

United States v. LCDR Edward Lin, USN

CHARGE I, VIOLATION OF THE UCMJ, ARTICLE 92

Specification 1 (Violation of a Lawful General Order): In that Lieutenant Commander Edward C. L. Lin, U.S. Navy, Commander Patrol and Reconnaissance Group, on active duty, did, at or near San Francisco International Airport, San Francisco, CA on or about 12 February 2015, fail to obey a lawful general order, to wit: SECNAV M-5510.36, paragraph 9-3, dated June 2006, as incorporated into SECNAVINST 5510.36A, dated 6 October 2006, by wrongfully transporting material classified as SECRET.

Specification 2 (Violation of a Lawful General Order): In that Lieutenant Commander Edward C. L. Lin, U.S. Navy, Commander Patrol and Reconnaissance Group, on active duty, did, at or near Pearl Harbor, HI, on or about 20 February 2015, fail to obey a lawful general order, to wit: SECNAV M-5510.36, paragraph 12-2, dated June 2006, as incorporated into SECNAVINST 5510.36A, dated 6 October 2006, by wrongfully failing to report the compromise of information classified as SECRET.

Specification 3: Dismissed without prejudice.

Specification 4 (Violation of a Lawful General Order): In that Lieutenant Commander Edward C. L. Lin, U.S. Navy, Commander Patrol and Reconnaissance Group, on active duty, did, at or near Pearl Harbor, HI, on or about 11 September 2015, fail to obey a lawful general order, to wit: SECNAV M-5510.36, paragraph 10-3, dated June 2006, as incorporated into SECNAVINST 5510.36A, dated 6 October 2006, by wrongfully failing to properly store material classified as SECRET.

ADDITIONAL CHARGE, VIOLATION OF THE UCMJ, ARTICLE 92

Specification (Violation of a Lawful General Order): In that Lieutenant Commander Edward C. L. Lin, U.S. Navy, Commander Patrol and Reconnaissance Group, on active duty, did, at or near Pearl Harbor, HI, from about February 2014 to about September 2015, fail to obey a lawful general order, to wit: SECNAV M-5510.30, paragraph 3-8, dated June 2006, as incorporated into SECNAVINST 5510.30B, dated 6 October 2006, by wrongfully failing to report foreign connections to his security manager.

CHARGE II, VIOLATION OF THE UCMJ, ARTICLE 106a

Specification 1 (Espionage): In that Lieutenant Commander Edward C. L. Lin, U.S. Navy, Commander Patrol and Reconnaissance Group, on active duty, did, at or near Washington, D.C., on divers occasions, from about September 2012 to about December 2013, with intent or reason to believe it would be used to the advantage of a foreign nation, communicate SECRET information relating to the national defense to representatives of a foreign government.

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Specification 2 (Espionage): In that Lieutenant Commander Edward C. L. Lin, U.S. Navy, Commander Patrol and Reconnaissance Group, on active duty, did, at or near Washington, D.C., on divers occasions, from about April 2012 to about May 2014, with intent or reason to believe it would be used to the advantage of a foreign nation, communicate SECRET information relating to the national defense to a representative of a foreign government.

Specification 3 (Attempted Espionage): In that Lieutenant Commander Edward C. L. Lin, U.S. Navy, Commander Patrol and Reconnaissance Group, on active duty, did, at or near Pearl Harbor, HI, on or about 1 September 2015, with intent or reason to believe it would be used to the advantage of a foreign nation, attempt to communicate SECRET information relating to the national defense to a representative of a foreign government.

Specification 4 (Attempted Espionage): In that Lieutenant Commander Edward C. L. Lin, U.S. Navy, Commander Patrol and Reconnaissance Group, on active duty, did, at or near Pearl Harbor, HI, on or about 4 September 2015, with intent or reason to believe it would be used to the advantage of a foreign nation, attempt to communicate SECRET information relating to the national defense to a representative of a foreign government.

Specification 5 (Attempted Espionage): In that Lieutenant Commander Edward C. L. Lin, U.S. Navy, Commander Patrol and Reconnaissance Group, on active duty, did, at or near Pearl Harbor, HI, on or about 9 September 2015, with intent or reason to believe it would be used to the advantage of a foreign nation, attempt to communicate SECRET information relating to the national defense to a representative of a foreign government.

CHARGE III, VIOLATION OF THE UCMJ, ARTICLE 107

Specification 1 (False Official Statement): In that Lieutenant Commander Edward C. L. Lin, U.S. Navy, Commander Patrol and Reconnaissance Group, on active duty, did, at nor near Pearl Harbor, HI, on or about 9 August 2012, with intent to deceive, electronically sign an official record, to wit: Standard Form 86, which record was false in that it failed to include foreign travel from 3 December 2011 to 10 December 2011, and was then known by the said Lieutenant Commander Edward C. L. Lin to be so false.

Specification 2 (False Official Statement): In that Lieutenant Commander Edward C. L. Lin, U.S. Navy, Commander Patrol and Reconnaissance Group, on active duty, did, at nor near Pearl Harbor, HI, on or about 31 October 2013, with intent to deceive, electronically sign an official record, to wit: an e-Leave Request dated 31 October 2013, which record was false in that it listed the leave address as [REDACTED] Alexandria, VA rather than the actual foreign destination, and was then known by the said Lieutenant Commander Edward C. L. Lin to be so false.

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Specification 3 (False Official Statement): In that Lieutenant Commander Edward C. L. Lin, U.S. Navy, Commander Patrol and Reconnaissance Group, on active duty, did, at nor near Pearl Harbor, HI, on or about 29 April 2015, with intent to deceive, sign an official record, to wit: an e-Leave Request dated 1 July 2015, which record was false in that it listed the leave address as [REDACTED], Alexandria, VA rather than the actual foreign destination, and was then known by the said Lieutenant Commander Edward C. L. Lin to be so false.

CHARGE IV, VIOLATION OF THE UCMJ, ARTICLE 134

Specification 1 (Communicating Defense Information): In that Lieutenant Commander Edward C. L. Lin, U.S. Navy, Commander Patrol and Reconnaissance Group, on active duty, did, at or near Pearl Harbor, HI, on or about 21 August 2015, having lawful access to information relating to the national defense of the United States, which information the said Lieutenant Commander Edward C. L. Lin, U.S. Navy, had reason to believe could be used to the injury of the United States or to the advantage of a foreign nation, knowingly and willfully communicate information relative to the national defense to a person not entitled to receive said information in violation of Title 18, United States Code, Section 793(d), an offense not capital.

Specification 2 (Communicating Defense Information): In that Lieutenant Commander Edward C. L. Lin, U.S. Navy, Commander Patrol and Reconnaissance Group, on active duty, did, at or near Pearl Harbor, HI, on or about 25 August 2015, having lawful access to information relating to the national defense of the United States, which information the said Lieutenant Commander Edward C. L. Lin, U.S. Navy, had reason to believe could be used to the injury of the United States or to the advantage of a foreign nation, knowingly and willfully communicate information relative to the national defense to a person not entitled to receive said information in violation of Title 18, United States Code, Section 793(d), an offense not capital.

Specification 3 (Communicating Defense Information): In that Lieutenant Commander Edward C. L. Lin, U.S. Navy, Commander Patrol and Reconnaissance Group, on active duty, did, at or near Pearl Harbor, HI, on or about 1 September 2015, having lawful access to information relating to the national defense of the United States, which information the said Lieutenant Commander Edward C. L. Lin, U.S. Navy, had reason to believe could be used to the injury of the United States or to the advantage of a foreign nation, knowingly and willfully communicate information relative to the national defense to a person not entitled to receive said information in violation of Title 18, United States Code, Section 793(d), an offense not capital.

Specification 4 (Communicating Defense Information): In that Lieutenant Commander Edward C. L. Lin, U.S. Navy, Commander Patrol and Reconnaissance Group, on active duty, did, at or near Pearl Harbor, HI, on or about 4 September 2015, having lawful access to information relating to the national defense of the United States, which information the said Lieutenant

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Commander Edward C. L. Lin, U.S. Navy, had reason to believe could be used to the injury of the United States or to the advantage of a foreign nation, knowingly and willfully communicate information relative to the national defense to a person not entitled to receive said information in violation of Title 18, United States Code, Section 793(d), an offense not capital.

Specification 5 (Communicating Defense Information): In that Lieutenant Commander Edward C. L. Lin, U.S. Navy, Commander Patrol and Reconnaissance Group, on active duty, did, at or near Pearl Harbor, HI, on or about 9 September 2015, having lawful access to information relating to the national defense of the United States, which information the said Lieutenant Commander Edward C. L. Lin, U.S. Navy, had reason to believe could be used to the injury of the United States or to the advantage of a foreign nation, knowingly and willfully communicate information relative to the national defense to a person not entitled to receive said information in violation of Title 18, United States Code, Section 793(d), an offense not capital.

Specification 6: Dismissed without prejudice.

Specification 7: Dismissed without prejudice.