

117TH CONGRESS
1ST SESSION

H. R. 1215

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 include additional information in an annual report to Congress on fraud targeting seniors, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 2021

Ms. BLUNT ROCHESTER (for herself, Mr. WALBERG, Mr. DEUTCH, Mr. BUCHANAN, Mr. WELCH, Mr. SUOZZI, Mr. RUSH, Ms. KELLY of Illinois, Mr. O'HALLERAN, Mr. CASE, Mr. CARSON, Mr. FITZPATRICK, Mr. CÁRDENAS, and Ms. OMAR) introduced the following bill; which was referred to the Committee on Energy and Commerce

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 include additional information in an annual report to Congress on 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Fraud and Scam Reduction Act”.

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

Sec. 1. Short title; table of contents.

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. Office for the Prevention of Fraud Targeting Seniors.

3 **TITLE I—PREVENTING CON-**
 4 **SUMER SCAMS DIRECTED AT**
 5 **SENIORS**

6 **SEC. 101. SHORT TITLE.**

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

9 **SEC. 102. SENIOR SCAMS PREVENTION ADVISORY GROUP.**

10 (a) ESTABLISHMENT.—There is established a Senior
 11 Scams Prevention Advisory Group (referred to in this title
 12 as the “Advisory Group”).

13 (b) MEMBERS.—The Advisory Group shall be com-
 14 posed of stakeholders such as the following individuals or
 15 the designees of those individuals:

16 (1) The Chairman of the Federal Trade Com-
 17 mission.

18 (2) The Secretary of the Treasury.

19 (3) The Attorney General.

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

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

6 (A) Retail.

7 (B) Gift cards.

8 (C) Telecommunications.

9 (D) Wire-transfer services.

10 (E) Senior peer advocates.

11 (F) Consumer advocacy organizations with
12 efforts focused on preventing seniors from be-
13 coming the victims of scams.

14 (G) Financial services, including institu-
15 tions that engage in digital currency.

16 (H) Prepaid cards.

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

19 (7) A prudential regulator, as defined in section
20 1002 of the Consumer Financial Protection Act of
21 2010 (12 U.S.C. 5481).

22 (8) The Director of the Financial Crimes En-
23 forcement Network.

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

4 (c) NO COMPENSATION FOR MEMBERS.—A member
5 of the Advisory Group shall serve without compensation
6 in addition to any compensation received for the service
7 of the member as an officer or employee of the United
8 States, if applicable.

9 (d) DUTIES.—

10 (1) IN GENERAL.—The Advisory Group shall—

11 (A) collect information on the existence,
12 use, and success of educational materials and
13 programs for retailers, financial services, and
14 wire-transfer companies, which—

15 (i) may be used as a guide to educate
16 employees on how to identify and prevent
17 scams that affect seniors; and

18 (ii) include—

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

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

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

4 (IV) the most effective signage
5 and placement in retail locations to
6 warn seniors about scammers' use of
7 gift cards, prepaid cards, and wire
8 transfer services;

9 (V) suggestions on effective col-
10 laborative community education cam-
11 paigns;

12 (VI) available technology to as-
13 sist in identifying possible scams at
14 the point of sale; and

15 (VII) other information that
16 would be helpful to retailers, wire
17 transfer companies, financial institu-
18 tions, and their employees as they
19 work to prevent fraud affecting sen-
20 iors; and

21 (B) based on the findings in subparagraph

22 (A)—

23 (i) identify inadequacies, omissions, or
24 deficiencies in those educational materials
25 and programs for the categories listed in

1 subparagraph (A) and their execution in
2 reaching employees to protect older adults;
3 and

4 (ii) create model materials, best prac-
5 tices guidance, or recommendations to fill
6 those inadequacies, omissions, or defi-
7 ciencies that may be used by industry and
8 others to help protect older adults from
9 scams.

10 (2) ENCOURAGED USE.—The Chairman of the
11 Federal Trade Commission shall—

12 (A) make the materials or guidance cre-
13 ated by the Federal Trade Commission de-
14 scribed in paragraph (1) publicly available; and

15 (B) encourage the use and distribution of
16 the materials created under this subsection to
17 prevent scams affecting seniors by govern-
18 mental agencies and the private sector.

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

22 (1) in subparagraph (A)(iv), by striking the pe-
23 riod at the end and inserting a semicolon;

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

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

2 “(C) with respect to the report by the Fed-
3 eral Trade Commission, in relevant years, in-
4 cluding information on—

5 “(i) the newly created materials, guid-
6 ance, or recommendations of the Senior
7 Scams Prevention Advisory Group estab-
8 lished under section 102 of the Stop Senior
9 Scams Act and any relevant views or con-
10 siderations made by members of the Advi-
11 sory Group that were not included in the
12 Advisory Group’s model materials or con-
13 sidered an official recommendation by the
14 Advisory Group;

15 “(ii) the Senior Scams Prevention Ad-
16 visory Group’s findings about senior scams
17 and industry educational materials and
18 programs; and

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

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

1 **TITLE II—SENIOR FRAUD**
2 **ADVISORY OFFICE**

3 **SEC. 201. SHORT TITLE.**

4 This title may be cited as the “Seniors Fraud Preven-
5 tion Act of 2021”.

6 **SEC. 202. OFFICE FOR THE PREVENTION OF FRAUD TAR-**
7 **GETING SENIORS.**

8 (a) ESTABLISHMENT OF ADVISORY OFFICE.—The
9 Federal Trade Commission shall establish an office within
10 the Bureau of Consumer Protection for the purpose of ad-
11 vising the Commission on the prevention of fraud tar-
12 geting seniors and to assist the Commission with the fol-
13 lowing:

14 (1) OVERSIGHT.—The advisory office shall
15 monitor the market for mail, television, internet,
16 telemarketing, and recorded message telephone call
17 (hereinafter referred to as “robocall”) fraud tar-
18 geting seniors and shall coordinate with other rel-
19 evant agencies regarding the requirements of this
20 section.

21 (2) CONSUMER EDUCATION.—The Commission
22 through the advisory office shall, in consultation
23 with the Attorney General, the Secretary of Health
24 and Human Services, the Postmaster General, the

1 Chief Postal Inspector for the United States Postal
2 Inspection Service, and other relevant agencies—

3 (A) disseminate to seniors and families and
4 caregivers of seniors general information on
5 mail, television, internet, telemarketing, and
6 robocall fraud targeting seniors, including de-
7 scriptions of the most common fraud schemes;

8 (B) disseminate to seniors and families
9 and caregivers of seniors information on report-
10 ing complaints of fraud targeting seniors either
11 to the national toll-free telephone number estab-
12 lished by the Commission for reporting such
13 complaints, or to the Consumer Sentinel Net-
14 work, operated by the Commission, where such
15 complaints will become immediately available to
16 appropriate law enforcement agencies, including
17 the Federal Bureau of Investigation and the at-
18 torneys general of the States;

19 (C) in response to a specific request about
20 a particular entity or individual, provide pub-
21 lically available information of enforcement ac-
22 tion taken by the Commission for mail, tele-
23 vision, internet, telemarketing, and robocall
24 fraud against such entity; and

1 (D) maintain a website to serve as a re-
2 source for information for seniors and families
3 and caregivers of seniors regarding mail, tele-
4 vision, internet, telemarketing, robocall, and
5 other identified fraud targeting seniors.

6 (3) COMPLAINTS.—The Commission through
7 the advisory office shall, in consultation with the At-
8 torney General, establish procedures to—

9 (A) log and acknowledge the receipt of
10 complaints by individuals who believe they have
11 been a victim of mail, television, internet, tele-
12 marketing, and robocall fraud in the Consumer
13 Sentinel Network, and shall make those com-
14 plaints immediately available to Federal, State,
15 and local law enforcement authorities; and

16 (B) provide to individuals described in sub-
17 paragraph (A), and to any other persons, spe-
18 cific and general information on mail, television,
19 internet, telemarketing, and robocall fraud, in-
20 cluding descriptions of the most common
21 schemes using such methods of communication.

22 (b) COMMENCEMENT.—The Commission shall com-
23 mence carrying out the requirements of this section not

1 later than one year after the date of the enactment of this
2 Act.

○