

UNITED STATES DISTRICT & BANKRUPTCY COURT
DISTRICT OF IDAHO

STEPHEN W. KENYON
CLERK OF COURT
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L. JEFF SEVERSON
CHIEF DEPUTY OF OPERATIONS
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February 20, 2019

NOTICE

Automatic Adjustment of Certain Dollar Amounts in the Bankruptcy Code and Official Bankruptcy Forms

Automatic adjustments to certain dollar amounts in the Bankruptcy Code and Official Bankruptcy Forms will apply to cases filed on or after April 1, 2019.

In the Bankruptcy Reform Act of 1994, as amended by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, and Pub. L. No. 110-406 (2008), Congress provided for the automatic adjustment of these dollar amounts at three-year intervals. The relevant provisions are codified in 11 U.S.C. § 104(a). The amended dollar amounts will affect, among other matters:

- the eligibility of a debtor to file under chapters 12 and 13 of the Bankruptcy Code
- certain maximum values of property that a debtor may claim as exempt
- the maximum amount of certain claims entitled to priority
- the calculation of the “means test” for chapter 7 debtors
- the duration of a chapter 13 plan
- the definition of a small business debtor
- the minimum aggregate value of claims needed to commence an involuntary bankruptcy
- the value of “luxury goods and services” deemed to be nondischargeable
- where the trustee may commence certain proceedings to recover a money judgment or property

On February 12, 2019, the revised dollar amounts were published in volume 84, number 29, of the Federal Register, at page 3488, as required under 11 U.S.C. § 104(c). The next three-year automatic adjustments of these dollar amounts will be published before March 1, 2022, and take effect April 1, 2022. Attached is a chart showing the affected sections of the Bankruptcy Code and Title 28 and both the current and the revised dollar amount in those sections.

Several of the Official Bankruptcy Forms and Director’s Forms contain references to affected dollar amounts. These forms will be amended April 1, 2019, and will apply to cases filed on or after that date. The revised forms incorporating the changes are posted on the bankruptcy forms pending amendment page of the Judiciary’s website at <http://www.uscourts.gov/rules-policies/pending-rules-amendments/pending-changes-bankruptcy-forms>.

and for written statements from any person who has not entered an appearance as a party is May 16, 2019; final release of information is on June 5, 2019; and final party comments are due on June 7, 2019.

For further information concerning these investigations, see the Commission's notice cited above and the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

Authority: These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

By order of the Commission.

Issued: February 7, 2019.

Lisa Barton,

Secretary to the Commission.

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JUDICIAL CONFERENCE OF THE UNITED STATES

Revision of Certain Dollar Amounts in the Bankruptcy Code Prescribed Under Section 104(a) of the Code

AGENCY: Judicial Conference of the United States.

ACTION: Notice.

SUMMARY: Pursuant to section 104 of Title 11, United States Code, certain

dollar amounts in title 11 and title 28, United States Code, are increased.

FOR FURTHER INFORMATION CONTACT: Michele Reed, Chief, Judicial Services Office, Administrative Office of the United States Courts, Washington, DC 20544, Telephone (202) 502-1800, or by email at *Judicial_Services_Office@ao.uscourts.gov*.

SUPPLEMENTARY INFORMATION: Section 104(a) of title 11, United States Code, provides the mechanism for an automatic three-year adjustment of dollar amounts in certain sections of titles 11 and 28. Public Law 95-598 (1978); Public Law 103-394 (1994); Public Law 109-8 (2005); and Public Law 110-406 (2008). The provision states:

(a) On April 1, 1998, and at each 3-year interval ending April 1 thereafter, each dollar amount in effect under sections 101(3), 101(18), 101(19A), 101(51D), 109(e), 303(b), 507(a), 522(d), 522(f)(3) and 522(f)(4), 522(n), 522(p), 522(q), 523(a)(2)(C), 541(b), 547(c)(9), 707(b), 1322(d), 1325(b), and 1326(b)(3) of this title and section 1409(b) of title 28 immediately before such April 1 shall be adjusted—

(1) to reflect the change in the Consumer Price Index for All Urban Consumers, published by the Department of Labor, for the most recent 3-year period ending immediately before January 1 preceding such April 1, and

(2) to round to the nearest \$25 the dollar amount that represents such change.

(b) Not later than March 1, 1998, and at each 3-year interval ending on March 1 thereafter, the Judicial Conference of the United States shall publish in the **Federal Register** the dollar amounts that will become effective on such April 1 under sections 101(3), 101(18), 101(19A), 101(51D), 109(e), 303(b), 507(a), 522(d), 522(f)(3) and 522(f)(4), 522(n), 522(p), 522(q), 523(a)(2)(C), 541(b), 547(c)(9), 707(b), 1322(d), 1325(b), and 1326(b)(3) of this title and section 1409(b) of title 28.

(c) Adjustments made in accordance with subsection (a) shall not apply with respect to cases commenced before the date of such adjustments.

Revision of Certain Dollar Amounts in Bankruptcy Code

Notice is hereby given that the dollar amounts are increased in the sections in title 11 and title 28, United States Code, as set out in the following chart. These increases do not apply to cases commenced before the effective date of the adjustments, April 1, 2019. Seven Official Bankruptcy Forms (106C, 107, 122A-2, 122C-2, 201, 207, and 410) and two Director's Forms (2000 and 2830), also will be amended to reflect these adjusted dollar amounts.

Dated: February 5, 2019.

Michele Reed,

Chief, Judicial Services Office.

Affected sections of Title 28 U.S.C. and the bankruptcy code	Dollar amount to be adjusted	New (adjusted) dollar amount ¹
28 U.S.C.		
Section 1409(b)—a trustee may commence a proceeding arising in or related to a case to recover.		
(1)—money judgment of or property worth less than	\$1,300	\$1,375
(2)—a consumer debt less than	19,250	20,450
(3)—a non consumer debt against a non insider less than	12,850	13,650
11 U.S.C.		
Section 101(3)—definition of assisted person	192,450	204,425
Section 101(18)—definition of family farmer	(*) 4,153,150	(*) 4,411,400
Section 101(19A)—definition of family fisherman	(*) 1,924,550	(*) 2,044,225
Section 101(51D)—definition of small business debtor	(*) 2,566,050	(*) 2,725,625
Section 109(e)—debt limits for individual filing bankruptcy under chapter 13	(*) 394,725	(*) 419,275
	(*) 1,184,200	1,257,850
Section 303(b)—minimum aggregate claims needed for the commencement of an involuntary chapter 7 or 11 petition.		
(1)—in paragraph (1)	15,775	16,750
(2)—in paragraph (2)	15,775	16,750
Section 507(a)—priority expenses and claims.		
(1)—in paragraph (4)	12,850	13,650
(2)—in paragraph (5)(B)(i)	12,850	13,650
(3)—in paragraph (6)(B)	6,325	6,725
(4)—in paragraph (7)	2,850	3,025
Section 522(d)—value of property exemptions allowed to the debtor.		
(1)—in paragraph (1)	23,675	25,150
(2)—in paragraph (2)	3,775	4,000

Affected sections of Title 28 U.S.C. and the bankruptcy code	Dollar amount to be adjusted	New (adjusted) dollar amount ¹
(3)—in paragraph (3)	600	625
(4)—in paragraph (4)	12,625	13,400
(5)—in paragraph (5)	1,600	1,700
(6)—in paragraph (6)	1,250	1,325
(7)—in paragraph (8)	11,850	12,575
(8)—in paragraph (11)(D)	2,375	2,525
Section 522(f)(3)—exception to lien avoidance under certain state laws	12,625	13,400
Section 522(f)(4)—items excluded from definition of household goods for lien avoidance purposes	23,675	25,150
Section 522(n)—maximum aggregate value of assets in individual retirement accounts exempted	6,425	6,825
Section 522(p)—qualified homestead exemption	(*) 675	(*) 725
Section 522(q)—state homestead exemption	1,283,025	1,362,800
Section 523(a)(2)(C)—exceptions to discharge.	160,375	170,350
(1)—in paragraph (i)(I)—consumer debts for luxury goods or services incurred < 90 days before filing owed to a single creditor in the aggregate	675	725
(2)—in paragraph (i)(II)—cash advances incurred < 70 days before filing in the aggregate	950	1,000
Section 541(b)—property of the estate exclusions.		
(1)—in paragraph (5)(C)—education IRA funds in the aggregate	6,425	6,825
(2)—in paragraph (6)(C)—pre-purchased tuition credits in the aggregate	6,425	6,825
(3)—in paragraph (10)(C)—qualified ABLE program funds in the aggregate	6,425	6,825
Section 547(c)(9)—preferences, trustee may not avoid a transfer if, in a case filed by a debtor whose debts are not primarily consumer debts, the aggregate value of property is less than	6,425	6,825
Section 707(b)—dismissal of a chapter 7 case or conversion to chapter 11 or 13 (means test).		
(1)—in paragraph (2)(A)(i)(I)	7,700	8,175
(2)—in paragraph (2)(A)(i)(II)	12,850	13,650
(3)—in paragraph (2)(A)(ii)(IV)	1,925	2,050
(4)—in paragraph (2)(B)(iv)(I)	7,700	8,175
(5)—in paragraph (2)(B)(iv)(II)	12,850	13,650
(6)—in paragraph (5)(B)	1,300	1,375
(7)—in paragraph (6)(C)	700	750
(8)—in paragraph (7)(A)(iii)	700	750
Section 1322(d)—contents of chapter 13 plan, monthly income	(*) 700	(*) 750
Section 1325(b)—chapter 13 confirmation of plan, disposable income	(*) 700	(*) 750
Section 1326(b)(3)—payments to former chapter 7 trustee	25	25

¹ The New (Adjusted) Dollar Amounts reflect a 6.218 percent increase, rounded to the nearest \$25.

* Each time it appears.

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DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140-0092]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension Without Change of a Currently Approved Collection Voluntary Magazine Questionnaire for Agencies/ Entities Who Store Explosive Materials

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), will submit the following information collection request to the Office of Management and Budget (OMB) for

review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until April 15, 2019.

FOR FURTHER INFORMATION CONTACT: If you have additional comments, regarding the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact: Anita Scheddel, Program Analyst, Explosives Industry Programs Branch, either by mail at 99 New York Ave NE, Washington, DC 20226, or by email at eipb-informationcollection@atf.gov or by telephone at 202-648-7158.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper

performance of the functions of the agency, including whether the information will have practical utility;

- Evaluate the accuracy of the agency’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

1. *Type of Information Collection:* Extension, without change, of a currently approved collection.