

Department of Instice

United States Attorney Carmen M. Ortiz District of Massachusetts

FOR IMMEDIATE RELEASE FRIDAY, APRIL 4, 2014 www.justice.gov/usao/ma/news.html CONTACT: CHRISTINA DiIORIO-STERLING Phone (617) 748-3356 <u>usama.media@usdoj.gov</u>

## <u>CHINESE NATIONAL DETAINED IN UNITED KINGDOM FOR ILLEGALLY</u> EXPORTING U.S. MANUFACTURED PARTS WITH NUCLEAR APPLICATIONS

Iranian Co-conspirator also charged

WASHINGTON – A 10 count indictment was unsealed today charging Sihai Cheng, a/k/a Chun Hai Cheng, a/k/a Alex Cheng, and Seyed Abolfazl Shahab Jamili, along with two Iranian companies, Nicaro Eng. Co., Ltd. (Nicaro) and Eyvaz Technic Manufacturing Company (Eyvaz), with conspiring to export American-made pressure transducers to Iran. Pressure transducers can be used in gas centrifuges to enrich uranium and produce weapons-grade uranium.

On Feb. 7, 2014, Cheng, a citizen of the People's Republic of China, was arrested by British authorities on a United States provisional arrest warrant during a trip to the United Kingdom. He is being detained in England pending his extradition to the United States. At a hearing held today in the United Kingdom, Cheng was again remanded in custody and the extradition hearing was set for June 5, 2014.

The indictment alleges that between in or about November 2005 and 2012, Cheng supplied thousands of parts that have nuclear applications, including U.S. origin goods, to Eyvaz, an Iranian company involved in the development and procurement of parts for Iran's nuclear weapons program. In 2011, the Council of the European Union designated Eyvaz as an entity "involved in [Iran's] nuclear or ballistic missile activities" and imposed restrictive measures against it. In so doing, it found that Eyvaz had produced vacuum equipment, which it supplied to two of Iran's uranium nuclear enrichment facilities, Natanz and Fordow, and that it also had supplied pressure transducers to Kalaye Electric Company, an Iranian company which has been designated by the United States and United Nations as a proliferator of Weapons of Mass Destruction.

Specifically, the indictment alleges that in 2005, Cheng began doing business with Jamili, an Iranian national who worked for Eyvaz and ran his own importing business in Iran. Since 2005, Cheng sold Jamili thousands of Chinese manufactured parts with nuclear applications knowing that these parts were destined for Iran. Significantly, beginning in February 2009,

Cheng and Jamili conspired with others in the PRC to illegally obtain hundreds of U.S. manufactured pressure transducers (pressure transducers manufactured by MKS Instruments, Inc., headquartered in Massachusetts) on behalf of Eyvaz. As a result of the illegal activities of Cheng and his co-conspirators, hundreds of MKS pressure transducers were illegally exported from the United States to China. Upon receipt of these parts in China, Cheng caused the MKS pressure transducers to be exported to Eyvaz or Jamili in Tehran, Iran, in violation of U.S. export laws.

The indictment further alleges that by 2007, Iran was operating thousands of gas centrifuges at the Natanz uranium enrichment facility. Iran has sought and illicitly obtained MKS pressure transducers to use in its centrifuge plants. Publicly available photographs of Natanz (with then President Mahmoud Ahmadinejad) show numerous MKS pressure transducers attached to Iran's gas centrifuge cascades. Because pressure transducers can be used in gas centrifuges to convert natural uranium into a form that can be used in nuclear weapons, they are subject to export controls and cannot be shipped to China without an export license or to Iran at all.

United States Attorney Carmen M. Ortiz; Vincent B. Lisi, Special Agent in Charge of the Federal Bureau of Investigation's Boston Field Division; Bruce M. Foucart, Special Agent in Charge of the Homeland Security Investigation's Boston Field Office; and John J. McKenna, Special Agent in Charge of the Department of Commerce, Office of Export Enforcement, Boston Field Office made the announcement today.

If convicted Cheng and Jamili face up to 20 years in prison. They also face up to three years' supervised release and a \$1,000,000 fine for each export violation.

The case is being prosecuted by Assistant U.S. Attorney B. Stephanie Siegmann of Ortiz's National Security Anti-Terrorism Unit, with assistance from Trial Attorney Mariclaire Rourke of the Counterespionage Section of U.S. Department of Justice, National Security Division.

The details contained in the indictment are allegations. The defendants are presumed to be innocent unless and until proven guilty beyond a reasonable doubt in a court of law.

###

DO NOT REPLY TO THIS MESSAGE. IF YOU HAVE QUESTIONS, PLEASE USE THE CONTACTS IN THE MESSAGE OR CALL THE OFFICE OF PUBLIC AFFAIRS AT 202-514-2007.