

119TH CONGRESS
2D SESSION

S. _____

To establish a Federal Government priority goal, Scams Steering Committee, Scams Action Plan, and website to promote scams information and prevention, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. HASSAN (for herself and Mr. SCOTT of Florida) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To establish a Federal Government priority goal, Scams Steering Committee, Scams Action Plan, and website to promote scams information and prevention, and for other purposes.

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 “ReportScams.gov Act”.

5 **SEC. 2. DEFINITIONS.**

6 In this Act:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means—

4 (A) the Committee on Homeland Security
5 and Governmental Affairs of the Senate;

6 (B) the Committee on Oversight and Gov-
7 ernment Reform of the House of Representa-
8 tives; and

9 (C) any other committees of jurisdiction,
10 as determined appropriate by the Comptroller
11 General.

12 (2) DIRECTOR.—The term “Director” means
13 the Director of the Office of Management and Budg-
14 et.

15 (3) FEDERAL SCAMS ACTION PLAN.—The term
16 “Federal Scams Action Plan” means the Federal
17 Scams Action Plan developed by the Scams Steering
18 Committee under section 3(c).

19 (4) SCAM.—The term “scam” means a method
20 of committing fraud, involving the use of deception
21 or manipulation intended to achieve financial gain,
22 regardless of whether any related payments or trans-
23 actions are authorized or unauthorized.

1 (5) SCAMS STEERING COMMITTEE.—The term
2 “Scams Steering Committee” means the interagency
3 committee established under section 3(b).

4 (6) SCAMS PRIORITY GOAL.—The term “Scams
5 Priority Goal” means the Federal Government pri-
6 ority goal to reduce scams affecting the people of the
7 United States established under section 3(a).

8 (7) SCAMMER.—The term “scammer” means an
9 individual, organization, or entity that engages in
10 behavior that facilitates, commits, or attempts to
11 commit a scam.

12 (8) SPOOFING.—The term “spoofing” means
13 utilizing technological means, such as websites, email
14 addresses, phone numbers, etc., to impersonate le-
15 gitimate or trusted persons or organizations.

16 (9) STATE.—The term “State” means any
17 State of the United States, the District of Columbia,
18 the Commonwealth of Puerto Rico, any territory or
19 possession of the United States, any political sub-
20 division, or any department, agency, or instrumen-
21 tality thereof.

22 **SEC. 3. ESTABLISHMENT OF FEDERAL GOVERNMENT PRI-**
23 **ORITY GOAL AND ACTION PLAN TO REDUCE**
24 **SCAMS.**

25 (a) ESTABLISHMENT OF SCAMS PRIORITY GOAL.—

1 (1) IN GENERAL.—Not later than 90 days after
2 the date of enactment of this Act, the Director shall,
3 in accordance with section 1120(a) of title 31
4 United States Code, establish a Federal Government
5 priority goal to reduce scams affecting the people of
6 the United States.

7 (2) GOAL LEADERS.—

8 (A) IN GENERAL.—Not later than 90 days
9 after the date of enactment of this Act, the Di-
10 rector shall identify goal leaders for the Scams
11 Priority Goal.

12 (B) SELECTION.—The goal leaders identi-
13 fied under subparagraph (A) shall include the
14 Deputy Director for Management at the Office
15 of Management and Budget and the Deputy
16 Secretary or equivalent of not fewer than 1
17 Federal department with a lead role in address-
18 ing scams.

19 (b) ESTABLISHMENT OF SCAMS STEERING COM-
20 MITTEE.—

21 (1) IN GENERAL.—Not later than 90 days after
22 the date of enactment of this Act, the Director shall
23 establish an interagency Scams Steering Committee,
24 chaired by the goal leaders identified under sub-
25 section (a)(2)(A).

1 (2) MEMBERS.—The members of the Scams
2 Steering Committee shall include 1 or more distinct
3 representatives from each of the following Federal
4 agencies responsible for reducing scams:

5 (A) The Department of Justice.

6 (B) The Federal Bureau of Investigation.

7 (C) The Federal Reserve.

8 (D) The Consumer Financial Protection
9 Bureau.

10 (E) The Federal Deposit Insurance Cor-
11 poration.

12 (F) The Federal Trade Commission.

13 (G) The Department of Homeland Secu-
14 rity.

15 (H) Homeland Security Investigations.

16 (I) The United States Secret Service.

17 (J) The Department of the Treasury.

18 (K) The Office of the Comptroller of the
19 Currency.

20 (L) The General Services Administration.

21 (M) Any other appropriate Federal agency,
22 as determined by the goal leaders.

23 (c) FEDERAL SCAMS ACTION PLAN.—Not later than
24 180 days after the date of enactment of this Act, the

1 Scams Steering Committee shall develop a Federal Scams
2 Action Plan that—

3 (1) may use the expertise of relevant Federal
4 departments, such as the Federal Bureau of Inves-
5 tigation, as well as any prior work completed toward
6 cross-agency collaboration by relevant Federal de-
7 partments with respect to scams prevention, edu-
8 cation, reporting, assistance, and enforcement; and

9 (2) shall include—

10 (A) the information required under section
11 1122(c) of title 31, United States Code;

12 (B) a uniform, government-wide definition
13 of scams that includes, at minimum, fraudulent
14 activity involving the use of deception or manip-
15 ulation intended to achieve financial gain, re-
16 gardless of whether any related payment or
17 transaction is authorized or unauthorized;

18 (C) a related classification standard for
19 scam types;

20 (D) an initial baseline estimate of—

21 (i) the number and types of scams af-
22 fecting the people of the United States;
23 and

24 (ii) the financial costs associated with
25 such scams;

1 (E) an ambitious 4-year target for reduc-
2 ing the number and cost of scams;

3 (F) strategies and activities for the preven-
4 tion and thwarting of scams, including scams
5 education programs for the public and for pri-
6 vate industry and investigation into scams and
7 scam-related activity; and

8 (G) strategies and activities for holding
9 scam perpetrators accountable and supporting
10 scam victims, including civil and criminal en-
11 forcement actions relating to scams and assist-
12 ance and guidance for victims of scams.

13 (d) WEBSITE.—

14 (1) IN GENERAL.—Not later than 1 year after
15 the date of enactment of this Act, the Scams Steer-
16 ing Committee shall establish a secure, centralized,
17 publicly accessible website focused on scam preven-
18 tion, reporting, and assistance that is easily rec-
19 ognizable and accessible, with the domain name
20 reportscams.gov, which shall serve as the Federal
21 Government's primary and centralized public-facing
22 website relating to scams prevention, reporting, and
23 assistance, through which the people of the United
24 States can—

1 (A) access Federal Government resources
2 relating to scams education and prevention;

3 (B) access resources relating to assistance
4 for victims of scams; and

5 (C) report scams.

6 (2) INFORMATION.—The website described in
7 paragraph (1) shall contain, at a minimum, the fol-
8 lowing:

9 (A) Published resources on scam preven-
10 tion, including the following:

11 (i) SPECIFIC SCAM AWARENESS IN-
12 FORMATION.—Information updated not
13 less frequently than once every 90 days on
14 recent trends in scams, as well as specific
15 scams, to be aware of.

16 (ii) SCAM EDUCATION.—Information
17 and best practices aimed specifically at the
18 public, including individual consumers, on
19 how to be better aware of scams, how to
20 recognize scams, how to avoid scams, and
21 how to prevent personal financial loss asso-
22 ciated with scams.

23 (iii) IMMEDIATE ACTIONS TO PRE-
24 VENT SCAMS AND REDUCE
25 VULNERABILITIES.—Information on how

1 members of the public, when receiving sus-
2 picious outreach (such as phone calls and
3 messages, emails, and letters)—

4 (I) should take immediate steps
5 to prevent falling victim to a scam, in-
6 cluding how best to immediately cease
7 interaction with potential scammers;
8 and

9 (II) can identify potential
10 vulnerabilities that may result from
11 their interaction with a potential
12 scammer, including potential financial
13 vulnerabilities that may result from
14 the interaction.

15 (B) Information on government imperson-
16 ation scams, including spoofing scams, includ-
17 ing the following:

18 (i) Descriptions and examples of com-
19 mon scams that involve fraudulent out-
20 reach from scammers purporting to be act-
21 ing on behalf of a legitimate Federal Gov-
22 ernment entity.

23 (ii) An explanation of how these
24 scams can utilize spoofing techniques to

1 impersonate trusted persons, organizations,
2 and other entities.

3 (iii) Verified contact information for
4 common agencies that are often imperson-
5 ated by scammers or associated with
6 known scams—

7 (I) for the purpose of assisting
8 members of the public who, after re-
9 ceiving suspicious outreach from a po-
10 tential scammer, wish to proactively
11 contact the relevant Federal agency
12 via the verified contact information to
13 verify the authenticity of any sus-
14 picious information or claims made as
15 part of the suspicious outreach; and

16 (II) including a clear statement
17 that this information should only be
18 used to contact the agency, and not to
19 verify any potential outreach that a
20 member of the public may have re-
21 ceived.

22 (C) Information on non-government entity
23 impersonation scams, including spoofing scams,
24 including the following:

1 (i) Descriptions and examples of com-
2 mon scams that involve fraudulent out-
3 reach from scammers purporting to be act-
4 ing on behalf of non-government entities,
5 such as financial institutions, charities, re-
6 tailers, and other entities.

7 (ii) An explanation of how these
8 scams can utilize spoofing techniques to
9 impersonate trusted persons, organizations,
10 and other entities.

11 (iii) As appropriate, verified contact
12 information for each non-government enti-
13 ty that is often impersonated by scammers
14 or associated with known scams, if the
15 non-government entity explicitly consents
16 to publicly providing such information—

17 (I) for the purpose of assisting
18 members of the public who, after re-
19 ceiving suspicious outreach from a po-
20 tential scammer, wish to proactively
21 contact the non-government entity via
22 the verified information to verify the
23 authenticity of any suspicious infor-
24 mation or claims made as part of the
25 suspicious outreach; and

1 (II) including a clear statement
2 that this information should only be
3 used to contact the non-government
4 entity, and not to verify any potential
5 outreach that a member of the public
6 may have received.

7 (D) Information and resources relating to
8 assistance for members of the public who have
9 fallen victim to scams, including—

10 (i) resources on immediate and long-
11 term steps to take if an individual suspects
12 they have been scammed, with an emphasis
13 on—

14 (I) how to ensure that their as-
15 sets and personal information are im-
16 mediately safeguarded;

17 (II) any applicable personal ac-
18 tions that can be taken to thwart an
19 ongoing scam;

20 (III) how to ensure the long-term
21 safety of their assets and information;

22 (IV) how to seek financial and
23 law enforcement assistance; and

24 (V) how to attempt to recoup
25 losses, as applicable; and

1 (ii) contact information and relevant
2 web links for the following organizations,
3 so that members of the public may reach
4 out for assistance:

5 (I) Relevant Federal law enforce-
6 ment agencies.

7 (II) Relevant State law enforce-
8 ment, including State Attorneys Gen-
9 eral and State Police and Investiga-
10 tive Services, subdivided by State.

11 (III) As appropriate and within
12 the Scams Steering Committee's dis-
13 cretion, relevant local law enforcement
14 agencies.

15 (IV) As appropriate and within
16 the Scams Steering Committee's dis-
17 cretion, relevant State and local as-
18 sistance agencies, with an emphasis
19 on financial assistance, housing assist-
20 ance, food assistance, elder assistance,
21 and other forms of assistance.

22 (V) Relevant organizations that
23 provide mental health and crisis inter-
24 vention, including suicide intervention
25 and support.

1 (VI) The National Elder Fraud
2 Hotline.

3 (VII) As appropriate and within
4 the Scams Steering Committee's dis-
5 cretion, additional organizations that
6 may provide relevant assistance to
7 members of the public.

8 (3) REPORTING PORTAL.—The website de-
9 scribed in paragraph (1) shall include a single, se-
10 cure, centralized Federal government portal for scam
11 reporting, through which members of the public can
12 report scams and potential scams, that contains fea-
13 tures and capabilities to accomplish the following:

14 (A) Provide members of the public a proc-
15 ess to directly and securely submit reports of
16 scams that will be directed to the appropriate
17 authorities for criminal law enforcement pur-
18 poses, civil enforcement reporting purposes, and
19 general tracking of scams for Federal Govern-
20 ment purposes.

21 (B) Receive reports under subparagraph
22 (A) and ensure the reports are securely and ex-
23 peditiously routed directly to—

24 (i) the appropriate Federal agencies
25 for oversight, reporting, investigation,

1 criminal law enforcement, and civil en-
2 forcement purposes; and

3 (ii) the appropriate State Police Agen-
4 cy, or equivalent State-level law enforce-
5 ment agency, for the jurisdiction in which
6 the reporting individual resides. If no such
7 agency exists in the jurisdiction in which
8 the reporting individual resides, then the
9 portal shall route the report to the most
10 appropriate law enforcement agency with
11 jurisdiction over criminal investigations.

12 (C) With respect to reports routed under
13 subsection (B), provide to the applicable Fed-
14 eral and State agencies—

15 (i) all information that was submitted
16 with the report;

17 (ii) the name and contact information
18 of the reporter;

19 (iii) the unique identifier under sub-
20 paragraph (D)(iii);

21 (iv) a request that the agency expedi-
22 tiously reach out to the individual submit-
23 ting the report; and

24 (v) a clear statement that the infor-
25 mation being provided in the report should

1 be utilized to support any follow-on inter-
2 actions between the individual submitting
3 the report and the agency.

4 (D) Provide a process through which mem-
5 bers of the public providing a report under sub-
6 paragraph (A) shall securely and expeditiously
7 receive—

8 (i) confirmation of receipt of their
9 submission;

10 (ii) a copy of their submission;

11 (iii) a unique identifier assigned to
12 their submission;

13 (iv) a list of what Federal and State
14 agencies the submission has been routed
15 to, as applicable;

16 (v) an estimate of what Federal agen-
17 cy, if any, will reach out regarding their
18 submission and when;

19 (vi) an estimate of what State law en-
20 forcement agency, if any, will reach out
21 with respect to their submission;

22 (vii) information on how to subse-
23 quently follow-up on their submission with
24 the appropriate Federal agency and State
25 agencies; and

1 (viii) a notice that in addition to
2 reaching out to Federal and State law en-
3 forcement, the reporting individual may
4 also contact local law enforcement, should
5 they choose to do so.

6 (E) Provide general resources and follow-
7 on steps that members of the public can use fol-
8 lowing their submission, including—

9 (i) a referral to the assistance infor-
10 mation on the website under paragraph
11 (2); and

12 (ii) information on filing a report with
13 local or State law enforcement, separate
14 from the portal, should they choose to do
15 so.

16 (e) PUBLIC AWARENESS CAMPAIGN.—Upon estab-
17 lishment of the website under subsection (d), the Scams
18 Steering Committee shall undertake a public awareness
19 campaign communicating the existence of and recom-
20 mending use of the website.

21 **SEC. 4. QUARTERLY REPORTING AND CONGRESSIONAL NO-**
22 **TIFICATION.**

23 (a) QUARTERLY PROGRESS REVIEW.—Beginning not
24 later than the date of the end of the first calendar-year
25 quarter ending after publication of the Federal Scams Ac-

tion Plan, the Director shall ensure quarterly progress reviews and updates to the Federal Scams Action Plan are completed and submitted to Performance.gov, in accordance with sections 1121 and 1122 of title 31, United States Code.

(b) PUBLICATION AND SUBMISSION TO CONGRESS.—

Upon completion and submission of each quarterly progress review under subsection (a), the Director shall publish on the website established under section 3(d) and transmit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives the following:

(1) An electronic copy of the updated Federal Scams Action Plan.

(2) A summary of the quarterly performance review.

SEC. 5. ANNUAL REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Scams Steering Committee shall publicly publish and submit to Congress, including the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of

1 the House of Representatives, a report that includes the
2 following:

3 (1) Data related to scams reported to the Fed-
4 eral government over the prior year, including, at a
5 minimum, the number of scams reported, a break-
6 down of scams by type, the financial loss associated
7 (or estimated) with scams reported over the prior
8 year, demographics related to victims and targets of
9 scams, relevant knowledge gained regarding the per-
10 petrators of scams, and any criminal or civil enforce-
11 ment data relating to scams during the 1-year pe-
12 riod immediately preceding the date of the report.

13 (2) Trends related to scams reported during the
14 1-year period immediately preceding the date of the
15 report.

16 (3) A summary of large-scale Federal govern-
17 ment investigations related to scams during the 1-
18 year period immediately preceding the date of the
19 report.

20 (4) Regulatory and legislative recommendations
21 to prevent and address scams.

22 (5) Additional information and recommenda-
23 tions, as appropriate.

1 (b) REDACTED PUBLICATION.—The annual report
2 required to be publicly published under subsection (a) may
3 be redacted to remove sensitive and classified material.

4 **SEC. 6. INTERAGENCY COORDINATION TOOLS FOR THE**
5 **SCAMS STEERING COMMITTEE.**

6 (a) PURPOSE.—The authorities under this section
7 shall serve to facilitate effective cross-agency implementa-
8 tion of the Scams Priority Goal.

9 (b) INTERAGENCY TRANSFER AUTHORITY.—

10 (1) IN GENERAL.—Notwithstanding section
11 1532 of title 31, United States Code, and subject to
12 the limitations in this subsection, any agency rep-
13 resented on the Scams Steering Committee may
14 transfer to another such agency not more than
15 \$10,000,000 during a fiscal year to support activi-
16 ties necessary to implement the Scams Priority Goal,
17 including—

18 (A) interagency coordination and govern-
19 ance;

20 (B) shared analytical, data, or techno-
21 logical capabilities;

22 (C) development, operation, or improve-
23 ment of the website under section 3(d); and

24 (D) activities outlined in the Federal
25 Scams Action Plan.

21

1 (2) LIMITATIONS.—A transfer under paragraph
2 (1) shall be—

3 (A) subject to the prior approval of the Di-
4 rector of the Office of Management and Budg-
5 et;

6 (B) made only from funds available for the
7 same purpose for which the receiving agency
8 will use the funds;

9 (C) treated as an intra-governmental reim-
10 bursable transaction, and merged with the re-
11 ceiving appropriation; and

12 (D) reported to the Committee on Appro-
13 priations of the Senate and the Committee on
14 Appropriations of the House of Representatives
15 not later than 30 days after execution.

16 (3) RULE OF CONSTRUCTION.—Nothing in this
17 subsection shall be construed to authorize any trans-
18 fer of funds between appropriations that is barred
19 by any other provision of law.

20 (c) EXPEDITED DIRECT HIRE AUTHORITY.—

21 (1) IN GENERAL.—The head of any agency rep-
22 resented on the Scams Steering Committee may use
23 direct-hire authority, in accordance with section
24 3304 of title 5, United States Code, to appoint em-
25 ployees to positions necessary to carry out the duties

1 and responsibilities of the Steering Committee, in-
2 cluding—

3 (A) data analysis, cybersecurity, financial
4 crime analysis, user experience design, and
5 fraud detection specialists;

6 (B) program and project management per-
7 sonnel; and

8 (C) other positions the Director determines
9 are critical to implementing the Federal Scams
10 Action Plan.

11 (2) LIMITATIONS.—The direct-hire authority
12 under paragraph (1) shall—

13 (A) terminate on the date that is 5 years
14 after the date of enactment of this Act;

15 (B) be available only for positions at or
16 below the GS–15 level of the General Schedule
17 under subchapter III of chapter 53 of title 5,
18 United States Code; and

19 (C) be exercised in accordance with all ap-
20 plicable provisions of title 5, United States
21 Code unless otherwise provided in this Act.

22 **SEC. 7. GAO REPORTS ON IMPLEMENTATION.**

23 (a) IN GENERAL.—Not later than 2 years after the
24 date of enactment of this Act, and 2 years thereafter, the
25 Comptroller General of the United States shall conduct

1 a review of Federal efforts to implement the Scams Pri-
2 ority Goal and submit to the appropriate congressional
3 committees a report described in subsection (b).

4 (b) REPORT CONTENTS.—Each report submitted
5 under subsection (a) shall include an assessment of—

6 (1) the extent to which the Office of Manage-
7 ment and Budget and Federal agencies represented
8 on the Scams Steering Committee have implemented
9 the requirements under sections 1120 and 1122 of
10 title 31, United States Code, including—

11 (A) the establishment of the Scams Pri-
12 ority Goal;

13 (B) designation of goal leaders;

14 (C) formation and operation of the Scams
15 Steering Committee; and

16 (D) publication of the Federal Scams Ac-
17 tion Plan and related quarterly updates on Per-
18 formance.gov;

19 (2) the effectiveness of the Scams Steering
20 Committee in improving interagency coordination
21 and collaboration, including the development of
22 shared priorities, data standards, and coordinated
23 actions;

24 (3) the development, operation, usability, and
25 performance of the website under section 3(d);

1 (4) progress made toward meeting the 4-year
2 target established in the Federal Scams Action Plan
3 for reducing the number and cost of scams, includ-
4 ing an assessment of the reliability and sufficiency
5 of supporting data;

6 (5) challenges, barriers, or inefficiencies imped-
7 ing implementation of the Scams Priority Goal; and

8 (6) recommendations the Comptroller General
9 determines appropriate to improve interagency co-
10 ordination, public transparency, performance meas-
11 urement, or overall effectiveness of scam prevention
12 and response efforts.