

1 BEFORE THE ARMED SERVICES  
2 BOARD OF CONTRACT APPEALS

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6 APPEAL OF:

7 WESLEYAN COMPANY, INC.

8 UNDER CONTRACT NOS.: ASBCA No. 53896

9 DAKK 6084M116, DAKK

10 6084M3573, DAAK 6085M3337

11 and DAKK 6085M2329

12 -----X

13 VIDEO-CONFERENCE DEPOSITION OF

14 CHARLES R. WILLIAMS, a witness called by counsel for

15 Wesleyan Company, Inc., the Appellant, pursuant to

16 the Armed Services Board of Contract Appeals Rule 14,

17 before Janet M. Hills, Professional Reporter and

18 Notary Public in and for the Commonwealth of

19 Massachusetts, at the U.S. Army Soldier and

20 Biological Chemical Command, Soldier Systems Center,

21 Kansas Street, Natick, Massachusetts 01760, on

22 Thursday, April 24, 2003, commencing at 9:04 a.m.

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1 A Yes.

2 Q She says, "Based upon this limited evaluation,

3 it appears that the FIST/FLEX is a worthwhile

4 concept to pursue as a hydration system for use

5 with CP clothing"?

6 A Correct.

7 Q Do you recall ever discussing that evaluation or

8 recommendation, if you will, with Mr. Snow?

9 A I don't recall specifically.

10 Q Do you recall ever discussing it with Dr.

11 Bensel?

12 A I don't recall that either specifically.

13 Q Do you recall in general a -- some determination

14 to pursue the FIST/FLEX concept?

15 A I have trouble in separating out recollection,

16 but, I am practically convinced that, having

17 seen that recommendation, that I would have

18 supported a further evaluation, and probably

19 did.

20 Q Now, she uses the term there "concept."

21 In your -- In your -- You looked a

22 little bit earlier at the unsolicited proposal,

23 and since you didn't recall having seen it, I

24 didn't get into any specific questions.

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1 But, do you recall now what the

2 FIST/FLEX concept was from Wesleyan Company in

3 general?

4 A Well, first, I'd point out that Carolyn Bensel

5 was a Ph.D. and able to -- to comprehend and --

6 and generalize and that would have been a term

7 she would have used while perhaps Pat Snow was

8 looking at it more as a specific development and

9 device. And she would have called it a concept.

10 So, I think that's simply the -- the

11 background of the two individuals that's

12 reflected in that phrase.

13 Q Fair enough.

14 But, do you recall now what your

15 understanding of what the FIST/FLEX concept or

16 device was? What was it intended to do?

17 A It's great advantage would be to allow the

18 soldier to hydrate while in MOPP-4.

19 Q And could you elaborate on that? I believe you

20 did a little bit before to the reporter, you

21 know, MOPP-4 would be in full CP clothing;

22 right?

23 A Yeah. With the mask on and everything fully

24 buttoned up.

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1 And I could go on forever with USARIEM

2 background in terms of the temperature and

3 humidity and mission time profile that would be

4 possible for a soldier to function in that

5 condition. And -- And so on.

6 There was a need for any extended

7 operation and -- and I'll -- Stop me if I go too

8 long, but, if it was 90 degrees and 80 percent

9 relative humidity, it wouldn't make any

10 difference, because the soldier couldn't

11 dehydrate fast enough, because he didn't -- he'd

12 functionally become a heat casualty long -- too

13 rapidly.

14 So, at lower temperatures and

15 humidities, and there's an envelop of mission

16 time with temperature and humidity.

17 But, where a soldier could continue to

18 be in an operational mode long enough to have a

19 hydration need and still be under a chemical

20 biological threat, there was a desirability to

21 have a, in MOPP-4, hydration capability.

22 And so that was the -- if you will, the

23 Holy Grail, the object of the effort which, over

24 the years developed around the -- through the

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1 mask drinking concept.

2 Q Now, I appreciate that very much.

3 Now, you've just testified that you

4 thought the Wesleyan concept would provide a

5 great advantage in MOPP-4.

6 And could you elaborate on what that

7 advantage would be?

8 A I would respectfully correct your question, the

9 beginning, because I didn't testify that the

10 Wesleyan concept would necessarily do this.

11 The -- I don't know exactly what the

12 Wesleyan concept or proposal is in the larger

13 structure of things.

14 But, the concept of having a system

15 whereby you could hydrate while in MOPP-4 was

16 the objective. Whether -- Whether the Wesleyan

17 concept was fully that, or could even meet all

18 of the other requirements, is really a -- a

19 separate issue.

20 And I think the thing that -- that was

21 what everybody was working on to make it work

22 that way.

23 Q Well, I appreciate the -- the clarification.

24 Just for the record, when we're talking

→ Wesleyan System only one

19 (Pages 70 to 73)