

KYLE “DUSTY” FOGGO, *Central Intelligence Agency*

Kyle “Dusty” Foggo was the executive director of the Central Intelligence Agency (“CIA”), the third-highest ranking position in the agency.¹ Appointed by former CIA Director Porter Goss, Mr. Foggo was a surprise choice for this position because he had previously been assigned to mid-level logistics positions and had never before held a senior-level position in the agency’s headquarters.² Mr. Foggo joined the CIA in 1982 and worked all over the world as a procurement officer with a specific focus on technology.³

Mr. Foggo resigned as executive director after news reports stated that he had attended poker games organized by Brent Wilkes, a defense contractor under federal investigation for bribing former Rep. Randy “Duke” Cunningham.⁴ Mr. Foggo’s close personal friendship with Mr. Wilkes came to light in December 2005, as part of the Cunningham investigation.⁵ Messrs. Foggo and Wilkes have been close friends since they attended junior high school in Poway, California.⁶ Mr. Wilkes often visited Mr. Foggo on his CIA overseas assignments even though Mr. Foggo was undercover until 2005.⁷

In 2003, Mr. Wilkes received his first publically known contract with the CIA.⁸ The contract, valued at \$2-\$3 million,⁹ went to Archer Logistics, a Wilkes-owned company with no

¹ Charles R. Babcock and Jo Becker, Ex-CIA Official Defends Ties With Contractor, *The Washington Post*, May 11, 2006. (Exhibit 1)

² Christopher Cooper, Scot J. Paltrow and Robert Block, CIA Director Goss Abruptly Quits, *The Wall Street Journal*, May 6, 2006. (Exhibit 2)

³ Jerry Kammer and Marcus Stern, Federal Agents Raid Home of CIA’s Former No. 3 Boss, *Copley News Service*, May 12, 2006. (Exhibit 3)

⁴ David Johnston and David D. Kirkpatrick, Deal Maker Details the Art of Greasing the Palm, *The New York Times*, August 6, 2006 (Exhibit 4); U.S. v Cunningham, Crim No. 05-2137-LAB, Introductory Allegations, ¶¶ 14-I (S.D. Cal. Nov. 28, 2005). Mr. Wilkes is known widely as “Co-conspirator One” in the Cunningham criminal case. (Exhibit 5)

⁵ Dean Calbreath and Jerry Kammer, Contractor in Cunningham Case ‘Knew How to Grease the Wheels’, *Copley News Service*, December 5, 2006. (Exhibit 6)

⁶ Cooper, Paltrow and Block, *The Wall Street Journal*, May 6, 2006.

⁷ Dean Calbreath, No. 3 CIA Official Investigated On Ties to Wilkes, *San Diego Union-Tribune*, March 4, 2006. (Exhibit 7)

⁸ Dean Calbreath and Jerry Kammer, Defense Contractor’s House of Cards, *San Diego Union-Tribune*, May 28, 2006. (Exhibit 8)

⁹ Dean Calbreath, Co-conspirator’s Possible Links to Prostitutes Eyed, *San Diego Union-Tribune*, April 28, 2006. (Exhibit 9)

known logistics experience, for the sale of water and other supplies to CIA operatives in Iraq and Afghanistan.¹⁰ The contract was awarded through the Frankfurt, Germany office of the CIA at a time when Mr. Foggo was there overseeing procurement for the Middle East and Europe.¹¹ Later, Mr. Wilkes was in negotiations for a contract worth “hundreds of millions” to provide covert air transport for the CIA around the world, even though he had no experience in this field.¹² It was reported that Mr. Foggo personally greeted Mr. Wilkes when he came to CIA headquarters to negotiate the contract.¹³ Although Mr. Wilkes was close to getting the contract, it fell through once he was implicated in the Cunningham scandal.¹⁴

On May 12, 2006, days after Mr. Foggo announced his resignation, the FBI, the Internal Revenue Service and the Pentagon’s Criminal Investigative Service searched his house and office.¹⁵ The FBI is investigating whether Mr. Wilkes gave any improper gifts to Mr. Foggo in exchange for preferential treatment on certain lucrative CIA contracts.¹⁶ The CIA’s Office of the Inspector General also conducted an investigation into whether Mr. Foggo failed to properly inform the agency of free trips and gifts he received from Mr. Wilkes, but the results of that investigation have not been publicly disclosed.¹⁷ In addition, a document released by the House Committee on Intelligence revealed that Mr. Foggo is under investigation for awarding contracts to Global Transportation Systems, a Sterling, Virginia company headed by Richard Wenzel.¹⁸

¹⁰ Calbreath and Kammer, *San Diego Union-Tribune*, May 28, 2006.

¹¹ Id.

¹² Id.

¹³ Id.

¹⁴ Calbreath and Kammer, *San Diego Union-Tribune*, May 28, 2006.

¹⁵ Brian Bennett and Timothy J. Burger, The Probe of a Senior CIA Official Hits Home - and Abroad, *Time*, May 12, 2006. (Exhibit 10)

¹⁶ House Permanent Select Committee on Intelligence, Report of the Special Counsel for the Cunningham Inquiry – Executive Summary, p. 4 (Oct. 17, 2006) (Exhibit 11); *see also* Cooper, Paltrow and Block, *The Wall Street Journal*, May 6, 2006.

¹⁷ Scot J. Paltrow, CIA Digs In Its Heels, *The Wall Street Journal*, January 9, 2007. (Exhibit 12)

¹⁸ Id.