

115TH CONGRESS
2D SESSION

H. R. 6323

To create an interdivisional taskforce at the Securities and Exchange
Commission for senior investors.

IN THE HOUSE OF REPRESENTATIVES

JULY 10, 2018

Mr. GOTTHEIMER (for himself, Mr. HOLLINGSWORTH, and Ms. SINEMA) intro-
duced the following bill; which was referred to the Committee on Finan-
cial Services

A BILL

To create an interdivisional taskforce at the Securities and
Exchange Commission for senior investors.

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 “National Senior Inves-
5 tor Initiative Act of 2018”.

6 **SEC. 2. SENIOR INVESTOR TASKFORCE.**

7 Section 4 of the Securities Exchange Act of 1934 (15
8 U.S.C. 78d) is amended by adding at the end the fol-
9 lowing:

10 “(k) SENIOR INVESTOR TASKFORCE.—

1 “(1) ESTABLISHMENT.—There is established
2 within the Commission the Senior Investor
3 Taskforce (in this subsection referred to as the
4 ‘Taskforce’).

5 “(2) DIRECTOR OF THE TASKFORCE.—The
6 head of the Taskforce shall be the Director, who
7 shall—

8 “(A) report directly to the Chairman; and

9 “(B) be appointed by the Chairman, in
10 consultation with the Commission, from among
11 individuals—

12 “(i) currently employed by the Com-
13 mission or from outside of the Commis-
14 sion; and

15 “(ii) having experience in advocating
16 for the interests of senior investors.

17 “(3) STAFFING.—The Chairman shall ensure
18 that—

19 “(A) the Taskforce is staffed sufficiently to
20 carry out fully the requirements of this sub-
21 section; and

22 “(B) such staff shall include individuals
23 from the Division of Enforcement, Office of
24 Compliance Inspections and Examinations, and
25 Office of Investor Education and Advocacy.

1 “(4) MINIMIZING DUPLICATION OF EFFORTS.—

2 In organizing and staffing the Taskforce, the Chair-
3 man shall take such actions as may be necessary to
4 minimize the duplication of efforts within the divi-
5 sions and offices described under paragraph (3)(B)
6 and any other divisions, offices, or taskforces of the
7 Commission.

8 “(5) FUNCTIONS OF THE TASKFORCE.—The
9 Taskforce shall—

10 “(A) identify problems that senior inves-
11 tors have with financial services providers and
12 investment products;

13 “(B) identify areas in which senior inves-
14 tors would benefit from changes in the regula-
15 tions of the Commission or the rules of self-reg-
16 ulatory organizations;

17 “(C) coordinate, as appropriate, with other
18 offices within the Commission, other taskforces
19 that may be established within the Commission,
20 and self-regulatory organizations; and

21 “(D) consult, as appropriate, with State
22 securities and law enforcement authorities,
23 State insurance regulators, and other Federal
24 agencies.

1 “(6) REPORT.—The Taskforce, in coordination,
2 as appropriate, with the Office of the Investor Advo-
3 cate and self-regulatory organizations, and in con-
4 sultation, as appropriate, with State securities and
5 law enforcement authorities, State insurance regu-
6 lators, and Federal agencies, shall issue a report
7 every 2 years to the Committee on Banking, Hous-
8 ing, and Urban Affairs of the Senate and the Com-
9 mittee on Financial Services of the House of Rep-
10 resentatives, the first of which shall not be issued
11 until after the report described in section 3 of the
12 National Senior Investor Initiative Act of 2018 has
13 been issued and considered by the Taskforce, con-
14 taining—

15 “(A) appropriate statistical information
16 and full and substantive analysis;

17 “(B) a summary of recent industry trends
18 that have impacted the investment landscape
19 for senior investors;

20 “(C) a summary of regulatory initiatives
21 that have concentrated on senior investors and
22 industry practices related to senior investors;

23 “(D) key observations and practices involv-
24 ing senior investors identified during examina-

1 tions, enforcement actions, and investor edu-
2 cation outreach;

3 “(E) a summary of the most serious issues
4 encountered by senior investors;

5 “(F) an analysis with regard to existing
6 policies and procedures of brokers, dealers, in-
7 vestment advisers, and other market partici-
8 pants related to senior investors and senior in-
9 vestor-related topics and whether these policies
10 and procedures need to be further developed or
11 refined;

12 “(G) recommendations for such changes to
13 the regulations, guidance, and orders of the
14 Commission and such legislative actions as may
15 be appropriate to resolve problems encountered
16 by senior investors; and

17 “(H) any other information, as determined
18 appropriate by the Director of the Taskforce.

19 “(7) SUNSET.—The Taskforce shall terminate
20 after the end of the 10-year period beginning on the
21 date of the enactment of this subsection, but may be
22 reestablished by the Chairman.

23 “(8) SENIOR INVESTOR DEFINED.—For pur-
24 poses of this subsection, the term ‘senior investor’
25 means an investor over the age of 65.”.

1 **SEC. 3. GAO STUDY.**

2 (a) IN GENERAL.—Not later than 1 year after the
3 date of enactment of this Act, the Comptroller General
4 of the United States shall submit to Congress and the
5 Senior Investor Taskforce the results of a study on the
6 economic costs of the financial exploitation of senior citi-
7 zens.

8 (b) CONTENTS.—The study required under sub-
9 section (a) shall include information with respect to—

10 (1) costs—

11 (A) associated with losses by victims that
12 were incurred as a result of the financial exploi-
13 tation of senior citizens;

14 (B) incurred by State and Federal agen-
15 cies, law enforcement and investigatory agen-
16 cies, public benefit programs, public health pro-
17 grams, and other public programs as a result of
18 the financial exploitation of senior citizens; and

19 (C) incurred by the private sector as a re-
20 sult of the financial exploitation of senior citi-
21 zens; and

22 (2) any other relevant costs that—

23 (A) result from the financial exploitation of
24 senior citizens; and

25 (B) the Comptroller General determines
26 are necessary and appropriate to include in

1 order to provide Congress and the public with
2 a full and accurate understanding of the eco-
3 nomic costs resulting from the financial exploi-
4 tation of senior citizens in the United States.

5 (c) SENIOR CITIZEN DEFINED.—For purposes of this
6 section, the term “senior citizen” means an individual over
7 the age of 65.

