

119TH CONGRESS
1ST SESSION

S. 3540

To ensure that large online platforms are addressing the needs of non-English users.

IN THE SENATE OF THE UNITED STATES

DECEMBER 17, 2025

Mr. LUJÁN (for himself, Mr. WYDEN, Mr. PADILLA, and Ms. HIRONO) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To ensure that large online platforms are addressing the needs of non-English users.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Language-Inclusive Support and Transparency for On-
6 line Services Act of 2025” or the “LISTOS Act of 2025”.

7 (b) TABLE OF CONTENTS.—The table of contents of
8 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Sense of Congress.
- Sec. 3. Duty to ensure consistent enforcement.
- Sec. 4. Disclosures on staffing and automated processes.

Sec. 5. Consistent access to tools and documentation.
 Sec. 6. Advisory Group.
 Sec. 7. Enforcement.
 Sec. 8. Regulations.
 Sec. 9. Effective dates.
 Sec. 10. Definitions.

1 SEC. 2. SENSE OF CONGRESS.

2 It is the sense of Congress that—

3 (1) substantial and deliberate investments
 4 across languages are essential to protect the safety
 5 of users online and ensure equitable access to digital
 6 spaces;

7 (2) online platforms have historically under-in-
 8 vested in ensuring non-English content moderation
 9 and automated content detection and filtering proc-
 10 esses keep pace with their English counterparts, pro-
 11 viding little transparency into the efficacy of efforts
 12 to detect, review, and remove content that violates
 13 laws or platform policies across languages;

14 (3) this difference in enforcement for platforms’
 15 existing policies and uneven moderation practices
 16 across both manual and automated processes has in-
 17 creased the proliferation of illegal and harmful con-
 18 tent across many languages and the deliberate tar-
 19 geting of non-English-speaking communities for
 20 fraud and harassment; and

21 (4) any reform effort for online platform safety
 22 must ensure equitable investment across languages

1 in order to promote economic opportunity, public
2 health, and civil rights.

3 **SEC. 3. DUTY TO ENSURE CONSISTENT ENFORCEMENT.**

4 (a) IN GENERAL.—The operator of a covered plat-
5 form shall provide that processes used by the platform for
6 detecting, suppressing, and removing illegal content, or
7 content that otherwise violates platform policies, are rea-
8 sonably consistent for languages in which the covered plat-
9 form engages in monetization practices.

10 (b) CONSIDERATIONS.—Any entity enforcing or pro-
11 mulgating rules under subsection (a) shall take into con-
12 sideration factors that may impact the covered platform’s
13 ability to enforce its policies with respect to content in a
14 given language, including staffing levels and language pro-
15 ficiency, or the effectiveness of automated systems de-
16 signed to filter or flag content for additional review.

17 (c) EXCEPTIONS.—Subsection (a) shall not apply—

18 (1) to a messaging service provided by a cov-
19 ered platform to the extent that such service em-
20 ploys end-to-end encryption; and

21 (2) to a language in which a covered platform
22 offers a service if such language is used by fewer
23 than 100,000 users of the service for 9 or more of
24 the past 12 months within the United States.

1 (d) RULE OF CONSTRUCTION; LIMITATION ON REGU-
 2 LATION.—Nothing in this section shall be construed to re-
 3 quire, and no regulation issued by the Commission to
 4 carry out this section may require, that a covered platform
 5 take any particular action on a specific piece of content
 6 or class of content.

7 **SEC. 4. DISCLOSURES ON STAFFING AND AUTOMATED**
 8 **PROCESSES.**

9 (a) IN GENERAL.—The operator of a covered plat-
 10 form shall, not less than annually, submit to the Commis-
 11 sion and make available to the public, in a machine-read-
 12 able format, a clear and easily comprehensible report on
 13 any manual and algorithmic content moderation that the
 14 covered platform engaged in during the relevant period.
 15 Each such report shall be in compliance with the rules
 16 established under subsection (b).

17 (b) RULES.—The Commission shall, in accordance
 18 with section 8, establish rules for reports under subsection
 19 (a). Such rules shall require that a report include the fol-
 20 lowing information:

21 (1) CONTENT MODERATION STAFFING.—

22 (A) IN GENERAL.—The number of staff
 23 employed by the covered platform (whether di-
 24 rectly employed by the platform or contracted
 25 through a third party) for the purposes of

1 manually reviewing content for removal or other
2 interventions, in aggregate and broken down
3 by—

4 (i) the countries in which the employ-
5 ees are located;

6 (ii) the geographic or regional area to
7 which the employees are assigned; and

8 (iii) languages spoken by the employ-
9 ees relevant to their employment and their
10 levels of language proficiency.

11 (B) STAFF SUPPORT.—A description of the
12 training and support provided to content mod-
13 eration staff, including—

14 (i) the training processes and guide-
15 lines provided;

16 (ii) the support services, such as men-
17 tal health services, available to the em-
18 ployee; and

19 (iii) if training or support services dif-
20 fer by factors such as geographic region,
21 languages spoken, or direct-hire versus
22 contracted employees, descriptions and
23 breakdowns of such differences.

24 (2) AUTOMATED CONTENT DETECTION AND DE-
25 CISION-MAKING PROCESSES.—If the covered plat-

1 form elects to use algorithmic processes to detect
2 content for additional manual review or automated
3 decision-making for content moderation, information
4 on such processes, including—

5 (A) performance metrics that are mon-
6 itored to ensure consistent behavior for such
7 processes across languages and the languages
8 that are monitored; and

9 (B) other safeguards in place to ensure
10 consistent behavior of such systems across lan-
11 guages.

12 (3) MONETIZATION ACROSS LANGUAGES.—The
13 list of languages in which the covered platform en-
14 engages in monetization practices and the percentage
15 breakdown by language of the covered platform’s
16 revenue throughout the duration of the relevant re-
17 porting period.

18 (4) IN-LANGUAGE REVIEW.—Of all content that
19 is manually reviewed by staff, provide information
20 on content that is reviewed in the original language
21 used to create the content rather than being subject
22 to automated translation before review, including—

23 (A) the percentage of content reviewed in
24 the original language for each language in

1 which the covered platform engages in mone-
2 tization practices; and

3 (B) a description of the policies governing
4 whether and to what extent content will be
5 manually reviewed in the original language or
6 automatically translated prior to manual review.

7 (5) TRANSLATION AND REVIEW PROCESSES.—
8 With respect to the content review practices of the
9 covered platform—

10 (A) the list of languages in which content
11 is reviewed without translation; and

12 (B) for languages in which automated
13 translation is applied prior to manual review, a
14 description of—

15 (i) the process by which content is
16 translated; and

17 (ii) the process by which that content
18 is reviewed and how, if at all, that process
19 differs from the process used to review
20 content in the original language.

21 (6) CONTENT MODERATION OUTCOME MEAS-
22 URES.—

23 (A) NUMBER OF CONTENT TAKEDOWNS.—
24 The number of content takedowns over the rel-
25 evant reporting period for each language in

1 which the covered platform engages in mone-
2 tization practices.

3 (B) RESPONSE TIME.—The average re-
4 sponse time to user-initiated takedown or con-
5 tent review requests over the relevant reporting
6 period for each language in which the covered
7 platform engages in monetization practices.

8 (7) ADDITIONAL INFORMATION.—Other infor-
9 mation determined appropriate by the Commission,
10 including additional categories or criteria relevant to
11 the information described in paragraphs (1), (2),
12 and (4).

13 **SEC. 5. CONSISTENT ACCESS TO TOOLS AND DOCUMENTA-**
14 **TION.**

15 The operator of a covered platform shall—

16 (1) provide that all user tools for reporting con-
17 tent for review or automated action are accessible
18 across all languages in which the covered platform
19 offers its service; and

20 (2) post all platform policies and other informa-
21 tion concerning acceptable use of the covered plat-
22 form in the same manner for all languages in which
23 the platform offers its service.

1 **SEC. 6. ADVISORY GROUP.**

2 (a) ESTABLISHMENT.—Not later than 360 days after
 3 the date of enactment of this Act, the Commission shall
 4 establish a group to be known as the “Advisory Group
 5 on Language-Sensitive Technologies” (referred to in this
 6 section as the “Advisory Group”).

7 (b) DUTIES.—

8 (1) IN GENERAL.—The Advisory Group shall
 9 provide consensus advice and guidance to the Com-
 10 mission on best practices for private enterprises or
 11 public entities using covered technology that may
 12 have different performance outcomes depending on
 13 the underlying language of the content being ana-
 14 lyzed in order to ensure the nondiscriminatory appli-
 15 cation of such technology.

16 (2) COVERED TECHNOLOGY.—For purposes of
 17 paragraph (1), the term “covered technology” means
 18 technology used to—

19 (A) detect and process input language
 20 from sources, such as analog text and audio,
 21 into a machine-readable format, such as speech
 22 and optical character recognition;

23 (B) process or generate language stored in
 24 a machine-readable format, such as natural lan-
 25 guage processing, including large language
 26 models;

1 (C) detect and process images and videos
2 into a machine-readable format, or process im-
3 ages or videos stored in a machine-readable for-
4 mat; and

5 (D) make automated decisions related to
6 content removal, ranking, or presentation to a
7 user of an online platform.

8 (3) MEMBERSHIP.—The Commission shall ap-
9 point the members of the Advisory Group. In mak-
10 ing such appointments, the Commission shall provide
11 that the membership of the Advisory Group—

12 (A) includes different points of view and
13 background experience; and

14 (B) includes both Federal employees and
15 non-Federal employee stakeholders, including
16 representatives of communities most impacted
17 by the systemic risks of harmful non-English
18 language content and current or former content
19 moderators and employees of covered platforms.

20 (4) REPORT.—The Commission shall make
21 available on its website the findings of the Advisory
22 Group with recommendations and best practices as
23 reported by the Advisory Group concerning the use
24 of covered technology.

1 (c) NON-APPLICABILITY OF THE FEDERAL ADVI-
2 SORY COMMITTEE ACT.—Chapter 10 of title 5, United
3 States Code, shall not apply to the Advisory Group.

4 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
5 authorized to be appropriated to the Advisory Group such
6 sums as are necessary to carry out the requirements of
7 this section.

8 **SEC. 7. ENFORCEMENT.**

9 (a) ENFORCEMENT BY THE FEDERAL TRADE COM-
10 MISSION.—

11 (1) UNFAIR OR DECEPTIVE ACTS OR PRAC-
12 TICES.—A violation of section 3, 4, or 5 shall be
13 treated as a violation of a rule defining an unfair or
14 a deceptive act or practice under section 18(a)(1)(B)
15 of the Federal Trade Commission Act (15 U.S.C.
16 57a(a)(1)(B)).

17 (2) POWERS OF COMMISSION.—

18 (A) IN GENERAL.—The Commission shall
19 enforce this Act in the same manner, by the
20 same means, and with the same jurisdiction,
21 powers, and duties as though all applicable
22 terms and provisions of the Federal Trade
23 Commission Act (15 U.S.C. 41 et seq.) were in-
24 corporated into and made a part of this Act.

1 (B) PRIVILEGES AND IMMUNITIES.—Any
 2 person who violates section 3, 4, or 5 shall be
 3 subject to the penalties and entitled to the
 4 privileges and immunities provided in the Fed-
 5 eral Trade Commission Act (15 U.S.C. 41 et
 6 seq.).

7 (C) AUTHORITY PRESERVED.—Nothing in
 8 this Act shall be construed to limit the author-
 9 ity of the Federal Trade Commission under any
 10 other provision of law.

11 (b) ENFORCEMENT BY STATES.—

12 (1) IN GENERAL.—In any case in which the at-
 13 torney general of a State has reason to believe that
 14 an interest of the residents of the State has been or
 15 is threatened or adversely affected by the engage-
 16 ment of any person subject to section 3 or 5 in a
 17 practice that violates such section, the attorney gen-
 18 eral of the State may, as *parens patriae*, bring a
 19 civil action on behalf of the residents of the State in
 20 an appropriate district court of the United States—

21 (A) to enjoin further violation of such sec-
 22 tion by such person;

23 (B) to compel compliance with such sec-
 24 tion; and

1 (C) to obtain damages, restitution, or other
2 compensation on behalf of such residents.

3 (2) SCOPE OF JURISDICTION.—The attorney
4 general of a State may not bring a civil action under
5 this subsection against a person for a violation of
6 section 3 or 5 if the Commission would not be able
7 to bring an enforcement action against the person
8 for such violation under subsection (a) because the
9 person is exempt from coverage under the Federal
10 Trade Commission Act (15 U.S.C. 41 et seq.).

11 (3) RIGHTS OF FEDERAL TRADE COMMIS-
12 SION.—

13 (A) NOTICE TO FEDERAL TRADE COMMIS-
14 SION.—

15 (i) IN GENERAL.—Except as provided
16 in clause (iii), the attorney general of a
17 State shall notify the Commission in writ-
18 ing that the attorney general intends to
19 bring a civil action under paragraph (1)
20 before initiating the civil action.

21 (ii) CONTENTS.—The notification re-
22 quired by clause (i) with respect to a civil
23 action shall include a copy of the complaint
24 to be filed to initiate the civil action.

1 (iii) EXCEPTION.—If it is not feasible
 2 for the attorney general of a State to pro-
 3 vide the notification required by clause (i)
 4 before initiating a civil action under para-
 5 graph (1), the attorney general shall notify
 6 the Commission immediately upon insti-
 7 tuting the civil action.

8 (B) INTERVENTION BY FEDERAL TRADE
 9 COMMISSION.—The Commission may—

10 (i) intervene in any civil action
 11 brought by the attorney general of a State
 12 under paragraph (1); and

13 (ii) upon intervening—

14 (I) be heard on all matters aris-
 15 ing in the civil action; and

16 (II) file petitions for appeal.

17 (4) INVESTIGATORY POWERS.—Nothing in this
 18 subsection may be construed to prevent the attorney
 19 general of a State from exercising the powers con-
 20 ferred on the attorney general by the laws of the
 21 State to conduct investigations, to administer oaths
 22 or affirmations, or to compel the attendance of wit-
 23 nesses or the production of documentary or other
 24 evidence.

1 (5) PREEMPTIVE ACTION BY FEDERAL TRADE
2 COMMISSION.—If the Commission institutes a civil
3 action or an administrative action with respect to a
4 violation of section 3 or 5, the attorney general of
5 a State may not, during the pendency of such ac-
6 tion, bring a civil action under paragraph (1)
7 against any defendant named in the complaint of the
8 Commission for the violation with respect to which
9 the Commission instituted such action.

10 (6) VENUE; SERVICE OF PROCESS.—

11 (A) VENUE.—Any action brought under
12 paragraph (1) may be brought in—

13 (i) the district court of the United
14 States that meets applicable requirements
15 relating to venue under section 1391 of
16 title 28, United States Code; or

17 (ii) another court of competent juris-
18 diction.

19 (B) SERVICE OF PROCESS.—In an action
20 brought under paragraph (1), process may be
21 served in any district in which the defendant—

22 (i) is an inhabitant; or

23 (ii) may be found.

24 (7) ACTIONS BY OTHER STATE OFFICIALS.—

1 (A) IN GENERAL.—In addition to civil ac-
2 tions brought by attorneys general under para-
3 graph (1), any other consumer protection offi-
4 cer of a State who is authorized by the State
5 to do so may bring a civil action under para-
6 graph (1), subject to the same requirements
7 and limitations that apply under this subsection
8 to civil actions brought by attorneys general.

9 (B) SAVINGS PROVISION.—Nothing in this
10 subsection may be construed to prohibit an au-
11 thorized official of a State from initiating or
12 continuing any proceeding in a court of the
13 State for a violation of any civil or criminal law
14 of the State.

15 **SEC. 8. REGULATIONS.**

16 (a) IN GENERAL.—The Commission shall, pursuant
17 to section 553 of title 5, United States Code, promul-
18 gate—

19 (1) regulations to carry out the provisions of
20 sections 3 and 4; and

21 (2) such other regulations as the Commission
22 determines necessary to carry out the provisions of
23 this Act.

24 (b) TIMING.—The Commission shall begin the rule-
25 making process for promulgating regulations to carry out

1 the provisions of sections 3 and 4 not later than 120 days
 2 after the date of enactment of this Act.

3 **SEC. 9. EFFECTIVE DATES.**

4 The requirements of sections 3 and 4 shall take effect
 5 120 days after the promulgation by the Commission of
 6 regulations to carry out such sections, and the require-
 7 ments of section 5 shall take effect 120 days after the
 8 date of enactment of this Act.

9 **SEC. 10. DEFINITIONS.**

10 In this Act:

11 (1) COMMISSION.—The term “Commission”
 12 means the Federal Trade Commission.

13 (2) COVERED PLATFORM.—The term “covered
 14 platform” means a website, internet application, or
 15 mobile internet application that—

16 (A) allows users to create, share, view, or
 17 search for and access user-generated or third-
 18 party content, including a social media plat-
 19 form, online search engine, and a service with
 20 direct or group messaging capabilities; and

21 (B) has had at least 10,000,000 monthly
 22 active users for 3 or more of the past 12
 23 months within the United States.

24 (3) MONETIZATION PRACTICES.—The term
 25 “monetization practices” means any avenues

1 through which a covered platform might garner rev-
2 enue, including accepting monetary, in-kind, or other
3 compensation—

4 (A) in exchange for displaying or ampli-
5 fying specific content; or

6 (B) from businesses or other entities to
7 utilize the covered platform as a means to find,
8 charge, or communicate with customers.

9 (4) PLATFORM POLICIES.—The term “platform
10 policies” means any terms, conditions, and clauses,
11 regardless of their name or form, which govern the
12 contractual relationship between a covered platform
13 and a user, or any community guidelines that a cov-
14 ered platform maintains that govern conduct on the
15 covered platform.

○