

NEWS

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Ralph J. Marra, Jr., Acting U.S. Attorney

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FOR IMMEDIATE RELEASE

Feb. 24, 2009

Chinese National Admits Trying to Buy
Night Vision Technology for Export to China

(More)

Public Affairs Office
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CAMDEN – A Chinese national pleaded guilty today to conspiring to export military-grade night-vision technology from the United States to the Republic of China, Acting U.S. Attorney Ralph J. Marra, Jr., announced.

Bing Xu, 38, of Nanjing, China, admitted that he served as a manager at Everbright Science and Technology, Ltd, a company located in Nanjing. He further admitted that he conspired with others at Everbright to purchase certain night-vision technology from a company in the United States, which required a license from the United States Department of State for export.

Xu admitted that he and others at Everbright first attempted to obtain the necessary export license for the night-vision equipment. When the license application was denied by the Department of State, Xu agreed with others at Everbright to take steps to export the night vision optical equipment illegally. Xu stated that he knew his conduct was illegal and that he was aware that a license was required to export the technology. The United States maintains an arms embargo with China, and State Department policy is to deny permission for the export of defense articles such as the night-vision technology that Xu sought to order.

Xu pleaded guilty to Count One of a Superseding Indictment, which charged a conspiracy to violate United States export laws. The offense carries a maximum statutory penalty of five years in prison and a \$250,000 fine. U.S. District Judge Renée Marie Bumb took defendant Xu's plea and scheduled sentencing for June 8, 2009.

Xu has been in custody since his arrest in October 2007.

Marra credited Special Agents of the Department of Homeland Security, Immigration and Customs Enforcement, under the direction of Special Agent in Charge Kyle Hutchins and Special Agents from the Department of Defense, Defense Criminal Investigative Services, under the direction of Resident Agent in Charge Christopher Fair, as well as the New Jersey State Police, under the direction of Superintendent Colonel Rick Fuentes, and the Piscataway Township Police Department, under the direction of Chief of Police Kevin Harris, with the investigation leading to the criminal complaint.

The government is represented by Assistant U.S. Attorneys Philip James Degnan and Harvey Bartle, IV, of the U.S. Attorney's Office Criminal Division in Newark and Trenton respectively.

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Defense Counsel: Paul Goldberger, Esq., New York.

