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JUSTICE NEWS

Department of Justice

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Wednesday, July 7, 2010

**New Charges Filed Against Irish Trading Firm for Exporting U.S. Military Items to Iran**

WASHINGTON – A federal grand jury in Washington, D.C., has charged Mac Aviation Group, an Irish trading company, and its officers Thomas and Sean McGuinn of Sligo, Ireland, in a superseding indictment with purchasing F-5 fighter aircraft parts, helicopter engines and other aircraft components from U.S. firms and illegally exporting them to Iran.

The 27-count superseding indictment was announced by David Kris, Assistant Attorney General for National Security; Ronald C. Machen Jr., U.S. Attorney for the District of Columbia; John Morton, Director of U.S. Immigration and Customs Enforcement; and James Burch, Deputy Inspector General for Investigations of the Defense Criminal Investigative Service.

The defendants were originally charged in a sealed 25-count indictment in July 2008 with two counts of conspiracy, 19 counts of violating the International Emergency Economic Powers Act (IEEPA) and Iranian Transactions Regulations, four counts of false statements, and forfeiture allegations. The indictment was unsealed in March 2009.

The two additional counts charged in the superseding indictment pertain to Mac Aviation and Tom McGuinn's procurement of military items, specifically F-5 fighter aircraft parts, from a U.S. company and export of those parts to Iran, in violation of the Arms Export Control Act (AECA). If convicted, the defendants face a maximum sentence of 10-20 years in prison for each of the IEEPA counts, 10 years in prison for the AECA charge, 5-20 years in prison for each of the conspiracy counts, and five years in prison for each of the false statement counts.

According to the indictment, beginning as early as August 2005 and continuing through July 2008, the defendants solicited purchase orders from customers in Iran for U.S.-origin aircraft engines and parts and then sent requests for aircraft components to U.S. companies. These parts included helicopter engines, aircraft bolts and vanes, and canopy panels for the F-5 fighter aircraft. The defendants wired money to banks in the U.S. as payment for these parts and concealed from U.S. sellers the ultimate end-use and end-users of the purchased parts. The defendants caused these parts to be exported from the United States to third countries like Malaysia before causing them to be transhipped to Iran.

The superseding indictment alleges that from 2005 and continuing until 2006, the defendants caused canopy panels designed for the F-5 fighter aircraft, valued at approximately \$44,500, to be exported from the United States to Iran. The defendants falsely stated that the end user for the F-5 panels was the Republic of Nigeria. Instead, the panels were sold by the defendants to Sasadjia Moavanate Bazargani, in Tehran, Iran for \$86,400. The purchase was arranged through the Iran Aircraft Manufacturing Industrial Company, known by its Iranian acronym as HESA.

On Sept. 17, 2008, the Treasury Department designated several Iranian entities as weapons of mass destruction proliferators and members of their support networks, pursuant to Executive Order 13382. Among the entities designated was HESA, which the Treasury Department determined was controlled by Iran's Ministry of Defense and Armed Forces Logistics and has provided support to the Iranian Revolutionary Guard Corps.

The defendants were previously charged with purchasing 17 helicopter engines from Rolls Royce Corporation in Indiana for \$4.27 million dollars on behalf of an Iranian trading company, some of which were ultimately sent to HESA, and also causing U.S.-origin airplane vanes and bolts to be exported from the United States to Iran.

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This investigation was conducted by special agents from the Department of Homeland Security's U.S. Immigration and Customs Enforcement and the Defense Criminal Investigative Service. Special agents from the U.S. Department of Commerce, Office of Export Enforcement, also assisted in the investigation.

The case is being prosecuted by Assistant U.S. Attorneys Ann Petalas and John Borchert of the U.S. Attorney's Office for the District of Columbia, and Trial Attorneys Jonathan Poling and Ryan Fayhee of the Counterespionage Section of the Justice Department's National Security Division.

The details contained in an indictment are mere allegations. All defendants are presumed innocent unless and until proven guilty in a court of law.

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National Security Division

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