deficiency with respect to our weapon as all discharges occurred in the SAFETY OFF condition.

There is one noteworthy point with respect to the second round of abuse testing as specified by the FBI that needs to be stated. The weapon in question, FBI0003 was resubmitted to the FBI with corrections made to the deficient areas only which in this case was the magazine floorplate coming open when dropped. No other modifications or changes were made to any other components, parts etc. on this weapon as said parts already have proven to have maintained a satisfactory disposition in the previous, more severe abuse test. Our Firearms Product Manager, John Trull needed clarification from the FBI that the resubmission would be tested to evaluate correction to the noted deficiencies only. The obvious concern was that this weapon and its parts, components, etc. had been dropped a total of 18 times from a distance of 4 feet onto concrete to evaluate the absolute worst case abuse that the weapon may see over the course of its service life. For clarification purposes, Mr. Trull contacted Mr. Lon Horiuchi of the FBI to discuss this issue. Mr. Horiuchi confirmed that the resubmission would be evaluated only for correction of the noted deficiencies from the first round of abuse testing. Any subsequent failures that may occur in areas other than the noted deficiencies from the first round of abuse testing would not count against the manufacturer as a deficiency in the second round. As an example, should a stock break in the second round of abuse testing as redefined by the FBI, this would not count as a deficiency as the stock had already passed the more severe abuse testing in the first round as was originally specified.

This leads me to an assumption we have made that I would like to clarify. FAR regulation 52.212-2 allows for a failure to occur and the manufacturer be given the opportunity to correct the problem and the product be re-tested under the same test criteria. In this case, the product experienced failure in two areas during the abuse test (drop test) as it was originally written in the RFP . We made an adjustment in one deficiency (the magazine floorplate) but in the other we did not as the change in test protocol rendered the weapon discharging in the SAFETY OFF condition irrelevant as it was no longer a requirement in the new test. HOWEVER, the test and performance requirement has been changed. Thus, we are assuming that because the test is <u>different</u>, we are starting from ground zero on any failure point. Should the problem with the magazine floorplate latch again surface, we will again be given the ONE chance to correct the problem and be retested against the same test. Please verify if this assumption is correct or not.

Letter section 2;
NOTATIONS FROM FBI SNIPERS

After reading the notations, we came to the conclusion that some or all of these notes were not about our rifle. Examples;

- We did not use a plastic follower on our product
- Current mag spring and follower are virtually identical to those we currently supply to the FBI for use in their rifles
- 5 Rounds loaded easily and no hang ups were experienced in our testing
- Disassembly, cleaning and re-assembly are again identical to what the current FBI guns offer and it is about as simple as it gets.