

or senior executive officers, any department or division manager of the debtor, or any consultant providing services to the debtor made in anticipation of bankruptcy; or

“(ii) in anticipation of bankruptcy to a consultant who is formerly an insider and who is retained to provide services to an entity that becomes a debtor (including an obligation under a contract to provide services to such entity or to a debtor); and

“(B) made or incurred on or within 1 year before the filing of the petition.

“(2) No provision of subsection (c) shall constitute a defense against the recovery of a transfer described in paragraph (1).

“(3) The trustee or a committee appointed pursuant to section 1102 may commence an action to recover a transfer described in paragraph (1), except that, if neither the trustee nor such committee commences an action to recover the transfer by the time of the commencement of a hearing on the confirmation of a plan under section 1129, any party in interest may apply to the court for authority to recover the claims for the benefit of the estate. The costs of recovery shall be borne by the estate.”.

TITLE IV—OTHER PROVISIONS

SEC. 401. UNION PROOF OF CLAIM.

Section 501(a) of title 11, United States Code, is amended by inserting “, including a labor organization,” after “A creditor”.

SEC. 402. EXCEPTION FROM AUTOMATIC STAY.

Section 362(b) of title 11, United States Code, is amended—

(1) in paragraph (28), by striking “and” at the end;

(2) in paragraph (29), by striking the period at the end and inserting “; and”; and

(3) by inserting after paragraph (29) the following:

“(30) of the commencement or continuation of a grievance, arbitration, or similar dispute resolution proceeding established by a collective bargaining agreement that was or could have been commenced against the debtor before the filing of a case under this title, or the payment or enforcement of an award or settlement under such proceeding.”.

SEC. 403. EFFECT ON COLLECTIVE BARGAINING AGREEMENTS UNDER THE RAILWAY LABOR ACT.

Section 103 of title 11, United States Code, is amended by adding at the end the following:

“(m) Notwithstanding sections 365, 1113, or 1114, neither the court nor the trustee may change the wages, working conditions, or retirement benefits of an employee or a retiree of the debtor established by a collective bargaining agreement that is subject to the Railway Labor Act (45 U.S.C. 151 et seq.), except in accordance with section 6 of that Act (45 U.S.C. 156).”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 922—EXPRESSING SUPPORT FOR THE DESIGNATION OF OCTOBER 2024 AS “NATIONAL CO-OP MONTH” AND COMMENDING THE COOPERATIVE BUSINESS MODEL AND THE MEMBER-OWNERS, BUSINESSES, EMPLOYEES, FARMERS, RANCHERS, AND PRACTITIONERS WHO USE THE COOPERATIVE BUSINESS MODEL TO POSITIVELY IMPACT THE ECONOMY AND SOCIETY

Ms. SMITH submitted the following resolution; which was referred to the

Committee on Commerce, Science, and Transportation:

S. RES. 922

Whereas a cooperative—

(1) is a business that is owned and governed by its members, who are the individuals who use the business, create the products of the business, or manage the operation of the business; and

(2) operates under the 7 principles of—

(A) voluntary open membership;

(B) democratic control;

(C) owner economic participation;

(D) autonomy and independence;

(E) education, training, and information;

(F) cooperation among cooperatives; and

(G) concern for community;

Whereas cooperative entrepreneurs can be found in almost every economic sector in the United States, throughout all 50 States and the territories of the United States, and in every congressional district in the United States;

Whereas cooperatives help farmers increase incomes and become more resilient to economic business cycles by working together to plan and prepare for the future, while contributing significantly to the economic activity in the agriculture and food markets of the United States;

Whereas the roughly 1,700 agricultural cooperatives in the United States operate more than 9,500 facilities, employ a record \$111,000,000,000 in assets, and generate more than \$231,400,000,000 in business;

Whereas the majority of the 2,000,000 farmers in the United States belong to an agricultural cooperative;

Whereas agricultural cooperatives offer members the opportunity to access commodity value-added profits throughout the handling, processing, and distribution chains;

Whereas member-owners in agricultural cooperatives are dedicated to providing the highest quality product for consumers;

Whereas agricultural cooperatives add significant benefits to the economic well-being of rural areas of the United States by providing more than 250,000 jobs with annual wages totaling more than \$11,000,000,000;

Whereas agricultural cooperatives provide resources to their member-owners, such as low-cost supplies, effective marketing, and services;

Whereas farmer members in agricultural cooperatives have the opportunity to pool resources and reinvest profits into the communities of the farmer members;

Whereas the principles of cooperation and the cooperative business model help smallholder farmers organize themselves and gain access to local and global markets, training, improved inputs, conservation programs, and aggregated sales and marketing;

Whereas the cooperative business model provides farmers ownership over their economic decisions, a focus on learning, and a broader understanding of environmental and social concerns;

Whereas the cooperative business model has been used throughout the history of the United States to advance civil rights and to help ensure that all people have equal access to economic opportunity;

Whereas cooperative values promote self-determination and democratic rights for all people;

Whereas the comprehensive global food security strategy established under section 5 of the Global Food Security Act of 2016 (22 U.S.C. 9304) (commonly known as “Feed the Future”) and the Cooperative Development Program of the United States Agency for International Development use cooperative principles and the cooperative business model to advance international develop-

ment, nutrition, resilience, and economic security;

Whereas the Interagency Working Group on Cooperative Development—

(1) is an interagency group that is coordinated and chaired by the Secretary of Agriculture to foster cooperative development and ensure coordination with Federal agencies and national and local cooperative organizations that have cooperative programs and interests; and

(2) as of the date of introduction of this resolution, has organized 11 meetings;

Whereas the bipartisan Congressional Cooperative Business Caucus unites Members of Congress to—

(1) create a better-informed electorate and a more educated public on the important role that cooperatives play in the economy of the United States and the world;

(2) promote the cooperative business model because that model ensures that consumers have access to high-quality goods and services at competitive prices and costs that improve the lives of individuals, families, and their communities; and

(3) address and correct awareness challenges among the public and within the Federal Government relating to what cooperatives look like, who participates in cooperatives, where cooperatives are located, and why individuals choose cooperatives;

Whereas the Bureau of the Census, as part of the 2017 and 2022 Economic Censuses, asked each business if the business was organized as a cooperative, and the responses of businesses yielded both quantitative and qualitative data on the effects and importance of cooperatives across the economy of the United States;

Whereas, throughout the rural United States, many utility service providers operate as cooperatives and are tasked with the delivery of public services, such as electricity, water, telecommunications, and broadband, in areas where investor-owned utility companies typically do not operate;

Whereas utility cooperatives have innovated to meet the evolving needs of their member-owners, create more resilient communities, and help rural individuals in the United States prosper;

Whereas electric cooperatives serve 56 percent of the landmass of the United States, including 92 percent of persistent poverty counties, and energy cooperatives power more than 21,500,000 homes, businesses, and schools;

Whereas there are approximately 260 telephone cooperatives in the United States with total annual revenues of \$3,900,000,000;

Whereas, in the financial services sector, cooperatives, including credit unions, farm credit banks, and other financing organizations that lend to cooperatives, provide numerous benefits to the member-owners of those cooperatives;

Whereas, nationally, approximately 4,800 credit unions serve 138,000,000 members;

Whereas member-owners of cooperatives vote in board elections, and earned profits cycle back into cost-saving programs or return as dividend payments;

Whereas purchasing and shared service cooperatives allow independent and franchise businesses to thrive;

Whereas food cooperatives range in size from small, local institutions to multi-store regional giants that compete with chain stores with locations across the United States;

Whereas food cooperatives support local producers in all 50 States and reduce food insecurity;

Whereas, in the housing sector, housing cooperatives and resident-owned communities in which members own the building or land—

(1) are an alternative to conventional rental apartments, manufactured home parks, and condominiums; and

(2) empower each resident with ownership and responsibility;

Whereas housing cooperatives have roots dating to the late 1800s and are increasingly becoming a housing alternative for students at colleges throughout the United States;

Whereas shared equity housing cooperatives are a strategy for preserving long-term, affordable housing;

Whereas cooperatives allow residents of manufactured home communities to collectively purchase the land on which they live, providing stability and the opportunity to self-govern;

Whereas, as of 2023, 309 manufactured home communities are cooperatively owned;

Whereas the growth of worker cooperatives in the United States is allowing more workers to own and have greater control over their businesses;

Whereas many small businesses convert to cooperatives when faced with closure or a buyout, ensuring that such a business can continue to serve its community; and

Whereas the cooperative business model allows business owners to retire and transfer business ownership to employees or consumers, protecting local ownership and supporting local communities: Now, therefore, be it

Resolved, That the Senate—

(1) expresses support for the designation of October 2024 as “National Co-Op Month”;

(2) commends the cooperative business model for—

(A) its contributions to the economy of the United States;

(B) the jobs it creates; and

(C) its positive impacts on local communities;

(3) expresses confidence in, and support for, cooperatives to continue their successes; and

(4) will be mindful in crafting legislation that affects business models that are not the cooperative business model so that the legislation does not adversely affect the cooperative business model.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3312. Mr. WYDEN proposed an amendment to the resolution S. Res. 74, condemning the Government of Iran’s state-sponsored persecution of the Baha’i minority and its continued violation of the International Covenants on Human Rights.

SA 3313. Mr. VAN HOLLEN (for Mrs. BLACKBURN) proposed an amendment to the bill S. 4212, to amend the Visit America Act to promote music tourism, and for other purposes.

TEXT OF AMENDMENTS

SA 3312. Mr. WYDEN proposed an amendment to the resolution S. Res. 74, condemning the Government of Iran’s state-sponsored persecution of the Baha’i minority and its continued violation of the International Covenants on Human Rights; as follows:

Strike the preamble and insert the following:

Whereas, in 1982, 1984, 1988, 1990, 1992, 1993, 1994, 1996, 2000, 2004, 2006, 2008, 2009, 2012, 2013, 2015, 2016, 2017, 2018, 2020, and 2022, Congress declared that it deplored the religious persecution by the Government of Iran of the Baha’i community and would hold the Government of Iran responsible for upholding the rights of all Iranian nationals, including members of the Baha’i faith;

Whereas, since 1979, Iranian authorities have killed or executed more than 200 Baha’i leaders and more than 10,000 Baha’is have been dismissed from government and university jobs;

Whereas June 18, 2023, marked the 40th anniversary of the execution of 10 Baha’i women by the Government of Iran, each witnessing the hanging of those hanged before her in a final failed attempt to induce abandonment of their faith after over 6 months of imprisonment and violent abuse, with the youngest only 17 years old;

Whereas, on December 19, 2023, the United Nations General Assembly adopted a resolution (A/C.3/78/L.41) calling on Iran to carry out wide-ranging reforms and expressing serious concerns for its escalating human rights abuses, including—

(1) “severe limitations and increasing restrictions on the right to freedom of thought, conscience, religion, or belief”;

(2) “restrictions on the establishment of places of worship, undue restrictions on burials carried out in accordance with religious tenets, attacks against places of worship and burial”;

(3) “increased harassment, intimidation, persecution, arbitrary arrest, and detention of, and incitement to hatred that leads to violence against, persons belonging to recognized and unrecognized religious minorities, including Christians (particularly converts from Islam), Gonabadi Dervishes, Jews, Sufi Muslims, Sunni Muslims, Yarsanis, Zoroastrians, and in particular, Baha’is”;

(4) “denial of and restrictions on access to education, including for members of the Baha’i faith”;

(5) “particular” persecution of members of the Baha’i community “who have been subjected to a continued increase in persecution, including attacks, harassment and targeting . . . on account of their faith and have been reportedly subjected to mass arrests and lengthy prison sentences, as well as the arrest of prominent members and increased confiscation and destruction of property”;

Whereas, in the 2024 Annual Report of the United States Commission on International Religious Freedom issued in May 2024, it is reported that in 2023—

(1) the Government of Iran “conducted individual and mass arrests of Baha’is across Iran taking them to undisclosed locations and imposing excessively long prison sentences”;

(2) “security officials beat and brutalized Baha’is during raids and searches of private homes”;

(3) “security forces arrested scores of Baha’is in cities including Hamadan, Mehrshahr, Yazd, Karaj, Alborz, and Tehran”;

(4) the “government has targeted Baha’i women in particular” and that “[a]pproximately two-thirds of Iranian Baha’i prisoners are women”;

(5) authorities “targeted Baha’i cemeteries in Arak, Alborz, and Golestan”;

(6) local “municipalities seized and confiscated Baha’i land, restricted Baha’i access to burial grounds, and declared intentions to sell Baha’i-owned property exclusively to Muslims”;

Whereas the Iran section of the Department of State’s 2022 Report on International Religious Freedom issued in May 2023 provides, in part—

(1) “[I]n July and August, security forces in cities across the country conducted multiple raids of Baha’i homes, confiscated property deemed ‘illegitimate wealth’, and arrested Baha’is in their homes or workplaces on unsubstantiated charges including ‘causing intellectual and ideological insecurity in Muslim society.’”;

(2) “Authorities reportedly continued to deny members of unrecognized religious mi-

nority groups access to education and government employment unless they declared themselves as belonging to one of the country’s recognized religions on their application forms. UN experts reported universities rejected more than 90 Baha’i students between January and August.”; and

(3) “Government officials and government-affiliated organizations continued to disseminate anti-Baha’i and antisemitic messages using traditional and social media.”;

Whereas, in response to a surge in persecution in June and July 2022, involving the subsection of over 100 Baha’is to arrests, arraignments, sentencing, and raids on their homes and businesses across Iran, including the sentencing in June of 26 individuals in the city of Shiraz to a combined total of 85 years in prison, the Department of State’s Office of International Religious Freedom issued a statement on August 2, 2022, indicating that “[a]mid a continued rise in arrests, sentences, and imprisonments, the U.S. urges Iran to halt its ongoing oppression of the Baha’i community and honor its international obligations to respect the right of all Iranians to freedom of religion or belief”;

Whereas, on November 21, 2022, Mahvash Sabet and Fariba Kamalabadi, 2 former members of the informal 7-person leadership group of the Baha’is of Iran, who each served 10-year sentences from 2008 to 2018, and have been detained since July 31, 2022, in Evvin prison, were sentenced to 10 years in prison each after a summary trial lasting 1 hour;

Whereas, on December 11, 2022, the Baha’i International Community organization stated that “Dr. Shirin Ebadi, the Nobel laureate and defence lawyer for Mahvash and Fariba during their first trial, said in 2008 that ‘not a shred of evidence’ was offered to prove the national security charges or other allegations. Nor was any new evidence forthcoming at this latest trial”;

Whereas, on January 12, 2024, the Baha’i International Community organization reported increasing incidents of persecution accompanied by intensified violence perpetrated against the Baha’i community by the Government of Iran, for example—

(1) “since the beginning of October [2023] more than 200 incidents of persecution, including over 50 arrests and imprisonments, have occurred in various cities such as Shiraz, Yazd, Isfahan, Hamadan, and Karaj”;

(2) government agents have perpetrated “increasingly violent home raids, disproportionately affecting women and the elderly, and have even resulted in hospitalizations and traumatic separations of mothers from their children. Notably, over two-thirds of those arrested and detained have been women, predominantly in their twenties and thirties, highlighting the escalation of attacks against women in recent months.”; and

(3) government agents have instigated a “conspicuous rise in hate speech, where Baha’is have been accused of being behind the September 2022 protests, promoting permissiveness, being against Islam and Shiism, being spies for Israel and the West, and being part of a political movement that seeks to undermine the state”;

Whereas Iran is a member of the United Nations and a signatory to both the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, among other international human rights treaties, without reservation;

Whereas section 105 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8514) authorizes the President to impose sanctions on individuals who are “responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses against citizens of