

116TH CONGRESS
2D SESSION

S. 149

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Stop Senior Scams
3 Act”.

4 **SEC. 2. SENIOR SCAMS PREVENTION ADVISORY GROUP.**

5 (a) **ESTABLISHMENT.**—There is established a Senior
6 Scams Prevention Advisory Group (referred to in this Act
7 as the “Advisory Group”).

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

11 (1) The Chairman of the Federal Trade Com-
12 mission.

13 (2) The Secretary of the Treasury.

14 (3) The Attorney General.

15 (4) The Director of the Bureau of Consumer
16 Financial Protection.

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

20 (A) Retail.

21 (B) Gift cards.

22 (C) Telecommunications.

23 (D) Wire-transfer services.

24 (E) Senior peer advocates.

1 (F) Consumer advocacy organizations with
 2 efforts focused on preventing seniors from be-
 3 coming the victims of scams.

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

6 (H) Prepaid cards.

7 (6) A member of the Board of Governors of the
 8 Federal Reserve System.

9 (7) A prudential regulator, as defined in section
 10 1002 of the Consumer Financial Protection Act of
 11 2010 (12 U.S.C. 5481).

12 (8) The Director of the Financial Crimes En-
 13 forcement Network.

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

17 (c) NO COMPENSATION FOR MEMBERS.—A member
 18 of the Advisory Group shall serve without compensation
 19 in addition to any compensation received for the service
 20 of the member as an officer or employee of the United
 21 States, if applicable.

22 (d) DUTIES.—

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

24 (A) collect information on the existence,
 25 use, and success of educational materials and

1 programs for retailers, financial services, and
2 wire-transfer companies, which—

3 (i) may be used as a guide to educate
4 employees on how to identify and prevent
5 scams that affect seniors; and

6 (ii) include—

7 (I) useful information for retail-
8 ers, financial services, and wire trans-
9 fer companies for the purpose de-
10 scribed in clause (i);

11 (II) training for employees on
12 ways to identify and prevent senior
13 scams;

14 (III) best practices for keeping
15 employees up to date on current
16 scams;

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

22 (V) suggestions on effective col-
23 laborative community education cam-
24 paigns;

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

(VII) other information that would be helpful to retailers, wire transfer companies, financial institutions, and their employees as they work to prevent fraud affecting seniors; and

(B) based on the findings in subparagraph

(A)—

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

(ii) create model materials, best practices guidance, or recommendations to fill those inadequacies, omissions, or deficiencies that may be used by industry and others to help protect older adults from scams.

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

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

4 (B) encourage the use and distribution of
 5 the materials created under this subsection to
 6 prevent scams affecting seniors by govern-
 7 mental agencies and the private sector.

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

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

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

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

16 “(E) for the Federal Trade Commission, in
 17 relevant years, information on—

18 “(i) the newly created materials, guid-
 19 ance, or recommendations of the Senior
 20 Scams Prevention Advisory Group estab-
 21 lished under section 2 of the Stop Senior
 22 Scams Act, and any relevant views or con-
 23 siderations made by members of the Advi-
 24 sory Group that were not included in the
 25 Advisory Group’s model materials or con-

1 sidered an official recommendation by the
2 Advisory Group;

3 “(ii) the Senior Scams Prevention Ad-
4 visory Group’s findings about senior scams
5 and industry educational materials and
6 programs; and

7 “(iii) any recommendations on ways
8 stakeholders can continue to work together
9 to reduce scams affecting seniors.”.

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

Passed the Senate June 10, 2020.

Attest:

Secretary.

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