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U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

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CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

BILL OF INFORMATION FOR
THEFT OF GOVERNMENT FUNDS, MAIL FRAUD AND IDENTITY THEFT

UNITED STATES OF AMERICA

*

CRIMINAL NO.

13-190

v.

*

SECTION:

SECT. E MAG. 1

RENATA R. FOREMAN

*

VIOLATION(S): 18 U.S.C. § 641

18 U.S.C. § 1341

*

18 U.S.C. § 1028(a)(7)

* * *

The United States Attorney charges that:

COUNT 1

A. AT ALL MATERIAL TIMES HEREIN:

1. The United States Department of Education ("USDOE") provides financial aid in the form of grants and guaranteed loans to eligible students to help defray the cost of their post-secondary education. The Federal Family Educational Loan Program ("FFELP") provides low interest loans to eligible students attending post-secondary institutions. FFELP loans are made by private lenders who are paid a special allowance by USDOE to ensure a low interest rate. In

addition, FFELP loans are insured by USDOE, and for subsidized FFELP loans, USDOE pays all interest on the loans while the student borrower is in school. Pell Grants are another type of financial aid and they do not have to be repaid by qualified student recipients. The William D. Ford Federal Direct Loan Program (“Direct Loans”) is similar to the FFELP loan programs, except the Federal government provides the loan principal, eliminating the need for a private lender. After July 1, 2010, in accordance with the Health Care and Education Reconciliation Act of 2010, no further loans were issued under the FFELP programs and were thereafter issued as Direct Loans. FFELP loans, Direct Loans and Pell Grants are “Title IV funds”, which are provided under the Higher Education Act of 1965, found in subchapter IV of Chapter 28 of Title 20, United States Code.

2. A student is eligible to receive Title IV funds if the student is a regular enrolled student, or accepted for enrollment in an eligible program, at an eligible institution. Moreover, 34 CFR §668.32(e)(1) requires that a student must have a high school diploma or its recognized equivalent, in order to be eligible to receive Title IV funds.

3. FFELP loans, Direct Loans and Pell Grants are distributed directly to the post-secondary institutions via checks or electronic fund transfers. Once tuition is deducted from the loan and paid to the institution, a credit is refunded to the student to assist the student in paying non-tuition higher education expenses, such as the cost of books and housing. The student refund is forwarded to the student via check or electronic transfer.

4. Students apply for financial aid under the Higher Education Act by submitting a Free Application for Federal Student Aid (“FAFSA”) form, either by mailing it or electronically transmitting it to a USDOE processing center. The FAFSA contains basic information regarding a student’s identity and economic status, and is used to determine the student’s eligibility to obtain

federal financial aid funds. In order to access the electronic FAFSA online, an applicant must first obtain a personal identification number (“PIN”). To access the Federal Student Assistance (“FSA”) PIN system, an applicant must register and provide their name, date of birth, address, social security number, and a challenge question.

5. During the PIN application process, the applicant is notified: “By providing this information, you certify that you are the person identified by these items. If you are not that person, you are not authorized to proceed and you should exist this form now. If you purposely certify to false or misleading information, you may be fined \$20,000, sent to prison, or both.” The applicant will then receive a personal identification number which will act as their signature on the electronic FAFSA.

6. From on or before September 2008 to January 2012, **RENATA R. FOREMAN (“FOREMAN”)** applied for admission to universities misrepresenting that she graduated from high school in Louisiana. **FOREMAN** applied for and received federal financial aid for herself at multiple colleges in and around Louisiana and several online schools. By falsifying the high school graduation information and supplying forged transcripts, **FOREMAN** induced schools to admit her when she otherwise would not have been admitted.

7. From on or before September 2008 to June 2012, **FOREMAN** applied for federal financial aid on behalf of nine individuals without their knowledge or consent and enrolled them in multiple colleges in and around Louisiana as well as several online universities.

8. From on or before September 2008 to June 2012, **FOREMAN** obtained federal financial aid funds issued under the names of nine individuals without the individual’s knowledge or consent.

B. THE OFFENSE -THEFT OF GOVERNMENT FUNDS:

Between September 2008 and June 2012, in the Eastern District of Louisiana and elsewhere, the defendant, **RENATA R. FOREMAN**, willfully and knowingly stole and purloined money, in the form of federal financial aid payments for college courses, via checks and electronic fund transfers issued by various universities under the United States Department of Education financial aid program, in Defendant's name and in the names of R.S.; C.R.; R.F.; P.F.; F.C.; B.A.; H.M.; S.M. and D.G., when in truth and in fact, as the defendant well knew, she was not eligible to receive federal financial aid funds on behalf of herself and on behalf of these individuals, and in so doing stole and purloined United States Department of Education funds, the aggregate value of which was \$191,617.00.

All in violation of Title 18, United States Code, Section 641.

COUNT 2

A. AT ALL TIMES MATERIAL HEREIN:

The allegations contained in Section A of Count 1 are re-alleged and incorporated by reference, as though fully set forth herein.

B. THE SCHEME TO DEFRAUD:

1. From on or before September 2008 to on or about June 2012, the defendant, **RENATA R. FOREMAN**, in the Eastern District of Louisiana and elsewhere, did knowingly and willfully devise and intend to devise a scheme and artifice to defraud the U.S. Department of Education by misrepresenting her income and other applicant's income, in order to maximize the federal financial aid she would illegally receive. As a result, multiple institutions were induced to admit, fund and

draw down federal financial aid based on the false information provided by **FOREMAN**.

2. It was a further part of the scheme to defraud, that on or before September 2008 to on or about June 2012, **FOREMAN** would have the institutions forward student refunds to her via checks or electronic fund transfers. **FOREMAN** routinely interacted with school officials via email and telephone calls, misrepresenting herself as the individuals she enrolled.

3. On or about May 17, 2010, **FOREMAN** rented a private mailbox #205 from a UPS Store located in New Orleans, LA, which is a certified mail receiving agency that accepts mail from the United States Postal Service. In her application, **FOREMAN** listed her name, and the names of R.F., F.C. and R.S. as authorized mail recipients.

C. THE MAILING:

On or about November 18, 2010, in the Eastern District of Louisiana and elsewhere, the defendant, **FOREMAN**, for the purpose of executing and attempting to execute the scheme and artifice to defraud, and further obtaining money by means of false and fraudulent pretenses, representations and promises, did knowingly cause to be delivered by and through the United States mail, according to the direction thereon, an envelope containing a check numbered 2904, authorized by Colorado State University, payable to R.F., in the amount of \$4,190.00, addressed from Colorado State University, in Greenwood Village, Colorado to R.F. at the private mailbox #205 in New Orleans, Louisiana.

All in violation of Title 18, United States Code, Section 1341.

COUNT 3

A. AT ALL TIMES MATERIAL HEREIN:

The allegations of Paragraph A of Count 1 are incorporated as though fully set forth herein.

B. IDENTITY THEFT:

On or about May 29, 2011, in the Eastern District of Louisiana and elsewhere, the defendant, **RENATA R. FOREMAN**, did knowingly possess and use in or affecting interstate commerce, without lawful authority, a means of identification of another person, that is, the name and social security number of "D.G.", with the intent to commit, and in connection with an unlawful activity that constitutes a violation of federal law, that is, theft of government funds, in violation of Title 18, United States Code, Section 641, and by such conduct the defendant obtained anything of value aggregating \$1,000 or more during any one-year period.

All in violation of Title 18, United States Code, Sections 1028(a)(7).

NOTICE OF FRAUD FORFEITURE

1. The allegations of Counts 1 and 2 of this Bill of Information are re-alleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Sections 641, 1341 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

2. As a result of the offenses alleged in Counts 1 and 2, the defendant, **RENATA R. FOREMAN**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461, any and all property, real or personal, which constitutes or is derived from proceeds traceable to a violation of Title 18, United States Code, Section 641 and 1341, including but not limited to:

- a. At least **\$111,916.88** in United States Currency and all interest and proceeds traceable thereto.
- b. The government specifically provides notice of its intent to seek a personal money judgment against the defendant in the amount of the fraudulently-obtained proceeds.

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of Forfeiture, 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 person;
- 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 subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Sections 641, 1341 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461.

NOTICE OF IDENTITY THEFT FORFEITURE

1. The allegations of Count 3 of this Bill of Information are re-alleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Sections 1028(a)(7) and 982.

2. As a result of the offense alleged in Count 3, the defendant, **RENATA R. FOREMAN**, shall forfeit to the United States all property real or personal, constituting or derived from, proceeds the defendant obtained directly or indirectly, as a result of identity theft, in violation

of Title 18, United States Code, Section 1028(a)(7).

3. If any of the property described above as being subject to forfeiture, 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 person;
- 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 subdivided without difficulty;

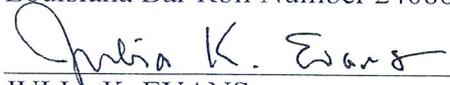
it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b)(1) and Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Section 982.


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New Orleans, Louisiana
August 30, 2013

