

**PREPARED STATEMENT OF THE FEDERAL TRADE COMMISSION**

**Frauds, Scams and COVID-19: How Con Artists Have Targeted  
Older Americans During the Pandemic**

**Before the  
UNITED STATES SENATE  
SPECIAL COMMITTEE ON AGING**

**UNITED STATES SENATE  
WASHINGTON, D.C.  
SEPTEMBER 23, 2021**

Chairman Casey, Ranking Member Scott, and members of the Committee, I am Lois Greisman, Associate Director of the Division of Marketing Practices, Bureau of Consumer Protection at the Federal Trade Commission (“Commission” or “FTC”).<sup>1</sup> I also serve as the Elder Justice Coordinator for the FTC. I appreciate the opportunity to appear before you today to discuss the Commission’s initiatives to protect older adults.<sup>2</sup>

Protecting older adults in the marketplace is one of the FTC’s top priorities. For the past 18 months and continuing each day, the global pandemic has challenged the entire country, and hit the health and finances of older communities particularly hard. Older adults continue to be targeted by a wide range of scams and the unfair and deceptive marketing of products and services, which has been exacerbated by the pandemic. To protect older consumers, the FTC has implemented a multi-faceted approach that includes strategic research and data analysis initiatives, robust law enforcement, and vigorous consumer education and outreach. I am pleased to present highlights from each of these facets of our work.

## **I. Older Adult Consumer Reporting Trends**

The FTC collects and analyzes consumer report information through its Consumer Sentinel Network (“Sentinel”) to inform its consumer protection mission. Sentinel is a secure online database that provides federal, state, and local law enforcement agencies with access to reports about fraud and other consumer problems. Government agencies and other organizations<sup>3</sup> contribute consumer reports to the database, which is searchable by criteria such as the type of fraud or problem and the name, address, and telephone number of the reported entity. Using Sentinel, the FTC and its law enforcement partners can analyze reports filed by older adults to

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<sup>1</sup> The views expressed in this statement represent the views of the Commission. My oral presentation and responses are my own and do not necessarily reflect the views of the Commission or any individual Commissioner.

<sup>2</sup> I am referring to persons 60 and older when using the terms “older adults” or “older consumers.”

<sup>3</sup> Data contributors are listed at <https://www.ftc.gov/enforcement/consumer-sentinel-network/data-contributors>.

look for patterns and trends, identify problematic business practices and enforcement targets, and develop cases against targets under investigation.

During calendar year 2020, Sentinel took in more than 4.8 million reports, both directly and through its data contributors, about problems consumers experienced in the market. Of that number, nearly 2.3 million reports were about fraud, nearly 1.4 million were about identity theft, and more than 1.2 million were about other consumer problems.<sup>4</sup> Consumers reported losing over \$3.4 billion to fraud in 2020. About 45% of fraud reports filed in 2020 included age information. Consumers who said they were 60 and older filed 334,411 fraud reports with reported losses of more than \$600 million. Because the vast majority of frauds are not reported to the government, these numbers represent only a fraction of the older adults harmed by fraud.<sup>5</sup>

Older adults (ages 60 and over) are good reporters of their experiences with scammers. They file reports about frauds they have spotted but have not lost money to at a higher rate than younger adults (ages 20-59). Contrary to what many people may believe, younger adults are **more** likely to report losing money to fraud than older adults. The disturbing trend in the reporting data is that older adults in 2020 reported much higher individual median dollar losses than younger adults (ages 20-59). The disparity in reported losses was particularly large among people 80-plus, who reported the largest median losses of \$1,300.

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<sup>4</sup> See generally FTC, *FTC Consumer Sentinel Network* (July 29, 2021 update), available at <https://public.tableau.com/profile/federal.trade.commission>. Figures do not include reports about unwanted calls. Sentinel data is self-reported and not a survey. As such, individuals decide whether to file a report and decide what information, if any, to provide. Not all consumers who file a report provide their age, payment method, amount of dollar loss, and other data. As referenced in the text above, “other consumer problems” includes various categories of reports not classified as fraud, such as auto-related reports and reports about cable and satellite TV.

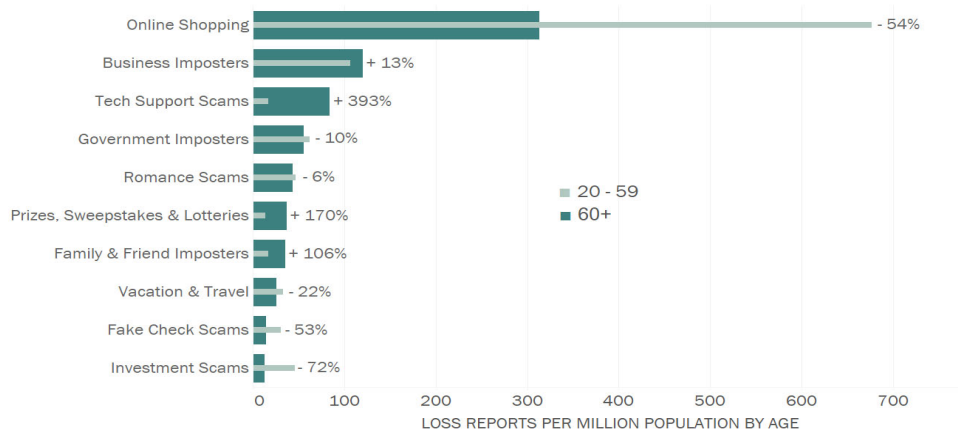
<sup>5</sup> See Anderson, K. B., *To Whom Do Victims of Mass-Market Consumer Fraud Complain?* at 1 (May 2021), available at [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3852323](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3852323) (study showed only 4.8% of people who experienced mass-market consumer fraud complained to a Better Business Bureau (“BBB”) or a government entity).

## *Reports Show Older Americans were Disproportionately Affected in Certain Scams*

Online shopping fraud, which has been on the rise during the pandemic, was the most commonly reported category of fraud in which people of all ages indicated they lost money. However, older adults were **less** likely to report losing money to online shopping fraud than younger adults.<sup>6</sup> Older adults continued to be much **more** likely than younger people to report losing money on tech support scams,<sup>7</sup> prize, sweepstakes and lottery scams, and family and friend impersonation scams.<sup>8</sup> Figure 1 shows the number of reports by fraud type and age group.

**FIGURE 1: 2020 LOSS REPORTS BY AGE AND FRAUD TYPE**

Older and younger consumers differ on loss reporting rates by fraud type. Percentages indicate the difference in the loss reporting rates for each fraud type by older adults as compared to consumers ages 20 - 59.



Fraud types ranked by the number of loss reports filed by consumers 60 and over. Sentinel fraud types classified as "unspecified" are excluded. Reports provided by the Internet Crimes Complaint Center are excluded due to differences in the report categorization. Figures are normalized using U.S. Census Bureau data for population by age. See U.S. Census Bureau, Annual Estimates of the Resident Population for Selected Age Groups by Sex for the United States (June 2020).

<sup>6</sup> Reports of online shopping fraud increased sharply in the second quarter of 2020 as online marketers failed to deliver masks and other scarce items needed during the COVID-19 pandemic. Overall, reports of losses to online shopping fraud by older adults more than doubled in 2020, and the numbers continued to be far higher than pre-pandemic levels in the first half of 2021. The reported median individual dollar loss to online shopping fraud by older adults in 2020 was \$95. While substantial for many, it is on the lower end of losses, relative to other fraud categories.

<sup>7</sup> These scammers impersonate well-known technology companies and computer repair companies to convince consumers there is something wrong with their computer and they must pay for the repair.

<sup>8</sup> These scammers impersonate friends and family members including grandchildren, convincing the consumer to send money to save a loved one in a dire situation such as jail, or a hospitalization following a car accident.

Romance scams;<sup>9</sup> prize, sweepstakes and lottery scams; and business impersonator scams caused the highest aggregate reported losses to older adults. Analysis of total dollars reported lost by older adults by fraud type, shown in Figure 2, highlights the immense financial harm caused by these scams. Reported losses to romance scams have increased significantly in recent years, and this trend accelerated during the COVID-19 pandemic.<sup>10</sup> For older adults, reported losses to romance scams increased from nearly \$84 million in 2019 to about \$139 million in 2020. Among older adults, hardest hit were the 60-69 and 70-79 age groups, which reported \$129 million of the 2020 reported losses, making romance scams the category of highest reported losses for both groups. Prize, sweepstakes, and lottery scams ranked next, taking \$69 million from adults 60 and over in 2020. Over \$31 million of the reported losses on prize, sweepstakes, and lottery scams were reported by adults 80 and over, far higher than any other fraud category for this age group.<sup>11</sup> Reported losses by older adults from business imposter scams increased from \$34 million in 2019 to \$65 million in 2020.<sup>12</sup> Reported losses to government imposter scams by older adults showed modest decline in 2020 as compared to 2019.<sup>13</sup> Notably, aggregate reported dollar losses by older adults on investment scams nearly

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<sup>9</sup> These scammers use fake dating profiles to impersonate people supposedly looking for romantic relationships online. They ultimately convince their love interests to send them money.

<sup>10</sup> FTC Consumer Protection Data Spotlight, *Romance scams take record dollars in 2020* (Feb. 10, 2021), available at <https://www.ftc.gov/news-events/blogs/data-spotlight/2021/02/romance-scams-take-record-dollars-2020>.

<sup>11</sup> Government imposter scams, with \$11 million reported lost, ranked second to prize, sweepstakes, and lottery on aggregate reported dollar losses by adults 80 and older in 2020.

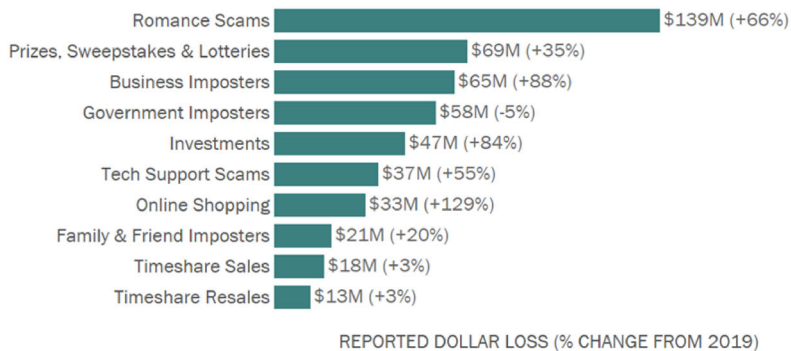
<sup>12</sup> This increase is due, in part, to a sharp increase in reports of losses to scammers posing as Amazon, who reportedly contact consumers with false claims about compromised accounts or unauthorized purchases.

<sup>13</sup> Older adults filed more loss reports about Social Security Administration (“SSA”) impersonation scams in both 2019 and 2020 than about any other government imposter scam, but the numbers of loss reports by older adults to SSA impersonators declined from 1,838 in 2019 to 971 in 2020.

doubled in 2020, and reports of losses on phony cryptocurrency investment opportunities by older adults increased nearly fivefold in the fourth quarter.<sup>14</sup>

**FIGURE 2: 2020 TOP FRAUD TYPES BY TOTAL DOLLARS LOST (AGES 60 AND OVER)**

Aggregate reported losses by older adults increased in 2020 on all top frauds with the exception of government imposter scams.



Percent change from 2019 is shown in parenthesis. Sentinel fraud types classified as "unspecified" are excluded. The Art, Gems & Rare Coin Investments, Investment Seminars and Advice, Stocks & Commodity Futures Trading, and Miscellaneous Investments fraud types are grouped as "Investments" for this visualization. Reports provided by the Internet Crimes Complaint Center are excluded due to differences in report categorization.

### ***Top Contact Methods Reported Show Rise in Online Contacts***

Reports by older adults of losses to frauds initiated online were the most frequent, but reported median individual losses were highest for frauds that started with a phone call. Reports to Sentinel suggest online contact methods are increasingly used to defraud older adults.

Understandably, this trend became more pronounced with the COVID-19 pandemic. In 2020, the tremendous volume of loss reports about online shopping fraud combined with loss reports about other online frauds eclipsed phone fraud for the first time. Notably, people 80 and over were an exception in that this age group continued to report losses to phone frauds far more frequently

<sup>14</sup> See FTC Consumer Protection Data Spotlight, *Cryptocurrency buzz drives record investment scam losses* (May 17, 2021), available at <https://www.ftc.gov/news-events/blogs/data-spotlight/2021/05/cryptocurrency-buzz-drives-record-investment-scam-losses>.

than online fraud.<sup>15</sup> Also noteworthy is the increase in scams that started on social media.

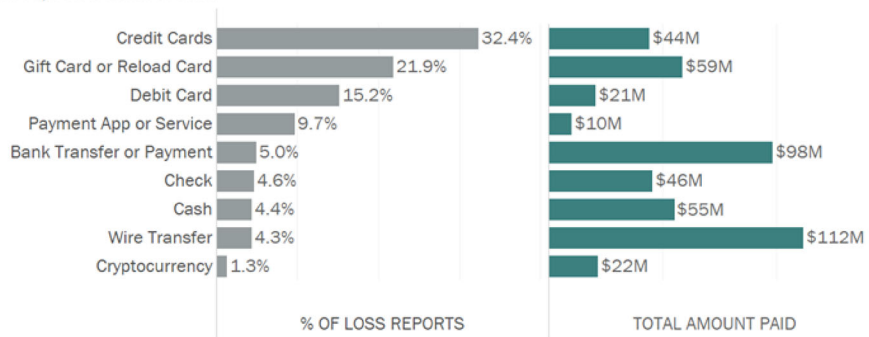
Reports indicating a loss to frauds that reached older adults via social media more than doubled, from 1,955 reports in 2019 to 5,169 reports in 2020, and 5,998 such reports were submitted in the first half of 2021 alone.<sup>16</sup>

***Top Payment Methods Tell a Familiar Story but Cryptocurrency Payments Grow***

People reporting fraud frequently indicate the payment method they used. The first column in Figure 3 shows that, in 2020, older adults most often reported paying scammers with credit cards, followed by gift cards or reload cards. The second column in Figure 3 shows the aggregate dollar losses that older adults reported for the payment methods shown. Aggregate losses reported by older adults were highest on wire transfers.

**FIGURE 3: 2020 PAYMENT METHODS AND TOTAL AMOUNT PAID (AGES 60 AND OVER)**

Credit cards were the most frequently reported payment method, but wire transfers were highest on total reported dollar losses.



Percentage calculations based on 58,173 loss reports directly to FTC by consumers ages 60+ indicating a payment method. Wire transfer companies MoneyGram International and Western Union, and reload card provider Green Dot, contribute a significant number of reports to Sentinel each year. To avoid distorting the number of reports indicating certain payment methods, data provided by data contributors are excluded.

<sup>15</sup> In 2020, 48% of reports indicating a dollar loss by adults 80 and over were phone frauds and 23% were online frauds. By comparison, 22% of reports indicating a dollar loss by adults 60 to 79 were phone frauds and 38% were online frauds. These percentage calculations exclude reports that did not indicate a method of contact. Moreover, the median individual reported loss to phone fraud was \$3,000 for people 80 and over compared to \$1,500 for people ages 69 to 79.

<sup>16</sup> See FTC Consumer Protection Data Spotlight, *Scams starting on social media proliferate in early 2020* (Oct. 21, 2020), available at <https://www.ftc.gov/news-events/blogs/data-spotlight/2020/10/scams-starting-social-media-proliferate-early-2020>.

As Figure 3 shows, gift cards and reload cards were the second most frequently reported payment method by older adults in 2020. Gift cards and reload cards were the top payment method older adults reported using on impersonator scams. After a year of modest declines, these reports surged to record levels in the second half of 2020. This resurgence was related to a sharp increase in reports of scammers posing as well-known businesses. Further, compared to 2019, reports of bank transfers and payments by older adults more than doubled in 2020, and reports of cryptocurrency payments more than tripled. The growth in reports of romance scam by older adults was an important driver of these increases. Bank transfers and payments accounted for nearly a third of reported romance scam losses by older adults at \$31 million, and romance scammers reportedly took another \$12 million in cryptocurrency. Another \$4 million were reported lost on cryptocurrency investment scams. Finally, older adults increasingly reported using payment apps or services such as PayPal. Those reports more than tripled in 2020 compared to 2019.

### ***Pandemic-Related Fraud Reports Show Substantial Losses***

In response to the pandemic, the FTC launched interactive dashboards to provide aggregate data about reports of frauds associated with COVID-19 and related stimulus money offers.<sup>17</sup> Looking at this discrete set of data for 2020, older adults submitted over 26,518 fraud reports related to COVID-19 in 2020 with \$104 million in reported losses. The median individual reported loss for these reports was \$308, but, for adults ages 80 and over, the reported median individual loss was \$798. Pandemic-related online shopping frauds and government

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<sup>17</sup> This data is a subset of the 2020 fraud reports in Figures 1-3. COVID-19 related reports are reports that mention COVID, stimulus, N95 and related terms, along with those in which the consumer specifically flagged the report as related to COVID-19. These interactive dashboards, which are regularly updated, are available at <https://public.tableau.com/profile/federal.trade.commission#!/vizhome/COVID-19andStimulusReports/Map>. Nearly 100,000 people have viewed the dashboards to date.



impersonator scams were the most frequently reported by older adults in 2020. However, pandemic-related romance scams were highest on reported aggregate dollar losses.<sup>18</sup> Many people reported that romance scammers used the pandemic to explain requests for money or their inability to meet in person.

## II. Law Enforcement Actions to Protect Older Adults

Aggressive law enforcement is a vital component in the FTC's efforts to protect older adults.<sup>19</sup> For many years, the FTC's anti-fraud program has combatted a range of the pernicious frauds affecting older consumers. While nearly all FTC enforcement actions involve consumers of all ages, the agency brought at least thirteen new actions in the past year that had a notable impact on older adults. Here are a few highlights from recent years of significant actions affecting older adults:

In *RagingBull.com*, the FTC alleged that the defendants fraudulently marketed investment-related services that they claimed would enable people to make consistent profits and beat the market.<sup>20</sup> Instead, the FTC alleged, consumers—including retirees, older adults, and immigrants—lost more than \$197 million in this scheme in only the last three years. The defendants claimed that people did not need a lot of time, money, or experience to make a substantial income. And the FTC alleged that, during 2020, the defendants employed additional marketing tactics based on the pandemic's impact on the stock market and the nationwide economic uncertainty. In March 2021, the court entered an order prohibiting misleading earnings claims and appointing a compliance monitor while the litigation is ongoing.

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<sup>18</sup> Reported losses by older adults on romance scams related to COVID-19 totaled \$10.5 million.

<sup>19</sup> See, e.g., FTC, *Protecting Older Consumers 2019-2020* (Oct. 2019), available at <https://www.ftc.gov/reports/protecting-older-consumers-2019-2020-report-federal-trade-commission>.

<sup>20</sup> *FTC v. RagingBull.com, LLC*, No. 1:20-cv-3538 (D. Md. filed Dec. 7, 2020), available at <https://www.ftc.gov/enforcement/cases-proceedings/2023073/ragingbullcom>.

In *Quickwork*, the FTC alleged that the respondents deceptively marketed “Wellness Warrior” products as scientifically proven to treat or prevent COVID-19.<sup>21</sup> According to the complaint, filed by the U.S. Department of Justice (“DOJ”) on the FTC’s behalf, the respondents baselessly claimed that Wellness Warrior products containing Vitamin D and zinc treat or prevent COVID-19, are scientifically proven to work, and are more effective at preventing the disease than approved vaccines. In May 2021, the court entered a stipulated preliminary injunction, prohibiting the respondents from continuing to deceptively market these products. The court also required them to remove all links containing deceptive claims from all websites, social media accounts, and other domains under their control. Litigation is ongoing.

Complementing law enforcement actions, the FTC has sent hundreds of cease and desist letters, more than 80 since October 2020, about potentially false or deceptive marketing related to the pandemic.<sup>22</sup> COVID-19 obviously has had and continues to have a particularly devastating impact on older Americans.<sup>23</sup> Overwhelmingly, companies that received the FTC’s letters quickly removed the misleading COVID-19 claims from their advertising. However, when a cease and desist letter would not work or would not be appropriate given the conduct at issue, the FTC has pursued law enforcement. In *FTC v. Golden Sunrise Nutraceutical*, the Commission sued a company that failed to heed a warning urging removal of deceptive claims that its products were scientifically proven to treat COVID-19, and obtained a court order barring the defendants from making unsubstantiated health claims and requiring them to refund defrauded

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<sup>21</sup> *United States v. Quickwork, LLC*, No. 4:21-cv-00437 (E.D. Mo. filed Apr. 15, 2021), available at <https://www.ftc.gov/enforcement/cases-proceedings/202-3188/quickwork-llc-eric-nepute>.

<sup>22</sup> Information about these letters can be found at <https://www.ftc.gov/coronavirus/enforcement/warning-letters>.

<sup>23</sup> Not only are older adults more likely to get sick from COVID, they are also more likely to face drastic health-related consequences as a result. See Center for Disease Control and Prevention Guidance (updated Aug. 2, 2021), available at <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/older-adults.html>.

consumers.<sup>24</sup> *United States v. Quickwork, LLC*, mentioned above, is another case stemming from the failure to heed an FTC letter demanding cessation of deceptive COVID-19 treatment and prevention claims.

More generally, both before and during the pandemic, the FTC has brought actions halting a variety of scams, including those identified through our data analysis as scams harming older adults, such as impersonation and romance scams. One approach has been to sue providers who facilitate or play a role in such schemes. Here are some recent examples:

In the past few years the FTC has sued Voice over Internet Protocol (“VoIP”) providers for their role in facilitating illegal calls. For example, in *Alcazar Networks*, the FTC settled with the VoIP provider for allegedly facilitating tens of millions of illegal telemarketing calls, including calls that impersonated SSA and displayed spoofed caller ID numbers, such as “911.”<sup>25</sup>

Perpetrators of many different types of scams — including those that especially affect older adults, such as prize and sweepstakes schemes, romance scams, grandparent and other impersonator scams — rely on money transfer systems to obtain money from consumers.<sup>26</sup> The FTC has sued both of the major U.S. providers. In November 2018, *MoneyGram* agreed to settle allegations that the company failed to take steps required under a prior FTC order to crack down on fraudulent money transfers that cost U.S. consumers millions of dollars.<sup>27</sup> In February 2021,

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<sup>24</sup> *FTC v. Golden Sunrise Nutraceutical, Inc.*, No. 1:20-at-00540 (E.D. Cal. filed July 30, 2020), available at <https://www.ftc.gov/enforcement/cases-proceedings/202-3146-x200051/golden-sunrise-nutraceutical-inc>.

<sup>25</sup> *FTC v. Alcazar Networks, Inc.*, No. 6:20-cv-2200 (M.D. Fla. filed Dec. 3, 2020), available at <https://www.ftc.gov/enforcement/cases-proceedings/1923259/alcazar-networks-inc>.

<sup>26</sup> Scammers know that money sent through money transfer systems can be picked up quickly and anonymously at locations all over the world—and once the money is paid out, it is all but impossible for people to get their money back. See, e.g., *Before You Wire Money*, FTC Consumer Information, available at <https://www.consumer.ftc.gov/articles/before-you-wire-money> (last visited Sept. 20, 2021).

<sup>27</sup> *FTC v. MoneyGram Intl, Inc.*, No. 09-cv-6576 (N.D. Ill. filed Oct. 20, 2009), available at <https://www.ftc.gov/enforcement/cases-proceedings/062-3187/moneygram-international-inc>.

the claims process began to eventually deliver nearly \$125 million in redress to people allegedly defrauded by scammers who were aided by MoneyGram. In January 2017, *Western Union* entered into an agreement with the FTC, DOJ, and others to resolve charges related to its role in fraudulent money transfers on its system.<sup>28</sup> The FTC's complaint alleged that, for many years, Western Union was aware that fraudsters used the company's system to bilk consumers, and that some Western Union agents were complicit in the frauds. The complaint listed some of the frauds such as lottery and prize scams, emergency scams including grandparent scams, and romance scams. In March and September 2020, affected consumers received refunds resulting from the actions, amounting to over \$300 million, which reflected 100 percent of their verified losses.

Online dating services often are used to find and contact potential romance scam victims. Fraudsters create fake profiles, establish trusting relationships, and then trick consumers into giving or loaning them money. In 2019, the FTC sued online dating service *Match*, alleging that the company used fake love interest advertisements to trick hundreds of thousands of consumers into purchasing paid subscriptions.<sup>29</sup> The FTC alleged that Match unfairly exposed consumers to the risk of fraud by encouraging people to pay for subscriptions via messages the company knew were from scammers. Litigation is ongoing.

In pursuing law enforcement actions that have the largest possible impact, the FTC also coordinates with federal, state, local, and international agencies, including those with criminal authority, leveraging resources to track down fraudsters and build actions to stop them. With the DOJ, the FTC organizes and participates in the Global Anti-fraud Enforcement Network, a

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<sup>28</sup> *FTC v. The Western Union Company*, No. 1:17-cv-00110-CCC (M.D. Pa. filed Jan. 19, 2017), available at <https://www.ftc.gov/enforcement/cases-proceedings/122-3208/western-union-company>.

<sup>29</sup> *FTC v. Match Group, Inc.*, No. 3:19-02281 (N.D. Tex. filed Sept. 25, 2019), available at <https://www.ftc.gov/enforcement/cases-proceedings/172-3013/match-group-inc>.

multilateral network of agencies that enforces laws prohibiting mass marketing fraud. The Network has been pivotal in enforcement actions against entities that have defrauded millions of older consumers. Further, the FTC has continued to be an active member of the Elder Justice Coordinating Council, a multi-agency federal entity charged with identifying and proposing solutions to elder abuse, neglect, and financial exploitation.

### **III. Returning Money to Older Americans Harmed by Scams**

Returning money to consumers harmed by scammers has been a cornerstone of the FTC's law enforcement actions. These cases have resulted in redress totaling more than \$358 million to consumers of all ages so far during Fiscal Year 2021. These payments provide people some recompense for losses from illegal conduct.<sup>30</sup> Thus far this year, the agency has distributed funds to consumers or conducted the claims process in at least eleven cases that notably affected older consumers.<sup>31</sup>

The FTC's ability to obtain monetary relief pursuant to Section 13(b) of the FTC Act is now substantially limited following the Supreme Court's decision in *AMG Capital Mgmt., LLC v. FTC*, 141 S. Ct. 1341 (Apr. 2021). Restoring this critical tool to redress consumers is vital to the FTC's mission to safeguard the American public.<sup>32</sup> The FTC's authority to obtain monetary

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<sup>30</sup> The FTC provides updated statistics about where refunds were sent, the dollar amounts refunded, and the number of people who benefited from FTC refund programs at [https://public.tableau.com/app/profile/federal.trade.commission/viz/Refunds\\_15797958402020/RefundsbyCase](https://public.tableau.com/app/profile/federal.trade.commission/viz/Refunds_15797958402020/RefundsbyCase).

<sup>31</sup> See, e.g., Press Release, FTC, *Federal Trade Commission Sending Refunds to More than 31,000 Consumers Allegedly Defrauded by Online Training Academy* (Aug. 16, 2021), available at <https://www.ftc.gov/news-events/press-releases/2021/08/federal-trade-commission-sending-refunds-more-31000-consumers>; Press Release, FTC, *FTC Returns Almost \$775,000 to Consumers Who Purchased Deceptively Advertised Arthritis and Joint Pain Relief Supplement Synovia from A.S. Research, LLC* (Dec. 1, 2020), available at <https://www.ftc.gov/news-events/press-releases/2020/12/ftc-returns-almost-775000-consumers-who-purchased-deceptively>; Press Release, FTC, *FTC Sending Refund Checks Totaling Almost \$149,000 to Consumers Who Bought Rejuvenation "Anti-Aging" Pill* (June 1, 2020), available at <https://www.ftc.gov/news-events/press-releases/2020/06/ftc-sending-refund-checks-totaling-almost-149000-consumers-who>.

<sup>32</sup> The FTC is urging Congress to pass a legislative fix. See Press Release, FTC, *FTC Asks Congress to Pass Legislation Reviving the Agency's Authority to Return Money to Consumers Harmed by Law Violations and Keep Illegal Conduct from Reoccurring* (Apr. 27, 2021), available at <https://www.ftc.gov/news-events/press-releases/2021/04/ftc-asks-congress-pass-legislation-reviving-agencys-authority>.

relief has always been a powerful tool for making wronged consumers whole, but has been even more critical during the pandemic when so many Americans are struggling. This is particularly true for older adults who may be retired or on fixed incomes and cannot afford to lose money to fraud

#### **IV. Outreach and Education Activities**

*Pass It On* is the FTC’s ongoing fraud prevention education campaign for older adults. Campaign materials show respect for the readers’ life experience and accumulated knowledge, and supply them with resources to read and “pass on” to family and friends to start conversations about fraud. The factsheets, bookmarks, videos, presentations, and other materials refresh and add to readers’ knowledge by briefly explaining how certain scams work and what a reader can do in response. Since the *Pass It On* campaign began in 2014, its print and online material has expanded, based in part on community partners’ requests, to address many common frauds.<sup>33</sup> The FTC has distributed 15.6 million *Pass It On* items since the campaign began, including more than 920,000 items in Fiscal Year 2021. The free English and Spanish material is available at [ftc.gov/PassItOn](https://ftc.gov/PassItOn), [ftc.gov/pasalo](https://ftc.gov/pasalo) (Spanish), and [ftc.gov/bulkorder](https://ftc.gov/bulkorder).

The FTC emails Consumer Alerts about many of the topics covered by *Pass It On* and other topics of interest to older adults. The FTC emails the Alerts in English and Spanish to nearly 385,000 subscribers, which include individuals, community groups, advocates, national and local news media outlets, and other stakeholders. The FTC also posts these Alerts and materials on its consumer website, [consumer.ftc.gov](https://consumer.ftc.gov), so the public can read, link to, and share

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<sup>33</sup> These include: Identity Theft; Tech Support Scams; Home Repair Scams; Imposter Scams; Grandkid Scams; Work-at-Home Scams; Charity Fraud; Online Dating Scams; Money Mule Scams; Health Care Scams; IRS Imposter Scams; “You’ve Won” Scams; and Unwanted Calls.

the prevention messages.<sup>34</sup> In honor of Older Americans Month in May 2021, the FTC published a series of Alerts focused on scams that harm older adults,<sup>35</sup> and the agency has issued more than 160 Alerts on pandemic-related topics, including COVID-19 vaccines, stimulus payments, health and treatment claims, government imposter scams, and privacy issues. The FTC published a Consumer Alert about what to do if a nursing home or care facility wrongfully took someone's stimulus check,<sup>36</sup> and a related Business Alert, warning nursing facilities that having residents sign over their check to the facility contradicts the law.<sup>37</sup>

The FTC collaborates with many organizations across the country to share its consumer education messages and inform the public about its work. In the past year, FTC staff in Washington, DC and eight regional offices have presented, exhibited, or participated in more than 280 outreach events with the public, other law enforcement agencies, and stakeholders focused on protecting members of a wide range of communities from scams. At least 120 outreach events served older adults and the people who work with them or engaged partner organizations in discussions about issues that affect older adults. During this time, a large part of the FTC's outreach and education work focused on issues related to the coronavirus pandemic.

In the past year, FTC staff participated in events for older adults together with local, state, and federal organizations, including the BBB, Senior Medicare Patrols, public libraries, consumer organizations, legal services providers, as well as attorneys general offices and federal agencies like the Consumer Financial Protection Bureau and the Federal Emergency Management Agency. Staff joined in more than a dozen events with AARP, including

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<sup>34</sup> Information about subscribing to the FTC's Consumer Alerts is available at [www.ftc.gov/subscribe](http://www.ftc.gov/subscribe).

<sup>35</sup> Consumer Alert, FTC, *Celebrating Older Americans Month* (May 10, 2021), available at <https://www.consumer.ftc.gov/blog/2021/05/celebrating-older-americans-month-0>.

<sup>36</sup> Consumer Alert, FTC, *Stimulus payments for people, not nursing homes* (Jan. 4, 2021), available at <https://www.consumer.ftc.gov/blog/2021/01/stimulus-payments-people-not-nursing-homes>.

<sup>37</sup> Business Blog, FTC, *Nursing Homes: Stimulus payments are for residents* (Jan 4, 2021), available at <https://www.ftc.gov/news-events/blogs/business-blog/2021/01/nursing-homes-stimulus-payments-are-residents>.

nationwide Facebook Live conversations in English and Spanish about COVID-19 scams, identity theft, and cyberscams, and national tele-town halls. Staff also discussed scams that affect older adults at several conferences, including events organized by the American Bar Association's Commission on Law and Aging, ADvancing States, and the American Society on Aging. The FTC's outreach partnerships with groups and communities throughout the country provide opportunities to share important prevention messages, and foster communication lines so the FTC learns in real-time about scams and other consumer problems affecting the public. This, in turn, can generate ideas for policy and education initiatives, as well as new case leads.

Shortly after the coronavirus pandemic began, the FTC developed a multi-media campaign with consumer and business advice to respond to people's needs, all available at [ftc.gov/coronavirus](https://ftc.gov/coronavirus). This webpage, available in English and Spanish, serves as a one-stop directory of the FTC's coronavirus education resources for consumers and businesses. It also contains links to information about FTC enforcement actions related to the pandemic, and connects to the FTC's fraud-reporting system. Visitors have collectively viewed approximately 7.8 million pages of the FTC's coronavirus-related material.

During FY 2021, FTC staff conducted nearly 100 pandemic-related local and national outreach events with partners. The agency engaged with ethnic media, community organizations, community advocates, and many others through webinars, tele-town halls, Twitter chats, Facebook Live events, and interviews with local, state, and national media.

As the pandemic has continued, new consumer financial issues have emerged and others worsened. To ensure it is responding to the issues people are facing, the FTC staff coordinated a series of virtual listening sessions across the country. Session participants included representatives from elder justice centers, departments of aging, legal services, social services,



housing counselors, faith-based groups, the BBB, and the offices of state attorneys general who shared their knowledge and concerns about the pandemic's effects in their communities. Based on stakeholders' comments, the FTC is working to enhance and expand its COVID-19 financial recovery and resiliency campaign, and to create a web-based toolkit in multiple languages.

## **V. Conclusion**

The FTC remains firmly committed to protecting older adults through aggressive law enforcement and effective consumer education and outreach. Research, law enforcement experience, and input from stakeholders will continue to be critical as the Commission innovates in using its resources to protect older adults in the years ahead.

The FTC is grateful to this Committee and others for the work you are doing to ensure our work to protect older consumers can continue. Of particular importance is the work to restore the FTC's ability to secure monetary relief from those that violate the law. Until the Supreme Court's decision in *AMG*, the FTC relied on Section 13(b) of the FTC Act to return billions of dollars to defrauded consumers, and to ensure that lawbreaking companies could not pocket their ill-gotten gains. Unless the agency has clear authority to obtain monetary relief, this decision will continue to impede our ability to provide refunds to people harmed by deceptive, unfair, or anticompetitive conduct.

I look forward to your questions.