

Alien Concepts: Navigating the Labyrinth of Rules Applying to Gifts and Estates of Non-U.S. Citizens

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Executive Summary

- This “quick-reference guide” examines some of the rules dealing with gift and estate tax when one or both of the clients are non-U.S. citizens.
- Whenever a client is identified as a non-citizen, the financial planner has immediate tax and estate planning issues to consider. The first task is to determine whether the client—or the spouse, if applicable—is a resident alien or a non-resident alien.
- Once citizenship and domicile status have been determined, the planner must consider various scenarios regarding wealth transfers, both *inter vivos* and post-mortem. The key question is, are assets flowing to a U.S. citizen or to an alien?
- Two important details to verify are whether a treaty exists between the United States and the country where the alien is a citizen or resident, and whether there are any important rules regarding gift and estate taxes.
- The marital annual exclusion amount is only \$125,000 indexed for inflation (\$128,000 for 2008) for gifts to alien spouses. This should be fully used to equalize estates or to transfer assets to the non-citizen spouse, especially when death may be imminent.
- No unlimited marital deduction is available to a surviving alien spouse, unless a qualified domestic trust (QDOT) is used. A QDOT results in tax deferral, not tax avoidance. The executor must make a QDOT election on a timely filed IRS Form 706.
- Certain assets are excluded from the gross estate of non-resident aliens, but the applicable exclusion amount for non-resident aliens is only \$60,000 (2008).
- Jointly held property may be problematic; separate ownership should be considered.

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There are millions of non-U.S. citizens in the United States. For financial planners, the likelihood of engaging such individuals as clients depends greatly on where the planner conducts business and whether the area attracts a large population of immigrants, be they foreign workers, students, or athletes.

Immigrants are a frequent topic in today's headlines. Non-citizens are quite prevalent in “international” cities such as New York, Boston, Chicago, Philadelphia, and Washington, DC; Florida; and border states of Canada or Mexico, such as California, Michigan, and Texas. Although some interior states do not have as many non-citizens, planners should have the knowledge and a reference guide to assist them in advising any individual or couple who may have alien status.

The Internal Revenue Code (IRC) provides for different tax treatments based on the tax status of individuals. For income tax purposes there are “U.S. persons” (including citizens and residents for U.S. income tax purposes) and “non-resident aliens.” For transfer tax purposes (that is gift, estate, and generation-skipping transfers) there are three categories of individuals with differing tax treatment: U.S. citizens, U.S. domiciliaries (resident aliens for transfer tax purposes), and non-U.S. domiciliaries (non-resident aliens for transfer tax purposes). U.S. citizens are always treated as domiciliaries for U.S. transfer tax purposes, but U.S. citizen domiciliaries are treated a bit differently from non-citizen domiciliaries.

This article will not address the varying income tax treatment of residents and non-residents, but will focus on the transfer tax treatment of non-citizens. One should note that the tests for determining residency for income tax purposes are entirely different from the tests for determining residency for transfer tax purposes. With regard to income tax purposes, individuals are considered resident aliens and subject to worldwide taxation if they have a green card or pass the substantial presence test (they spend on average 183 days a year in the United States¹). Thus, one must actually count days of presence in the United States for income tax purposes. Conversely, for transfer tax purposes, “days of presence” has little effect; rather, the alien's *intent* to remain in the United States indefinitely is determinative. An alien who is resident for U.S. gift, estate, and generation-skipping transfer tax purposes (collectively “transfer taxes”) is considered a U.S. domiciliary.

‘Domicile’ Test Is Subjective

If an individual is a U.S. citizen or a U.S. domiciliary, he or she will be subject to U.S. transfer taxes on a worldwide basis. If an individual is neither a citizen nor a domiciliary, he or she will be subject to U.S. transfer tax in more limited circumstances. The IRC does not define the term “domicile.” Instead, it is fleshed out in the supplemental Treasury regulations (Section 10.0-1(b)). The test is subjective based on one's intent to remain indefinitely in the United States. Factors to consider include

1. The duration of stay in the United States and other countries

2. The frequency of travel between the United States and other countries and between places abroad
3. The size, cost, and nature of the individual's houses or other dwelling places, and whether those places are owned or rented
4. The area in which the houses and other dwelling places are located (for example, resort area versus non-resort area)
5. The location of expensive and cherished personal possessions
6. The location of the alien's family and close friends
7. The place where the alien maintains church and club memberships and participates in community affairs
8. The location of the alien's business interests.
9. Declarations of residence or intent made in visa applications, wills, deeds of gift, trust instruments, letters, and oral statements
10. Motivation, especially health, pleasure, and the avoidance of the miseries of war or political regression
11. Visa status

A non-citizen may be a non-resident alien for U.S. income tax purposes, but still be considered a U.S. resident for transfer tax purposes (that is, a U.S. domiciliary). For example, an illegal alien subject to deportation was found to be a resident alien domiciliary for U.S. transfer tax purposes (*Elkins v. Moreno*, 435 US 647 (1978); Rev. Rul. 80-363, 1980-2 C.B. 249).

If the individual is a citizen or U.S. domiciliary, the individual will be entitled to an exemption from gift tax of \$1 million (not indexed for inflation) and an exemption from estate and generation-skipping transfer tax of \$2 million (for 2008; scheduled to increase to \$3.5 million in 2009). Non-resident aliens have no exemption from gift tax (other than the annual gift tax exclusion or qualified educational or medical expenses) and only a \$60,000 (not indexed for inflation) exemption from estate and generation-skipping transfer tax.

Advisors are urged to ask every client and their spouse about his or her citizenship and residency status. It is easy to overlook these questions in dealing with clients who may have no foreign accent. In addition, if a client is not a U.S. citizen, one must still determine whether he or she is a U.S. domiciliary. It is also vital to check whether a tax treaty exists between the United States and the country where the client retains citizenship, or resides or owns assets. Currently, the United States has only 16 estate and gift tax treaties.

Determine Which Direction Assets Are Flowing

To determine what tax consequences pertain to a particular transfer, by *inter vivos* gift or at death, it is helpful to look at the direction the assets are flowing. Between spouses, if assets flow to a U.S. citizen, generally no special tax issues arise. But if assets are flowing to a non-citizen spouse, the tax law guards against that person's leaving the country and avoiding the U.S. government's ability to tax the individual. Therefore, U.S. tax law imposes substantial limits on deductions and exclusions for non-citizens, be they resident aliens or non-resident aliens.

Here's a quick summary of the impact of classification for transfer taxes:

- U.S. domiciliaries, regardless of whether they are resident aliens or non-resident aliens for income tax purposes, are subject to federal tax on their worldwide assets for gift, estate, and generation-skipping transfer (GST) tax purposes, just as U.S. citizens are.²
- Non-domiciliaries who are not U.S. citizens are subject to gift, estate, and GST tax on assets situated (or deemed so) in the United States at the time of transfer, be it during life or at death.³
- Certain assets that one would think are U.S. situs may be exempt for gift tax purposes but not for estate tax purposes. For example, if a non-U.S. domiciliary, non-U.S. citizen has amounts on deposit with a U.S. bank, savings and loan, or credit union, those assets will not be subject to U.S. estate tax.⁴ Life insurance proceeds on the non-resident alien's life generally are excluded as well.⁵
- Stock in a U.S. corporation is considered to have U.S. situs and is therefore taxable in the estate of a non-U.S. domiciliary or non-resident alien at death, unless one of the 16 treaties provides otherwise. (Countries with which the United States maintains such agreements are listed under the section on tax treaties later in this article.) But such stock may be gifted by the non-U.S. domiciliary without any U.S. gift tax consequence.

To provide a useful guide for determining the transfer-tax consequences of non-citizens (domiciliaries and non-domiciliaries), the most common scenarios a planner will encounter are examined below. Please refer to Table 1 for a quick reference on gift and estate tax ramifications for people who have citizenship outside the United States, including scenarios not covered in detail in this article, such as the case when one spouse is a resident alien and the other is a non-resident alien, or when the individuals are not married.

Table 1: Guide to Transfer Tax Consequences for Non-U.S. Citizens

| Gifting | | | |
|----------------------|-----------------|--|--|
| Transfers to Spouses | To U.S. Citizen | To Resident Alien | To Non-resident Alien |
| From U.S. Citizen | Unlimited | \$128,000 annual exclusion, adjusted for inflation | \$128,000 annual exclusion, adjusted for inflation |
| From Resident Alien | Unlimited | \$128,000 annual exclusion, adjusted | \$128,000 annual exclusion, adjusted |

| | | | |
|---|---|---|---|
| From Resident Alien | Unlimited | \$128,000 annual exclusion, adjusted for inflation | \$128,000 annual exclusion, adjusted for inflation |
| From Non-resident Alien | Unlimited | \$128,000 annual exclusion, adjusted for inflation | \$128,000 annual exclusion, adjusted for inflation |
| Transfers to Others <i>Note: The same tax rates apply to all decedents, after the gift exclusion amount</i> | | | |
| | To U.S. Citizen | To Resident Alien | To Non-resident Alien |
| From U.S. Citizen | \$12,000 annual exclusion per donee; \$1 million lifetime exclusion | \$12,000 annual exclusion per donee; \$1 million lifetime exclusion | \$12,000 annual exclusion per donee; \$1 million lifetime exclusion |
| From Resident Alien | \$12,000 annual exclusion per donee; \$1 million lifetime exclusion | \$12,000 annual exclusion per donee; \$1 million lifetime exclusion | \$12,000 annual exclusion per donee; \$1 million lifetime exclusion |
| From Non-resident Alien | \$12,000 annual exclusion per donee; no lifetime exclusion; no gift splitting | \$12,000 annual exclusion per donee; no lifetime exclusion; no gift splitting | \$12,000 annual exclusion per donee; no lifetime exclusion; no gift splitting |

Estates

| | | | |
|---|--|--|--|
| Transfers to Spouses | To U.S. Citizen | To Resident Alien | To Non-resident Alien |
| From U.S. Citizen | 100 percent marital deduction | \$2 million exclusion applies, 100 percent marital deduction, only if transfer meets QDOT requirements | \$2 million exclusion applies, 100 percent marital deduction, only if transfer meets QDOT requirements |
| From Resident Alien | 100 percent marital deduction | \$2 million exclusion applies, 100 percent marital deduction, only if transfer meets QDOT requirements | \$2 million applicable exclusion, 100 percent marital deduction, only if transfer meets QDOT requirements |
| From Non-resident Alien | 100 percent marital deduction | \$60,000 applicable exclusion applies to U.S. gross estate, although 100 percent marital deduction, only if transfer meets QDOT requirements | \$60,000 applicable exclusion applies to U.S. gross estate, although 100 percent marital deduction, only if transfer meets QDOT requirements |
| Transfers to Others <i>Note: The same tax rates apply to all decedents, after the gift exclusion amount</i> | | | |
| | To U.S. Citizen | To Resident Alien | To Non-resident Alien |
| From U.S. Citizen | \$2 million applicable exclusion amount, plus scheduled increases | \$2 million applicable exclusion amount, plus scheduled increases | \$2 million applicable exclusion amount, plus scheduled increases |
| From Resident Alien | \$2 million applicable exclusion amount, plus scheduled increases | \$2 million applicable exclusion amount, plus scheduled increases | \$2 million applicable exclusion amount, plus scheduled increases |
| From Non-resident Alien | \$60,000 applicable exclusion amount for U.S. assets; no scheduled increases | \$60,000 applicable exclusion amount for U.S. assets; no scheduled increases | \$60,000 applicable exclusion amount for U.S. assets; no scheduled increases |

One Spouse Is a U.S. Citizen, the Other Spouse Is a Resident Alien (Non-U.S. Citizen)

Gift tax. The annual exclusion amount for gifts is \$12,000 (indexed for inflation) per year, per donee, for either spouse as the donor.⁶ Gift splitting is available; this means one spouse can be the donor but use the other spouse’s annual exclusion amount.⁷ But for gifts between spouses, if the donee spouse is the resident alien (non-U.S. citizen), there is a marital annual exclusion of only \$125,000 (indexed for inflation; \$128,000 in 2008).⁸ There is no unlimited marital deduction.⁹

On the other hand, if the donee spouse is the citizen, such a gift qualifies for the 100 percent marital deduction, regardless of amount.¹⁰ The maximum lifetime gift amount from a citizen or resident alien donor (i.e., a U.S. domiciliary) is \$1 million, not qualifying for other exclusions, such as qualified medical or educational expenses.¹¹

Estate tax. At death, the current applicable exclusion amount is \$2 million (2007–2008) for both citizens and non-citizens who are U.S. domiciliary decedents.¹² A 100 percent marital deduction applies if the surviving spouse is a U.S. citizen, meaning there is no limit on amounts that may be left to a U.S. citizen surviving spouse.

If the surviving spouse is a non-citizen (regardless of whether such spouse is a U.S. domiciliary), there is no unlimited marital deduction, unless the transfer meets the qualified domestic trust (QDOT) requirements discussed later.¹³

Both Spouses Are Resident Aliens (Non-U.S. Citizens but U.S. Domiciliaries)

Gift tax. The annual gift tax exclusion¹⁴ and gift splitting are available. Because both spouses are U.S. domiciliaries but not citizens, there is a marital annual exclusion of only \$125,000 (\$128,000 in 2008) for gifts to either spouse.¹⁵ Their maximum lifetime gift amount is \$1 million.¹⁶

Estate tax. The current applicable exclusion amount is \$2 million (2007–2008),¹⁷ but there is no 100 percent marital deduction for the non-citizen spouses unless the transfer meets the QDOT requirements discussed later.¹⁸

One Spouse Is a U.S. Citizen, the Other Is a Non-resident Alien (Non-U.S. Citizen, Non-U.S. Domiciliary)

Gift tax. Non-citizens who are not U.S. domiciliaries are subject to gift tax only on transfers of U.S. real property and tangible personal property located in the United States (except for certain works of art on exhibition).¹⁹ They are not subject to gift tax on transfers of intangible property, wherever located, unless the donor is an expatriate as defined later.²⁰ The annual gift-tax exclusion applies for both spouses,²¹ but gift splitting is not available.²² For gifts between spouses, the \$128,000 (indexed for inflation) marital annual exclusion applies if the recipient spouse is a non-citizen.²³ The maximum lifetime gift amount by a citizen is \$1 million.²⁴ But if the recipient spouse is the citizen, such gifts qualify for the 100 percent marital deduction and there is no limitation on the amount gifted.

For gift tax purposes, a non-resident alien (non-U.S. domiciliary) is not entitled to use the applicable exclusion amount of \$60,000. Such applicable exclusion amount is only available to the decedent's estate. Hence, non-resident aliens must be extremely cautious about not exceeding the \$125,000 (indexed for inflation) annual exclusion amount for inter vivos gifts or they will face U.S. gift tax.

Estate tax. Non-U.S. citizen decedents who are non-U.S. domiciliaries are taxed only on U.S. situs assets. The IRC generally defines what assets are considered U.S. situs and non-U.S. situs. U.S. situs assets include tangible personal property physically located in the United States (except for certain works of art on exhibition), intangible personal property if issued by or enforceable against a U.S. resident, stock in U.S. corporations, brokerage accounts if the underlying assets are U.S. situs, and U.S. real property.²⁵ Assets considered non-U.S. situs include most insurance proceeds on the non-resident alien's life even if issued by a U.S. insurance company; deposits in banks, savings and loans, and credit unions; or portfolio debt obligations (which include U.S. government and corporate bonds, debentures, and notes issued after July 18, 1984).

Instead of a \$2 million applicable exclusion amount for a deceased non-resident alien (non-U.S. domiciliary), the applicable exclusion amount is only \$60,000 (for a credit of \$13,000 and not indexed for inflation).²⁶ Executors for non-resident aliens must file estate tax return Form 706-NA.

If the surviving spouse is not a U.S. citizen, there is no 100 percent marital deduction unless the transfer meets the QDOT requirements. On the other hand, there is a 100 percent marital deduction if the surviving spouse is a citizen. If the decedent is a citizen, all assets over the \$2 million applicable exclusion amount must be transferred to a QDOT to defer estate tax at the time of death.

Both Spouses Are Non-resident Aliens (Non-U.S. Domiciliaries)

Gift tax. Non-U.S. citizens who are non-U.S. domiciliaries are subject to gift tax for transfers of U.S. real property and tangible personal property located in the United States (except for certain works of art on exhibition).²⁷ Non-domiciliaries are not taxed on transfers of intangible property wherever located, unless the donor is an expatriate.²⁸ The annual gift exclusion applies for either spouse,²⁹ but gift splitting is not available.³⁰ For gifts between non-citizen spouses, however, there is the \$125,000 (indexed for inflation) marital annual exclusion. One must not confuse this with the applicable exclusion amount of \$60,000; this applicable exclusion amount applies only to estate tax on the non-resident alien's estate.

Estate tax. A non-resident alien couple (non-U.S. domiciliaries) is taxed only on U.S. situs assets. This includes tangible

personal property physically located in the United States (except for certain works of art on exhibition), intangible personal property issued by or enforceable against a U.S. resident, stock in U.S. corporations, brokerage accounts if the underlying assets are U.S. situs, and U.S. real property.³¹ Assets considered non-U.S. situs include most insurance proceeds on the non-resident alien's life even if issued by a U.S. insurance company; deposits in banks, savings and loans, and credit unions; or portfolio debt obligations as noted earlier.

The applicable exclusion amount is only \$60,000.³² Because both spouses are non-citizens, there is no 100 percent marital deduction unless the transfer meets the QDOT requirements discussed below.³³

Qualified Domestic Trusts (QDOT)

To determine whether a qualified domestic trust is needed, the fundamental question is the direction in which the assets flow. Before 1988 decedents passing assets to non-citizen spouses were not allowed a marital deduction. Today, a decedent (U.S. domiciliary and non-U.S. domiciliary) is permitted a full marital deduction for assets passing to a spouse who is a U.S. citizen. The test is not based on the citizenship, residency, or domicile of the decedent, but only on the citizenship of the surviving spouse.

If the surviving spouse is not a citizen, a 100 percent marital deduction is only allowed if the assets are transferred to a QDOT.³⁴ A QDOT may be created under the decedent's testamentary documents (will or trust) or by the surviving spouse, although different tax attributes apply under each scenario.

For estates under the applicable exclusion amount (\$60,000 for a non-U.S. domiciliary or \$2 million for a U.S. domiciliary or citizen), the marital deduction and QDOT provisions are largely inconsequential. If the value of an estate exceeds the applicable exclusion amount, the non-U.S. citizen surviving spouse, whether a resident alien or non-resident alien, has three options: (1) pay the tax, (2) transfer the property to a QDOT, or (3) become a U.S. citizen within the specified time frame, generally 9 months (or 15 months with a timely filed extension) from the decedent's date of death.

The IRC provides for marital deduction treatment of a resident spouse who becomes a citizen before the day on which the 706 federal estate tax return is made, and (1) such spouse was a resident of the United States at all times after the date of the death of the decedent and before becoming a citizen of the United States; (2) no tax was imposed on any distribution from a QDOT before such spouse became a citizen, or (3) the surviving spouse elects to treat any distributions from a QDOT on which tax was imposed as a taxable gift made by the spouse, reducing the credit allowed to such surviving spouse under Section 2505.³⁵

A QDOT must satisfy *all four* of the following requirements:

1. The trust must comply with the general marital deduction requirements.
2. The trust instrument must require at least one trustee to be a U.S. citizen or a domestic corporation, and no distribution may be made from the trust unless the U.S. trustee has the right to withhold tax from such distribution.
3. The trust must meet the requirements for collecting tax under the regulations.
4. The executor must make the QDOT election on a timely filed Form 706 federal estate tax return. Additional requirements ensure collection of tax, depending on the size of the QDOT. Small QDOTs are defined as \$2 million or less; large QDOTs are greater than \$2 million.

Distributions from a QDOT may be either of principal or income. If the trust satisfies the requirements of a QDOT, distributions from principal before the death of the surviving spouse will be subject to tax as if the distribution amount had been includable in the deceased spouse's estate; that is, the decedent's estate tax rate applies. Likewise, any assets remaining in the QDOT at the surviving spouse's death are subject to estate tax without the benefit of using the surviving spouse's applicable exclusion amount. Thus, any distributions from principal during the surviving spouse's life and at the surviving spouse's death are both taxable events. But distributions from principal for "hardship" are exempt from the QDOT tax.³⁶ Therefore, a QDOT is simply a tax deferral mechanism, not a tax avoidance vehicle, but it provides some relief to estates passing to a surviving spouse who is not a U.S. citizen.

Income distributed from a QDOT is not subject to the QDOT tax.³⁷ The income must be paid to the surviving spouse and is subject to income tax. Capital gains are not considered income even if the trust says they are.³⁸ Hence, distributions of capital gain are treated as a distribution of principal and are subject to the QDOT tax.

Jointly Held Property

When one spouse is not a U.S. citizen, the general presumption is that the decedent owns 100 percent of jointly held property independent of citizenship and domicile. This presumption is readily rebuttable if the contributions were of community property. Community property is also determined by domicile. While beyond the scope of this article, that income can be community property by virtue of the earning spouse being domiciled in certain states and in certain foreign countries. Thus, joint accounts could be community property even if the decedent spouse is foreign domiciled. For non-community property situations, the value of property jointly titled with rights of survivorship or as tenants by the entirety

is included 100 percent in the gross estate of the first joint tenant to die, except to the extent the executor for the decedent's estate can prove that the surviving joint tenant supplied the consideration for the property.³⁹

It is generally useful to keep good records of contributions and deposits to joint accounts when death is likely to produce a taxable estate. It may even be useful to maintain separate accounts, and not have joint accounts, as long as this is balanced against the possible probate exposure.

To limit the amount of property and assets that would need to be contributed to a QDOT at the death of a spouse, it may be beneficial to equalize the estates of both spouses during life. This can be accomplished through the \$128,000 (indexed for inflation) annual marital gift exclusion.⁴⁰ A gift tax return is not required if the gift is equal to or less than the annual exclusion amount; however, it is recommended to file a return in order to start the three-year statute-of-limitations period if the value of a gift is uncertain. This may occur for gifts of difficult assets to value such as a fractional interest in real property and stock in a closely held company.

Tax Treaties

Advisors must not neglect the benefits of tax treaties. They are often the forgotten lynchpin in advising the international client. In some cases they override the federal statutes and recharacterize the situs of an asset. They often provide tie-breaker rules in situations where both contracting nations may tax the same asset. Treaties include "savings clauses," which prevent U.S. citizens from using the treaty's provisions to avoid U.S. tax. Treaties are constantly changing, and the countries with which the United States maintains tax treaties are also changing.

Treaties serve to prevent double taxation, prevent discriminatory tax treatment of a resident of a country, and permit reciprocal administration to prevent tax avoidance and evasion. Treaties often substantially reduce estate and gift taxes.

The United States has entered into 16 estate or gift tax treaties as follows: Australia, Austria, Canada, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Japan, the Netherlands, Norway, Republic of South Africa, Switzerland, and the United Kingdom.

Conclusion and Advice It should be clear to any financial planner that international waters are deep and treacherous. Many of the concepts explained here to assist in navigating those waters are alien to the planner who works primarily with U.S. citizens, so when dealing with a resident alien or non-resident alien, it is essential to seek competent, professional advice from an expert in this field who specializes in advising international clients. Depending on the circumstances, it may be appropriate to advise a client to become a U.S. citizen.

- Whether or not a client is willing to obtain U.S. citizenship, an advisor should consider and possibly recommend a trust with QDOT provisions. When the executor of the estate is not a professional, advise him or her to make the QDOT election on Form 706 if the decision has been made to allocate assets to the QDOT.
- Advise clients to either keep records of contributions to jointly owned property or to maintain separate accounts, ideally the latter.
- Make full use of the \$128,000 (indexed for inflation) annual marital gift exclusion to equalize estates or to transfer assets to spouses with U.S. citizenship, especially when death may be imminent.
- Finally, check the international tax treaties! Pleasant or unpleasant surprises may be found therein.

Although we have attempted to represent information here fully and accurately, always consult an expert in this field to address individual client situations.

Endnotes

1. Section 7701(b)(3)(A).
2. Section 2001(a).
3. Sections 2101(a) and 2106(a).
4. Section 2105(b).
5. Section 2105(a).
6. Section 2503(b).
7. Section 2513.
8. Section 2523(i)(2).
9. Section 2056(d).
10. Section 2506.
11. Section 2505(a).
12. Section 2010(c).
13. Section 2056A.
14. Section 2503(b).
15. Section 2523(i)(2).
16. Section 2505(a).
17. Section 2010(c).
18. Section 2056A.

19. Section 2105(c).
20. Section 2501.
21. Section 2503(b).
22. Section 2523(f).
23. Section 2523(i)(2).
24. Section 2505(a).
25. Section 2103.
26. Section 2102(b).
27. Section 2105(c).
28. Section 2501.
29. Section 2503(b).
30. Section 2523(f).
31. Section 2103.
32. Section 2102(b).
33. Section 2056A.
34. Section 2056A.
35. Section 2056A(a)(1)-(3).
36. Section 2056A(b)(3)(B).
37. Section 2056A(b)(3)(A).
38. Section 643(b).
39. Section 2040(b).
40. Section 2523(i)(2).