

Sec.	
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561.	Contractual right to terminate, liquidate, accelerate, or offset under a master netting agreement and across contracts; proceedings under chapter 15.
562.	Timing of damage measure in connection with swap agreements, securities contracts, forward contracts, commodity contracts, repurchase agreements, and master netting agreements.

### Editorial Notes

#### AMENDMENTS

2010—Pub. L. 111-327, §2(a)(50), Dec. 22, 2010, 124 Stat. 3562, substituted “and master netting agreements” for “or master netting agreements” in item 562.

2005—Pub. L. 109-8, title II, §§227(b), 228(b), 229(b), title VII, §704(b), title IX, §§907(k)(2), (p)(1), 910(a)(2), Apr. 20, 2005, 119 Stat. 69, 71, 72, 126, 181, 182, 184, added items 511, 526 to 528, 561 and 562 and substituted “Contractual right to liquidate, terminate, or accelerate a securities contract” for “Contractual right to liquidate a securities contract” in item 555, “Contractual right to liquidate, terminate, or accelerate a commodities contract or forward contract” for “Contractual right to liquidate a commodity contract or forward contract” in item 556, “Contractual right to liquidate, terminate, or accelerate a repurchase agreement” for “Contractual right to liquidate a repurchase agreement” in item 559, and “Contractual right to liquidate, terminate, or accelerate a swap agreement” for “Contractual right to terminate a swap agreement” in item 560.

1990—Pub. L. 101-311, title I, §106(b), June 25, 1990, 104 Stat. 268, added item 560.

1986—Pub. L. 99-554, title II, §283(q), Oct. 27, 1986, 100 Stat. 3118, amended items 557 to 559 generally, substituting “interests in, and abandonment or other disposition of grain assets” for “in and disposition of grain” in item 557.

1984—Pub. L. 98-353, title III, §§352(b), 396(b), 470(b), July 10, 1984, 98 Stat. 361, 366, 380, added items 557, 558, and 559.

1982—Pub. L. 97-222, §6(b), July 27, 1982, 96 Stat. 237, added items 555 and 556.

#### SUBCHAPTER I—CREDITORS AND CLAIMS

### § 501. Filing of proofs of claims or interests

(a) A creditor or an indenture trustee may file a proof of claim. An equity security holder may file a proof of interest.

(b) If a creditor does not timely file a proof of such creditor’s claim, an entity that is liable to such creditor with the debtor, or that has secured such creditor, may file a proof of such claim.

(c) If a creditor does not timely file a proof of such creditor’s claim, the debtor or the trustee may file a proof of such claim.

(d) A claim of a kind specified in section 502(e)(2), 502(f), 502(g), 502(h) or 502(i) of this title may be filed under subsection (a), (b), or (c) of this section the same as if such claim were a claim against the debtor and had arisen before the date of the filing of the petition.

(e) A claim arising from the liability of a debtor or for fuel use tax assessed consistent with the requirements of section 31705 of title 49 may be filed by the base jurisdiction designated pursuant to the International Fuel Tax Agreement (as defined in section 31701 of title 49) and, if so filed, shall be allowed as a single claim.

(f)(1) In this subsection—

(A) the term “CARES forbearance claim” means a supplemental claim for the amount of a Federally backed mortgage loan or a Federally backed multifamily mortgage loan that was not received by an eligible creditor during the forbearance period of a loan granted forbearance under section 4022 or 4023 of the CARES Act (15 U.S.C. 9056, 9057);

(B) the term “eligible creditor” means a servicer (as defined in section 6(i) of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2605(i))<sup>1</sup> with a claim for a Federally backed mortgage loan or a Federally backed multifamily mortgage loan of the debtor that is provided for by a plan under section 1322(b)(5);

(C) the term “Federally backed mortgage loan” has the meaning given the term in section 4022(a) of the CARES Act (15 U.S.C. 9056(a)); and

(D) the term “Federally backed multifamily mortgage loan” has the meaning given the term in section 4023(f) of the CARES Act (15 U.S.C. 9057(f)).

(2)(A) Only an eligible creditor may file a supplemental proof of claim for a CARES forbearance claim.

(B) If an underlying mortgage loan obligation has been modified or deferred by an agreement of the debtor and an eligible creditor of the mortgage loan in connection with a mortgage forbearance granted under section 4022 or 4023 of the CARES Act (15 U.S.C. 9056, 9057) in order to cure mortgage payments forborne under the forbearance, the proof of claim filed under subparagraph (A) shall include—

(i) the relevant terms of the modification or deferral;

(ii) for a modification or deferral that is in writing, a copy of the modification or deferral; and

(iii) a description of the payments to be deferred until the date on which the mortgage loan matures.

(Pub. L. 95-598, Nov. 6, 1978, 92 Stat. 2578; Pub. L. 98-353, title III, §444, July 10, 1984, 98 Stat. 373; Pub. L. 109-8, title VII, §702, Apr. 20, 2005, 119 Stat. 125; Pub. L. 116-260, div. FF, title X, §1001(d)(1), (3)(A), Dec. 27, 2020, 134 Stat. 3217, 3218.)

#### AMENDMENT OF SUBSECTION (f)

*Pub. L. 116-260, div. FF, title X, §1001(d)(3), Dec. 27, 2020, 134 Stat. 3218, provided that, ef-*

<sup>1</sup> So in original. Probably should be followed by another closing parenthesis.