

111TH CONGRESS
2^D SESSION

H. R. 5884

To establish a separate office within the Federal Trade Commission to prevent fraud targeting seniors, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2010

Mr. KLEIN of Florida introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To establish a separate office within the Federal Trade Commission to prevent fraud targeting seniors, and for other purposes.

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.**

4 This Act may be cited as the “Seniors Financial
5 Fraud Prevention Act of 2010”.

6 **SEC. 2. OFFICE FOR THE PREVENTION OF FRAUD TAR-**
7 **GETING SENIORS.**

8 (a) ESTABLISHMENT OF OFFICE.—The Federal
9 Trade Commission shall establish a separate office within
10 the Commission for the purpose of preventing fraud tar-

1 getting seniors and to assist the Commission with the fol-
2 lowing:

3 (1) OVERSIGHT.—The office shall monitor the
4 market for mail, telemarketing, television, and Inter-
5 net fraud targeting seniors and shall coordinate with
6 other relevant agencies regarding the requirements
7 of this section.

8 (2) CONSUMER EDUCATION.—The Federal
9 Trade Commission through the office shall, after
10 consultation with the Attorney General, the Sec-
11 retary of Health and Human Services, the Post-
12 master General, and the Chief Postal Inspector for
13 the United States Postal Inspection Service—

14 (A) disseminate to seniors and families and
15 caregivers of seniors general information on
16 mail, telemarketing, television, and Internet
17 fraud targeting seniors, including descriptions
18 of the most common fraud schemes;

19 (B) disseminate to seniors and families
20 and caregivers of seniors information on means
21 of referring complaints of fraud targeting sen-
22 iors to appropriate law enforcement agencies,
23 including the Director of the Federal Bureau of
24 Investigation, the attorneys general of the
25 States, and a national toll-free telephone num-

1 ber for reporting mail, telemarketing, television,
2 and Internet fraud established by the Federal
3 Trade Commission;

4 (C) in response to a specific request about
5 a particular entity or individual, provide pub-
6 licly available information on any record of civil
7 or criminal law enforcement action for mail,
8 telemarketing, television, or Internet fraud
9 against such entity; and

10 (D) maintain a website to serve as a re-
11 source for information for seniors and families
12 and caregivers of seniors regarding mail, tele-
13 marketing, television, and Internet fraud tar-
14 geting seniors.

15 (3) COMPLAINTS.—The Federal Trade Commis-
16 sion through the office shall, after consultation with
17 the Attorney General, establish procedures to—

18 (A) log and acknowledge the receipt of
19 complaints by individuals who certify that they
20 have a reasonable belief that they have been the
21 victim of fraud in connection with the conduct
22 of mail, telemarketing (as that term is defined
23 in section 2325 of title 18, United States
24 Code), television, and Internet;

1 (B) provide to individuals described in sub-
2 paragraph (A), and to any other persons, infor-
3 mation on mail, telemarketing, television, and
4 Internet fraud, including—

5 (i) general information on mail, tele-
6 marketing, television, and Internet fraud,
7 including descriptions of the most common
8 mail, telemarketing, television, and Inter-
9 net fraud schemes;

10 (ii) information on means of referring
11 complaints on mail, telemarketing, tele-
12 vision, and Internet fraud to appropriate
13 law enforcement agencies, including the
14 Director of the Federal Bureau of Inves-
15 tigation and the Attorney General; and

16 (iii) information, if available, on the
17 number of complaints of mail, tele-
18 marketing, television, and Internet fraud
19 against particular companies and any
20 record of convictions for mail, tele-
21 marketing, television, and Internet fraud
22 by particular companies for which a spe-
23 cific request has been made; and

24 (C) refer complaints described in subpara-
25 graph (A) to appropriate entities, including

1 State consumer protection agencies or entities
2 and appropriate law enforcement agencies, for
3 potential law enforcement action.

4 (b) COMMENCEMENT.—The Federal Trade Commis-
5 sion shall commence carrying out the requirements of this
6 section not later than one year after the date of enactment
7 of this Act.

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