



OFFICE OF INSPECTOR GENERAL

U.S. Department of Energy

INSPECTION REPORT

DOE-OIG-22-41

August 2022

**FIREARMS DISPOSAL AT
LOS ALAMOS NATIONAL LABORATORY**



Department of Energy
Washington, DC 20585

August 15, 2022

MEMORANDUM FOR THE MANAGER, LOS ALAMOS FIELD OFFICE

SUBJECT: Inspection Report on Firearms Disposal at Los Alamos National Laboratory

The attached report discusses our review of Los Alamos National Laboratory's processes and procedures for the disposal of excess firearms and property associated with firearms. This report contains one recommendation that, if fully implemented, should help to ensure the control and accountability for the disposal of excess firearms and property associated with firearms. Management fully concurred with our recommendation.

We conducted this inspection from February 2022 through May 2022 in accordance with the Council of the Inspectors General on Integrity and Efficiency's *Quality Standards for Inspection and Evaluation* (December 2020). We appreciated the cooperation and assistance received during this inspection.

A handwritten signature in black ink, appearing to read "Anthony Cruz".

Anthony Cruz
Assistant Inspector General
for Inspections, Intelligence Oversight,
and Special Projects
Office of Inspector General

cc: Deputy Secretary
Chief of Staff



Department of Energy Office of Inspector General

Firearms Disposal at Los Alamos National Laboratory (DOE-OIG-22-41)

WHY THE OIG PERFORMED THIS REVIEW

Los Alamos National Laboratory (LANL) is managed and operated by Triad National Security, LLC for the Department of Energy's National Nuclear Security Administration. LANL utilizes a protective force to safeguard its assets. This force is equipped with military-grade vehicles and weapons. To accomplish its mission, LANL is responsible for the efficient and economical management of all Government property in its stewardship.

Given the importance of control and accountability for firearms, we initiated this inspection to determine whether LANL adhered to its processes and procedures for the disposal of excess firearms and property associated with firearms.

What Did the OIG Find?

We found that LANL generally adhered to its processes and procedures for the three instances we reviewed of disposal of excess firearms and property associated with the firearms. However, we did identify areas of concern during our review. During our verification of the destruction of five rifles in September 2019, we found that LANL did not properly document an affidavit of destruction. This issue occurred because although LANL referred to an affidavit of destruction in its *Property Management Manual*, it had not developed a specific form. To its credit, in April 2022, LANL issued a firearm disposition procedure with additional information regarding the witnessed destruction of firearms. In addition, while LANL correctly documented the transfer of its firearm training system to the Pantex Plant in June 2019, as required, we found that LANL inadvertently transferred training pistols that were not part of the training system. The incorrect training pistols were sent in error, in part, because LANL's database for personal property consisted of limited information that did not always identify weapons associated with specific systems. Finally, we determined that LANL's transfer of a rifle to the Department of Interior in March 2019 was conducted as required.

What Is the Impact?

The Department and its contractors are accountable and responsible to safeguard and protect all Government-owned property. Proper accountability and control of high-risk property are essential to ensure that potentially dangerous property is not stolen, lost, or misplaced.

What Is the Path Forward?

To address the issues identified in this report, we have made one recommendation that, if fully implemented, should help to ensure the control and accountability for the disposal of excess firearms and property associated with firearms.

BACKGROUND

Los Alamos National Laboratory (LANL) is managed and operated by Triad National Security, LLC for the Department of Energy's National Nuclear Security Administration. LANL's mission is to develop and apply science and technology to ensure the safety, security, and reliability of the U.S. nuclear deterrent; reduce global threats; and solve other emerging national security and energy challenges. Because it is a major research complex, LANL utilizes a protective force to safeguard its assets. LANL's protective force, subcontracted to Centerra-Los Alamos (Centerra), is equipped with military-grade vehicles and weapons.

To accomplish its mission, LANL is responsible for the efficient and economical management of all Government property in its stewardship. According to Title 41 Code of Federal Regulations (CFR) 109, *Department of Energy Property Management Regulations*, high-risk personal property is "property that, because of its potential impact on public health and safety, the environment, national security interests, or proliferation concerns, must be controlled, and disposed of in other than the routine manner." In addition, Title 41 CFR 109 defines disposal as the process of reutilizing, transferring, donating, selling, abandoning, destroying, or other disposition of Government-owned personal property.

Title 41 CFR 102, *Federal Management Regulation*, and LANL's *Property Management Manual* requires a fully executed Standard Form 122 (SF-122), *Transfer Order Excess Personal Property*, for transfers of excess personal property to another Federal agency. SF-122 serves as a record to document, among other things, the ordering agency, holding agency, shipping information, and description of the ordered property. LANL's *Property Management Manual* also requires a shipping report to document the permanent transfer of property from LANL's excess property inventory to an external organization, which must be supported by an SF-122. LANL's *Property Management Manual* classifies weapons or military-type equipment in accordance with the U.S. Munitions List as high-risk property. LANL disposed of 36 firearms (including firearm training system items) in 3 instances from calendar year 2019 through calendar year 2021.

Given the importance of control and accountability for firearms, we initiated this inspection to determine whether LANL adhered to its processes and procedures for the disposal of excess firearms and property associated with firearms.

DESTRUCTION OF RIFLES NOT PROPERLY DOCUMENTED

While we verified the destruction of five rifles in September 2019, we found that LANL did not properly document an affidavit of destruction, as prescribed by LANL's *Property Management Manual*. According to Title 41 CFR 102, unneeded firearms must be destroyed by crushing, cutting, breaking, or deforming each firearm in a manner to ensure that each firearm is rendered completely inoperative and incapable of being made operable for any purpose except the recovery of basic material content. In addition, Title 41 CFR 102 requires that the destruction of firearms must be witnessed by two additional agency employees authorized by the agency head or designee. LANL's *Property Management Manual* also requires that weapons be destroyed to prevent restoration or repair to a usable condition, and that two LANL representatives must

witness the destruction of all unclassified weapons. Further, the *Property Management Manual* states that an affidavit of destruction must accompany the shipping report. While LANL completed the shipping report to transfer the rifles to its subcontractor for destruction, it did not complete an affidavit of destruction to document the LANL representatives who witnessed the destruction and support the shipping report, as required. While a LANL official was able to name the specific individuals who were present for the destruction of the rifles, the signatures on the shipping report pertained to the release of merchandise and did not clearly reflect they were present for the destruction.

This issue occurred because although LANL referred to an affidavit of destruction in its *Property Management Manual*, it had not developed a specific form. LANL officials stated that the shipping report was also used as the affidavit of destruction in the past. In addition, we noted that the only instance where LANL's *Property Management Manual* mentioned the affidavit of destruction was in the chapter pertaining to the shipping report. However, a separate chapter covering the destruction of weapons did not mention that an affidavit of destruction was required. To its credit, in a March 2022 discussion, LANL officials informed us that LANL had already initiated the development of an affidavit of destruction form to be used in conjunction with the shipping report document to capture the witnessed destruction of the firearms. In April 2022, LANL issued a firearm disposition procedure with additional information regarding the witnessed destruction of firearms. The procedure requires an affidavit of destruction to document the witnessed destruction in conjunction with the shipping report, and the appendix also includes an affidavit of destruction form.

INCORRECT TRAINING WEAPONS TRANSFERRED TO PANTEX PLANT

While LANL correctly documented the transfer of its firearm training system to the Pantex Plant (Pantex) in June 2019 as required, we found that LANL inadvertently transferred training pistols that were not part of the training system.¹ Specifically, LANL completed the fully executed SF-122 and shipping reports to transfer assorted firearm training equipment items to Pantex. These items were associated with a simulator system, consisting of computer components, air hose couplings, and training weapons (including machine guns and rifles). However, LANL later discovered that it had inadvertently sent 10 training pistols to Pantex that could not be used with the simulator system. LANL officials informed us that Pantex notified LANL of the training pistols that were sent in error. According to a LANL official, the training pistols were thought to be part of that simulator system but were, in fact, mocked-up training weapons that could not be used with the system. Pantex subsequently transferred the 10 training pistols back to LANL in October 2019.

The incorrect training pistols were sent in error, in part, because LANL's database for personal property consisted of limited information that did not always identify weapons associated with specific systems. LANL's database for personal property, Sunflower, is used to track property from beginning to end. While the Sunflower database records for the 10 training pistols included relevant information such as the manufacturer, serial number, and barcode number, we noted that

¹ LANL's firearms used for training purposes do not fire live projectiles; however, LANL treats its training firearms as high-risk property. Therefore, LANL's firearm training system is subject to its processes and procedures for high-risk property.

the data fields did not contain information to indicate whether those training pistols were associated with a specific training system. LANL officials stated that the Centerra protective force personnel involved with the transfer are no longer at LANL. In addition, a Centerra official informed us that the protective force personnel involved in the transfer to Pantex had never used that simulation training system. The Centerra official also told us that LANL's protective force uses an additional property tracking system, Asset Traker, to track firearms issued to personnel. According to the official, there is a description in Asset Traker that could be utilized to enter additional information to help identify weapons that are associated with a specific training system.

TRANSFER OF RIFLE TO DEPARTMENT OF INTERIOR

We determined that LANL's transfer of a rifle to the Department of Interior in March 2019 was conducted in accordance with requirements. We also verified that the Department of Interior received the rifle. We spoke to a Department of Interior official who confirmed that the rifle was delivered to Department of Interior law enforcement personnel. In addition, the official provided information that documented the rifle's serial number, which allowed us to ensure that LANL transferred the correct rifle. We did not identify any issues associated with the transfer of the rifle from LANL to the Department of Interior.

IMPACT

The Department and its contractors are accountable and responsible to safeguard and protect all Government-owned property. Proper accountability and control of high-risk property are essential to ensure that potentially dangerous property is not stolen, lost, or misplaced. Based on our review, LANL is committed to safeguarding all Government-owned property. However, additional measures will increase the effectiveness of LANL's processes and procedures for the disposal of excess firearms and property associated with firearms.

RECOMMENDATION

We recommend that the Manager, Los Alamos Field Office direct LANL to:

1. Determine whether Asset Traker should be updated to incorporate additional information to improve LANL's identification of weapons associated with specific systems.

MANAGEMENT RESPONSE

Management fully concurred with our findings and recommendation and agreed to take action to address our recommendation by December 31, 2022. Specifically, the National Nuclear Security Administration stated that it will review the facts surrounding the transfer of training equipment referenced in our report and determine whether changes to the Asset Traker are necessary and beneficial.

INSPECTOR COMMENTS

Management's comments and corrective action are responsive to our recommendation.

Appendix 1: Objective, Scope, and Methodology

OBJECTIVE

We conducted this inspection to determine whether Los Alamos National Laboratory (LANL) adhered to its processes and procedures for the disposal of excess firearms and property associated with firearms.

SCOPE

The inspection was performed from February 2022 through May 2022 at LANL. The scope of the inspection focused on the disposal of firearms from calendar year (CY) 2019 through CY 2021. The inspection was conducted under Office of Inspector General project number S22AL009.

METHODOLOGY

To accomplish our inspection objective, we:

- Identified and reviewed laws, regulations, and Department of Energy directives pertaining to property management;
- Obtained and reviewed LANL policies and procedures relevant to the disposal of excess items, including firearms;
- Identified and reviewed internal and external prior reports that are pertinent to the disposal of firearms;
- Interviewed key Department and LANL officials regarding the disposal of firearms;
- Obtained and analyzed records of firearms in the excess process from CY 2019 through CY 2021;
- Reviewed all documents supporting the disposal of firearms from CY 2019 through CY 2021; and
- Reviewed any sensitive property items listed as “missing” or “lost” at LANL from CY 2019 through CY 2021.

We conducted our inspection in accordance with the Quality Standards for Inspection and Evaluation (December 2020) as put forth by the Council of the Inspectors General on Integrity and Efficiency. We believe that the work performed provides a reasonable basis for our conclusions.

Management officials waived an exit conference on July 22, 2022.

Appendix 2: Prior Reports

- Inspection Report on [*Property Accountability and Protection of Federal Sensitive Unclassified Information Under the Cooperative Agreement with the Incorporated County of Los Alamos*](#) (DOE/IG-0859, February 2012). The report substantiated the allegation that property, including computers, was missing. Despite Department of Energy requirements, effective processes and procedures were not in place to ensure the proper control and accountability of Federally-owned personal property in possession of the Fire Department. These problems occurred, in part, because the Los Alamos Site Office did not ensure that the property management provisions, which were part of the Cooperative Agreement, had been effectively implemented. In addition, Los Alamos County did not manage its Federally-owned personal property in a manner consistent with the requirements of the Cooperative Agreement.
- Inspection Report on [*Disposition of Excess Government Weapons, Explosives, and Protective Force Equipment at Lawrence Livermore National Laboratory and the Hanford Site*](#) (OAI-L-16-16, September 2016). The report concluded that nothing came to the Office of Inspector General's attention to indicate that the Hanford Site or Lawrence Livermore National Laboratory had improperly disposed of its excess firearms, or that the Hanford Site had improperly disposed of its explosives and Protective Force equipment. The report also noted that Lawrence Livermore National Laboratory had not exceeded any explosives. The report stated that the Office of Inspector General did not find any conditions for corrective action, so it would not be making any formal recommendations or suggestions.

Appendix 3: Management Comments



Department of Energy
Under Secretary for Nuclear Security
Administrator, National Nuclear Security Administration
Washington, DC 20585



August 2, 2022

MEMORANDUM FOR TERI L. DONALDSON
INSPECTOR GENERAL
OFFICE OF THE INSPECTOR GENERAL

FROM:

JILL HRUBY

A handwritten signature in black ink, appearing to read "Jill Hruby".

SUBJECT:

Response to the Office of Inspector General Draft Report *Firearms Disposal at Los Alamos National Laboratory* (S22AL009)

Thank you for the opportunity to review and comment on the subject draft report. NNSA is committed to properly safeguarding and accounting for all firearms throughout the nuclear security enterprise. We appreciate the inspectors' independent review of firearm disposal procedures and confirmation of adherence to applicable processes and procedures at the Los Alamos National Laboratory.

NNSA concurs with the auditors' recommendation. NNSA will review the facts surrounding the transfer of training equipment referenced in the OIG report to determine if changes to the Asset Traker are necessary and beneficial. This decision is expected to be made by December 31, 2022. If you have any questions regarding this response, please contact Mr. Dean Childs, Director, Audits and Internal Affairs, at (301) 903-1341.

FEEDBACK

The Office of Inspector General has a continuing interest in improving the usefulness of its products. We aim to make our reports as responsive as possible and ask you to consider sharing your thoughts with us.

Please send your comments, suggestions, and feedback to OIG.Reports@hq.doe.gov and include your name, contact information, and the report number. You may also mail comments to us:

Office of Inspector General (IG-12)
Department of Energy
Washington, DC 20585

If you want to discuss this report or your comments with a member of the Office of Inspector General staff, please contact our office at 202-586-1818. For media-related inquiries, please call 202-586-7406.