Public Law 94-217
94th Congress

An Act

Feb. 27, 1976
[H.R. 6184]

To amend section 40 of the Bankruptcy Act to fix the salaries of referees in bankruptcy.

Bankruptcy referees. Salary-fixing.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the portion of section 40 (11 U.S.C. 68) of the Bankruptcy Act which appears before subsection (c) of such section is amended to read as follows:

"a. The compensation of referees in bankruptcy shall be as follows:

"(1) Each full-time referee in bankruptcy shall receive a salary of $37,800 per annum, subject to adjustment in accordance with section 225 of the Federal Salary Act of 1967 and section 461 of title 28 of the United States Code.

2 USC 358 note.

"(2) Each part-time referee in bankruptcy shall receive a salary of not more than $18,900 per annum, subject to adjustment in accordance with section 225 of the Federal Salary Act of 1967 and section 461 of title 28 of the United States Code, and subject to further adjustment by the conference, in the light of recommendations of the councils, made after advising with the district judges of their respective circuits, and the Director. In fixing the amount of the salary to be paid to a part-time referee, consideration shall be given to the average number and types of, and the average amount of gross assets realized from, cases closed and pending in the territory which the part-time referee is to serve, during the last preceding period of ten years, and to such other factors as may be material.

"(3) Disbursement of salaries of referees shall be made monthly by or pursuant to order of the Director.

"b. The conference, in light of the recommendations of the councils, made after advising with the district judges of their respective circuits, and of the Director, may increase or decrease the salary of any part-time referee, within the limit prescribed in subdivision a(2) of this section, if there has been a material increase or decrease in the volume of business or other change in the factors which may be considered material in fixing salaries.".

Retired referees, compensation. 11 USC 68.

SEC. 2. The next to final sentence of section 40d(2) of the Bankruptcy Act is amended by striking out "However, the rate of compensation" and all that follows down through the end of the sentence and inserting in lieu thereof the following: "However, the rate of compensation of a retired referee assigned to serve on a full-time basis in the territory of a part-time referee shall be the rate of full-time service.".

Approved February 27, 1976.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 94-467 (Comm. on the Judiciary).
SENATE REPORT No. 94-626 accompanying S. 582 (Comm. on the Judiciary).
CONGRESSIONAL RECORD:
Vol. 121 (1975): Oct. 23, considered and passed House.
Vol. 122 (1976): Feb. 5, considered and passed Senate, in lieu of S. 582.

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO