



## U.S. Department of Justice

*United States Attorney*

*Eastern District of Pennsylvania*

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April 16, 2020

The United States Attorney's Office for the Eastern District of Pennsylvania is actively working with over a dozen law enforcement agencies to stop individuals and companies from committing crimes related to the coronavirus pandemic. Criminals are seeking to take advantage of the pandemic by perpetrating frauds, hoarding vital medical supplies, or engaging in price gouging. If left unchecked, these bad actors can inhibit hospitals, physicians, and other health care professionals, as well as governmental agencies and the public, from successfully saving lives and mitigating the spread of the virus. I write to request your assistance in identifying these bad actors.

By Executive Order dated March 23, 2020, President Trump delegated to the Secretary of Health and Human Services (HHS) the authority to designate materials critical to the fight against the coronavirus as "scarce" pursuant to the Defense Production Act of 1950. On March 25, 2020, the HHS Secretary designated fifteen (15) categories of health and medical supplies as "scarce," thus triggering both criminal prohibitions and civil enforcement remedies that my Office will aggressively enforce. These categories currently include:

- N-95 filtering facepiece respirators;
- Other filtering facepiece respirators (e.g., those designated as N99, N100, R95, R99, R100, P95, P99, or P100);
- Elastomeric, air-purifying respirators and appropriate particulate filters/cartridges;
- Powered air purifying respirators (PAPR);
- Portable ventilators;
- Drug products with active ingredient chloroquine phosphate or hydroxychloroquine HCl;
- Sterilization services for any device as defined in Section 201(h) of the Food, Drug, and Cosmetics Act, and sterilizers as defined in Title 21, Sections 880.6860, 880.6870 & 880.6880 of the Code of Federal Regulations;
- Disinfecting devices intended to kill pathogens and other kinds of microorganisms by chemical means or physical means, and other sanitizing and disinfecting products suitable for use in a clinical setting;
- Medical gowns or apparel (e.g., surgical gowns or isolation gowns);
- Personal protective equipment (PPE) coveralls (e.g., Tyvek Suits);
- PPE face masks;
- PPE surgical masks;
- PPE face shields;
- PPE gloves or surgical gloves; and

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- Ventilators, anesthesia gas machines modified for use as ventilators, and positive pressure breathing devices modified for use as ventilators, ventilator tubing connectors, and ventilator accessories.

In this time of critical shortage, I am asking for your assistance in identifying individuals and companies that may have acquired any of these vital medical supplies in excess of what they would reasonably use, or acquired such materials for the purpose of re-selling and charging exorbitant prices. Additionally, my Office is committed to investigating and prosecuting any fraudulent conduct designed to exploit the pandemic, such as advertising fake or nonexistent medical equipment or phony cures, stealing personal identification information or other cybercrimes.

I have designated Assistant United States Attorney Ronald Sarachan, Deputy Chief of the Criminal Division for White Collar Crime, as Coronavirus Coordinator for this District. If you have any information regarding hoarding or other criminal activities related to the coronavirus, please contact Mr. Sarachan at 215-764-2210.

With help from institutions like yours, the Department of Justice is using every available measure to ensure that scarce materials are available to the medical professionals treating those affected by the coronavirus. We are all extraordinarily grateful for the vital work that you are performing on a daily basis. I look forward to collaborating with you to protect our community and enforce the laws of the United States during this time of national emergency.

Respectfully,

/s/ William M. McSwain  
WILLIAM M. McSWAIN  
United States Attorney  
Eastern District of Pennsylvania