

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

Case No. 8:05-Cr-475-T-27TGW

vs.

THOMAS SPELLISSY

_____ /

ORIGINAL

SWORN STATEMENT OF: JAMES SANTA LUCIA

TAKEN BY: Defendant

DATE: April 10, 2006

TIME: 11:21 - 11:30 a.m.

PLACE: MacDill Air Force Base

REPORTED BY: Melinda McKenna
Notary Public
State of Florida at large

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APPEARANCES:

STEVEN WEIR
U.S. Air Force
MacDill Air Force Base
Tampa, FL

PATRICK DOHERTY, ESQUIRE
JEFF BROWN, ESQUIRE
Brown & Doherty, P.A.
450 Carillon Parkway, #120
St. Petersburg, FL 33716

Attorney for the Defendant

ALSO PRESENT:

Thomas Spellissy
Tom Allen

1 JAMES SANTA LUCIA,
2 the deponent herein, being first duly sworn, was
3 examined and testified as follows:

4 EXAMINATION

5 BY MR. DOHERTY:

6 Q Please state your name and occupation.

7 A James Joseph Santa Lucia, and I'm a government
8 contractor SENTEL Corporation.

9 Q How long have you been so employed?

10 A Since the 9th of February 2004.

11 Q And you've worked here since 2004?

12 A Yes. Uh-huh.

13 Q And what do you do in your job?

14 A I work for the comparative test office --
15 Comparative Testing Office, and that's part of the
16 SOALMI. That's the acronym within the management
17 section of the acquisition executive.

18 Q What do you do there?

19 A I support the processes for foreign
20 comparative testing and defense acquisition challenge
21 programs. Those are congressionally mandated programs
22 that bring R and D money to the command for testing
23 either end items of processes or technology.

24 Q And this brings money to SOCOM to do foreign
25 comparative testing in the DAC program as well?

1 A Yes. Non-MPF money.

2 Q Why do you say that? I'm a novice at this. I
3 don't know what that means.

4 A Well, the major program funding 11 is money
5 that's SOCOM money. That's the normal money that they
6 get in the budget. This is special money that's
7 meant -- each program has a different objective, but
8 it's to quickly, as I said, to bring technology and
9 products or material to the field and to give. That
10 means stuff that's almost off the shelf to the field to
11 support the war fire need, the soft war fire need.
12 It's a DOD-wide program. Those are both DOD-wide
13 programs. They're competitive programs.

14 Q In what way?

15 A In other words, there's only so much money and
16 the services compete for that money based upon the
17 projects that are submitted on an annual basis.

18 Q FCT's and DAC's are both competitive
19 processes?

20 A Yes.

21 Q How does a contractor influence that
22 competition, if ever?

23 A A contractor doesn't influence it. These
24 are -- each of the projects are in support of an
25 ongoing acquisition program and those programs are

1 managed by the Department of Defense, either SAM's or
2 PM's, program managers or system acquisition managers.

3 Q Did you have occasion in your occupation to
4 work with Bill Burke?

5 A Yes.

6 Q How long?

7 A He was my -- from February of '04 until June
8 of '05.

9 Q What was his relationship with you?

10 A He was my boss, my supervisor, task lead. I'm
11 sorry. That would be the better word, task lead.

12 Q In that period of time did you ever see Burke
13 ever do anything unethical or illegal?

14 A I did not.

15 Q Did you ever see him make a recommendation
16 that was not amply substantiated by the data?

17 A Recommendation to --

18 Q To anybody.

19 A No, I never did.. As a matter of fact --

20 Q Does he make recommendations?

21 A He would -- I would say more assist
22 communication.

23 Q In what way?

24 A He brings together people from industry that
25 may contact our officer based upon the knowledge of

1 this program with the program office that we have, the
2 commodity area or program office, within SOCOM that
3 might have interest in that area. So I would say maybe
4 supports communication, and that's by task only.
5 That's outlined in the contract tasks.

6 Q He was an employee of SENTEL?

7 A Yes.

8 Q Who paid him?

9 A The money came from OSD, but it came from
10 SENTEL. SENTEL was his employer.

11 Q And that was a private corporation?

12 A Yes. An 8A.

13 Q I didn't get what you just said.

14 A A disadvantaged 8A corporation, SENTEL is.
15 It's a contractor from small business.

16 Q SBA?

17 A Yes. Small disadvantage.

18 Q And was he a public official or was he a
19 private party?

20 A He was a private contractor. Same as I am.

21 Q Do you remember when he came to leave this
22 command?

23 A When he left command?

24 Q Uh-huh.

25 A Yes.

1 Q How did that all happen? Can you remember?

2 A The actually physically what happened?

3 Q Yeah.

4 A He was -- as a matter of fact, we were
5 scheduled to have a meeting and he was -- Jim Pettigrew
6 who is the SOALMI --

7 Q I don't know what that means.

8 A Yeah. It's one of the sections, the
9 industrial section, within acquisitions came to his
10 desk. All I saw from -- since I sat right across from
11 him was that he was escorted out by Mr. Pettigrew. No
12 explanation, until later, to us.

13 Q What was the explanation to you?

14 A Just that he was -- his clearance had been
15 taken away and his access to the building was removed.

16 Q And were all of his work papers here and
17 stuff?

18 A I think that he was allowed to take some
19 things away, but most of the stuff belonged to the
20 office.

21 Q So it stayed here?

22 A As far as I know, yeah.

23 Q And his clearance was yanked?

24 A I think that -- yeah, that would be the end
25 result.

1 MR. BROWN: Were you told why that happened?
2 Why they had him leave the building and his
3 clearance revoked?

4 THE WITNESS: They didn't tell me. I just
5 read it in the newspaper. That's where my
6 information comes from.

7 MR. BROWN: But nobody has ever told you from
8 SENTEL or from any other company.

9 THE WITNESS: Not really, no. I can't think
10 of any.

11 MR. DOHERTY: I don't have anything further to
12 ask you.

13 THE WITNESS: Really. Okay. Good.

14 MR. DOHERTY: Thanks for coming.

15 (SWORN STATEMENT CONCLUDED AT 11:30 a.m.)
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CERTIFICATE OF OATH

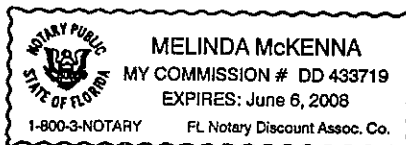
STATE OF FLORIDA)

COUNTY OF PINELLAS)

I, MELINDA MCKENNA, the undersigned authority,
certify that JAMES SANTA LUCIA personally appeared
before me and was duly sworn.

WITNESS my hand and official seal this 28th
day of April, 2006.

Melinda McKenna
MELINDA MCKENNA
Notary Public - State of Florida
My Commission No. DD433719
Expires: 6/6/08



CERTIFICATE OF REPORTER

1
2 STATE OF FLORIDA)
3 COUNTY OF PINELLAS)

4 I, MELINDA MCKENNA, Court Reporter, certify that I
5 was authorized to and did stenographically report the
6 sworn statement of JAMES SANTA LUCIA; and that the
7 transcript is a true record of the testimony given by
8 the deponent.

9 I further certify that I am not a relative,
10 employee, attorney, or counsel of any of the parties,
11 nor am I a relative or employee of any of the parties'
12 attorney or counsel connected with the action, nor am I
13 financially interested in the action.

14 Dated this 28th day of April, 2006.

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17 
18 MELINDA MCKENNA