

Presented to the Court by the foreman of the
Grand Jury in open Court, in the presence
of the Grand Jury and FILED in the U.S.
DISTRICT COURT at Seattle, Washington
May 26, 2021

WILLIAM M. McCOOL, Clerk

By Stefanie Katter Deputy

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,
Plaintiff,

NO. CR21-5186 BHS

INDICTMENT

v.

ABIDEMI RUFAI
a/k/a Sandy Tang,

Defendant.

The Grand Jury charges that:

COUNT 1

(Conspiracy to Commit Wire Fraud)

A. Background

1. These charges involve the participation of ABIDEMI RUFAI, a/k/a/ Sandy Tang, in a conspiracy to fraudulently collect unemployment benefits intended for American workers suffering from the economic effects of the COVID-19 pandemic. RUFAI, a Nigerian national, submitted over 100 claims to the Washington Employment Security Department, and submitted additional claims to the state workforce agencies for other states, using the stolen identities of American workers. In so doing, RUFAI caused, and attempted to cause, the Employment Security Department to pay out federal and

1 other unemployment benefits in excess of \$350,000, and fraudulently caused other states
2 to pay out additional benefit payments.

3 2. On March 27, 2020, the United States enacted into law the Coronavirus
4 Aid, Relief, and Economic Security (CARES) Act. The CARES Act authorized
5 approximately \$2 trillion in aid to American workers, families, and businesses to mitigate
6 the economic consequences of the COVID-19 pandemic. The CARES Act funded, and
7 authorized each state to administer, new unemployment benefits. These benefits include:
8 (1) Federal Pandemic Unemployment Compensation (FPUC), which provided a benefit
9 of \$600 per week per unemployed worker in addition to existing benefits; (2) Pandemic
10 Unemployment Assistance (PUA), which extends benefits to self-employed persons,
11 independent contractors, and others; and (3) Pandemic Emergency Unemployment
12 Assistance (PEUC), which extends benefits for an additional 13 weeks after regular
13 unemployment benefits are exhausted.

14 3. CARES Act unemployment benefits are funded by the United States
15 government through the Department of Labor, and administered at the state level by state
16 agencies known as state workforce agencies (SWAs). The Washington Employment
17 Security Department (ESD) is the SWA for the State of Washington. CARES Act
18 unemployment benefits are authorized, transferred, disbursed and paid in connection with
19 a nationwide emergency declared by Presidential Proclamation 9994 (effective as of
20 March 1, 2020) and a Presidential declaration of a major disaster for the State of
21 Washington concerning the COVID-19 pandemic that was issued on March 22, 2020.

22 4. Applicants can apply online for ESD-administered benefits by visiting
23 ESD's Unemployment Tax and Benefit (UTAB) system. To access UTAB, the applicant
24 must first set up an account with Washington's Secure Access Washington (SAW) web
25 identity validation system. The UTAB and SAW websites are both hosted at the State
26 Data Center in Olympia, Washington.

1 5. To establish a SAW account, an applicant must provide the SAW system
2 with an email address. The SAW system then sends an activation link to the designated
3 email account by wire transmission originating in Olympia, Washington. The user must
4 click on the link to activate his or her SAW account. When the user clicks the link, his or
5 her computer sends a wire transmission terminating in Olympia, Washington that
6 activates the SAW account.

7 6. After activating the SAW account, the user may use the SAW account to
8 visit ESD's UTAB application system. To file a claim through UTAB, the applicant
9 enters his or her personal identifying information (PII), to include name, date of birth,
10 and Social Security number. If ESD confirms the information matches the PII of a
11 person in ESD's records, ESD will pay out benefits via wire (ACH) transfer to a bank or
12 financial account identified by the applicant.

13 **B. The Conspiracy**

14 7. Beginning no later than on or about April 27, 2020, and continuing through
15 at least on or about June 2, 2020, at Olympia, within the Western District of Washington,
16 and elsewhere, ABIDEMI RUFAL, a/k/a Sandy Tang, together with others known and
17 unknown to the Grand Jury, did conspire, confederate and agree, together and with each
18 other, to commit the offense of wire fraud in violation of Title 18, United States Code,
19 Section 1343. That is, ABIDEMI RUFAL, together with others known and unknown,
20 with intent to defraud, knowingly devised a scheme and artifice to defraud, and to obtain
21 money and property, by means of materially false and fraudulent pretenses,
22 representations, and promises. To execute and attempt to execute the scheme and artifice
23 to defraud, ABIDEMI RUFAL, together with others known and unknown, knowingly
24 transmitted, and caused to be transmitted by wire communication in interstate and foreign
25 commerce, writings, signs, signals, pictures and sounds.

1 8. The object of the conspiracy was to fraudulently obtain federal and state-
2 funded, pandemic-related, unemployment payments from ESD and other SWAs by
3 submitting fraudulent claims using the stolen PII of American workers.

4 **C. Manner and Means**

5 The following conduct was part of the conspiracy:

6 9. RUFAl and his co-conspirators unlawfully obtained, possessed and shared
7 with one another the PII of residents of Washington and other states, including their
8 names, dates of birth, and Social Security numbers.

9 10. RUFAl and his co-conspirators created email accounts, including an
10 account administered by Google Inc., ("Google") with the address
11 "sandytangy58@gmail.com," for the purpose of participating in fraudulent transactions
12 while obscuring their identities.

13 11. RUFAl and his co-conspirators, using foreign and interstate wire
14 transmissions, accessed ESD's SAW portal, as well as similar portals of other SWAs,
15 including SWAs for the states of Hawaii, Maine, Michigan, Missouri, Montana, New
16 York, Ohio, Pennsylvania, Wisconsin, and Wyoming. Each time RUFAl or a co-
17 conspirator accessed the Washington SAW portal, he or she caused wire transmissions
18 terminating and originating at the State Data Center in Olympia, Washington.

19 12. To establish SAW accounts, RUFAl and his co-conspirators provided the
20 sandytangy58@gmail.com email address to ESD as the designated email address to
21 receive activation emails. Each time RUFAl or a co-conspirator input this email address
22 into the SAW system, an activation email was sent to the sandytangy58@gmail.com
23 email account. Each of these emails was sent via an interstate wire transmission
24 originating from the State Data Center in Olympia, Washington and passing through a
25 Google data center outside the state of Washington.

26 13. To prevent ESD and other SWAs from recognizing that the same email
27 account was being used to file multiple claims, RUFAl and his co-conspirators used

1 dozens of variants of the email address by placing periods at different locations within the
2 email address for each claim. For example, RUFAI opened SAW accounts and submitted
3 claims using the variants “san.dyta.ngy58@gmail.com,” “sa.ndyt.a.ngy58@gmail.com,”
4 and “san.d.y.t.an.gy58@gmail.com.” In routing emails to a Gmail account, Google
5 disregards periods within the email address (e.g., “john.doe@gmail.com” is routed to the
6 same account as “johndoe@gmail.com”). As a result, Google delivered all of these
7 emails (and any similar “dot variants” of the same address) to the
8 sandytangy58@gmail.com account. By using these email address variants, RUFAI and
9 his co-conspirators were able to file multiple claims using the same email account,
10 without ESD and other SWAs detecting that they were doing so.

11 14. When completing the applications, RUFAI and his co-conspirators directed
12 that some of the benefits be paid to online payment accounts, including accounts
13 administered by the Green Dot Corporation. In other cases, RUFAI and his co-
14 conspirators directed that the fraudulent benefit payments be made to bank accounts
15 controlled by persons known as “money mules,” who withdrew and transferred the funds
16 according to instructions given by RUFAI and his co-conspirators. RUFAI and his co-
17 conspirators directed the money mules to send a portion of the proceeds to the residence
18 of RUFAI’s brother in Jamaica, New York, where RUFAI was then staying.

19 15. The wire fraud that was the object of this conspiracy occurred in relation to,
20 and involved, benefit payments authorized, transmitted, transferred, disbursed, and paid
21 in connection with the presidentially-declared major disaster and emergency described in
22 Paragraph 3 of this Indictment.

23 All in violation of Title 18, United States Code, Section 1349.

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COUNTS 2-10
(Wire Fraud)

16. The Grand Jury incorporates by reference Paragraphs 1-15 of this Indictment as if fully set forth herein.

17. Beginning at a time unknown, but no later than on or about April 27, 2020, and continuing through at least on or about June 2, 2020, at Olympia, within the Western District of Washington, and elsewhere, ABIDEMI RUFAI, a/k/a Sandy Tang, and others known and unknown, with intent to defraud, knowingly devised a scheme and artifice to defraud, and to obtain money and property, by means of materially false and fraudulent pretenses, representations, and promises, as further described below.

18. The essence of the scheme and artifice to defraud was to fraudulently obtain federally-funded CARES Act and other unemployment benefits from the Washington Employment Security Department and other state workforce agencies by submitting fraudulent claims using the stolen personal identifying information of American workers.

19. On or about the dates set forth below, at Olympia, within the Western District of Washington, and elsewhere, for the purpose of executing and attempting to execute this scheme and artifice to defraud, ABIDEMI RUFAI, and others known and unknown to the Grand Jury, aiding and abetting each other, did knowingly transmit and cause to be transmitted, by wire communication in interstate and foreign commerce, writings, signs, signals, pictures and sounds, each transmission of which constitutes a separate count of this Indictment. Each of the following offenses was committed in furtherance of, and was a foreseeable part of, the conspiracy charged in Count 1 of this Indictment.

Count	Date	Wire Transmission
2	April 27, 2020	Account activation email from the State Data Center in Olympia, Washington to san.dy.t.a.n.g.y.5.8@gmail.com via a Google server outside of Washington
3	April 28, 2020	Account activation email from the State Data Center in Olympia, Washington to sandyt.a.n.g.y.5.8@gmail.com via a Google server outside of Washington
4	April 29, 2020	Account activation email from the State Data Center in Olympia, Washington to sa.n.dy.t.an.g.y.5.8@gmail.com via a Google server outside of Washington
5	May 1, 2020	Account activation email from the State Data Center in Olympia, Washington to s.andyt.an.g.y.5.8@gmail.com via a Google server outside of Washington
6	May 2, 2020	Account activation email from the State Data Center in Olympia, Washington to s.a.nd.ytangy58@gmail.com via a Google server outside of Washington
7	May 7, 2020	Account activation email from the State Data Center in Olympia, Washington to san.dy.ta.ngy58@gmail.com via a Google server outside of Washington
8	May 8, 2020	Account activation email from the State Data Center in Olympia, Washington to s.a.n.d.y.t.an.gy58@gmail.com via a Google server outside of Washington
9	May 8, 2020	Account activation email from the State Data Center in Olympia, Washington to s.an.d.y.t.an.gy58@gmail.com via a Google server outside of Washington
10	May 9, 2020	Account activation email from the State Data Center in Olympia, Washington to s.an.dy.ta.n.gy58@gmail.com via a Google server outside of Washington

The Grand Jury further alleges that each of these violations occurred in relation to, and involved, benefit payments authorized, transmitted, transferred, disbursed, and paid in connection with a presidentially-declared major disaster and emergency.

All in violation of Title 18, United States Code, Section 1343 and Title 18, United States Code, Section 2.

COUNTS 11-15
(Aggravated Identity Theft)

20. The Grand Jury incorporates by reference Paragraphs 1-19 of this Indictment as if fully set forth herein.

21. On or about the dates set forth below, at Olympia, within the Western District of Washington, and elsewhere, ABIDEMI RUFAI, a/k/a Sandy Tang, knowingly transferred, possessed, and used, without lawful authority, means of identification of other persons, and did aid and abet the same, in that ABIDEMI RUFAI submitted claims to the Washington Employment Security Department using the names, dates of birth, and Social Security numbers, of the persons with the initials listed below, during and in relation to felonies listed in Title 18, United States Code, Section 1028A(c), to wit, conspiracy to commit wire fraud in violation of Title 18, United States Code, Section 1349, and wire fraud in violation of Title 18, United States Code, Section 1343. Each of the following offenses was committed in furtherance of, and was a foreseeable part of, the conspiracy charged in Count 1 of this Indictment.

Count	Date	Initials of Victim
11	May 2, 2020	S.C.
12	May 9, 2020	L.B.
13	May 10, 2020	S.S.
14	May 13, 2020	M.S.
15	May 17, 2020	N.J.

All in violation of Title 18, United States Code, Section 1028A(a)(1) and Title 18, United States Code, Section 2.

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FORFEITURE ALLEGATION

The allegations contained in Counts 1–10 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture. Upon conviction of any of the offenses alleged in Counts 1–10 of this Indictment, the defendant ABIDEMI RUFAL, a/k/a Sandy Tang, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), by way of Title 28, United States Code, Section 2461(c), any property that constitutes or is traceable to proceeds of the offense. This property includes, but is not limited to, a sum of money reflecting the proceeds the defendant obtained from the offense.

Substitute Assets. 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,

it is the intent of the United States to seek the forfeiture of any other property of the

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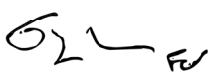
defendant, up to the value of the above-described forfeitable property, pursuant to Title 21, United States Code, Section 853(p).

A TRUE BILL:

DATED: 5/26/2021

[Signature of Foreperson redacted pursuant to the policy of the Judicial Conference of the United States]

FOREPERSON

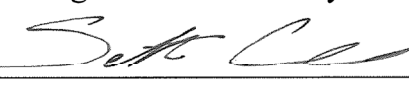

TESSA M. GORMAN
Acting United States Attorney


ANDREW C. FRIEDMAN
Assistant United States Attorney


SETH WILKINSON
Assistant United States Attorney


CINDY CHANG
Assistant United States Attorney

NICHOLAS L. MCQUAID
Acting Assistant Attorney General


JANE J. LEE
Trial Attorney
Computer Crime and Intellectual Property Section

United States v. Rufai
Indictment - 10

UNITED STATES ATTORNEY
700 STEWART STREET
SUITE 5220
SEATTLE, WASHINGTON 98101
(206) 553-7970