

TECHNICAL PROGRAM

Session 1: Wednesday, December 16, 2020

Time: 11:00 a.m. – 1:00 p.m. Eastern Time

Panel 1: The Role of Foreign Branches Post-TCJA

This panel will provide an overview of the new rules that govern the taxation of foreign branches, with a primary focus on the foreign tax credit rules and the foreign derived intangible income (FDII) rules. Panelists will discuss key issues, including the definition of a foreign branch, determining income attributable to a foreign branch, and the tax consequences of earning income in a foreign branch. The panel will consider the relevant Code provisions, the rules that Treasury and the IRS have provided in regulations to date, and the policy or policies underlying the branch regime.

Chair:

Brian Jenn, McDermott, Will & Emery

Panelists:

Kimberly Blanchard, Weil, Gotshal & Manges

Barbara Felker, Branch Chief, IRS Office of Associate Chief Counsel, International (invited)

Danielle Rolfes, KMPG

Jason Yen, Attorney Advisor, U.S. Department of the Treasury Office of Tax Policy (invited)

Panel 2: International Tax Controversy

This panel will address recent LB&I's transfer pricing and TCJA audit initiatives. We will also discuss current tax controversy developments, including possible challenges to the validity of TCJA regulations.

Chair:

Josh Odintz, Baker McKenzie

Panelists:

Jennifer Best, Assistant Deputy Commissioner, International, Internal Revenue Service

Kathleen Gregor Saunders, Ropes & Gray

John Hinding, Director, Cross Border Activities Practice Area, Internal Revenue Service

Session 2: Thursday, December 17, 2020

Time: 11:00 a.m. – 1:15 p.m. Eastern Time

Repatriation: How to Repatriate Earnings (and Cash) Post-TCJA

11:00 a.m. – 12:30 p.m. Eastern Time

The TCJA's promise of ending the "lock-out" effect for deferred foreign earnings has been less than fully realized and the repatriation of these earnings (and cash) remains a challenge even though distributions from controlled foreign corporations (CFCs) are generally exempt from U.S. taxation. This panel will provide an overview of the issues confronting U.S.-based multinationals when bringing home their foreign earnings, including a discussion of the new previously taxed earnings and profits (PTEP) regulations (we hope, assuming they have been released), other relevant guidance, and practical approaches to successfully navigate the complicated rules that has been developed to implement the changes made by the TCJA.

Chair:

Michael Caballero, Covington & Burling

Panelists:

Jose Murillo, EY

Gretchen Sierra, Deloitte

Laura Williams, Branch Chief, IRS Office of Associate Chief Counsel, International (invited)

Brenda Zent, Special Advisor on International Taxation, U.S. Department of the Treasury (invited)

Fireside Chat with Assistant Secretary David Kautter (invited)

12:45 p.m. – 1:15 p.m. Eastern Time

Session 3: Friday, December 18, 2020

Time: 11:00 a.m. – 1:15 p.m. Eastern Time

Panel 1: Privileges and Penalties – Maximizing Your Protections and Minimizing Your Regrets (Ethics)

This panel will address hot issues and current developments in privileges and penalties. Using the ongoing *Sanmina* controversy as a springboard the panel will illustrate through realistic fact patterns what we know and don't know about when various privileges attach in the first instance, how taxpayers can share privileged communications with those who need to know (preparers, valuation experts, accountants, counterparties, the IRS), how to avoid having a selective disclosure become a subject matter waiver, and how to avoid other pitfalls and bad consequences.

Chair:

Diana Wollman, Cleary, Gottlieb

Panelists:

Caroline Ciraolo, Kostelanetz & Fink

Erin Gladney, Baker McKenzie

Amanda Leon, Caplin & Drysdale

Panel 2: Current Developments OECD

This panel will provide an overview of recent international tax developments, including recent guidance from Treasury and the IRS, as well as the OECD Pillar 1 and Pillar 2 blueprints.

Chair:

Michael Plowgian, KPMG

Patrick Brown, PwC

Rocco Femia, Miller & Chevalier

Vincent van der Lans, Loyens & Loeff

REGISTRATION

Register by November 30 for the earlybird discount and save over 10%

Full Conference Member rate: \$200 up to November 30

One Day Conference Member rate: \$100/day up to November 30

Full Conference Non member rate: \$300 up to November 30

One Day Conference Non member rate: \$150/day up to November 30

Special 50% reduced rate for academic and government participants!

Register Now! All fees will increase by \$25 after November 30.

Please note that the registration process will be in two steps. First, purchase your pass on our website by clicking the link above. After you complete your registration, you will receive an invitation from the Zoom platform where you will need to complete your registration for the live virtual event.

Please note, you will receive a Zoom invite for each day of the Conference. The login to join the conference will be unique each day.