**U.S. Department of Justice** 



United States Attorney Southern District of Florida

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## NEWS RELEASE:

## SIXTEEN FOREIGN NATIONALS AND CORPORATIONS INDICTED ON CHARGES OF ILLEGALLY EXPORTING POTENTIAL MILITARY AND EXPLOSIVES COMPONENTS TO IRAN

A federal grand jury in Miami, FL, has returned a Superseding Indictment charging eight individuals and eight corporations in connection with their participation in conspiracies to export U.S.-manufactured commodities to prohibited entities and to Iran. The defendants are named in a thirteen (13) count Indictment – returned on Sept. 11, 2008 and unsealed today -- that includes charges of conspiracy, violations of the International Emergency Economic Powers Act and the United States Iran Embargo, and making false statements to federal agencies in connection with the export of thousands of U.S. goods to Iran.

The charges were announced today by R. Alexander Acosta, United States Attorney for the Southern District of Florida, Patrick Rowan, Acting Assistant Attorney General for National Security, U.S. Department of Justice, Carlos M. Gutierrez, Secretary, U.S. Department of Commerce, Adam Szubin, Director, Department of the Treasury, Office of Foreign Assets Control (OFAC), Sharon Woods, Director, Defense Criminal Investigative Service (DCIS), and Julie L. Myers, Homeland Security Assistant Secretary for U.S. Immigration and Customs Enforcement (ICE).

The Superseding Indictment alleges that the defendants purchased, and then illegally exported to ultimate buyers in Iran, numerous "dual use" commodities. "Dual-use" commodities are goods and technologies that have commercial application, but could also be used to further the military or nuclear potential of other nations and could be detrimental to the foreign policy or national security of the United States. In this regard, the Superseding Indictment alleges that the defendants caused the export of 120 field-programmable gate arrays, more than 5000 integrated circuits of varying types, approximately 345 Global Positioning Systems ("GPS"), 12,000 Microchip brand micro-controllers, and a Field Communicator. All of these items have potential military applications, including as components in the construction of improvised explosive devices (IEDs).

The charged announced today are the result of an extensive inter-agency investigation into the use of U.S.-made goods in the construction of IEDs and other explosive devices used against Coalition Forces in Iraq and Afghanistan. Charged in the Superseding Indictment are: Ali Akbar Yahya, an Iranian national and naturalized British citizen; F.N. Yaghmaei, a/k/a " Farrokh Nia Yaghmaei," an Iranian national; Mayrow General Trading, Atlinx Electronics, Micatic General Trading, Madjico Micro Electronics, a/k/a "MME," and Al-Faris, all Dubai-based businesses; Neda Industrial Group, an Iran-based business; Bahman Ghandi, a/k/a "Brian Ghandi," an Iranian national; Farshid Gillardian, a/k/a "Isaac Gillardian," a/k/a "Isaac Gill," an Iranian national and a naturalized British citizen; Kaam Chee Mun, a/k/a "Brian Kaam," a resident of Malaysia; Djamshid Nezhad, a/k/a "Reza," a resident of Germany; Ahmad Rahzad, a/k/a "Saeb Karim," an Iranian national; Majid Seif, a/k/a "Mark Ong,"a/k/a "Matti Chong," an Iranian national residing in Malaysia; and Eco Biochem Sdn BHD and Vast Solution Sdn BHD, Malaysian businesses. The defendants are charged with purchasing and causing the export of U.S. goods to Iran through middle countries, including the United Arab Emirates, Malaysia, England, Germany, and Singapore. More specifically, the charges in the Indictment are as follows:

• Count 1 of the Superseding Indictment charges defendants Yahya, Yaghmaei, Mayrow General Trading, Atlinx Electronics, Micatic General Trading, Majidco Micro Electronics, Al-Faris, and Neda Industrial Group with conspiracy to export goods to Iran and to defraud the United States, in violation of the International Emergency Economic Powers Act, Title 50, United States Code, Sections 1702 and 1705(a), the United States Iran Embargo, and the Export Administration Regulations, and Title 18, United States Code, Section 371.

• Counts 2 through 5 charge defendants Yahya, Yaghmaei, Micatic, and Mayrow with exporting U.S. goods from the United States to Iran, in violation of the International Emergency Economic Powers Act and the United States Iran Embargo.

 $\cdot$  Counts 6 through 8 charge defendants Yahya, Yaghmaei, Majidco, Micatic, and Mayrow with making false statements in federally mandated shipping documents regarding the ultimate destination and use of the goods, in violation of Title 18, United States Code, Section 1001(a)(2).

• Count 9 charges defendants Yahya, Mayrow, Al-Faris, Ghandi, Gillardian, Mun, Nezhad, Rahzad, Seif, Eco Biochem, and Vast Solution with conspiracy to export goods to Iran, in violation of the International Emergency Economic Powers Act, Title 50 United States Code, Sections 1702 and 1705(a), the United States Iran Embargo, and the Export Administration Regulations, and to defraud the United States, in violation of Title 18, United States Code, Section 371.

 $\cdot$  Counts 10 and 11 charge defendants Al-Faris, Seif, and Vast Solution with exporting U.S. goods from the United States to Iran, in violation of the International Emergency Economic Powers Act and the United States Iran Embargo.

 $\cdot$  Counts 12 and 13 charge defendant Seif with making false statements by misrepresenting the ultimate destination and use of the goods on Federal Form BS-711 Statement By Ultimate Consignee and Purchaser, in violation of Title 18, United States Code, Section 1001(a)(2).

U.S. Attorney Alex Acosta stated, "The dual use items that the defendants illegally exported to Iran have military applications, including the making of improvised explosive devices. I urge any domestic supplier who may have unwittingly helped the defendants, or others like them, to come forth and report the matter to federal law enforcement. We cannot profit at the expense of our soldiers' safety abroad. The United States Attorney's Office will continue to investigate this matter as additional information is uncovered."

"Today's indictment details the global reach of Iranian procurement networks and underscores, in dramatic terms, the importance of keeping sensitive U.S. technology out of their grasp," said Patrick Rowan, Acting Assistant Attorney General for National Security at the U.S. Department of Justice.

"This extensive, effective government effort has broken up a lethal international ring seeking to harm American and allied forces as well as innocent civilians by acquiring sensitive U.S. technology capable of producing improvised explosive devices (IED) similar to those being used in Iraq and Afghanistan," said Commerce Secretary Carlos M. Gutierrez. "The Commerce Department remains firmly committed to protect our forces by prosecuting those who try to do them harm, and today's action illustrates the broad scope of that endeavor."

Adam Szubin, Director of the Department of the Treasury's Office of Foreign Assets Control, added, "The U.S. Government is wielding a powerful array of authorities against Iran's proliferation supply chain. In concert with today's unsealed indictment against Iran's suppliers and middlemen, Treasury is levying sanctions against Iranian military end-users that procured goods from those named in today's indictment. Together, the actions of the Justice, Commerce, and Treasury Departments will expose Iran's proxies to the world and undermine its procurement activities."

Sharon Woods, Director of the Defense Criminal Investigative Service of the Department of Defense Office of Inspector General, stated, "The illegal diversion of U.S. military technologies through deception, by domestic and foreign companies, poses a significant danger to America's soldiers on the battlefield. These illegally exported goods provided our enemies with necessary components to manufacture improvised explosive devices, designed to kill and maim U.S. troops and allies. The Pentagon's Defense Criminal Investigative Service and its investigative partners will continue to pursue and expose these hidden enemies to help protect our soldiers as we fight against global terrorism."

"The national security implications of this case cannot be underestimated," said Julie L. Myers, Homeland Security Assistant Secretary for ICE. "The export of dual use technology is controlled for good reason. In the wrong hands, these items could be used to harm our soldiers, our homeland, and our allies. Enforcing U.S. export laws is one of our top priorities, and we will continue to work with our law enforcement partners to ensure that those who put our country at risk are brought to justice."

If convicted on the conspiracy charges, the defendants each face a statutory maximum

sentence of up to five (5) years' imprisonment. If convicted of violating the International Emergency Economic Powers Act and the Iran Embargo, the defendants face a statutory maximum sentence of up to twenty (20) years' imprisonment. If convicted of making false statements, the defendants face a statutory maximum sentence of up to five (5) years' imprisonment. In addition, the defendants face possible fines of up to \$1 million.

Mr. Acosta commended the investigative efforts of the U.S. Department of Commerce, which led this investigation, the Office of Foreign Assets Control of Department of the Treasury, the Defense Criminal Investigative Service, and the Immigration and Customs Enforcement, Office of Investigations, for their work on this case. The case is being prosecuted by Assistant U.S. Attorney Melissa Damian.

A copy of this press release may be found on the website of the United States Attorney's Office for the Southern District of Florida at <u>www.usdoj.gov/usao/fls</u>. Related court documents and information may be found on the website of the District Court for the Southern District of Florida at <u>www.flsd.uscourts.gov</u> or on <u>http://pacer.flsd.uscourts.gov</u>.