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(Original Signature of Member)

115TH CONGRESS  
2D SESSION

# H. R. 6323

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

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## IN THE HOUSE OF REPRESENTATIVES

Mr. GOTTHEIMER introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

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## 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:

1 “(k) SENIOR INVESTOR TASKFORCE.—

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

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

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

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

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

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

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

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

23 “(B) such staff shall include individuals  
24 from the Division of Enforcement, Office of

1 Compliance Inspections and Examinations, and  
2 Office of Investor Education and Advocacy.

3 “(4) MINIMIZING DUPLICATION OF EFFORTS.—

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

10 “(5) FUNCTIONS OF THE TASKFORCE.—The  
11 Taskforce shall—

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

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

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

23 “(D) consult, as appropriate, with State  
24 securities and law enforcement authorities,

1 State insurance regulators, and other Federal  
2 agencies.

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

17 “(A) appropriate statistical information  
18 and full and substantive analysis;

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

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

1           “(D) key observations and practices involv-  
2           ing senior investors identified during examina-  
3           tions, enforcement actions, and investor edu-  
4           cation outreach;

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

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

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

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

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

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

4 **SEC. 3. GAO STUDY.**

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

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

13               (1) costs—

14                       (A) associated with losses by victims that  
15                       were incurred as a result of the financial exploi-  
16                       tation of senior citizens;

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

22                       (C) incurred by the private sector as a re-  
23                       sult of the financial exploitation of senior citi-  
24                       zens; and

25               (2) any other relevant costs that—

1 (A) result from the financial exploitation of  
2 senior citizens; and

3 (B) the Comptroller General determines  
4 are necessary and appropriate to include in  
5 order to provide Congress and the public with  
6 a full and accurate understanding of the eco-  
7 nomic costs resulting from the financial exploi-  
8 tation of senior citizens in the United States.

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