



Office of the Attorney General
Washington, D. C. 20530

May 17, 2021

MEMORANDUM FOR THE DEPUTY ATTORNEY GENERAL
HEADS OF DEPARTMENT LITIGATING COMPONENTS
UNITED STATES ATTORNEYS
EXECUTIVE OFFICE FOR UNITED STATES ATTORNEYS
FEDERAL BUREAU OF INVESTIGATION
OFFICE OF THE INSPECTOR GENERAL
ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCE
INTERPOL WASHINGTON

FROM: THE ATTORNEY GENERAL *Merrick Garland*

SUBJECT: COVID-19 FRAUD ENFORCEMENT TASK FORCE

Over the past year, the Department of Justice has led an historic enforcement initiative to detect and disrupt COVID-19 related fraud, charging nearly 600 defendants to date with crimes involving over \$600 million in 56 federal districts around the country. The Department has secured civil injunctions against persons or companies selling fraudulent products, seized loan proceeds from fraudulent applications, and convicted criminals who have defrauded consumers and misappropriated federal dollars intended to support struggling individuals and businesses.

The pandemic has given rise to a variety of forms of fraud. Those intent on unlawfully profiting from the pandemic have capitalized on scarcity to peddle fake vaccines and sell millions of counterfeit N95 masks and other personal protective equipment to health care facilities desperate to protect frontline workers. They have inflated their payrolls to obtain loans larger than they were eligible to receive. They have used shell companies and received assistance that they unlawfully diverted. They have set up operations to submit identical loan applications in the names of multiple companies. And they have fraudulently misrepresented the products or services they sold to the federal government. Some of these crimes are unique to this pandemic; many, like identity theft to secure unemployment insurance, are variations on common schemes.

Since the start of the pandemic, our COVID-19 related fraud investigations have drawn on the expertise of multiple components of the Justice Department as well as other federal departments and agencies. Our work to uncover fraud schemes and successfully pursue them has been aided by our ability to leverage data, analytic capabilities, and lessons learned from across government.

To expand and build upon this work, today I am announcing the establishment of a COVID-19 Fraud Enforcement Task Force. The Task Force will bring together the full power of the federal government to bolster our enforcement efforts. Within the Department, the Task Force will include heads of litigating components, United States Attorneys, the Executive Office of United States Attorneys, the Federal Bureau of Investigation, the Organized Crime Drug Enforcement Task Force (OCDETF), the Department of Justice Inspector General, the National Unemployment Insurance Fraud Task Force, and INTERPOL Washington, or their designees.¹ The Task Force will be led and organized by the Deputy Attorney General.

Our key interagency partners have been invited to serve on the Task Force. These partners include the offices of Inspectors General for the Department of Labor, the Department of the Treasury, the Small Business Administration, the Department of Homeland Security, the Social Security Administration, the Federal Deposit Insurance Corporation, the Department of Health and Human Services, the Department of Veterans Affairs, the Federal Housing Finance Agency, and the Federal Reserve Board; the Defense Criminal Investigative Service; the Food and Drug Administration's Office of Criminal Investigations; Homeland Security Investigations; IRS-Criminal Investigation; the U.S. Postal Inspection Service; the U.S. Secret Service; the Treasury Inspector General for Tax Administration; the Department of the Treasury's Financial Crimes Enforcement Network; the Special Inspector General for Pandemic Relief; and the Pandemic Response Accountability Committee (PRAC).

The Task Force will augment and incorporate existing coordination mechanisms within the Department and will continue to work in close coordination with other efforts underway throughout the federal government, such as the PRAC, which has made great strides in promoting transparency and supporting independent oversight of relief funds. The PRAC has also recently formed a fraud task force that will use data analytics to support federal law enforcement's COVID-19 related fraud investigative efforts.

In particular, the Task Force will help us: (1) to identify cross-governmental resources, investigative techniques, and information for uncovering fraud schemes and the actors who perpetrate them; (2) to harness what we have learned about COVID-19 related and other types of fraud from past efforts; and (3) to deter, detect, and disrupt future fraud wherever it occurs.

Our experience has shown that a well-informed public is one of our strongest weapons in combatting fraud. The Department has already increased public awareness of this fraud through alerts, publicizing enforcement efforts, and encouraging members of the public to report criminal conduct to

¹ These components will also secure representation from the leadership of the Criminal Division's Fraud Section, Money Laundering and Asset Recovery Section, Computer Crime and Intellectual Property Section, and Office of International Affairs; the Civil Division's Commercial Litigation Branch (Fraud Section) and Consumer Protection Branch; the National Cyber Investigative Joint Task Force; the OCDETF Fusion Center and OCDETF's International Organized Crime Intelligence and Operations Center.

the National Center for Disaster Fraud. The Task Force will enhance our public awareness campaign to educate individuals and businesses about the threat of COVID-19 related fraud, how Americans can take steps to protect themselves, and how whistleblowers can report corporate fraud.

The Department of Justice will use every available federal tool — including criminal, civil, and administrative actions — to combat and prevent COVID-19 related fraud. We look forward to working with our federal government colleagues to bring to justice those who seek to profit unlawfully from the pandemic.