

United States Senate
WASHINGTON, DC 20510

August 27, 2025

David A. Zapolsky
Senior Vice President, Chief Global Affairs & Legal Officer
Amazon.com, Inc.
410 Terry Ave North
Seattle, WA 98109-5210

Re: INFORM Consumers Act

Dear Mr. Zapolsky:

It has been just over two years since the bipartisan Integrity, Notification, and Fairness in Online Retail Marketplaces for Consumers Act (INFORM Consumers Act) went into effect on June 27, 2023. On June 15, 2023, the Federal Trade Commission (FTC) sent a letter to Amazon.com, Inc. This letter noted that Amazon.com appeared to meet the definition of “online marketplace” under the Act and notified you of your responsibility to comply with the INFORM Consumers Act. We write to request information regarding your ongoing compliance with the Act and any additional steps Amazon.com, Inc. has taken to ensure that stolen, counterfeit, or unsafe items are not being sold through your marketplace.

As you know, the INFORM Consumers Act requires online marketplaces to collect, verify, and disclose certain information about high-volume third-party sellers who offer new or unused consumer products for sale on the platform. By doing so, the Act is designed to add more transparency and accountability to online transactions and deter criminals from acquiring stolen, counterfeit, or unsafe items and selling them through these marketplaces. The sale of these goods continues to be an issue of national importance, as evidenced by the recent U.S. Senate Committee on the Judiciary hearing, “Beyond the Smash and Grab: Criminal Networks and Organized Theft.”

The FTC is tasked with implementing and, along with state attorneys general, enforcing the INFORM Consumers Act. If the Act’s goals are to be fully realized, online marketplaces must play their part, and high-volume third-party sellers must know that they will be held accountable for violations of the Act’s requirements. Online marketplaces that violate the INFORM Consumers Act may face FTC or state attorney general law enforcement that could result in civil penalties, equitable relief, or other remedies.

The implementation and enforcement of the INFORM Consumers Act continues to be a priority for Congress, and we are seeking to better understand the steps that online marketplaces have taken to ensure its effectiveness. In order to ensure that the Act is achieving its legislative purpose, we request your responses to the following questions by September 12, 2025:

1. Since the FTC sent you a letter about the Act in June 2023, has the agency had further direct correspondence with your company, either about the general provisions of the Act or about your marketplace’s specific conduct in relation to the Act’s requirements?

2. What types of information has the FTC requested from your company to ensure its compliance with the law?
 - a. Has the FTC requested, and has your marketplace provided, information about your policies and procedures that demonstrate that your marketplace is in fact complying with the Act's requirements?
 - b. Please provide:
 - i. Your marketplace's process for determining when a third-party seller hits the Act's threshold to qualify as a high-volume third-party seller and therefore must provide certain information to your marketplace within 10 days for verification.
 - ii. Your marketplace's process for initially collecting information required by the Act once a seller reaches high-volume third-party seller status.
 - iii. Your marketplace's process for notifying high-volume third-party sellers at least annually about keeping their information current, and your marketplace's process for obtaining electronic certifications from the sellers within 10 days after the provision of this notice stating whether their information has been updated or does not need updating.
 - iv. Your marketplace's process for suspending sales activity by a high-volume third-party seller that has not provided the required information or certification (after notice and 10 days to respond).
 - v. Your marketplace's process for verifying the information provided by high-volume third-party sellers, and for verifying any changes to such information, within 10 days of the information or changes being collected by your marketplace, including your process for reliably determining that any information and documents provided are valid, corresponding to the seller or an individual acting on the seller's behalf, not misappropriated, and not falsified.
 - vi. Your marketplace's data security procedures and practices that the Act requires you to implement to protect data collected from sellers from unauthorized use, disclosure, access, destruction, or modification.
 - vii. Your marketplace's process for requiring high-volume third-party sellers with \$20,000 in annual gross revenues on the marketplace to clearly and conspicuously disclose, either on their product listing webpage or on their order confirmation, information including the seller's full name; physical address; working phone number, email address, or other means of electronic messaging that allows for direct, unhindered communications between sellers and consumers; and whether the seller used a different seller to supply the listed product upon purchase by a consumer, and if so, the same information about the supplying seller if requested by an authenticated purchaser.

- viii. Your marketplace's process for verifying that the information disclosed by high-volume third-party sellers to consumers is accurate, including that phone numbers and emails are valid and working.
 - ix. Your marketplace's process for administering the exception to the high-volume third-party seller disclosure requirement that allows for partial disclosure, and your marketplace's process for verifying that a seller who has requested and received a provision for partial disclosure made accurate representations and is providing responsive answers to consumer inquiries, as required by the Act, or else the seller will face suspension of sales activity.
 - x. Documentation that your marketplace has set up a reporting mechanism, as required by the Act, to allow members of the public to contact your marketplace electronically and by telephone to alert your marketplace about suspicious marketplace activity by a seller, and documentation that this reporting mechanism is posted in a clear and conspicuous manner on each high-volume third-party seller's product listing.
 - xi. Information about the steps your marketplace has taken to investigate, report, and/or suspend sellers that have been identified through your marketplace's reporting mechanism as engaging in suspicious marketplace activity, such as selling stolen or counterfeit goods.
 - xii. Your marketplace's process for notifying a high-volume third-party seller of noncompliance with any of the requirements the Act places upon such sellers, and your marketplace's process for suspending sales activity by a noncompliant seller after providing notice and 10 days for the seller to respond.
3. Has the FTC asked for, or received, information from your marketplace about sellers who have been suspended from your marketplace because of non-compliance with the INFORM Consumers Act's requirements?
- a. If so, have you identified the types of violations that prompted the suspension?
4. Has your marketplace seen fluctuations in the overall number of third-party sellers on your marketplace since the law took effect?
5. Has the FTC asked for, or received, information collected by your marketplace through your reporting mechanism about suspicious marketplace activity (such as sellers offering stolen or counterfeit goods for sale)?
6. Has the FTC requested, or received, information from your marketplace to verify that you are collecting and verifying required information from high-volume third-party sellers located overseas?
7. Has the FTC requested, or received, information demonstrating that your marketplace is suspending such overseas sellers if they are not complying with the INFORM Consumers Act's requirements?

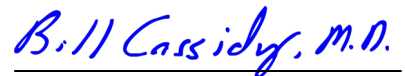
8. Has your marketplace observed any sellers who may be structuring in order to stay below the Act's thresholds, e.g., by establishing an umbrella company that uses multiple sellers to sidestep the thresholds for high-volume third-party sellers?
 - a. If so, what steps has your marketplace taken to address this behavior?
9. The INFORM Consumers Act requires online marketplaces to suspend the sales activity of sellers who are not complying with the Act's requirements.
 - a. How many high-volume third-party sellers has your marketplace suspended for violations of the INFORM Consumers Act?
 - b. How many of those suspended high-volume third-party sellers had their accounts reinstated after coming into compliance with the Act's requirements?
10. We are troubled by reports that many sellers of stolen, counterfeit, or unsafe goods seek to evade the INFORM Consumers Act's requirements by advertising their goods for sale on an online marketplace, but having the payment transaction occur off of the online marketplace's platform, thereby skirting the monetary requirements to become a high-volume third party seller under the Act and its requirements to provide identifying information to the online marketplace and consumers.
 - a. If your online marketplace allows for the advertising of goods for sale, but off-platform payments, what steps do you take to ensure that stolen, counterfeit, or unsafe goods are not being advertised for sale on your marketplace?
 - b. What steps has your marketplace taken to suspend or remove these sellers?
 - c. What steps has your marketplace taken to ensure that suspended or removed sellers are not able to open a new account to continue selling these goods?
 - d. How many non-high-volume third-party sellers has your marketplace suspended or removed for selling stolen, counterfeit, or unsafe goods?
 - e. What reporting mechanisms are available to consumers to report the advertising of these goods on your marketplace?
 - i. How many reports has your marketplace received from these reporting mechanisms?
 - ii. Describe your marketplace's process for resolving these reports, including the average time it takes to resolve a report, possible actions taken, percentage of reports that resulted in the suspension or removal of a seller's account, and the percentage of reports that resulted in the removal of a specific advertised good for sale.
11. Has your marketplace identified any problems or loopholes with the INFORM Consumers Act that require a legislative fix?

Thank you for your attention to this important matter. We look forward to receiving your prompt responses and working with you to ensure that INFORM Consumers Act continues to deter criminals from acquiring stolen, counterfeit, or unsafe items and selling them through online marketplaces.

Sincerely,



Richard J. Durbin
United States Senator



Bill Cassidy, M.D.
United States Senator