



Department of Energy  
National Nuclear Security Administration  
Washington, DC 20585



August 16, 2024

MEMORANDUM FOR [REDACTED]

FROM: [REDACTED]

SUBJECT: MANAGEMENT NOTICE: Concerns with Fielding of New Office of Secure Transportation Service Pistol [REDACTED]

The purpose of this memorandum is to ensure management awareness of an on-going concern regarding OST's acquisition of new pistols.

In November 2023, the NNSA Office of Internal Affairs (OIA) received a complaint through the Office of Inspector General (OIG) Hotline regarding concerns with the Office of Secure Transportation's (OST) fielding of a new service pistol - the ZEV Technologies OZ9 9mm (ZEV).<sup>1</sup> The complaint alleged two OST employees were aware of configuration and functionality issues with the new pistols but failed to report them to the OST Assistant Deputy Administrator (ADA). It also alleged further investment in a large number of pistol magazines for weapons that were "no longer used in any capacity." OST's January 24, 2024, response acknowledged fielding issues with the pistols and provided evidence that the chain of command, up to and including the ADA OST, were briefed on several occasions. At that time, OST noted that the results of in-process testing would be briefed to the ADA and that a supplemental response would be provided to close the matter if the functionality issues were resolved. The goal was to resolve the issues and begin OST Agent qualification with the weapons in March 2024.

On June 20, 2024, OIA received another Hotline referral alleging that, despite on-going reliability issues, OST still intended to issue ZEV pistols to OST agents in July 2024 as part of a new OST Agent Candidate Training Class (ACTC). As this was the second referral on this issue, OIA officers conducted an initial evaluation, which included obtaining additional information from OST, discussing malfunction types/numbers and contractual questions with other subject matter experts, and tracking pistol performance results of the referenced ACTC.

Based on our preliminary work, OIA is concerned that the ZEV pistols, after approximately 19 months of testing and fielding, have not demonstrated consistent quality and reliability. OIA has also identified potential concerns related to the acquisition process, which will require further review. At the time of our last meeting with OST on August 6, there were approximately 30

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<sup>1</sup> Case #24-0049-C

ZEV pistols (not including the pistols for ACTC and instructors across OST) fielded to OST Agents, and OST's current plan is to complete qualifications for all Agents and fully transition to ZEV pistols by the end of October 2024. Given OST's critical operations and the potential impacts should an Agent's weapon not function properly during a mission, and the timing of the transition plan, OIA is documenting this issue for management awareness and action as deemed appropriate, in advance of conducting and concluding our formal inquiry, which will be a longer-term effort. A summary of the core issues supporting our immediate concerns is provided in the attachment to this memorandum. OIA appreciates the ardent support and responsiveness of OST leadership and the entire OST Team during our initial evaluation. We look forward to continuing our work in the noted areas and will keep leadership informed as we progress. I am available for further discussion or to provide additional details as requested.

Attachment

cc:

[REDACTED]

### Summary of Key Concerns

- 1) Malfunction Types/Rates beyond OST reported expectations: During a meeting with OST personnel (armorers, contracting officials, managers, and leadership) on July 1, 2024, OIA was told that, based on modifications OST & ZEV had made to the pistols, we should see no or very limited malfunctions after the break-in period of 250 rounds during the ACTC from July 15 to August 9, 2024. OIA monitored the daily malfunction rates for that ACTC, which included 19 days of pistol fire exercises and qualifications.<sup>2</sup> During that period, on-site personnel reported approximately 152 separate malfunctions as captured in Exhibit 1 below:

*Exhibit 1: Summary of Malfunctions / ACTC – 19 Shooting Days (7/15 to 8/8/24)*

Issue Type	Occurrences	Guns
Extraction	12	9
Feed	10	6
Broken Frame/Chassis	4	4
Light	3	3
Optic	18	10
Slide	10	7
Strike/Striker	67	14
Trigger	28	8
<b>TOTAL Occurrences</b>	<b>152<sup>3</sup></b>	
*Only 6 malfunctions occurred on the first day of pistol training for the initially issued pistols. The 250-round recommended break in period would have been reached on that day.		

OIA finds the results to be well below OST's stated expectation prior to the ACTC. While the specific guns used by the ACTC students will remain at the Training Command (TRACOMM), those students that graduate as Agents are slated to be assigned new ZEVs as their service pistol when they report to their specific commands. The continued number and, more importantly, variety of issues still being experienced 19 months after receipt of the initial weapons forms the initial basis for OIA's reliability concerns. The lack of a clear pattern, and identification and resolution of the causes, for these malfunctions heightens our concern, given the plan to complete qualifications for all Agents and transition to ZEV pistols by the end of October 2024.

- 2) Unresolved/Identified Quality Issues: OST has experienced 5 known instances where the metal frame/chassis of the ZEV pistols cracked in the area of the locking block, including 4 instances during the noted July ACTC training. This type of issue would be indicative of a quality or production issue. The affected guns have been taken out of service and returned to ZEV for analysis, but the specific cause of the issue has not been formally diagnosed. While we were told ZEV believes the cause may relate to an issue during the hardening process for

<sup>2</sup> The approximate number of rounds fired is not known to OIA at this time, does not impact OIA's position.

<sup>3</sup> Adjusted for known and OIA validated user induced issues.

the metal parts, it is our understanding that has not been verified. Further, it is believed the issue may be “lot” or “batch” specific (i.e., only affecting parts from a certain production run). However, at the time of our evaluation, we were told ZEV was not yet able to define the size of a lot/batch or whether all of the pistols delivered to OST contained frames from the same lot/batch. OIA is concerned that the extent of condition is not known and could conceivably extend to all of the guns procured.

Similarly, OIA was made aware that the barrel locking lug had sheared off of a pistol barrel on June 20, 2024. The issue occurred with only 2,500 to 3,000 rounds through the pistol. While this only occurred once, this is highly unusual, and the exact cause has not been determined.

- 3) Potential Contractual Issues: OIA was informed that during the initial technical evaluation of multiple companies’ pistols, which resulted in selection of the ZEV OZ9, OST was provided and tested a ZEV pistol with Glock and other secondary manufacturer internal parts. However, OST stated that, if selected, ZEV Technologies wanted to deliver the pistols with components manufactured in house by ZEV. OST said they agreed, stating they would want to test the components to ensure they performed as well as the originally tested components in the technical evaluation. After award of the contract, ZEV sent two sample guns (with ZEV internals) to OST for familiarization and advance testing, and then ZEV delivered 420 ZEVs with ZEV internal parts in February 2023, per the contract. Since that time, OST has been working with ZEV to remedy various malfunctions. Now the configuration of the ZEV pistols includes a number of secondary manufacturer parts (Glock and others).

OIA is concerned the changing of configurations led to the issues now being experienced with the pistols, and we need to look further into the original contracting arrangement to determine if there were any contractual missteps. For example, did award and acceptance of pistols with parts that differed from those used in testing against other weapons systems invalidate the results of the technical evaluation and justification for other than full and open competition? Also, we want to determine whether the decision to write the contract for and accept pistols that were not in the configuration tested contributed to avoidable increased costs, among other questions.