

**Senator John McCain Presents**



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**INDEFENSIBLE**

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**ARMY'S COSTLY MISFIRE**

**#AmericasMostWasted @SenJohnMcCain**

## 10 YEARS FOR THE ARMY TO BUY A SIMPLE HANDGUN

The U.S. Army has a poor track record of buying and fielding new weapon systems. It wasted a large portion of its wartime budget increases burning through nearly \$20 billion on Future Combat Systems (FCS) without much to show for the now-canceled effort. It started and canceled not one but two efforts to buy a new attack helicopter. And after spending \$8 billion of taxpayer money on new helicopters, it will now instead refurbish its existing fleet.<sup>1</sup> In each of these failures the Army was trying to acquire technology that simply did not exist and it was the development of those new technologies that led to major problems.



*The Army M9 handgun*

However, with the procurement of its new handgun, or Modular Handgun System (MHS), the Army has managed to create entirely new acquisition problems for what should be a simple, straightforward purchase of a commercially available item. The Army's effort to buy a new handgun has already taken 10 years and produced nothing but a more than 350 page requirements document micromanaging extremely small unimportant details and byzantine rules and processes the Army wants followed, many of which are unnecessary or anticompetitive. As former Secretary of Defense Robert Gates, a veteran of fighting for equipment for our soldiers, said of the effort, "This is absurd... it's a handgun, for God's sake." Small arms experts have estimated that just the paperwork and unnecessary requirements could easily add \$50 or more to the cost of each handgun, leading to \$15 million wasted on paperwork and bureaucracy. Worse, the Army may fail to field a handgun at all, because of the way it has structured this weapon system acquisition.<sup>2</sup>

Lest anyone think such an important component of our soldiers' combat load justifies the complexity of the Army's procurement process, simply contrast the Army's process with that of the FBI, which recently issued a straightforward solicitation for a new handgun. The FBI request for proposal (RFP) is around 120 pages, one-third the size of the Army's, and it clearly specifies the important parts of a handgun, namely the caliber and accuracy requirements, and importantly, it allows for users, not bureaucrats, to shoot the pistols and provide input much earlier in the evaluation compared to the Army. The FBI RFP also has

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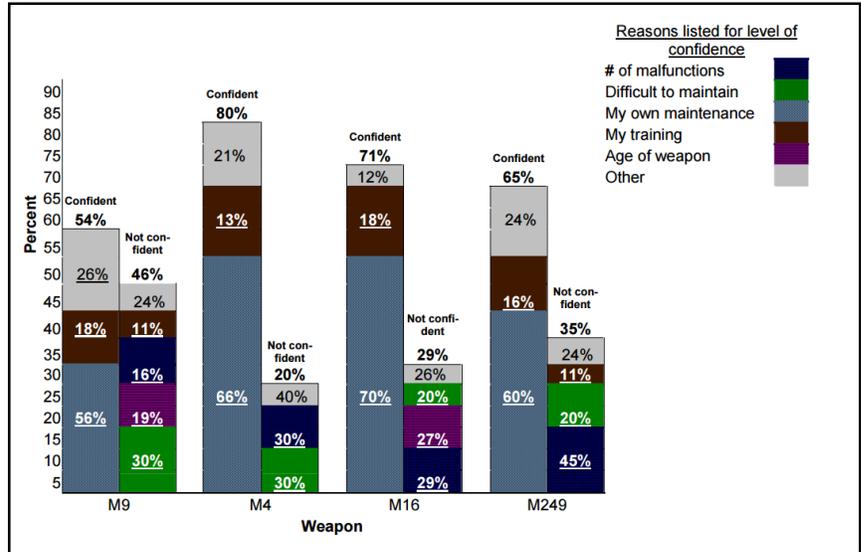
<sup>1</sup> JSM floor speech on weapon system cost overruns, 2014

<sup>2</sup> Gates, Robert, "Senate Armed Services Committee Holds Hearing on Defense Policy Outlook," October 21, 2015, <http://www.cq.com/doc/congressionaltranscripts-4775460?5>.

requirements for accuracy, reliability in extreme temperatures and conditions, and other comparable handgun needs to the Army’s valid requirements.<sup>3</sup>

The Army’s current handgun, the M9, was originally fielded in 1982, more than 30 years ago—that makes it outdated and in need of replacement by any standard. Most

civilian police forces and SWAT units replace their handguns every 15 years. Our Special Forces and foreign allies replace their handguns far more often so they can benefit from the improved performance of new handguns available from the commercial small arms industry, usually at no cost to the military or taxpayers. And it is well known that Army soldiers are dissatisfied with the Army’s M9. According the Center for Naval Analyses, 46% of respondents to *Battlefield surveys reveal low confidence in the Army M9 weapon* battlefield surveys are not confident in the M9 because of the age of the weapon, malfunctions, and difficulty maintaining the weapon.<sup>4</sup> More than one in four M9 users reported stoppages of their weapons while engaging the enemy.<sup>5</sup>



What else is wrong with the Army’s plan to buy a new handgun? First, despite the more than 350 pages of requirements for the new handgun, the Army hasn’t specified how it wants the new weapon to perform. According to the request for proposal (RFP) released to industry in September 2015, the Army plans to conduct “an open caliber competition”, which means the choice of caliber is left up to the discretion of industry. But the caliber of the cartridge and the type of bullet it launches is arguably the most important performance component of the handgun. One of the principles of a commercial-off-the-shelf acquisition is that the government must be clear on what it is seeking to buy. This lack of clarity will

<sup>3</sup> Department of Justice, “9mm Luger Pistols / Replacement Parts,” Solicitation Number RFP-OSCU-DSU1503, Federal Bureau of Investigation, October 7, 2015, <https://www.fbo.gov/index?s=opportunity&mode=form&id=1ec06ecee93fabb2f163118a889e278&tab=core&view=0>.

<sup>4</sup> Russell, Sara M., “Soldier Perspectives on Small Arms in Combat,” December 2006, [https://www.cna.org/CNA\\_files/PDF/D0015259.A2.pdf](https://www.cna.org/CNA_files/PDF/D0015259.A2.pdf), Figure 2.

<sup>5</sup> Russell, Sara M., “Soldier Perspectives on Small Arms in Combat,” December 2006, [https://www.cna.org/CNA\\_files/PDF/D0015259.A2.pdf](https://www.cna.org/CNA_files/PDF/D0015259.A2.pdf), Figure 4.

likely result in top handgun makers not competing as many of them are not large defense contractors, which means that our soldiers won't necessarily get the best handgun that commercial industry has to offer.

Or perhaps that's the whole point, and the Army already has a preferred outcome in mind and is just going through the motions with this "competition". By purchasing both handguns and ammunition from a single vendor on a single contract, the total value of which could exceed \$1.2B, the Army's selection process favors larger companies over smaller ones and increases the risk that the Army will not select the best performing weapon, ammunition, silencer, holster and training system components available. In fact, with this contract structure, the Army will assuredly be forced to field one or more inferior components of the handgun system to the troops because there will be no way to pick and choose the best of each component received from various bidders without causing protests and legal actions from the losing bidders.

Another serious flaw with the Army's selection process for its new handgun is that there are currently too many opportunities for vendors to be disqualified for paperwork or technical reasons before our soldiers get a vote. The Army plans to conduct early handgun tests without actual human shooters (using fixed mechanical platforms) to narrow the selections to only three weapons before front line soldiers get to provide any feedback whatsoever. This means that back-office bureaucrats will have more say in selecting the next handgun than our front line troops, who arguably have more relevant expertise to contribute to the evaluation and selection process. But this is not without precedent—during the Army's last competition for small arms, Army bureaucrats disqualified all competitor rifles after the Army's current M4 Carbine was outperformed by commercial off-the-shelf alternatives used by select Special Forces units and our allies, and then cancelled the competition and refused to allow any front-line soldiers test the better-performing competitor weapons.<sup>6</sup>

Other than the critically important ammunition caliber and type, the Army micromanages everything else about the proposal process. Indeed, it may have set a record for issuing a request for proposal totaling over 350 pages with 21 attachments for a commercial item that may cost around \$500 each.<sup>7</sup> The Army requests a specific color for the new handgun, and dictates far less important specifications for it, such as compatibility of the handgun's bore brush with the

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<sup>6</sup> Scarborough, Rowan, "Army quits test after competing rifle outperforms M4A1 carbine," Washington Times, August 19, 2014, <http://www.washingtontimes.com/news/2014/aug/19/armys-quits-tests-after-competing-rifle-outperform/?page=all>.

<sup>7</sup> Solicitation, Offer, and Award, "W15QKN-15-R-0002," Army Contracting Command – NJ, Picatinny Arsenal, NJ, [http://cdn.bearingarms.com/uploads/2015/09/RFP\\_Final.pdf](http://cdn.bearingarms.com/uploads/2015/09/RFP_Final.pdf).

current Army cleaning kit, the size of the handgun's exterior packaging, even that "paper used for correspondence" must use "1" margins".<sup>8</sup> Any violations of these important 'requirements' are grounds for immediate and irreversible termination from the competition. The Army is also demanding the full technical data rights to the winning manufacturer. While this may make sense for very expensive weapon systems such as planes and ships with lots of spare parts and maintenance requirements for the next fifty or more years, it is unnecessary and wasteful for an item that costs in the hundreds of dollars that will almost certainly be cheaper to replace than modernize. In fact, it is entirely possible that the top handgun makers will choose not to participate in this competition for this reason alone as they will be giving away their own internal technical data, developed at no cost to the taxpayer, for the chance to deliver to the Army 300,000 new Army handguns, a quantity that equates to one month's sales on the commercial market.<sup>9</sup> But again, maybe that is the hope.

What's most concerning about the Army's process is that it could easily acquire a high-quality, commercial handgun for our troops using streamlined and reformed acquisition processes. The easiest solution would be to allow Army divisions or even brigade combat teams to select from handguns, ammunition and accessories that are already tested, approved and are being used in combat by units within the U.S. Special Operations Command (USSOCOM) and the Joint Special Operations Command (JSOC). The relatively low unit price and low quantity of issue at the brigade and division level would save many millions in acquisition costs and bureaucracy and get new handguns to the troops three years earlier than the current plan. The Army already does this for eyewear through the Authorized Protective Eyewear List (APEL) where lower level Army units can order from over thirty different types of commercial protective eyeglasses.<sup>10</sup>

The Army should suspend or cancel the current RFP until it can conduct a caliber study to determine what caliber and cartridge is optimum for the next handgun to meet current and emerging threats, similar to its current study to determine the optimum caliber for its future individual weapons (rifles and machine guns). Or better yet, it can just leverage the work of other federal law enforcement agencies, including the FBI, Customs and Border Patrol (CBP), and U.S. Special Operations Command, who have already conducted such studies and selected handguns and advanced ammunition and accessories that meet or exceed the Army's MHS specifications.

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<sup>8</sup> Ibid.

<sup>9</sup> "Firearms Commerce in the United States: Annual Statistical Update," United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives, 2014, <https://www.atf.gov/file/3336/download>.

<sup>10</sup> <http://www.peosoldier.army.mil/equipment/eyewear/>

Failing the options above, the Army should announce well in advance of the formal RFP the exact caliber and cartridge specifications and give industry adequate time to respond with mature and fully tested product samples and proposals that are oriented to that single caliber and cartridge. It is unacceptable that the Army took a decade to determine its handgun requirements and gives industry less than four months to comply with 350 pages of regulations and requirements. This is the only way the Army can ensure a fair competition for all vendors, as this will provide for a direct comparison of handgun performance firing the same ammunition caliber and cartridge. And critically, the Army must ensure that soldiers, including young, enlisted troops who will be on the front lines defending our nation, not simply its back-office bureaucrats, are given the opportunity to shoot all the weapons and provide immediate feedback to vendors on their performance. The Army already does this through its Network Integration Evaluation (NIE) at Fort Bliss—why the Army allows soldiers to provide feedback on radios but not small arms is inexplicable.<sup>11</sup> Without such changes to the current “competition”, the risk is too high that the Army will waste even more time and money in getting a sorely needed new handgun fielded to our soldiers.

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<sup>11</sup> <http://www.arcic.army.mil/Initiatives/network-integration-evaluation.aspx>