

Consumer Issues Affecting American Indian and Alaska Native Communities

A Report to Congress

March 15, 2023



**FEDERAL TRADE
COMMISSION**



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I. Introduction

The Federal Trade Commission (“FTC” or “Agency”) is the country’s primary consumer protection agency and has a broad mandate to protect consumers, including American Indian and Alaska Native (AI/AN) populations,¹ from unfair or deceptive acts or practices in the marketplace. The FTC does this by conducting research and outreach to identify fraud trends and the impact of fraud on communities; collecting consumer reports on frauds, scams, and bad business practices; harnessing consumer education and outreach to warn consumers of emerging frauds; and filing law enforcement actions to stop unlawful practices and return money to consumers when possible.

Fulfilling the FTC’s mission requires an understanding of how communities are affected — and at times, differently affected — by consumer protection issues. In 2014, the FTC launched the Every Community (EC) Initiative to modernize, expand, and bring together under a cohesive strategic vision the Agency’s work to address the disproportionate impact of fraud and other practices on historically underserved communities. The FTC has developed strategies to combat consumer problems for many of these communities, including AI/AN populations. Although the FTC has worked with AI/AN communities for years, in 2022, the Agency targeted outreach and education efforts to gain a broader understanding of the particular consumer protection challenges they experience and how the Agency may work to further support these communities. This effort included listening to and collaborating with sources trusted in AI/AN communities including tribal government leaders, business leaders, advocacy groups, legal aid offices, and community media. The FTC also analyzed its consumer report data to identify fraud trends reported by AI/AN individuals to the Agency.

The FTC plans to continue expanding outreach and encouraging research to identify emerging issues that may disproportionately affect AI/AN populations. In addition, by furthering established relationships with AI/AN communities, and by continuing to seek new partnerships, the Agency will work to create the kinds of trusted relationships that lead to open communication about the consumer abuses experienced by AI/AN people. These relations, in turn, will lead to expanded — and more targeted — work to prevent and protect AI/AN communities from unfair or deceptive acts or practices. For example, in *Tate’s Auto*,² as discussed in more detail in Section V of this report, the FTC charged a group of auto dealers operating near the border of the Navajo nation with a range of illegal activities. This was accomplished in great part thanks to the collaboration of the Navajo Nation Human Rights

¹ This report uses “American Indian and Alaska Native” in accordance with the U.S. Department of the Interior’s Bureau of Indian Affairs’ Editorial Guide, which notes, “Most tribal nations prefer to use ‘American Indian and Alaska Native.’ This term is synonymous with the term ‘Native American.’ On first reference, you should use ‘American Indian and Alaska Native (AI/AN).’ For subsequent references, you should use ‘AI/AN.’” See <https://www.bia.gov/guide/editorial-guide>.

² *FTC v. Tate’s Auto Ctr.*, No. 3:18-cv-08176 (D. Ariz. filed July 31, 2018), available at <https://www.ftc.gov/enforcement/cases-proceedings/162-3207/tates-auto-center>.

Commission. Expanded outreach and stronger partnerships will allow the Agency to be more effective in its enforcement work.

The FTC submits this report to the Committee on Energy and Commerce and the Committee on Natural Resources of the U.S. House of Representatives, and the Committee on Commerce, Science, and Transportation and the Committee on Indian Affairs of the U.S. Senate, to fulfill the reporting requirement of Section 402(a) of the Protecting Indian Tribes from Scams Act of 2022. The law requires the FTC to report on unfair or deceptive practices that target AI/AN populations. This report includes a summary of the FTC’s efforts to identify consumer protection issues AI/AN communities experience through data analysis and outreach, consumer education about emerging trends and other issues, law enforcement actions to hold to account those seeking to prey upon these communities, and recommendations to continue expanding and building upon this work.

II. Scams Affecting AI/AN Populations

Through the Protecting Indian Tribes from Scams Act, Congress asked the FTC to report on unfair or deceptive practices targeting AI/AN populations. To do this effectively, FTC staff engaged with partners trusted in AI/AN communities to gain a better understanding of the scams, frauds, and bad business practices they encountered or experienced. As a complement to these listening sessions, staff also analyzed FTC consumer reporting data from majority AI/AN communities. This analysis both builds on and supports the understanding gained from the listening sessions. It also suggests that the fraud experiences of people living in AI/AN communities are similar to those reported by people from other communities.

A. Listening to AI/AN Communities

During the past year, through its team at headquarters and in eight regional offices, the FTC met with dozens of national, regional, and local organizations serving and/or representing AI/AN populations.³ During these listening forums, the FTC provided an overview of the Agency’s consumer protection role, and FTC staff asked three key questions:

1. What consumer protection issues are impacting AI/AN individuals and communities?
2. How can the FTC effectively share information about these issues?
3. Who else should FTC staff talk to?

The discussions generated during these forums highlighted emerging issues and created and strengthened connections for ongoing collaboration.

³ See Appendices A and B for a sampling of organizations serving AI/AN populations that FTC staff met with.

Many of the advocates that FTC staff met with cited problems with **auto purchasing and financing**, including deceptive car advertising and a lack of clarity about fees at the dealership. They emphasized the need to raise awareness, potentially through AI/AN radio, to counter deceptive claims made in auto advertisements. Another challenge identified by advocates was the prevalence of **predatory lending** — for example, related to housing in urban areas or student loan consolidation. One organization pointed out that AI/AN populations are more likely to be un- or underbanked than other racial and ethnic groups in the U.S., a fact confirmed by a 2019 Federal Deposit Insurance Corporation (FDIC) study.⁴ Unbanked individuals may depend on businesses outside the traditional banking system for loans, potentially exposing them to predatory lending practices. These practices underscore the need for vigorous enforcement of consumer protection and fair lending laws, coupled with consumer education that informs consumers of their rights and promotes financial literacy. As discussed later in this report, the FTC has done robust enforcement work in these areas through law enforcement actions against auto dealerships and lenders for charging junk fees⁵ and hidden fees,⁶ as well as through outreach that includes placing advertisements in community media, among other activities.

AI/AN organizations working with small businesses, tribal colleges and universities, and Urban Indian Organizations, which provide health care to AI/AN individuals living in urban areas, described experiencing **ransomware attacks and online phishing scams** — and specifically, phishing scams disguised as an invoice. Organizations identified a need for more training for and information-sharing with businesses and staff related to cybersecurity measures and online safety education. Several groups suggested working with tribal Chambers of Commerce and organizations like the National Indian Education Association.

FTC staff also benefitted from surveys conducted by the Seminole Tribe of Florida’s Native Learning Center (NLC),⁷ a national organization that offers training and technical

⁴ See Federal Deposit Insurance Corporation (FDIC), *How America Banks: Household Use of Banking and Financial Services, 2019 FDIC Survey* (October 2020), available at <https://www.fdic.gov/analysis/household-survey/2019report.pdf>.

⁵ See FTC Press Release, *FTC Takes Action Against Passport Automotive Group for Illegally Charging Junk Fees and Discriminating Against Black and Latino Customers* (Oct. 18, 2022), available at <https://www.ftc.gov/news-events/news/press-releases/2022/10/federal-trade-commission-takes-action-against-passport-automotive-group-illegally-charging-junk-fees>; see also FTC Press Release, *FTC Takes Action Against Multistate Auto Dealer Napleton for Sneaking Illegal Junk Fees onto Bills and Discriminating Against Black Consumers* (Apr. 1, 2022), available at <https://www.ftc.gov/news-events/news/press-releases/2022/04/ftc-takes-action-against-multistate-auto-dealer-napleton-sneaking-illegal-junk-fees-bills>.

⁶ See FTC Press Release, *FTC Charges Lending Club with Deceiving Consumers* (April 25, 2018), available at <https://www.ftc.gov/news-events/news/press-releases/2018/04/ftc-charges-lending-club-deceiving-consumers>.

⁷ The Native Learning Center (NLC) offers free Training and Technical Assistance to Native Americans and those working within Indian Country. The NLC is a model activity program of the Seminole Tribe of Florida (STOF) Housing Department and was established in cooperation with the Department of Housing and Urban Development and Eastern Woodlands Office of Native American Programs (EWONAP) in 2008. See <https://www.nativelearningcenter.com/>.

assistance services for all tribes. In three informal surveys, NLC asked AI/AN individuals about any scams, frauds, and bad business practices they had encountered, as well as their input on how best to disseminate consumer education resources in AI/AN communities.⁸ Anecdotal evidence in the responses included reports of **impersonator scams**, many of which originated over the phone. Many impersonators pretended to be a family member in an emergency, a U.S. or tribal government representative, or a utility company. Some callers used threats of arrest or account cancellation if the target did not pay. Impersonator scams are often among the top three fraud types reported to the FTC.⁹ As part of the Agency's ongoing efforts to address impersonator scams, the FTC has issued a Notice of Proposed Rulemaking,¹⁰ which would give the FTC additional tools to fight fraud and return money to consumers harmed by impersonators. This proposed rulemaking is discussed in more detail later in this report.

Tech support scams were also mentioned by respondents, and several said that after being contacted by a scammer through phone, email, or social media, they were told to pay using **gift cards** — often a specific card — and were then instructed to share the PIN, which gave the scammer access to all funds on the card. A number of respondents suggested working with tribal governments to disseminate scam alerts on these topics through tribal newsletters. Several respondents noted that the scams they referenced had impacted, and in some cases targeted, older adults in particular. They cited a need for training, particularly for caregivers, on how to help older adults spot and avoid scams. As outlined later in this report, the FTC is addressing tech support scams through law enforcement and policy initiatives, including a proposed expansion of the Telemarketing Sales Rule.¹¹ To address gift cards scams, the FTC uses a multi-pronged

⁸ Two informal surveys were offered to attendees of NLC trainings for tribal housing agencies; the NLC distributed the third survey through its listserv of nearly 7,000 subscribers.

⁹ See FTC Data Spotlight, *Government imposter scams top the list of reported frauds* (Jul. 1, 2019), available at <https://www.ftc.gov/news-events/data-visualizations/data-spotlight/2019/07/government-imposter-scams-top-list-reported-frauds>; see also FTC Data Spotlight, *Amazon tops list of impersonated businesses* (Oct. 20, 2021), available at <https://www.ftc.gov/news-events/data-visualizations/data-spotlight/2021/10/amazon-tops-list-impersonated-businesses>.

¹⁰ See FTC Press Release, *FTC Proposes New Rule to Combat Government and Business Impersonation Scams* (Sept. 15, 2022), available at <https://www.ftc.gov/news-events/news/press-releases/2022/09/ftc-proposes-new-rule-combat-government-business-impersonation-scams>.

¹¹ See FTC Press Release, *Federal Trade Commission Proposes Small Business Protections Against Telemarketing Tricks and Traps* (Apr. 28, 2022), available at <https://www.ftc.gov/news-events/news/press-releases/2022/04/federal-trade-commission-proposes-small-business-protections-against-telemarketing-tricks-traps>.

approach involving outreach to businesses, community groups, and local governments,¹² as well as the publication of data analyses that help raise awareness.¹³

Legal aid representatives are often on the front lines of helping their clients deal with challenging situations and are thus well positioned to know what consumer protection issues communities are experiencing.¹⁴ To better understand those challenges, FTC staff met with legal aid organizations that serve AI/AN clients across the country.

Among the scams affecting AI/AN clients, these organizations identified **Facebook Marketplace or Amazon scams**. They explained that residents of rural communities, often distant from retail centers, are sometimes more reliant on online shopping. Their clients who bought items through Facebook Marketplace or Amazon often received a lower-quality version of what they ordered — or, in some cases, nothing at all.

The attorneys reported that their clients get text messages or online pop-ups claiming they have won a **prize, lottery, or sweepstakes**. However, to get their non-existent winnings, they have to pay a fee, taxes, or duty on their prize, which is the hallmark of a scam. Several organizations also mentioned online **romance scams**¹⁵ as an issue, including with older adults. In these cases, romance scammers create fake profiles on dating sites and apps, strike up a relationship with someone to build up trust, and then make up a story and ask for money. Several legal aid organizations noted that their clients experienced these scams on dating sites marketed specifically to AI/AN individuals.

As a partial solution, many of the legal aid attorneys stressed the importance of having consumer education resources in-language and suggested working through tribal government agencies to communicate scam alerts to members.

¹² See FTC article, *Gift Cards Scams* (Aug. 2022), available at <https://consumer.ftc.gov/articles/gift-card-scams> and FTC's consumer education campaign in collaboration with partner organizations to fight scams that use gift cards, materials available at <https://www.ftc.gov/stopgiftcardscams>.

¹³ See FTC Data Spotlight, *Scammers prefer gift cards, but not just any card will do* (Dec. 8, 2021), available at <https://www.ftc.gov/news-events/data-visualizations/data-spotlight/2021/12/scammers-prefer-gift-cards-not-just-any-card-will-do>; see also FTC Data Spotlight, *Gift cards top scammers' wish lists* (Dec. 21, 2020), available at <https://www.ftc.gov/news-events/data-visualizations/data-spotlight/2020/12/gift-cards-top-scammers-wish-lists>.

¹⁴ In 2021, the FTC launched the Community Advocate Center to support legal services organizations' fraud reporting and strengthen the FTC's connections with historically underserved communities. Five of the legal service providers who are members operate programs dedicated to service AI/AN communities. Information about the Community Advocate Center is available at <https://reportfraud.ftc.gov/#/community>.

¹⁵ According to FTC data, in 2022 nearly 70,000 people reported a romance scam, and reported losses hit a staggering \$1.3 billion. See FTC Data Spotlight, *Romance scammers' favorite lies exposed* (Feb. 9, 2023), available at <https://www.ftc.gov/news-events/data-visualizations/data-spotlight/2023/02/romance-scammers-favorite-lies-exposed>.

B. Learning through Research and Data Analysis

In addition to conversations with community members and those who serve them, analyses of reports from the public help the FTC to understand how fraud is affecting AI/AN and other communities. The FTC collects reports from consumers about fraud through its Consumer Sentinel Network (“Sentinel”) database. A variety of agencies and organizations contribute consumer reports,¹⁶ and the FTC takes reports directly from the public through its call center and online reporting system at ReportFraud.ftc.gov. From 2018 to 2022, the agency took in about 11 million fraud reports with over \$20 billion in reported fraud losses.¹⁷

Analysis of Sentinel data using home ZIP code information from consumers can provide insights into the communities that report to the FTC,¹⁸ such as what types of fraud they report encountering, the contact and payment methods reported, and other details about consumers’ experiences. Previous FTC research and analysis has demonstrated differences in fraud reporting by different demographic communities.¹⁹ New analysis reported below explores reports submitted to Sentinel from 2018 to 2022 by consumers living in communities identified as majority AI/AN (“AI/AN communities”) using Census data.²⁰ The results show both commonalities and differences in the experiences reported by these communities as compared to all other U.S. communities (“other communities”).²¹

From 2018 to 2022, consumers living in AI/AN communities filed 7,368 fraud reports. As with other communities, most fraud reports from AI/AN communities were about fraud people spotted or encountered but avoided losing any money to. However, 29% of these fraud reports indicated the loss of money (“loss reports”). Reported fraud losses by AI/AN communities totaled \$12.5 million. The median reported fraud loss for AI/AN communities was \$500, compared to \$435 for other communities. Residents of AI/AN communities were about

¹⁶ Data contributors are listed at <https://www.ftc.gov/enforcement/consumer-sentinel-network/data-contributors>.

¹⁷ These figures and figures throughout this report do not include reports about unwanted calls or reports about identity theft.

¹⁸ From 2018-2022, 81% of reports included the consumer’s ZIP code.

¹⁹ See FTC Staff Report, *Serving Communities of Color*, at 41-46 (Oct. 2021), available at https://www.ftc.gov/system/files/documents/reports/serving-communities-color-staff-report-federal-trade-commissions-efforts-address-fraud-consumer/ftc-communities-color-report_oct_2021-508-v2.pdf.

²⁰ Majority AI/AN communities are defined here as ZIP codes corresponding with Census ZCTAs with a population of more than 50% American Indian and Alaska Native alone. Census ZCTA demographics are based on the 2016-2020 American Community Survey 5-Year Estimates. This method identified 342 majority AI/AN ZIP codes with a total population of 594,359 and an American Indian and Alaska Native alone population of 482,315.

²¹ Figures throughout this report pertaining to “other communities” are based on reports from consumers who provided a U.S. ZIP code, excluding reports from majority AI/AN ZIP codes.

half as likely as residents of other communities to have filed a fraud report.²² But when they did report, AI/AN communities were more likely to submit their report using mobile devices than other communities.²³

Reports to Sentinel from both AI/AN communities and other communities show fraud is a problem that affects people of all ages. Controlling for population size, younger adults (ages 20-59) living in AI/AN communities reported losing money to fraud at nearly the same rate as older adults. However, people 70 and older reported much higher median individual dollar losses than other age groups in these communities.²⁴

1. Types of Fraud

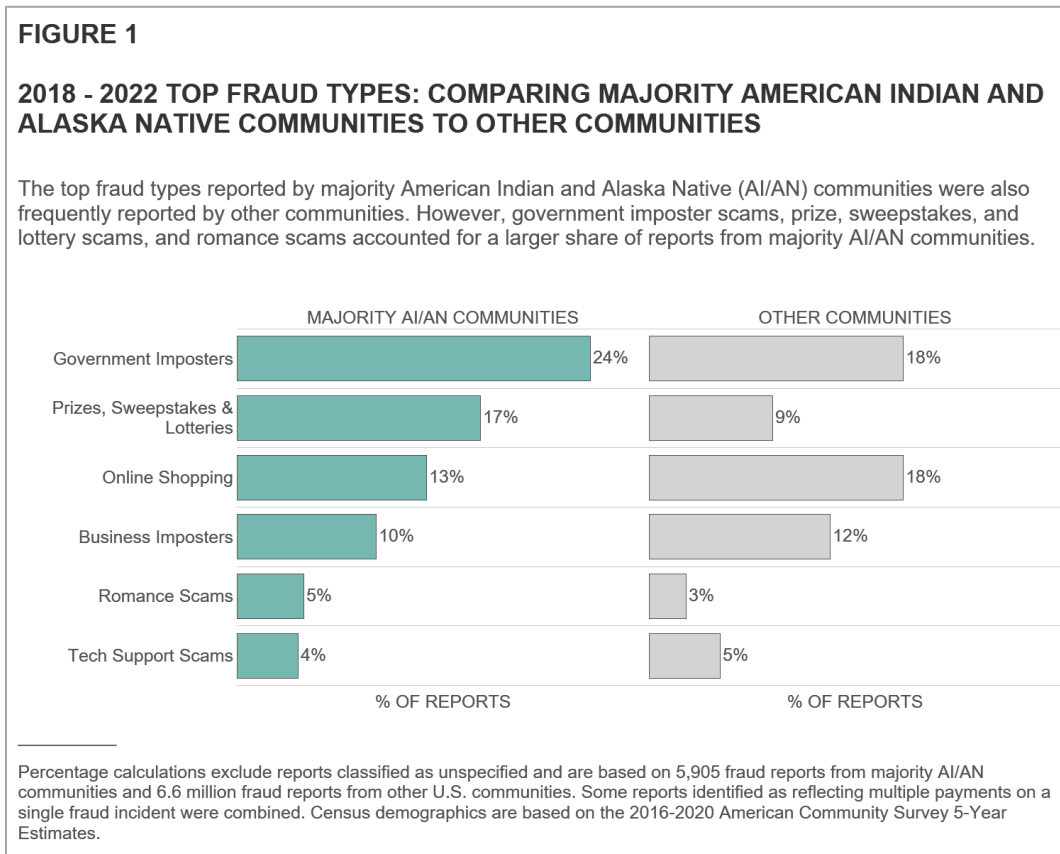
The types of fraud most often reported by AI/AN communities were also frequently reported by other communities, but some frauds accounted for a larger share of reports by AI/AN communities. Figure 1 below shows the top fraud types ranked by the share of reports submitted to Sentinel by AI/AN communities from 2018 to 2022. Government imposter scams were the most frequently reported fraud type by AI/AN communities — 24% of their fraud reports were about these scams, compared to 18% of reports by other communities. These reports most often described phone calls from scammers impersonating the Social Security Administration. Prize, sweepstakes and lottery scams were the second most frequently reported fraud type by AI/AN communities, and the share of reports, at 17%, was nearly twice that of other communities. These scams were far more likely to be reported by older adults — one in four loss reports filed

²² From 2018-2022, AI/AN communities filed 1,240 fraud reports per 100,000 population, while other communities filed 2,609 fraud reports per 100,000 population. This suggests AI/AN communities may be less likely to report to a government agency or other Sentinel data contributor about fraud. This is not conclusive, however, because AI/AN communities could have had fewer experiences with fraud. Many factors affect Sentinel reporting rates, and underreporting is a concern for all communities. One study has shown that only about 4.8 percent of the victims of mass-marketing consumer fraud complained to a government agency or the Better Business Bureau. See Keith Anderson, *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.

²³ From 2018-2022, 40% of AI/AN reports directly to the FTC were submitted using a mobile device, 32% were submitted online using a computer, and 27% were submitted by contacting the FTC's call center. Other communities submitted 34% of their reports using mobile devices, 43% of their reports online using a computer, and 22% by contacting the FTC's call center.

²⁴ From 2018-2022, the reported median individual fraud loss for people 70 and older living in AI/AN communities was \$1,520, compared to \$500 for all reports from AI/AN communities. This age-related pattern is similar to that seen in reports from other communities. See FTC Staff Report, *Protecting Older consumers 2021-2022*, at 29-30 (Oct. 2022), available at https://www.ftc.gov/system/files/ftc_gov/pdf/P144400OlderConsumersReportFY22.pdf.

by those 70 and over living in AI/AN communities were about prize, sweepstakes, and lottery scams.²⁵

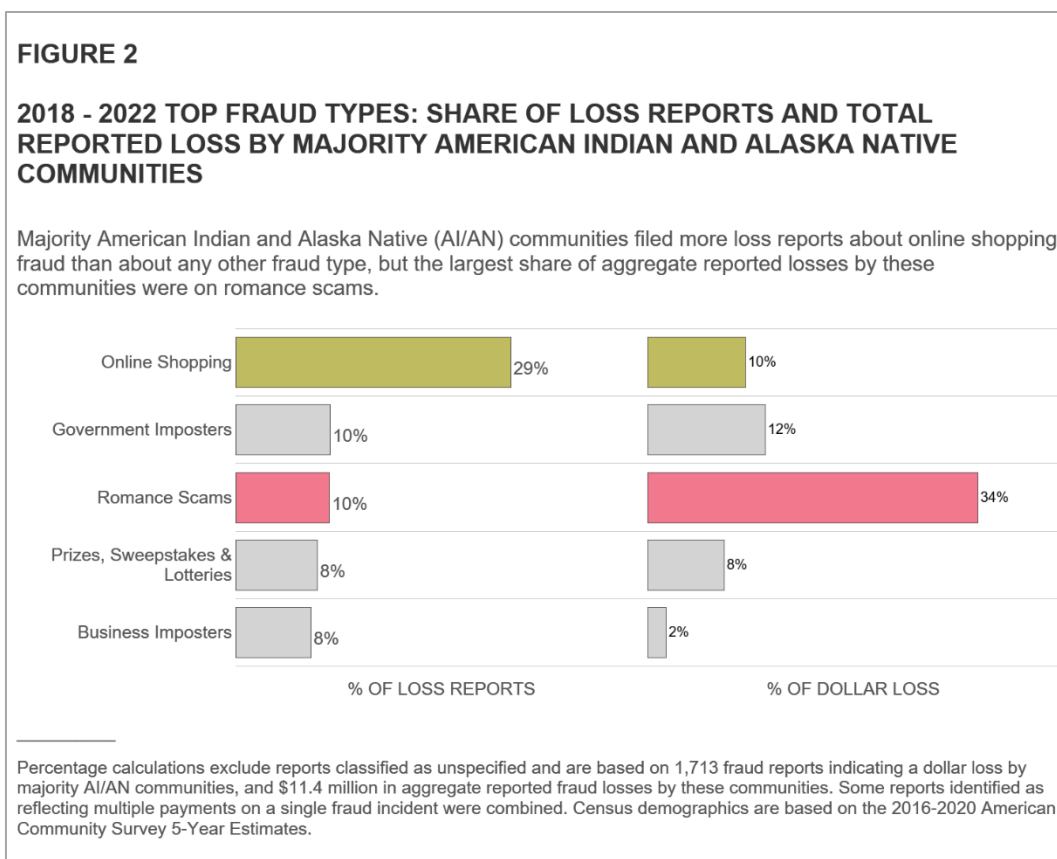


While Figure 1 is based on *all* Sentinel fraud reports, including those that did not indicate any money was lost, an analysis of loss reports and total reported losses gives a fuller understanding of the harm caused by fraud in AI/AN communities. This is illustrated in Figure 2 below, which shows the top fraud types reported by AI/AN communities from 2018 to 2022 ranked by the share of loss reports. More than one in four fraud loss reports by AI/AN communities were about online shopping fraud, far more than any other fraud type.²⁶ But AI/AN

²⁵ For comparison, about 7% of loss reports from people 60-69 living in AI/AN communities and 1% of loss reports from people 20-59 in these communities were about prize, sweepstakes, and lottery scams. These reports most often described phone calls about nonexistent winnings from scammers impersonating well-known businesses.

²⁶ Online shopping fraud reports soared during the COVID-19 pandemic for both AI/AN communities and other communities. Many of these reports were about items purchased online that were never received, often after seeing an ad on social media. See FTC Data Spotlight, *Pandemic purchases lead to record reports of unreceived goods* (July 1, 2020), available at <https://www.ftc.gov/news-events/blogs/data-spotlight/2020/07/pandemic-purchases-lead-record-reports-unreceived-goods>.

communities reported losing the most money in the aggregate to romance scammers — 34% of their 2018 to 2022 reported fraud losses.²⁷



2. Contact Methods

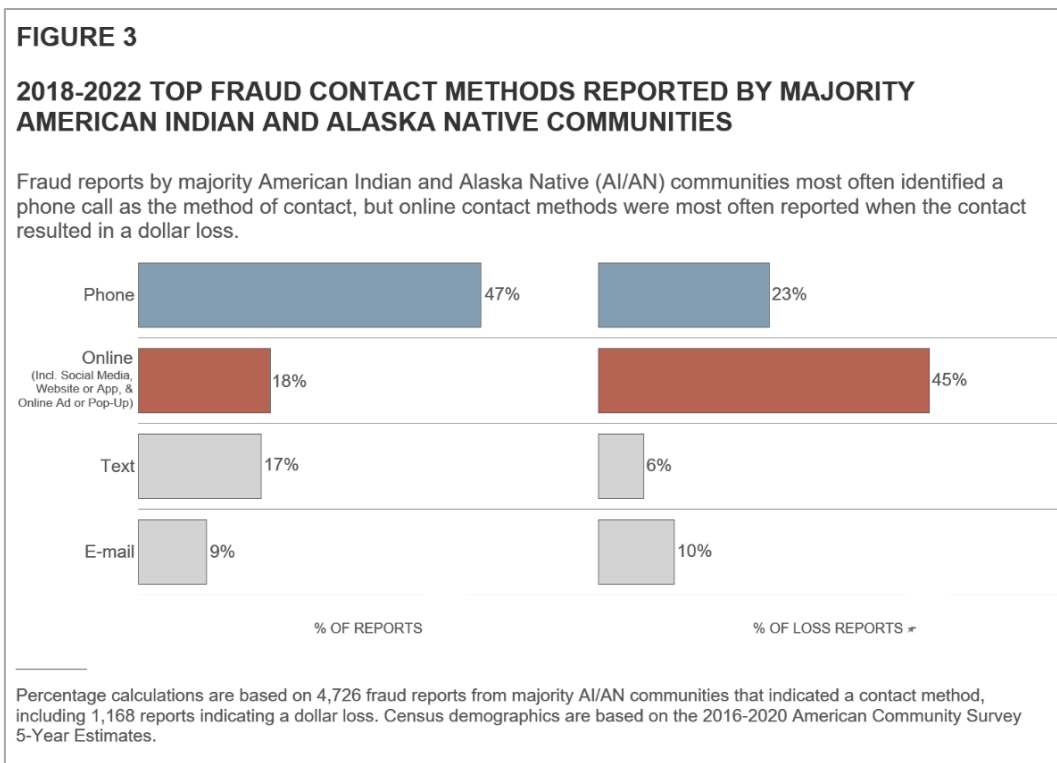
As shown in Figure 3, AI/AN communities identified a phone call as the contact method used in 47% of fraud reports filed from 2018 to 2022, more than any other contact method. Nearly 60% of these reports were about government impersonation scams.²⁸ However, just 12% of reports about phone fraud by AI/AN communities indicated any money was lost.²⁹

²⁷ Reported losses to romance scams were striking for all communities during this period. See FTC Data Spotlight, *Reports of romance scams hit record highs in 2021* (Feb. 10, 2022), available at <https://www.ftc.gov/news-events/data-visualizations/data-spotlight/2022/02/reports-romance-scams-hit-record-highs-2021>.

²⁸ From 2018-2022, 58% of phone fraud reports from AI/AN communities were classified as government impersonation scams, followed by prize, sweepstakes, and lottery scams at 20%. These figures exclude reports classified as unspecified.

²⁹ For comparison, 62% of 2018-2022 reports by AI/AN communities about fraud originating online indicated money was lost.

Online contact methods were responsible for the largest share of loss reports by AI/AN communities during this period,³⁰ and 43% of these loss reports were categorized as online shopping scams. Social media was the most frequently reported online contact method — more than one in five loss reports from AI/AN communities indicated the fraud started on social media.³¹ Reports about scams originating on social media have soared in recent years, including in AI/AN communities.³²



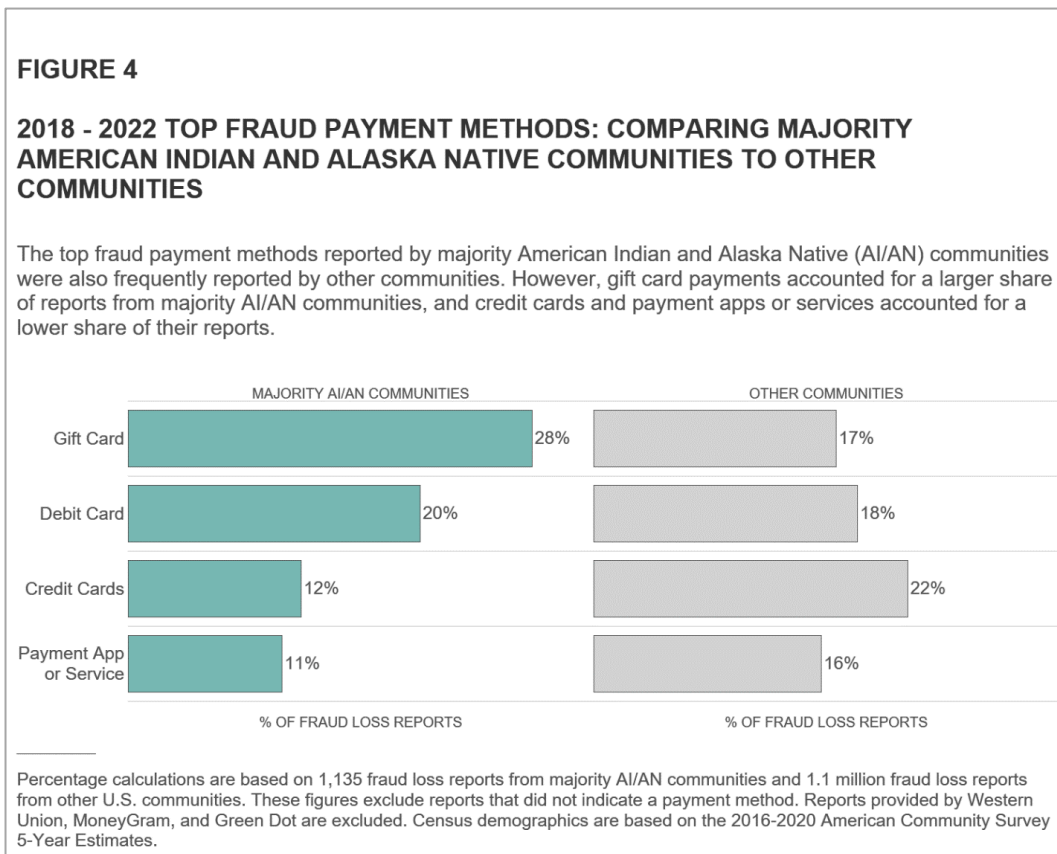
³⁰ Both older and younger adults in all communities reported losses to online fraud more frequently than losses to phone fraud, but the share of reports about losses to phone fraud was highest for older adults. See FTC Data Spotlight, *Who experiences scams? A story for all ages* (December 8, 2022), available at <https://www.ftc.gov/news-events/data-visualizations/data-spotlight/2022/12/who-experiences-scams-story-all-ages>.

³¹ This figure excludes reports that did not indicate a contact method.

³² See FTC Data Spotlight, *Social media a gold mine for scammers in 2021* (Jan 25, 2022), available at <https://www.ftc.gov/news-events/data-visualizations/data-spotlight/2022/01/social-media-gold-mine-scammers-2021>.

3. Payment Methods

Figure 4, below, shows the top payment methods ranked by the share of fraud losses reported by AI/AN communities from 2018 to 2022. Gift cards³³ were the top fraud payment method reported by AI/AN communities — 28% of fraud loss reports indicated a gift card as the payment method, compared to 17% for other communities. Reports of gift card payments were particularly common in scams that impersonated government agencies or well-known businesses. Just 12% of fraud reports from AI/AN communities identified credit cards as the method of payment, compared to 22% of reports from other communities. This is an important distinction because the law provides additional fraud protections for credit card transactions that may enable people to get their money back.



³³ The gift card payment method includes cards that hold a specific cash value that can be used for purchases and reload cards such as MoneyPak that are used to add value to these cards.

III. Collaboration and Outreach

To deliver consumer protection messages effectively, it is critical to collaborate with people and organizations already trusted in communities. This includes community media, which are often among the most trusted sources of information in many historically underserved communities.

The FTC has spent years building trusted partnerships in AI/AN communities. In 2014, the Agency held a Native American Issues: A Common Ground Conference, convening legal aid attorneys, advocates, and representatives of state, federal, and tribal governments in Albuquerque to discuss issues facing AI/AN consumers.³⁴ In 2019, an Oklahoma Ethnic Media Roundtable included participation from both Cherokee and Potawatomi Nations.³⁵ In 2020, the FTC, the FDIC, and the Oklahoma Native Assets Coalition, Inc. (ONAC) — a Native-led nonprofit working to create greater opportunities for the economic self-sufficiency of Native families — presented a webinar on scams affecting Native American communities. And in 2021, the FTC’s Montana Ethnic Media Roundtable included tribal community participation.³⁶ FTC staff have also presented on consumer issues on the Blackfeet Reservation in Montana.

Over the past year, in addition to creating and disseminating consumer education materials, FTC staff have continued to build partnerships with tribal governments and organizations serving AI/AN populations. This has been complemented by the Agency’s robust efforts to connect with AI/AN media outlets that reach individuals both on tribal lands and in urban areas.

A. Collaborations with Partners Trusted in AI/AN Communities

The COVID-19 pandemic brought both challenges and opportunities to extend the FTC’s reach through virtual connections across the country. As outlined in previous sections, in 2022 alone, Agency staff met virtually and in person with dozens of organizations serving AI/AN populations, including tribal governments, to share resources about spotting and avoiding scams.³⁷ Through these contacts, FTC staff continue to learn about emerging trends and

³⁴ See Conference Agenda, *Native American Issues: A Common Ground Conference* (May 23, 2014), available at https://www.ftc.gov/system/files/documents/public_events/570561/2014.05.23_albuquerquefinal.swr.pdf. The full list of FTC’s Common Ground Events is available at <https://www.consumer.gov/commonground>.

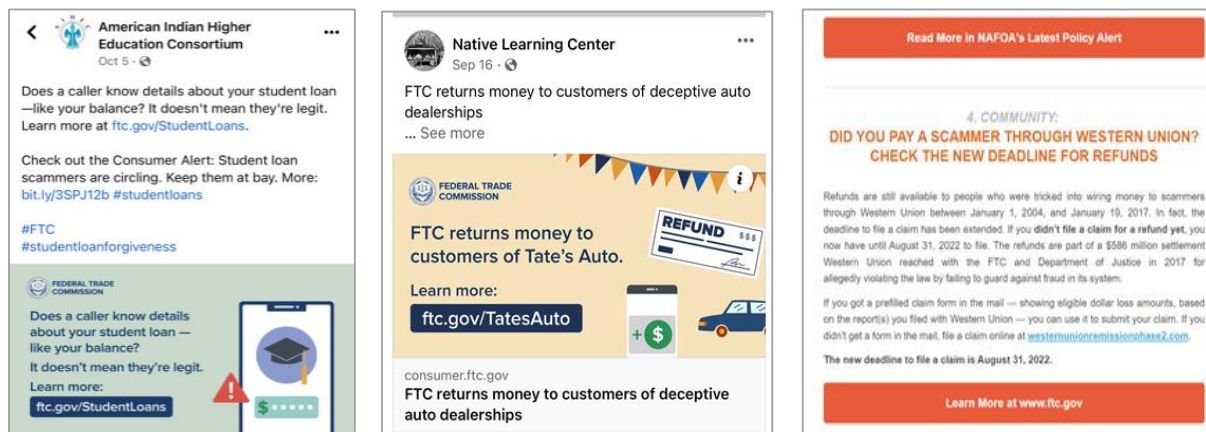
³⁵ See Spotting and Avoiding Scams Targeting Diverse Communities in Oklahoma (Mar. 7, 2019), available at https://consumer.gov/sites/www.consumer.gov/files/ftc_invite_oklahoma.pdf.

³⁶ See Spotting and Preventing Pandemic Related Scams and Other Fraud in Montana/The Mountain West (Mar. 24, 2021), available at https://www.consumer.gov/sites/www.consumer.gov/files/ftc_invite_montana.pdf.

³⁷ See Appendices A and B for a list of organizations the FTC met with.

challenges faced by AI/AN individuals and communities. This not only helps the FTC know how best to respond to these challenges, but also helps staff craft and seek opportunities to convey consumer protection information that’s relevant, useful, and trustworthy. Below are examples of partner organizations sharing FTC messages through social media channels and newsletters.

Examples of FTC Messages Featured in AI/AN Partners’ Social Media and Newsletters



Other organizations have invited FTC staff to present at webinars for their AI/AN constituencies, on podcasts, and at other outreach activities. A small sampling of outreach events that resulted from these listening sessions is highlighted below.³⁸

1. Webinars and Podcasts

Through formal presentations and podcasts hosted by partners, the FTC has been able to offer tailored information for particular audiences; for example, business owners.

NLC’s Hoporenkv Podcast: NLC invited FTC staff to participate in a series of episodes of its Hoporenkv Podcast.³⁹ Episodes focused on different topics, including: the top scams reported in 2021; how to spot and avoid bogus money-making opportunities; spotting and avoiding phone scams; and payday loans, cash advances, car title loans, and managing debt. The episodes originally aired in November 2022. They are available on all major podcast platforms as well as on the NLC’s YouTube channel.⁴⁰

³⁸ See Appendix B for a more comprehensive list of outreach activities.

³⁹ Available at <https://hoporenkvpodcast.com/>.

⁴⁰ See NLC’s YouTube channel, available at <https://www.youtube.com/@NativeLearningCenter>.

ONAC: FTC staff partnered with ONAC to present a webinar on avoiding and recovering from identity theft.⁴¹ This webinar also piqued media interest from *Indian Country Today*, which later interviewed the FTC staff presenter for a feature story on identity theft and holiday scams.⁴²

Invitation to FTC/ONAC Webinar



Dineh Chamber of Commerce: Through a connection made with National Center for American Indian Enterprise Development (NCAIED), FTC staff were invited to present to the Dineh Chamber of Commerce. FTC shared information with the Chamber’s Executive Board and members about common scams targeting small businesses and cybersecurity principles to help protect data and information.

2. Presentations for Legal Aid, Community Development Financial Institutions, and Others

The FTC has worked with legal aid offices, Community Development Financial Institutions, and other organizations to share consumer education resources that they in turn can make available to their clients.

Various Legal Aid Organizations: Through a connection with Michigan Indian Legal Services, FTC staff were invited to present on FTC resources, including spotting and avoiding scams, during a National Association of Indian Legal Services (NAILS) monthly meeting in February 2023.⁴³ FTC staff have also built an ongoing partnership with DNA People’s Legal Services, which provides legal services to persons living in poverty on the Navajo, Hopi, and Jicarilla Apache Reservations, and in parts of Northern Arizona, Northwest New Mexico, and Southern Utah. This partnership led to, among other things, a DNA attorney and client participating in the FTC’s November 2022 news briefing for Native American media, discussed later in this report.

Native CDFI Network (NCN): FTC staff were invited to present virtually to members of the NCN. The presentation focused on common scams and FTC resources available to AI/AN communities. FTC staff also met separately with representatives from particular community development financial institutions (CDFIs), including the Native360 Loan Fund and the Mni

⁴¹ See Appendix D for event materials. The webinar, “Identity Theft and FTC Resources,” was recorded, posted on ONAC’s website, and emailed to ONAC’s listserv, as well as distributed through several partners. The webinar is available for viewing at https://www.oknativeassets.org/our_work/2022.

⁴² See *Indian Country Today* media interview (Oct. 17, 2022), available at <https://indiancountrytoday.com/newscasts/10-17-22-energy-solutions-for-tribes>.

⁴³ NAILS is part of the Native American Section of the National Legal Aid and Defender Association.

Sota Fund, and provided information about free FTC resources on scam prevention, financial literacy, debt collection, and other topics.

Minnesota Indian Affairs Council (MIAC): FTC staff gave a virtual training on FTC consumer education resources during the Minnesota Indian Affairs Council’s quarterly meeting. This, in turn, prompted interest from a writer from *The Circle*, a Minneapolis-based publication for Native Americans, in reporting on fraud and scams.⁴⁴

3. Conferences

The FTC has also built partnerships by attending, exhibiting, and distributing FTC consumer and business print publications at conferences, fairs, and other in-person events.

Alaska Federation of Natives Annual Convention: Continuing a practice that began before the pandemic, FTC staff distributed resources during the Alaska Federation of Natives 2022 Annual Convention in October, sharing a booth with the Indian Arts and Crafts Board. This event draws approximately 6,000 attendees each year and is the largest representative annual gathering of Native peoples in the United States.⁴⁵

Native American Finance Officers Association’s (NAFOA) Annual Conference: FTC staff attended NAFOA’s annual conference in October 2022, where they distributed publications and connected with members about key consumer protection issues impacting them, recommended organizations for the FTC to meet with, and opportunities for further outreach.

Eastern and Midwestern Conference on the Workforce Innovation and Opportunities Act: The North Carolina Commission of Indian Affairs invited FTC staff to present on job scams, fake check scams, spotting bogus work-at-home opportunities, and how to report fraud to the FTC. The conference offers training sessions for AI/AN jobseekers and members of tribal government employment offices.

4. Work with Federal Agencies

In addition to connecting with local, regional, and national AI/AN organizations, staff reached out to other U.S. federal agencies — many of which have pre-established relationships and communication channels with tribal governments.

U.S. Department of the Interior’s Bureau of Indian Affairs (BIA): In December 2022, FTC staff met with representatives from the Division of Economic Development to provide input on

⁴⁴ See The Circle, *FTC Warns Indian Country About Scams* (Dec. 6, 2022), available at <https://thecirclenews.org/cover-story/ftc-warns-indian-country-about-scams/>.

⁴⁵ See statement from the organization’s website, available at <https://www.nativefederation.org/>.

updating the “How to Avoid Getting Scammed” page on BIA’s website⁴⁶ and content for their upcoming newsletter.

U.S. Department of Housing and Urban Development’s Office of Native American Programs (ONAP): FTC staff are working with ONAP to publish consumer protection information in a “Dear Tribal Leader” letter, which ONAP will distribute to its tribal contacts. This will include a poster promoting ReportFraud.ftc.gov that tribal housing entities can use to alert people about common scams and where to report them.

U.S. Department of Justice’s Office of Victims of Crime (OVC), American Indian and Alaska Native Victim Services Resources: OVC’s July 2022 newsletter included FTC information on consumer education resources, and how to report scams, frauds, and bad business practices. The newsletter is distributed to their grantees and all of the 574 federally-recognized tribes which have registered to receive it.

B. Working with Community Media

Radio and newspapers were cited by many partner organizations as an effective — and in some cases the most effective — way to reach AI/AN populations with consumer protection information. Building on past ethnic media work in AI/AN communities, the FTC hosted a news briefing⁴⁷ in November 2022 for AI/AN media on spotting and avoiding scams. This event gave journalists ready access to FTC experts, as well as to storytellers who shared their experiences. Journalists also had the opportunity to relay similar experiences from their own communities. The briefing covered FTC law enforcement cases, consumer protection issues like government and business impersonators, and the importance of reporting fraud and bad business practices. A total of 18 reporters attended from the Seminole Tribune, Indian Voices, Lakota Times, Hoopa Tribal Radio, Native Broadcast Enterprise, and other outlets.⁴⁸ This event resulted in articles published in print newspapers, social media, and online.⁴⁹ TV and radio stations also streamed

⁴⁶ Updated website available at <https://www.bia.gov/service/starting-business/how-avoid-getting-scammed>.

⁴⁷ See invitation in Appendix E.

⁴⁸ Attendees included reporters from KWLP Radio, Native Broadcast Enterprise/KTNN Radio, ChargePoint, Ethnic Media Services, FNX-TV, Indian Voices, KIDE Hoopa Tribal Radio, KWDR.org, Rez Radio 91.3 – KPRI, Seminole Tribune, the Native Learning Center, The Circle, KWSO, Smoke Signals – The Confederated Tribes of Grand Ronde, Lakota Times, several freelancers, and representatives from DNA-People’s Legal Services, Inc., and the Seminole Police Department.

⁴⁹ See, e.g., Lakota Times (Nov. 30, 2022), available at https://drive.google.com/file/d/1MnDbMgZv8KYiSj_3UAE_Z_NElcK7g5Ioo/view; Native Voice One (Nov. 24, 2022), available at https://www.linkedin.com/posts/kokopele_ftc-battles-highway-robbery-in-indian-country-activity-7000843382520516608-xIz2/?utm_source=share&utm_medium=member_desktop; Rex Radio 91.3 (Nov. 10, 2022), available at <https://drive.google.com/file/d/1P0i8XR2r7IISqlc6VnNWK900pBNbfkWl/view>; Smoke Signals (Nov. 15, 2022), available at

the event and made it available to their AI/AN audiences.⁵⁰ The FTC plans to continue building connections with these reporters through ongoing outreach, encouraging them to sign up to receive press releases and Consumer and Business Alerts, and making the Agency's experts available to them.

In addition to the news briefing for AI/AN media outlets, starting in November 2022, the FTC engaged in a paid advertising campaign for radio, print, and digital media outlets that primarily reach AI/AN communities, which are sources trusted in the target audience. The FTC's campaign focused on raising awareness about gift card scams and reporting fraud through advertisements and advertorials in 25 print publications, websites, and tribal newsletters across the country. The FTC also placed related fifteen- and thirty-second radio spots⁵¹ on more than 300 radio stations across the United States and Canada.⁵²

<https://www.smokesignals.org/articles/2022/11/15/is-the-irs-really-texting-you-nope/>; The Circle (Dec. 6, 2022), available at <https://thecirclenews.org/cover-story/ftc-warns-indian-country-about-scams/>; Korean News (Nov. 29, 2022), available at <https://drive.google.com/file/d/19mvNVi1Mn2oDW8P7Nk-x3Bv49-PcgJkS/view>; ChineseInLA.com (Nov. 28, 2022), available at <https://www.chineseinla.com/hotnews/2410196.html>.

⁵⁰ See, e.g., FNX TV (Nov. 10, 2022), video available at <https://vimeo.com/773060314/6f823d6a25>; KIDE-FM Hoop Tribal Radio (Nov. 10, 2022), recording available at <https://drive.google.com/file/d/1JUiOfLPxFk7SM6srrqk7XFr5-BMpjke7/view>; KTPY (Nov. 10, 2022), recording available at <https://drive.google.com/file/d/19PT8jfk8YLghpzBBO78IBRa3dqFpUkRH/view>.

⁵¹ See Appendix G for scripts of radio spots.

⁵² These included radio spots on over 300 AI/AN radio stations across the country including in Alaska, Arizona, Arkansas, British Columbia, California, Colorado, Idaho, Illinois, Indiana, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Texas, Utah, Vermont, Washington, Wisconsin, and Wyoming.

Paid Advertorials Placed in AI/AN Newspapers and Newsletters

ADVERTISEMENT

How to avoid spinning your wheels when shopping for a used car

Used cars have gotten more expensive during the pandemic. It pays to do some work upfront, so you'll feel better driving out. In fact, start by researching the price of cars you're interested in. Then, before you shop for the car, shop for financing. Check with banks, credit unions, and finance companies — you don't have to finance a car through the dealer.

SCAM

When you think you've found the car you want:

- Call the dealer.** Make sure the car is really on the lot and get the out-the-door price in writing, before you head to the dealership.
- Get a vehicle history report and check the Buyer's Guide.** The report will tell you that car's history, and the Guide will tell you if it has a warranty or is being sold "as is."
- Discuss the out-the-door price first if you want to talk financing with the dealer.** That means the total price, before financing, including taxes and fees.
- It's ok to say no to add-ons, or at least ask the price.** Add-ons are extra things dealers offer along with the car, like extended warranties and service contracts. Make sure you know what they are, how much they cost, and how they'll change your monthly payment.
- Review the terms before you sign for the purchase and financing.** Make sure everything you agreed to is in writing. Spoken promises are hard to enforce.

To learn more, visit ftc.gov/usedcars. If you spot a scam, report it to the Federal Trade Commission at ReportFraud.ftc.gov.

ADVERTISEMENT

Protect yourself and your community. Report scams to the Federal Trade Commission.

No matter who we are, where we live, or what we do, we've all been exposed to scams. But there are ways to avoid scams if you know how to spot them.

SCAM

Here's how to spot **three common scams**.

- Someone calls and says they're from the IRS** — but they tell you to pay by gift card. **That's a scammer.** The real IRS doesn't work that way.
- You meet a love interest online** — but they ask you to send them money for some reason that sounds legit. But **that's what scammers do**, and then vanish with your money.
- Something you bought online** never showed up — and now the seller won't email or call you back. That **seller may be a scammer**.

Report scams to the Federal Trade Commission at ReportFraud.ftc.gov

Each report helps the Federal Trade Commission find scammers and spread the word about the scam — so the people you care about can avoid it, too.

Learn how to spot and avoid scams at ftc.gov/scams

Building on the success of a previous American Rescue Plan-funded ad campaign⁵³ with iHeartMedia on scams related to financial impacts of the COVID-19 pandemic, the FTC also engaged in a paid campaign to reach 31 radio stations⁵⁴ with a frequency around reservations across the country through that streaming platform. The campaign included digital banners and radio spots.⁵⁵

⁵³ H.R.1319 - 117th Congress (2021-2022): American Rescue Plan Act of 2021, H.R.1319, 117th Cong. (2021), available at <https://www.congress.gov/bill/117th-congress/house-bill/1319>. Through ARP funds the Agency was able to host 15 virtual Financial Impact Listening Sessions with advocates, leaders, and organizations that work with diverse communities in 26 states and the District of Columbia.

⁵⁴ These included KALZ-FM, KBKS-FM, KBOS-FM, KCOL-AM, KDFD-AM, KEEY-FM, KENI-AM, KEX-AM, KFBT-FM, KFBW-FM, KFBX-AM, KFYI-AM, KHOW-AM, KHUD-FM, KIIX-AM, KJAQ-FM, KJKJ-FM, KKRZ-FM, KMOD-FM, KNIX-FM, KNST-AM, KOHT-FM, KOLT-FM, KQNT-AM, KRDU-AM, KRQQ-FM, KRZR-AM, KTBT-FM, KTGX-FM, KTLK-AM, KZOK-FM.

⁵⁵ See Appendix G for scripts of radio spots.

Digital Advertisements Placed on iHeartMedia Radio and Streaming Channels Reaching AI/AN Communities



IV. Consumer Education

Making consumer education resources available in AI/AN communities is vital to helping people spot and avoid fraud and scams. The FTC’s Division of Consumer and Business Education (DCBE) creates plain language consumer and business education materials in multiple formats, including printed materials, websites, blogs, videos, and audio recordings. These are most often developed in partnership with other divisions in the FTC’s Bureau of Consumer Protection (BCP) and with regional offices to ensure Agency messaging on scam trends is current, clear, and relevant. DCBE has published content on all the consumer protection issues described in the sections above. These materials are in the public domain and available for use, translation, and customization by tribal leaders, government agencies, organizations, and others serving AI/AN populations. In addition, the FTC has published consumer education materials related to the selling of counterfeit AI/AN art, which is an ongoing issue impacting artisans and vendors in these communities.⁵⁶

In 2022, at least four tribal organizations, including two tribal police departments, ordered a variety of consumer education resources from the FTC through its Bulk Order website.⁵⁷ The materials ordered covered topics like protecting your personal information, debt and credit, cybersecurity, choosing a college, identity theft, and gift card scams. The following

⁵⁶ See FTC article, *Buying American Indian Arts and Crafts* (Dec. 2021), available at <https://consumer.ftc.gov/articles/buying-american-indian-arts-crafts>. The article was created in conjunction with the Indian Arts and Craft Board at the U.S. Department of the Interior and others.

⁵⁷ Organizations and individuals can download, print, and order free FTC publications on scams, privacy, credit, and other topics at FTC’s Bulk Order website. See <https://www.bulkorder.ftc.gov>.

sections include a sampling of the FTC’s consumer education resources and how AI/AN organizations have used them.

A. New Dedicated Page for AI/AN Communities

To complement the Agency’s work, to better serve AI/AN communities, and as directed by Congress, the FTC has launched an informational website at [ftc.gov/NativeAmerican](https://www.ftc.gov/NativeAmerican). The resources found here help the Agency better reach and respond to the needs of AI/AN populations. This website serves as a landing page for consumer and business education resources related to the topics identified above — for example, financing a car, managing debt, and predatory lending — helping AI/AN individuals and organizations access information from the FTC that is relevant to them.

Because many of the topics identified during listening sessions were financial in nature, [ftc.gov/NativeAmerican](https://www.ftc.gov/NativeAmerican) includes information from FTC’s Money Matters website,⁵⁸ which features advice on protecting your money from scams. Topics include scams related to prizes and grants; buying and renting a home; debt and debt relief; shopping; car buying; looking for a job; education and training; and consumer credit. The information at [ftc.gov/NativeAmerican](https://www.ftc.gov/NativeAmerican) is easy to share and the FTC encourages partners to link to it from their own websites, share the articles and graphics on social media, and use the content in their newsletters and other communication channels. These efforts help amplify scam avoidance and protection messages to AI/AN communities, with the added benefit of having the information delivered by sources that are trusted in those communities. In addition, [ftc.gov/NativeAmerican](https://www.ftc.gov/NativeAmerican) links to ready-to-use presentations that community educators, advocates, and other stakeholders can use in their own education programs. The materials are free of cost and available in English and Spanish.

A frequent suggestion from partner organizations and tribal leaders is providing resources in AI/AN languages. The FTC acknowledges the interest in and demand for in-language resources and has discussed with many partners the challenges of meeting this interest. For example, the many Native languages spoken in the United States⁵⁹ create challenges of scope, breadth, and dissemination; the Agency has limited human and financial resources to translate and share resources in print and online through well-maintained outreach channels. The FTC’s response thus far has been to encourage partners to adopt and customize FTC educational resources. This has several advantages for AI/AN communities: partners trusted in those

⁵⁸ See FTC Consumer Advice, *Native American Communities: Spot, Avoid, and Report Scams* (Mar. 2023), available at <https://www.ftc.gov/NativeAmerican>. See FTC Consumer Advice, *Money Matters: How to Spot, Avoid, and Report Scams* (Dec. 2022), available at <https://www.ftc.gov/moneymatters> (English) and <https://www.ftc.gov/asuntosdedinero> (Spanish). The site was updated and relaunched in December 2022.

⁵⁹ The U.S. Census American Community Survey (ACS) codes 169 Native North American languages. See U.S. Census American Community Survey Brief, *Native North American Languages Spoken at Home in the United States and Puerto Rico: 2006 – 2010* (Dec. 2011), available at <https://www2.census.gov/library/publications/2011/acs/acsbr10-10.pdf>.

communities deliver the messages; they can customize the messages and adapt materials into the language most appropriate for their audience; and they can add contacts for local reporting or assistance. The success of this approach can be seen in the example of the Arizona-based KWLP radio station, which serves the Hualapai Tribe, recently translating into Hualapai and airing a radio advertisement from the FTC.

B. Sampling of the FTC's Consumer Education Resources

1. Consumer Alerts

The FTC regularly publishes Consumer Alerts⁶⁰ in English and Spanish about the latest scams, including advice on what people can do to protect themselves. Throughout the past year, these have covered many of the topics identified by organizations as impacting AI/AN populations including, among others, business and government impersonators, romance and prize scams, and gift card scams.

The FTC emails Consumer Alerts, in English and Spanish, to more than 413,000 subscribers, including individuals, community groups, advocates, national and local news media outlets, and other stakeholders. The FTC also publishes these Alerts on its consumer websites, consumer.ftc.gov and consumidor.ftc.gov, as well as through social media platforms, so the public can read, link to, and easily share fraud prevention messages.⁶¹ In addition to discussing how to spot and avoid scams, the FTC uses its Consumer Alerts to highlight important events: for example, an Alert honoring American Indian and Alaska Native Heritage Month,⁶² which highlighted the importance of sharing information to support communities and the people in them.

Social Media Image Shared with FTC Consumer Alert Published November 2022



⁶⁰ Consumer Alerts available at <https://consumer.ftc.gov/consumer-alerts> (English) and <https://consumidor.ftc.gov/alertas-para-consumidores> (Spanish).

⁶¹ Information about subscribing to Consumer Alerts available at <https://www.ftc.gov/ConsumerAlerts> (English) and <https://www.ftc.gov/AlertasDeConsumidor> (Spanish).

⁶² See FTC Consumer Alert, *Honoring American Indian and Alaska Native Heritage Month* (Nov. 10, 2022), available at <https://consumer.ftc.gov/consumer-alerts/2022/11/honoring-american-indian-and-alaska-native-heritage-month>.

The FTC encourages partners to sign up to receive Consumer Alerts and share them through their own communication channels. By doing so, partners stay informed about scams and can amplify messages to the people they serve. Several organizations share FTC Consumer Alerts on social media. For example, in October 2022, the American Indian Higher Education Consortium shared a Consumer Alert about avoiding scams following the Administration’s announcement about student loan forgiveness.⁶³ And in September 2022, the NLC shared a Consumer Alert with information on the FTC’s redress program for former customers of Tate’s Auto dealerships.⁶⁴

2. Pass It On Campaign

As previously mentioned, during listening sessions and in surveys, many people expressed concern about scammers targeting older adults in their communities. In fact, many said they personally knew older adults who had lost money to scammers.

*Pass It On*⁶⁵ is the FTC’s ongoing fraud prevention education campaign designed specifically for older adults. It is also one of the Agency’s most popular campaigns: since its launch in 2014, the FTC has distributed 17.2 million *Pass It On* items, including more than 1.6 million items in fiscal year 2022. The free English and Spanish print materials are regularly requested by groups including banks, libraries, police departments, adult protective service offices, state attorneys general, military support groups, and educational and community groups nationwide — showing the value of having both print and digital options available for this demographic.

Campaign materials show respect for older adults’ life experiences and accumulated knowledge, supplying them with resources to read and pass on to family and friends, with the aim of starting 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 the reader can do in response. The catalog of print and online material addresses 13 common frauds,⁶⁶ several of which were identified by AI/AN partners as problematic in their communities — including romance scams, government impersonator scams, and unwanted calls

⁶³ See FTC Consumer Alert, *Student loan scammers are circling. Keep them at bay* (Oct. 3, 2022), available at <https://consumer.ftc.gov/consumer-alerts/2022/10/student-loan-scammers-are-circling-keep-them-bay>.

⁶⁴ See FTC Consumer Alert, *FTC returns money to customers of deceptive auto dealerships* (Sept. 15, 2022), available at <https://consumer.ftc.gov/consumer-alerts/2022/09/ftc-returns-money-customers-deceptive-auto-dealerships>.

⁶⁵ *Pass It On* campaign materials are available online at <https://www.ftc.gov/PassItOn> (English) and <https://www.ftc.gov/Pasalo> (Spanish) and print versions are available for order at <https://www.ftc.gov/bulkorder>.

⁶⁶ The full list of the topics featured in the *Pass It On* campaign include business impersonator scams, charity fraud, government impersonator scams, grandkid and family scams, health insurance scams, home repair scams, identity theft, investment scams, job, money-making scams, romance scams, tech support scams, unwanted calls and text messages, and “You’ve Won” scams, available at <https://consumer.ftc.gov/features/pass-it-on>.

and text messages. Online resources include a presentation on each topic, including both slides and a script, to allow for easy sharing by partners. *Pass It On* campaign materials are available online and can be ordered in print for free.⁶⁷

3. Consumer.gov

The FTC's consumer.gov website focuses on three topic areas: Managing Your Money; Credit, Loans and Debt; and Scams and Identity Theft. Consumer.gov (and consumidor.gov in Spanish) gives people consumer protection basics in straightforward language, easily navigated design, with increased accessibility through an audio read along of the content, and information in video for learners who benefit from a different style of information delivery. The site also includes related lesson plans for each topic area. Many of the AI/AN organizations that FTC staff have partnered with (outlined in the following sections) offer financial literacy trainings and other forms of technical assistance to individuals on reservations and in urban areas. Several of these noted that the resources at consumer.gov are particularly useful.

The FTC plans to expand the usefulness of consumer.gov by updating both content and navigation, with input from its target audience, including organizations serving AI/AN populations.

4. Protecting Small Businesses

Small businesses are integral to all communities, including AI/AN communities: according to the U.S. Census' Annual Business Survey, in 2020 there were close to 40,400 AI/AN-owned businesses, with about 244,000 employees and \$9.6 billion in annual payroll.⁶⁸ Protecting small businesses, including those that are AI/AN-owned, is a priority for the Agency. FTC outreach and education resources for small businesses on common scams⁶⁹ and data security issues,⁷⁰ available in English and Spanish, address the needs of AI/AN entrepreneurs. For example, *Cybersecurity for Small Business* materials provide information on a wide range of cybersecurity issues faced by small businesses, including what to do if your business has been

⁶⁷ *Pass It On* campaign materials are available online at <https://www.ftc.gov/PassItOn> (English), <https://www.ftc.gov/Pasalo> (Spanish), and can be ordered in print at <https://www.ftc.gov/bulkorder>.

⁶⁸ See Census Bureau Press Release, *Census Bureau Releases New Data on Minority-Owned, Veteran-Owned and Women-Owned Businesses* (Nov. 10, 2022), available at <https://www.census.gov/newsroom/press-releases/2022/annual-business-survey-characteristics.html>.

⁶⁹ See FTC Business Center, *Scams and Your Small Business: A Guide for Business* (May 2018), available at <https://www.ftc.gov/tips-advice/business-center/guidance/scams-your-small-business-guide-business> (English) and <https://www.ftc.gov/es/guia-para-negocios/las-estafas-y-su-pequeno-negocio-una-guia-para-los-negocios> (Spanish).

⁷⁰ See FTC Business Center, *Cybersecurity for Small Business* (October 2018), available at <https://www.ftc.gov/tips-advice/business-center/small-businesses/cybersecurity> (English) and <https://www.ftc.gov/es/guia-para-negocios/protegiendo-pequenos-negocios/ciberseguridad> (Spanish).

targeted by ransomware, hackers, or scammers. As previously mentioned, these were cited as concerns by a number of organizations serving AI/AN-owned businesses. As a result of FTC staff outreach, the Dineh Chamber of Commerce, which represents businesses owned and operated on or near the Navajo Nation, invited FTC staff to present on cybersecurity issues to its Executive Committee.⁷¹

In addition to the above, the BCP's Business Blog⁷² is a practical way for executives and entrepreneurs alike to get the latest word on topics that matter to them, including alerts about scams targeting small businesses. With more than 120,000 subscribers, the Business Blog explains what FTC cases mean for business and provides insights into FTC developments in data security and consumer privacy, credit and finance, advertising law, and other areas essential for businesses.

V. Law Enforcement Affecting AI/AN Populations

Aggressive law enforcement is a key component in the FTC's efforts to protect consumers, including AI/AN consumers. Deliberate efforts are necessary to ensure the FTC's law enforcement efforts are responsive to the needs of the diverse communities the Agency serves. To this end, the FTC has developed targeting and tracking tools to help identify potential case leads. For example, consumer reports about marketing practices, which are collected through the Sentinel database, provide an important source of information for law enforcement purposes. By analyzing these reports, the FTC can illuminate trends and disparities, identify problematic business practices and enforcement targets, and develop cases against targets under investigation. The FTC will work to increase reporting of fraud and other consumer issues by AI/AN individuals, including by engaging with community-based organizations to use ReportFraud.ftc.gov to access information on how to try to recover money lost.

A. Related Casework

The FTC has brought numerous cases — a few of which are summarized below — relating to consumer abuses identified earlier in this report as impacting AI/AN communities.

1. Auto Buying and Financing Issues

For many, buying a car is one of the most expensive purchases they make. According to the USDA's Economic Research Service, American Indians are the only minority group with a

⁷¹ See Appendix C for event materials.

⁷² The FTC's Business Blog is available at <https://www.ftc.gov/business-guidance/blog>.

higher rural than urban share of the population,⁷³ so may be more reliant on cars for their transportation needs.⁷⁴ AI/AN partners have also highlighted auto buying and financing, describing related consumer protection issues as problems impacting these communities.

In *Tate's Auto*, for example, the FTC charged a group of four auto dealers operating in Arizona and New Mexico, near the border of the Navajo Nation, with a range of illegal activities.⁷⁵ These included falsifying consumers' income and down payment information on financing applications and disseminating deceptive ads offering vehicles for sale, financing, and lease. Many of Tate's Auto customers were members of the Navajo Nation, and the dealerships frequently ran radio and print ads in Navajo media. Tate's Auto routinely assigned sales associates to visit the Navajo Reservation and solicit finance applications from consumers as they went about their daily activities. Indeed, a 2014 report by the Navajo Nation Human Rights Commission found that it received more complaints about Tate's Auto than any other dealership.

The FTC's complaint identified a variety of practices that prevented consumers from understanding and reviewing income and down payment information in connection with financing a vehicle. In numerous instances, Tate's Auto employees filled out the contract documents and then presented them to the consumer while distracting, pressuring, and rushing them into signing papers. Approximately 57% of Tate's Auto consumers who funded their purchase through Tate's primary finance company defaulted on their loans, and they were about 10% more likely to default than consumers at other similarly situated dealerships.

The allegedly deceptive advertising employed by Tate's Auto took various forms. For example, one YouTube ad claimed the featured car "can be in your driveway for only \$169 per month."⁷⁶ In fact, though the ad offered the car for purchase or lease, consumers could not buy that car for the advertised monthly payment — that amount applied only to a lease. In addition, the ad did not adequately disclose that, to get that monthly payment, consumers had to pay \$2,899 plus other fees at lease signing. Another online ad listed an "incentive" discount of \$5,250. However, buried behind multiple hyperlinks was the fact that the discount was available only to consumers who traded in a vehicle or terminated a lease from another car company 30 days before or 90 days after delivery. Tate's Auto's social media posts also failed to disclose

⁷³ See John Cromartie and Dennis Vilorio, *Rural Population Trends* (Feb. 15, 2019), available at <https://www.ers.usda.gov/amber-waves/2019/february/rural-population-trends/>.

⁷⁴ See Jeremy Mattson and Dilip Mistry, *Rural Transit Factbook 2022* (Apr. 2022), available at <https://www.ugpti.org/resources/reports/details.php?id=1058>.

⁷⁵ *FTC v. Tate's Auto Ctr.*, No. 3:18-cv-08176 (D. Ariz. filed July 31, 2018), available at <https://www.ftc.gov/enforcement/cases-proceedings/162-3207/tates-auto-center>.

⁷⁶ See *id.*, *Complaint* ¶ 38, available at https://www.ftc.gov/system/files/documents/cases/tates_automotive_complaint.pdf.

terms required under the Truth in Lending Act and the Consumer Leasing Act, according to the complaint.

The FTC settled with and obtained a monetary judgment of \$7.2 million against the dealerships, which were liquidated in Chapter 7 bankruptcy. The Agency subsequently settled with the individual defendant in the case, who was the owner and manager of the auto group, for \$450,000. On September 15, 2022, the FTC distributed close to 3,500 redress checks to Tate's Auto consumers who obtained financing and subsequently had their cars repossessed. During the redress process the FTC provided phone support and had live agents available to answer questions in Navajo related to the case and the refund program. This was accomplished in great part thanks to the collaboration of the Navajo Nation Human Rights Commission. The FTC wishes to acknowledge their valuable assistance during the investigation of this case, the redress process, and beyond. The FTC continues to work with the Navajo Nation Human Rights Commission to resolve individual consumer challenges related to getting or cashing payments.

In *Napleton*, a case brought jointly with the Illinois Attorney General, the FTC alleged that Napleton's parent company, Ed Napleton Automotive Group, and eight of its dealerships engaged in discrimination by charging Black consumers disproportionately more for markups and add-ons — like payment insurance or paint protection.⁷⁷ The FTC alleged these differences could not be explained by factors related to underwriting risk or credit characteristics of the applicants.

According to the joint complaint, the dealerships also used tactics like waiting until the end of the hours-long car-buying process to illegally tack on junk fees for unwanted add-ons into consumers' contracts, even after consumers specifically declined the products or confirmed prices that did not include them. In other instances, consumers were lied to about the add-ons being free or required to purchase or finance the vehicle. A survey of Napleton's consumers cited in the complaint showed that the vast majority of buyers — over 80 percent — were charged for add-ons without authorization or as a result of deception.

Napleton will pay a \$10 million judgment to settle the lawsuit brought by the FTC and the State of Illinois, a record-setting monetary judgment for an FTC auto lending case. Almost all of that amount will be used to redress consumers.

In *Passport Auto Group*, the FTC alleged that the defendant charged Black and Latino consumers more in fees and interest rate markups than White consumers.⁷⁸ This practice violated

⁷⁷ See FTC Press Release, *FTC Takes Action Against Multistate Auto Dealer Napleton for Sneaking Illegal Junk Fees onto Bills and Discriminating Against Black Consumers* (Apr. 1, 2022), available at <https://www.ftc.gov/news-events/news/press-releases/2022/04/ftc-takes-action-against-multistate-auto-dealer-napleton-sneaking-illegal-junk-fees-bills>.

⁷⁸ See FTC Press Release, *Federal Trade Commission Takes Action Against Passport Automotive Group for Illegally Charging Junk Fees and Discriminating Against Black and Latino Customers* (Oct. 18, 2022), available at <https://www.ftc.gov/news-events/news/press-releases/2022/10/federal-trade-commission-takes-action-against-passport-automotive-group-illegally-charging-junk-fees>.

the Equal Credit Opportunity Act, which makes it illegal to discriminate in any aspect of a credit transaction based on things like race, national origin, and age, among others, and also was unfair.

In addition, the FTC alleged that Passport misrepresented the prices it advertised for particular used vehicles. The company frequently charged consumers hundreds or thousands of dollars in additional fees, making the total price of the car substantially higher than advertised. The FTC also alleged that Passport lied to consumers about certain fees being required, such as certification, reconditioning, and inspection fees, when, in reality, they were just bogus fees that Passport had already included in its advertised price.

The order requires Passport to pay \$3.38 million dollars to refund consumers and requires each Passport dealership location to either charge no financing markup or charge the same markup rate to all consumers.

2. Predatory Lending and Other Financial Issues

In *LendingClub*, the FTC alleged that the online lender falsely promised loan applicants they would receive a specific loan amount with “no hidden fees,” when in reality the company deducted hundreds or even thousands of dollars in hidden upfront fees from consumers’ loans.⁷⁹ The FTC also alleged that LendingClub told consumers they were approved for loans when they were not and took money from their bank accounts without authorization. LendingClub was required to pay \$18 million, almost all of which was returned to consumers.⁸⁰ The final order settling the case also bars the company from making misrepresentations to loan applicants and requires that the company clearly and conspicuously disclose the amount of any prepaid, upfront, or origination fee and the total amount of funds that borrowers will receive.

Most recently, in *Credit Karma*, the FTC issued a final order resolving allegations that the company deployed dark patterns in offers that misrepresented consumers’ pre-approval status for third-party financial products, such as credit cards.⁸¹ The complaint alleged that the financial product companies had not pre-approved these consumers, and that, in many instances, almost a third of people who applied for these offers were denied. The complaint further alleged that Credit Karma knew — based on the results of experiments known as A/B testing — that its prominent pre-approval claims conveyed false “certainty” to consumers. However, it continued to use these claims deliberately to influence consumers’ behavior. The FTC also alleged that in cases in which the company revealed that the consumers’ approval was not certain, it still

⁷⁹ See FTC Press Release, *FTC Charges Lending Club with Deceiving Consumers* (Apr. 25, 2018), available at <https://www.ftc.gov/news-events/press-releases/2018/04/ftc-charges-lending-club-deceiving-consumers-0>.

⁸⁰ See FTC Legal Library, *LendingClub Corporation* (last updated Jan. 18, 2022), available at <https://www.ftc.gov/legal-library/browse/cases-proceedings/162-3088-lendingclub-corporation>.

⁸¹ See FTC Press Release, *FTC Takes Action to Stop Credit Karma From Tricking Consumers With Allegedly False “Pre-Approved” Credit Offers* (Sep. 1, 2022), available at <https://www.ftc.gov/news-events/news/press-releases/2022/09/ftc-takes-action-stop-credit-karma-tricking-consumers-allegedly-false-pre-approved-credit-offers>.

misrepresented that consumers' likelihood of approval was 90% or buried the information in disclaimers.

Credit Karma is paying \$3 million in monetary relief for consumers who wasted time applying for the offers, and the company is prohibited from making deceptive approval-related claims. In addition, to help prevent future use of deceptive dark patterns, Credit Karma must preserve records of any market, behavioral, or psychological research, or user, customer, or usability testing, including any A/B testing.

The FTC has also brought multiple law enforcement actions against companies that make false promises of debt relief to consumers dealing with financial insecurity. For example, in *ACRO*, the FTC alleged that the defendants falsely promised to eliminate or substantially reduce credit card debts in 12-18 months and charged illegal fees.⁸² In another recent case, *Home Matters*, the FTC's complaint alleges the scammers charged consumers thousands of dollars for the false promise of negotiating better mortgage terms.⁸³ The FTC has also successfully sued companies that have preyed on consumers with student loan debt. In *Elegant Solutions*, for example, the agency prevailed in a \$27 million case against an operation that falsely promised to obtain low student loan payment terms and pretended to be federal loan servicers in order to collect and divert consumers' student loan payments into their own coffers.⁸⁴

3. Tech Support

The FTC also files actions to shutter types of outright fraud, such as tech support scams. In *Elite IT Partners*, the FTC alleged that the company used Internet ads to target those looking for help recovering their email passwords.⁸⁵ People who responded to Elite's ads were encouraged to provide their names, email addresses, and phone numbers. Elite's telemarketers then reached out to people — often pretending to be associated with well-known companies — and pressured them to provide access to their computers. The telemarketers ran bogus “diagnostic” tests, claimed the computers and personal information were in danger, and convinced many people to pay large sums for immediate cleaning of their computers, antivirus software, and ongoing technical support services. The FTC alleged that the scheme affected tens

⁸² See FTC Press Release, *FTC Halts Debt Relief Scheme that Bilked Millions from Consumers While Leaving Many Deeper in Debt* (Nov. 30, 2022), available at <https://www.ftc.gov/news-events/news/press-releases/2022/11/ftc-halts-debt-relief-scheme-bilked-millions-consumers-while-leaving-many-deeper-debt>.

⁸³ See FTC Press Release, *Federal Trade Commission, California Take Action To Shut Down Mortgage Relief Operation that Preyed on Struggling Homeowners* (Sept. 19, 2022), available at <https://www.ftc.gov/news-events/news/press-releases/2022/09/federal-trade-commission-california-take-action-shut-down-mortgage-relief-operation-preyed>.

⁸⁴ See FTC Legal Library, *Elegant Solutions, Inc. (Mission Hills Federal)* (last updated Jul. 14, 2022), available at <https://www.ftc.gov/legal-library/browse/cases-proceedings/192-3105-elegant-solutions-inc-mission-hills-federal>.

⁸⁵ See FTC Press release, *FTC Halts Tech Support Scam as Part of Major Initiative Focused on Older Adults Hit Hardest by These Scams* (Mar. 7, 2019), available at <https://www.ftc.gov/news-events/news/press-releases/2019/03/ftc-halts-tech-support-scam-part-major-initiative-focused-older-adults-hit-hardest-these-scams>.

of thousands of individuals. Since settling the case, the FTC has distributed hundreds of thousands of dollars in redress payments to consumers.⁸⁶

4. Internet Services

In *Frontier Communications*, the FTC alleged that the company — which provides internet service in many rural areas, including some tribal lands,⁸⁷ over copper telephone wires — in many cases misrepresented its Internet speeds to customers. As part of Frontier’s joint settlement with the FTC and California it is required to, among other things, substantiate its Internet speed claims to new and existing customers and notify them when it is unable to do so; notify customers who are currently receiving copper Internet service at speeds slower than advertised; and allow those customers to change or cancel their service at no charge.

B. Relevant Rulemakings

The FTC has issued four notices of proposed rulemaking related to issues identified as impacting AI/AN communities and which would provide the Agency with better tools to enhance its law enforcement work in these areas.

1. Impersonation

As previously mentioned, according to FTC data, government impersonators are the top fraud type reported to the agency by people living in majority AI/AN communities. It’s also a top fraud reported to the FTC by all other communities year after year. This particular fraud has cost consumers more than \$1.4 billion in the past five years.⁸⁸ The FTC issued a Notice of Proposed Rulemaking⁸⁹ to address deceptive or unfair acts or practices relating to impersonation fraud (“Impersonation NPRM”). The proposed rulemaking is aimed at combating government and business impersonation fraud. Government and business impersonators can take many forms, posing as government officials or representatives from well-known businesses or charities, for example. These fraudsters take people’s money, but also sometimes personal

⁸⁶ See FTC Press release, *FTC Sends Refunds Totaling Nearly \$300,000 to People who Lost Money to a Tech Support Scheme* (Oct. 12, 2021), available at <https://www.ftc.gov/news-events/news/press-releases/2021/10/ftc-sends-refunds-totaling-nearly-300000-people-who-lost-money-tech-support-scheme>.

⁸⁷ See Frontier, *Rural Broadband Deployment: Connecting the Navajo Nation* (Aug. 23, 2019), available at <https://frontier.com/corporate/responsibility/policy-blog/navajo-nation>.

⁸⁸ See Federal Trade Commission, *Explore Government Imposter Scams*, Tableau Public (last visited Mar. 6, 2023), available at <https://public.tableau.com/app/profile/federal.trade.commission/viz/GovernmentImposter/Infographic>.

⁸⁹ See FTC Press release, *FTC Proposes New Rule to Combat Government and Business Impersonation Scams* (Sept. 15, 2022), available at <https://www.ftc.gov/news-events/news/press-releases/2022/09/ftc-proposes-new-rule-combat-government-business-impersonation-scams>.

information that they can use to commit identity theft. The FTC is reviewing and analyzing comments from the public to determine whether to issue a rule. The proposed rule, if adopted, would give the FTC additional tools to fight scammers and return money to consumers harmed by impersonators, including people in AI/AN communities.

2. Junk Fees

The FTC has also issued an Advanced Notice of Proposed Rulemaking⁹⁰ to address “junk fees,” which are unnecessary, unavoidable, or surprise charges that inflate costs while adding little to no value for consumers (“Junk Fees ANPR”). Such fees are frequently bundled as ancillary products in conjunction with large or complicated purchases and loans, including auto financing — an issue that advocates highlighted as having a particular impact on AI/AN populations. The FTC will review comments to the Junk Fees ANPR to determine whether and how a rule on junk fees could address widespread unfair or deceptive practices affecting consumers, including AI/AN populations.

3. Telemarketing of Tech Support Services

As noted above, one type of scam affecting tribal communities is tech support fraud, where scammers convince consumers that there are problems with their computers, and they should buy tech support services or software that they do not need. In April 2022, the FTC issued an Advance Notice of Proposed Rulemaking⁹¹ seeking comment on whether the Telemarketing Sales Rule should be expanded to apply explicitly to inbound telemarketing of tech support services. The FTC will review comments to the ANPR to determine whether and how rulemaking under the Telemarketing Sales Rule could explicitly address tech support fraud caused by inbound telemarketing.

4. Auto

The FTC also issued a Notice of Proposed Rulemaking to protect consumers in the motor vehicle buying and leasing process.⁹² As discussed above, the FTC has brought many enforcement actions against dealers engaged in deceptive or unfair practices, including bait and

⁹⁰ See FTC Press Release, *Federal Trade Commission Explores Rule Cracking Down on Junk Fees* (Oct. 20, 2022), available at <https://www.ftc.gov/news-events/news/press-releases/2022/10/federal-trade-commission-explores-rule-cracking-down-junk-fees>.

⁹¹ See FTC Press release, *Federal Trade Commission Proposes Small Business Protections Against Telemarketing Tricks and Traps* (Apr. 28, 2022), available at <https://www.ftc.gov/news-events/news/press-releases/2022/04/federal-trade-commission-proposes-small-business-protections-against-telemarketing-tricks-traps>.

⁹² See FTC Press Release, *FTC Proposes Rule to Ban Junk Fees, Bait-and-Switch Tactics Plaguing Car Buyers* (June 23, 2022), available at <https://www.ftc.gov/news-events/news/press-releases/2022/06/ftc-proposes-rule-ban-junk-fees-bait-switch-tactics-plaguing-car-buyers>.

switch advertising, and cramming hidden charges.⁹³ In spite of these actions, complaints from consumers related to automobiles remain in the top ten complaint types received by the FTC, with more than 100,000 complaints from consumers annually over the past three years. The FTC is reviewing and analyzing comments from the public to determine whether to issue a rule. The proposed rule, if adopted, would prohibit dealers from making a number of false promises to lure in prospective buyers and would ban dealers from charging fees for add-on products and services that provide no benefits to consumers.

VI. Recommendations

The FTC is committed to protecting AI/AN individuals, and all people, from scams, frauds, and bad business practices. As outlined in previous sections, the FTC found that people living in AI/AN communities experience many of the same scams that people in other communities face. The FTC will continue to fight these scams by using all the tools at its disposal: law enforcement actions, outreach and education efforts, and research. The FTC is also committed to continue improving its targeting abilities to find appropriate cases for law enforcement actions to stop scams, frauds, and bad business practices impacting AI/AN communities. To accomplish this, the FTC will not only study and analyze the reports that come in from AI/AN communities, but also continue meaningful community engagement and dialog as well as conduct and encourage research to deepen its understanding of disparities in AI/AN communities. This will also include strengthening existing relationships, and forming new partnerships, with agencies at the federal, state, and local levels to further encourage information sharing, case referrals, and the opportunity to collaborate on matters whenever possible and logical.

A. Continue to Fight Lawbreaking through Enforcement

The FTC will continue to fight against the frauds and scams facing AI/AN populations, and return money to those affected, when possible. However, the FTC's ability to seek monetary relief for harmed consumers is now substantially limited following the 2021 United States Supreme Court ruling in *AMG Capital Mgmt.* This held, among other things, that the FTC did not have authority to seek equitable monetary relief in cases brought under Section 13(b) of the

⁹³ See also, e.g., Complaint, *FTC v. Liberty Chevrolet, Inc.*, No. 1:20-cv-03945 (S.D.N.Y. May 21, 2020) (alleging deceptive and unauthorized add-on charges in consumers' transactions); Complaint, *FTC v. Universal City Nissan, Inc.*, No. 2:16-cv-07239 (C.D. Cal. Sept. 29, 2016) (alleging dealerships claimed consumers could finance the purchase of vehicles with attractive terms and buried disclosures indicating such terms were applicable to leases only, and alleging deceptive and unauthorized add-on charges in consumers' transactions); Complaint, *In re Progressive Chevrolet Co.*, No. C-4578 (F.T.C. June 13, 2016) (alleging deceptive failure to disclose material conditions of obtaining the lease monthly payment in their online and print advertising); Complaint, *In re Timonium Chrysler, Inc.*, No. C-4429 (F.T.C. Jan. 28, 2014) (alleging dealership advertised internet prices and dealer discounts but failed to disclose consumer would have to qualify for multiple rebates not generally available to them); Complaint, *In re Ganley Ford West, Inc.*, No. C-4428 (F.T.C. Jan. 28, 2014) (alleging dealership advertised discounts on vehicle prices, but failed to disclose discounts were only available on the most expensive models).

FTC Act. Prior to this ruling, the FTC had used its Section 13(b) authority to provide billions of dollars in monetary restitution to consumers affected by unfair or deceptive acts or practices, including people in historically underserved communities. Following the *AMG* decision, the Agency is constrained in its ability to obtain redress for consumers and has sought to increase the tools at its disposal to do so.

B. Continue Education and Outreach Efforts

The Agency will continue to disseminate messaging and create education campaigns to alert the public, including AI/AN communities, about spotting, avoiding, and reporting scams, frauds, and bad business practices. Through the FTC's [ftc.gov/NativeAmerican](https://www.ftc.gov/NativeAmerican) landing page, Consumer Alerts, and other outreach tools, the agency will continue to spread consumer protection messages on government impersonator scams; prize, sweepstakes, and lottery scams; romance scams; and the many other scams and practices identified by AI/AN communities. The Agency will also continue sharing relevant consumer education messaging directly and through community media. These efforts will increase the visibility not only of scams but of the Agency and the importance of reporting, which could lead to further law enforcement cases.

The FTC will also continue collaborations and dialogue with trusted partners to reach AI/AN communities in meaningful and informative ways. While there are limitations on the FTC's ability to provide in-language consumer education resources, the FTC will continue to collaborate with partners to identify opportunities in which we can work together to disseminate information in a way that is welcomed and well-received by these communities.

C. Conduct and Encourage Further Research

Further research on the impacts of deception, fraud, and bad business practices on AI/AN populations would help the FTC identify effective methods for combating these practices. The FTC is committed to review and analysis of consumer reports in the Sentinel database, as well as case and refund data, with a focus on identifying trends and disparities related to fraud and other issues impacting AI/AN communities. The FTC encourages related research by industry, experts, advocates, and other stakeholders to improve understanding about the impacts of consumer fraud on AI/AN populations and guide strategies to fight these impacts.

VII. Appendix

A. Selected Recent Listening Sessions with AI/AN Advocates, Organizations, Tribal Government Representatives, and U.S. Government Agencies

FTC Office	Organization	Date
Division of Consumer and Business Education (DCBE)	National Indian Child Care Association (NICCA)	June 7, 2022
DCBE	Association for American Indian Affairs (AAIA)	June 23, 2022
Northwest Region (NWR)	Yakama Nation Member and Tribal Liaison, Washington State Office of the Attorney General	July 13, 2022
DCBE	National Center for American Indian Enterprise Development (NCAIED)	Jul 19, 2022
Western Region Los Angeles (WRLA)	Redding Rancheria Tribe (Chief Executive Officer)	July 27, 2022
DCBE	Native American Financial Officers Association (NAFOA)	Aug 12, 2022
DCBE	National Council of Urban Indian Health (NCUIH)	Aug 16, 2022
Midwest Region (MWR)	Prairie Band Potawatomi Nation, Kansas (Member)	Aug 26, 2022
MWR	Mni Sota Fund	Aug 30, 2022
Southeast Region (SER)	North Carolina Commission of Indian Affairs	Aug 30, 2022
MWR	Kentucky Indigenous Peoples	Sept 1, 2022
DCBE	American Indian Higher Education Consortium (AIHEC)	Sept 4, 2022
WRLA	ASU Indian Legal Clinic (Director)	Sept 6, 2022
Western Region San Francisco (WRSF)	First Nations Development Institute	Sept 9, 2022
MWR	The Christensen Fund/Tribal Judicial Support Clinic, KU Law	Sept 9, 2022
MWR	Native Governance Center	Sept 9, 2022
WRLA/WRSF	American Indian Chamber of Commerce of California	Sept 14, 2022
WRSF	California Department of Consumer Affairs Tribal Liaison	Sept 20, 2022
NWR	Northwest Justice Project	Oct 5, 2022
East Central Region (ECR)	Michigan Indian Legal Services	Dec 1, 2022
DCBE	Division of Economic Development, Bureau of Indian Affairs, U.S. Department of the Interior	Dec 14, 2022
WRLA/WRSF	California Indian Legal Services	Multiple contacts
WRLA	DNA People's Legal Services	Multiple contacts
MWR	Native CDFI Network/Native360 Loan Fund	Multiple contacts
DCBE	Native Learning Center (NLC)	Multiple contacts
WRLA/Southwest Region (SWR)	Navajo Nation Human Rights Commission	Multiple contacts

SWR/ DCBE	Oklahoma Native Assets Coalition (ONAC)	Multiple contacts
DCBE	Office of Native American Programs, U.S. Department of Housing and Urban Development	Multiple contacts
WRLA	Southern California American Indian Resource Center	Multiple contacts

B. Selected Recent Outreach Events by FTC Staff

FTC Office	Name of Event/Organization	Location	Date	Description
DCBE	Dineh Chamber of Commerce	Virtual	Aug 8, 2022	FTC staff presented on scams targeting small businesses, cybersecurity resources, and how to report fraud during Chamber of Commerce meeting.
SWR/ Division of Privacy and Identity Protection (DPIP)	Southwestern Association of American Indian Art's (SWAIA) 100th Annual Indian Market	Santa Fe, NM	Aug 20-21, 2022	As they have in previous years, FTC staff attended and distributed consumer education materials on identity theft, laptop security, money matters, and purchasing authentic Native American arts and crafts.
SER	Eastern and Midwestern Conference on the Workforce Innovation and Opportunities Act	Myrtle Beach, SC	Sept 12, 2022	FTC staff presented during a training session for Native American jobseekers and members of tribal government employment offices.
DCBE	Native Learning Center (NLC)	Virtual	Oct 1, 2022	FTC staff recorded four episodes of NLC's podcast and presented one webinar. Podcast episodes focused on 1) spotting, avoiding, and reporting scams; 2) spotting and avoiding phone scams; and 3) avoiding bogus money-making schemes and business opportunities. The webinar focused on red flags when buying and financing cars.
DCBE	Native American Financial Officers Association (NAFOA)	Mashantucket, CT	Oct 2-3, 2022	FTC staff attended NAFOA's annual conference and distributed FTC consumer education resources to attendees.
DPIP	Indian Country Today (ICT)	Virtual	Oct 17, 2022	FTC staff were interviewed about avoiding identity theft and holiday shopping scams.

DPIP/SWR	Oklahoma Native Assets Coalition (ONAC)	Virtual	Oct 19, 2022	FTC staff co-hosted and presented a webinar on identity theft.
NWR	Alaska Federation of Natives Annual Convention	Anchorage, AK	Oct 20-21, 2022	FTC staff distributed resources at a consumer information booth with the Indian Arts and Crafts Board.
WRSF	National Congress of American Indian's 79th Annual Convention and Marketplace	Sacramento, CA	Nov 2, 2022	Staff attended and made connections for outreach with the American Indian Chamber of Commerce, among others. This included plans for further outreach in 2023 with the Chamber's Education Fund.
WRLA/SWR	DNA People's Legal Services	Virtual	Nov 10, 2022	FTC staff invited a representative from DNA People's Legal Services and a client from Navajo Nation to speak during the FTC's briefing for Native American media.
DCBE	Native American Media Outlets (multiple)	Virtual	Nov 10, 2022	FTC staff held a media briefing on scams and reporting fraud with Native American media.
MWR	Native CDFI Network (NCN)	Virtual	Nov 10, 2022	FTC staff presented to NCN members on common scams and FTC resources.
MWR	Minnesota Indian Affairs Council	Virtual	Nov 16, 2022	FTC staff presented at quarterly meeting.

C. Sampling of FTC Events Shared by Partners: FTC Presentation to Dineh Chamber of Commerce (Aug 2022)

The screenshot shows the homepage of the Dineh Chamber of Commerce. The header includes the organization's logo, name, and navigation links. A prominent banner features the Navajo Nation Public Health Emergency Order and the slogan "iiná, siihasin, dóó k'e Let's Succeed Together". Below the banner, an "Events" section highlights a "MONDAY CALL" on August 15, 2022, with a photo of a group of people and a link to the event. To the right, a calendar for August 2022 is visible.

Chamber of Commerce | Dineh Chamber of Commerce
https://www.dinehchamber.org

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Navajo Nation Public Health Emergency Orders

iiná, siihasin, dóó k'e
Let's Succeed Together

Events

MONDAY CALL
August 15, 2022

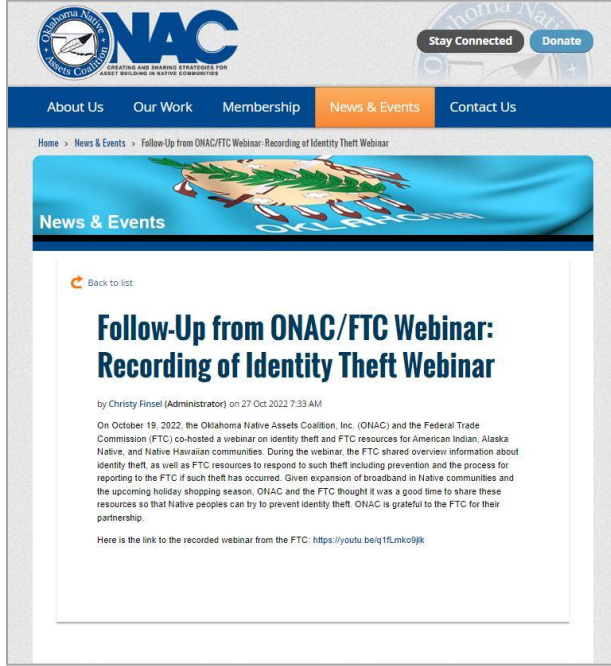
Rosario Mendez, Attorney, Division of
Consumer and Business Education,
Federal Trade Commission

[Click Here to go to the
Monday Call](#)

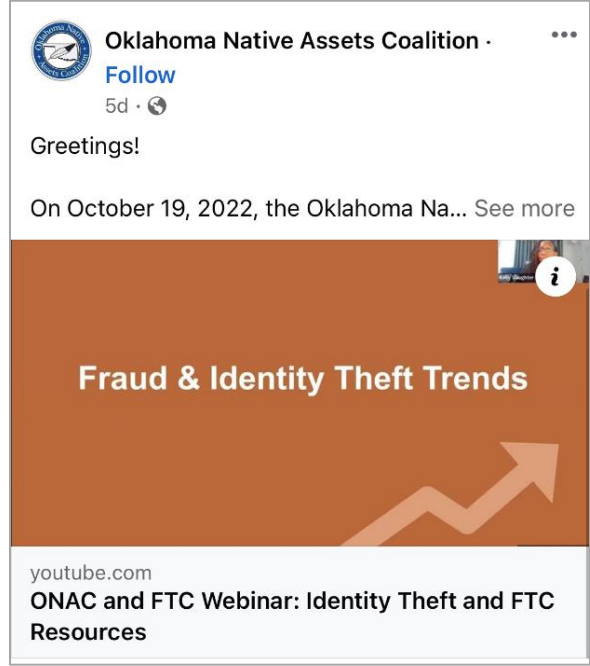
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D. Sampling of FTC Events Shared by Partners: ONAC Webinar on Identity Theft and FTC Resources (Oct 2022)



The screenshot shows the ONAC website's 'News & Events' page. At the top, there is a navigation bar with 'About Us', 'Our Work', 'Membership', 'News & Events', and 'Contact Us'. Below the navigation bar, there is a banner image with the text 'News & Events' and 'OKLAHOMA'. The main content area features a 'Back to list' link and a news article titled 'Follow-Up from ONAC/FTC Webinar: Recording of Identity Theft Webinar' by Christy Finsel (Administrator) on 27 Oct 2022 7:33 AM. The article text describes a webinar on identity theft and FTC resources for American Indian, Alaska Native, and Native Hawaiian communities. At the bottom, there is a link to the recorded webinar from the FTC: <https://youtu.be/q1fLmk09jk>.



The screenshot shows a social media post from the Oklahoma Native Assets Coalition. The post includes the organization's name, a 'Follow' button, and a timestamp of '5d'. The text of the post says 'Greetings!' and 'On October 19, 2022, the Oklahoma Na... See more'. Below the text is a video thumbnail with the title 'Fraud & Identity Theft Trends' and a play button icon. At the bottom, there is a link to the video on YouTube: 'youtube.com ONAC and FTC Webinar: Identity Theft and FTC Resources'.

E. News Briefing for Native American Media: Invitation

EMS and the Federal Trade Commission invite you to a news briefing for Native American news media

Spotting and Avoiding Scams in Indian Country

WHEN:

Thursday, Nov. 10, 11:00 am -12 noon PT | 1:00 - 2:00 pm CT | 2:00 - 3:00 pm ET

REGISTER:

Register in advance for this meeting: [Click here](#)

After registering, you will receive a confirmation email containing your individual link and information about joining the meeting.

WHY:

The FTC – the leading federal agency charged with protecting consumers from fraud – brings law enforcement actions to stop scams, but its effectiveness depends on hearing from people about the scams targeting them. Every year, scammers steal hundreds of millions of dollars from people by pretending to be the government or tech support, selling useless products, or promoting fake lotteries and sweepstakes. This briefing will report on a new national initiative by the FTC to build public awareness among Native Americans about how to spot and avoid scams in their communities, as well as where to report them. The briefing will share with Native American news media the most recent FTC data on fraud and scams; legal action the FTC has taken to fight fraud and even get money back for people who lost it to scams or bad business practices; and free resources to inform people and help them protect themselves from scams. It will also include first-person testimonies from two members of the Navajo Nation about the bad business practices they encountered and what actions they took to defend themselves.

WHO:

Monica Vaca, Deputy Director, Bureau of Consumer Protection, Federal Trade Commission (Washington DC)

Joannie Wei, Assistant Director, Federal Trade Commission, Midwest Region (Chicago)

Michael Elliot, Staff Attorney, DNA-People's Legal Services (Flagstaff)

Two members of the Navajo Nation, who recently experienced consumer fraud

CONTACT:

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**FEDERAL TRADE
COMMISSION**



Promoting cross cultural communications

F. Scripts for Live Announcer and Radio Spots Placed on AI/AN Media Outlets

Autos

15 seconds: You've probably seen those car ads — low price! low payments! But when you get to the dealer, there could be a catch. If a dealer isn't honest when it comes to its car ads, tell the Federal Trade Commission at Report Fraud-dot-FTC-dot-gov. A message from the Federal Trade Commission.

30 seconds: You see the car ads — low price, low payments. Sounds good, but when you get to the dealer, there could be a catch. The dealer may try to add things like extra products or services — at extra cost. And to get that low monthly payment, you might have to make a **big** down payment. The bottom line is this: If you can't get the advertised deal, or one you feel good about, **walk away**. If a dealer isn't honest when it comes to its car ads, tell the Federal Trade Commission, the nation's consumer protection agency, at Report Fraud-dot-FTC-dot-gov. A message from the Federal Trade Commission.

Gift Card Scams

15 seconds: What if someone said you owe money to the IRS and have to pay with a gift card? Or, they ask for a gift card so you can avoid going to jail. Stop! It's a scam. Gift cards are for gifts, not payments. Report scams at Report Fraud-dot-FTC-dot-gov. A message from the Federal Trade Commission.

30 seconds: What if someone said you owe money to the IRS and have to pay with a gift card? What if they ask for a gift card so you can avoid arrest, help a family member, or keep your Social Security benefits? No **real** business or government agency will **ever** tell you to pay with a gift card. Anyone who does is a scammer. Gift cards are for gifts, not for paying someone. If anyone tells you to pay with a gift card, tell the Federal Trade Commission, the nation's consumer protection agency, at Report Fraud-dot-FTC-dot-gov. A message from the Federal Trade Commission.