

115TH CONGRESS
2D SESSION

S. 3522

To establish a Senior Scams Prevention Advisory Council.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 2018

Mr. CASEY (for himself and Mr. MORAN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To establish a Senior Scams Prevention Advisory Council.

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 “Senior Scams Preven-
5 tion Act”.

6 **SEC. 2. SENIOR SCAMS PREVENTION ADVISORY COUNCIL.**

7 (a) ESTABLISHMENT.—There is established a Senior
8 Scams Prevention Advisory Council (referred to in this
9 Act as the “Advisory Council”).

1 (b) MEMBERS.—The Advisory Council shall be com-
2 posed of the following members or the designees of those
3 members:

4 (1) The Chairman of the Federal Trade Com-
5 mission.

6 (2) The Secretary of the Treasury.

7 (3) The Attorney General.

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

10 (5) Not more than 2 representatives from each
11 of the following sectors, including trade associations,
12 to be selected by the Chairman of the Federal Trade
13 Commission:

14 (A) Retail.

15 (B) Gift card.

16 (C) Telecommunications.

17 (D) Wire transfer services.

18 (E) Senior peer advocates.

19 (F) Consumer advocacy organization with
20 efforts focused on preventing seniors from be-
21 coming the victims of scams.

22 (G) Financial services, including institu-
23 tions who engage in digital currency.

24 (H) Prepaid cards.

1 (6) Any other Federal, State, or local agency,
2 industry representative, consumer advocate, or enti-
3 ty, as determined by the Chairman of the Federal
4 Trade Commission.

5 (c) DUTIES.—

6 (1) IN GENERAL.—The Advisory Council shall,
7 while considering public comment—

8 (A) collect information on the existence,
9 use, and success of model educational materials
10 and programs for retailers, financial services
11 and wire transfer companies, which—

12 (i) may be used as a guide to educate
13 employees on how to identify and prevent
14 scams that affect seniors; and

15 (ii) include—

16 (I) useful information for retail-
17 ers, financial services, and wire trans-
18 fer companies for the purpose de-
19 scribed in clause (i);

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

23 (III) the best methods for keep-
24 ing employees up to date on current
25 scams;

1 (IV) the most effective signage
2 and best placement for signage in re-
3 tail locations to warn seniors about
4 scammers' use of gift cards and wire
5 transfer services;

6 (V) suggestions on effective col-
7 laborative community education cam-
8 paigns;

9 (VI) available technology to as-
10 sist in identifying possible scams at
11 the point of sale; and

12 (VII) other information that
13 would be helpful to retailers and wire
14 transfer companies and their employ-
15 ees as they work to prevent fraud af-
16 fecting seniors; and

17 (B) based on the findings in subparagraph

18 (A)—

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

1 (ii) create model materials to fill those
2 inadequacies, omissions, or deficiencies.

3 (2) ENCOURAGED USE.—The Chairman of the
4 Federal Trade Commission shall, after the public
5 comment period is complete—

6 (A) make the model educational materials
7 and programs and information about execution
8 of the programs described in paragraph (1)
9 publicly available; and

10 (B) encourage the use and distribution of
11 the materials created under this subsection to
12 prevent scams affecting seniors by govern-
13 mental agencies and the private sector.

14 (d) REPORTS.—Section 101(c) of the Elder Abuse
15 Prevention and Prosecution Act (34 U.S.C. 21711(c)) is
16 amended—

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

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

21 (3) by adding at the end the following:

22 “(E) for the Federal Trade Commission,
23 include information on—

24 “(i) the Senior Scams Prevention Ad-
25 visory Council’s newly created model mate-

1 rials, any recommendations of the Advisory
2 Council, and any views or considerations
3 made by members of the Advisory Council
4 or by public comment that were not in-
5 cluded in the Advisory Council’s model ma-
6 terials or considered an official rec-
7 ommendation by the Advisory Council;

8 “(ii) the Senior Scams Prevention Ad-
9 visory Council’s findings about senior
10 scams (including information about the
11 ways scams affect seniors, including the
12 negative effects on their well-being); and

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

16 (e) TERMINATION.—This Act, and the amendments
17 made by this Act, ceases to be effective on the date that
18 is 5 years after the date of enactment of this Act.

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