

Pentagon's Top Inspector General Speaks to Program Manager

"Be Honest, Be Fair, Be Accurate, Be Thorough... Then Let the Chips Fall Where They May"

Business is flourishing at the Department of Defense Inspector General (DODIG) located on Army Navy Drive in Arlington. But the new Inspector General, Eleanor Hill, is relishing the challenge. On February 21, speaking from her 10th floor office on Army Navy Drive in Arlington, she spoke to *Program Manager's* representatives at length on the subject of acquisition and procurement reform. Hill is absolutely confident that the DODIG is not only moving out and cooperating with the Pentagon's acquisition reform initiatives, but actively seeking ways to improve on those reform initiatives and processes already established by law or policy.

Don't expect business as usual or status quo from this poised, knowledgeable, articulate former prosecutor and trial attorney. She has keen insight into how she intends to integrate the DODIG's role into the arena of procurement and acquisition reform throughout the Department of Defense. As soon as we can again book a spot on her busy schedule, look for her as a distinguished guest lecturer or visitor to the College's main Fort Belvoir campus. *Program Manager* is indeed pleased to present our interview with Eleanor Hill, the Department of Defense Inspector General.

Program Manager: *Let me ask you a little bit about yourself first. As the Department of Defense Inspector General, would you please describe your job for our readers.*

Mr. Gibson LeBoeuf, Holder of the Navy Chair, DSMC Executive Institute, conducted the interview with Ms. Hill on behalf of the DSMC Press.



ELEANOR HILL, DEPARTMENT OF DEFENSE INSPECTOR GENERAL, SPEAKS TO *PROGRAM MANAGER* FROM HER 10TH FLOOR OFFICE ON ARMY NAVY DRIVE IN ARLINGTON, VA.

Hill: It's a very broad but fascinating job – I'm never bored. There's no danger of that happening. It's the largest of the 28 statutory inspector generals in the government. On the one hand, the statute provides that the Inspector General report to and advise the Secretary of Defense on matters relating to the prevention and detection of waste, fraud, and abuse in all the Department's operations. At the same time, the statute provides that the Inspector General shall report to the Congress, keeping the Congress "fully and currently informed" on those same areas. I know from my years on the Senate staff that the Congress has re-

peatedly emphasized its concern that the Inspector General, while working closely and constructively with Department management, maintain the ability to fully and independently report to the Congress when appropriate.

As far as the scope of our work, our statutory mission is an extremely broad one, giving us audit and investigative authority in any areas of Department operations that the Inspector General considers "appropriate." Generally, we exercise that authority by focusing our attention on allegations of fraud, waste, abuse, misconduct, or other areas of potential impropriety or inefficiency. We do all of that, hopefully with the idea that we can in some way help the Department improve its ability to effectively and efficiently carry out its mission.

Program Manager: *Quite an extensive responsibility indeed. We've read in your biography that you have quite an extensive background in the Executive as well as Legislative Branches of government. Would you elaborate on that experience, and tell our readers how those credentials resulted in your appointment as the Pentagon's top Inspector General?*

Hill: I have been very fortunate throughout my career. I've loved my career. I've always had great jobs. A lawyer by trade, I started out as a federal prosecutor in Florida. I was an Assistant U.S. Attorney for three and a half years or so; then became what was called a Special Attorney with the Justice Department's Organized Crime Strike Force. In those jobs I was basically a trial lawyer, a litigator, doing a lot of criminal trial work and some civil work, representing the Justice Depart-

ment and the U.S. Government in a number of cases. From there I did what you alluded to – I left the Executive Branch and came to Washington in 1980 to work in the Senate – the Legislative Branch – which is quite different.

Program Manager: *Yes, it is – quite different.*

Hill: As it should be. Each Branch should have its own personality and be a little different. I worked there for almost 15 years, working with the Permanent Subcommittee on Investigations in the Senate, which is a subcommittee of the Committee on Governmental Affairs. It's purely investigative in nature and is the largest subcommittee in the Senate. It does congressional oversight and has a broad, broad mandate for oversight of all government programs, including: criminal activity; law enforcement issues; waste, fraud, and abuse; and all kinds of things. I started there as an Assistant Counsel; then became Chief Counsel to the Minority; then became Chief Counsel and Staff Director for the Majority; and then went back to Chief Counsel for the Minority right before I became the DODIG.

Throughout that time, I developed and put together investigations and hearings, and managed the staff – all for Senator Nunn, Sam Nunn of Georgia, who was the Chairman and Ranking Minority member throughout the years I was there. So I worked closely with Senator Nunn who, as your readers would know, at the time was also the Chairman and now is the ranking Minority Member of the Armed Services Committee. So although I wasn't solely involved in defense issues, I had some interplay with defense issues because of the relationship between certainly our Subcommittee, the Armed Services Committee, and Senator Nunn.

I think I've been fortunate in that my work with the Justice Department certainly gave me a good idea of how to investigate a case, how to put together a criminal prosecution, that sort of thing, which now serves me well as the Inspector General. My work in the Sen-

ELEANOR HILL

Department of Defense Inspector General

On March 1, 1995, Eleanor Hill took office as the Inspector General of the Department of Defense. She was nominated for the post by President Clinton on January 5, 1995, and was confirmed by the Senate on February 24, 1995.

From 1980 through February 1995, Hill was associated with the United States Senate's Permanent Subcommittee on Investigations, where she managed a wide variety of complex domestic and international investigations over the years.

Throughout her tenure as the Subcommittee's Chief Counsel to the Minority (1982 – 1986 and January – February 1995) and Staff Director and Chief Counsel (1987 to 1994), she served as principal advisor to Senator Sam Nunn (D-Ga.) during his tenure as both Chairman and ranking Minority Member of the Subcommittee on a host of investigative, oversight, and criminal law issues.

In her work at the Subcommittee, Hill directed investigations and prepared public hearings on, among other things: organized crime; money laundering; federal drug enforcement efforts, including those by the Department of Defense; fraud and abuse in federal student aid programs; fraud and abuse in the insurance and re-insurance industries; allegations of mismanagement in the Blue Cross and Blue Shield system; oversight of the federal security clearance programs; and labor racketeering. In doing so, she supervised a Subcommittee staff of attorneys and investigators and worked closely with other congressional offices, the General Accounting Office, and numerous federal, state, and local agencies.

As a result of those investigations, Hill was directly involved in the legislative process in a number of areas, including substantial work on comprehensive anti-crime and anti-drug legislation in 1984, 1986, and 1988; student loan reform proposals in the Reauthorization of the Higher Education Act; and drug enforcement-related amendments to the 1989 and 1991 National Defense Authorization Acts.

In 1987, Hill also served as counsel to Senator Nunn for purposes of his tenure on the Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition.

Prior to her work in the Senate, Hill had extensive experience as a federal prosecutor and trial attorney. Upon her graduation from law school in 1974, she served first as an Assistant United States Attorney and subsequently as a Special Attorney with the Department of Justice Organized Crime Strike Force – both in Tampa, Florida. She directed numerous federal grand jury investigations and tried a wide variety of federal criminal cases, including lengthy and complex prosecutions of organized crime, racketeering, fraud, public corruption, and white collar crime.

Recognized for her investigative experience in both the Executive and Legislative Branches, Hill has been commended by law enforcement and civic organizations, and has been a featured speaker at numerous professional meetings and seminars.

A native of Miami Beach, Florida, Hill graduated magna cum laude from Florida State University in 1972 and received her law degree, with high honors, from Florida State University College of Law in 1974. She is a member of honoraries Phi Beta Kappa and Phi Kappa Phi.

Hill is married to Washington attorney Thomas Gross. They have one son, Bryan Michael Gross, age two.



ate I think, particularly because of the Subcommittee I was with, and Senator Nunn's work, gave me a tremendous background in oversight and a real good insight into how government works and how it should work, e.g., efficiency issues, fraud issues, abuse issues — all of that has served me well in the time that I've been in this job.

Program Manager: *We're going to have to invite you down to the College to speak to our program managers. In that vein, we've had the former Deputy Inspector General, Derek Vander Schaaf, speak at our College on various occasions. More recently, he made a speech at the school in which he stated that, "The Inspector General has been in the forefront of acquisition reform." Would you care to further elaborate on his statement?*

Hill: I know that long before I came to this job, Derek was very active in the acquisition reform effort. He spent a lot of hours working with our staff and the Department on how to really polish the proposals for acquisition reform — what makes sense and what doesn't. In that respect, I agree with him completely. I think that acquisition reform is something that, historically, this organization has supported in the government. Obviously the goal of acquisition reform is to make the whole procurement and acquisition process much more efficient, much more streamlined, enabling program managers to get the job done with the least amount of paperwork, burdensome oversight, and unnecessary work possible. And that is something that, by its nature, the DODIG would support.

Our people have been actively working acquisition reform issues through the legislative process; we've given substantial comments to Capitol Hill on different legislative proposals for acquisition reform. Our staff has worked extensively with a number of groups in the Department that have been drafting reform proposals and putting together the Department's views on how to implement them. We've been a part of that entire effort. So Derek is right. The DODIG has been very actively in-

involved in acquisition reform, and they should be, and will continue to be, as that process evolves.

Program Manager: *You've basically affirmed to our readers that the DODIG has been involved in and felt the effects of acquisition reform. How is it changing the way you actually conduct the business of the DODIG?*

Hill: It has become a priority for us in terms of giving advice, working with management, and commenting on legislation. We spend a lot of time on it. It's an issue that we didn't spend as much time on years ago because the proposals weren't out there. It's also affected us in terms of how we do things like audits, investigations, and oversight — I don't think it's going to radically alter the fact that we're still going to do those things. But obviously, our emphasis is going to be targeted to areas in the new process that make sense, those areas where we can most effectively use our resources.

Also, the whole idea of streamlining the procurement process and the acquisition process includes addressing complaints that there has been too much paperwork, too much oversight, too many audits. That has affected us in that we have been actively involved with the other audit agencies in trying to tailor our audit and oversight processes to really get the "biggest bang for the bucks" so to speak. We want to improve oversight to the point where it's effective, but not unreasonably or unnecessarily burdensome on program managers and people who operate acquisition programs. So I would say that we've adapted and are still in the process of adapting to the new procedures. However, I don't think it's going to radically change or eliminate most of the things that we have historically done.

Program Manager: *One of Paul Kaminski's hot buttons in the acquisition reform implementation has been Integrated Process and Product Teams or IPPTs. They've sort of become the cornerstone of acquisition reform. How does the DODIG play a role in*

these IPPTs, and yet maintain their independent oversight role?

Hill: We have been active in some of these process action teams that, as I understand it, have looked at more systemic, broader issues of how to put these reforms in place. We have been supportive of those efforts, and I think we should be. On the IPPTs, however, I think there may be a couple of issues that would limit our ability to participate.

One, as I understand that process, they're going to address fairly specific projects and programs. So it raises in my mind a resource issue. We are in a downsizing mode right now along with the rest of the Department, and I'm not sure that we could maintain an active and productive role in each one of those IPPTs, and yet still be able to fulfill our oversight and audit responsibilities elsewhere. So I don't know that we have the resources to do it full force.

The second issue concerns the question of independence. As I understand the IPPTs, they are going to be making management decisions for programs, and really putting those programs on a path in one direction or another. I don't know that we should be a part of the management decision making team. We are more of an overseer and an advisor. Certainly, there's a role for us if an IPPT needs advice in an area where the DODIG staff has developed considerable expertise. We clearly should give the IPPTs the benefit of what we have learned in our work that may help them make their management decisions. On the other hand, I don't know that the DODIG should be an active participant in making management decisions when we then have to do subsequent oversight on the effect of those decisions. We can work with the IPPTs as advisors, but probably not as a *formal* part of the decision-making process.

Program Manager: *Yes, we understand completely that the DODIG must, of necessity, maintain its role of oversight and auditing. As you know, much of the acquisition reform agenda is directed toward the program managers' use of good judg-*

ment, and we're trying to focus now on more risktaking as opposed to risk aversion. With that kind of a philosophy for program managers, what kind of concerns might you have regarding this new way of doing business?

Hill: The old saying, "moderation in all things," probably best summarizes my concerns. Perhaps I was a prosecutor too long. When I hear talk about more risk-taking, I just hope that we don't go from one extreme to the other. I realize that over the years the acquisition process had become so overburdened with rules, and regulations, and processes, and paperwork that it was not very efficient. Clearly, I am very supportive of doing away with some of that and getting down to the basics so that we can accommodate risktaking where it's reasonable and makes sense. There are ways that program managers can do that. As I said, however, we have to practice *moderation* as we do this — we need to have some reasonable balance. It's one thing to say we want to take reasonable risks and not unreasonable risks; it's another thing for people to jump from that and assume that we are taking *all* risks and that there is *no* risk.

My own view comes from years of oversight of federal programs and years of handling criminal prosecutions. I have done a lot of work on fraud cases — criminal fraud, including abuse of government programs. The one thing I have learned over the years is that if you have a lot of government money available in a program — I don't care which Department it is — and there is a belief in the public domain or in the minds of the people who deal with that program that the controls are very lax and there is very little oversight, you are going to have problems. Some people are going to come in and try to take advantage of that program.

I keep hearing talk about the quantity of risk. Well, the problem is, risk is almost impossible to quantify. If you only have one person out there who's going to take advantage of that program, some may say you have just one incident of abuse. But that one person can run a scheme that can bilk the government of millions



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and millions of dollars. So I think we have to use common sense and good judgment. And we have to make very clear to people that yes, we are going to take some risks. But we're not opening up the programs to every risk. We are going to continue with some effective oversight and some effective controls on these programs. And I think as long as that message gets out there and we steer somewhat toward the middle, I think we're on a good course. But the danger is that somebody may take it the wrong way and just say, "well nobody watches anything anymore, the gate's open —let's go"; inevitably, that's what we must guard against.

Program Manager: Along those same lines then, the movement now in acquisition reform is really to put more trust in the contractor or "self-governance" with less regulation. Do you believe this is a good idea? Why or why not? Will this, in your opinion, result in increased contractor fraud or increased workload for your organization?

Hill: I think self-governance is a laudable goal, and it's a good idea in the sense that government ultimately must, to some degree, work on the honor system. We don't have the resources, particularly in these days of budget constraints, to police every aspect of federal contracting, just as we don't have the resources to police every street corner in America. Every bit of *good* self-governance that we can get out of the defense industry is going to be a positive thing. It's going to help us in the sense that the more the industry looks after its own house and has good controls, the more it helps the government to have those controls in place, in addition to the federal resources for additional oversight.

On the other hand, I don't think you can rely completely on self-governance. You have to couple self-governance with some effective oversight. The defense industry, like any industry, has to understand and believe that even though we're becoming more streamlined and relying more on them in our oversight efforts, and they're seeing us less often, that there's still a chance they're going to see us. And they have to understand that

when they do see us, we're going to take a thorough look at what they're doing. You have to have the belief and the acceptance in the industry and in the private sector that there is going to be some government oversight.

I'm not speaking so much to those who would never misuse a government program — and I'm sure that's the majority out there — but to the few who would be tempted to abuse a government program. They need to know that there is a chance they're going to get caught. And that happens when you have effective oversight. So, I think we should work with industry; we should get them to do as much self-governance as they can. We should set high standards for self-governance and work with them so that they do it in the best way possible. But we have to couple that with the idea that there is going to be some checking. There is still going to be some good, thorough oversight by the government. Maybe not as much, but enough that people will know that there are still rules and regulations, and standards that must be complied with.

Program Manager: *Then obviously, self-governance is not just a case of handing the keys over to the contractor. Let's turn back to acquisition reform. This next question has a little bit to do with IPPTs, but we'll touch base on some other issues. As DoD increasingly adopts commercial specifications and standards, commercial products and services, and commercial practices, what role change do you see for the DODIG?*

Hill: We've been supportive of commercialization where it's reasonable and traditionally have endorsed efforts to increase reliance on commercial products where it makes sense. However, I'm somewhat concerned that some people may think that commercialization is going to solve everything and eliminate all the problems. There are still potential areas for problems, even with commercial products. For instance, we do a lot of work now on this whole issue of determining what requirements are going to be. And that's going to be true, even if you go commercial. Somebody is going

to be looking at whether the decision to use this particular commercial product or this type of product makes sense, and whether it really is going to get us where we want to go. So we're still going to be looking at that. We're still going to be looking at the delivery and the performance of government contracts, even if they're commercial. Finally, even in the commercial sector, large companies do require certain cost and pricing data. So you're still going to have issues of reasonableness and accuracy of cost and pricing. Frankly, I think we may be focusing more on different aspects of the process, but the workload will pretty much be the same.

Program Manager: *Let me turn your attention now to the Roles and Missions Commission. We're going to ask you one somewhat broad question, and then go through some other related items. What is the DODIG's position on the following recommendations that were recently proposed by the Roles and Missions Commission? The first one is the issue of Centralizing the Acquisition Audit Planning.*

Hill: We've made a lot of steps in that direction — centralizing in the sense that we have our organization working closely with the military auditor general organizations and the Defense Contract Audit Agency (DCAA). We have set up audit planning processes wherein we are trying to get all the heads of the Department's audit agencies together on a regular basis to really advise each other on what we're planning to do. We try, to the extent we can, to make sure that we're really targeting our resources on the things that make sense; that we are not duplicating each other; and that we're not sending 10 teams of auditors to the same institution or office to do the same thing. And I think that's what the Commission was getting at — that we ought to try and streamline the process.

I think it's working quite well. But there's another part to it that we need to factor into the process. We're just starting to get, in addition to having the audit teams talk about what they're going to do, some input from acquisition management as to what they need us to look at — what

makes sense in terms of their own needs as managers. I'm told we are now starting to get that kind of input from the acquisition community. Hopefully, that process will continue; the longer this process goes on, the better it's going to get.

Program Manager: *Along those same lines, what is the DODIG's position on the next recommendation made by the Roles and Missions Commission, which was coordinating the work of the government auditors with the work of the contractors — both internal and external auditors. We notice you have all of the DoD auditing agencies meeting — are you including the contractors?*

Hill: This gets to an area that we talked about previously — the self-governance issue. And there are some programs that have been set up — DCAA has done some work in this area. In fact, I think DCAA, before they actually go in, really looks at what the contractor is doing in terms of their own internal audits. There's a program called the Contract Risk Assessment Guide Program. In planning an audit, it helps us ensure that we don't unnecessarily duplicate things that the contractor is already doing. So I think that's another good recommendation; it's already being done to some degree, and I think it's going to be done more and more in the future. The more sophisticated these self-governance programs get in industry, the more you're going to see that interface between their auditors and ours in terms of planning overall audit approaches, what we're going to look at, and what we don't need to look at.

Program Manager: *With a little stretching, one could almost label that an IPPT of sorts.*

Hill: You're absolutely right. I've spoken to some industry groups. There's a defense industry initiative on ethics, which focuses not only on business ethics and good government and business principles, but also on this whole issue of self-governance. And I know they've put a high priority on that, and they have very strong supporters of it within their membership. There's a very healthy move in

the defense industry to really make that a serious effort. They're working to get it to the level where government can look at it and feel fairly comfortable that the industry's doing the right thing.

Program Manager: What is your position on permitting defense contractors to use modern commercial activity-based cost accounting systems to meet the government's needs for cost data?

Hill: Not being an accountant, this is not my particular area of expertise, but as I understand it there have been some studies done of these "ABC" systems, and there are still some questions out there. Some contractors feel it's too expensive, that it doesn't really suit their needs. Some question how effective it may be, suggesting that other systems are better. Until we have a better feel for whether this makes sense and if it makes sense for everybody, I think you should give some leeway to the contractor to really decide what fits their particular situation best. Apparently, there's still some concern out there that it may be good for some people, but not for everybody.

Program Manager: Do you support the recommendation to consolidate the Defense Contract Audit Agency with the Defense Contract Management Command?

Hill: Now that one I'm reserving judgment on because, as you probably know, we are in the middle of a study on that very issue. There's a lot of proposals out there about consolidating activities, about streamlining government, and becoming as efficient as we can in areas where there may be duplication of effort. And I think that was a concern about DCAA and DCMC; that it might make more sense to consolidate their activities. The Department has asked us to do a study on that issue, and we are doing it. We're going to try and give it the most in-depth review possible, including whether there should be total consolidation, whether there are some possibilities for partial consolidation, or even no consolidation. So we'll look at a whole spectrum of alternatives to decide which one really makes sense in terms of effectiveness for the Department. At this point, I don't



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want to jump to an unfounded conclusion before the study is done.

Program Manager: Understandable. Having gone through all this discussion, and knowing how the government is heading with acquisition reform and with the new legislation that just passed, what would be the single most important advice or counsel that you would give to a new ACAT I or II program manager?

Hill: I'd probably tell them a couple of things. Number one – they need to be open to change. They cannot be wed to traditions, rules, or processes that may have been around for years and years and years, but that no longer make sense. Things are changing in government; I think that's pretty obvious. And you cannot hold on to the status quo and hope it's going to stay that way forever without opening your eyes and looking around you, and seeing how everything is changing around you.

So they need to be open to change. And they also need, in dealing with change, to exercise really good judgment. They need to use some common sense in all of this. I would say, "Look at what it is you're doing; you know where you want to get; are you doing this in the most reasonable, and rational, and effective way? Does it make sense in terms of where we want government to get to?" That sounds pretty simple; however, as they say occasionally, "common sense is not so common." Sometimes that's true. I just think program managers need to be open to change, look at what's being proposed, and try and use their best judgment – the judgment they would use in the most important of their own affairs – and apply it to what they're doing for the government. It's a tough job, and it's tougher, I believe, as things change around you.

Program Manager: We assume also that taking some of the counselor advice that the IG might have on an IPPT when they're dealing with a program manager might be another category of advice you would support for ACAT I and II program managers?

Hill: Yes. We would certainly hope they would be open to our advice, and try

and seek the best advice, not just from the IG, but from people who have dealt with the problem and have seen it from other perspectives. I would say, "Get as much information as you can; then use some good common sense and well-reasoned judgment, and hopefully you'll make the best decision for your program."

Program Manager: *We have one last question, and this may go back to a parent or whomever. You've obviously had a very phenomenal career. What is the best advice you ever received from anyone that brought you to the position in government that you occupy today?*

Hill: I have been very fortunate in that I've gotten lots of good advice over the years from many, many people – from mentors and friends and people I've worked with. So it's really hard for me to single out one specific thing. Probably what I would say is that both my parents – my mom and my dad together, not only by what they said but by their actions – really gave me the message early on that you need to be honest, you need to be fair, you need to be thorough in what you do. Then they coupled that with (and this is equally important) you

need to treat people the way that you would want to be treated. That may sound pretty basic, but sometimes if you stick to the basics, everything else seems to fall in place. And I think, in a lot of ways, that has been a real good guidepost for me, not only in terms of my job, but my life across the board. But that's a tough question...

Program Manager: *Yes, but that's a good answer. We think those attributes you just mentioned are a sound foundation for your current job, and a sound philosophy for life in general.*

Hill: It was difficult, certainly as a prosecutor and even in the Senate as a congressional investigator, to sometimes tell people things they didn't want to hear; and certainly the IG does that too. But I have always felt, whether I was drafting indictments or writing a draft of a Subcommittee report, or reviewing an internal inquiry here, that if you do a thorough job, you're accurate, and you're fair and balanced, you have to let the chips fall where they may, and people can't fault you for that. That's a tough standard to live up to sometimes, but that's what we strive for.

Program Manager: *We want to make sure that we didn't leave an opportunity for you to convey any other message you might have for our readers.*

Hill: The only message I would have is to remember we are the Office of the Inspector General for the Department of Defense. We work not only for the Congress, but we also work for all of the Department of Defense. If they think we can help them – I know with downsizing and other changes it's a difficult time for the Department as it is for other agencies – that's what we're here for.

Program Manager: *We think that's a good point to get across. Some people tend to forget that the DODIG does work for the Congress as well as the DoD.*

Hill: We do. Just because we work for the Congress doesn't mean that we cannot help the Department and vice versa. We're supposed to help both of them – and we hope we're doing just that.

Editor's Note: *Program Manager gratefully acknowledges the assistance of Bill Price and Cindy Comstock, DODIG, in coordinating the interview and final manuscript.*

DIRECT SATELLITE BROADCAST

Sponsored by the
Joint Logistics Commanders,
Joint Group on Systems Engineering

Date: September 5, 1996

Time: 11:30 a.m. - 3:30 p.m. (EDT)

Location: For area availability call (703) 418-4574, ask for "JLC Broadcast"

Subject: "Practical Software Management." John McGarry of the Naval Undersea Warfare Center shows how to identify potential problems in time to successfully field software on time and within budget.