

U.S. BANKRUPTCY CODE

CONTENTS

TITLE 11 — UNITED STATES CODE BANKRUPTCY	9	Sec. 330. Compensation of Officers.....	51
Chapter 1: General Provisions.....	9	Sec. 331. Interim Compensation	58
Sec. 101. Definitions	9	Sec. 332. Consumer Privacy Ombudsman.....	58
Sec. 102. Rules of Construction	24	Sec. 333. Appointment of Patient Care Ombudsman	59
Sec. 103. Applicability of Chapters.....	25	Sec. 341. Meetings of Creditors and Equity Security Holders	59
Sec. 104. Adjustment of Dollar Amounts	25	Sec. 342. Notice	60
Sec. 105. Power of Court.....	26	Sec. 343. Examination of the Debtor.....	62
Sec. 106. Waiver of Sovereign Immunity	28	Sec. 344. Self-Incrimination; Immunity	62
Sec. 107. Public Access to Papers	29	Sec. 345. Money of Estates	62
Sec. 108. Extension of Time.....	30	Sec. 346. Special Provisions Related to the Treatment of State and Local Taxes.....	62
Sec. 109. Who May be a Debtor.....	31	Sec. 347. Unclaimed Property	64
Sec. 110. Penalty for Persons who Negligently or Fraudulently Prepare Bankruptcy Petitions	34	Sec. 348. Effect of Conversion.....	64
Sec. 111. Nonprofit Budget and Credit Counseling Agencies; Financial Management Instructional Courses	38	Sec. 349. Effect of Dismissal	65
Sec. 112. Prohibition on Disclosure of Name of Minor Children.....	40	Sec. 350. Closing and Reopening Cases.....	66
Chapter 3: Case Administration	40	Sec. 351. Disposal of Patient Records	67
Subchapter I: Commencement of a Case.....	40	Subchapter III: Administrative Powers.....	68
Sec. 301. Voluntary Cases.....	40	Sec. 361. Adequate Protection	68
Sec. 302. Joint Cases.....	40	Sec. 362. Automatic Stay	68
Sec. 303. Involuntary Cases.....	40	Sec. 363. Use, Sale, or Lease of Property	84
Sec. 304. [Repealed].	44	Sec. 364. Obtaining Credit.....	89
Sec. 305. Abstention.....	44	Sec. 365. Executory Contracts and Unexpired Leases	90
Sec. 306. Limited Appearance	44	Sec. 366. Utility Service.....	99
Sec. 307. United States Trustee.....	44	Chapter 5: Creditors, the Debtor, and the Estate	100
Sec. 308. Debtor Reporting - Requirements	44	Subchapter I: Creditors and Claims	100
Subchapter II: Officers	45	Sec. 501. Filing of Proofs of Claims or Interests....	100
Sec. 321. Eligibility to Serve as Trustee	45	Sec. 502. Allowance of Claims or Interests.....	100
Sec. 322. Qualification of Trustee.....	45	Sec. 503. Allowance of Administrative Expenses.....	106
Sec. 323. Role and Capacity of Trustee.....	45	Sec. 504. Sharing of Compensation	111
Sec. 324. Removal of Trustee or Examiner	46	Sec. 505. Determination of Tax Liability.....	111
Sec. 325. Effect of Vacancy	46	Sec. 506. Determination of Secured Status	113
Sec. 326. Limitation on Compensation of Trustee... ..	46	Sec. 507. Priorities.....	117
Sec. 327. Employment of Professional Persons.....	48	Sec. 508. Effect of Distribution Other Than Under This Title.....	120
Sec. 328. Limitation on Compensation of Professional Persons.....	49	Sec. 509. Claims of Codebtors.....	120
Sec. 329. Debtor's Transactions with Attorneys.....	50	Sec. 510. Subordination	120
		Sec. 511. Rate of Interest on Tax Claims.....	122

U.S. BANKRUPTCY CODE

CONTENTS

Subchapter II: Debtor's Duties and Benefits	122	Sec. 561. Contractual Right to Terminate, Liquidate, Accelerate, or Offset Under a Master Netting Agreement and Across Contracts; Proceedings Under Chapter 15	208
Sec. 521. Debtor's Duties	122	Sec. 562. Timing of Damage Measure in Connection With Swap Agreements, Securities Contracts, Forward Contracts, Commodity Contracts, Repurchase Agreements, and Master Netting Agreements	209
Sec. 522. Exemptions	126	Chapter 7: Liquidation.....	209
Sec. 523. Exceptions to Discharge	139	Subchapter I: Officers and Administration.....	209
Sec. 524. Effect of Discharge	158	Sec. 701. Interim Trustee.....	209
Sec. 525. Protection Against Discriminatory Treatment.....	169	Sec. 702. Election of Trustee	210
Sec. 526. Restrictions on Debt Relief Agencies	170	Sec. 703. Successor Trustee.....	210
Sec. 527. Disclosures	172	Sec. 704. Duties of Trustee.....	210
Sec. 528. Requirements for Debt Relief Agencies	174	Sec. 705. Creditors' Committee.....	212
Subchapter III: The Estate.....	175	Sec. 706. Conversion.....	212
Sec. 541. Property of the Estate	175	Sec. 707. Dismissal of a Case or Conversion to a Case Under Chapter 11 or 13	213
Sec. 542. Turnover of Property to the Estate	183	Subchapter II: Collection, Liquidation, and Distribution of the Estate	219
Sec. 543. Turnover of Property by a Custodian	184	Sec. 721. Authorization to Operate Business	219
Sec. 544. Trustee as Lien Creditor and as Successor to Certain Creditors and Purchasers	184	Sec. 722. Redemption	219
Sec. 545. Statutory Liens	186	Sec. 723. Rights of Partnership Trustee Against General Partners.....	220
Sec. 546. Limitations on Avoiding Powers	186	Sec. 724. Treatment of Certain Liens	220
Sec. 547. Preferences.....	188	Sec. 725. Disposition of Certain Property.....	221
Sec. 548. Fraudulent Transfers and Obligations	194	Sec. 726. Distribution of Property of the Estate.....	221
Sec. 549. Postpetition Transactions.....	199	Sec. 727. Discharge	223
Sec. 550. Liability of Transferee of Avoided Transfer.....	200	Subchapter III: Stockbroker Liquidation.....	230
Sec. 551. Automatic Preservation of Avoided Transfer.....	202	Sec. 741. Definitions for this Subchapter.....	230
Sec. 552. Postpetition Effect of Security Interest.....	202	Sec. 742. Effect of Section 362 of this Title in this Subchapter	232
Sec. 553. Setoff.....	202	Sec. 743. Notice	232
Sec. 554. Abandonment of Property of the Estate	204	Sec. 744. Executory Contracts	232
Sec. 555. Contractual Right to Liquidate a Securities Contract	204	Sec. 745. Treatment of Accounts.....	232
Sec. 556. Contractual Right to Liquidate a Commodities Contract or Forward Contract.....	205	Sec. 746. Extent of Customer Claims	232
Sec. 557. Expedited Determination of Interests in, and Abandonment or Other Disposition of Grain Assets	205	Sec. 747. Subordination of Certain Customer Claims.....	232
Sec. 558. Defenses of the Estate.....	207	Sec. 748. Reduction of Securities to Money.....	233
Sec. 559. Contractual Right to Liquidate, Terminate, or Accelerate a Repurchase Agreement.....	207	Sec. 749. Voidable Transfers.....	233
Sec. 560. Contractual Right to Terminate a Swap Agreement.....	207		

U.S. BANKRUPTCY CODE

CONTENTS

Sec. 750. Distribution of Securities.....	233	Subchapter II: Administration	242
Sec. 751. Customer Name Securities	233	Sec. 921. Petition and Proceedings Relating to Petition	242
Sec. 752. Customer Property	233	Sec. 922. Automatic Stay of Enforcement of Claims Against the Debtor	243
Sec. 753. Stockbroker Liquidation and Forward Contract Merchants, Commodity Brokers, Stockbrokers, Financial Institutions, Financial Participants, Securities Clearing Agencies, Swap Participants, Repo Participants, and Master Netting Agreement Participants.....	234	Sec. 923. Notice	243
Subchapter IV: Commodity Broker Liquidation	234	Sec. 924. List of Creditors	243
Sec. 761. Definitions for this Subchapter.....	234	Sec. 925. Effect of List of Claims.....	243
Sec. 762. Notice to the Commission and Right to be Heard.....	237	Sec. 926. Avoiding Powers	243
Sec. 763. Treatment of Accounts.....	237	Sec. 927. Limitation on Recourse	243
Sec. 764. Voidable Transfers.....	237	Sec. 928. Post Petition Effect of Security Interest.....	243
Sec. 765. Customer Instructions.....	238	Sec. 929. Municipal Leases	244
Sec. 766. Treatment of Customer Property	238	Sec. 930. Dismissal.....	244
Sec. 767. Commodity Broker Liquidation and Forward Contract Merchants, Commodity Brokers, Stockbrokers, Financial Institutions, Financial Participants, Securities Clearing Agencies, Swap Participants, Repo Participants, and Master Netting Agreement Participants.....	239	Subchapter III: The Plan.....	244
Subchapter V: Clearing Bank Liquidation	240	Sec. 941. Filing of Plan.....	244
Sec. 781. Definitions	240	Sec. 942. Modification of Plan.....	244
Sec. 782. Selection of Trustee	240	Sec. 943. Confirmation	244
Sec. 783. Additional Powers of Trustee.....	240	Sec. 944. Effect of Confirmation	245
Sec. 784. Right to be Heard.....	240	Sec. 945. Continuing Jurisdiction and Closing of the Case	245
Chapter 9: Adjustment of Debts of a Municipality	241	Sec. 946. Effect of Exchange of Securities Before the Date of the Filing of the Petition	245
Subchapter I: General Provisions	241	Chapter 11: Reorganization	245
Sec. 901. Applicability of Other Sections of this Title	241	Subchapter I: Officers and Administration.....	245
Sec. 902. Definitions for this Chapter	241	Sec. 1101. Definitions for this Chapter	245
Sec. 903. Reservation of State Power to Control Municipalities	241	Sec. 1102. Creditors' and Equity Security Holders' Committees.....	245
Sec. 904. Limitation on Jurisdiction and Powers of Court	242	Sec. 1103. Powers and Duties of Committees.....	246
		Sec. 1104. Appointment of Trustee or Examiner	247
		Sec. 1105. Termination of Trustee's Appointment	248
		Sec. 1106. Duties of Trustee and Examiner	248
		Sec. 1107. Rights, Powers and Duties of Debtor in Possession.....	249
		Sec. 1108. Authorization to Operate Business	249
		Sec. 1109. Right to be Heard.....	249
		Sec. 1110. Aircraft Equipment and Vessels	250
		Sec. 1111. Claims and Interests	251
		Sec. 1112. Conversion or Dismissal.....	252
		Sec. 1113. Rejection of Collective Bargaining Agreements	254
		Sec. 1114. Payment of Insurance Benefits to Retired Employees	255

U.S. BANKRUPTCY CODE

CONTENTS

Sec. 1115. Property of the Estate	258	Sec. 1182. Definitions	281
Sec. 1116. Duties of Trustee or Debtor in Possession in Small Business Cases	258	Sec. 1183. Trustee.....	282
Subchapter II: The Plan	259	Sec. 1184. Rights and Powers of a Debtor in Possession	282
Sec. 1121. Who May File a Plan.....	259	Sec. 1185. Removal of Debtor in Possession	282
Sec. 1122. Classification of Claims or Interests	260	Sec. 1186. Property of the Estate	283
Sec. 1123. Contents of Plan	261	Sec. 1187. Duties and Reporting Requirements of Debtors	283
Sec. 1124. Impairment of Claims or Interests	263	Sec. 1188. Status Conference.....	283
Sec. 1125. Postpetition Disclosure and Solicitation.....	263	Sec. 1189. Filing of the Plan.....	283
Sec. 1126. Acceptance of Plan.....	265	Sec. 1190. Contents of Plan.....	283
Sec. 1127. Modification of Plan	266	Sec. 1191. Confirmation of Plan	284
Sec. 1128. Confirmation Hearing.....	267	Sec. 1192. Discharge	285
Sec. 1129. Confirmation of Plan	267	Sec. 1193. Modification of Plan	285
Subchapter III: Postconfirmation Matters.....	273	Sec. 1194. Payments.....	285
Sec. 1141. Effect of Confirmation	273	Sec. 1195. Transactions with Professionals	286
Sec. 1142. Implementation of Plan	275		
Sec. 1143. Distribution	275	Chapter 12: Adjustment of Debts of a Family Farmer or Fisherman with Regular Annual Income	286
Sec. 1144. Revocation of an Order of Confirmation	275	Subchapter I: Officers, Administration, and the Estate	286
Sec. 1145. Exemption from Securities Laws.....	276	Sec. 1201. Stay of Action Against Codebtor	286
Sec. 1146. Special Tax Provisions.....	277	Sec. 1202. Trustee.....	286
Subchapter IV: Railroad Reorganization.....	277	Sec. 1203. Rights and Powers of Debtor	287
Sec. 1161. Inapplicability of Other Sections	277	Sec. 1204. Removal of Debtor as Debtor in Possession.....	288
Sec. 1162. Definition	277	Sec. 1205. Adequate Protection	288
Sec. 1163. Appointment of Trustee.....	277	Sec. 1206. Sales Free of Interests.....	288
Sec. 1164. Right to be Heard.....	277	Sec. 1207. Property of the Estate	288
Sec. 1165. Protection of the Public Interest	278	Sec. 1208. Conversion or Dismissal.....	288
Sec. 1166. Effect of Subtitle IV of Title 49 and of Federal, State, or Local Regulations	278	Subchapter II: The Plan	289
Sec. 1167. Collective Bargaining Agreements	278	Sec. 1221. Filing of Plan.....	289
Sec. 1168. Rolling Stock Equipment	278	Sec. 1222. Contents of Plan	289
Sec. 1169. Effect of Rejection of Lease of Railroad Line.....	279	Sec. 1223. Modification of Plan Before Confirmation	290
Sec. 1170. Abandonment of Railroad Line	279	Sec. 1224. Confirmation Hearing.....	291
Sec. 1171. Priority Claims	280	Sec. 1225. Confirmation of Plan	291
Sec. 1172. Contents of Plan	280	Sec. 1226. Payments.....	292
Sec. 1173. Confirmation of Plan	281	Sec. 1227. Effect of Confirmation	292
Sec. 1174. Liquidation	281	Sec. 1228. Discharge	292
Subchapter V: Small Business Debtor Reorganization	281	Sec. 1229. Modification of Plan After Confirmation	293
Sec. 1181. Inapplicability of Other Sections	281		

U.S. BANKRUPTCY CODE

CONTENTS

Sec. 1230. Revocation of an Order of Confirmation	293	Subchapter II: Access of Foreign Representatives and Creditors to the Court	314
Sec. 1231. Special Tax Provisions	294	Sec. 1509. Right of Direct Access	314
Chapter 13: Adjustment of Debts of an Individual with Regular Income... 294		Sec. 1510. Limited Jurisdiction	314
Subchapter I: Officers, Administration, and the Estate	294	Sec. 1511. Commencement of Case Under Section 301, 302, or 303	314
Sec. 1301. Stay of Action Against Codebtor	294	Sec. 1512. Participation of a Foreign Representative in a Case Under this Title	315
Sec. 1302. Trustee	294	Sec. 1513. Access of Foreign Creditors to a Case Under this Title	315
Sec. 1303. Rights and Powers of Debtor	295	Sec. 1514. Notification to Foreign Creditors Concerning a Case Under this Title	315
Sec. 1304. Debtor Engaged in Business	295	Subchapter III: Recognition of a Foreign Proceeding and Relief	315
Sec. 1305. Filing and Allowance of Postpetition Claims	296	Sec. 1515. Application for Recognition	315
Sec. 1306. Property of the Estate	296	Sec. 1516. Presumptions Concerning Recognition	316
Sec. 1307. Conversion or Dismissal	296	Sec. 1517. Order Granting Recognition	316
Sec. 1308. Filing of Prepetition Tax Returns	298	Sec. 1518. Subsequent Information	316
Subchapter II: The Plan	299	Sec. 1519. Relief that may be Granted Upon Filing Petition for Recognition	316
Sec. 1321. Filing of Plan	299	Sec. 1520. Effects of Recognition of a Foreign Main Proceeding	317
Sec. 1322. Contents of Plan	299	Sec. 1521. Relief that may be Granted Upon Recognition	317
Sec. 1323. Modification of Plan Before Confirmation	301	Sec. 1522. Protection of Creditors and Other Interested Persons	318
Sec. 1324. Confirmation Hearing	301	Sec. 1523. Actions to Avoid Acts Detrimental to Creditors	318
Sec. 1325. Confirmation of Plan	302	Sec. 1524. Intervention by a Foreign Representative	318
Sec. 1326. Payments	307	Subchapter IV: Cooperation with Foreign Courts and Foreign Representatives	319
Sec. 1327. Effect of Confirmation	308	Sec. 1525. Cooperation and Direct Communication Between the Court and Foreign Courts or Foreign Representatives	319
Sec. 1328. Discharge	309	Sec. 1526. Cooperation and Direct Communication Between the Trustee and Foreign Courts or Foreign Representatives	319
Sec. 1329. Modification of Plan After Confirmation	310	Sec. 1527. Forms of Cooperation	319
Sec. 1330. Revocation of an Order of Confirmation	312	Subchapter V: Concurrent Proceedings	319
Chapter 15: Ancillary and Other Cross-Border Cases	312	Sec. 1528. Commencement of a Case Under this Title After Recognition of a Foreign Main Proceeding	319
Sec. 1501. Purpose and Scope of Application	312		
Subchapter I: General Provisions	313		
Sec. 1502. Definitions	313		
Sec. 1503. International Obligations of the United States	313		
Sec. 1504. Commencement of Ancillary Case	313		
Sec. 1505. Authorization to Act in a Foreign Country	313		
Sec. 1506. Public Policy Exception	313		
Sec. 1507. Additional Assistance	313		
Sec. 1508. Interpretation	314		

U.S. BANKRUPTCY CODE

CONTENTS

Sec. 1529. Coordination of a Case Under this Title and a Foreign Proceeding	320	Sec. 151. Designation of Bankruptcy Courts	324
Sec. 1530. Coordination of More Than 1 Foreign Proceeding.....	320	Sec. 152. Appointment of Bankruptcy Judges.....	324
Sec. 1531. Presumption of Insolvency based on Recognition of a Foreign Main Proceeding.....	320	Sec. 153. Salaries; Character of Service	327
Sec. 1532. Rule of Payment in Concurrent Proceedings	320	Sec. 154. Division of Businesses; Chief Judge	327
TITLE 18: CRIMES AND CRIMINAL PROCEDURE	321	Sec. 155. Temporary Transfer of Bankruptcy Judges.....	327
Part I: Crimes.....	321	Sec. 156. Staff; Expenses.....	327
Chapter 9: Bankruptcy.....	321	Sec. 157. Procedures.....	328
Sec. 151. Definition	321	Sec. 158. Appeals.....	331
Sec. 152. Concealment of Assets; False Oaths and Claims; Bribery	321	Sec. 159. Bankruptcy Statistics	334
Sec. 153. Embezzlement Against Estate	322	Chapter 17: Resignation and Retirement of Justices and Judges.....	335
Sec. 154. Adverse Interest and Conduct of Officers	322	Sec. 372. Retirement for Disability; Substitute Judge on Failure to Retire; Judicial Discipline.....	335
Sec. 155. Fee Agreements in Cases Under Title 11 and Receiverships.....	322	Chapter 21: General Provisions Applicable to Courts and Judges	339
Sec. 156. Knowing Disregard of Bankruptcy Law or Rule.....	322	Sec. 455. Disqualification of Justice, Judge, or Magistrate	339
Sec. 157. Bankruptcy Fraud.....	323	Part II: Department of Justice	341
Sec. 158. Designation of United States Attorneys and Agents of the Federal Bureau of Investigation to Address Abusive Reaffirmations of Debt and Materially Fraudulent Statements in Bankruptcy Schedules	323	Chapter 39: United States Trustees	341
Chapter 73: Obstruction of Justice.....	324	Sec. 581. United States Trustees.....	341
Sec. 1519. Destruction, Alteration, or Falsification of Records in Federal Investigations and Bankruptcy.....	324	Sec. 582. Assistant United States Trustees	342
TITLE 28: JUDICIARY AND JUDICIAL PROCEDURE	324	Sec. 583. Oath of Office	342
Part I: Organization of Courts	324	Sec. 584. Official Stations.....	342
Chapter 6: Bankruptcy Judges.....	324	Sec. 585. Vacancies	342
		Sec. 586. Duties; Supervision by Attorney General	342
		Sec. 587. Salaries	345
		Sec. 588. Expenses.....	346
		Sec. 589. Staff and Other Employees	346
		Sec. 589a. United States Trustee System Fund	346
		Sec. 589b. Bankruptcy Data	347
		Part III: Court Officers and Employees	348
		Chapter 41: Administrative Office of United States Courts.....	348

U.S. BANKRUPTCY CODE

CONTENTS

Sec. 604. Duties of Director Generally	348	Chapter 87: District Courts; Venue	362
Chapter 44: Alternative Dispute Resolution	352	Sec. 1408. Venue of Cases Under Title 11	362
Sec. 651. Authorization of Alternative Dispute Resolution	352	Sec. 1409. Venue of Proceedings Arising Under Title 11 or Arising in or Related to Cases Under Title 11	362
Sec. 652. Jurisdiction	352	Sec. 1410. Venue of Cases Ancillary to Foreign Proceedings	363
Sec. 653. Neutrals	353	Sec. 1411. Jury Trials	363
Sec. 654. Arbitration	353	Sec. 1412. Change of Venue	363
Sec. 655. Arbitrators	354	Chapter 89: District Courts; Removal of Cases from State Courts	364
Sec. 656. Subpoenas	354	Sec. 1446. Procedure for Removal of Civil Actions	364
Sec. 657. Arbitration Award and Judgment	354	Sec. 1452. Removal of Claims Related to Bankruptcy Cases	365
Sec. 658. Compensation of Arbitrators and Neutrals	355	Part V: Procedure	368
Chapter 57: General Provisions Applicable to Court Officers and Employees	355	Chapter 123: Fees and Costs	368
Sec. 959. Trustees and Receivers Suable; Management; State Laws	355	Sec. 1913. Courts of Appeals	368
Sec. 960. Tax liability	355	Sec. 1930. Bankruptcy Fees	368
Part IV: Jurisdiction and Venue	355	Sec. 1931. Disposition of Filing Fees	370
Chapter 85: District Courts; Jurisdiction	355	Chapter 131: Rules of Courts	370
Sec. 1334. Bankruptcy Cases and Proceedings	355	Sec. 2075. Bankruptcy Rules	370