

We will actually pay these companies—like a petrochemical company—to capture carbon and inject it into the ground in the interest of our environment and climate.

We pay 85 bucks. It is your money. You are paying it, not me. I pay a little bit of it when I pay my taxes, but we all pay it. We actually pay companies \$85 a ton. The lobbyists and many of our friends in the business community are lobbying right now to increase the money that we pay them to \$250 a ton. But just based on paying them \$85 a ton, by 2030, we will be spending about \$30 billion.

So while I want to believe that the companies capture the carbon in the interest of the environment, they are being paid a whole bunch of money to do it as well. I am not saying they wouldn't do it anyway out of the goodness of their heart, but the money doesn't hurt. OK?

You know what the old saying is: You don't have to be rich and famous to be happy. You just have to be rich.

So, anyway, we are paying companies a whole bunch of money to go capture this carbon and inject it in the ground. Now, I didn't come here tonight to debate whether that is a good idea or a bad idea. A lot of that is up to the States and to Congress for another day. There are pros and cons, and some say it is a good idea. Some say it is a bad idea.

I know certain oil and gas companies have been injecting CO₂ into producing oil and gas wells for years to make the gas and oil flow better without hurting anybody. I know in other cases there have been CO₂ pipelines—carbon dioxide pipelines—transmitting carbon dioxide that have ruptured and injured people. I don't know who is right, and I don't know who is wrong.

I do know, though, that to inject it underground, you have got to do it on somebody's property. And that is where the rub comes in. We take our property rights in Louisiana seriously. Your right to own property is a Federal constitutional right. In Louisiana, it is also a State constitutional right. So important, we put it in our State constitution. Article I, section 4 of our State constitution says:

Every person has the right to acquire, own, control, use, enjoy, protect, and dispose of private property.

Now, our constitution also goes on to say, because we are a practical people in Louisiana:

This right to own property is subject to reasonable statutory restrictions and the reasonable exercise of the police power.

What does that mean? Well, as we all know, that means, if I own a piece of property and they want to put a highway through and I don't want them to put a highway through my property, but it would cost the taxpayers of my State three times the amount to move the highway over here as opposed to putting it through my property—under the law, we call it expropriation. I think some States call it eminent domain.

In my State, in every other State, and under the Federal Government, the State can come in and say: Look, Kennedy, we know you don't want to give up your property, but it is going to cost us a lot more to put the road over here. So we are going to take your property, but we are going to pay you full price.

And they do. They have to. It is in our constitution. They have to pay the full, fair market price. So we are pretty comfortable with that.

But the people in Louisiana have just discovered that the companies that I talked about who are being paid this Federal money—\$85 a ton to capture carbon and inject it into the ground—can also take people's land to put in an injection well. And I don't like that.

I am not taking sides in terms of carbon capture. I am not. But we have got a lot of people in my State that are very suspect about the wisdom of this carbon capture. I am not saying they are right or wrong. But they have learned the hard way that if you trust government, you failed history class.

And if someone in my State who owns a piece of property—it is usually in my rural areas—who owns 50 acres that was handed down from their dad and mom and their dad and mom and their dad and mom, if a company wants to come in and pay them to put in an injection well and put carbon dioxide underneath their land and those land owners are OK with that, I am OK with it.

But I am going to have something to say if a lot of these companies start coming in and taking people's property and putting in an injection well. That is a big difference between putting in a road.

This is a new technology. We are still learning about it. And right now, under Louisiana law—this was passed by the Louisiana Legislature. The statute is title 30, section 1108, Louisiana revised statute 30:1108. This is what it says:

Any storage operator—

That is the guy or gal who wants to put carbon dioxide under the ground—

Any storage operator is hereby authorized, after obtaining any permit and any certificate of public convenience and necessity from the commissioner—

That means they get the permission of the State.

... [can] exercise the power of eminent domain and expropriate [take] needed property.

So if one of these companies comes to one of my people on their family land and says, "We will offer you this. We want to put in an injection well," and the owners of that land go, "I don't think so. This property has been in my family for years, and I don't know about this CO₂ stuff anyway," they are not going to have a choice because the State can come in and take that land.

I don't like that, and I think our legislature needs to weigh in on this. I think we ought to go back to what our State constitution says and what the Federal Constitution has said even

longer: People have the right to property. People have the right to property.

That concludes my remarks. I can show myself out.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Ms. LUMMIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROTECTING AMERICANS FROM RUSSIAN LITIGATION ACT OF 2025

Ms. LUMMIS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 367, S. 2934.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant bill clerk read as follows:

A bill (S. 2934) to limit the availability of civil actions affected by United States sanctions.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary.

Ms. LUMMIS. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2934) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2934

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Protecting Americans from Russian Litigation Act of 2025".

SEC. 2. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to ensure that United States persons are not disadvantaged for actions or omissions undertaken to comply with United States sanctions or export controls; and

(2) to ensure that foreign persons, or persons acting on their behalf, cannot obtain compensation for any action related to United States persons attempting in good faith to comply with their obligations under United States sanctions or export controls.

SEC. 3. LIMITATION ON CIVIL ACTIONS AFFECTED BY UNITED STATES SANCTIONS.

(a) IN GENERAL.—Chapter 111 of title 28, United States Code, is amended by adding at the end the following:

"§ 1660. Limitation on civil actions affected by United States sanctions

"(a) LIMITATION.—Notwithstanding any provision of law, no person (other than the United States or a person acting on behalf of the United States) may bring a civil action in Federal or State court to enforce any foreign judgment or foreign arbitral award arising from a claim where—

“(1) the underlying conduct or circumstances giving rise to the claim resulted from actions to comply with United States sanctions impeding the performance of a contract; or

“(2) the court or tribunal issuing the judgment or arbitral award asserted jurisdiction based, in whole or in part, on the imposition of United States sanctions or export controls (or any foreign law enacted in response to the imposition of United States sanctions or export controls).

“(b) REMOVAL AND DISMISSAL.—An action to recognize or enforce a foreign judgment or foreign arbitral award described in subsection (a) may be removed by any defendant to the appropriate United States district court, which shall dismiss the action.

“(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit—

“(1) the authority of the President, any delegate of the President (including the Office of Foreign Assets Control of the Department of the Treasury), or any other officer or official of the United States to bring any action or exercise any responsibility under any applicable State or Federal law;

“(2) any right, remedy, or cause of action available to a victim of international terrorism, torture, extrajudicial killing, aircraft sabotage, or hostage taking, who is, or was at the time of the victim's injury, a national of the United States, a member of the United States Armed Forces, an employee of the United States Government, or an individual performing a contract awarded by the United States Government acting within the scope of the individual's employment, or a family member of any such victim, under any applicable State or Federal law, including—

“(A) chapter 97 of this title;

“(B) chapter 113B of title 18; and

“(C) the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8701 et seq.) and any other laws providing for the application of sanctions with respect to Iran or Syria;

“(3) any right, remedy, or cause of action available to any party arising under or relating to the party's contractual rights (other than an action to enforce a foreign judgment or foreign arbitral award described in subsection (a)) where the parties agreed to resolve all disputes by litigation in a State or Federal court within the United States or by arbitration within the United States; or

“(4) any other right, remedy, or cause of action available to any party arising under State or Federal law (other than an action to enforce a foreign judgment or foreign arbitral award described in subsection (a)) where the underlying conduct or circumstances giving rise to the claim resulted from the imposition of United States sanctions or export controls.

“(d) UNITED STATES SANCTIONS DEFINED.—In this section:

“(1) IN GENERAL.—The term ‘United States sanctions’ means any prohibition, restriction, or condition on transactions involving any property in which any foreign country or national thereof has any interest that is imposed by the United States to address threats to the national security, foreign policy, or economy of the United States pursuant to—

“(A) section 203 of the International Emergency Economic Powers Act (50 U.S.C. 1702); or

“(B) any other provision of law, including any provision of law relating to export controls.

“(2) DUTIES.—The term ‘United States sanctions’ does not include the imposition of a duty on the importation of goods.”.

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is amended by in-

serting after the item relating to section 1659 the following new item:

“1660. Limitation on civil actions affected by United States sanctions.”.

(c) APPLICATION.—Section 1660 of title 28, United States Code, as added by subsection (a), applies with respect to civil actions pending on or after the date of the enactment of this Act.

PROTECT INFANT FORMULA FROM CONTAMINATION ACT

Ms. LUMMIS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 306, S. 272.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant bill clerk read as follows:

A bill (S. 272) to improve the safety of infant formula through testing of infant formula for microorganisms and toxic elements, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert the part printed in italic, as follows:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Protect Infant Formula from Contamination Act”.

SEC. 2. NOTIFICATIONS FOR TESTING OF INFANT FORMULA.

Section 412(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 350a(e)) is amended—

(1) in paragraph (1), in the matter following subparagraph (B)—

(A) by striking “promptly”;

(B) by inserting “, within 1 business day of acquiring such knowledge” after “such knowledge”; and

(C) by striking “the infant formula” and inserting “an infant formula”;

(2) by redesignating paragraph (2) as paragraph (5); and

(3) by inserting after paragraph (1) the following:

“(2) If the result of any testing of a sample from any production aggregate of finished infant formula product is confirmed as a positive analytical result for any microorganism for which finished product testing is required under section 106.55(e) of title 21, Code of Federal Regulations (or any successor regulation), the manufacturer shall—

“(A) within 1 business day of acquiring a confirmed positive analytical result, notify the Secretary of such result, regardless of whether such product has left an establishment subject to the control of the manufacturer;

“(B) promptly consult with the Secretary for proper isolation of the affected product, and, as the Secretary may require, cease distribution and properly dispose of the affected product; and

“(C) promptly provide to the Secretary results and isolates from a positive sample of such product or the whole genome sequence data from any confirmed positive analytical result.

“(3) Not later than 1 business day after receipt by the Secretary of a notification under paragraph (2)(A), the Secretary shall respond to the manufacturer of the infant formula to begin discussions regarding investigation and corrective action, and, as appropriate, share the findings of the Secretary with the manufacturer.

“(4) Not later than 90 days after receipt of a notification under paragraph (1) or (2), the Secretary shall confirm, including through the collection of documentation, that the manufacturer

submitting the notification performed, or is performing, an appropriate investigation and corrective action, if applicable. The Secretary shall consider, as part of the review of the root cause investigation, the analytical method used to conduct laboratory testing and, as appropriate, the potential for cross contamination of the sample by handling and testing. The manufacturer shall make such documentation available to the Secretary electronically and for inspection under section 704.”.

SEC. 3. REPORTING TO IMPROVE THE SAFETY AND SUPPLY OF INFANT FORMULA.

Section 412 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 350a) is amended by adding at the end the following:

“(n) REPORTING TO IMPROVE THE SAFETY AND SUPPLY OF INFANT FORMULA.—

“(1) PROGRESS REPORT.—Not later than 180 days after the date of enactment of the Protect Infant Formula from Contamination Act, the Secretary shall issue a progress report on implementation of the recommendations to improve the safety and supply of infant formula contained in the report titled, ‘Long-Term National Strategy to Increase the Resiliency of the U.S. Infant Formula Market’, issued by the Food and Drug Administration in January 2025. Such progress report shall include additional authorities or resources that the Secretary may require for purposes of improving the safety and supply of infant formula and any revisions to the recommendations as a result of any infant formula recalls since the publication of the report, as appropriate.

“(2) QUARTERLY REPORTS ON SUPPLY CHAIN.—Not later than 270 days after the date of enactment of the Protect Infant Formula from Contamination Act, and not less frequently than quarterly for the 5-year period thereafter, the Secretary shall submit a report on the most current critical supply chain data for infant formula, including in-stock rates, to—

“(A) the Committee on Health, Education, Labor, and Pensions; the Committee on Agriculture, Nutrition, and Forestry; and the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations of the Senate; and

“(B) the Committee on Energy and Commerce; the Committee on Agriculture; and the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations of the House of Representatives.

“(3) CONSULTATION.—The Secretary shall engage with the Department of Agriculture and other relevant agencies of the Federal Government regarding ongoing efforts to address immediate formula needs and build long-term resiliency into the infant formula market.

“(4) REPORTS ON ADEQUACY OF SUPPLY.—Not later than 1 year, 3 years, and 5 years after the date of enactment of the Protect Infant Formula from Contamination Act, the Secretary shall—

“(A) engage with public stakeholders, infant formula manufacturers, and other stakeholders, as determined by the Secretary, to determine evidence-based practices that can be implemented to maximize infant formula supply and infant safety, which may include the value of high frequency testing for purposes of identifying contamination events, including events associated with botulism or other contaminants, and bracketing potentially contaminated product, the impact of corrective action on contamination events, including events associated with botulism or other contaminants, and evidence-based recommendations for enhancing infant formula supply and safety; and

“(B) submit a report to the committees described in subparagraphs (A) and (B) of paragraph (2) that identifies the modifications to manufacturer practices and actions described in subparagraph (A), if any, that could be implemented to improve infant formula supply and safety.”.