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Wednesday, July 1, 2009

U.S. Department of Justice

Retired University Professor J. Reece Roth Sentenced to Four Years in Prison for Arms Export Violations Involving Citizen of China

John Reece Roth, 72, of Knoxville, Tenn., was sentenced to 48 months in prison for violating the Arms Export Control Act by conspiring to illegally export, and actually exporting, technical information relating to a U.S. Air Force (USAF) research and development contract.

The sentencing took place in U.S. District Court in Knoxville before Judge Thomas Varlan, Jr. A former University of Tennessee professor, Roth will serve a term of two years supervised release after completing his prison term.

The illegal exports by Dr. Roth of technical information, known as "technical data," related to his illegal disclosure and transport of restricted military information associated with the USAF contract to develop specialized plasma technology for use on an advanced form of an unmanned aerial vehicle (UAV), also known as a drone.

The illegal exports of military technical information involved specific information about advanced plasma technology that had been designed and was being tested for use on the wings of drones operating as weapons or surveillance systems. The Arms Export Control Act prohibits the export of defense-related materials, including the technical data, to a foreign national or a foreign nation.

After a trial in September 2008, Dr. Roth was convicted of conspiring with Atmospheric Glow Technology, Inc., a Knoxville technology company, of unlawfully exporting in 2005 and 2006 fifteen different "defense articles" to a citizen of the People's Republic of China in violation of the Arms Export Control Act. This law prohibits the export of defense-related materials, including the technical data, to a foreign national or a foreign nation. These defense articles related to different specific military technical data that had been restricted and was associated with the USAF project to develop plasma technology for use on weapons system drones.

Dr. Roth was also convicted of one count of wire fraud relating to defrauding the University of Tennessee of his honest services by illegally exporting sensitive military information relating to this USAF research and development contract.

The Federal Bureau of Investigation (FBI) led the investigation and was joined in its efforts by U.S. Immigration and Customs Enforcement (ICE), the U.S. Air Force Office of Special Investigations, and the Department of Commerce's Office of Export Enforcement. The case was prosecuted by Assistant U.S. Attorneys Jeffrey Theodore and Will Mackie of the U.S. Attorney's Office for the Eastern District of Tennessee.

U.S. Attorney Dedrick commended the efforts of the special agents from the agencies supporting the investigation. He noted that this case was quickly brought to trial and sentencing through the excellent work of the Department of Justice's National Security Division and the Assistant U.S. Attorneys and support staff from his office. Dedrick added, "This case should send a stern warning to those who would betray the trust of our nation by violating the export control laws by providing our military information to foreign nationals."

David Kris, Assistant Attorney General for National Security, stated, "I applaud the agents and prosecutors who worked tirelessly to bring about this result. The illegal export of restricted military data represents a serious threat to national security. We know that foreign governments are actively seeking this information for their own military development. Today's sentence should serve as a warning to anyone who knowingly discloses restricted military data in violation of our laws."

FBI Special Agent in Charge Richard Lambert added: "Safeguarding sensitive military technology vital to our nation's defense remains a top priority of the FBI. We are grateful to the University of Tennessee for its invaluable partnership in this important investigation."

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