

In the Senate of the United States,

December 17, 2020.

Resolved, That the bill from the House of Representatives (H.R. 2610) entitled “An Act 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.”, do pass with the following

AMENDMENT:

Strike all after the enacting clause and insert the following:

1 ***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

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

4 (b) *TABLE OF CONTENTS.*—*The table of contents for*
5 *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.

1 **TITLE I—PREVENTING CON-**
 2 **SUMER SCAMS DIRECTED AT**
 3 **SENIORS**

4 **SEC. 101. SHORT TITLE.**

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

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

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

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

14 *(1) The Chairman of the Federal Trade Commis-*
 15 *sion.*

16 *(2) The Secretary of the Treasury.*

17 *(3) The Attorney General.*

18 *(4) The Director of the Bureau of Consumer Fi-*
 19 *nancial Protection.*

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

23 *(A) Retail.*

1 (B) Gift cards.

2 (C) Telecommunications.

3 (D) Wire-transfer services.

4 (E) Senior peer advocates.

5 (F) Consumer advocacy organizations with
6 efforts focused on preventing seniors from becom-
7 ing the victims of scams.

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

10 (H) Prepaid cards.

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

13 (7) A prudential regulator, as defined in section
14 1002 of the Consumer Financial Protection Act of
15 2010 (12 U.S.C. 5481).

16 (8) The Director of the Financial Crimes En-
17 forcement Network.

18 (9) Any other Federal, State, or local agency, in-
19 dustry representative, consumer advocate, or entity,
20 as determined by the Federal Trade Commission.

21 (c) NO COMPENSATION FOR MEMBERS.—A member of
22 the Advisory Group shall serve without compensation in ad-
23 dition to any compensation received for the service of the
24 member as an officer or employee of the United States, if
25 applicable.

1 (d) *DUTIES.*—

2 (1) *IN GENERAL.*—*The Advisory Group shall—*

3 (A) *collect information on the existence, use,*
4 *and success of educational materials and pro-*
5 *grams for retailers, financial services, and wire-*
6 *transfer companies, which—*

7 (i) *may be used as a guide to educate*
8 *employees on how to identify and prevent*
9 *scams that affect seniors; and*

10 (ii) *include—*

11 (I) *useful information for retail-*
12 *ers, financial services, and wire trans-*
13 *fer companies for the purpose described*
14 *in clause (i);*

15 (II) *training for employees on*
16 *ways to identify and prevent senior*
17 *scams;*

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

20 (IV) *the most effective signage and*
21 *placement in retail locations to warn*
22 *seniors about scammers' use of gift*
23 *cards, prepaid cards, and wire transfer*
24 *services;*

1 (V) *suggestions on effective col-*
2 *laborative community education cam-*
3 *paigns;*

4 (VI) *available technology to assist*
5 *in identifying possible scams at the*
6 *point of sale; and*

7 (VII) *other information that*
8 *would be helpful to retailers, wire*
9 *transfer companies, financial institu-*
10 *tions, and their employees as they work*
11 *to prevent fraud affecting seniors; and*

12 (B) *based on the findings in subparagraph*
13 (A)—

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

20 (ii) *create model materials, best prac-*
21 *tices guidance, or recommendations to fill*
22 *those inadequacies, omissions, or defi-*
23 *ciencies that may be used by industry and*
24 *others to help protect older adults from*
25 *scams.*

(2) *ENCOURAGED USE.*—*The Chairman of 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 102 of the Stop Senior Scams Act, and any relevant views or considerations made by members of the Advi-*

sory 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, ceases 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. OFFICE FOR THE PREVENTION OF FRAUD TARGETING SENIORS.

(a) *ESTABLISHMENT OF ADVISORY OFFICE.*—The Federal Trade Commission shall establish an office within the Bureau of Consumer Protection for the purpose of advising

1 *the Commission on the prevention of fraud targeting seniors*
2 *and to assist the Commission with the following:*

3 (1) *OVERSIGHT.—The advisory office shall mon-*
4 *itor the market for mail, television, internet, tele-*
5 *marketing, and recorded message telephone call (here-*
6 *inafter referred to as “robocall”) fraud targeting sen-*
7 *iors and shall coordinate with other relevant agencies*
8 *regarding the requirements of this section.*

9 (2) *CONSUMER EDUCATION.—The Commission*
10 *through the advisory office shall, in consultation with*
11 *the Attorney General, the Secretary of Health and*
12 *Human Services, the Postmaster General, the Chief*
13 *Postal Inspector for the United States Postal Inspec-*
14 *tion Service, and other relevant agencies—*

15 (A) *disseminate to seniors and families and*
16 *caregivers of seniors general information on*
17 *mail, television, internet, telemarketing, and*
18 *robocall fraud targeting seniors, including de-*
19 *scriptions of the most common fraud schemes;*

20 (B) *disseminate to seniors and families and*
21 *caregivers of seniors information on reporting*
22 *complaints of fraud targeting seniors either to*
23 *the national toll-free telephone number estab-*
24 *lished by the Commission for reporting such*
25 *complaints, or to the Consumer Sentinel Net-*

1 *work, operated by the Commission, where such*
2 *complaints will become immediately available to*
3 *appropriate law enforcement agencies, including*
4 *the Federal Bureau of Investigation and the at-*
5 *torneys general of the States;*

6 *(C) in response to a specific request about*
7 *a particular entity or individual, provide pub-*
8 *lically available information of enforcement ac-*
9 *tion taken by the Commission for mail, tele-*
10 *vision, internet, telemarketing, and robocall*
11 *fraud against such entity; and*

12 *(D) maintain a website to serve as a re-*
13 *source for information for seniors and families*
14 *and caregivers of seniors regarding mail, tele-*
15 *vision, internet, telemarketing, robocall, and*
16 *other identified fraud targeting seniors.*

17 *(3) COMPLAINTS.—The Commission through the*
18 *advisory office shall, in consultation with the Attor-*
19 *ney General, establish procedures to—*

20 *(A) log and acknowledge the receipt of com-*
21 *plaints by individuals who believe they have been*
22 *a victim of mail, television, internet, tele-*
23 *marketing, and robocall fraud in the Consumer*
24 *Sentinel Network, and shall make those com-*

1 *plaints immediately available to Federal, State,*
2 *and local law enforcement authorities; and*

3 *(B) provide to individuals described in sub-*
4 *paragraph (A), and to any other persons, spe-*
5 *cific and general information on mail, television,*
6 *internet, telemarketing, and robocall fraud, in-*
7 *cluding descriptions of the most common schemes*
8 *using such methods of communication.*

9 *(b) COMMENCEMENT.—The Commission shall com-*
10 *mence carrying out the requirements of this section not later*
11 *than one year after the date of the enactment of this Act.*

Attest:

Secretary.

116TH CONGRESS
2^D SESSION

H.R. 2610

AMENDMENT