

SEALED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 6:16-cr-23-Orl-37GJK

AMIN YU
a/k/a Yu Amin
a/k/a Amy Yu

18 U.S.C. § 951(a)
18 U.S.C. § 371
18 U.S.C. § 554
13 U.S.C. § 305(a)(1)
18 U.S.C. § 1956(h)
18 U.S.C. § 1956(a)(2)(A)
18 U.S.C. § 1001
13 U.S.C. § 305(3) - Forfeiture
18 U.S.C. § 981(a)(1)(C) - Forfeiture
18 U.S.C. § 982(a)(1) - Forfeiture
28 U.S.C. § 2461(c) - Forfeiture

SUPERSEDING INDICTMENT

The Grand Jury charges:

Introduction

At times material to this Superseding Indictment:

Electronic Export Information and the Automated Export System

1. The Department of Commerce (DOC), through the U.S. Census Bureau (Census) required the filing of electronic export information through the Automated Export System (AES) or through AES*Direct* pursuant to Title 13, United States Code, Section 305 and the Foreign Trade Regulations (FTR), Title 15, Code of Federal Regulations, Part 30. The purpose of these requirements was to strengthen the United States government's ability to prevent the export of certain items to unauthorized destinations and end users because the AES aids in

targeting, identifying, and when necessary confiscating suspicious or illegal shipments prior to exportation. 15 C.F.R. § 30.1(b).

2. With exceptions not relevant to the exports at issue in this Superseding Indictment, electronic export information (EEI) was required to be filed for, among other things, the export of commodities valued over \$2,500.00 per Harmonized Tariff Schedule of the United States of America (HTSUSA) commodity classification code. EEI was required to contain, among other things: the names and addresses of the parties to the transaction; and the description, quantity, and value of the items exported. 15 C.F.R. § 30.6(a). At times relevant to this Superseding Indictment, a Shipper's Export Declaration (SED) was a form used to file EEI through the AES.

The People's Republic of China and the Conspirators

3. The People's Republic of China (PRC) was a "foreign government" as that term is defined under 28 C.F.R. § 73.1(b).

4. AMIN YU (YU), a/k/a Yu Amin, a/k/a Amy Yu, was a citizen of the PRC and a Lawful Permanent Resident of the United States who lived and worked in Mason, Ohio, and then in Orlando, Florida, in the Middle District of Florida.

5. From at least 2002 until about January 2009, YU controlled Amin International, Inc., an Ohio corporation, from her residence in Mason, Ohio. From about February 2009 until at least February 2014, YU controlled IFour International, Inc., a Florida corporation, from her residence in Orlando, Florida.

6. The People's Liberation Army (PLA) was the military of the PRC. The PLA Navy was the branch of the PLA responsible for, among other things, the development and operation of marine submersible vehicles for use by the PLA.

7. Harbin Engineering University (HEU) was a PRC-controlled entity that was initially formed in 1953 under the direction of the PLA as the "PLA Military Engineering Institute." Although the entity changed its name to "Harbin Engineering University" in 1966, HEU continued to conduct research and development for use by, and on behalf of, the PRC, including for the PLA Navy and other state-controlled entities.

8. Prior to moving to the United States in about 1998, YU was the Laboratory Manager at the Marine Control Equipment and System Research Division of HEU. YU worked at HEU under the direction and control of Co-conspirator A and others at HEU on projects involving, among other things, the navigation of underwater remotely operated vehicles (ROVs).

9. Co-conspirator A was an agent of HEU and a professor at the HEU College of Automation in the PRC and was, at various times and among other things, the director of the Best Sea Assembly Institute at HEU and the Division Director for the Marine Control Equipment and System Research Division of HEU. In about 2002, Co-conspirator A was appointed the Chief Technology Expert of a key PRC national research project concerning the development of an unmanned underwater vehicle (UUV).

10. Co-conspirator B was an agent of HEU and associate professor at HEU located in the PRC who worked on marine submersible systems.

11. Co-conspirator C was an agent of HEU and a manager at the Best Sea Assembly Institute at HEU located in the PRC who worked on marine submersible systems.

12. Co-conspirator D worked on behalf of entities the conspiracy used to facilitate the export of underwater vehicle systems from the United States, Canada, and Europe to the PRC.

13. Co-conspirator E was an agent of HEU located in the PRC who worked on marine submersible systems.

A Summary of the Illicit Export of UUV and AUV Components

14. As described further in this Superseding Indictment, from at least 2002 until in or about February 2014, at the request of, and subject to the direction and control of, Co-conspirator A and other co-conspirators in the PRC associated with HEU, YU obtained items from companies in the United States, Canada, and Europe and then exported those items to the PRC for use by Co-conspirator A and others in the development of marine submersible vehicles (i.e., UUVs, ROVs, and AUVs (autonomous underwater vehicles)) for HEU, the PLA Navy, and other state-controlled entities. The co-conspirators in the PRC received exports from the United States in the names of the following entities: PRC Company 1; PRC Company 2; PRC Company 3; and PRC Company 4.

COUNT ONE
**(Acting in the United States as an Illegal Agent of a Foreign Government
Without Prior Notification to the Attorney General)**

15. Paragraphs 1 through and including paragraph 14 and 28 through and including paragraph 105 are realleged and incorporated herein by reference as to Count One.

16. Beginning on a date unknown to the Grand Jury, but at least in or about 2002, and continuing until in or about February 2014, in the Middle District of Florida, and elsewhere,

AMIN YU
a/k/a Yu Amin
a/k/a Amy Yu

the defendant herein, did knowingly act in the United States as an agent of a foreign government, to wit: the People's Republic of China, without prior notification to the Attorney General of the United States as required by law.

All in violation of Title 18, United States Code, Section 951(a).

COUNT TWO
(Conspiracy)

A. The Agreement

17. Paragraphs 1 through and including paragraph 14 are realleged and incorporated herein by reference as to Count Two.

18. Beginning from an unknown date, but no later than in or about 2002, and continuing through and including in or about February 2014, in the Middle District of Florida, and elsewhere,

AMIN YU
a/k/a Yu Amin
a/k/a Amy Yu

the defendant herein, did knowingly and willfully conspire and agree with others, known and unknown to the Grand Jury, to:

(a) defraud the United States by interfering with the lawful government functions of various federal agencies, including the Department of Homeland Security and the Department of Commerce, in the ascertainment and collection of customs and export information and the authority to inspect and examine cargo crossing the United States border, in violation of Title 18, United States Code, Section 371, through deceitful and dishonest means, to wit:

knowingly failing to file EEI; and knowingly filing and causing the filing of false or misleading EEI, which was to be submitted to the U.S. government via the AES; and

(b) commit offenses against the United States, namely, to: knowingly act in the United States as agents of a foreign government, specifically the People's Republic of China, without prior notification to the Attorney General as required by law, in violation of Title 18, United States Code, Section 951(a); and to fraudulently and knowingly export and send from the United States merchandise, articles and objects contrary to laws and regulations of the United States, in violation of Title 18, United States Code, Section 554.

B. Manner and Means

The manner and means used to accomplish the objects of the conspiracy included, among others, the following:

19. It was a part of the conspiracy that Co-conspirator A and other co-conspirators located in the PRC would and did, via international telephone calls and email, communicate with YU for the purpose of directing YU to obtain specific items from the United States, Canada, and Europe for the use of HEU and other PRC-controlled entities in China.

20. It was further a part of the conspiracy that YU (on behalf of Amin International and IFour International) would and did communicate, via telephone and over the Internet via email, with companies in the United States, Canada, and Europe for the purpose of obtaining the items requested by the other co-conspirators located in the PRC for use by HEU and other PRC-controlled entities.

21. It was further a part of the conspiracy that YU (on behalf of Amin International and IFour International) would and did enter into contracts and agreements with companies located in the United States, Canada, and Europe for the purpose of obtaining the items requested by the other co-conspirators located in the PRC for use by HEU and other PRC-controlled entities.

22. It was further a part of the conspiracy that YU (on behalf of Amin International and IFour International) would and did enter into agreements and contracts with the other co-conspirators located in the PRC for the sale and export

of the items YU obtained on behalf of HEU in the United States, Canada, and Europe.

23. It was further a part of the conspiracy that the other co-conspirators located in the PRC would and did send funds via international wire transfer from bank accounts in the PRC to bank accounts in the United States to YU for the purpose of obtaining and exporting the items from the United States, Canada, and Europe to the PRC for use by HEU and other PRC-controlled entities.

24. It was further a part of the conspiracy that YU would and did use a portion of the wire transferred funds she received from the PRC for the purchase and export of the items YU obtained on behalf of HEU and other PRC-controlled entities. YU would and did retain the remainder of the funds as compensation for her involvement in the conspiracy and to live in the United States.

25. It was further a part of the conspiracy that, to facilitate their illicit exports to the PRC, some of the co-conspirators would and did meet YU in the United States, Canada, and Europe.

26. It was further a part of the conspiracy that the co-conspirators would and did perform acts and make statements to hide and conceal, and cause to be hidden and concealed, the purposes and objectives of, and the acts done in furtherance of, the conspiracy.

C. The Overt Acts

27. In furtherance of the conspiracy and to accomplish the goals, purposes, and objectives of the conspiracy,

**AMIN YU
a/k/a Yu Amin
a/k/a Amy Yu**

the defendant herein, committed and caused to be committed overt acts within the Middle District of Florida and elsewhere, including the acts described in substance in the following paragraphs:

28. In or about September 2002, YU registered her company Amin International in the State of Ohio and designated its place of business as her then-current residential mailing address in Clinton Township, Michigan. Thereafter, YU controlled Amin International from her residence in Mason, Ohio. YU also established bank accounts for Amin International in Ohio and, later, in Orlando, Florida.

29. In or about February 2009, YU registered her company IFour International and designated its place of business as her then-current residential mailing address in Orlando, Florida. YU then established bank accounts for IFour International in Orlando, Florida.

30. In furtherance of the conspiracy and its objectives, YU and her co-conspirators caused the following exports of goods from the United States to the PRC, among many other exports:

The October 2009 Export

Underwater Acoustic Locator Devices and Underwater Cables and Connectors

31. On or about April 28, 2009, Co-conspirator B provided YU with a list of items to procure for HEU, which included U.S. Company 1 underwater acoustic locator devices. Two days later, on or about May 1, 2009, YU requested a quote from U.S. Company 1 for the purchase of the underwater acoustic locator devices.

32. On or about May 25, 2009, Co-conspirator B provided YU with a list of items to procure for HEU, which included U.S. Company 2 underwater cables and connectors. Two days later, on or about May 27, 2009, YU requested a quote from U.S. Company 2 for the purchase of the underwater cables and connectors.

33. On or about June 8, 2009, in response to an inquiry by U.S. Company 1 concerning the intended use of the underwater acoustic locator devices, YU stated in an email that, "The equipment will be use on AUV."

34. On or about July 6, 2009, YU sent Co-conspirator B a single email that attached four signed contracts between YU's company I Four International and PRC Company 1, for use by "Harbin Engineering University." The four contracts were for:

- a. U.S. Company 2 underwater cables and connectors with a total value of \$19,748.48 (Contract Number 2009Ifour-2);
- b. U.S. Company 2 underwater cables and connectors with a total value of \$9,456.00 (Contract Number 2009Ifour-3);

- c. U.S. Company 1 underwater acoustic locator devices with a total value of \$11,676.00 (Contract Number 2009Ifour-4); and
- d. U.S. Company 3 underwater thrusters, actuators and sensors with a total value of \$89,184.85 (Contract Number 2009Ifour-1), which were shipped directly from California to the PRC, and were not part of the October 2009 export.

35. On or about August 10, 2009, YU sent an email to PRC Company 1 attaching an invoice for all four contracts in the foregoing paragraph, and totaling \$107,516.60 (invoice number HEU010E).

36. On or about August 11, 2009, the co-conspirators caused PRC Company 1 to send an international wire transfer in the amount of \$107,516.63 from a bank account in the PRC to the U.S.-based bank account of IFour International in Orlando, Florida.

37. On or about August 11, 2009, YU sent a purchase order to U.S. Company 1 for the purchase of the underwater acoustic locator devices (Contract Number 2009IFOUR-BT010).

38. On or about October 1, 2009, YU caused U.S. Company 2 to ship the underwater cables and connectors from California to her residence in Orlando, Florida. The shipment contained an invoice from U.S. Company 2 dated October 1, 2009, that reflected the total value of the underwater cables and connectors as \$12,341.07.

39. On or about October 19, 2009, YU received at her residence in Orlando, Florida, underwater acoustic locator devices shipped by U.S. Company 1 from Massachusetts that contained an invoice from U.S. Company 1 that reflected the total value of the acoustic locator devices as \$9,230.00.

40. On or about October 21, 2009, YU exported and caused to be exported via the United Parcel Service (UPS) the underwater acoustic locator devices and underwater cables and connectors from her residence in Orlando, Florida, to PRC Company 1 in the PRC.

41. In relation to this export, YU failed to file any EEI with the U.S. government through the AES. Further, YU provided false and fraudulent valuations and descriptions of the items exported on the UPS invoice associated with the export. Specifically, YU falsely described the total value of the export as \$7,499.97, which consisted of three line items with each item described as "Power Pinger" and valued at "2,499.99."

42. Based upon the false and fraudulent valuations YU provided in the UPS invoice associated with the export, the UPS invoice listed the "EEI Status" as "NOEEI 30.37(a)," which is a reference to 15 C.F.R. § 30.37(a), which, in turn, is the exemption to the requirement for the filing of EEI for exports with a valuation of less than \$2,500.00 per applicable HTSUSA commodity classification code.

The February 2011 Export

PC104 CPUs, 907 Multiplexers, and Underwater Cables and Connectors

43. On or about September 10, 2010, Co-conspirator B sent YU an email with a list of items to procure for HEU, which included U.S. Company 4 PC104 computer processing units (CPUs).

44. On or about September 28, 2010, Co-conspirator B sent YU an email with a list of items to procure for HEU, which included U.S. Company 2 underwater cables and connectors.

45. On or about October 7, 2010, YU sent an email to U.S. Company 4 requesting a quote for PC104 CPUs.

46. On or about October 10, 2010, Co-conspirator E sent YU an email with a list of items to procure for HEU, which included Canadian Company 1 907 multiplexers.

47. On or about October 12, 2010, YU sent an email to Canadian Company 1 requesting a quote for 907 multiplexers.

48. On or about October 26, 2010, YU sent a purchase order to U.S. Company 2 for the purchase of underwater cables and connectors. YU had sent a previous purchase order to U.S. Company 2 on September 9, 2010, based on a prior request by Co-conspirator B. YU's purchase orders caused U.S. Company 2 to generate four invoices totaling \$14,452.41 from U.S. Company 2 to IFour International, in the following individual amounts: \$1,069.79 (invoice 113010, dated October 11, 2010); \$2,015.93 (invoice 113076, dated October 14, 2010);

\$2,415.79 (invoice 113694, dated November 19, 2010); and \$8,950.90 (invoice 114336, dated December 27, 2010).

49. On or about October 26, 2010, YU sent a purchase order to U.S. Company 4 for the purchase of PC104 CPUs and accessories, in the total amount of \$37,436.00. YU's purchase order caused U.S. Company 4 to send YU an invoice via email for those PC104 CPUs and accessories in the total amount of \$37,496.00.

50. On or about October 28, 2010, YU sent a purchase order to Canadian Company 1 for the purchase of 907 multiplexers, in the total amount of \$54,896.00. YU's purchase order caused Canadian Company 1 to generate a December 22, 2010 invoice for the 907 multiplexers in the total amount of \$55,033.26.

51. On or about November 3, 2010, YU sent Co-conspirator C a single email that attached three signed contracts between YU's company IFour International and PRC Company 2, for use by "Harbin Engineering University." The three contracts were for:

- a. U.S. Company 4 PC104 CPUs and accessories with a total value of \$59,934.00 (Contract Number IFOUR-P-102810);
- b. Canadian Company 1 907 multiplexers with a total value of \$79,700.00 (Contract Number IFOUR907-10-28-10-1); and

- c. U.S. Company 2 underwater cables and connectors with a total value of \$21,645.00 (Contract Number IFOUR-S-102510).

52. On or about November 19, 2010, the co-conspirators caused PRC Company 2 to send an international wire transfer in the amount of \$133,985.00 from a bank account in the PRC to the U.S.-based bank account of IFour International in Orlando, Florida.

53. On or about November 22, 2010, YU caused the wire transfer of \$37,496.00 from the U.S.-based bank account of IFour International to the bank account of U.S. Company 4.

54. On or about December 7, 2010, YU caused the wire transfer of \$55,033.26 from the U.S.-based bank account of IFour International to a Canadian bank account associated with Canadian Company 1.

55. On or about December 22, 2010, YU received at her residence in Orlando, Florida, the purchased 907 multiplexers that Canadian Company 1 shipped from Canada.

56. On or about December 27, 2010, YU caused U.S. Company 2 to ship the final portion of the purchased cables and connectors from California to YU's residence in Orlando, Florida. In particular, U.S. Company 2 sent the items in invoice 114336, valued at \$8,950.90. On that same date, YU used her credit card to pay the full purchase price of the items in that invoice. YU had similarly paid the

three prior U.S. Company 2 invoices, and she had received at her residence in Orlando, Florida, all of the items in invoices 113010, 113076, and 113694.

57. On or about January 31, 2011, YU caused U.S. Company 4 to ship the purchased PC104 CPUs and accessories from Pennsylvania to her residence in Orlando, Florida.

58. On or about February 11, 2011, YU exported and caused to be exported three parcels that contained the PC104 CPUs, 907 multiplexers, and underwater cables and connectors set forth in this section of the Superseding Indictment. YU made the export via United States Postal Service Express Mail sent from the Alafaya Branch Post Office in Orlando, Florida, to PRC Company 2 in the PRC with the following identification numbers on the packages: EC 965 310 111; EC 965 310 125; and EC 965 310 108. On the Customs Dispatch Declaration Note attached to each package, YU falsely described the packages as follows:

Package	Detailed description of contents	Qty.	Line Item Value	Total Value
EC965 310 111	Remote mux, console mux	8	\$200	\$1,600
EC 965 310 125	Data acquisition system	1	\$2,300	\$4,500
	Cables connectors	10	\$0	
			\$220	
EC 965 310 108	Data acquisition system	1	\$2,300	\$4,900
	Cables connectors	10	\$0	
			\$260	

59. In relation to the three foregoing exports to the PRC, YU failed to file any EEI with the U.S. government through the AES. Further, based upon the false and fraudulent valuations listed in the Customs Dispatch Declaration Note associated with each package, the Customs Dispatch Declaration Note listed the "PFC or Exemption/Exclusion Legend" as "NOEEI 30.37(a)," which is a reference to 15 C.F.R. § 30.37(a), which, in turn, is the exemption to the requirement for the filing of EEI for exports with a valuation of less than \$2,500 per applicable HTSUSA commodity classification code.

60. On or about February 23, 2011, YU sent an email to Co-conspirator D and attached the United States Postal Service Express Mail information showing that the three packages arrived in the PRC on February 15, 2011.

The April 2011 Export

907 Multiplexers

61. In or about October 2010, YU was tasked by the co-conspirators in the PRC to procure items for HEU, which included Canadian Company 1 907 multiplexers. In relation to that request, on or about October 10, 2010, YU sent an email to Co-conspirator E that referred to the 2007 export of 907 multiplexers and asked Co-conspirator E to “discuss with Pro. [Co-conspirator A]” prior to making the next order.

62. On or about October 12, 2010, YU sent an email to Canadian Company 1 for the purpose of ordering the 907 multiplexers, which email caused Canadian Company 1 to respond the next day, on or about October 13, 2010, with a price quote for the 907 multiplexers.

63. On or about October 28, 2010, YU sent a purchase order to Canadian Company 1 for the purchase of the 907 multiplexers and accessories (Purchase Order IFOUR-10-28-10-2), with a total value of \$82,344.00.

64. On or about November 4, 2010, based upon YU's purchase order, YU caused Canadian Company 1 to generate an invoice (SI/19008365) for the purchase of the 907 multiplexers and accessories by IFour International, in the total amount of \$82,506.33.

65. On or about January 15, 2011, YU sent Co-conspirator C an email that attached a signed contract between YU's company IFour International and PRC Company 2, for use by "Harbin Engineering University." The contract was for 907 multiplexers, in the total amount of \$131,530.00 (Contract Number IFOUR907-10-28-10-2).

66. On or about February 10, 2011, YU sent an e-mail to Co-conspirator D stating that Contract IFOUR907-10-28-2 is "getting ready to ship" and requesting "the wire transfer according to the contract ASAP."

67. On or about February 10, 2011, PRC Company 3 sent an international wire transfer in the amount of \$79,393.00 from a bank account in the PRC to the U.S.-based bank account of IFour International in Orlando, Florida.

68. On or about February 15, 2011, YU caused the wire transfer of \$82,506.33 from the U.S.-based bank account of IFour International to the Canadian bank account associated with Canadian Company 1.

69. On or about February 17, 2011, YU caused Canadian Company 1 to ship the 907 multiplexers and accessories from Canada via FedEx International Priority to her residence in Orlando, Florida.

70. On April 1, 2011, YU exported and caused to be exported via UPS Worldwide Expedited service the 907 multiplexers from a UPS Center in Orlando, Florida, to PRC Company 2 in the PRC. On the UPS invoice, YU identified the exported items as "remote consoles" and falsely listed their unit value as \$120.00,

for a total value of \$1,440.00 for 12 units. In relation to this export, YU failed to file any EEI with the U.S. government through the AES.

The May 2011 Export

Sidescan Sonar and Underwater Sensors

71. On or about January 5, 2011, Co-conspirator E provided YU with a list of items to procure for HEU, which included Canadian Company 2 sidescan sonar equipment and UK Company 1 underwater sensors.

72. On or about January 5, 2011, YU contacted Canadian Company 2 concerning the purchase of sidescan sonar and, based on that contact, on or about that same date, Canadian Company 2 sent YU a price list for sidescan sonar equipment.

73. On or about January 6, 2011, YU contacted a U.S.-based distributor for the UK Company 1 underwater sensors and, based on that contact, on or about that same date, the distributor sent YU a quote for the underwater sensors.

74. On or about January 16, 2011, YU sent Co-conspirator D, an email that attached four contracts between YU's company IFour International and PRC Company 3, for use by "Harbin Engineering University", including contracts for:

- a. a "sidescan kit," in the total amount of \$13,000.00 (Contract Number RL11032US); and
- b. an "Underwater Pressor [sic] Sensor, Conductivity & Temperature Sensor," in the total amount of \$20,108.99 (Contract Number RL11033US).

75. On or about January 23, 2011, YU sent a purchase order to Canadian Company 2 for the purchase of sidescan sonar equipment with a total value of \$5,800.00, and a purchase order to the aforementioned distributor for the purchase of UK Company 1 underwater sensors with a total value of \$18,500.00.

76. On or about January 31, 2011, based on YU's purchase order, YU caused Canadian Company 2 to generate an invoice (Invoice No. 3888) for the purchase of sidescan sonar equipment by IFour International, in the total amount of \$5,877.00.

77. On or about January 31, 2011, YU purchased sidescan sonar equipment using a credit card and, on or about that same date, caused Canadian Company 2 to ship the items from Canada to her residence in Orlando, Florida.

78. On or about February 10, 2011, the co-conspirators caused PRC Company 3 to send an international wire transfer in the amount of \$79,393.00 from a bank in the PRC to the U.S.-based bank account of IFour International in Orlando, Florida. In the payment detail section of that wire transfer, the transfer listed "Contract No." and seven contract numbers, including contract number "RL11032US" (sidescan sonar equipment) and "RL11033US" (underwater sensors).

79. On or about March 16, 2011, the co-conspirators caused PRC Company 3 to send an international wire transfer in the amount of \$112,449.00 from a bank in the PRC to the U.S.-based bank account of IFour International in Orlando, Florida.

80. On or about March 18, 2011, based on YU's purchase order, YU caused the U.S.-based distributor to generate an invoice (3700002591) for the purchase of the underwater sensors by IFour International, in the total amount of \$18,876.00, showing that YU had paid in full via credit card for those items. YU had caused the U.S.-based distributor to ship those sensors from Texas to YU's residence in Orlando, Florida in early March 2011.

81. On or about May 4, 2011, YU exported and caused to be exported via FedEx the sidescan sonar equipment and UK Company 1 underwater sensors from her residence in Orlando, Florida to PRC Company 3 in the PRC. In relation to this export, YU failed to file any EEI with the U.S. government through the AES. The export arrived in the PRC on or about May 12, 2011.

82. On or about August 1, 2011, the co-conspirators caused PRC Company 3 to send an international wire transfer in the amount of \$26,455.97 from a bank in the PRC to the U.S.-based bank account of IFour International in Orlando, Florida. In the payment detail section of that wire transfer, the transfer listed "Final Payment" and seven contract numbers, including contract number "RL11032US" (sidescan sonar equipment) and "RL11033US" (underwater sensors).

The September 2011 Export

Control Sticks and Button Strips

83. On or about March 30, 2011, Co-conspirator C provided YU with a list of items to procure for HEU, which included U.S. Company 5 control sticks and button strips. In the email, Co-conspirator C provided the link to the website of U.S. Company 5 and stated, "Professor [Co-conspirator A] asks you to find out if we can make purchases from them."

84. On or about May 16, 2011, YU sent a purchase order to U.S. Company 5 for the purchase of control sticks and button strips, including control sticks with a total value of \$3,718.00.

85. On or about May 20, 2011, based on YU's purchase order, YU caused U.S. Company 5 to generate an invoice (Order No. 422475) for the purchase of control sticks and button strips by IFour International, in the total amount of \$6,378.00.

86. On or about August 16, 2011, YU purchased the control sticks and button strips using a credit card and, on or about that same date, caused U.S. Company 5 to ship the items from California to her residence in Orlando, Florida.

87. On or about September 6, 2011, YU exported and caused to be exported via FedEx the control sticks and button strips from her residence in Orlando, Florida to PRC Company 2 in the PRC. In relation to this export, YU failed to file any EEI with the U.S. government through the AES.

The January 2014 Export

Underwater Cables and Connectors

88. On or about June 19, 2013, Co-conspirator B provided YU with a list of items to procure for HEU, which included U.S. Company 2 underwater cables and connectors.

89. On or about July 5, 2013, YU sent U.S. Company 2 an order for the same underwater cables and connectors requested by Co-conspirator B.

90. On or about July 15, 2013, YU sent Co-conspirator C an email that attached a contract between YU's company IFour International and PRC Company 2, for use by "Harbin Engineering University." The contract was for U.S. Company 2 underwater cables and connectors in the total amount of \$26,076.00 (Contract Number HEU1212).

91. On or about July 17, 2013, YU visited the facilities of U.S. Company 2 in California to discuss her order with U.S. Company 2.

92. On or about September 16, 2013, Co-conspirator B provided YU with another list of items to procure for HEU, which included more U.S. Company 2 underwater cables and connectors. That same day, YU forwarded that email request to Co-conspirator A, Co-conspirator B, and Co-conspirator C.

93. On or about September 19, 2013, YU sent U.S. Company 2 a purchase order for the underwater cables and connectors (Purchase Order 37144 Revision A). Unlike prior orders from U.S. Company 2 that requested shipment to YU's residence in the United States, the purchase order requested that U.S.

Company 2 ship the underwater cables and connectors directly to "Harbin Airport China" for PRC Company 4 in the PRC. As with prior orders that YU placed with U.S. Company 2, the purchase order made no mention of HEU as the end user.

94. On or about September 23, 2013, as a result of U.S. Company 2 refusing to export the underwater cables and connectors directly to the PRC, YU sent U.S. Company 2 another purchase order for the underwater cables and connectors, this time requesting delivery to IFour International at the address of YU's residence in Orlando, Florida.

95. On or about September 26, 2013, as a result of YU's orders, YU caused U.S. Company 2 to generate a sales order for YU's purchase of underwater cables and connectors (Order Number 125145), in the total amount of \$136,349.72. The sales order specified that the underwater cables and connectors would be shipped to IFour International at the address of YU's residence in Orlando, Florida.

96. On or about September 27, 2013, Co-conspirator C sent YU an email that attached two contracts between YU's company IFour International and PRC Company 4. Both contracts identified U.S. Company 2 underwater cables and connectors, one in the total amount of \$265,800.36 (Contract Number 12KMZA/475853US) and the other in the total amount of \$287,350.36 (Contract Number 13KMZA/475823US).

97. On or about September 27, 2013, YU made two credit card payments to U.S. Company 2 for this order totaling \$36,349.72.

98. On or about October 16, 2013, YU sent a purchase order to U.S. Company 2 for an additional quantity of U.S. Company 2 underwater cables and connectors, in the total amount of \$22,059.80.

99. On or about November 13, 2013, the co-conspirators caused PRC Company 4 to send an international wire transfer in the amount of \$143,655.18 from a bank in the PRC to the bank account of IFour International in Orlando, Florida. In the payment detail section of that wire transfer, the transfer listed "13Kmza/475823US."

100. On or about November 15, 2013, YU caused a wire transfer in the amount of \$100,000.00 from the Orlando, Florida bank account of IFour International to the California bank account of U.S. Company 2 for final payment for the underwater cables and connectors identified in the foregoing paragraphs.

101. On or about January 16, 2014, Co-conspirator C sent YU an email that attached a contract between YU's company IFour International and PRC Company 4. The contract identified U.S. Company 2 underwater cables and connectors, in the amount of \$189,430.36 (Contract Number 13KMZA/475823US).

102. On or about January 17, 2014, in an attempt to export the underwater cables and connectors from the business location of U.S. Company 2 using a freight forwarding company, YU sent FedEx labels to U.S. Company 2 and attempted to have U.S. Company 2 place the FedEx labels on the underwater cables and connectors for export to the PRC. That same day, in another attempt

to export the underwater cables and connectors directly from the business location of U.S. Company 2, YU sent an email to U.S. Company 2 requesting that U.S. Company 2 provide YU with invoices for the underwater cables and connectors.

103. On or about January 17, 2014, YU caused the underwater cables and connectors to be picked up from the business location of U.S. Company 2 in California and transported by a moving company to a residential address in California.

104. On or about January 18, 2014, YU exported and caused the export of the U.S. Company 2 underwater cables and connectors, with a total value of \$158,409.52, through a freight forwarding company, which shipped the underwater cables and connectors via FedEx Priority Overnight delivery from the residential address in California to PRC Company 4 in the PRC.

105. In relation to this export, YU filed and caused the filing of false and misleading EEI through the AES, in that, in response to questions by the freight forwarding company, YU provided information that was false and misleading. Further, the export contained no commercial invoice. Based on the information provided by YU, the EEI filed in relation to the export stated falsely and in a misleading manner that:

- a. the U.S. Principal Party (USPPI) was "Amin", when in fact the USPPI was YU, acting through IFour International;

- b. the USPPI Employment Identification Number (EIN) was “455507735FL”, when in fact that was not the EIN for IFour International; and
- c. the Ultimate Consignee was PRC Company 4 with no address listed and no reference whatsoever to HEU.

All in violation of Title 18, United States Code, Section 371.

COUNTS THREE THROUGH SIX
(Failure to File Electronic Export Information)

106. Paragraphs 1 through and including paragraph 2 are realleged and incorporated herein by reference as to Counts Three through Six.

107. On or about the dates alleged in the following table, in the Middle District of Florida, and elsewhere,

AMIN YU
a/k/a Yu Amin
a/k/a Amy Yu

108. the defendant herein, did knowingly fail to file electronic export information (EEI) through the Automated Export System (AES) when the defendant exported from Orlando, Florida to the People’s Republic of China the following items with a total value set forth in the table below, which, per HTSUSA commodity classification code, required the filing of such EEI:

Count	Date of Export	Items Exported	Approx. Total Value of Shipment
Three	Feb. 11, 2011	U.S. Company 4 PC104 CPUs (mission, motion, and video guidance computers), with a value of \$37,436.00; Canadian Company 1 907 Multiplexers (devices for digital signal transmission through fiber optics), with a value of \$54,896.00; and U.S. Company 2 AWQ / XSL and MSSK / MINL Marine Cables, with a value of \$14,452.41	\$106,784.41
Four	April 1, 2011	Canadian Company 1907 Multiplexers (devices for digital signal transmission through fiber optics)	\$82,344.00
Five	May 4, 2011	Canadian Company 2 Sidescan Sonar Equipment, with a value of \$5,800.00 UK Company 1 Mini IPS (underwater pressure sensors), with a value of \$15,165.00 UK Company 1 Mini CT (underwater condition and temperature sensor), with a value of \$3,335.00	\$24,300.00
Six	Sept. 6, 2011	U.S. Company 5 HG-XX Control Stick Mechanism	\$3,718.00

All in violation of Title 13, United States Code, Section 305(a)(1) and Title 18, United States Code, Section 2.

COUNTS SEVEN THROUGH TEN
(Smuggling Goods out of the United States)

109. Paragraphs 1 through and including paragraph 2 are realleged and incorporated herein by reference as to Count Seven through Ten.

110. On or about the dates alleged in the following table, in the Middle District of Florida, and elsewhere,

AMIN YU
a/k/a Yu Amin
a/k/a Amy Yu

the defendant herein, did fraudulently and knowingly export and send the following items:

Count	Date of Export	Items Exported	Approx. Total Value of Shipment
Seven	Feb. 11, 2011	U.S. Company 4 PC104 CPUs (mission, motion, and video guidance computers), with a value of \$37,436.00; Canadian Company 1 907 Multiplexers (devices for digital signal transmission through fiber optics), with a value of \$54,896.00; and U.S. Company 2 AWQ / XSL and MSSK / MINL Marine Cables, with a value of \$14,452.41	\$106,784.41
Eight	April 1, 2011	Canadian Company 1 907 Multiplexers (devices for digital signal transmission through fiber optics)	\$82,344.00

Count	Date of Export	Items Exported	Approx. Total Value of Shipment
Nine	May 4, 2011	Canadian Company 2 Sidescan Sonar Equipment, with a value of \$5,800.00 UK Company 1 Mini IPS (underwater pressure sensors), with a value of \$15,165.00 UK Company 1 Mini CT (underwater condition and temperature sensor), with a value of \$3,335.00	\$24,300.00
Ten	Sept. 6, 2011	U.S. Company 5 HG-XX Control Stick Mechanism	\$3,718.00

from Orlando, Florida to the People's Republic of China contrary to Title 13, United States Code, Section 305 and the Foreign Trade Regulations, Title 15, Code of Federal Regulations, Part 30, laws and regulations of the United States, in that she failed to file EEI despite knowing that the value of the items being exported was more than \$2,500.00.

All in violation of Title 18, United States Code, Section 554, and Title 18, United States Code, Section 2.

COUNT ELEVEN
(Filing False or Misleading Electronic Export Information)

111. Paragraphs 1 through and including paragraph 2 are realleged and incorporated herein by reference as to Count Eleven.

112. On or about January 17, 2014, in the Middle District of Florida, and elsewhere,

AMIN YU
a/k/a Yu Amin
a/k/a Amy Yu

the defendant herein, did knowingly submit and cause the submission of false and misleading electronic export information (EEI) through the Automated Export System (AES) when the defendant exported from the United States to the People's Republic of China U.S. Company 2 underwater cables, connectors, and other items with a total value in excess of \$158,409.52, which, per HTSUSA commodity classification code, required the filing of EEI. In particular, YU caused the filing of the following false and misleading EEI through the AES:

- a. the U.S. Principal Party (USPPI) was listed as "Amin", when in fact the USPPI was YU, acting through IFour International;
- b. the USPPI Employment Identification Number (EIN) was listed as "455507735FL", when in fact that was not the EIN for IFour International; and
- c. the Ultimate Consignee was PRC Company 4 with no address listed and no reference whatsoever to HEU.

All in violation of Title 13, United States Code, Section 305(a)(1) and Title 18, United States Code, Section 2.

COUNT TWELVE
(Smuggling Goods out of the United States)

113. Paragraphs 1 through and including paragraph 2 are realleged and incorporated herein by reference as to Count Twelve.

114. On or about January 17, 2014, in the Middle District of Florida, and elsewhere,

AMIN YU
a/k/a Yu Amin
a/k/a Amy Yu

the defendant herein, did fraudulently and knowingly export and send U.S. Company 2 underwater cables, connectors, and other items with a total value in excess of \$158,409.52 from the United States to the People's Republic of China contrary to Title 13, United States Code, Section 305 and the Foreign Trade Regulations, Title 15, Code of Federal Regulations, Part 30, laws and regulations of the United States, in that she caused the filing of false and misleading EEI through the AES concerning items which, per HTSUSA commodity classification code, required the filing of EEI.

All in violation of Title 18, United States Code, Section 554, and Title 18, United States Code, Section 2.

COUNT THIRTEEN
(Conspiracy to Commit International Money Laundering)

115. Paragraphs 1 through and including paragraph 14 are realleged and incorporated herein by reference as to Count Thirteen.

A. The Agreement

116. Beginning on a date unknown to the Grand Jury, but no later than in or about 2002, and continuing until in or about February 2014, in the Middle District of Florida, and elsewhere,

**AMIN YU
a/k/a Yu Amin
a/k/a Amy Yu**

the defendant herein, did knowingly combine, conspire, and agree with other persons known and unknown to the Grand Jury to commit offenses against the United States in violation of Title 18, United States Code, Section 1956, to wit: to transport, transmit and transfer and attempt to transport, transmit and transfer a monetary instrument and funds from and through a place outside the United States to and through a place inside the United States with the intent to promote the carrying on of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(2)(A).

B. Manner and Means

117. The manner and means used to accomplish the objectives of the conspiracy included, among others, the allegations contained within paragraphs 19 through and including paragraph 26, which are realleged and incorporated herein by reference as to Count Thirteen.

All in violation of Title 18, United States Code, Section 1956(h).

COUNTS FOURTEEN THROUGH SEVENTEEN
(International Money Laundering)

118. Paragraphs 1 through and including paragraph 14 are realleged and incorporated herein by reference as to Counts Fourteen through Seventeen.

119. On or about the dates alleged in the following table, in the Middle District of Florida, and elsewhere,

AMIN YU
a/k/a Yu Amin
a/k/a Amy Yu

the defendant herein, together with others, did transfer and cause the transfer of funds, as described in the following table, from a place outside the United States, i.e., the People's Republic of China, to and through a place inside the United States, i.e., Orlando, Florida, with the intent to promote the carrying on of specified unlawful activity, that is: knowingly exporting or sending items from the United States contrary to laws and regulation, in violation of Title 18, United States Code, Section 554:

Count	Date of Transfer	International Wire Transfer
Fourteen	March 16, 2011	\$112,449.00 transferred from the PRC-based bank account of PRC Company 3 to accounts controlled by YU in Orlando, Florida
Fifteen	May 20, 2011	\$16,668.00 transferred from the PRC-based bank account of PRC Company 2 to accounts controlled by YU in Orlando, Florida
Sixteen	Aug. 1, 2011	\$26,455.97 transferred from the PRC-based bank account of PRC Company 3 to accounts controlled by YU in Orlando, Florida

Count	Date of Transfer	International Wire Transfer
Seventeen	Nov. 13, 2013	\$143,655.18 transferred from the PRC-based bank account of PRC Company 4 to accounts controlled by YU in Orlando, Florida

All in violation of Title 18, United States Code, Sections 1956(a)(2)(A) and Title 18, United States Code, Section 2.

COUNT EIGHTEEN
(False Statements)

120. Paragraphs 1 through and including paragraph 14 are realleged and incorporated herein by reference as to Count Seventeen.

121. On or about November 22, 2013, at the Offices of Citizenship and Immigration Services, in the Middle District of Florida,

AMIN YU
a/k/a Yu Amin
a/k/a Amy Yu

the defendant herein, did willfully and knowingly make a materially false, fictitious, and fraudulent statement and representation in a matter within the jurisdiction of the executive branch of the Government of the United States during a sworn statement to agents of the Department of Homeland Security, Homeland Security Investigations in connection with the enforcement of the immigration and nationality laws of the United States, by:

- a. Claiming that she had no employment other than a part-time job at a university in Florida;

- b. Denying the ownership of any business and stating that she only works at a university in Florida; and
- c. Claiming that she earned \$40,000.00 per year at her part-time job at a university in Florida.

The statements and representations were false because, as AMIN YU then and there knew, she owned and operated Amin International and IFour International, and she earned substantially less than \$40,000.00 per year at her part-time job at the university in Florida, but instead earned substantial income from her association with HEU, her related export and procurement activities, and her operation of Amin International and IFour International described in this Superseding Indictment.

All in violation of Title 18, United States Code, Section 1001.

FORFEITURE

1. The allegations contained in Counts Two through Seventeen of this Superseding Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to the provisions of Title 13, United States Code, Section 305(3), Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(1), and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the violations alleged on Count Two of the Superseding Indictment, the defendant, AMIN YU, shall forfeit to the United States of America the following:

a. As to the first object of the conspiracy (violation of Title 13, United States Code, Section 305), the defendant shall forfeit, pursuant to Title 13, United States Code, Section 305(3), (1) any of the defendant's interest in, security of, claim against, or property or contractual rights of any kind in the goods or tangible items that were the subject of the conspiracy; (2) any of the defendant's interest in, security of, claim against, or property or contractual rights of any kind in tangible property that was used in the export or attempt to export that was the subject of the conspiracy; and (3) any of the defendant's property constituting, or derived from, any proceeds obtained directly or indirectly as a result of the conspiracy.

b. As to the second and third objects of the conspiracy (violations of Title 50, United States Code, Section 1705 and Title 18, United States Code, Section 554), the defendant shall forfeit, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), all of her interest in any property constituting or derived from proceeds obtained directly or indirectly as a result of the conspiracy.

c. The assets to be forfeited specifically include, but are not limited to the following: a money judgment in the amount of \$ 2,668,648.92 representing the proceeds obtained by the defendant as a result of the conspiracy.

3. Upon conviction of the violations alleged in Counts Three through Six and Eleven of this Superseding Indictment, the defendant, AMIN YU, shall forfeit to the United States of America, pursuant to Title 18, United States Code,

Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), all of her interest in any property constituting or derived from proceeds obtained directly or indirectly as a result of the violations.

4. Upon conviction of the violations alleged in Counts Seven through Ten and Twelve of the Superseding Indictment, the defendant, AMIN YU, shall forfeit to the United States of America, pursuant to Title 13, United States Code, Section 305(3), (1) any of the defendant's interest in, security of, claim against, or property or contractual rights of any kind in the goods or tangible items that were the subject of the violations; (2) any of the defendant's interest in, security of, claim against, or property or contractual rights of any kind in tangible property that was used in the export or attempt to export that was the subject of the violations; and (3) any of the defendant's property constituting, or derived from, any proceeds obtained directly or indirectly as a result of the violations.

5. Upon conviction of the violations alleged in Counts Thirteen through Seventeen of this Superseding Indictment, the defendant, AMIN YU, shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 982(a)(1), any property, real or personal, involved in such offenses, or any property traceable to such property.

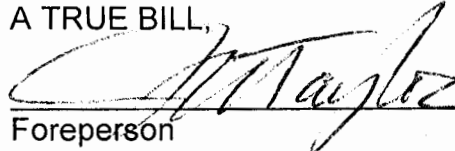
6. If any of the property described above, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

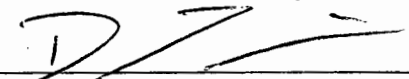
the United States of America shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United States Code, Section 2461(c).

A TRUE BILL,

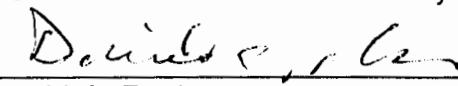

Foreperson

A. LEE BENTLEY, III
United States Attorney

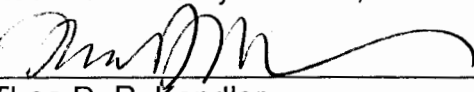
By:


Daniel C. Irick
Assistant United States Attorney

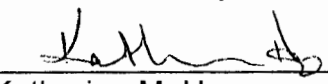
By:


David C. Recker
Trial Attorney, Counterintelligence and Export Control Section
National Security Division, U.S. Department of Justice

By:


Thea D. R. Kendler
Trial Attorney, Counterintelligence and Export Control Section
National Security Division, U.S. Department of Justice

By:


Katherine M. Ho
Assistant United States Attorney
Chief, Orlando Division

UNITED STATES DISTRICT COURT
Middle District of Florida
Orlando Division

THE UNITED STATES OF AMERICA

vs.

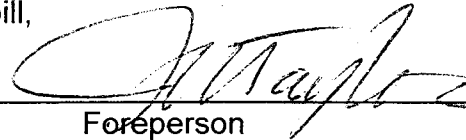
AMIN YU
a/k/a Yu Amin
a/k/a Amy Yu

SUPERSEDING INDICTMENT

Violations:

- 18 U.S.C. § 951(a)
 - 18 U.S.C. § 371
 - 18 U.S.C. § 554
 - 13 U.S.C. § 305(a)(1)
 - 18 U.S.C. § 1956(h)
 - 18 U.S.C. § 1956(a)(2)(A)
 - 18 U.S.C. § 1001
-
-

A true bill,



Foreperson

Filed in open court this 16th day of March, 2016.



Clerk

Bail \$ _____
