

into a statistical or aggregate form that does not allow the identification of the person that supplied particular information.

(3) **CONFIDENTIALITY.**—The Secretary shall ensure that the assessments under subsection (a) do not include any information that is a trade secret or confidential information subject to—

(A) section 552(b)(4) of title 5, United States Code; or

(B) section 1905 of title 18, United States Code.

(4) **IMMUNITY FROM DISCLOSURE.**—Information provided to the Secretary as part of an assessment conducted under subsection (a) shall not be used by the Secretary for any purpose other than to carry out that subsection.

SA 3363. Mr. RICKETTS submitted an amendment intended to be proposed by him to the bill S. 2296, to authorize appropriations for fiscal year 2026 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1067. EXEMPTIONS FROM CERCLA LIABILITY FOR RELEASES OF PFAS.

(a) **DEFINITIONS.**—In this section:

(1) **AGRICULTURAL PRODUCER.**—The term “agricultural producer” means a person engaged in the production or harvesting of agricultural products (as defined in section 207 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1626)).

(2) **COMPOST.**—The term “compost” has the meaning given the term in section 205.2 of title 7, Code of Federal Regulations (or a successor regulation).

(3) **COVERED PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCE.**—

(A) **IN GENERAL.**—The term “covered perfluoroalkyl or polyfluoroalkyl substance” means a human-made chemical that contains at least 2 fully fluorinated saturated carbon atoms and is—

(i) a non-polymeric substance; or

(ii) a side-chain fluorinated polymer.

(B) **DEFINITION OF FULLY FLUORINATED SATURATED CARBON ATOM.**—For purposes of subparagraph (A), the term “fully fluorinated saturated carbon atom” includes a perfluorinated methyl group (—CF₃) or a perfluorinated methylene group (—CF₂—).

(C) **INCLUSION OF DEGRADANTS.**—The term “covered perfluoroalkyl or polyfluoroalkyl substance” includes any degradant of a substance described in clause (i) or (ii) of subparagraph (A).

(D) **EXCLUSION OF UNSATURATED COMPOUNDS.**—The term “covered perfluoroalkyl or polyfluoroalkyl substance” does not include any compound in which the fluorinated carbon atoms are unsaturated.

(4) **FIRE SUPPRESSION ENTITY.**—The term “fire suppression entity” means an entity with a fire suppression system installed, or otherwise in use, in accordance with applicable Federal, State, and local fire codes that uses an aqueous film forming foam that contains a covered perfluoroalkyl or polyfluoroalkyl substance.

(5) **INDIAN TRIBE.**—The term “Indian Tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(6) **LAWFUL DISCHARGE.**—The term “lawful discharge”, with respect to an aqueous film forming foam agent, means a release of the aqueous film forming foam agent through

equipment calibration, firefighter training, a timed-response drill, a scheduled release, an emergency response activity, or the use of a fire suppression system.

(7) **RESOURCE MANAGEMENT ENTITY.**—The term “resource management entity” means an owner or operator (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)) of—

(A) a solid waste management facility (as defined in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903)); or

(B) a facility that processes compost for sale or distribution to the public.

(8) **SPONSOR.**—The term “sponsor” has the meaning given the term in section 47102 of title 49, United States Code.

(9) **WATER OR WASTEWATER ENTITY.**—The term “water or wastewater entity” means—

(A) a public water system (as defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f));

(B) a publicly or privately owned or operated treatment works (as defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292));

(C) a municipality to which a permit under section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is issued for stormwater discharges;

(D) a political subdivision of a State or a special district of a State acting as a wholesale water agency; and

(E) a contractor performing the management or disposal activities described in subsection (b)(2)(D) for an entity described in any of subparagraphs (A) through (D).

(b) **EXEMPTION FOR FIRE SUPPRESSION ENTITIES, RESOURCE MANAGEMENT ENTITIES, SPONSORS, AND WATER OR WASTEWATER ENTITIES.**—

(1) **IN GENERAL.**—Subject to paragraph (2), no person (including the United States, any State, or an Indian Tribe) may recover costs or damages from a fire suppression entity, a resource management entity, a sponsor, including a sponsor of the civilian portion of a joint-use airport or a shared-use airport (as those terms are defined in section 139.5 of title 14, Code of Federal Regulations (or a successor regulation)), or a water or wastewater entity under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) for costs arising from a release to the environment of a covered perfluoroalkyl or polyfluoroalkyl substance.

(2) **REQUIREMENTS.**—Paragraph (1) shall only apply under the following circumstances:

(A) **FIRE SUPPRESSION ENTITIES.**—In the case of a release of a covered perfluoroalkyl or polyfluoroalkyl substance by a fire suppression entity, if the release resulted from the lawful discharge of an aqueous film forming foam in connection with a fire suppression system that—

(i) conforms to applicable Federal, State, and local fire codes; and

(ii) is compliant with the most recently approved engineering standards at the time of the discharge.

(B) **RESOURCE MANAGEMENT ENTITIES.**—In the case of a release of a covered perfluoroalkyl or polyfluoroalkyl substance by a resource management entity, if the release resulted from—

(i) the disposal or management of any residuals or byproduct of municipal solid waste in accordance with a permit issued under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), or similar State or local authority;

(ii) the disposal or management of biosolids consistent with section 405 of the Fed-

eral Water Pollution Control Act (33 U.S.C. 1345); or

(iii) the application or processing of compost in accordance with State law.

(C) **SPONSORS.**—In the case of a release of a covered perfluoroalkyl or polyfluoroalkyl substance by a sponsor—

(i) if the release resulted from the use of an aqueous film forming foam; and

(ii) if the use described in clause (i) was—

(I) required by the Federal Aviation Administration for compliance with part 139 of title 14, Code of Federal Regulations (or successor regulations); and

(II) carried out in accordance with Federal Aviation Administration standards and guidance on the use of that substance.

(D) **WATER OR WASTEWATER ENTITIES.**—In the case of a release of a covered perfluoroalkyl or polyfluoroalkyl substance by a water or wastewater entity, if the water or wastewater entity transported, treated, disposed of, or arranged for the transport, treatment, or disposal of the covered perfluoroalkyl or polyfluoroalkyl substance—

(i) in a manner consistent with all applicable laws at the time the activity was carried out; and

(ii) during and following the conveyance or treatment of water under Federal or State law, including through—

(I) the management or disposal of biosolids consistent with section 405 of the Federal Water Pollution Control Act (33 U.S.C. 1345);

(II) the discharge of effluent in accordance with a permit issued under section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342);

(III) the release or disposal of water treatment residuals or any other byproduct of drinking water or wastewater treatment activities, such as granulated activated carbon, filter media, and processed waste streams; or

(IV) the conveyance or storage of water for the purpose of conserving or reclaiming the water for water supply.

(c) **EXEMPTION FOR AGRICULTURAL PRODUCERS.**—No person (including the United States, any State, or an Indian Tribe) may recover costs or damages from an agricultural producer under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) for costs arising from a release to the environment of a covered perfluoroalkyl or polyfluoroalkyl substance.

(d) **SAVINGS PROVISION.**—Nothing in this section precludes liability for damages or costs associated with the release of a covered perfluoroalkyl or polyfluoroalkyl substance by—

(1) an agricultural producer, a resource management entity, or a water or wastewater entity if the agricultural producer, resource management entity, or water or wastewater entity acted with gross negligence or willful misconduct in the discharge, disposal, management, conveyance, or storage of the covered perfluoroalkyl or polyfluoroalkyl substance;

(2) a fire suppression entity if the fire suppression entity—

(A) acted with gross negligence or willful misconduct in the discharge of the covered perfluoroalkyl or polyfluoroalkyl substance; or

(B) continues to use an aqueous film forming foam agent in the fire suppression system of the fire suppression entity on or after the date that is 5 years after the date on which approved engineering standards were updated to no longer require the use of an aqueous film forming foam; or

(3) a sponsor if the sponsor acted with gross negligence or willful misconduct in the use of an aqueous film forming foam.

SA 3364. Mr. CRUZ (for himself, Ms. CANTWELL, and Mr. CURTIS) submitted an amendment intended to be proposed by him to the bill S. 2296, to authorize appropriations for fiscal year 2026 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, insert the following:

SEC. —. INFORMING CONSUMERS ABOUT SMART DEVICES.

(a) **REQUIRED DISCLOSURE OF A CAMERA OR RECORDING CAPABILITY IN CERTAIN INTERNET-CONNECTED DEVICES.**—Each manufacturer of a covered device shall disclose, clearly and conspicuously and prior to purchase, whether the covered device manufactured by the manufacturer contains a camera or microphone as a component of the covered device.

(b) **ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.**—

(1) **UNFAIR OR DECEPTIVE ACTS OR PRACTICES.**—A violation of subsection (a) shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) **ACTIONS BY THE COMMISSION.**—

(A) **IN GENERAL.**—The Federal Trade Commission (in this section referred to as the “Commission”) shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) **PENALTIES AND PRIVILEGES.**—Any person who violates this section or a regulation promulgated under this section shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(C) **SAVINGS CLAUSE.**—Nothing in this section shall be construed to limit the authority of the Commission under any other provision of law.

(3) **COMMISSION GUIDANCE.**—Not later than 180 days after the date of enactment of this section, the Commission, through outreach to relevant private entities, shall issue guidance to assist manufacturers in complying with the requirements of this section, including guidance about best practices for making the disclosure required by subsection (a) as clear and conspicuous and age appropriate as practicable and about best practices for the use of a pictorial (as defined in section 2(a) of the Consumer Review Fairness Act of 2016 (15 U.S.C. 45b(a))) visual representation of the information to be disclosed.

(4) **TAILORED GUIDANCE.**—A manufacturer of a covered device may petition the Commission for tailored guidance as to how to meet the requirements of subsection (a) consistent with existing rules of practice or any successor rules.

(5) **LIMITATION ON COMMISSION GUIDANCE.**—No guidance issued by the Commission with respect to this section shall confer any rights on any person, State, or locality, nor shall operate to bind the Commission or any person to the approach recommended in such guidance. In any enforcement action brought pursuant to this section, the Commission shall allege a specific violation of a provision of this section. The Commission may not base an enforcement action on, or execute a consent order based on, practices that are alleged to be inconsistent with any such guide-

lines, unless the practices allegedly violate subsection (a).

(c) **DEFINITION OF COVERED DEVICE.**—As used in this section, the term “covered device” —

(1) means a consumer product, as defined by section 3(a) of the Consumer Product Safety Act (15 U.S.C. 2052(a)), that is capable of connecting to the internet, a component of which is a camera or microphone; and

(2) does not include—

(A) a telephone (including a mobile phone), a laptop, tablet, or any device that a consumer would reasonably expect to have a microphone or camera;

(B) any device that is specifically marketed as a camera, telecommunications device, or microphone; or

(C) any device or apparatus described in sections 255, 716, and 718, and subsections (aa) and (bb) of section 303 of the Communications Act of 1934 (47 U.S.C. 255; 617; 619; and 303(aa) and (bb)), and any regulations promulgated thereunder.

(d) **EFFECTIVE DATE.**—This section shall apply to all covered devices manufactured after the date that is 180 days after the date on which guidance is issued by the Commission under subsection (b)(3), and shall not apply to covered devices manufactured or sold before such date, or otherwise introduced into interstate commerce before such date.

SA 3365. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2296, to authorize appropriations for fiscal year 2026 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1067. 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 court to enforce any foreign judgment 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 issuing the judgment 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) **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; or

“(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 na-

tional 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 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 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.

“(c) **UNITED STATES SANCTIONS DEFINED.**—In this section, 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—

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

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

(b) **CLERICAL AMENDMENT.**—The table of sections for such chapter is amended by inserting after the item relating to section 1659 the following new item:

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

SA 3366. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2296, to authorize appropriations for fiscal year 2026 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. —. COVERED INFRINGEMENT ACTIONS.

(a) **DEFINITIONS.**—In this section—

(1) the term “affected proceeding” means an action for infringement of a patent under title 35, United States Code, an investigation under section 337 of the Tariff Act of 1930 (19 U.S.C. 1337), or any other administrative or judicial proceeding in which—

(A) a patent issued by the United States Patent and Trademark Office is a subject of the proceeding; and

(B) a designated entity—

(i) is the owner or exclusive licensee of the patent described in subparagraph (A);

(ii) has a financial interest in the outcome of the proceeding; or

(iii) has direct or indirect control over the conduct of the litigation of the matter by