

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

**IMPORTANT NOTICE TO THE BAR AND PUBLIC
CONCERNING EXPIRATION OF CERTAIN BANKRUPTCY CODE
AMENDMENTS IN THE CONSOLIDATED APPROPRIATIONS ACT OF 2021**

The Consolidated Appropriations Act 2021 (CAA) was signed into law on December 27, 2020. Section 1001 of Division FF, Title X, of the Act amended several sections in the Bankruptcy Code on a temporary basis to provide certain relief to individuals and businesses affected by the pandemic. This section had nine subsections (a) through (i); seven of which (a, b, c, d, e, and i) expired on December 27, 2021. Please note that subsections (f) and (g) have a sunset date of December 27, 2022.

The Court has deactivated the following two events from CM/ECF which correspond to the lapsed amendments under CAA:

1. *Motion Seeking Discharge Pursuant to 1328(i)*, which allowed, under certain circumstances, a chapter 13 debtor to obtain a discharge (not hardship) despite the debtor missing no more than three residential mortgage payments, has been removed because the corresponding amendment has lapsed. *See CAA*, Div. FF, Title X § 1001(b)(2).
2. *Supplemental Proof of Claim for CARES Forbearance Claim*, which allowed an “eligible creditor” to file a supplemental claim arising from a debtor’s loan forbearance under the CARES Act, has been removed because the corresponding amendment has lapsed. *See id.* at § 1001(d)(3).

It should be noted that Congress may still elect to extend the sunset dates for the lapsed amendments and make it retroactive. We will monitor the legislative activity and inform you should Congress act.

Dated: January 6, 2022

Robert A. Gavin, Jr., Clerk