

EFFECTIVE DATE

Section effective Oct. 1, 1979, see section 402(c) of Pub. L. 95-598, set out as a note preceding section 101 of Title 11, Bankruptcy.

FINDINGS AND PURPOSE

Pub. L. 116-325, § 2, Jan. 12, 2021, 134 Stat. 5086, provided that:

“(a) FINDINGS.—Congress finds the following:

“(1) Because of the importance of the goal that the bankruptcy system is self-funded, at no cost to the taxpayer, Congress has closely monitored the funding needs of the bankruptcy system, including by requiring periodic reporting by the Attorney General regarding the United States Trustee System Fund.

“(2) Congress has amended the various bankruptcy fees as necessary to ensure that the bankruptcy system remains self-supporting, while also fairly allocating the costs of the system among those who use the system.

“(3) Because the bankruptcy system is interconnected, the result has been a system of fees, including filing fees, quarterly fees in chapter 11 [11 U.S.C. 1101 et seq.] cases, and other fees, that together fund the courts, judges, United States trustees, and chapter 7 [11 U.S.C. 701 et seq.] case trustees necessary for the bankruptcy system to function.

“(4) This Act [see Short Title of 2021 Amendment note set out under section 1 of this title] and the amendments made by this Act—

“(A) ensure adequate funding of the United States trustees, supports the preservation of existing bankruptcy judgeships that are urgently needed to handle existing and anticipated increases in business and consumer caseloads, and provides long-overdue additional compensation for chapter 7 case trustees whose caseloads include chapter 11 reorganization cases that were converted to chapter 7 liquidation cases; and

“(B) confirm the longstanding intention of Congress that quarterly fee requirements remain consistent across all Federal judicial districts.

“(b) PURPOSE.—The purpose of this Act and the amendments made by this Act is to further the longstanding goal of Congress of ensuring that the bankruptcy system is self-funded, at no cost to the taxpayer.”

APPLICATION OF FORMER SUBSECTION (a)(6)(B) TO QUARTERLY FEES IN CERTAIN FISCAL YEARS

Pub. L. 116-93, div. B, title II, § 219, Dec. 20, 2019, 133 Stat. 2415, provided that, for fiscal years 2020 and 2021, subsection (a)(6)(B) of this section would be applied by substituting \$300,000,000 for \$200,000,000. For text of subsec. (a)(6)(B) prior to amendment by Pub. L. 116-325, see 2021 Amendment note above. Similar provisions applicable for fiscal years 2021 and 2022 were contained in Pub. L. 116-260, div. B, title II, § 218, Dec. 27, 2020, 134 Stat. 1265.

USE OF INCREASED RECEIPTS

Pub. L. 109-8, title III, § 325(e), Apr. 20, 2005, 119 Stat. 99, which provided for the disposition of certain fees collected under section 1930 of this title during the 5-year period beginning on Apr. 20, 2005, greater than the amount that would have been collected had the amendment by Pub. L. 109-8, § 325(a), not been made, was omitted in the general amendment of section 325 of Pub. L. 109-8 by Pub. L. 109-13, div. A, title VI, § 6058, May 11, 2005, 119 Stat. 297, effective immediately after the enactment of Pub. L. 109-8, Apr. 20, 2005.

ACCRUAL AND PAYMENT OF QUARTERLY FEES IN CHAPTER 11 CASES AFTER JAN. 27, 1996; CONFIRMATION STATUS OF PLANS

Pub. L. 104-91, title I, § 101(a), Jan. 6, 1996, 110 Stat. 10, as amended by Pub. L. 104-208, div. A, title I, § 101(a) [title I, § 109(d)], Sept. 30, 1996, 110 Stat. 3009, 3009-19,

provided in part: “That, notwithstanding any other provision of law, the fees under 28 U.S.C. 1930(a)(6) shall accrue and be payable from and after January 27, 1996, in all cases (including, without limitation, any cases pending as of that date), regardless of confirmation status of their plans”.

REPORT ON BANKRUPTCY FEES

Pub. L. 103-121, title I, § 111(d), Oct. 27, 1993, 107 Stat. 1165, provided that not later than Mar. 31, 1998, the Judicial Conference of the United States would submit to Congress a report, with specified contents, waiver of fees in selected districts, and study of graduated fee systems, relating to the bankruptcy fee system and the impact of such system on various participants in bankruptcy cases.

COURT FEES FOR ELECTRONIC ACCESS TO INFORMATION

Judicial Conference to prescribe reasonable fees for collection by courts under this section for access to information available through automatic data processing equipment and fees to be deposited in Judiciary Automation Fund, see section 303 of Pub. L. 102-140, set out as a note under section 1913 of this title.

ISSUANCE OF NOTICES TO CREDITORS AND OTHER INTERESTED PARTIES

Pub. L. 101-162, title IV, § 403, Nov. 21, 1989, 103 Stat. 1013, provided that: “Notwithstanding any other provision of law, for fiscal year 1990 and hereafter, (a) The Administrative Office of the United States Courts, or any other agency or instrumentality of the United States, is prohibited from restricting solely to staff of the Clerks of the United States Bankruptcy Courts the issuance of notices to creditors and other interested parties. (b) The Administrative Office shall permit and encourage the preparation and mailing of such notices to be performed by or at the expense of the debtors, trustees or such other interested parties as the Court may direct and approve. (c) The Director of the Administrative Office of the United States Courts shall make appropriate provisions for the use of and accounting for any postage required pursuant to such directives.”

COLLECTION AND DISPOSITION OF FEES IN BANKRUPTCY CASES

Pub. L. 101-162, title IV, § 404(a), Nov. 21, 1989, 103 Stat. 1013, provided that: “For fiscal year 1990 and hereafter, such fees as shall be collected for the preparation and mailing of notices in bankruptcy cases as prescribed by the Judicial Conference of the United States pursuant to 28 U.S.C. 1930(b) shall be deposited to the ‘Courts of Appeals, District Courts, and Other Judicial Services, Salaries and Expenses’ appropriation to be used for salaries and other expenses incurred in providing these services.”

§ 1931. Disposition of filing fees

(a) Of the amounts paid to the clerk of court as a fee under section 1914(a) or as part of a judgment for costs under section 2412(a)(2) of this title, \$190 shall be deposited into a special fund of the Treasury to be available to offset funds appropriated for the operation and maintenance of the courts of the United States.

(b) If the court authorizes a fee under section 1914(a) or an amount included in a judgment for costs under section 2412(a)(2) of this title of less than \$250, the entire fee or amount, up to \$190, shall be deposited into the special fund provided in this section.

(Added Pub. L. 99-500, § 101(b) [title IV, § 407(c)], Oct. 18, 1986, 100 Stat. 1783-39, 1783-64, and Pub. L. 99-591, § 101(b) [title IV, § 407(c)], Oct. 30, 1986, 100 Stat. 3341-39, 3341-64; amended Pub. L. 101-162, title IV, § 406(d), Nov. 21, 1989, 103 Stat.

1016; Pub. L. 102-572, title III, §301(b), Oct. 29, 1992, 106 Stat. 4511; Pub. L. 104-317, title IV, §401(b), Oct. 19, 1996, 110 Stat. 3853; Pub. L. 108-447, div. B, title III, §307(b), Dec. 8, 2004, 118 Stat. 2895.)

Editorial Notes

CODIFICATION

Pub. L. 99-591 is a corrected version of Pub. L. 99-500.

AMENDMENTS

2004—Subsec. (a). Pub. L. 108-447, §307(b)(1), substituted “\$190” for “\$90”.

Subsec. (b). Pub. L. 108-447, §307(b)(2), substituted “\$250” for “\$150” and “\$190” for “\$90”.

1996—Subsec. (a). Pub. L. 104-317, §401(b)(1), substituted “\$90” for “\$60”.

Subsec. (b). Pub. L. 104-317, §401(b)(2), substituted “\$150” for “\$120” and “\$90” for “\$60”.

1992—Pub. L. 102-572 substituted present provisions for former provisions which read as follows:

“The following portion of moneys paid to the clerk of court as filing fees under this chapter shall be deposited into a special fund of the Treasury to be available to offset funds appropriated for the operation and maintenance of the courts of the United States:

“Under section 1914(a), \$60.”

1989—Pub. L. 101-162, which directed that “as provided in annual appropriation acts” be struck out before colon, was executed by striking out “as provided in annual appropriation Acts” before colon as probable intent of Congress.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2004 AMENDMENT

Amendment by Pub. L. 108-447 effective 60 days after Dec. 8, 2004, see section 307(c) of Pub. L. 108-447, set out as a note under section 1914 of this title.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-317 effective 60 days after Oct. 19, 1996, see section 401(c) of Pub. L. 104-317, set out as a note under section 1914 of this title.

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-572 effective Jan. 1, 1993, see section 1101(a) of Pub. L. 102-572, set out as a note under section 905 of Title 2, The Congress.

PAYGO OFFSET EXPENDITURE LIMITATION

Pub. L. 112-121, §3(d), May 25, 2012, 126 Stat. 348, provided that: “\$42 of the incremental amounts collected by reason of the enactment of subsection (a) [amending section 1930 of this title] shall be deposited in a special fund in the Treasury to be established after the date of enactment of this Act [May 25, 2012]. Such amounts shall be available for the purposes specified in section 1931(a) of title 28, United States Code, but only to the extent specifically appropriated by an Act of Congress enacted after the date of enactment of this Act.”

EXPENDITURE LIMITATION

Pub. L. 109-171, title X, §10001(c), Feb. 8, 2006, 120 Stat. 183, provided that: “Incremental amounts collected by reason of the enactment of this section [amending section 1914 of this title and enacting provisions set out as notes under sections 1913 and 1914 of this title] shall be deposited in a special fund in the Treasury to be established after the enactment of this Act [Feb. 8, 2006]. Such amounts shall be available for the purposes specified in section 1931(a) of title 28, United States Code, but only to the extent specifically appropriated by an Act of Congress enacted after the enactment of this Act.”

Pub. L. 109-171, title X, §10101(b), Feb. 8, 2006, 120 Stat. 184, provided that: “Incremental amounts col-

lected by reason of the amendments made by subsection (a) [amending section 1930 of this title] shall be deposited in a special fund in the Treasury to be established after the enactment of this Act [Feb. 8, 2006]. Such amounts shall be available for the purposes specified in section 1931(a) of title 28, United States Code, but only to the extent specifically appropriated by an Act of Congress enacted after the enactment of this Act.”

DISPOSITION OF FEES

Pub. L. 106-518, title I, §102, Nov. 13, 2000, 114 Stat. 2411, provided that: “For fiscal year 2001 and each fiscal year thereafter, any portion of miscellaneous fees collected as prescribed by the Judicial Conference of the United States under sections 1913, 1914(b), 1926(a), 1930(b), and 1932 of title 28, United States Code, exceeding the amount of such fees in effect on September 30, 2000, shall be deposited into the special fund of the Treasury established under section 1931 of title 28, United States Code.”

Pub. L. 104-317, title IV, §404, Oct. 19, 1996, 110 Stat. 3855, provided that:

“(a) DISPOSITION OF ATTORNEY ADMISSION FEES.—For each fee collected for admission of an attorney to practice, as prescribed by the Judicial Conference of the United States pursuant to section 1914 of title 28, United States Code, \$30 of that portion of the fee exceeding \$20 shall be deposited into the special fund of the Treasury established under section 1931 of title 28, United States Code. Any portion exceeding \$5 of the fee for a duplicate certificate of admission or certificate of good standing, as prescribed by the Judicial Conference of the United States pursuant to section 1914 of title 28, United States Code, shall be deposited into the special fund of the Treasury established under section 1931 of title 28, United States Code.

“(b) DISPOSITION OF BANKRUPTCY COMPLAINT FILING FEES.—For each fee collected for filing an adversary complaint in a bankruptcy proceeding, as established in Item 6 of the Bankruptcy Court Miscellaneous Fee Schedule prescribed by the Judicial Conference of the United States pursuant to section 1930(b) of title 28, United States Code, the portion of the fee exceeding \$120 shall be deposited into the special fund of the Treasury established under section 1931 of title 28, United States Code.

“(c) EFFECTIVE DATE.—This section shall take effect 60 days after the date of the enactment of this Act [Oct. 19, 1996].”

COLLECTION AND DEPOSIT OF MISCELLANEOUS BANKRUPTCY FEES

Pub. L. 101-162, title IV, §406(b), Nov. 21, 1989, 103 Stat. 1016, as amended by Pub. L. 103-121, title I, §111(a)(3), (b)(4), Oct. 27, 1993, 107 Stat. 1164; Pub. L. 106-113, div. B, §1000(a)(1) [title I, §113], Nov. 29, 1999, 113 Stat. 1535, 1501A-20; Pub. L. 106-518, title II, §209(a), Nov. 13, 2000, 114 Stat. 2415; Pub. L. 109-8, title III, §325(c), Apr. 20, 2005, 119 Stat. 99; Pub. L. 109-13, div. A, title VI, §6058(a), May 11, 2005, 119 Stat. 297; Pub. L. 112-121, §3(c), May 25, 2012, 126 Stat. 348, provided that: “All fees as shall be hereafter collected for any service not of a kind described in any of the items enumerated as items 1 through 7 and as items 9 through 18, as in effect on November 21, 1989, of the bankruptcy miscellaneous fee schedule prescribed by the Judicial Conference of the United States under section 1930(b) of title 28, United States Code, 28.87 percent of the fees collected under section 1930(a)(1)(A) of that title, 35.00 percent of the fees collected under section 1930(a)(1)(B) of that title, and 33.33 percent of the fees collected under section 1930(a)(3) of that title shall be deposited as offsetting receipts to the fund established under section 1931 of that title and shall remain available to the Judiciary until expended to reimburse any appropriation for the amount paid out of such appropriation for expenses of the Courts of Appeals, District Courts, and other Judicial Services and the Administrative Office

of the United States Courts. The Judicial Conference shall report to the Committees on Appropriations of the House of Representatives and the Senate on a quarterly basis beginning on the first day of each fiscal year regarding the sums deposited in said fund.”

[For termination, effective May 15, 2000, of provisions relating to a quarterly report to the Committees on Appropriations of the House of Representatives and the Senate in section 406(b) of Pub. L. 101-162, as amended, set out above, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 12 of House Document No. 103-7.]

[Pub. L. 106-518, title II, §209(b), Nov. 13, 2000, 114 Stat. 2415, provided that: “The amendment made by subsection (a) [amending section 406(b) of Pub. L. 101-162, set out above] shall not apply with respect to fees collected before the date of enactment of this Act [Nov. 13, 2000].”]

[Pub. L. 106-113, div. B, §1000(a)(1) [title I, §113], Nov. 29, 1999, 113 Stat. 1535, 1501A-20, provided that the amendment to section 406(b) of Pub. L. 101-162, set out above, is effective 30 days after Nov. 29, 1999.]

[Pub. L. 103-121, title I, §111(a), (b), Oct. 27, 1993, 107 Stat. 1164, provided in part that the amendments to section 406(b) of Pub. L. 101-162, set out above, are effective 30 days after Oct. 27, 1993.]

§ 1932.¹ Judicial Panel on Multidistrict Litigation

The Judicial Conference of the United States shall prescribe from time to time the fees and costs to be charged and collected by the Judicial Panel on Multidistrict Litigation.

(Added Pub. L. 104-317, title IV, §403(a)(1), Oct. 19, 1996, 110 Stat. 3854.)

§ 1932.¹ Revocation of earned release credit

In any civil action brought by an adult convicted of a crime and confined in a Federal correctional facility, the court may order the revocation of such earned good time credit under section 3624(b) of title 18, United States Code, that has not yet vested, if, on its own motion or the motion of any party, the court finds that—

- (1) the claim was filed for a malicious purpose;
- (2) the claim was filed solely to harass the party against which it was filed; or
- (3) the claimant testifies falsely or otherwise knowingly presents false evidence or information to the court.

(Added Pub. L. 104-134, title I, §101[(a)] [title VIII, §809(a)], Apr. 26, 1996, 110 Stat. 1321, 1321-76; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327.)

CHAPTER 125—PENDING ACTIONS AND JUDGMENTS

Sec.	
1961.	Interest.
1962.	Lien.
1963.	Registration of judgments for enforcement in other districts.
[1963A.	Repealed.]
1964.	Constructive notice of pending actions.

Editorial Notes

AMENDMENTS

1996—Pub. L. 104-317, title II, §203(b), Oct. 19, 1996, 110 Stat. 3850, substituted “for enforcement in other dis-

tricts” for “of the district courts and the Court of International Trade” in item 1963.

1988—Pub. L. 100-702, title X, §1002(b)(3), Nov. 19, 1988, 102 Stat. 4664, substituted “Registration of judgments of the district courts and the Court of International Trade” for “Registration in other districts” in item 1963 and repealed item 1963A “Registration of judgments of the Court of International Trade”.

1980—Pub. L. 96-417, title V, §511(b), Oct. 10, 1980, 94 Stat. 1743, added item 1963A.

1958—Pub. L. 85-689, §1(b), (c), Aug. 20, 1958, 72 Stat. 683, substituted “CHAPTER 125—PENDING ACTIONS AND JUDGMENTS” for “CHAPTER 125—JUDGMENTS” in chapter heading and added item 1964.

§ 1961. Interest

(a) Interest shall be allowed on any money judgment in a civil case recovered in a district court. Execution therefor may be levied by the marshal, in any case where, by the law of the State in which such court is held, execution may be levied for interest on judgments recovered in the courts of the State. Such interest shall be calculated from the date of the entry of the judgment, at a rate equal to the weekly average 1-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding¹ the date of the judgment. The Director of the Administrative Office of the United States Courts shall distribute notice of that rate and any changes in it to all Federal judges.

(b) Interest shall be computed daily to the date of payment except as provided in section 2516(b) of this title and section 1304(b) of title 31, and shall be compounded annually.

(c)(1) This section shall not apply in any judgment of any court with respect to any internal revenue tax case. Interest shall be allowed in such cases at the underpayment rate or overpayment rate (whichever is appropriate) established under section 6621 of the Internal Revenue Code of 1986.

(2) Except as otherwise provided in paragraph (1) of this subsection, interest shall be allowed on all final judgments against the United States in the United States Court of Appeals for the Federal circuit,² at the rate provided in subsection (a) and as provided in subsection (b).

(3) Interest shall be allowed, computed, and paid on judgments of the United States Court of Federal Claims only as provided in paragraph (1) of this subsection or in any other provision of law.

(4) This section shall not be construed to affect the interest on any judgment of any court not specified in this section.

(June 25, 1948, ch. 646, 62 Stat. 957; Pub. L. 97-164, title III, §302(a), Apr. 2, 1982, 96 Stat. 55; Pub. L. 97-258, §2(m)(1), Sept. 13, 1982, 96 Stat. 1062; Pub. L. 97-452, §2(d)(1), Jan. 12, 1983, 96 Stat. 2478; Pub. L. 99-514, §2, title XV, §1511(c)(17), Oct. 22, 1986, 100 Stat. 2095, 2745; Pub. L. 102-572, title IX, §902(b)(1), Oct. 29, 1992, 106 Stat. 4516; Pub. L. 106-554, §1(a)(7) [title III, §307(d)(1)], Dec. 21, 2000, 114 Stat. 2763, 2763A-636.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §811 (R.S. §966; Mar. 3, 1911, ch. 231, §291, 36 Stat. 1167).

¹ Another section 1932 is set out after this section.

¹ Another section 1932 is set out preceding this section.

¹ So in original. The period probably should not appear.

² So in original. Probably should be capitalized.