



## You're the Judge

*In this column, we feature cases that center on an ethical dilemma and invite you to be the judge. Some of the cases involve agencies outside DoD, but the issues they present are equally applicable to the defense acquisition community.*

Joe G. is an acquisition official working in DoD. He and his neighbor Jim M. are good friends and have been golfing buddies for 20-plus years, playing on an almost weekly basis. Jim M. retired from the military about eight years ago and now works for a defense contractor. Joe and Jim both hold senior positions in their respective organizations. As has been the custom since they first started golfing, they end each round of golf on the 19th hole, where they alternate buying each other drinks and appetizers.

For the last couple of years, Jim's boss, Bill B., has joined Joe and Jim about four times a year. Bill is not much of a golfer and always makes amends for his poor game by picking up the entire tab at the 19th hole. The amount depends on the course where they are playing, but it generally runs about \$15. However, on one outing, Bill got a hole in one, and his wild celebration that day ran over \$40.

### **You're the judge:**

*In accepting hospitality from Jim and Bill, does Joe have a Standards of Conduct problem?*

*The verdict is on page 36.*

understand the entire budget and their allotted portion (see "5. Communicate").

Of course, you must also plan—and possibly replan—your schedule. Make a determined effort to stick to the original schedule (remember, be merciless about commitment). No one—not the customer, not the team members, not you—will be happy about a schedule that keeps slipping. If a schedule slip seems imminent, consider de-scoping or deferring the additional work to a new team or to a subsequent review. For example, if a technical review begins finding cost irregularities, stick to the technical review and set up a separate cost review team or postpone the cost review until after the technical review is complete. Any out-of-scope effort your team thinks is needed should be recommended in the outbrief. Work with the team and the customer to determine if partial

results delivered on time are better than a more complete product delivered too late to have an impact.

### **5. Communicate**

Communicating constantly may be the most important of all the leader's activities. Make sure each team member has access to every shred of information you create or receive. No team member should be able to say, "But you never told me ... ." Set up lists for voicemail, e-mail, and documents. Use delivery confirmation to ensure the e-mails arrived at their destination. Encourage members to copy their inputs to the entire team, and if they don't, you immediately forward them to each member. Have short but frequent status meetings with the team and with the customer. Invite the entire team to the team meetings, and be honest about current and potential difficulties. Ask the members their opinions, and consider what they say carefully, taking into account their different communication styles. Develop an ingrained habit of asking yourself, "Have I let everyone know what happened today?"

### **6. Lead**

Okay, you're the leader—now lead. This is harder than it sounds, and there are many articles and books that discuss leadership. Don't be intimidated by team members more senior or more skilled than you or by insistent or aggressive members. A very important part of leadership is to work hard. Set an example of the dedication and high quality products you expect from the team. Figure out a vision and methodology, discuss it with each member individually, then help the team modify it as needed. A leader must make decisions. If you are communicating regularly with the team, they will understand why you made a decision even though they may not agree with it. Make sure you take charge of meetings and that everyone's voice is heard.

The customer will expect you, as the leader, to consult regularly one-on-one with him or her. Do be sure to pass along the insights you acquire from this meeting to the rest of the team. Trust your judgment, experience, and common sense. Keep moving forward. Mistakes are inevitable, but a good team will overcome them.

### **7. Delegate**

Delegating increases your productivity and leverages your resources. Don't do the work of the team members. They are responsible for meeting their commitments, and if you are doing your job of planning, leading, and communicating, they will do theirs. However, *do* do sanity checks. Make sure interim products are of the expected quality and are delivered on time. Ask the specialists questions to make sure they did their homework. If they are convinced their investigation or analysis is correct, accept their inputs even if you disagree with them (but see the "feel right" warning under "8. Consult"). On a team

## *You're the Judge: The Verdict* (from page 28)

**What the law says:** 5 C.F.R. §§ 2635.201-205 states that executive branch employees generally may not accept gifts that are given because of their official positions or that come from "prohibited sources." Prohibited sources include persons (or an organization made up of such persons) who are seeking official action by, are doing business or seeking to do business with, or are regulated by the employee's agency; or have interests that may be substantially affected by performance or nonperformance of the employee's official duties.

Jim M., because of his position with a defense contractor, is a prohibited source. Joe G. vaguely remembers there are a number of exceptions to this general rule involving gifts, the first of which states that a gift valued at \$20 or less, provided that the total value of gifts from the same source is not more than \$50 in a calendar year, is an allowed exception.

Although the cost of each individual round at the 19th hole may not exceed \$20, the total well exceeds \$50 over the course of the year, so it appears that Joe G. may have improperly accepted gifts from Jim M.

**Joe and Jim:** Fortunately, when Joe belatedly raises this issue with his Standards of Conduct counsel, he finds out that his conduct with Jim falls under another exception. Counsel advises him that a gift motivated solely by a family relationship or personal friendship is also an exception. Since Joe and Jim have a long-standing relationship that started well before Jim's entry into industry, there is a solid basis for this exception. Although no requirement exists to do so, Joe asks for and receives from Jim a signed letter stating that he, Jim, personally pays for all golfing expenses and doesn't submit them for reimbursement as business expenses.

**Joe and Bill:** The situation with Joe and Bill is a problem. There is no long-standing relationship, and their infrequent contact may suggest that the outings are more than social gatherings. Although the individual amounts involved are relatively small, the total exceeds the limits permitted by this exception. Joe needs to refrain from accepting Bill's hospitality by paying for his portion of the 19th hole bill—the entire portion, not just the amount that exceeds the \$20 per outing or the \$50 aggregate per year.

This fictitious account shows how easy it is to unknowingly violate the Standards of Conduct. It is incumbent upon all of us to know the rules and apply them to our particular situations. We suggest that you review the rules annually—or more frequently, depending on the situation—aggressively examining your relationships to verify that you're not unwittingly breaking the rules.

it." I was quite pleased when several people boldly decided to share their poems with the whole group.

My objective was to go beyond the science and engineering of their daily work and get them to use a different part of their minds. I wanted to help bust them out of their comfort zones. I somewhat obliquely explained that this exercise "has something to do with imagination, innovation, experimentation, and courage." The willingness of several members to take the plunge so publicly is a testimony to their aptitude for attitude.

### **SAWABI Redux**

Naturally, some things didn't go entirely according to plan, no matter how flexible and fluid that plan has been. We tried to write a "Transition Manifesto" that would both highlight the challenges of transitioning technology from the lab to the warfighter and offer solutions ... but we didn't get very far, for a variety of reasons. Maybe we will pick that up again sometime, and maybe we won't.

Our attempt to experiment with a Web-based social networking tool successfully revealed that the tool we selected wasn't very good. There are a handful of other little projects we toyed with and then discarded, and while that may be frustrating or seem wasteful to some, it is actually a healthy part of life in a laboratory. Longtime readers of this journal may recall the SAWABI (Start Again With A Better Idea) concept I introduced in the July-August 2004 issue of this magazine. PBL truly put SAWABI into action.

We were not aiming to be predictable or to do things that we knew would succeed. We were experimenting and trying to stimulate thought. The ability to cut our losses and move on was built in to the PBL framework of expectations from the start. Within this framework, finishing a particular project was not nearly as important as starting. Ultimately, PBL's success is defined by how much we learned and our ability to apply those lessons to the group's overall mission: build a networked cadre of innovative thought leaders.

### **Phase 2 Begins**

After 12 months, it was time to shake things up a little. We're about to lose one of the original members because of a permanent change of station, and a few others are getting short on time. So we recently expanded the group's membership, including some junior civilians and a handful of new lieutenants. As before, we were seeking attitude, not aptitude. As before, the list of people we would like to invite was much longer than the list of people we actually did invite.

This new phase will undoubtedly be different from the first. We have a track record now. We have tried some things, made some discoveries, and built some relation-