

By Ms. ROSEN (for herself and Ms. CORTEZ MASTO):

S. 4087. A bill to provide for the conveyance of certain Federal land in Carson City, Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BROWN (for himself, Mrs. MURRAY, Mr. LEAHY, Ms. BALDWIN, Mr. SCHATZ, Ms. STABENOW, Mr. MURPHY, and Mr. MERKLEY):

S. 4088. A bill to amend title XIX of the Social Security Act to extend the application of the Medicare payment rate floor to primary care services furnished under Medicaid and to apply the rate floor to additional providers of primary care services; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Ms. HARRIS, Mr. BROWN, Mr. SCHATZ, and Mr. MERKLEY):

S. 4089. A bill to amend title 11, United States Code, to improve protections for employees and retirees in business bankruptcies; to the Committee on the Judiciary.

By Mr. HOEVEN (for himself, Mr. UDALL, Mr. BARRASSO, Ms. MURKOWSKI, Ms. MCSALLY, Mr. TESTER, Mr. SCHATZ, Mr. CRAMER, Ms. SMITH, and Mr. DAINES):

S. 4090. A bill to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, and for other purposes; to the Committee on Indian Affairs.

#### ADDITIONAL COSPONSORS

S. 348

At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 348, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 360

At the request of Mr. MENENDEZ, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 360, a bill to amend the Securities Exchange Act of 1934 to require the submission by issuers of data relating to diversity, and for other purposes.

S. 450

At the request of Mr. GARDNER, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 450, a bill to require the Secretary of Veterans Affairs to carry out a pilot program to expedite the onboarding process for new medical providers of the Department of Veterans Affairs, to reduce the duration of the hiring process for such medical providers, and for other purposes.

S. 654

At the request of Ms. BALDWIN, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 654, a bill to require the Secretary of Transportation to carry out a pilot program to develop and provide to States and transportation planning organizations accessibility data sets, and for other purposes.

S. 835

At the request of Ms. KLOBUCHAR, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S.

835, a bill to amend title 38, United States Code, to improve the care provided by the Secretary of Veterans Affairs to newborn children.

S. 1246

At the request of Mr. KAINÉ, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1246, a bill to extend the protections of the Fair Housing Act to persons suffering discrimination on the basis of sexual orientation or gender identity, and for other purposes.

S. 1820

At the request of Ms. SMITH, her name was added as a cosponsor of S. 1820, a bill to improve the integrity and safety of horseracing by requiring a uniform anti-doping and medication control program to be developed and enforced by an independent Horseracing Anti-Doping and Medication Control Authority.

S. 1903

At the request of Ms. SMITH, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1903, a bill to establish an inter-agency One Health Program, and for other purposes.

S. 2302

At the request of Mr. BARRASSO, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 2302, a bill to amend title 23, United States Code, to authorize funds for Federal-aid highways and highway safety construction programs, and for other purposes.

S. 2689

At the request of Mr. BOOKER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2689, a bill to prohibit the use of biometric recognition technology and biometric analytics in certain federally assisted rental dwelling units, and for other purposes.

S. 3020

At the request of Ms. BALDWIN, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 3020, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into contracts with States or to award grants to States to promote health and wellness, prevent suicide, and improve outreach to veterans, and for other purposes.

S. 3067

At the request of Mrs. CAPITO, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 3067, a bill to amend title XVIII of the Social Security Act to combat the opioid crisis by promoting access to non-opioid treatments in the hospital outpatient setting.

S. 3276

At the request of Mr. COONS, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 3276, a bill to eliminate asset limits employed by certain federally

funded means-tested public assistance programs, and for other purposes.

S. 3487

At the request of Ms. BALDWIN, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 3487, a bill to amend the Victims of Crime Act of 1984 to provide for the compensation of elderly victims of property damage, to provide increased funding for the crime victim compensation fund, and for other purposes.

S. 3569

At the request of Ms. KLOBUCHAR, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Virginia (Mr. KAINÉ) were added as cosponsors of S. 3569, a bill to help small business broadband providers keep customers connected.

S. 3644

At the request of Mr. BOOKER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3644, a bill to amend titles XVIII and XIX of the Social Security Act to improve the quality of care in skilled nursing facilities under the Medicare program and nursing facilities under the Medicare program during the COVID-19 emergency period, and for other purposes.

S. 3677

At the request of Ms. BALDWIN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 3677, a bill to require the Occupational Safety and Health Administration to promulgate an emergency temporary standard to protect employees from occupational exposure to SARS-CoV-2, and for other purposes.

S. 3703

At the request of Ms. COLLINS, the names of the Senator from Florida (Mr. RUBIO), the Senator from Mississippi (Mr. WICKER), the Senator from Montana (Mr. DAINES) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 3703, a bill to amend the Elder Abuse Prevention and Prosecution Act to improve the prevention of elder abuse and exploitation of individuals with Alzheimer's disease and related dementias.

S. 3756

At the request of Mr. GRASSLEY, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 3756, a bill to direct the Secretary of Agriculture to establish a renewable fuel feedstock reimbursement program.

S. 3798

At the request of Mr. TOOMEY, the names of the Senator from Arizona (Ms. MCSALLY), the Senator from Arkansas (Mr. COTTON), the Senator from Texas (Mr. CRUZ) and the Senator from Nebraska (Mr. SASSE) were added as cosponsors of S. 3798, a bill to impose sanctions with respect to foreign persons involved in the erosion of certain obligations of China with respect to Hong Kong, and for other purposes.

S. 3851

At the request of Ms. WARREN, the names of the Senator from Connecticut

(Mr. BLUMENTHAL), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 3851, a bill to prohibit high-level appointees in the Department of Justice from participating in particular matters in which the President, a relative of the President, or an individual associated with the campaign of the President is a party.

S. 3868

At the request of Ms. KLOBUCHAR, the names of the Senator from Delaware (Mr. COONS), the Senator from New York (Mrs. GILLIBRAND), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Tennessee (Mrs. BLACKBURN), and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 3868, a bill to require the Secretary of Defense and the Secretary of Veterans Affairs to evaluate members of the Armed Forces and veterans who have tested positive for a virus certified as a pandemic for potential exposure to open burn pits and toxic airborne chemicals or other airborne contaminants, to conduct a study on the impact of such a pandemic on members and veterans with such exposure, and for other purposes.

S. 3957

At the request of Mr. BOOKER, the names of the Senator from Michigan (Ms. STABENOW), the Senator from Virginia (Mr. Kaine), the Senator from California (Mrs. FEINSTEIN), and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 3957, a bill to remove all statutes of individuals who voluntarily served the Confederate States of America from display in the Capitol of the United States.

S. 4001

At the request of Mr. SCOTT of South Carolina, the names of the Senator from Iowa (Ms. ERNST), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Montana (Mr. DAINES), and the Senator from Maine (Mr. KING) were added as cosponsors of S. 4001, a bill to amend title IX of the Social Security Act to improve emergency unemployment relief for governmental entities and nonprofit organizations.

S. 4016

At the request of Mr. MENENDEZ, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 4016, a bill to reiterate the support of Congress for the relationship between the United States and the Federal Republic of Germany, to prevent the weakening of the deterrence capacity of the United States in Europe, to prohibit use of funds to withdraw the United States Armed Forces from Europe, and for other purposes.

S. 4019

At the request of Mr. MARKEY, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 4019, a bill to amend title 5, United States Code, to designate

Juneteenth National Independence Day as a legal public holiday.

S. 4034

At the request of Mr. DURBIN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 4034, a bill to expand eligibility for and provide judicial review for the Elderly Home Detention Pilot Program, provide for compassionate release based on COVID-19 vulnerability, shorten the waiting period for judicial review during the COVID-19 pandemic, and make other technical corrections.

S. 4046

At the request of Mr. MERKLEY, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 4046, a bill to direct the Administrator of the Environmental Protection Agency to establish a program to award grants to eligible entities to purchase, and as applicable install, zero emissions port equipment and technology, and for other purposes.

S. RES. 509

At the request of Mr. TOOMEY, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. Res. 509, a resolution calling upon the United Nations Security Council to adopt a resolution on Iran that extends the dates by which Annex B restrictions under Resolution 2231 are currently set to expire.

S. RES. 633

At the request of Mr. MARKEY, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. Res. 633, a resolution supporting the goals of International Myalgic Encephalomyelitis/Chronic Fatigue Syndrome Awareness Day.

AMENDMENT NO. 1690

At the request of Mr. BLUMENTHAL, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of amendment No. 1690 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1691

At the request of Mr. BLUMENTHAL, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of amendment No. 1691 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1707

At the request of Ms. DUCKWORTH, the name of the Senator from Arizona

(Ms. MCSALLY) was added as a cosponsor of amendment No. 1707 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1709

At the request of Mr. HAWLEY, the names of the Senator from Florida (Mr. SCOTT), the Senator from North Dakota (Mr. CRAMER), and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of amendment No. 1709 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1729

At the request of Mrs. SHAHEEN, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of amendment No. 1729 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1730

At the request of Mrs. SHAHEEN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 1730 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1731

At the request of Mrs. SHAHEEN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of amendment No. 1731 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1732

At the request of Mrs. SHAHEEN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of amendment No. 1732 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

## AMENDMENT NO. 1733

At the request of Mrs. SHAHEEN, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of amendment No. 1733 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

## AMENDMENT NO. 1746

At the request of Mr. WYDEN, the names of the Senator from West Virginia (Mr. MANCHIN), the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of amendment No. 1746 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

## AMENDMENT NO. 1755

At the request of Mrs. GILLIBRAND, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from California (Ms. HARRIS), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Illinois (Mr. DURBIN), the Senator from New Mexico (Mr. UDALL), the Senator from Pennsylvania (Mr. CASEY), the Senator from Vermont (Mr. SANDERS), the Senator from Oregon (Mr. WYDEN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Massachusetts (Ms. WARREN), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from New Jersey (Mr. BOOKER), the Senator from Connecticut (Mr. MURPHY), and the Senator from Alabama (Mr. JONES) were added as cosponsors of amendment No. 1755 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

## AMENDMENT NO. 1762

At the request of Mr. MURPHY, the names of the Senator from New York (Mr. SCHUMER), the Senator from California (Ms. HARRIS), and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of amendment No. 1762 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 for military activities of the Department of De-

fense, 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.

## AMENDMENT NO. 1764

At the request of Mr. HOEVEN, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of amendment No. 1764 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

## AMENDMENT NO. 1765

At the request of Mr. HOEVEN, the names of the Senator from North Dakota (Mr. CRAMER) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of amendment No. 1765 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

## AMENDMENT NO. 1767

At the request of Mr. HOEVEN, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of amendment No. 1767 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

## AMENDMENT NO. 1774

At the request of Mr. BLUMENTHAL, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of amendment No. 1774 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

## AMENDMENT NO. 1776

At the request of Mr. BLUMENTHAL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 1776 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Ms. HARRIS, Mr. BROWN, Mr. SCHATZ, and Mr. MERKLEY):

S. 4089. A bill to amend title 11, United States Code, to improve protections for employees and retirees in business bankruptcies; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

## S. 4089

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

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Protecting Employees and Retirees in Business Bankruptcies Act of 2020”.

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

**TITLE I—IMPROVING RECOVERIES FOR EMPLOYEES AND RETIREES**

Sec. 101. Increased wage priority.

Sec. 102. Claim for stock value losses in defined contribution plans.

Sec. 103. Priority for severance pay and contributions to employee benefit plans.

Sec. 104. Financial returns for employees and retirees.

Sec. 105. Priority for WARN Act damages.

**TITLE II—REDUCING EMPLOYEES’ AND RETIREES’ LOSSES**

Sec. 201. Rejection of collective bargaining agreements.

Sec. 202. Payment of insurance benefits to retired employees.

Sec. 203. Protection of employee benefits in a sale of assets.

Sec. 204. Claim for pension losses.

Sec. 205. Payments by secured lender.

Sec. 206. Preservation of jobs and benefits.

Sec. 207. Termination of exclusivity.

Sec. 208. Claim for withdrawal liability.

**TITLE III—RESTRICTING EXECUTIVE COMPENSATION PROGRAMS**

Sec. 301. Executive compensation upon exit from bankruptcy.

Sec. 302. Limitations on executive compensation enhancements.

Sec. 303. Prohibition against special compensation payments.

Sec. 304. Assumption of executive benefit plans.

Sec. 305. Recovery of executive compensation.

Sec. 306. Preferential compensation transfer.

**TITLE IV—OTHER PROVISIONS**

Sec. 401. Union proof of claim.

Sec. 402. Exception from automatic stay.

Sec. 403. Effect on collective bargaining agreements under the Railway Labor Act.

**SEC. 2. FINDINGS.**

The Congress finds the following:

(1) Business bankruptcies have increased sharply in recent years and remain at high levels due to the impact of the COVID-19 pandemic. As the use of bankruptcy has expanded, job preservation and retirement security are placed at greater risk.

(2) Laws enacted to improve recoveries for employees and retirees and limit their losses