Suspend the Rules and Pass the Bill, H.R. 2610, with Amendments
(The amendments strike all after the enacting clause and insert a
new text and a new title)

116TH CONGRESS 1ST SESSION  H. R. 2610

To establish a Senior Scams Prevention Advisory Council to collect and
disseminate model educational materials useful in identifying and pre-
venting scams that affect seniors.

_______________________________________________________________

IN THE HOUSE OF REPRESENTATIVES

MAY 9, 2019

Ms. BLUNT ROCHESTER (for herself and Mr. W ALBERG) introduced the
following bill; which was referred to the Committee on Energy and Commerce

_______________________________________________________________

A BILL

To establish a Senior Scams Prevention Advisory Council
to collect and disseminate model educational materials
useful in identifying and preventing scams that affect seniors.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.
4 (a) Short Title.—This Act may be cited as the
5 “Fraud and Scam Reduction Act”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Commission defined.

**TITLE I—PREVENTING CONSUMER SCAMS DIRECTED AT SENIORS**

Sec. 101. Short title.
Sec. 102. Senior Scams Prevention Advisory Group.

**TITLE II—SENIOR FRAUD ADVISORY OFFICE**

Sec. 201. Short title.
Sec. 202. Senior Fraud Advisory Office.

**TITLE III—PREVENTING THE TARGETING OF SENIORS DURING EMERGENCIES**

Sec. 301. Short title.
Sec. 302. FTC report on scams targeting seniors during emergencies.
Sec. 303. Increasing awareness of scams targeting seniors.

**TITLE IV—PREVENTING SCAMS TARGETING INDIAN TRIBES**

Sec. 401. Short title.
Sec. 402. FTC report on unfair or deceptive acts or practices targeting Indian Tribes.

**TITLE V—ENHANCING CONSUMER PROTECTION ENFORCEMENT**

Sec. 501. Short title.
Sec. 502. Unfair and deceptive practices cooperation study.

**TITLE VI—DETERMINATION OF BUDGETARY EFFECTS**

Sec. 601. Determination of budgetary effects.

**SEC. 2. COMMISSION DEFINED.**

In this Act, the term “Commission” means the Federal Trade Commission.

**TITLE I—PREVENTING CONSUMER SCAMS DIRECTED AT SENIORS**

**SEC. 101. SHORT TITLE.**

This title may be cited as the “Stop Senior Scams Act”.

---

```
<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sec. 1</td>
<td>Short title; table of contents</td>
</tr>
<tr>
<td>Sec. 2</td>
<td>Commission defined</td>
</tr>
<tr>
<td>Sec. 101</td>
<td>Short title</td>
</tr>
<tr>
<td>Sec. 102</td>
<td>Senior Scams Prevention Advisory Group</td>
</tr>
<tr>
<td>Sec. 201</td>
<td>Short title</td>
</tr>
<tr>
<td>Sec. 202</td>
<td>Senior Fraud Advisory Office</td>
</tr>
<tr>
<td>Sec. 301</td>
<td>Short title</td>
</tr>
<tr>
<td>Sec. 302</td>
<td>FTC report on scams targeting seniors</td>
</tr>
<tr>
<td>Sec. 303</td>
<td>Increasing awareness of scams targeting</td>
</tr>
<tr>
<td>Sec. 401</td>
<td>Short title</td>
</tr>
<tr>
<td>Sec. 402</td>
<td>FTC report on unfair or deceptive acts</td>
</tr>
<tr>
<td>Sec. 501</td>
<td>Short title</td>
</tr>
<tr>
<td>Sec. 502</td>
<td>Unfair and deceptive practices</td>
</tr>
<tr>
<td>Sec. 601</td>
<td>Determination of budgetary effects</td>
</tr>
</tbody>
</table>
```

SEC. 102. SENIOR SCAMS PREVENTION ADVISORY GROUP.

(a) Establishment of Senior Scams Prevention Advisory Group.—There is established a Senior Scams Prevention Advisory Group (referred to in this section as the “Advisory Group”).

(b) Members.—The Advisory Group shall be composed of stakeholders such as the following individuals or the designees of such individuals:

(1) The Chairman of the Federal Trade Commission.

(2) The Secretary of the Treasury.

(3) The Attorney General.

(4) The Director of the Bureau of Consumer Financial Protection.

(5) Representatives from each of the following sectors, including trade associations, to be selected by Federal Trade Commission:

(A) Retail.

(B) Gift cards.

(C) Telecommunications.

(D) Wire-transfer services.

(E) Senior peer advocates.

(F) Consumer advocacy organizations with efforts focused on preventing seniors from becoming the victims of scams.
(G) Financial services, including institutions that engage in digital currency.

(H) Prepaid cards.

(6) A member of the Board of Governors of the Federal Reserve System.


(8) The Director of the Financial Crimes Enforcement Network.

(9) Any other Federal, State, or local agency, industry representative, consumer advocate, or entity, as determined by the Federal Trade Commission.

(e) No Compensation for Members.—A member of the Advisory Group shall serve without compensation in addition to any compensation received for the service of the member as an officer or employee of the United States, if applicable.

(d) Duties.—

(1) In general.—The Advisory Group shall—

(A) collect information on the existence, use, and success of educational materials and programs for retailers, financial services, and wire-transfer companies, which—
(i) may be used as a guide to educate employees on how to identify and prevent scams that affect seniors; and

(ii) include—

(I) useful information for retailers, financial services, and wire transfer companies for the purpose described in clause (i);

(II) training for employees on ways to identify and prevent senior scams;

(III) best practices for keeping employees up to date on current scams;

(IV) the most effective signage and placement in retail locations to warn seniors about scammers’ use of gift cards, prepaid cards, and wire transfer services;

(V) suggestions on effective collaborative community education campaigns;

(VI) available technology to assist in identifying possible scams at the point of sale; and
(VII) other information that would be helpful to retailers, wire transfer companies, financial institutions, and their employees as they work to prevent fraud affecting seniors; and

(B) based on the findings in subparagraph (A)—

(i) identify inadequacies, omissions, or deficiencies in those educational materials and programs for the categories listed in subparagraph (A) and their execution in reaching employees to protect older adults; and

(ii) create model materials, best practices guidance, or recommendations to fill those inadequacies, omissions, or deficiencies that may be used by industry and others to help protect older adults from scams.

(2) ENCOURAGED USE.—The Federal Trade Commission shall—

(A) make the materials or guidance created by the Federal Trade Commission described in paragraph (1) publicly available; and
(B) encourage the use and distribution of the materials created under this subsection to prevent scams affecting seniors by governmental agencies and the private sector.

(e) REPORTS.—Section 101(c)(2) of the Elder Abuse Prevention and Prosecution Act (34 U.S.C. 21711(c)(2)) is amended—

(1) in subparagraph (C), by striking “and” at the end;

(2) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(E) for the Federal Trade Commission, in relevant years, information on—

“(i) the newly created materials, guidance, or recommendations of the Senior Scams Prevention Advisory Group established under section 2 of the Stop Senior Scams Act, and any relevant views or considerations made by members of the Advisory Group that were not included in the Advisory Group’s model materials or considered an official recommendation by the Advisory Group;
“(ii) the Senior Scams Prevention Advisory Group’s findings about senior scams and industry educational materials and programs; and

“(iii) any recommendations on ways stakeholders can continue to work together to reduce scams affecting seniors.”

(f) TERMINATION.—This title, and the amendments made by this title, cease to be effective on the date that is 5 years after the date of enactment of this Act.

TITLE II—SENIOR FRAUD ADVISORY OFFICE

SEC. 201. SHORT TITLE.

This title may be cited as the “Seniors Fraud Prevention Act of 2020”.

SEC. 202. SENIOR FRAUD ADVISORY OFFICE.

(a) ESTABLISHMENT OF ADVISORY OFFICE.—The Federal Trade Commission shall establish an office within the Bureau of Consumer Protection for the purpose of advising the Commission on the prevention of fraud targeting seniors and to assist the Commission with the following:

(1) OVERSIGHT.—The advisory office shall monitor the market for mail, television, internet, telemarketing, and recorded message telephone call
(hereinafter referred to as “robocall”) fraud targeting seniors and shall coordinate with other relevant agencies regarding the requirements of this section.

(2) CONSUMER EDUCATION.—The Commission through the advisory office shall, in consultation with the Attorney General, the Secretary of Health and Human Services, the Postmaster General, the Chief Postal Inspector for the United States Postal Inspection Service, and other relevant agencies—

(A) disseminate to seniors and families and caregivers of seniors general information on mail, television, internet, telemarketing, and robocall fraud targeting seniors, including descriptions of the most common fraud schemes;

(B) disseminate to seniors and families and caregivers of seniors information on reporting complaints of fraud targeting seniors either to the national toll-free telephone number established by the Commission for reporting such complaints, or to the Consumer Sentinel Network, operated by the Commission, where such complaints will become immediately available to appropriate law enforcement agencies, including
the Federal Bureau of Investigation and the attorneys general of the States;

(C) in response to a specific request about a particular entity or individual, provide publicly available information of enforcement action taken by the Commission for mail, television, internet, telemarketing, and robocall fraud against such entity; and

(D) maintain a website to serve as a resource for information for seniors and families and caregivers of seniors regarding mail, television, internet, telemarketing, robocall, and other identified fraud targeting seniors.

(3) COMPLAINTS.—The Commission through the advisory office shall, in consultation with the Attorney General, establish procedures to—

(A) log and acknowledge the receipt of complaints by individuals who believe they have been a victim of mail, television, internet, telemarketing, and robocall fraud in the Consumer Sentinel Network, and shall make those complaints immediately available to Federal, State, and local law enforcement authorities; and

(B) provide to individuals described in subparagraph (A), and to any other persons, spe-
cific and general information on mail, television, internet, telemarketing, and robocall fraud, including descriptions of the most common schemes using such methods of communication.

(b) COMMENCEMENT.—The Commission shall commence carrying out the requirements of this section not later than one year after the date of enactment of this Act.

TITLE III—PREVENTING THE TARGETING OF SENIORS DURING EMERGENCIES

SEC. 301. SHORT TITLE.

This title may be cited as the “Protecting Seniors from Emergency Scams Act”.

SEC. 302. FTC REPORT ON SCAMS TARGETING SENIORS DURING EMERGENCIES.

Not later than 30 days after the date of enactment of this Act, the Federal Trade Commission (referred to in this Act as the “Commission”) shall submit a report to Congress including—

(1) a description of the number and types of scams identified by the Commission as being targeted at senior citizens; and
policy recommendations to prevent such scams, especially as such scams relate to future national emergencies.

SEC. 303. INCREASING AWARENESS OF SCAMS TARGETING SENIORS.

(a) In General.—As soon as practicable after the date of enactment of this Act, the Commission shall update its web portal to include the latest information, searchable by region and type of scam, on scams targeting seniors, including contacts for relevant law enforcement and adult protective service agencies.

(b) Coordination With Media Outlets and Law Enforcement.—The Commission shall work with media outlets and law enforcement to distribute the information included in the web portal of the Commission pursuant to subsection (a) to senior citizens and their families and caregivers.

TITLE IV—PREVENTING SCAMS TARGETING INDIAN TRIBES

SEC. 401. SHORT TITLE.

This title may be cited as the “Protecting Indian Tribes from Scams Act”.

VERBATIM
SEC. 402. FTC REPORT ON UNFAIR OR DECEPTIVE ACTS OR PRACTICES TARGETING INDIAN TRIBES.

(a) FTC Report.—Not later than 1 year after the date of the enactment of this Act, and after consultation with Indian Tribes, the Commission shall make publicly available on the website of the Commission and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on unfair or deceptive acts or practices targeted at Indian Tribes or members of Indian Tribes, including—

(1) a description of the types of unfair or deceptive acts or practices identified by the Commission as being targeted at Indian Tribes or members of Indian Tribes;

(2) a description of the consumer education activities of the Commission with respect to such acts or practices;

(3) a description of the efforts of the Commission to collaborate with Indian Tribes to prevent such acts or practices or to pursue persons using such acts or practices;

(4) a summary of the enforcement actions taken by the Commission related to such acts or practices; and
(5) any recommendations for legislation to prevent such acts or practices.

(b) Increasing Awareness of Unfair or Deceptive Acts or Practices Targeting Indian Tribes.—

Not later than 6 months after the date of the submission of the report required by subsection (a), the Commission shall update the website of the Commission to include information for consumers and businesses on identifying and avoiding unfair or deceptive acts or practices targeted at Indian Tribes or members of Indian Tribes.

TITLE V—ENHANCING CONSUMER PROTECTION ENFORCEMENT

SEC. 501. SHORT TITLE.

This title may be cited as the “FTC Collaboration Act of 2020”.

SEC. 502. UNFAIR AND DECEPTIVE PRACTICES COOPERATION STUDY.

(a) In General.—

(1) Study Required.—Not later than 1 year after the date of the enactment of this Act, the Federal Trade Commission shall conduct a study on facilitating and refining existing efforts with State Attorneys General to prevent, publicize, and penalize
frauds and scams being perpetrated on individuals in the United States.

(2) REQUIREMENTS OF STUDY.—In conducting the study, the Commission shall examine the following:

(A) The roles and responsibilities of the Commission and State Attorneys General that best advance collaboration and consumer protection.

(B) The policies, procedures, and mechanisms that facilitate cooperation and communications across the Commission.

(C) How resources should be dedicated to best advance such collaboration and consumer protection.

(D) The accountability mechanisms that should be implemented to promote collaboration and consumer protection.

(3) CONSULTATION AND PUBLIC COMMENT.—In producing the study required in paragraph (1), the Commission shall—

(A) consult with—

(i) the National Association of State Attorneys General;
(ii) public interest organizations dedicated to consumer protection;

(iii) relevant private sector entities;

and

(iv) any other Federal or State agency that the Federal Trade Commission considers necessary; and

(B) provide opportunity for public comment and advice relevant to the production of the study.

(b) REPORT TO CONGRESS.—Not later than 6 months after the completion of the study required pursuant to subsection (a), the Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and make publicly available on the website of the Commission, a report that contains the following:

(1) The results of the study.

(2) Recommended best practices to enhance collaboration efforts between the Commission and State Attorneys General with respect to preventing, publicizing, and penalizing fraud and scams.

(3) Quantifiable metrics by which enhanced collaboration can be measured.
(4) Legislative recommendations, if any, to enhance collaboration efforts between the Commission and State Attorneys General to prevent, publicize, and penalize fraud and scams.

TITLE VI—DETERMINATION OF BUDGETARY EFFECTS

SEC. 601. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

Amend the title so as to read: “A bill to establish an office within the Federal Trade Commission and an outside advisory group to prevent fraud targeting seniors and to direct the Commission to study and submit a report to Congress on scams targeting seniors and Indian tribes, and for other purposes.”.