

116TH CONGRESS
1ST SESSION

S. 149

To establish a Senior Scams Prevention Advisory Council.

IN THE SENATE OF THE UNITED STATES

JANUARY 16, 2019

Mr. CASEY (for himself and Mr. MORAN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stop Senior Scams
5 Act”.

6 **SEC. 2. SENIOR SCAMS PREVENTION ADVISORY COUNCIL.**

7 (a) ESTABLISHMENT.—There is established a Senior
8 Scams Prevention Advisory Council (referred to in this
9 Act as the “Advisory Council”).

1 (b) MEMBERS.—The Advisory Council shall be com-
2 posed of the following members or the designees of those
3 members:

4 (1) The Chairman of the Federal Trade Com-
5 mission.

6 (2) The Secretary of the Treasury.

7 (3) The Attorney General.

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

10 (5) Not more than 2 representatives from each
11 of the following sectors, including trade associations,
12 to be selected by the Chairman of the Federal Trade
13 Commission:

14 (A) Retail.

15 (B) Gift card.

16 (C) Telecommunications.

17 (D) Wire-transfer services.

18 (E) Senior peer advocates.

19 (F) Consumer advocacy organization with
20 efforts focused on preventing seniors from be-
21 coming the victims of scams.

22 (G) Financial services, including institu-
23 tions who engage in digital currency.

24 (H) Prepaid cards.

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

3 (7) A prudential regulator, as defined in section
4 1002 of the Consumer Financial Protection Act of
5 2010 (12 U.S.C. 5481).

6 (8) The Director of the Financial Crimes En-
7 forcement Network.

8 (9) Any other Federal, State, or local agency,
9 industry representative, consumer advocate, or enti-
10 ty, as determined by the Chairman of the Federal
11 Trade Commission.

12 (c) DUTIES.—

13 (1) IN GENERAL.—The Advisory Council shall,
14 while considering public comment—

15 (A) collect information on the existence,
16 use, and success of model educational materials
17 and programs for retailers, financial services
18 and wire-transfer companies, which—

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

22 (ii) include—

23 (I) useful information for retail-
24 ers, financial services, and wire trans-

1 fer companies for the purpose de-
2 scribed in clause (i);

3 (II) training for employees on
4 ways to identify and prevent senior
5 scams;

6 (III) the best methods for keep-
7 ing employees up to date on current
8 scams;

9 (IV) the most effective signage
10 and best placement for signage in re-
11 tail locations to warn seniors about
12 scammers' use of gift cards, prepaid
13 cards, and wire transfer services;

14 (V) suggestions on effective col-
15 laborative community education cam-
16 paigns;

17 (VI) available technology to as-
18 sist in identifying possible scams at
19 the point of sale; and

20 (VII) other information that
21 would be helpful to retailers, wire
22 transfer companies, financial institu-
23 tions, and their employees as they
24 work to prevent fraud affecting sen-
25 iors; and

1 (B) based on the findings in subparagraph

2 (A)—

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

9 (ii) create model materials to fill those
10 inadequacies, omissions, or deficiencies.

11 (2) ENCOURAGED USE.—The Chairman of the
12 Federal Trade Commission shall, after the public
13 comment period is complete—

14 (A) make the model educational materials
15 and programs and information about execution
16 of the programs described in paragraph (1)
17 publicly available; and

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

22 (d) REPORTS.—Section 101(c) of the Elder Abuse
23 Prevention and Prosecution Act (34 U.S.C. 21711(c)) is
24 amended—

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

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

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

6 “(E) for the Federal Trade Commission,
7 include information on—

8 “(i) the Senior Scams Prevention Ad-
9 visory Council’s newly created model mate-
10 rials, any recommendations of the Advisory
11 Council, and any views or considerations
12 made by members of the Advisory Council
13 or by public comment that were not in-
14 cluded in the Advisory Council’s model ma-
15 terials or considered an official rec-
16 ommendation by the Advisory Council;

17 “(ii) the Senior Scams Prevention Ad-
18 visory Council’s findings about senior
19 scams (including information about the
20 ways scams affect seniors, including the
21 negative effects on their well-being); and

22 “(iii) any recommendations on ways
23 stakeholders can continue to work together
24 to reduce scams affecting seniors.”.

1 (e) TERMINATION.—This Act, and the amendments
2 made by this Act, ceases to be effective on the date that
3 is 5 years after the date of enactment of this Act.

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