QAP

Navigating Qualified Allocation Plans in Recovery Housing Development

WHITE PAPER

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INTRODUCTION

The Fletcher Group realizes that the development of resilient Recovery Housing can be difficult, significantly because of the challenges in obtaining funding for capital development. We are here to assist rural organizations replicate the use of the Low-Income Housing Tax Credit (LITHC) that has been successfully used to create Recovery Housing in states including Kentucky and Michigan. Because the LIHTC allocation process changes each year based on the Allocating Agency's specific Qualified Allocation Plan (QAP) which regulates the administration of each state's LIHTC, FGI's staff can help with navigating this complicated process. FGI assistance can be requested at www.fletchergroup.org/ta.

EXECUTIVE SUMMARY

The Qualified Allocation Plan (QAP) for Low-Income Housing Tax Credits (LIHTC) is an important document used by State Housing Finance Agencies to allocate federal tax credits to developers for the construction or rehabilitation of affordable housing projects. The LIHTC program, established by the Internal Revenue Code, provides incentives for private developers to build affordable rental housing for low-income individuals and families. In some cases, this has included recovery houses in both urban and rural areas.

The purposes of QAPs are to: (1) Establish the State Housing Finance Agencies' priorities and criteria; (2) Specify an application process that aligns with QAP criteria; (3) Score the applications and allocate tax credits to higher scoring applicants; (4) Define requirements for project compliance and monitoring; and (5) Periodically review and make updates to the allocation process based on changing conditions.

BACKGROUND

This paper sets out to convey a basic understanding of how the QAPs are set up and how they can be used to create more and better Recovery Housing.[1] Affordable housing resources, including low interest financing, grants, and tax credits for various types and tenures of housing supporting individuals in recovery can be difficult to identify and secure by stakeholders seeking to build or expand Recovery Housing. As such, debt free and low debt sources of funding such as LIHTC can be critical financing tools for new construction and renovation and are highly sought after by communities, developers, and non-profit operators. Such funding sources are vitally important in rural areas, where budgets are commonly tight, and margins are thin. It can be especially hard to attract capital development for affordable housing in rural locations, since guaranteed rental subsidies are hard to secure. Among the most viable sources for larger permanent supportive Recovery Housing (RH) projects (i.e., above 30 units), LIHTC is available through applicable Allocating State Housing Finance Agencies (HFA) in every state.[2] The applicable HFA, which is a quasi-governmental entity established by each state to advance affordable housing in its jurisdiction, is responsible for distributing housing resources and administering the LIHTC program.

LIHTC was created by the Tax Reform Act, passed by Congress in 1986, and has undergone subsequent amendments. The LIHTC program allows for a significant equity source for the development and preservation of affordable housing, including permanent supportive

[1] In keeping with LIHTC rules, longer term Recovery Housing (1–2-year tenures) is the ideal use in such projects, although shorter term components that lead to permanent housing can also be incorporated.
[2] Note: There are a handful of other allocating jurisdictions in addition to states, mostly being the largest U.S. cities.

Recovery Housing.[3] Under Section 42(m), each Housing Finance Agency that receives a LIHTC allocation is required to develop a Qualified Allocation Plan ("QAP") to define the process by which it will award the annual amount of Low-Income Housing Tax Credits.

In summary the LIHTC program allows credits to be awarded for the construction and/or rehabilitation of eligible residential rental property. The project must meet federally determined low-income qualifying occupancy rules, of which a percentage of the units have rents set to a percentage of the Area's Median Income (AMI). In addition, the affordable units must have maximum rent levels and utilities at a percentage of gross household income of the maximum income limit. LIHTC is allocated only for construction or renovation costs of affordable units, though the project could be more expansive and include a mix of market rate units, community space, or other commercially utilized space. Since 1989, property owners have been required to operate under rent and income restrictions for a period of at least 30 years, with some states requiring restrictions up to 55 years.

Each Housing Finance Agency (HFA) is responsible for allocating tax credits to qualifying projects that meet its QAP specifications. The lead applicant for housing credits is usually the development entity of the project. Because the QAP is adapted by each state's HFA to meet state conditions, the allocation process varies, but generally, housing developers apply for the credit and submit proposals which are then ranked according to the criteria specified in the QAP. If accepted, the HFA and developer will enter into a contract, documented with a "reservation" of credit, followed by a "binding commitment" to allocate credit in the future, or "carryover allocation," which is then documented.[4] While Federal LIHTC rules set basic parameters, there is still flexibility allowing each HFA to develop its QAP according to priorities, state conditions, and housing needs.

[3] U.S. Department of Housing and Urban Development, *Recovery Housing Policy Brief*. 2015. Accessed at: https://files.hudexchange.info/resources/documents/Recovery-Housing-Policy-Brief.pdf
[4] Internal Revenue Service "IRC §42, Low-Income Housing Credit," p. 13, Revision Date - August 11, 2015. Accessed 6-24-2022 https://www.irs.gov/pub/irs-utl/IRC_42.pdf

STATE LIHTC PROGRAMS

It is important to clarify the differences in state and federal programs. Many states have LIHTC programs as well that employ a tax credit against state income tax liability, which can also be used to fund Recovery Housing projects. However, compared with the Federal LIHTC these credits are much less substantial since they only offset state income tax liability, therefore they typically serve as a supplementary source for debt free or low debt projects. In contrast, Federal credits are much more substantial in providing a major portion of the equity necessary to develop a debt free housing project. In some instances, housing projects secure non-federal equity but still require additional equity to make the project viable. State low-income tax credits can serve as a supplementary source in these cases.

Not all states offer a state tax credit program and the available credit amounts vary widely. State established rules for state tax credits often differ with respect to the duration of the tax credit term, the share of the contribution against which the credit may be claimed, the eligible activities and affordability requirements, as well as other program features. Thus, the task of understanding state credits is on a state-by-state basis.

In addition, some states separate, or "bifurcate," their state tax credit program from the Federal LIHTC, while others use the state program to supplement the Federal tax credit. Such programs may automatically award the state credit to investors in the Federal LIHTC to help fill gaps in development costs.[5] Thus, the best way to think about a state LIHTC as it relates to Recovery Housing development is as a supplemental source.

[5] For current list of State LIHTC programs, see Novogradac's resource at: https://www.novoco.com/resource-centers/affordable-housing-tax-credits/application-allocation/state-lihtc-program-descriptions

QAPs

WHAT ARE THEY AND WHY DO THEY MATTER FOR RECOVERY HOUSING?

Thinking about developing Recovery Housing can be difficult because it is often not explicitly mentioned in a QAP, but several connected issues are commonly incentivized and awarded, such as rural, non-profit, and supportive service aspects. A cursory overview of a QAP is necessary to better understand the development of Recovery Housing. It also helps to understand the process when comprehending the ways local stakeholders can both inform and submit effective comments in the QAP development process.

The QAP requirement is established in Section 26 U.S. Code § 42 (IRC §42 - the legal basis of the LIHTC program), establishing the parameters of the LIHTC Program, which outlines housing priorities of the state and creates rules by which LIHTC applications are scored and credits awarded. It governs the allocation, distribution, and performance of LIHTC funds, as well as administration and compliance.[6] Specifically, Section (m) of the law provides the means for allocating through an Agency's QAP.[7] This law establishes QAPs as the basis in each jurisdiction for tax credit award.

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6 Note: State Housing Finance Agencies also have allocation plans for other types of housing resources, such as Affordable Housing Trust Funds.

7 US Code Title 26, Subtitle A, Chapter 1, Subchapter A, Part IV, Subpart D § 42 – Low Income Housing Tax Credit. Note: Subsequent citations (CFR §42).

A QAP represents local applications of the Federal HUD Program, and as such they are both a law unto themselves, as well as a policy statement of each specific State Housing Finance Agency. Although QAPs may include additional standards above those required, they cannot include less than the standards set in Section 42 (m).

Recovery Housing is not specifically mentioned in most QAPs, nor is it referenced in the original enabling statute (Sec. 42). As such, an RH development team must place themselves in line with Housing Finance Agency goals especially as they relate to supportive housing and fit the project into that jurisdiction's housing priorities, as defined in its QAP. Importantly, HUD also has created guidelines for Recovery Housing that should be referenced throughout the development process and used to inform the application process.[8]

Each Housing Finance Agency is responsible for determining which projects should receive credits each round and the dollar amount allocated, defined in the QAP that is approved by the governmental unit having jurisdiction over the state or locality's allocating Agency. Overall, the QAP must state the selection criteria to be used for determining housing priorities that are appropriate to local conditions. In addition, the project must give preference to: (1) serving the lowest income tenants, (2) for the longest periods, (3) located in a Qualified Census Tract (QCT)[9], and (4) which will contribute to a concerted community revitalization plan.[10]

Understanding a QAP, and its terminology and structure, is critical to successful utilization of LIHTC funds for affordable housing, including Recovery Housing. Under the right conditions and with informed application, the credits available through these programs can be applied to a project featuring this important subset of affordable housing products. Typically, the QAP document is publicly accessible through the respective Housing Finance Agency's website.

[8] U.S. Department of Housing and Urban Development, *Recovery Housing Policy Brief*. 2015. Accessed at: https://files.hudexchange.info/resources/documents/Recovery-Housing-Policy-Brief.pdf

[9] A LIHTC QCT must have 50% of households with incomes below 60% of the Area Median Income or have a poverty rate of 25% or more (https://www.huduser.gov/portal/datasets/qct.html).

[10] Internal Revenue Service "IRC §42, Low-Income Housing Credit," p. 13, Revision Date - August 11, 2015. Accessed 6-24-2022 https://www.irs.gov/pub/irs-utl/IRC_42.pdf

In addition to the QAPs it is important to be aware that some Housing Finance Agencies define the operative and updated relevant rules in manuals, policies, application instructions, or other files that are essentially an outgrowth of the original document. As Shelburne notes, such practice is "equally valid and can be more practical (e.g., less constrained by state administrative procedure requirements)."[11] As a result, project teams should be aware of existing local conditions and work to familiarize themselves with appropriate relevant documents.

QAPs themselves vary qualitatively and quantitatively in content, reflecting the different resources, housing needs, and policy priorities of the allocating Housing Finance Agencies.[12] Particular housing needs of a state may focus on substance use disorder (SUD) recovery in addition to lowest income tenants, longer affordability periods, supportive benefits and services, workforce development and community revitalization, which all are issues that an effective Recovery Housing project can address.

[11] LIHTC Qualified Allocation Plans, Explained (A Series) Published by Mark Shelburne on Tuesday, September 14, 2021 https://www.novoco.com/notes-from-novogradac/lihtc-qualified-allocation-plans-explained-series

[12] "Tax Credit Finance Reference Guide" Council of Development Finance Agencies and Ice Miller LLP Legal Counsel. Columbus, OH. 2011, p. 13.

STRUCTURE

YET LOCAL FLEXIBILITY

As mentioned previously, each state has a designated Housing Finance Agency (HFA) that receives and awards credits via the QAP. The Federal LIHTC Program is structured with certain standard requirements for all State HFAs across the nation, yet allows for variations and flexibility in each QAP, creating an adaptable set of standards to local housing needs that are interpreted and worked out through the designated HFA. Every QAP, while guided by the Federal Program, is written, amended, updated, and approved in each state. HFA's award and monitor the limited affordable housing tax credit dollars they receive each year based on the most recent population count they represent. In this way, each state is allowed to allocate credits based upon their unique preferences, reflecting the HFAs' prioritization of specific local housing needs, including SUD recovery.

GENERAL RESPONSIBILITIES
OF ALLOCATING AGENCIES

Federal minimum standards are set for each Housing Finance Agency (HFA) to develop its QAP structure in Section §42, Part (m)(1)(A). It is important to remember that the allocating Agency is the same entity that develops and administers the QAP, reviewing and scoring applications as well as awarding allocations, so having contact with the agency in advance to understand its program and priorities is critical.

At the time of the award, the allocating Housing Finance Agency (HFA) must notify the Chief Executive Officer of the local jurisdiction within which the building is, or will be located, and provide them with "reasonable opportunity" for comment on the project.[13] The HFA is responsible for ensuring LIHTC applicants meet certain requirements, to include conducting a comprehensive market study of local housing needs of low-income individuals to be conducted by an approved disinterested party at the developer's expense, which helps substantiate credit awards. If an HFA deviates from the LIHTC program rules for any reason, a written explanation must be provided to the public for any allocation of a housing credit if not made in accordance with the housing credit agency's established priorities.

[13] NOTE: If a city, then the mayor is the chief executive; If a county, then county mayor, etc.

QAP FORMAT

IRC Section §42(m) (1) (B) puts forth the basic guidelines of the content that constitute all QAPs. The QAP must include selection criteria that determine housing priorities of the Housing Finance Agency which are appropriate to jurisdictional conditions. As previously discussed, IRC Section 42 requires that QAPs must give preference to basic criteria related to the decision of allocating housing credit dollar amounts among selected projects.

Overall, the logic of each QAP is relatively straightforward. There are two major components that guide the allocation of the credits: preferences and set asides. Preferences are outlined in the QAP and are used to score applicants' projects, while set asides are dollars reserved every year from the allocation pool for specific types of projects which the Housing Finance Agency (HFA) wants to advance. Projects that address preferences listed in the QAP are awarded points that make them more competitive in the tax credit allocation process. While the system for assessing merit typically involves a point system, some QAPs use alternate systems, such as an Innovation Round (independent of points system), for projects deemed by an HFA as worthy.

FEDERALLY REQUIRED PREFERENCES

PROJECT SELECTION CRITERIA

Preferences listed in Section §42(m) (1) for awards include:

1. Project location
2. Housing needs characteristics
3. Project characteristics, including whether the project includes the use of existing housing as part of a community revitalization plan
4. Sponsor characteristics
5. Tenant populations with special housing needs
6. Public housing waiting lists
7. Tenant populations of individuals with children
8. Projects intended for eventual tenant ownership
9. Energy efficiency of the project
10. Historic nature of the project

Each Housing Finance Agency (HFA) can add preferences on top of these. Altogether, HFA preferred selection criteria give the agency a framework for objectively prioritizing and awarding limited housing credit resources on an annual basis.

SET ASIDES

A Set Aside allows Housing Finance Agencies to decide credit awards for projects with specific characteristics and serves as another important aspect of QAPs. In addition to preferences set in the QAP, for federal credits a portion of a state's available credit volume must be reserved for certain types of projects.[14] A Set Aside allows the Housing Finance Agencies the option to use additional selection criteria to evaluate different types of projects, and/or prioritize certain geographies. The only Set Aside required by the federal statute is the Non-Profit Set Aside, in which a qualified non-profit owns and materially participates in operations.[15] At least 10% of the annual LIHTC allocation for each state should go to housing units owned by non-profit organizations. Otherwise, it is up to the applicable Housing Finance Agency to decide how and what will constitute these categories. Some common examples of Set Asides include Supportive Housing, Rural, and Preservation/Rehabilitation. For several years, Kentucky had a set-aside for the Recovery Kentucky Program, which allowed for the statewide expansion of fourteen (mostly 100-bed) permanent supportive recovery housing programs. Other states, such as Ohio and Virginia, have tried similar set-asides.[16] Recovery Housing developers should seek to use supportive or other Set Asides, if possible, as the competitive pool may be smaller in these specific categories.

[14] "Tax Credit Finance Reference Guide" Council of Development Finance Agencies and Ice Miller LLP Legal Counsel. Columbus, OH. 2011, p. 13.
[15] CFR §42(h)(5)(A)
[16] Morgan Mansa, Hulya Arik "Opioid Recovery and Affordable Housing" Tennessee Housing Development Agency Issue Brief. February 2019. p 5.

BASIS BOOST

In the past fifteen years, the LIHTC Program has evolved to embrace the new incentive created with the Basis Boost. The Basis Boost allows a project to expand its "eligible basis" by a certain percentage to qualify for more tax credit dollars.[17] The "eligible basis" is the total amount of development costs that would be eligible for generating Section 42 Housing Credits if all the units are used for low-income housing. In addition, these costs must be depreciable. The Housing and Economic Recovery Act of 2008 (HERA) created a 30% Basis Boost, which further enhanced the LIHTC program. The U.S. Congress has delegated the states to set standards following 2008 changes to LIHTC.[18] Under this enhanced tax credit, projects in Census-Designated Difficult Development Areas (DDAs) or Qualified Census Tracts (QCTs) can qualify for a 30% boost, or 130% of the eligible basis.

Since it can help a project achieve financial feasibility, further Basis Boost incentives include creating additional affordable housing in rural areas, selecting areas for housing that offer access to transit, or that prioritize housing for the elderly are examples.

[17] CFR §42 (d)(5)(B)(v)
[18] Novogradac "States' Use of Basis Boost Reflects Their Priorities" Journal of Tax Credits, February 2011, Volume II, Issue II.

UNDERWRITING RULES

The task of underwriting is a particularly important financial part of tax credit projects. All QAPs must adhere to Federal rules for a project's financial underwriting (the process by which the investor takes on the financial risk of the project) guided by Section § 42(m) (2), providing a means for monitoring and compliance for the IRS. With Recovery Housing, especially in rural areas, this can be a delicate process as financial margins are often thin. This is another important aspect of a solid project, and an experienced tax credit developer enhances the competitive advantage for a successful application and thus should be part of the team (at least as a consultant) to guide the project through this process.

This section includes general guidelines and agency evaluation regulations and stipulates determinations of the credit amount, and when the building is placed in service, along with a corresponding certification of any additional subsidy (such as a housing grant, etc.) layered as part of the project. In underwriting LIHTC, the most important distinction is the 4% vs. 9% credit allocations, as defined by Federal Rules.

The LIHTC rules set two types of tax credit allocations that cover a percentage of the equity of a project's eligible basis. The "qualified basis" of a project is equal to the "eligible basis" (LIHTC eligible costs that can be depreciated) times the applicable fraction.[19] The LIHTC rules set two types of tax credit allocations that cover a percentage of the equity of a project's eligible basis. Bond-financed (4%) are backed by a substantial portion of debt in the form of bonds, as opposed to (9%) competitive LIHTC credits, which supply enough equity to cover 80-90% of the total eligible project costs. To arrive at these allocation amounts, the qualified basis of a project is multiplied by 4% or 9% (applicable fraction) which equals the project's eligible basis.[20]

[19] NOTE: Eligible Basis is defined primarily by reference to IRC §§103 and 168. IRC §42 provides supplemental definitions and requirements.
[20] The "applicable fraction" can be based on either units or floor space.

PERIODIC AMENDMENTS

As a current statement of public policy of a Housing Finance Agency's affordable housing resources, the QAP must be updated annually as priorities and allocation amounts can change each year. Each state is responsible for keeping its QAP up to date. Periodic QAP amendments are made pursuant to a public process involving public hearings with a final signature by the state's Governor or applicable Executive. Other intermittent amendments to the QAP may occur following public notice and approval by the Housing Finance Agency's Board of Directors. Since changes can impact Recovery Housing, comprehending this document is important to understanding proposed amendments during the open comment cycle in each allocation period.

To influence updates and inform policy, Housing Finance Agencies often refer to the National Council of State Housing Agencies (NCSHA) for guidance, which although not binding, is strongly influential. Thus, it is to stakeholder advantage to pay close attention to NCSHA policy recommendations, areas of focus, and action items.

The key to using the QAP is to grasp its context, history, and current program rules. Comprehending each QAP must involve an ongoing blend of actively keeping up to date with policy challenges and understanding their practical implications in the field. QAPs are dynamic documents that are not only constantly adapted to meet the needs of different jurisdictions, with often unintended consequences, but relate to real world complications, which can be challenging to navigate.[21] Shelburne notes that "the most important step in understanding QAPs is realizing the difficulties and limitations of doing so." He goes on to note that a "common mistake is overestimating comprehension. Even experts in a state have only one perspective and knowledge quickly becomes obsolete through lack of experience. Anyone interested in the results of a QAP should continually learn and accept the possibility of their perceptions being wrong."[22]

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[21] For example, unintended consequences could include restricting projects from areas where housing is badly needed, such as rural areas that don't score well. It could also inadvertently direct affordable housing to growing areas while restricting credits to more distressed locations.

[22] LIHTC Qualified Allocation Plans, Explained (A Series) Published by Mark Shelburne on Tuesday, September 14, 2021 https://www.novoco.com/notes-from-novogradac/lihtc-qualified-allocation-plans-explained-series

PRACTICAL USES FOR RECOVERY HOUSING DEVELOPERS

The value of the QAP primarily applies to development but has implications for sustainability and the life of the project. The better designed and positioned a project is, the more funding for which it will qualify. The QAP can be a daunting document and difficult to interpret, but time spent understanding its parameters and requirements in each jurisdiction can reap benefits down the road such as qualifying for lower debt, or even no debt. In this way, it will help lower operating overhead, etc. LIHTC can open the door for ancillary housing resources such as HOME, Affordable Housing Trust Fund, etc. as well. Thus, the time initially spent on understanding the QAP is of great practical importance.

RURAL CHALLENGES

A recent Fed paper notes that "while the LIHTC program in the aggregate appears to allocate an appropriate share of low-income units to rural areas, there are considerable differences on a state-by-state basis, with some allocating a disproportionately high share of their LIHTC units to rural areas and some allocating a disproportionately low share of their LIHTC units to rural areas."[23] The study undertook an extensive review of all 50 states' QAPs, but did not identify "specific elements" that seemed to be "determinative regarding whether a state would over-allocate, under-allocate, or allocate the 'right amount' of low-income units to rural areas." In fact, they found that "many states include similar elements in their QAPs and include both elements that are advantageous and disadvantageous for rural areas and achieve very different results." It concluded that the complexities and interactions of many different factors, or significant nuances in how QAPs are drafted or implemented affect states' allocations in a highly complex manner. At the same time, it found that likely the "differing economic realities, developer capacity, and other factors largely out of the control of state HFAs" override or alter QAP provisions in influencing where LIHTC projects are proposed.[24]

[23] Dumont, Andrew M. (2018). "Rural Affordable Rental Housing: Quantifying Need, Reviewing Recent Federal Support, and Assessing the Use of Low-Income Housing Tax Credits in Rural Areas," Finance and Economics Discussion Series 2018-077. Washington: Board of Governors of the Federal Reserve System, https://doi.org/10.17016/FEDS.2018.077.p. 49
[24] Ibid.

CONCLUSION

Overall, IRC §42 provides for federal tax incentives for equity investments in low-income housing, including Recovery Housing, and stipulates that state agency level QAPs will guide the application and award process. Within general guidelines set by the IRS, State Housing Finance Agencies separately administer the LIHTC program. These agencies review tax credit applications submitted by developers and allocate the credits through QAPs. The LIHTC program allows for local flexibility with guidance and input from stakeholders. Housing Finance Agencies can go beyond, but not less than what federal law requires. In this way, they can add requirements that focus on local needs, creating tailored QAPs to meet state conditions and needs. Agencies are very influenced by NCSHA, local groups, and engaged stakeholders in the public amendment process for each QAP.

The Housing Council observes that the most effective QAPs are "holistic" and not only apply to the housing itself, but its broader connections with the surrounding land uses and community.[25] In this way, a QAP can be an important tool for building healthy communities and influencing positive health outcomes, and efforts to develop Recovery Housing should be closely intertwined with these attributes.

To utilize the QAP, as well as influence positive changes for financing Recovery Housing, stakeholder familiarity and participation to inform the QAP development will elevate the need for this community resource. Active steps include understanding the basics of LIHTC, the importance of the QAP and thus reviewing the applicable QAP, along with upcoming available drafts, and paying special attention to funding priorities and points systems. In addition, stakeholders should explore if the Housing Finance Agency has established Set Asides related to Recovery Housing. Other important activities include meeting with Housing Finance Agency staff, and interviewing LIHTC developers that have been successful at obtaining funding via the QAP. By following these steps and focusing on informed and positive change, stakeholders can make positive steps for Recovery Housing utilizing the valuable and highly sought after LIHTC funding.

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[25] The National Housing Conference Housing Policy Guide "Elements of Effective State Qualified Allocation Plans." https://nhc.org/policy-guide/low-income-housing-tax-credit-the-basics/elements-of-effective-state-qualified-allocation-plans/

APPENDIX
OF RESOURCES

1. LIHTC dates and deadlines
https://www.novoco.com/resource-centers/affordable-housing-tax-credits/2022-federal-lihtc-information-state
2. National Council of State Housing Agencies
https://www.ncsha.org/
3. Qualified Allocation Plans by State
https://www.novoco.com/resource-centers/affordable-housing-tax-credits/2022-qaps-and-applications
4. National Low Income Housing Coalition: Housing Needs by State
https://nlihc.org/housing-needs-by-state
5. List of allocating agencies https://www.novoco.com/resource-centers/affordable-housing-tax-credits/application-allocation/state-lihtc-allocating-agencies
6. Guidance is offered by the NCSHA
https://www.ncsha.org/resource/ncsha-recommended-practices-in-housing-credit-administration/
7. Section 42 US Code
https://www.law.cornell.edu/uscode/text/26/42