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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

May 1986 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUERGEN ZIMMERMANN,
BERND PLEUGER,

Defendants.

Criminal Case No. 860955JLI

I N D I C T M E N T

Title 18, U.S.C., Sec. 371 - Conspiracy to
Export Defense Articles; Title 22, U.S.C.,
Sec. 2778 - Exportation of Defense
Articles; Title 18, U.S.C., Sec. 1001 - False
Statements; Title 18, U.S.C., Sec. 2 - Aiding
and Abetting

The grand jury charges:

Count 1

INTRODUCTORY ALLEGATIONS

1. In furtherance of world peace and the security and foreign policy of the United States, the President is authorized to control the export of defense articles and to provide foreign guidance to persons involved in the export of such articles.

2. The President is authorized to designate those items which shall be considered defense articles and to promulgate regulations for the export of such articles.

The items so designated constitute the United States Munitions List. These designated items include military aircraft armaments and components for high-tech navigational

1 systems, among which are power supplies, signal data converters, optical guidance
2 controls and other equipment.

3 3. Decisions on issuing export licenses for items on the United States Munitions
4 List are made in coordination with the Director of the United States Arms Control and
5 Disarmament Agency and take into account the Director's opinion as to whether the
6 export of an article will contribute to an arms race, increase the possibility of outbreak
7 or escalation of conflict or prejudice the development of bilateral or multilateral arms
8 control arrangements.

9 4. The AN/APN-182(V) Doppler Velocity Sensor is an extremely sophisticated,
10 lightweight, fixed antenna radar navigational system currently being produced by
11 Teledyne Ryan Electronics, a California corporation, primarily for the United States
12 armed services. It is available with a selection of antennae which allows it to be
13 installed on either a helicopter or a fixed-wing aircraft. The Doppler navigational
14 system allows the aircraft to accurately measure its ground speed, drift angle, velocity
15 and distance traveled.

16 5. The Doppler navigational system supplies aircraft with an accurate,
17 independent method for quickly responding to military orders. It is designed for, among
18 other things, supplying data for flight control and weapons delivery systems. In addition,
19 it can supply guidance information and integrate with other aeronautical systems.

20 6. The components comprising the Doppler navigational system are designated
21 as defense articles on the United States Munitions List and therefore require an export
22 license prior to shipment abroad. At no time did defendants JUERGEN ZIMMERMANN
23 and BERND PLEUGER or Beechcraft Vertrieb Und Service apply for or possess a license
24 to export components of the Doppler navigational system to the Islamic Republic of Iran.

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THE CONSPIRACY

7. Beginning on or about August 30, 1983, and continuing up to and including October 29, 1986, within the Southern District of California, and elsewhere, defendants JUERGEN ZIMMERMANN and BERND PLEUGER, did knowingly and willfully combine, conspire and agree together and with divers others known and unknown to export and attempt to export from the United States of America to West Germany for transshipment to the Islamic Republic of Iran, without being licensed for such export by the Office of Munitions Control, Department of State, components of the AN/APN-182(V) Doppler navigational system which had been designated as defense articles by the President of the United States; in violation of Title 22, United States Code, Section 2778.

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THE METHODS OF THE CONSPIRACY

8. It was a part of the conspiracy that defendants JUERGEN ZIMMERMANN and BERND PLEUGER would and did cause Teledyne Ryan Electronics to obtain United States Department of State export licenses for components of the AN/APN-182(V) Doppler navigational system by submitting false information.

9. It was a further part of the conspiracy that defendants JUERGEN ZIMMERMANN and BERND PLEUGER would and did cause Teledyne Ryan Electronics to conceal from the Department of State, among other things, that the end user for the Doppler navigational components would be the Islamic Republic of Iran.

10. As a further part of the conspiracy, defendants JUERGEN ZIMMERMANN and BERND PLEUGER would and did utilize Circle Freight International in Munich, West Germany, to transship the Doppler navigational components to the Islamic Republic of Iran.

11. As a further part of the conspiracy, defendants JUERGEN ZIMMERMANN and BERND PLEUGER would and did mislead Teledyne Ryan Electronics by

1 stating that the Doppler navigational components were to be installed on a BK-117
2 helicopter owned by Messerschmitt Boelkow Blohm in West Germany.

3 12. As a further part of the conspiracy, defendants JUERGEN ZIMMERMANN
4 and BERND PLEUGER would and did bribe and attempt to bribe Senior Special Agent
5 Daniel Supnick, acting in an undercover capacity as an international marketing executive
6 for a defense contractor.

7 13. As a further part of the conspiracy, defendants JUERGEN ZIMMERMANN
8 and BERND PLEUGER would and did bribe and attempt to bribe the Assistant
9 Commissioner of the United States Customs Service to ensure the continued shipment of
10 Doppler navigational components to Iran.

11 OVERT ACTS

12 In furtherance of said conspiracy, and to effect the objects thereof, the following
13 overt acts, among others, were committed within the Southern District of California,
14 and elsewhere:

- 15 1. On or about August 30, 1983, in West Germany, defendants JUERGEN
16 ZIMMERMANN and BERND PLEUGER inquired about purchasing four signal
17 data converters, part number 588S0001G11, from Teledyne Ryan Electronics.
- 18 2. On or about October 23, 1985, in West Germany, defendants JUERGEN
19 ZIMMERMANN and BERND PLEUGER informed Teledyne Ryan Electronics
20 that the ultimate destination for the four signal data converters was West
21 Germany.
- 22 3. On or about November 8, 1985, in West Germany, defendants JUERGEN
23 ZIMMERMANN and BERND PLEUGER wired approximately \$230,000 to
24 Teledyne Ryan Electronics as payment for four signal data computers.
- 25 4. On or about November 13, 1985, in West Germany, defendants JUERGEN
26 ZIMMERMANN and BERND PLEUGER informed Teledyne Ryan Electronics
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that the four signal data converters would be used for experimental purposes on a BK-117 helicopter owned by Messerschmitt Boelkow Blohm.

5. On or about November 19, 1985, in San Diego, California, Teledyne Ryan Electronics applied for a Department of State export license for the four signal data converters.
6. On or about March 1, 1986, in San Diego, California, Teledyne Ryan Electronics shipped signal data converter, serial number 0345, on Circle Air Freight, Lufthansa to Circle Freight International, Munich, Germany.
7. On or about June 11, 1986, in San Diego, California, Teledyne Ryan Electronics shipped the remaining three signal data converters, serial numbers 0347, 0348, and 0349, on Circle Air Freight, Lufthansa to Circle Freight International, Munich, Germany.
8. On or about July 21, 1986, in West Germany, defendants JUERGEN ZIMMERMANN and BERND PLEUGER ordered from Teledyne Ryan Electronics three high-voltage power supplies, part number 588P0001G1.
9. On or about August 6, 1986, in West Germany, defendants JUERGEN ZIMMERMANN and BERND PLEUGER informed Teledyne Ryan Electronics that the three high-voltage power supplies were destined for West Germany for use on a BK-117 helicopter owned by Messerschmitt Boelkow Blohm.
10. On or about August 27, 1986, in San Diego, California, Teledyne Ryan Electronics applied for a Department of State export license for the three high-voltage power supplies.

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

Count 2

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3 1. Paragraphs 1 through 6 and 8 through 12 of Count 1 are hereby realleged and
4 incorporated by reference as if set forth in full herein.

5 2. Beginning on or before October 6, 1986, and continuing up to and including
6 October 29, 1986, within the Southern District of California, and elsewhere, defendants
7 JUERGEN ZIMMERMANN and BERND PLEUGER did knowingly, willfully, and corruptly
8 promise to give \$10,000 to a public official, to wit, an employee of the United States
9 Customs Service, with the intent to:

- 10 a. Influence an official act;
- 11 b. Influence the public official to commit and aid in the commission of and
12 make opportunity for the commission of frauds on the United States; and
- 13 c. Induce the public official to omit to enforce the laws of the United
14 States entrusted to his agency for enforcement.

15 In that defendants JUERGEN ZIMMERMANN and BERND PLEUGER did offer
16 \$10,000 to U. S. Customs Service Special Agent Clay Wolf, who had represented himself
17 to be an Assistant Commissioner of Customs, to influence him not to investigate the
18 activities of Beechcraft Vertrieb und Service, and allow that company to continue
19 shipping munitions list items to the Islamic Republic of Iran; all in violation of Title 18,
20 United States Code, Section 201(b)(1)(2) and (3).

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Count 3

On or about March 1, 1986, in the Southern District of California, and elsewhere, defendants JUERGEN ZIMMERMANN and BERND PLEUGER did knowingly and willfully export and attempt to export from the United States of America to West Germany for transshipment to the Islamic Republic of Iran, without being licensed for such export by the Office of Munitions Control, Department of State, an aeronautical component which had been designated as a defense article by the President of the United States, to wit: one signal data converter, part number 588S0001-G11; in violation of Title 22, United States Code, Section 2778, and Title 18, United States Code, Section 2.

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Count 4

On or about February 27, 1986, in the Southern District of California, and elsewhere, defendants JUERGEN ZIMMERMANN and BERND PLEUGER did knowingly and willfully make false declarations of material fact in a matter within the jurisdiction of the United States Customs Service by stating and causing to be stated on a Shipper's Export Declaration ("SED") that West Germany was the country of ultimate destination for one signal data converter, part number 588S0001-G11; in violation of Title 18, United States Code, Sections 1001 and 2.

Count 5

On or about June 11, 1986, in the Southern District of California, and elsewhere, defendants JUERGEN ZIMMERMANN and BERND PLEUGER did knowingly and willfully export and attempt to export from the United States of America to West Germany for transshipment to the Islamic Republic of Iran, without being licensed for such export by the Office of Munitions Control, Department of State, aeronautical components which had been designated as defense articles by the President of the United States, to wit: three signal data converters, part number 588S0001-G11; in violation of Title 22, United States Code, Section 2778, and Title 18, United States Code, Section 2.

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Count 6


On or about June 10, 1986, in the Southern District of California, and elsewhere, defendants JUERGEN ZIMMERMANN and BERND PLEUGER did knowingly and willfully make false declarations of material fact in a matter within the jurisdiction of the United States Customs Service by stating and causing to be stated on a Shipper's Export Declaration ("SED") that West Germany was the country of ultimate destination for three signal data converters, part number 588S0001-G11; in violation of Title 18, United States Code, Sections 1001 and 2.

DATED: November 14, 1986.

A TRUE BILL:

Foreperson

PETER K. NUNEZ
United States Attorney

By: 
PHILLIP L.B. HALPERN
Assistant U.S. Attorney