

**Calendar No. 23**115<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION**S. 178****[Report No. 115–9]**

To prevent elder abuse and exploitation and improve the justice system’s response to victims in elder abuse and exploitation cases.

---

## IN THE SENATE OF THE UNITED STATES

JANUARY 20, 2017

Mr. GRASSLEY (for himself, Mr. BLUMENTHAL, Mr. TILLIS, Ms. KLOBUCHAR, Mr. CORNYN, Mr. LEAHY, Mr. BENNET, Mrs. FEINSTEIN, Mr. DURBIN, Mr. FRANKEN, Mr. RUBIO, Ms. COLLINS, Mr. WHITEHOUSE, and Ms. HIRONO) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

MARCH 23, 2017

Reported by Mr. GRASSLEY, without amendment

---

**A BILL**

To prevent elder abuse and exploitation and improve the justice system’s response to victims in elder abuse and exploitation cases.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

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

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Elder Abuse Prevention and Prosecution Act”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—SUPPORTING FEDERAL CASES INVOLVING ELDER  
JUSTICE

Sec. 101. Supporting Federal cases involving elder justice.

TITLE II—IMPROVED DATA COLLECTION AND FEDERAL  
COORDINATION

Sec. 201. Establishment of best practices for local, State, and Federal data col-  
lection.

Sec. 202. Effective interagency coordination and Federal data collection.

TITLE III—ENHANCED VICTIM ASSISTANCE TO ELDER ABUSE  
SURVIVORS

Sec. 301. Sense of the Senate.

Sec. 302. Report.

TITLE IV—ROBERT MATAVA ELDER ABUSE PROSECUTION ACT  
OF 2017

Sec. 401. Short title.

Sec. 402. Enhanced penalty for telemarketing and email marketing fraud di-  
rected at elders.

Sec. 403. Training and technical assistance for States.

Sec. 404. Interstate initiatives.

TITLE V—MISCELLANEOUS

Sec. 501. Court-appointed guardianship oversight activities under the Elder  
Justice Act of 2009.

Sec. 502. GAO reports.

Sec. 503. Outreach to State and local law enforcement agencies.

Sec. 504. Model power of attorney legislation.

Sec. 505. Best practices and model legislation for guardianship proceedings.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

8 (1) the terms “abuse”, “adult protective serv-  
9 ices”, “elder”, “elder justice”, “exploitation”, “law

1 enforcement”, and “neglect” have the meanings  
 2 given those terms in section 2011 of the Social Secu-  
 3 rity Act (42 U.S.C. 1397j);

4 (2) the term “elder abuse” includes abuse, ne-  
 5 glect, and exploitation of an elder; and

6 (3) the term “State” means each of the several  
 7 States of the United States, the District of Colum-  
 8 bia, the Commonwealth of Puerto Rico, and any  
 9 other territory or possession of the United States.

10 **TITLE I—SUPPORTING FEDERAL**  
 11 **CASES INVOLVING ELDER**  
 12 **JUSTICE**

13 **SEC. 101. SUPPORTING FEDERAL CASES INVOLVING ELDER**  
 14 **JUSTICE.**

15 (a) SUPPORT AND ASSISTANCE.—

16 (1) ELDER JUSTICE COORDINATORS.—The At-  
 17 torney General shall designate in each Federal judi-  
 18 cial district not less than one Assistant United  
 19 States Attorney to serve as the Elder Justice Coor-  
 20 dinator for the district, who, in addition to any other  
 21 responsibilities, shall be responsible for—

22 (A) serving as the legal counsel for the  
 23 Federal judicial district on matters relating to  
 24 elder abuse;

1 (B) prosecuting, or assisting in the pros-  
2 ecution of, elder abuse cases;

3 (C) conducting public outreach and aware-  
4 ness activities relating to elder abuse; and

5 (D) ensuring the collection of data re-  
6 quired to be collected under section 202.

7 (2) INVESTIGATIVE SUPPORT.—The Attorney  
8 General, in consultation with the Director of the  
9 Federal Bureau of Investigation, shall, with respect  
10 to crimes relating to elder abuse, ensure the imple-  
11 mentation of a regular and comprehensive training  
12 program to train agents of the Federal Bureau of  
13 Investigation in the investigation and prosecution of  
14 such crimes and the enforcement of laws related to  
15 elder abuse, which shall include—

16 (A) specialized strategies for commu-  
17 nicating with and assisting elder abuse victims;  
18 and

19 (B) relevant forensic training relating to  
20 elder abuse.

21 (3) RESOURCE GROUP.—The Attorney General,  
22 through the Executive Office for United States At-  
23 torneys, shall ensure the operation of a resource  
24 group to facilitate the sharing of knowledge, experi-  
25 ence, sample pleadings and other case documents,

1 training materials, and any other resources to assist  
2 prosecutors throughout the United States in pur-  
3 suing cases relating to elder abuse.

4 (4) DESIGNATED ELDER JUSTICE WORKING  
5 GROUP OR SUBCOMMITTEE TO THE ATTORNEY GEN-  
6 ERAL'S ADVISORY COMMITTEE OF UNITED STATES  
7 ATTORNEYS.—Not later than 60 days after the date  
8 of enactment of this Act, the Attorney General, in  
9 consultation with the Director of the Executive Of-  
10 fice for United States Attorneys, shall establish a  
11 subcommittee or working group to the Attorney  
12 General's Advisory Committee of United States At-  
13 torneys, as established under section 0.10 of title 28,  
14 Code of Federal Regulations, or any successor there-  
15 to, for the purposes of advising the Attorney General  
16 on policies of the Department of Justice relating to  
17 elder abuse.

18 (b) DEPARTMENT OF JUSTICE ELDER JUSTICE CO-  
19 ORDINATOR.—Not later than 60 days after the date of en-  
20 actment of this Act, the Attorney General shall designate  
21 an Elder Justice Coordinator within the Department of  
22 Justice who, in addition to any other responsibilities, shall  
23 be responsible for—

1           (1) coordinating and supporting the law en-  
2           forcement efforts and policy activities for the De-  
3           partment of Justice on elder justice issues;

4           (2) evaluating training models to determine  
5           best practices and creating or compiling and making  
6           publicly available replication guides and training ma-  
7           terials for law enforcement officers, prosecutors,  
8           judges, emergency responders, individuals working in  
9           victim services, adult protective services, social serv-  
10          ices, and public safety, medical personnel, mental  
11          health personnel, financial services personnel, and  
12          any other individuals whose work may bring them in  
13          contact with elder abuse regarding how to—

14                 (A) conduct investigations in elder abuse  
15                 cases;

16                 (B) address evidentiary issues and other  
17                 legal issues; and

18                 (C) appropriately assess, respond to, and  
19                 interact with victims and witnesses in elder  
20                 abuse cases, including in administrative, civil,  
21                 and criminal judicial proceedings; and

22          (3) carrying out such other duties as the Attor-  
23          ney General determines necessary in connection with  
24          enhancing the understanding, prevention, and detec-  
25          tion of, and response to, elder abuse.

1 (c) FEDERAL TRADE COMMISSION.—

2 (1) FEDERAL TRADE COMMISSION ELDER JUSTICE COORDINATOR.—Not later than 60 days after  
3 the date of enactment of this Act, the Chairman of  
4 the Federal Trade Commission shall designate within  
5 the Bureau of Consumer Protection of the Federal  
6 Trade Commission an Elder Justice Coordinator who, in addition to any other responsibilities,  
7 shall be responsible for—  
8

9  
10 (A) coordinating and supporting the enforcement and consumer education efforts and  
11 policy activities of the Federal Trade Commission on elder justice issues; and  
12

13  
14 (B) serving as, or ensuring the availability of, a central point of contact for individuals,  
15 units of local government, States, and other  
16 Federal agencies on matters relating to the enforcement and consumer education efforts and  
17 policy activities of the Federal Trade Commission on elder justice issues.  
18

19  
20  
21 (2) REPORTS TO CONGRESS.—Not later than 1  
22 year after the date of enactment of this Act, and  
23 once every year thereafter, the Chairman of the Federal  
24 Trade Commission and the Attorney General  
25 shall each submit to the Committee on the Judiciary

1 of the Senate and the Committee on the Judiciary  
2 of the House of Representatives a report detailing  
3 the enforcement actions taken by the Federal Trade  
4 Commission and the Department of Justice, respec-  
5 tively, over the preceding year in each case in which  
6 not less than one victim was an elder or that in-  
7 volved a financial scheme or scam that was either  
8 targeted directly toward or largely affected elders,  
9 including—

10 (A) the name of the district where the case  
11 originated;

12 (B) the style of the case, including the case  
13 name and number;

14 (C) a description of the scheme or scam;  
15 and

16 (D) the outcome of the case.

17 (d) USE OF APPROPRIATED FUNDS.—No additional  
18 funds are authorized to be appropriated to carry out this  
19 section.

1 **TITLE II—IMPROVED DATA COL-**  
2 **LECTION AND FEDERAL CO-**  
3 **ORDINATION**

4 **SEC. 201. ESTABLISHMENT OF BEST PRACTICES FOR**  
5 **LOCAL, STATE, AND FEDERAL DATA COLLEC-**  
6 **TION.**

7 (a) **IN GENERAL.**—The Attorney General, in con-  
8 sultation with Federal, State, and local law enforcement  
9 agencies, shall—

10 (1) establish best practices for data collection to  
11 focus on elder abuse; and

12 (2) provide technical assistance to State, local,  
13 and tribal governments in adopting the best prac-  
14 tices established under paragraph (1).

15 (b) **DEADLINE.**—Not later than 1 year after the date  
16 of enactment of this Act, the Attorney General shall pub-  
17 lish the best practices established under subsection (a)(1)  
18 on the website of the Department of Justice in a publicly  
19 accessible manner.

20 (c) **LIMITATION.**—Nothing in this section shall be  
21 construed to require or obligate compliance with the best  
22 practices established under subsection (a)(1).

1 **SEC. 202. EFFECTIVE INTERAGENCY COORDINATION AND**  
2 **FEDERAL DATA COLLECTION.**

3 (a) **IN GENERAL.**—The Attorney General, in con-  
4 sultation with the Secretary of Health and Human Serv-  
5 ices shall, on an annual basis—

6 (1) collect from Federal law enforcement agen-  
7 cies, other agencies as appropriate, and Federal  
8 prosecutors' offices statistical data related to elder  
9 abuse cases, including cases or investigations where  
10 one or more victims were elders, or the case or in-  
11 vestigation involved a financial scheme or scam that  
12 was either targeted directly toward or largely af-  
13 fected elders; and

14 (2) publish on the website of the Department of  
15 Justice in a publicly accessible manner—

16 (A) a summary of the data collected under  
17 paragraph (1); and

18 (B) recommendations for collecting addi-  
19 tional data relating to elder abuse, including  
20 recommendations for ways to improve data re-  
21 porting across Federal, State, and local agen-  
22 cies.

23 (b) **REQUIREMENT.**—The data collected under sub-  
24 section (a)(1) shall include—

25 (1) the total number of investigations initiated  
26 by Federal law enforcement agencies, other agencies

1 as appropriate, and Federal prosecutors' offices re-  
2 lated to elder abuse;

3 (2) the total number and types of elder abuse  
4 cases filed in Federal courts; and

5 (3) for each case described in paragraph (2)—

6 (A) the name of the district where the case  
7 originated;

8 (B) the style of the case, including the case  
9 name and number;

10 (C) a description of the act or acts giving  
11 rise to the elder abuse;

12 (D) in the case of a scheme or scam, a de-  
13 scription of such scheme or scam giving rise to  
14 the elder abuse;

15 (E) information about each alleged pepe-  
16 trator of the elder abuse; and

17 (F) the outcome of the case.

18 (c) HHS REQUIREMENT.—The Secretary of Health  
19 and Human Services shall, on an annual basis, provide  
20 to the Attorney General statistical data collected by the  
21 Secretary relating to elder abuse cases investigated by  
22 adult protective services, which shall be included in the  
23 summary published under subsection (a)(2).

1 (d) PROHIBITION ON INDIVIDUAL DATA.—None of  
2 the information reported under this section shall include  
3 specific individual identifiable data.

4 **TITLE III—ENHANCED VICTIM**  
5 **ASSISTANCE TO ELDER**  
6 **ABUSE SURVIVORS**

7 **SEC. 301. SENSE OF THE SENATE.**

8 (a) FINDINGS.—The Senate finds the following:

9 (1) The vast majority of cases of abuse, neglect,  
10 and exploitation of older adults in the United States  
11 go unidentified and unreported.

12 (2) Not less than \$2,900,000,000 is taken from  
13 older adults each year due to financial abuse and ex-  
14 ploitation.

15 (3) Elder abuse, neglect, and exploitation have  
16 no boundaries and cross all racial, social, class, gen-  
17 der, and geographic lines.

18 (4) Older adults who are abused are 3 times  
19 more likely to die earlier than older adults of the  
20 same age who are not abused.

21 (5) Up to half of all older adults with dementia  
22 will experience abuse.

23 (b) SENSE OF THE SENATE.—It is the sense of the  
24 Senate that—

1           (1) elder abuse involves the exploitation of po-  
2           tentially vulnerable individuals with devastating  
3           physical, mental, emotional, and financial con-  
4           sequences to the victims and their loved ones;

5           (2) to combat this affront to America's older  
6           adults, we must do everything possible to both sup-  
7           port victims of elder abuse and prevent the abuse  
8           from occurring in the first place; and

9           (3) the Senate supports a multipronged ap-  
10          proach to prevent elder abuse and exploitation, pro-  
11          tect the victims of elder abuse and exploitation from  
12          further harm, and bring the perpetrators of such  
13          crimes to justice.

14 **SEC. 302. REPORT.**

15          (a) IN GENERAL.—Not later than 1 year after the  
16          date on which the collection of statistical data under sec-  
17          tion 202(a)(1) begins and once each year thereafter, the  
18          Director of the Office for Victims of Crime shall submit  
19          a report to the Committee on the Judiciary of the Senate  
20          and the Committee on the Judiciary of the House of Rep-  
21          resentatives that addresses, to the extent data are avail-  
22          able, the nature, extent, and amount of funding under the  
23          Victims of Crime Act of 1984 (42 U.S.C. 10601 et seq.)  
24          for victims of crime who are elders.

1 (b) CONTENTS.—The report required under sub-  
2 section (a) shall include—

3 (1) an analysis of victims’ assistance, victims’  
4 compensation, and discretionary grants under which  
5 elder abuse victims (including elder victims of finan-  
6 cial abuse, financial exploitation, and fraud) received  
7 assistance; and

8 (2) recommendations for improving services for  
9 victims of elder abuse.

10 **TITLE IV—ROBERT MATAVA**  
11 **ELDER ABUSE PROSECUTION**  
12 **ACT OF 2017**

13 **SEC. 401. SHORT TITLE.**

14 This title may be cited as the “Robert Matava Elder  
15 Abuse Prosecution Act of 2017”.

16 **SEC. 402. ENHANCED PENALTY FOR TELEMARKETING AND**  
17 **EMAIL MARKETING FRAUD DIRECTED AT EL-**  
18 **DERS.**

19 (a) IN GENERAL.—Chapter 113A of title 18, United  
20 States Code, is amended—

21 (1) in the chapter heading, by inserting “**AND**  
22 **EMAIL MARKETING**” after “**TELE-**  
23 **MARKETING**”;

24 (2) by striking section 2325 and inserting the  
25 following:

1 **“§ 2325. Definition**

2 “In this chapter, the term ‘telemarketing or email  
3 marketing’—

4 “(1) means a plan, program, promotion, or  
5 campaign that is conducted to induce—

6 “(A) purchases of goods or services;

7 “(B) participation in a contest or sweep-  
8 stakes;

9 “(C) a charitable contribution, donation, or  
10 gift of money or any other thing of value;

11 “(D) investment for financial profit;

12 “(E) participation in a business oppor-  
13 tunity;

14 “(F) commitment to a loan; or

15 “(G) participation in a fraudulent medical  
16 study, research study, or pilot study,

17 by use of one or more interstate telephone calls,  
18 emails, text messages, or electronic instant messages  
19 initiated either by a person who is conducting the  
20 plan, program, promotion, or campaign or by a pro-  
21 spective purchaser or contest or sweepstakes partici-  
22 pant or charitable contributor, donor, or investor;  
23 and

24 “(2) does not include the solicitation through  
25 the posting, publication, or mailing of a catalog or  
26 brochure that—

1           “(A) contains a written description or il-  
2           lustration of the goods, services, or other oppor-  
3           tunities being offered;

4           “(B) includes the business address of the  
5           solicitor;

6           “(C) includes multiple pages of written  
7           material or illustration; and

8           “(D) has been issued not less frequently  
9           than once a year,

10          if the person making the solicitation does not solicit  
11          customers by telephone, email, text message, or elec-  
12          tronic instant message, but only receives interstate  
13          telephone calls, emails, text messages, or electronic  
14          instant messages initiated by customers in response  
15          to the written materials, whether in hard copy or  
16          digital format, and in response to those interstate  
17          telephone calls, emails, text messages, or electronic  
18          instant messages does not conduct further sollicita-  
19          tion.”;

20          (3) in section 2326, in the matter preceding  
21          paragraph (1)—

22                 (A) by striking “or 1344” and inserting  
23                 “1344, or 1347 or section 1128B of the Social  
24                 Security Act (42 U.S.C. 1320a-7b)”;

1 (B) by inserting “or email marketing”  
 2 after “telemarketing”; and  
 3 (4) by adding at the end the following:

4 **“§ 2328. Mandatory forfeiture**

5 “(a) IN GENERAL.—The court, in imposing sentence  
 6 on a person who is convicted of any offense for which an  
 7 enhanced penalty is provided under section 2326, shall  
 8 order that the defendant forfeit to the United States—

9 “(1) any property, real or personal, constituting  
 10 or traceable to gross proceeds obtained from such of-  
 11 fense; and

12 “(2) any equipment, software, or other tech-  
 13 nology used or intended to be used to commit or to  
 14 facilitate the commission of such offense.

15 “(b) PROCEDURES.—The procedures set forth in sec-  
 16 tion 413 of the Controlled Substances Act (21 U.S.C.  
 17 853), other than subsection (d) of that section, and in  
 18 Rule 32.2 of the Federal Rules of Criminal Procedure,  
 19 shall apply to all stages of a criminal forfeiture proceeding  
 20 under this section.”.

21 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

22 (1) The table of chapters at the beginning of  
 23 part I of title 18, United States Code, is amended  
 24 by striking the item relating to chapter 113A and  
 25 inserting the following:

“113A. Telemarketing and email marketing fraud ..... 2325”.

1           (2) The table of sections for chapter 113A of  
2           title 18, United States Code, is amended by insert-  
3           ing after the item relating to section 2327 the fol-  
4           lowing:

“2328. Mandatory forfeiture.”.

5 **SEC. 403. TRAINING AND TECHNICAL ASSISTANCE FOR**  
6 **STATES.**

7           The Attorney General, in consultation with the Sec-  
8           retary of Health and Human Services and in coordination  
9           with the Elder Justice Coordinating Council (established  
10          under section 2021 of the Social Security Act (42 U.S.C.  
11          1397k)), shall create, compile, evaluate, and disseminate  
12          materials and information, and provide the necessary  
13          training and technical assistance, to assist States and  
14          units of local government in—

15               (1) investigating, prosecuting, pursuing, pre-  
16               venting, understanding, and mitigating the impact  
17               of—

18                       (A) physical, sexual, and psychological  
19                       abuse of elders;

20                       (B) exploitation of elders, including finan-  
21                       cial abuse and scams targeting elders; and

22                       (C) neglect of elders; and

23               (2) assessing, addressing, and mitigating the  
24               physical and psychological trauma to victims of elder  
25               abuse.

1 **SEC. 404. INTERSTATE INITIATIVES.**

2 (a) INTERSTATE AGREEMENTS AND COMPACTS.—

3 The consent of Congress is given to any two or more  
4 States (acting through State agencies with jurisdiction  
5 over adult protective services) to enter into agreements or  
6 compacts for cooperative effort and mutual assistance—

7 (1) in promoting the safety and well-being of el-  
8 ders; and

9 (2) in enforcing their respective laws and poli-  
10 cies to promote such safety and well-being.

11 (b) RECOMMENDATIONS ON INTERSTATE COMMU-

12 NICATION.—The Executive Director of the State Justice  
13 Institute, in consultation with State or local adult protec-  
14 tive services, aging, social, and human services and law  
15 enforcement agencies, nationally recognized nonprofit as-  
16 sociations with expertise in data sharing among criminal  
17 justice agencies and familiarity with the issues raised in  
18 elder abuse cases, and the Secretary of Health and  
19 Human Services, shall submit to Congress legislative pro-  
20 posals relating to the facilitation of interstate agreements  
21 and compacts.

**TITLE V—MISCELLANEOUS****SEC. 501. COURT-APPOINTED GUARDIANSHIP OVERSIGHT  
ACTIVITIES UNDER THE ELDER JUSTICE ACT  
OF 2009.**

Section 2042(c) of the Social Security Act (42 U.S.C. 1397m–1(c)) is amended—

(1) in paragraph (1), by inserting “(and, in the case of demonstration programs described in paragraph (2)(E), to the highest courts of States)” after “States”;

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by inserting “(and the highest courts of States, in the case of demonstration programs described in subparagraph (E))” after “local units of government”;

(B) in subparagraph (D), by striking “or” after the semicolon;

(C) by redesignating subparagraph (E) as subparagraph (F); and

(D) by inserting after subparagraph (D), the following new subparagraph:

“(E) subject to paragraph (3), programs to assess the fairness, effectiveness, timeliness, safety, integrity, and accessibility of adult

1 guardianship and conservatorship proceedings,  
2 including the appointment and the monitoring  
3 of the performance of court-appointed guard-  
4 ians and conservators, and to implement  
5 changes deemed necessary as a result of the as-  
6 sessments such as mandating background  
7 checks for all potential guardians and conserva-  
8 tors, and implementing systems to enable the  
9 annual accountings and other required con-  
10 servatorship and guardianship filings to be com-  
11 pleted, filed, and reviewed electronically in order  
12 to simplify the filing process for conservators  
13 and guardians and better enable courts to iden-  
14 tify discrepancies and detect fraud and the ex-  
15 ploitation of protected persons; or”;

16 (3) by redesignating paragraphs (3), (4), and  
17 (5) as paragraphs (4), (5), and (6), respectively;

18 (4) by inserting after paragraph (2), the fol-  
19 lowing new paragraph:

20 “(3) REQUIREMENTS FOR COURT-APPOINTED  
21 GUARDIANSHIP OVERSIGHT DEMONSTRATION PRO-  
22 GRAMS.—

23 “(A) AWARD OF GRANTS.—In awarding  
24 grants to the highest courts of States for dem-  
25 onstration programs described in paragraph

1           (2)(E), the Secretary shall consider the rec-  
2           ommendations of the Attorney General and the  
3           State Justice Institute, as established by sec-  
4           tion 203 of the State Justice Institute Act of  
5           1984 (42 U.S.C. 10702).

6           “(B) COLLABORATION.—The highest court  
7           of a State awarded a grant to conduct a dem-  
8           onstration program described in paragraph  
9           (2)(E) shall collaborate with the State Unit on  
10          Aging for the State and the Adult Protective  
11          Services agency for the State in conducting the  
12          demonstration program.”;

13          (5) in paragraph (4) (as redesignated by para-  
14          graph (3) of this section), by inserting “(and, in the  
15          case of demonstration programs described in para-  
16          graph (2)(E), the highest court of a State)” after “a  
17          State”; and

18          (6) in paragraph (5) (as so redesignated), by  
19          inserting “(or, in the case of demonstration pro-  
20          grams described in paragraph (2)(E), the highest  
21          court of a State)” after “State” each place it ap-  
22          pears.

23 **SEC. 502. GAO REPORTS.**

24          (a) ELDER JUSTICE RECOMMENDATIONS.—Not later  
25          than 18 months after the date of enactment of this Act,

1 the Comptroller General of the United States shall review  
2 existing Federal programs and initiatives in the Federal  
3 criminal justice system relevant to elder justice and shall  
4 submit to Congress—

5 (1) a report on such programs and initiatives;

6 and

7 (2) any recommendations the Comptroller Gen-  
8 eral determines are appropriate to improve elder jus-  
9 tice in the United States.

10 (b) REPORT ON ELDER ABUSE AND INTERNATIONAL  
11 CRIMINAL ENTERPRISES.—Not later than 18 months  
12 after the date of enactment of this Act, the Comptroller  
13 General of the United States shall submit to Congress a  
14 report on—

15 (1) the extent to which older adults of the  
16 United States are being exploited in global drug  
17 trafficking schemes and other international criminal  
18 enterprises;

19 (2) the extent to which the exploitation of older  
20 adults of the United States by international criminal  
21 enterprises has resulted in the incarceration of these  
22 citizens of the United States in foreign court sys-  
23 tems, including a description of the total number of  
24 such cases pending in foreign court systems; and

1           (3) whether, and to what extent, the Federal  
2           Government has intervened with foreign officials on  
3           behalf of citizens of the United States who are elder  
4           abuse victims in international criminal enterprises,  
5           including a description, to the extent such data is  
6           available, of—

7                   (A) the total annual number of elder abuse  
8                   cases pending in the United States and foreign  
9                   court systems; and

10                   (B) the total annual number of citizens of  
11                   the United States who are over the age of 60  
12                   years and who are incarcerated overseas as a  
13                   result of their exploitation in global drug traf-  
14                   ficking schemes or other international criminal  
15                   enterprises.

16 **SEC. 503. OUTREACH TO STATE AND LOCAL LAW ENFORCE-**  
17 **MENT AGENCIES.**

18           The Attorney General shall submit to the Committee  
19 on the Judiciary of the Senate and the Committee on the  
20 Judiciary of the House of Representatives a report on ef-  
21 forts by the Department of Justice to conduct outreach  
22 to State and local law enforcement agencies on the process  
23 for collaborating with the Federal Government for the  
24 purpose of investigating and prosecuting interstate and  
25 international elder financial exploitation cases.

1 **SEC. 504. MODEL POWER OF ATTORNEY LEGISLATION.**

2       The Attorney General shall publish model power of  
3 attorney legislation for the purpose of preventing elder  
4 abuse.

5 **SEC. 505. BEST PRACTICES AND MODEL LEGISLATION FOR**  
6 **GUARDIANSHIP PROCEEDINGS.**

7       The Attorney General shall publish best practices for  
8 improving guardianship proceedings and model legislation  
9 relating to guardianship proceedings for the purpose of  
10 preventing elder abuse.

**Calendar No. 23**

115<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**S. 178**

[Report No. 115-9]

---

---

**A BILL**

To prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases.

---

---

MARCH 23, 2017

Reported without amendment