FILED

MAY 17 2023

Clerk, U. S. District Court
Eastern District of Tennessee
At Chattanooga

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA	)	
	)	**1:23-cr-** 43
v.	)	
	)	**Judge** ~~Atchley~~ / Lee
DANA ADKINS;	)	
Also known as, "Dana Morris"	)	

INFORMATION

COUNT ONE
MAIL FRAUD
(18 U.S.C. § 1341)

THE UNITED STATES ATTORNEY CHARGES THAT:

AT ALL TIMES MATERIAL HEREIN:

1. The defendant, DANA ADKINS, at all times relevant to the dates in the Information, was a resident of Stevenson, Alabama.

2. Facts relating to COVID-19:

a. In December 2019, a novel coronavirus, SARS-CoV-2 (the "coronavirus"), was first detected in Wuhan, Hubei Province of the People's Republic of China ("PRC"), causing outbreaks of the coronavirus disease COVID-19 that have since spread globally. On January 31, 2020, the Secretary of Health and Human Services ("HHS") declared a national public health emergency under 42 U.S.C. § 247d as a result of the spread of COVID-19 to and within the United States. On March 11, 2020, the Director-General of the World Health Organization ("WHO") characterized COVID-19 as a pandemic. On March 13, 2020, the President of the United States issued Proclamation 9994 declaring a national emergency beginning on March 1, 2020, as a result of the rapid spread of COVID-19 within the United States.

b. Unemployment Insurance System: The Social Security Act of 1935 initiated the unemployment insurance ("UI") system. UI payments were intended to provide temporary financial assistance to lawful workers who were unemployed through no fault of their own. Beginning in or around March 2020, in response to the COVID-19 pandemic, several federal programs expanded UI eligibility and increased UI benefits. The UI system is administered for the federal government by the state employment offices, and each state administrates a separate unemployment benefits program under guidelines established by federal law.

1) In the State of Tennessee, the agency responsible for overseeing the disbursement of unemployment insurance is the Tennessee Department of Labor and Workforce Development ("TNLWD") which administers the unemployment benefits system on behalf of the federal government, specifically the United States Department of Labor ("DOL"). The DOL funds all substantive and administrative costs for the TNLWD.

2) In order to qualify for unemployment insurance, an applicant must complete an online application on TNLWD's website with the applicant's name, date of birth, social security number, and other personal information. The applicant can then file for weekly benefits by certifying online that he/she is unemployed and eligible for benefits.

3) Other states, such as Pennsylvania and California, likewise provide unemployment insurance to their citizens in a similar fashion. In the State of Pennsylvania, the agency responsible for program oversight is the

Pennsylvania Department of Labor and Industry, (PADOL). In the State of California, the agency responsible for program oversight is the California Employment Development Department (CAEDD).

c. Federal Cares Act: On March 27, 2020, the Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by Congress and signed into law by President Donald J. Trump. The CARES Act included an economic relief package in excess of $2 trillion designed to help the American people during the public health and economic crises related to the pending coronavirus ("COVID-19") pandemic. The CARES Act provides for three new types of unemployment benefits:

1) The Pandemic Unemployment Assistance ("PUA") program is a separate benefit program designed to cover many people who do not qualify for regular unemployment during the COVID-19 pandemic. This includes self-employed individuals, independent contractors, and part-time workers affected by COVID-19.

2) The Pandemic Emergency Unemployment Compensation ("PEUC") program is an extension of regular unemployment benefits that offers unemployment benefits up to thirteen (13) weeks beyond the number of weeks available from regular unemployment. The CARES Act made these PEUC benefits available to the unemployed between March 29, 2020, and December 26, 2020.

3) The Federal Pandemic Unemployment Compensation ("FPUC") program provides an extra $600 per week in addition to regular or PUA unemployment

payments between March 29, 2020 and July 25, 2020. The FPUC is available for everyone on regular unemployment or PUA, except those on training benefits.

d. In the State of Pennsylvania, the PADOL, based in Harrisburg, Pennsylvania, administered the UI program. Those seeking UI benefits submitted online applications. Applicants had to answer specific questions to establish eligibility to receive UI benefits, including their name, Social Security Number (SSN), and mailing address, among other things. Applicants also had to self-certify that they met a COVID-19-related reason for being unemployed, partially employed, or unable to work. The PADOL relied upon the information in the application to determine UI benefits eligibility. Once an application was approved, the PADOL typically distributed state and federal UI benefits electronically to a debit card, which claimants could use to withdraw funds and/or make purchases. These debit cards were sent via the U.S. Postal Service or by a private and commercial interstate carrier to the address the claimant provided. Claimants could activate their debit card via telephone or online.

THE SCHEME TO DEFRAUD:

3. Beginning in or about June 2020, and continuing until in or about January 2021, in the Eastern District of Tennessee and elsewhere, the defendant, DANA ADKINS, aided and abetted by others, devised and intended to devise a scheme and artifice to defraud the government of the United States, governments of various states, and others, and to obtain money and property by means of false and fraudulent pretenses, representations and promises. The scheme and artifice to defraud and to obtain money so devised and intended to be devised by the defendant was in substance as follows:

4. It was part of the scheme to defraud that beginning in or about June 2020, the defendant, DANA ADKINS, coordinated with others who had knowledge about making false submissions to various states' UI programs and worked with them to create a system to make mass false UI claims to those states.

5. It was further part of the scheme to defraud that between in or about June 2020, and January 2021, the defendant, DANA ADKINS, obtained the personal information of other individuals with which to make false UI claims in various states. The defendant obtained the permission of these individuals to file false claims using their information.

6. It was further part of the scheme to defraud that beginning in or about June 2020, the defendant, DANA ADKINS, aided and abetted by others, utilized a personal computer located in Alabama to submit false UI claims in various names to the state of Pennsylvania.

7. It was further part of the scheme to defraud that the defendant, DANA ADKINS, worked with others to assist with the submission of false claims and referred false claimants to one another. The defendant and R.A. worked together to submit false UI claims to the state of Pennsylvania.

8. It was further part of the scheme to defraud that between in or about June 2020, and January 2021, the defendant, DANA ADKINS, utilized a personal cellphone and computer to submit false UI claims in various names to the state of Pennsylvania and caused the PADOL to mail debit cards to the Eastern District of Tennessee.

9. It was further part of the scheme to defraud that between in or about June 2020 and January 2021 the defendant, DANA ADKINS, submitted false UI claims to various states and caused to be distributed approximately $150,804 in debit cards to parties

who were not entitled to receive the claims.

THE EXECUTION:

Beginning in or about June 2020, and continuing until in or about January 2021, in the Eastern District of Tennessee and elsewhere, the defendant, DANA ADKINS, with the intent to defraud, devised and willfully participated in, with knowledge of its fraudulent nature, the above-described scheme and artifice to defraud and obtained money and property by materially false and fraudulent pretenses, representations, and promises,

On or about July 6, 2020, in the Eastern District of Tennessee and elsewhere, for the purpose of executing the above-described scheme and artifice to defraud, the defendant, DANA ADKINS, knowingly caused to be delivered by mail and by private and commercial interstate carrier to the place in the Eastern District of Tennessee at which the defendant directed it to be delivered in connection with the following transaction:

COUNT	**DATE**	**AMOUNT**	**DESCRIPTION OF MAIL**	**CONTENT OF MAIL**
1	On or about July 6, 2020	$4,149.00	Mailing initiated by PADOL through defendant Adkins sent to the Eastern District of Tennessee in the name of KG.	Unemployment Insurance Claim Debit Card

The violation occurred in relation to and involving a benefit authorized, transported, transmitted, transferred, disbursed, and paid in connection with a presidentially declared major disaster and emergency. All in violation of Title 18 United States Code, Sections 1341 and 2.

FORFEITURE ALLEGATIONS

1. The allegations contained in Count One of this Information are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

2. Pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), upon conviction of an offense in violation of Title 18, United States Code, Section 1341, the defendant, DANA ADKINS, shall forfeit to the United States of America, any property, real or personal, which constitutes or is derived from proceeds traceable to the offense. The properties to be forfeited include, but are not limited to, the following:

a. A personal money judgment in the amount of $150,804.00 in favor of the United States and against the defendant, DANA ADKINS, which represents the proceeds the defendant personally obtained as a result of an offense in violation of Title 18, United States Code, Section 1341.

3. Pursuant to Title 21, United States Code, Section 853(p), the defendant DANA ADKINS, shall forfeit substitute property, up to the value of the property subject to forfeiture, if by any act or omission of any of the defendants, said property, or any portion thereof:

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

b. has been transferred, 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 that cannot be divided without difficulty;

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

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