

record" about the problems Wimex was having. After he did, the GAO conducted an investigation of the Wimex project that substantially confirmed his charges.

Today Bradley is unemployed, living on his wife's salary and a \$1,000 a month pension. He has amassed \$50,000 in legal bills in his battle to regain his job. He is not likely to succeed. Both Bialick and Champaign testified against him at his civil service hearing.

So the men who made the mistakes are still in charge, and the one who didn't is out in the cold. The Wimex story could be a rerun of hundreds of Pentagon scandals that have sapped our defense and helped bankrupt our Treasury over the years, from the P-40 of World War II to the C-5A and the F-

14. In each case, the Pentagon has entrusted our safety to the men who have the least incentive to tell us when something is going wrong. So we end up with guns that jam, missiles that miss, computers that "crash." To prevent this sort of disaster, we have for years needed people with access to the facts who are able, before it is too late, to ask the questions that men like John Bradley can only ask at the risk of their jobs. When Harold Brown became Defense Secretary, he seemed to be taking an important step in that direction. In the accompanying article, Eric Schnurer describes how the idea went over with the Pentagon bureaucracy, and what happened. Suffice it to say, the defense industry will sleep a little easier, but the rest of us shouldn't. ■

Death of the Devil's Advocate

by Eric Schnurer

Some people think Phil Donahue invented the idea of playing "devil's advocate" as a cute way to keep housewives amused between the time the early-morning "I Love Lucy" reruns end and the early-afternoon episode of "All My Children" flashes across the tube.

This is not correct.

The origins of the devil's advocate actually lie in the rituals of canonization. When someone was up for sainthood, one of the final steps was the appointment of a "special prosecutor" charged with researching the candidate and mounting a case for why

sainthood should be denied. Supporters of those the "prosecutor" was arguing against saw him as presenting the devil's brief. Hence, "Devil's Advocate."

It appears that the Pentagon still views the technique as demonic. Thus it was that Secretary of Defense Harold Brown last October gave in to the pressure and quietly exorcised from his Office of the Secretary an independent office designed to ensure that all new weapons are honestly tested and evaluated before millions are spent on their purchase. Its sin was that it did its job too well.

The institution of a separate and independent check on weapons procurement was a major reform advo-

Eric Schnurer is a staff reporter with The Washington Monthly.

cated for years in the reports of two major presidential commissions and the Carter administration's transition team. Brown, who came to his job with a reputation as one of those "tough-minded" men who could stand up to the internecine Pentagon pressure, also noted, in his most recent annual "posture" statement, that the Defense Department "needed a more independent evaluation of operational test results of new weapon systems prior to major production and acquisition decisions."

The importance of such independent evaluation is enormous. As the General Accounting Office has noted: "The armed services sometimes even resort to lying to Congress about their weapons test results." One GAO study found "omissions of poor test results, distortion of findings, misleading statements and other discrepancies" in *every case reviewed*. Probably the most renowned example is the \$20-million F-14 jet, which was hurried into production before it was adequately tested. The result is that its engine has been known to blow up.

Another example was the Sparrow 7-F air-to-air missile, a weapon into which the Pentagon has poured hundreds of millions of dollars since 1948. The Sparrow underwent tests by the Army and Air Force and failed miserably. Nevertheless, it subsequently went into mass production.

The reason for such continued waste in weapon systems, one official observed, is that "by the time you get to doing operational testing, the thing has a life of its own." As another government defense expert noted, the official directing the development of a new weapon system is charged specifically with bringing the weapon to fruition; thus, at the testing stage, "his job is not to raise problems and make waves."

Under the current system, the program manager supervising development of a weapon must pay for testing from the program's own budget. Testing is an extremely expensive business, so most tests are conducted at facilities provided by whatever branch of the service is building the weapon.

This renders the weapon's testers "quite responsive to the service's wishes."

For these reasons, a "blue ribbon" defense panel recommended in 1970 that an independent office to review and evaluate weapons tests be established. Stirred by this recommendation, Congress authorized a President's Procurement Commission, which reached a similar conclusion a few years later, as did Carter aides drafting a Defense reorganization plan in early 1977.

Upon taking office, Secretary Brown finally acted on these suggestions, creating an Office of Testing and Evaluation (OTE), within the Office of the Secretary, to separate the "analysis of operational test results from the personnel responsible for research and engineering, thereby providing me with completely independent evaluation."

The OTE group was placed in a division of the Secretary's office called Program Analysis and Evaluation, headed by Assistant Secretary Russell Murray. PA&E was the "systems analysis" division already performing some watch-dog functions for the Secretary. Observed one former member of OTE, placing that unit within PA&E was "probably a mistake, since a lot of people were already pretty resentful of Program Analysis."

It wasn't too long, however, before OTE stirred some resentment on its own. DOD's Defense Research and Engineering office, which conducts weapons tests and development, chafed at the prospect of a new check, and convinced Brown to take the matter to the Defense Science Board. The board, comprised largely of Defense Research and Engineering veterans and their backers, naturally concluded that the OTE was a bad idea. But if it had to be, it should be allotted 22 staff testers. Nevertheless, when OTE finally opened its doors at the end of 1977, it had a staff of only eight. Brown promised that more appointments were on the way. At this time, however, the Secretary was delegating authority for all administra-

tive tasks to Assistant Secretary Charles Duncan, so that he could devote more time to SALT.

The Tanks You Get

The Testing and Evaluation office, even with its reduced staff, was soon hard at work doing what it was supposed to. For this, it was earning many enemies, fast. OTE reported that the Pentagon was proceeding with procurement of weapon systems that had either failed operations testing or hadn't even had tests, and it tried to halt these purchases. One such project was the XM-1 tank, on which the House Armed Services Committee recently voted to spend over a half-billion dollars, even though the engines and turrets—among other things—didn't work right.

No one, it seems, likes a tattletale, especially the weapons developers in the Pentagon who watched their pet projects being hamstrung by the efforts of the OTE. With so many major projects coming down the pike this year, such as the XM-1, weapons developers and testers panicked that if OTE was being so scrupulous about comparatively minor projects, Lord only knew what they would do with major programs. It wasn't only the Pentagon weapons developers who were worrying. Officials in the defense industry were becoming increasingly annoyed with the delays necessitated by OTE scrutiny.

Undersecretary William Perry, the man in charge of Research and Engineering, soon convinced Assistant Secretary Duncan to limit the role of OTE to a point where it would be nothing more than a clearinghouse for test reports by the individual services. With its role narrowed, Duncan decided OTE didn't need any more people after all.

Program Analysis chief Murray rose to defend the independent Testing and Evaluation office. He wrote to Secretary Brown that the office, in order to be an effective check on dishonest tests

and malfunctioning weapons, needed more people. If it didn't get at least a dozen more, Murray said, it might as well be eliminated.

It was eliminated. Perry—generally regarded as the Pentagon's second most powerful man—teamed up with the weapons developers in Research and Engineering, and the defense industry, to bring pressure on Duncan and Brown. In October, Duncan ordered all test review and evaluation functions removed from OTE and transferred back to Research and Engineering, where tattletales are unlikely to flourish.

Secretary Brown did nothing to reverse Duncan's order, thus dismantling an office that to a substantial degree would have freed the Secretary from depending on the services and the defense bureaucracy for information and evaluation—an office that had the potential for strengthening our defense and saving hundreds of millions of dollars.

The weakened Program Analysis and Evaluation office, under Murray, is still limping along, trying to do its job by finding captains or majors who know about deceptions in test results or weapons flaws and are willing to talk. Usually, meetings between a PA&E staffer and these low-ranking officers are conducted at a street-corner bar somewhere. The Program Analysis people then must attempt to obtain independent documentation in order to protect the source of their information. Otherwise, shoddy testing and evaluation continues unhindered. "It's worse now than I've ever seen it," one Pentagon official commented.

These developments were not, of course, something the Pentagon publicized. The discovery was left to accident and Rep. Les Aspin. Seeking information on the XM-1, he decided to call up the Pentagon's "devil's advocate." Pulling out his Defense Department directory, Aspin turned to the appropriate page for the Office of Testing and Evaluation.

It wasn't listed any more. ■

The State as Bookie

by Seth Kupferberg

Resorts International, owner of the first legal American casino outside Nevada, celebrated the casino's first birthday the last week in May. While the New Jersey hotel handed out straw hats and "Happy Birthday" banners, *The New York Times* sent a reporter to gather assessments of the effects of the first year of legal gambling on the first Eastern town to try it out, chronically depressed Atlantic City.

The reporter brought back mixed assessments. He found business leaders unequivocally enthusiastic. A Chamber of Commerce spokesman called legalized casinos "America's first success story in 50 years in rebuilding a city without federal aid."

On the other hand, unemployment, supposedly a target of the drive for legalization, was actually up slightly for the year. Crime was up substantially, especially muggings and prostitution. People who had bought homes 30 years ago were moving out, disgusted by soaring noise levels and property

assessments. Legal casinos had turned out to be "a nightmare," said a spokesman for Cape-Atlantic Legal Services. "Almost every day I see another house vacated," the deputy director of Atlantic Human Resources told the *Times*.

Since New Hampshire established the first modern state-run lottery in 1963, legal gambling in more and more forms has spread to more and more areas. There are now government-run lotteries in 15 states, not to mention official off-track betting. State and local governments in 1977 took in \$1.6 billion in taxes on gambling operations of some sort. Atlantic City has joined Nevada cities in permitting legal casinos. And there are proposals, likely to pass in some form, to match Atlantic City by licensing casinos in other states, especially New York. New York police, says the *Times*, have already stopped enforcing anti-gambling laws in anticipation of their abrogation.

As the *Times* story on Atlantic City shows, burgeoning legal gambling hasn't entirely choked debate over its

Seth Kupferberg lives in New York City.