

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 2593  
OFFERED BY MR. GOTTHEIMER OF NEW JERSEY**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Senior Inves-  
3 tor Initiative Act of 2023” or the “Senior Security Act  
4 of 2023”.

**5 SEC. 2. SENIOR INVESTOR TASKFORCE.**

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

9 “(1) SENIOR INVESTOR TASKFORCE.—

10 “(1) ESTABLISHMENT.—There is established  
11 within the Commission the Senior Investor  
12 Taskforce (in this subsection referred to as the  
13 ‘Taskforce’).

14 “(2) DIRECTOR OF THE TASKFORCE.—The  
15 head of the Taskforce shall be the Director, who  
16 shall—

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

1           “(B) be appointed by the Chairman, in  
2           consultation with the Commission, from among  
3           individuals—

4                   “(i) currently employed by the Com-  
5                   mission or from outside of the Commis-  
6                   sion; and

7                   “(ii) having experience in advocating  
8                   for the interests of senior investors.

9           “(3) STAFFING.—The Chairman shall ensure  
10          that—

11                   “(A) the Taskforce is staffed sufficiently to  
12                   carry out fully the requirements of this sub-  
13                   section; and

14                   “(B) such staff shall include individuals  
15                   from the Division of Enforcement, Office of  
16                   Compliance Inspections and Examinations, and  
17                   Office of Investor Education and Advocacy.

18           “(4) NO COMPENSATION FOR MEMBERS OF  
19          TASKFORCE.—All members of the Taskforce ap-  
20          pointed under paragraph (2) or (3) shall serve with-  
21          out compensation in addition to that received for  
22          their services as officers or employees of the United  
23          States.

24           “(5) MINIMIZING DUPLICATION OF EFFORTS.—  
25          In organizing and staffing the Taskforce, the Chair-

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

6 “(6) FUNCTIONS OF THE TASKFORCE.—The  
7 Taskforce shall—

8 “(A) identify challenges that senior inves-  
9 tors encounter, including problems associated  
10 with financial exploitation and cognitive decline;

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

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

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

24 “(7) REPORT.—The Taskforce, in coordination,  
25 as appropriate, with the Office of the Investor Advo-

1       cate and self-regulatory organizations, and in con-  
2       sultation, as appropriate, with State securities and  
3       law enforcement authorities, State insurance regu-  
4       lators, and Federal agencies, shall issue a report  
5       every 2 years to the Committee on Banking, Hous-  
6       ing, and Urban Affairs and the Special Committee  
7       on Aging of the Senate and the Committee on Fi-  
8       nancial Services of the House of Representatives, the  
9       first of which shall not be issued until after the re-  
10      port described in section 3 of the National Senior  
11      Investor Initiative Act of 2023 has been issued and  
12      considered by the Taskforce, containing—

13               “(A) appropriate statistical information  
14               and full and substantive analysis;

15               “(B) a summary of recent trends and inno-  
16               vations that have impacted the investment land-  
17               scape for senior investors;

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

21               “(D) key observations, best practices, and  
22               areas needing improvement, involving senior in-  
23               vestors identified during examinations, enforce-  
24               ment actions, and investor education outreach;

1           “(E) a summary of the most serious issues  
2           encountered by senior investors, including  
3           issues involving financial products and services;

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

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

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

19          “(8) REQUEST FOR REPORTS.—The Taskforce  
20          shall make any report issued under paragraph (7)  
21          available to a Member of Congress who requests  
22          such a report.

23          “(9) SUNSET.—The Taskforce shall terminate  
24          after the end of the 10-year period beginning on the  
25          date of the enactment of this subsection.

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

4           “(11) USE OF EXISTING FUNDS.—The Commis-  
5           sion shall use existing funds to carry out this sub-  
6           section.”.

7   **SEC. 3. GAO STUDY.**

8           (a) STUDY.—Not later than 2 years after the date  
9           of enactment of this Act, the Comptroller General of the  
10          United States shall submit to Congress and the Senior In-  
11          vestor Taskforce the results of a study of financial exploi-  
12          tation of senior citizens.

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

15                (1) economic costs of the financial exploitation  
16                of senior citizens—

17                    (A) associated with losses by victims that  
18                    were incurred as a result of the financial exploi-  
19                    tation of senior citizens;

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

1 (C) incurred by the private sector as a re-  
2 sult of the financial exploitation of senior citi-  
3 zens; and

4 (D) any other relevant costs that—

5 (i) result from the financial exploi-  
6 tation of senior citizens; and

7 (ii) the Comptroller General deter-  
8 mines are necessary and appropriate to in-  
9 clude in order to provide Congress and the  
10 public with a full and accurate under-  
11 standing of the economic costs resulting  
12 from the financial exploitation of senior  
13 citizens in the United States;

14 (2) frequency of senior financial exploitation  
15 and correlated or contributing factors—

16 (A) information about percentage of senior  
17 citizens financially exploited each year; and

18 (B) information about factors contributing  
19 to increased risk of exploitation, including such  
20 factors as race, social isolation, income, net  
21 worth, religion, region, occupation, education,  
22 home-ownership, illness, and loss of spouse; and

23 (3) policy responses and reporting of senior fi-  
24 nancial exploitation—

1 (A) the degree to which financial exploi-  
2 tation of senior citizens unreported to authori-  
3 ties;

4 (B) the reasons that financial exploitation  
5 may be unreported to authorities;

6 (C) to the extent that suspected elder fi-  
7 nancial exploitation is currently being re-  
8 ported—

9 (i) information regarding which Fed-  
10 eral, State, and local agencies are receiving  
11 reports, including adult protective services,  
12 law enforcement, industry, regulators, and  
13 professional licensing boards;

14 (ii) information regarding what infor-  
15 mation is being collected by such agencies;  
16 and

17 (iii) information regarding the actions  
18 that are taken by such agencies upon re-  
19 ceipt of the report and any limits on the  
20 agencies' ability to prevent exploitation,  
21 such as jurisdictional limits, a lack of ex-  
22 pertise, resource challenges, or limiting cri-  
23 teria with regard to the types of victims  
24 they are permitted to serve;



1           (D) an analysis of gaps that may exist in  
2           empowering Federal, State, and local agencies  
3           to prevent senior exploitation or respond effec-  
4           tively to suspected senior financial exploitation;  
5           and

6           (E) an analysis of the legal hurdles that  
7           prevent Federal, State, and local agencies from  
8           effectively partnering with each other and pri-  
9           vate professionals to effectively respond to sen-  
10          ior financial exploitation.

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

