

119TH CONGRESS
1ST SESSION

H. R. 5681

To require the reporting of certain terms of service of social media companies for purposes of limiting the online presence of terrorist organizations.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 3, 2025

Mr. GOTTHEIMER (for himself and Mr. BACON) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Permanent Select Committee on Intelligence, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require the reporting of certain terms of service of social media companies for purposes of limiting the online presence of terrorist organizations.

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.**

4 This Act may be cited as the “Stopping Terrorists
5 Online Presence and Holding Accountable Tech Entities
6 Act of 2025” or as the “STOP HATE Act of 2025”.

1 **SEC. 2. STOPPING TERRORISTS ONLINE PRESENCE AND**
2 **HOLDING ACCOUNTABLE TECH ENTITIES.**

3 (a) **TERMS OF SERVICE PUBLICATION.—**

4 (1) **IN GENERAL.—**No later than 180 days after
5 the date of enactment of this section, each social
6 media company described in subsection (f)(4) shall
7 publish terms of service, or lack thereof, for each so-
8 cial media platform owned or operated by the com-
9 pany in a manner reasonably designed to inform all
10 users of the social media platform of the existence
11 and contents of the terms of service applicable to the
12 following:

13 (A) A foreign terrorist organization des-
14 igned under section 219 of the Immigration
15 and Nationality Act.

16 (B) Individuals or entities designated as
17 Specially Designated Global Terrorists under
18 Executive Order 13224.

19 (2) **ADDITIONAL PUBLICATION OF INFORMA-**
20 **TION.—**In addition to the terms of service published
21 pursuant to paragraph (1), the social media com-
22 pany shall also publish the following information:

23 (A) Contact information for the purpose of
24 allowing users to ask the social media company
25 questions about the terms of service.

26 (B) A description of—

1 (i) the process that a user must fol-
2 low—

3 (I) to flag an item of content
4 that the user believes violates the
5 terms of service; or

6 (II) to flag a group or another
7 user that the user believes has vio-
8 lated the terms of service; and

9 (ii) the social media company's com-
10 mitments on response and resolution time.

11 (C) A list of ways in which an item of con-
12 tent or a user may be actioned by the social
13 media company.

14 (b) TERMS OF SERVICE REPORT TO THE ATTORNEY
15 GENERAL.—

16 (1) IN GENERAL.—Each social media company
17 shall electronically submit, on a triannual basis, a
18 terms of service report to the Attorney General pur-
19 suant to paragraph (2), regarding information and
20 enforcement of the terms of service identified in sub-
21 section (a)(1), that will include the following:

22 (A) The version of the terms of service for
23 each social media platform owned or operated
24 by the company in effect as of the date of the
25 report.

1 (B) Data related to violations of the terms
2 of service of identified under subsection (a), in-
3 cluding the following:

4 (i) The total number of items of con-
5 tent flagged.

6 (ii) The total number of actioned
7 items of content.

8 (iii) The total number of actioned
9 items of content that resulted in action
10 taken by the social media company against
11 the user or group of users responsible for
12 the content.

13 (iv) The total number of actioned
14 items of content that were removed, de-
15 monetized, or deprioritized by the social
16 media company.

17 (v) The number of times actioned
18 items of content were viewed by users.

19 (vi) The number of times actioned
20 items of content were shared, and the
21 number of users that viewed the content
22 before it was actioned.

23 (vii) The number of times users ap-
24 pealed social media company actions taken
25 on that platform and the number of rever-

1 sals of social media company actions on
2 appeal disaggregated by each type of ac-
3 tion.

4 (C) All information required by subpara-
5 graph (B) shall be disaggregated into the fol-
6 lowing categories:

7 (i) The category of content, including
8 any relevant categories described in sub-
9 paragraph (B).

10 (ii) The type of content, including
11 posts, comments, messages, profiles of
12 users, or groups of users.

13 (iii) The type of media of the content,
14 including text, images, and videos.

15 (iv) How the content was flagged, in-
16 cluding whether the content was flagged
17 by—

18 (I) company employees or con-
19 tractors of the social media company;

20 (II) artificial intelligence soft-
21 ware;

22 (III) community moderators of
23 the social media platform;

24 (IV) civil society partners; or

1 (V) users of the social media
2 platform.

3 (v) How the content was actioned, in-
4 cluding whether the content was actioned
5 by—

6 (I) employees or contractors of
7 the social media company;

8 (II) artificial intelligence soft-
9 ware;

10 (III) community moderators of
11 the social media platform;

12 (IV) civil society partners; and

13 (V) actioned by users.

14 (D) A complete and detailed evaluation of
15 the changes over time, including identifiable
16 trends and analysis, with respect to the infor-
17 mation in subparagraphs (A) through (C) since
18 the previous report, if applicable, and those
19 thereafter.

20 (2) DEADLINE.—Not later than 360 days after
21 the date of enactment of this section, each social
22 media company shall submit the first report required
23 pursuant to paragraph (1). After the submission of
24 the first report, the following reports will occur no

1 later than January 31, April 30, and October 31 the
2 following years.

3 (3) PUBLICATION.—The Attorney General shall
4 make all reports submitted under this section avail-
5 able to the public in a searchable repository on the
6 website of the Department of Justice.

7 (c) CIVIL PENALTY.—

8 (1) IN GENERAL.—The Attorney General may
9 bring an action for a civil penalty of not more than
10 \$5,000,000 per violation per day against any social
11 media company that does not submit a report re-
12 quired under subsection (b).

13 (2) VIOLATIONS.—A social media company
14 shall be considered in violation of the provisions of
15 this chapter for each day the social media company
16 does any of the following:

17 (A) Fails to post terms of service in ac-
18 cordance with subsection (a).

19 (B) Fails to timely submit to the Attorney
20 General a report required pursuant to sub-
21 section (b).

22 (C) Materially omits or misrepresents re-
23 quired information in a report submitted pursu-
24 ant to subsection (b).

25 (d) REPORTS.—

1 (1) NATIONAL INTELLIGENCE ESTIMATE.—Not
2 later than 360 days after the date of enactment of
3 this section, the Director of National Intelligence
4 shall submit a National Intelligence Estimate on the
5 use of platforms by the individuals and entities iden-
6 tified under subsection (a)(1) to Congress. The Di-
7 rector shall ensure an unclassified version of the as-
8 sessment is published on the Department’s website
9 no later than 30 days following the submission to
10 Congress.

11 (2) COMPTROLLER GENERAL REPORTS.—Not
12 later than 540 days after the date of enactment of
13 this section, and then again 540 days after, the
14 Comptroller General shall submit to Congress re-
15 ports on the implementation of this section.

16 (e) SUNSET.—The authority to carry out this section
17 shall terminate on the date that is 5 years after the date
18 of enactment of this section.

19 (f) DEFINITIONS.—In this section:

20 (1) ACTIONED.—The term “actioned” means
21 that, pursuant to a violation of the terms of service
22 of a social media platform—

23 (A) in the case of an item of content, that
24 item of content was removed, demonetized, or
25 deprioritized from the social media platform; or

1 (B) in the case of a user, that user was
2 banned from the social media platform, or the
3 account of that user was demonetized.

4 (2) CONTENT.—The term “content” means, on
5 an internet-based service or application—

6 (A) a statement or comment made by a
7 user; or

8 (B) media that are created, posted, shared,
9 or otherwise interacted with by a user.

10 The term does not include media on a service or ap-
11 plication exclusively for the purpose of cloud storage,
12 transmitting files, or file collaboration.

13 (3) SOCIAL MEDIA PLATFORM.—The term “so-
14 cial media platform” means any entity subject to the
15 jurisdiction of the Federal Trade Commission under
16 section 5(a)(2) of the Federal Trade Commission
17 Act (15 U.S.C. 45(a)(2)) that—

18 (A) is a website, desktop application, or
19 mobile application that—

20 (i) permits a person to become a reg-
21 istered user, establish an account, or create
22 a profile for the purpose of allowing the
23 user to create, share, and view user-gen-
24 erated content through such an account or
25 profile;

1 (ii) enables one or more users to gen-
2 erate content that can be viewed by other
3 users of the platform; and

4 (iii) primarily serves as a medium for
5 users to interact with content generated by
6 other users of the platform and for the
7 platform to deliver ads to users; and

8 (B) has at least 25,000,000 unique month-
9 ly users in the United States for a majority of
10 the months in the most recent 12-month period.

11 (4) SOCIAL MEDIA COMPANY.—The term “social
12 media company” means a person or entity that owns
13 or operates one or more social media platforms.

14 (5) TERMS OF SERVICE.—The term “terms of
15 service” means a policy or set of policies adopted by
16 a social media company that specifies, at least, the
17 user behavior and activities that are permitted on
18 the internet-based service owned or operated by the
19 social media company, and the user behavior and ac-
20 tivities that may subject the user or an item of con-
21 tent to being actioned.

22 (g) RULE OF CONSTRUCTION.—

23 (1) IN GENERAL.—Nothing in this section shall
24 be construed to diminish or infringe upon any right

1 protected under the First Amendment to the Con-
2 stitution of the United States.

3 (2) CONFIDENTIALITY AND PRIVACY.—The
4 publication of the reports authorized in subsection
5 (d) shall comply with any Federal, State, and local
6 laws affecting confidentiality and privacy, including
7 the Privacy Act of 1974.

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