

119TH CONGRESS
1ST SESSION

S. _____

To permit State, local, and Tribal law enforcement agencies and grantees that receive eligible Federal grant funds to use such funds for investigating elder financial fraud, pig butchering, and general financial fraud, and to clarify that Federal law enforcement agencies may assist State, local, and Tribal law enforcement agencies in the use of tracing tools for blockchain and related technology, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mrs. BRITT (for herself, Mrs. GILLIBRAND, and Mr. SCOTT of Florida) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To permit State, local, and Tribal law enforcement agencies and grantees that receive eligible Federal grant funds to use such funds for investigating elder financial fraud, pig butchering, and general financial fraud, and to clarify that Federal law enforcement agencies may assist State, local, and Tribal law enforcement agencies in the use of tracing tools for blockchain and related technology, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Guarding Unprotected
3 Aging Retirees from Deception Act” or the “GUARD
4 Act”.

5 **SEC. 2. DEFINITIONS.**

6 In this Act:

7 (1) **ELDER FINANCIAL FRAUD.**—The term
8 “elder financial fraud” means the illegal or improper
9 use of the money, property, or other resources of an
10 elderly individual or adult with a disability for mone-
11 tary or personal benefit, profit, or gain.

12 (2) **ELIGIBLE FEDERAL GRANT FUNDS.**—The
13 term “eligible Federal grant funds” means funds re-
14 ceived under any of the following:

15 (A) Title IV of the Prioritizing Resources
16 and Organization for Intellectual Property Act
17 of 2008 (34 U.S.C. 30103 et seq.) (commonly
18 known as the “Economic, High-Technology,
19 White Collar, and Internet Crime Prevention
20 National Training and Technical Assistance
21 Program”), including relating to the use of
22 technology to solve crimes and to facilitate
23 prosecutions (commonly known as the “Internet
24 of Things (IoT) National Training and Tech-
25 nical Assistance Program”).

1 (B) Title 28, Code of Federal Regulations,
2 part 23 (commonly known as “Justice Informa-
3 tion Sharing Training and Technical Assistance
4 Program”).

5 (C) Section 1401 of the Violence Against
6 Women Act Reauthorization Act of 2022 (34
7 U.S.C. 30107) to a local law enforcement agen-
8 cy for enforcement of cybercrimes against indi-
9 viduals.

10 (D) Section 1701 title I of the Omnibus
11 Crime Control and Safe Streets Act of 1968
12 (34 U.S.C. 10381), relating to developing and
13 acquiring effective equipment, technologies, and
14 interoperable communications that assist in re-
15 sponding to and preventing crime (commonly
16 known as the “COPS Technology and Equip-
17 ment Program”).

18 (3) GENERAL FINANCIAL FRAUD.—The term
19 “general financial fraud” means, in order to obtain
20 money or other things of value—

21 (A) intentional misrepresentation of infor-
22 mation or identity to deceive an individual;

23 (B) unlawful use of a credit card, debit
24 card, or automated teller machine; or

1 (C) use of electronic means to transmit de-
2 ceptive information.

3 (4) PIG BUTCHERING.—The term “pig butch-
4 ering” means a confidence and investment fraud in
5 which the victim is gradually lured into making in-
6 creasing monetary contributions, generally in the
7 form of cryptocurrency, to a seemingly sound invest-
8 ment before the scammer disappears with the con-
9 tributed monies.

10 (5) SCAM.—The term “scam” means a financial
11 crime undertaken through the use of social engineer-
12 ing that uses deceptive inducement to acquire—

13 (A) authorized access to funds; or

14 (B) personal or sensitive information that
15 can facilitate the theft of financial assets.

16 (6) STATE.—The term “State” means each of
17 the several States, the District of Columbia, and
18 each territory of the United States.

19 **SEC. 3. FEDERAL GRANTS USED FOR INVESTIGATING**
20 **ELDER FINANCIAL FRAUD, PIG BUTCHERING,**
21 **AND GENERAL FINANCIAL FRAUD.**

22 (a) IN GENERAL.—State, local, and Tribal law en-
23 forcement agencies and grantees that receive eligible Fed-
24 eral grant funds may use such funds for investigating

1 elder financial fraud, pig butchering, and general financial
2 fraud, including by—

3 (1) hiring and retaining analysts, agents, ex-
4 perts, and other personnel;

5 (2) providing training specific to complex finan-
6 cial investigations, including training on—

7 (A) coordination and collaboration between
8 State, local, Tribal, and Federal law enforce-
9 ment agencies;

10 (B) assisting victims of financial fraud and
11 exploitation;

12 (C) the use of blockchain intelligence tools
13 and related capabilities relating to emerging
14 technologies identified in the February 2024
15 “Critical and Emerging Technology List Up-
16 date” of the Fast Track Action Subcommittee
17 on Critical and Emerging Technologies of the
18 National Science and Technology Council (the
19 “Critical and Emerging Technology List”); and

20 (D) unique aspects of fraud investigations,
21 including transnational financial investigations
22 and emerging technologies identified in the
23 Critical and Emerging Technology List;

1 (3) obtaining software and technical tools to
2 conduct financial fraud and exploitation investiga-
3 tions;

4 (4) encouraging improved data collection and
5 reporting;

6 (5) supporting training and tabletop exercises
7 to enhance coordination and communication between
8 financial institutions and State, local, Tribal, and
9 Federal law enforcement agencies for the purpose of
10 stopping fraud and scams; and

11 (6) designating a financial sector liaison to
12 serve as a point of contact for financial institutions
13 to share and exchange with State, local, Tribal, and
14 Federal law enforcement agencies information rel-
15 evant to the investigation of fraud and scams.

16 (b) REPORT TO GRANT PROVIDER.—Each law en-
17 forcement agency and grantee that makes use of eligible
18 Federal grant funds for a purpose specified under sub-
19 section (a) shall, not later than 1 year after making such
20 use of the funds, submit to the Federal agency that pro-
21 vided the eligible Federal grant funds, a report con-
22 taining—

23 (1) an explanation of the amount of funds so
24 used, and the specific purpose for which the funds
25 were used;

1 (2) statistics with respect to elder financial
2 fraud, pig butchering, and general financial fraud in
3 the jurisdiction of the law enforcement agency, along
4 with an analysis of how the use of the funds for a
5 purpose specified under subsection (a) affected such
6 statistics; and

7 (3) an assessment of the ability of the law en-
8 forcement agency to deter elder financial fraud, pig
9 butchering, and general financial fraud.

10 **SEC. 4. REPORT ON GENERAL FINANCIAL FRAUD, PIG**
11 **BUTCHERING, AND ELDER FINANCIAL**
12 **FRAUD.**

13 Not later than 1 year after the date of enactment
14 of this Act, the Secretary of the Treasury and the Director
15 of the Financial Crimes Enforcement Network in con-
16 sultation with the Attorney General, the Secretary of
17 Homeland Security, and the appropriate Federal banking
18 agencies and Federal functional regulators shall, jointly,
19 submit to Congress a report on efforts and recommenda-
20 tions related to general financial fraud, pig butchering,
21 elder financial fraud, and scams.

22 **SEC. 5. REPORT ON THE STATE OF SCAMS IN THE UNITED**
23 **STATES.**

24 (a) IN GENERAL.—Not later than 2 years after the
25 date of enactment of this Act, the Secretary of the Treas-

1 ury and the Director of the Financial Crimes Enforcement
2 Network, in consultation with the Attorney General, the
3 Secretary of Homeland Security, and the appropriate Fed-
4 eral banking agencies and Federal functional regulators,
5 shall submit a report to Congress on the state of scams
6 in the United States that—

7 (1) estimates—

8 (A) the number of financial fraud, pig
9 butchering, elder financial fraud, and scams
10 committed against American consumers each
11 year, including—

12 (i) attempted scams, including
13 through social media, online dating serv-
14 ices, email, impersonation of financial in-
15 stitutions and nonbank financial institu-
16 tions; and

17 (ii) successful scams, including
18 through social media, online dating serv-
19 ices, email, impersonation of financial in-
20 stitutions and nonbank financial institu-
21 tions;

22 (B) the number of consumers each year
23 that lose money to 1 or more scams;

24 (C) the dollar amount of consumer losses
25 to scams each year;

1 (D) the percentage of scams each year that
2 can be attributed to—

3 (i) overseas actors; and

4 (ii) organized crime;

5 (E) the number of attempted scams each
6 year that involve the impersonation of phone
7 numbers associated with financial institutions
8 and nonbank financial institutions; and

9 (F) an estimate of the number of synthetic
10 identities impersonating American consumers
11 each year;

12 (2) provides an overview of the Federal civil
13 and criminal enforcement actions brought against
14 the recipients of the proceeds of financial fraud, pig
15 butchering, elder financial fraud, and scams during
16 the period covered by the report that includes—

17 (A) the number of such enforcement ac-
18 tions;

19 (B) an evaluation of the effectiveness of
20 such enforcement actions;

21 (C) an identification of the types of claims
22 brought against the recipients of the proceeds
23 of financial fraud, pig butchering, elder finan-
24 cial fraud, and scams;

1 (D) an identification of the types of pen-
2 alties imposed through such enforcement ac-
3 tions;

4 (E) an identification of the types of relief
5 obtained through such enforcement actions; and

6 (F) the number of such enforcement ac-
7 tions that are connected to a Suspicious Activ-
8 ity Report; and

9 (3) identifies amounts made available and
10 amounts expended to address financial fraud, pig
11 butchering, elder financial fraud, and scams during
12 the period covered by the report by—

13 (A) the Bureau of Consumer Financial
14 Protection;

15 (B) the Department of Justice;

16 (C) the Federal Bureau of Investigation;

17 (D) the Federal Communications Commis-
18 sion;

19 (E) the Board of Governors of the Federal
20 Reserve Board;

21 (F) the Federal Trade Commission;

22 (G) the Financial Crimes Enforcement
23 Network;

24 (H) the Securities and Exchange Commis-
25 sion; and

1 (I) the Social Security Administration.

2 (b) SOLICITATION OF PUBLIC COMMENT.—In car-
3 rying out the report required under subsection (a), the
4 Secretary of the Treasury shall solicit comments from con-
5 sumers, social media companies, email providers, tele-
6 communications companies, financial institutions, and
7 nonbank financial institutions.

8 **SEC. 6. REPORT TO CONGRESS.**

9 Each Federal agency that provides eligible Federal
10 grant funds that are used for a purpose specified under
11 section 3(a) shall issue an annual report to the Committee
12 on Banking, Housing, and Urban Affairs of the Senate,
13 the Committee on Financial Services of the House of Rep-
14 resentatives, the Committee on the Judiciary of the Sen-
15 ate, and the Committee on the Judiciary of the House of
16 Representatives containing the information received from
17 law enforcement agencies under section 3(b).

18 **SEC. 7. FEDERAL LAW ENFORCEMENT AGENCIES ASSIST-**
19 **ING STATE, LOCAL, AND TRIBAL LAW EN-**
20 **FORCEMENT AND FUSION CENTERS.**

21 Federal law enforcement agencies may assist State,
22 local, and Tribal law enforcement agencies and fusion cen-
23 ters in the use of tracing tools for blockchain and related
24 technology tools.