or schedule perspective. I've seen this done to try to prevent congressional action that was opposed by the Service, and I've seen it done to try to dissuade me from a course of action I as the DAE thought was worth considering. When I see such actions, the organization does not earn my trust, nor do the responsible individuals.

One other behavior I see on occasion is what lawyers call "the parade of horrors." (Although I'm about 80 percent engineer, legal training provides some useful insights.) The phrase "parade of horrors" refers to the use in legal argument of a long list of all the really bad things that will happen if the judge makes a ruling the party opposes. These lists tend to be very speculative and inflated but not entirely fanciful. I do find it amusing when I'm told that any decision to change a requested program, in any direction other than precisely the requested one, will have equally negative consequences for cost or risk. In short, adding a lot of weak or speculative arguments to a recommendation can have the opposite of the desired effect.

While I've focused on some gray areas within my own interactions in the Department, the points I'm trying to make about earning and sustaining credibility apply equally well when we deal with outside stakeholders, especially Congress, industry and the media. For supervisors especially, please note that when we do any of the things I have described we are effectively training our workforce that these practices are "OK." One reaps what one sows.

The bottom line is that we should not let advocacy for a position, no matter how sure we are that it is correct, push us outside of ethical constraints. We don't just need to tell the people we are responsible to the truth, we need to tell them the whole truth. We need to be clear about what we know and what we don't know. We need to clearly distinguish between things we know and things we have informed opinions about. We must be able to back up our assertions with facts and sound logic or we shouldn't make them. We certainly should not try to sneak anything by the people or institutions that make decisions we are bound by. Building our credibility as defense acquisition professionals is a career-long effort. Destroying it only takes a moment. John Betti was right; our credibility is our most valuable possession. 