

cable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) Privileges and immunities

Any person who violates subsection (a) shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated and made part of this section.

(c) Authority preserved

Nothing in this subtitle shall be construed to limit the authority of the Federal Trade Commission or the Food and Drug Administration under any other provision of law.

(Pub. L. 115–271, title VIII, §8023, Oct. 24, 2018, 132 Stat. 4082.)

Editorial Notes

REFERENCES IN TEXT

The Federal Trade Commission Act, referred to in subsec. (b)(2), is act Sept. 26, 1914, ch. 311, 38 Stat. 717, which is classified generally to this subchapter. For complete classification of this Act to the Code, see section 58 of this title and Tables.

This subtitle, referred to in subsec. (c), is subtitle B (§§8021–8023) of title VIII of Pub. L. 115–271, Oct. 24, 2018, 132 Stat. 4082, known as the Opioid Addiction Recovery Fraud Prevention Act of 2018, which enacted this section and provisions set out as notes under this section and section 58 of this title.

CODIFICATION

Section was enacted as part of the Opioid Addiction Recovery Fraud Prevention Act of 2018, and also as part of the Substance Use–Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act, also known as the SUPPORT for Patients and Communities Act, and not as part of the Federal Trade Commission Act which comprises this subchapter.

Statutory Notes and Related Subsidiaries

DEFINITIONS

Pub. L. 115–271, title VIII, §8022, Oct. 24, 2018, 132 Stat. 4082, provided that: “For purposes of this subtitle [subtitle B (§§8021–8023) of title VIII of Pub. L. 115–271, see References in Text note above] only, and not [to] be construed or applied as to challenge or affect the characterization, definition, or treatment under any other statute, regulation, or rule:

“(1) **SUBSTANCE USE DISORDER TREATMENT PRODUCT.**—The term ‘substance use disorder treatment product’ means a product for use or marketed for use in the treatment, cure, or prevention of a substance use disorder, including an opioid use disorder.

“(2) **SUBSTANCE USE DISORDER TREATMENT SERVICE.**—The term ‘substance use disorder treatment service’ means a service that purports to provide referrals to treatment, treatment, or recovery housing for people diagnosed with, having, or purporting to have a substance use disorder, including an opioid use disorder.”

§ 45e. Office for the prevention of fraud targeting seniors

(a) Establishment of Advisory Office

The Federal Trade Commission (in this section referred to as the “Commission”) shall establish

an office within the Bureau of Consumer Protection for the purpose of advising the Commission on the prevention of fraud targeting seniors and to assist the Commission with the following:

(1) Oversight

The advisory office shall monitor the market for mail, television, internet, telemarketing, and recorded message telephone call (in this section referred to as “robocall”) fraud targeting seniors and shall coordinate with other relevant agencies regarding the requirements of this section.

(2) Consumer education

The Commission, through the advisory office and in consultation with the Attorney General, the Secretary of Health and Human Services, the Postmaster General, the Chief Postal Inspector for the United States Postal Inspection Service, and other relevant agencies, shall—

(A) disseminate to seniors and families and caregivers of seniors general information on mail, television, internet, telemarketing, and robocall fraud targeting seniors, including descriptions of the most common fraud schemes;

(B) disseminate to seniors and families and caregivers of seniors information on reporting complaints of fraud targeting seniors either to the national toll-free telephone number established by the Commission for reporting such complaints, or to the Consumer Sentinel Network, operated by the Commission, where such complaints will become immediately available to appropriate law enforcement agencies, including the Federal Bureau of Investigation and the attorneys general of the States;

(C) in response to a specific request about a particular entity or individual, provide publicly available information of any enforcement action taken by the Commission for mail, television, internet, telemarketing, and robocall fraud against such entity; and

(D) maintain a website to serve as a resource for information for seniors and families and caregivers of seniors regarding mail, television, internet, telemarketing, robocall, and other identified fraud targeting seniors.

(3) Complaints

The Commission, through the advisory office and in consultation with the Attorney General, shall establish procedures to—

(A) log and acknowledge the receipt of complaints by individuals who believe they have been a victim of mail, television, internet, telemarketing, and robocall fraud in the Consumer Sentinel Network, and shall make those complaints immediately available to Federal, State, and local law enforcement authorities; and

(B) provide to individuals described in subparagraph (A), and to any other persons, specific and general information on mail, television, internet, telemarketing, and robocall fraud, including descriptions of the most common schemes using such methods of communication.

(b) Commencement

The Commission shall commence carrying out the requirements of this section not later than 1 year after March 15, 2022.

(c) Use of existing funds

No additional funds are authorized to be appropriated to carry out this section and the Commission shall carry out this section using amounts otherwise made available to the Commission.

(Pub. L. 117–103, div. Q, title I, § 122, Mar. 15, 2022, 136 Stat. 811.)

Editorial Notes**CODIFICATION**

Section was enacted as part of the Seniors Fraud Prevention Act of 2022, the Fraud and Scam Reduction Act, and also as part of the Consolidated Appropriations Act, 2022, and not as part of the Federal Trade Commission Act which comprises this subchapter.

Statutory Notes and Related Subsidiaries**SENIOR SCAMS PREVENTION ADVISORY GROUP**

Pub. L. 117–103, div. Q, title I, § 112(a)–(d), Mar. 15, 2022, 136 Stat. 809, 810, provided that:

“(a) **ESTABLISHMENT.**—There is established a Senior Scams Prevention Advisory Group (in this subtitle [subtitle A of div. Q of Pub. L. 117–103, amending section 21711 of Title 34, Crime Control and Law Enforcement, and enacting provisions set out as notes under section 58 of this title and section 21711 of Title 34] referred to as the ‘Advisory Group’).

“(b) **MEMBERS.**—The Advisory Group shall be composed of stakeholders such as the following individuals or the designees of those individuals:

“(1) The Chairman of the Federal Trade Commission.

“(2) The Secretary of the Treasury.

“(3) The Attorney General.

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

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

“(A) Retail.

“(B) Gift cards.

“(C) Telecommunications.

“(D) Wire-transfer services.

“(E) Senior peer advocates.

“(F) Consumer advocacy organizations with efforts focused on preventing seniors from becoming the victims of scams.

“(G) Financial services, including institutions that engage in digital currency.

“(H) Prepaid cards.

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

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

“(8) The Director of the Financial Crimes Enforcement Network.

“(9) Any other Federal, State, or local agency, industry representative, consumer advocate, or entity, as determined by the Federal Trade Commission.

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

“(d) **DUTIES.**—

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

“(A) collect information on the existence, use, and success of educational materials and programs

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

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

“(ii) includes—

“(I) useful information for retailers, financial services, and wire transfer companies for the purpose described in clause (i);

“(II) training for employees on ways to identify and prevent senior scams;

“(III) best practices for keeping employees up to date on current scams;

“(IV) the most effective signage and placement in retail locations to warn seniors about scammers’ use of gift cards, prepaid cards, and wire transfer services;

“(V) suggestions on effective collaborative community education campaigns;

“(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—

“(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.”

[Pub. L. 117–103, div. Q, title I, § 112(a)–(d), set out above, ceases to be effective on the date that is 5 years after Mar. 15, 2022, see section 112(f) of title I of div. Q of Pub. L. 117–103, set out as a Termination of 2022 Amendment note under section 21711 of Title 34, Crime Control and Law Enforcement.]

§ 45f. Collection, verification, and disclosure of information by online marketplaces to inform consumers**(a) Collection and verification of information****(1) Collection****(A) In general**

An online marketplace shall require any high-volume third party seller on such online marketplace’s platform to provide, not later than 10 days after qualifying as a high-volume third party seller on the platform, the following information to the online marketplace:

(i) Bank account**(I) In general**

A bank account number, or, if such seller does not have a bank account, the name of the payee for payments issued by the online marketplace to such seller.

(II) Provision of information

The bank account or payee information required under subclause (I) may be