

SECTION OF TAXATION 2018 MAY MEETING

MAY 10-12, 2018
WASHINGTON, DC • GRAND HYATT



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2018 MAY MEETING

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FUTURE MEETINGS / CLE CALENDAR



Section of Taxation CLE Calendar

DATE	PROGRAM	CONTACT INFO
May 15-16, 2018	Advanced ERISA Litigation National Institute Chicago, IL	ABA JCEB www.americanbar.org/jceb (202) 662-8670
May 17, 2018	Advanced ERISA Benefit Claims Litigation Chicago, IL	ABA JCEB www.americanbar.org/jceb (202) 662-8670
June 13-15, 2018	11th Annual U.S. – Latin America Tax Planning Strategies Miami, FL	Tax Section www.americanbar.org/tax (202) 662-8670
September 27, 2018	Fiduciary Institute Washington, DC	ABA JCEB www.americanbar.org/jceb (202) 662-8670
October 10-12, 2018	ERISA Basics National Institute Washington, DC	ABA JCEB www.americanbar.org/jceb (202) 662-8670
October 29-30, 2018	29th Annual Philadelphia Tax Conference Philadelphia, PA	Tax Section www.americanbar.org/tax (202) 662-8670
October 29-30, 2018	Health and Welfare Benefit Plans National Institute Arlington, VA	ABA JCEB www.americanbar.org/jceb (202) 662-8670

Section of Taxation Meeting Calendar

DATE	PROGRAM	LOCATION
October 4-6, 2018	FALL MEETING (JOINT WITH RPTE SECTION)	Hyatt Regency, Atlanta, GA
January 17-19, 2019	MIDYEAR MEETING	Hyatt New Orleans, New Orleans, LA
May 9-11, 2019	MAY MEETING	Grand Hyatt, Washington, DC
September 19-21, 2019	FALL MEETING (JOINT WITH RPTE SECTION)	Hyatt Regency, San Francisco, CA
January 30- February 1, 2020	MIDYEAR MEETING	Boca Raton Resort, Boca Raton, FL
April 30-May 2, 2020	MAY MEETING	Marriott Marquis DC, Washington, DC
September 24-26, 2020	FALL MEETING (JOINT WITH RPTE SECTION)	NY Marriott Marquis, New York, NY

WELCOME

KAREN L. HAWKINS

SECTION CHAIR



The Section of Taxation welcomes you to the **2018 May Meeting** in Washington, DC. We are pleased that you have decided to join us and we hope you take advantage of the opportunity to participate in high-level discussions and CLE programs on the latest developments in tax law.

Please note the following meeting highlights:

- **PLENARY SESSION & SECTION LUNCHEON** on Saturday with Keynote Speaker the Honorable David J. Kautter, Assistant Secretary for Tax Policy, U.S. Department of the Treasury
- **SECTION PROGRAM** on Saturday afternoon on The Fundamentals of Tax Litigation.

Stay connected with our **MOBILE MEETING APPLICATION**

Download the app by using your device to scan the QR code or visit <http://ambar.org/taxapps>



Use the app to view the program, create a personalized agenda, access the latest meeting materials, find speakers and fellow attendees, receive updates throughout the meeting and more!

TWITTER: JOIN THE CONVERSATION. Follow us [@ABATAXSECTION](https://twitter.com/ABATAXSECTION) and use [#TAXMAY](https://twitter.com/hashtag/TAXMAY) to stay connected during the meeting.

WIRELESS INTERNET is available for attendees throughout the meeting space. The network name and password apply to both the Grand Hyatt and Marriott Metro Center.

Network Name: [ABA May](#)

Password: [abatax18](#)

We hope you enjoy the meeting and we welcome your comments.

HIGHLIGHTS



SECTION LUNCH & PLENARY SESSION *(Ticketed Event)*

The Section is pleased to announce that the Honorable David J. Kautter, Assistant Secretary for Tax Policy, U.S. Department of the Treasury, will address attendees of the **2018 May Meeting** at the Section Luncheon on Saturday, May 12, from 12:00pm-1:30pm at Independence A, Level 5B. Attendees must purchase a ticket to attend the luncheon.

TAX BRIDGE TO PRACTICE

Organized by the Tax Section's Young Lawyers Forum and Diversity Committees, this program is designed to provide an introduction to tax practice. If you are a law student, young lawyer, new bar admittee or practitioner transitioning to tax, then this program is for you. More information is available on page 20.

SECTION EXHIBITORS

Section Exhibitors will be open on Friday from 7:00am to 5:00pm and on Saturday from 7:00am to 2:00pm. The following organizations will have exhibit booths:

Corporate Exhibit Center, Level 1B

Aon
Bloomberg Tax
Law360
Tax Analysts
US Virgin Islands Economic Development Authority
Wolters Kluwer

Academic Pavilion, Level 5B

Boston University School of Law Graduate Tax Program
Northwestern Pritzker School of Law Tax Program
Tax Attorney Recruiting Event (TARE)
University of San Francisco School of Law

REGISTRATION

Registration will be available in Independence Foyer, Level 5B. All individuals attending any part of the **2018 May Meeting**, including speakers, must register and pay the registration fee. Shared registrations are not permitted. Companions are defined as non-Section members not attending substantive meetings. Any companion attending substantive programs must register and pay either the Section member or non-Section member registration fee, whichever is applicable.

The registration fee includes exclusive access to the meeting materials website, mobile meeting application and permits registrants to attend all meetings, sessions and programs; however, it does not include meal functions and social events listed as "Ticketed Event." All ticketed events are sold on a first-come, first-served basis.



HIGHLIGHTS

ON-SITE REGISTRATION AND TICKET PURCHASE HOURS

The Registration Desk, located in Independence Foyer, Level 5B will be open during the following hours:

Thursday:	12:00pm – 7:30pm
Friday:	6:30am – 6:30pm
Saturday:	6:30am – 2:00pm

LAW STUDENT REGISTRATION BOOTH

Sponsored by: Boston University School of Law Graduate Tax Program

The Law Student Registration Booth, located in Independence Foyer, Level 5B will be open during the following hours:

Thursday:	12:00pm – 7:30pm
Friday:	6:30am – 6:30pm
Saturday:	6:30am – 2:00pm

BADGE IDENTIFICATION

RED Bar	Section Officers, Council Members, Committee Chairs, Task Force Chairs, Past Section Chairs
GREEN Bar	Government Officials/Guests
BLUE Bar	Member
GRAY Bar	Law Students and LLM Candidates
BLUE Text	Companions
PURPLE Bar	First-Time Attendees
YELLOW Badge	Press
ORANGE Bar	Young Lawyer
LAVENDER Badge	Exhibitor
BLACK Bar	Staff

HOSPITALITY CENTER

Complimentary continental breakfast will be served in the morning. Snacks, coffee, sodas and water will be available in the afternoon.

Location: Grand Foyer, Level 1B & Independence Foyer, Level 5B

Time: Friday 7:00am – 4:00pm
Saturday 7:00am – 3:00pm

Location: Marriott Metro Center, 775 12th St. NW,
Jr. Ballroom, 2nd Floor & Grand Ballroom Level

Time: Friday 7:00am – 4:00pm

PROGRAM GUIDE



HOW TO USE THIS PROGRAM

The program book is divided into three primary sections: Schedule at-a-Glance, Program Schedule, and Alpha Index. The following is a description of each of these sections:

SCHEDULE AT-A-GLANCE (P. 7)

Lists all programs chronologically by start time, then alphabetically by committee name. Subcommittee meetings are listed under their committee. Use this guide to find programs beginning at a specific time.

Example: To find programs starting on Friday, at 8:30am, go to the Schedule at-a-Glance section and locate the “Friday 8:30AM” programs. Here you can view the committees meeting at that time, the location, topic and the page number for the full program description in the Program Schedule.

PROGRAM SCHEDULE (P. 20)

Lists all programs chronologically by the start time, then alphabetically by committee names. Subcommittee meetings are listed under their committees. This section includes full program descriptions, speakers, locations and start and end times. The Schedule at-a-Glance and the Alpha Index will help you locate specific programs in this section.

ALPHA INDEX (P. 69)

Lists all committee programs alphabetically by committee name. Use this section to locate all programs hosted by a specific committee.

Example: To find all programs hosted by the Administrative Practice committee, go to the Alpha Index and locate 'Administrative Practice.' You will find a listing of all meetings and events hosted by the Administrative Practice committee. Go to the corresponding page number for more information.

-  = The Program Is Recorded
-  = The Program Will Appeal to Young Lawyers or Non-Specialists
-  = Ethics Credits Has Been Requested
-  = No CLE Credit Is Available



SCHEDULE AT-A-GLANCE

= Taped
 = Young Lawyers Program
 = Ethics Credits Requested
 = No CLE Credit

COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
THURSDAY 8:00AM			
Incoming Officers & Council Orientation (Executive Session)	McPherson Square, Level 5B	8:00AM – 9:00AM	20
THURSDAY 9:00AM			
Officers & Council Meeting (Executive Session)	Farragut Square, Level 5B	9:00AM – 2:00PM	20
THURSDAY 12:00PM			
Tax Bridge to Practice	Constitution A, Level 3B	12:00PM – 5:00PM 12:00p – A Conversation with... Drita Tonuzi 12:45p – A Renewed Focus on CoGS 1:45p – The Ins and Outs of Litigating Penalties 2:45p – Break 3:00p – Dude, Where's My Refund? An Overview of Joint Committee Review of Tax Refunds 4:00p – Crypto-Currency: Disclosure & Audits, What to Do and How to Handle	20
THURSDAY 1:00PM			
Low Income Taxpayer Representation Workshop	Independence C, Level 5B	1:00PM – 5:00PM 1:00p – The 2017 Tax Act and Low-Income Families 2:15p – Break 2:30p – The 2017 Tax Act and Self-Employed Workers 3:45p – History and Context: “Tax Reform” Efforts of the Past 50 Years	22
THURSDAY 4:30PM			
National Center on Philanthropy and the Law Philanthropy Professors Meeting	Penn Quarter A, Level 1B	4:30PM – 6:00PM	22
THURSDAY 5:00PM			
The Laurence Neal Woodworth Memorial Lecture and Reception	Wilson, Level 3B	5:00PM – 7:00PM <i>Speaker:</i> John Koskinen Sponsored by: Ohio Northern University	22
THURSDAY 6:00PM			
Welcome Reception, Honoring Pro Bono (Complimentary)	Constitution B, Level 3B	6:00PM – 7:00PM Sponsored by: Pillsbury Winthrop Shaw Pittman LLP	23

SCHEDULE AT-A-GLANCE



COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
THURSDAY 7:00PM			
Administrative Practice Committee Dinner 🍷 <i>(Invitation Only)</i>	NoPa Kitchen + Bar, 800 F St. NW	7:00PM – 9:30PM	23
Partnerships & LLCs and Real Estate Committees Dinner 🍷 <i>(Reservation; Advanced Payment Required)</i>	Bobby Van's Grill, 1201 New York Ave NW	7:00PM – 9:30PM	23
THURSDAY 7:30PM			
Young Tax Lawyers Networking Reception 🍷★	Capitol City Brewing Company, 1100 New York Ave. NW	7:30PM – 9:00PM Hosted by: Sideman & Bancroft, LLP	23
FRIDAY 7:15AM			
SPONSORED PROGRAM 🍷 <i>(Complimentary) Breakfast Forum Presented by Aon</i>	Penn Quarter, Level 1B	7:15AM – 8:15AM Managing Tax Risks in a Post-Tax Reform World Through Tax Insurance 🍷	24
FRIDAY 7:30AM			
ACTC Board of Regents Meeting 🍷 <i>(Executive Session)</i>	Banneker, Level 1B	7:30AM – 9:00AM	24
Exempt Organizations Subcommittee on Audits, Appeals and Litigation 🍷	Marriott Metro Center, Salon C, Grand Ballroom	7:30AM – 8:30AM Roundtable Discussion of Current Developments 🍷	24
Exempt Organizations Subcommittee on Health-Care Organizations 🍷	Marriott Metro Center, Salon D, Grand Ballroom	7:30AM – 8:30AM Roundtable Discussion of Current Developments 🍷	24
Exempt Organizations Subcommittee on Political & Lobbying Organizations 🍷	Marriott Metro Center, Salon E, Grand Ballroom	7:30AM – 8:30AM Roundtable Discussion of Current Developments 🍷	24
Exempt Organizations Subcommittees on Private Foundations, Unrelated Business Income, and International Philanthropy 🍷	Marriott Metro Center, London II, Grand Ballroom	7:30AM – 8:30AM Roundtable Discussion of Current Developments 🍷	24
Exempt Organizations Subcommittee on Religious Organizations 🍷	Marriott Metro Center, Jr. Ballroom 1, 2nd Floor	7:30AM – 8:30AM Roundtable Discussion of Current Developments 🍷	24



SCHEDULE AT-A-GLANCE

COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
FRIDAY 8:00AM			
Administrative Practice 	Constitution E, Level 3B	8:00AM – 10:45AM 8:00a – Important Developments 9:00a – A Day in the Life of a Partnership Representative 10:00a – Tips and Best Practices for Holding an Effective Virtual Appeals Conference	25
Banking & Savings Institutions 	Farragut Square, Level 5B	8:00AM – 10:45AM 8:00a – Tax Considerations for Credit/Loan and Security Agreements 9:20a – Tax Issues for Banking and Savings Institutions Dealing in Cryptocurrency	25
Capital Recovery & Leasing 	Wilson, Level 3B	8:00AM – 10:00AM 8:00a – Tax Reform and Its Implications for Leasing Transactions 8:45a – Tax Reform and Its Implications for Fixed Assets 9:30a – Current Developments Report and Update on Pending Guidance	26
Employee Benefits Subcommittee on Defined Contribution Plans	Marriott Metro Center, Jr. Ballroom 2, 2nd Floor	8:00AM – 9:30AM Employee Benefits Defined Contribution Plans Update	26
Employee Benefits Subcommittees on Executive Compensation and Fringe Benefits and Securities Law	Marriott Metro Center, Jr. Ballroom 3, 2nd Floor	8:00AM – 9:30AM Employee Benefits Executive Compensation, Fringe Benefits and Federal Securities Law Update	27
Estate & Gift Taxes 	Independence E, Level 5B	8:00AM – 10:45AM 8:00a – Current Developments 8:30a – GRRR (Gift Return Reporting Requirements): Taming the Wild 709 Tiger 9:15a – The Anatomy of the 706 – An Overview of the Federal Estate Tax Return and Tips on Reporting Entries 10:00a – Dirt and Taxes: Estate Planning for Real Estate Investors	27
Investment Management 	Independence I, Level 5B	8:00AM – 10:45AM 8:00a – Treaty Issues for Offshore Funds and Foreign Investments 8:55a – Planning for Fund Managers and GPs after Tax Reform 9:50a – Updates from the Internal Revenue Service and Investment Company Institute	28
Real Estate 	Constitution B, Level 3B	8:00AM – 10:45AM 8:00a – Hot Topics 8:45a – Conducting a Real Estate Business Under the 2017 Tax Act 9:15a – Tax Reform - Section 163(j), Part I 10:00a – Tax Reform - Section 168(k)	29

SCHEDULE AT-A-GLANCE



COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
FRIDAY 8:15AM			
Affiliated & Related Corporations 	Independence G, Level 5B	8:15AM – 11:30AM 8:15a – Applying the 2017 Tax Act to Troubled Companies Filing Consolidated Returns— Selected Issues 9:45a – Break  10:00a – Current Developments and 2017 Tax Act Guidance Themes	30
Individual & Family Taxation 	Renwick, Level 3B	8:15AM – 11:30AM 8:15a – Helping the Gig Workforce – Practice and Policy Perspectives 9:15a – Taxpayer Rights: To What End (Part 1) 10:15a – Break  10:30a – Nudging and Educating Taxpayers to Comply: Reevaluating Traditional Approaches to Taxpayer Compliance	30
FRIDAY 8:30AM			
Foreign Activities of US Taxpayers 	Independence A West, Level 5B	8:30AM – 10:30AM 8:30a – Tax Is... a Puzzle 9:30a – Foreign Tax Credits: It Isn't Over 'Til It's Over	31
FRIDAY 8:45AM			
Exempt Organizations 	Marriott Metro Center, Salon A, Grand Ballroom	8:45AM – 4:30PM 8:45a – Committee Business  9:00a – News from IRS, Treasury and the Hill 10:15a – New Sections 4960 and 512(a)(7): The Entity Level Tax on Excess Compensation and UBIT on Certain Fringe Benefits 11:15a – Break  11:30a – New Section 512(a)(6): Unrelated Business Taxable Income Silos – Separating the Corn from the Wheat 12:30p – Exempt Organizations Committee Luncheon  <i>Speaker:</i> Dr. C. Eugene Steuerle, Urban Institute, Washington, DC 2:00p – New Section 4968: The Excise Tax on Investment Income of Private Colleges and Universities 2:45p – Donor Advised Funds 4:00p – Cash Bar 	32



SCHEDULE AT-A-GLANCE

COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
FRIDAY 9:30AM			
Employee Benefits Subcommittee on Administrative Practices	Marriott Metro Center, Jr. Ballroom 1, 2nd Floor	9:30AM – 11:00AM Employee Benefits Administrative Practices Update	33
Employee Benefits Subcommittee on Employee Benefits Legislation & Litigation	Marriott Metro Center, Salon D, Grand Ballroom	9:30AM – 10:30AM Employee Benefits Legislation & Litigation Update	33
Employee Benefits Subcommittee on Multinational Employee Benefits & Compensation Issues	Marriott Metro Center, Salon C, Grand Ballroom	9:30AM – 10:45AM Employee Benefits Multinational Employee Benefits & Compensation Issues Update	34
Tax Policy & Simplification 	Independence C, Level 5B	9:30AM – 10:45AM 9:30a – The Byrd Rule and the Tax Legislative Process	34
FRIDAY 9:45AM			
Employee Benefits Subcommittee on Multiple Employers, Professional Employer Organizations (PEOs) and Controlled and Affiliated Service Groups	Marriott Metro Center, London II, Grand Ballroom	9:45AM – 10:45AM Employee Benefits Multiple Employers, PEOs and Controlled & Affiliated Service Groups Update	34
FRIDAY 10:00AM			
Appointments to the Tax Court  (Executive Session)	Banneker, Level 1B	10:00AM – 11:00AM	35
Employee Benefits Subcommittee on Welfare Plan and EEOC, FMLA and Leaves Issues	Marriott Metro Center, Jr. Ballroom 2, 2nd Floor	10:00AM – 12:00PM Employee Benefits Welfare Plans and EEOC, FMLA and Leaves Issues Update	35
FRIDAY 10:30AM			
Transfer Pricing 	Independence A West, Level 5B	10:30AM – 12:30PM 10:30a – US Tax Reform Reshapes the Transfer Pricing Landscape	35

SCHEDULE AT-A-GLANCE



COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
FRIDAY 11:00AM			
Employee Benefits Subcommittees on Distributions	Marriott Metro Center, Salon E, Grand Ballroom	11:00AM – 12:00PM 11:00a – Employee Benefits Distributions Update	36
Employee Benefits Subcommittee on Fiduciary Responsibility/Plan Investments	Marriott Metro Center, Jr. Ballroom 3, 2nd Floor	11:00AM – 12:00PM Employee Benefits Fiduciary Responsibilities/ Plan Investments Update	36
Employee Benefits New Employee Benefits Attorneys Forum	Marriott Metro Center, Capitol Hill, 3rd Floor	11:00AM – 11:30AM Employee Benefits New Employee Benefits Attorneys Forum	37
Energy & Environmental Taxes	Penn Quarter, Level 1B	11:00AM – 12:30PM 11:00a – Updates Impacting the Energy Industry	37
S Corporations	Constitution B, Level 3B	11:00AM – 1:45PM 11:00a – Hot Topics 12:00p – Choice of Entity Under the 2017 Tax Act 1:00p – Important Developments in the Federal Income Taxation of S Corporations	37
Standards of Tax Practice ★	Constitution C, Level 3B	11:00AM – 1:45PM 11:00a – Ethics Issues in Criminal Representations and Fraud Examinations 12:00p – Primer on Ethics and Circular 230 Issues for Young Attorneys ★	38
FRIDAY 11:30AM			
Court Procedure & Practice Roundtable	Wilson, Level 3B	11:30AM – 12:30PM 11:30a – ABCs of Summary Accounting Evidence	38
Employee Benefits Subcommittee on Exempt Organization and Governmental Plans	Marriott Metro Center, London II, Grand Ballroom	11:30AM – 12:30PM Employee Benefits Exempt Organization and Governmental Plans Update	39
FRIDAY 12:00PM			
Corporate Tax and Affiliated & Related Corporations Luncheon (Ticketed Event)	Independence E, Level 5B	12:00PM – 1:30PM	40
Diversity Luncheon (Ticketed Event)	Tiber Creek, Level 1B	12:00PM – 12:30PM	40
Employee Benefits Corporate Counsel Forum	Marriott Metro Center, Jr. Ballroom 1, 2nd Floor	12:00PM – 1:00PM Employee Benefits Corporate Counsel Forum	41



SCHEDULE AT-A-GLANCE

COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
FRIDAY 12:00PM (Continued)			
Employee Benefits Subcommittee on Defined Benefits Plans	Marriott Metro Center, Salon E, Grand Ballroom	12:00PM – 1:15PM Employee Benefits Defined Benefit Plans Update	41
Employee Benefits Subcommittee on ESOPs	Marriott Metro Center, Capitol Hill, 3rd Floor	12:00PM – 1:00PM Employee Benefits ESOP Update	41
Estate & Gift Taxes and Fiduciary Income Tax Luncheon 🗳️ <i>(Ticketed Event)</i>	McPherson Square, Level 5B	12:00PM – 12:30PM	40
Real Estate and Partnerships & LLCs Luncheon 🗳️ <i>(Ticketed Event)</i>	Hamilton Live, 600 14th St. NW	12:00PM – 1:00PM <i>Speaker:</i> Barbara M. Angus, Chief Tax Counsel, Committee on Ways and Means of the United States House of Representatives, Washington, DC	40
State & Local Taxes Luncheon 🗳️ <i>(Ticketed Event)</i>	Declaration, Level 1B	12:00PM – 12:30PM Sponsored by: Perkins Coie	40
FRIDAY 12:30PM			
Administrative Practice and Court Procedure & Practice Luncheon 🗳️ <i>(Ticketed Event)</i>	Farragut Square, Level 5B	12:30PM – 1:30PM <i>Speaker:</i> Frederick W. Schindler, Director, Implementation Oversight - ACA Office IRS, Washington, DC Sponsored by: Caplin & Drysdale; Kostelanetz & Fink, LLP; Miller & Chevalier Chartered; Morgan Lewis; Thompson Hine LLP; Thompson & Knight LLP	40
Diversity 🗳️	Tiber Creek, Level 1B	12:30PM – 1:30PM 12:30p – Transforming Tax Law Through a Feminist Perspective 🗳️	42
Estate & Gift Taxes and Fiduciary Income Tax Young Lawyers Subcommittee 🗳️	McPherson Square, Level 5B	12:30PM – 1:30PM 12:30p – How a Tax Bill Becomes a Law 🗳️	42
Exempt Organizations Luncheon 🗳️ <i>(Ticketed Event)</i>	Marriott Metro Center, Salon C, Grand Ballroom	12:30PM – 1:30PM <i>Speaker:</i> Dr. C. Eugene Steuerle, Urban Institute, Washington, DC	40
Foreign Activities of US Taxpayers, Foreign Lawyers Forum, Transfer Pricing and US Activities of Foreigners & Tax Treaties Luncheon 🗳️ <i>(Ticketed Event)</i>	Independence A East, Level 5B	12:30PM – 1:00PM	40
State & Local Taxes 🗳️	Declaration, Level 1B	12:30PM – 1:30PM 12:30p – The <i>Wayfair</i> Oral Argument 🗳️	42

SCHEDULE AT-A-GLANCE



COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
FRIDAY 1:00PM			
Foreign Activities of US Taxpayers, Foreign Lawyers Forum, Transfer Pricing, and US Activities of Foreigners and Tax Treaties	Independence A East, Level 5B	1:00PM – 2:30PM 1:00p – Government Officials Panel	43
FRIDAY 1:30PM			
Employment Taxes	Penn Quarter, Level 1B	1:30PM – 5:45PM 1:30p – IRS Employment Tax Update 2:30p – Tax Withholding on Independent Contractors: Good Idea or No? 3:30p – Break 3:45p – Tax Consequences of Employment Settlements and Judgements 4:45p – Employment Tax Liabilities and IRS Collections	43
Section CLE	Banneker, Level 1B	1:30PM – 2:30PM	44
FRIDAY 1:45PM			
Banking & Savings Institutions, Financial Transactions, Insurance Companies, Investment Management and Tax Exempt Financing Luncheon (Ticketed Event)	Independence I, Level 5B	1:45PM – 2:45PM Sponsored by: Morgan Lewis	40
Civil & Criminal Tax Penalties Luncheon (Ticketed Event)	Clyde's, 707 7th St. NW	1:45PM – 2:45PM Sponsored by: Hochman, Salkin, Rettig, Toscher & Perez, P.C.; Kostelanetz & Fink, LLP	40
FRIDAY 2:00PM			
Employee Benefits	Marriott Metro Center, Jr. Ballroom, 2nd Floor	2:00PM – 6:00PM 2:00p – Pension Benefit Guaranty Corporation Update 3:00p – Break 3:15p – Department of Treasury/Internal Revenue Service Hot Topics 4:15p – Department of Treasury/Internal Revenue Service Technical Sessions 5:15p – Treasury / IRS Fireside Chat 6:00p – Networking Reception Sponsored by: Practical Law	44



SCHEDULE AT-A-GLANCE

COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
FRIDAY 2:30PM			
Law Student Tax Challenge Planning Meeting	Douglass, Level 1B	2:30PM – 3:30PM	45
State & Local Taxes	Independence G, Level 5B	2:30PM – 5:45PM 2:30p – Post <i>Wynne</i> Challenges 3:30p – The <i>Wayfair</i> Case and Its Potential Aftermath 4:30p – Break 4:45p – SALT + Transfer Pricing	45
FRIDAY 3:00PM			
Closely Held Businesses	Wilson, Level 3B	3:00PM – 6:15PM 3:00p – Worker Classification – the States, IRS and Department of Labor 4:15p – Break 4:30p – Impact of 199A on Closely Held Businesses	46
Court Procedure & Practice	Constitution C, Level 3B	3:00PM – 6:15PM 3:00p – Current Developments 3:30p – The Rise of Section 6751(b): Ghouls That Rise from the <i>Graev</i> 4:20p – Break 4:35p – The Gathering Storm: Grappling with the Impact of Restitution Orders on Civil Tax Litigation 5:25p – Give It Away Now: An Update on Conservation Easements, Charitable Deductions and Substantial Compliance	47
Diversity	Tiber Creek, Level 1B	3:00PM – 5:00PM 3:00p – Tax Implications of Reverse Mortgages on Senior Citizens 4:00p – Section 162(q): Deductions For Sexual Harassment Settlements and Related Attorney’s Fees After the 2017 Tax Act	48
Financial Transactions	Independence E, Level 5B	3:00PM – 5:45PM 3:00p – Debt Restructurings in Response to the 2017 Tax Act 4:00p – Proposed Regulations Under Sections 954 and 988 5:00p – Issues Involving New Section 163(j)	48

SCHEDULE AT-A-GLANCE



COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
FRIDAY 3:00PM (Continued)			
Insurance Companies 	McPherson Square, Level 5B	3:00PM – 5:45PM 3:00p – Litigating an Insurance Case in Tax Court 4:30p – A Discussion Regarding Tax Reform Implementation	49
Partnerships & LLCs 	Constitution B, Level 3B	3:00PM – 5:45PM 3:00p – Code Section 199A 3:40p – Code Section 163(j) 4:35p – Who’s the “Taxpayer”? 5:05p – Application of Section 1061: The Quest for Congressional Intent	49
Tax Accounting 	Renwick, Level 3B	3:00PM – 5:45PM 3:00p – Current Developments 3:30p – Domestic Tax Reform 4:15p – International Tax Reform 5:00p – Revenue Recognition Comparison Between ASC 606 and Section 451	50
Tax Collection, Bankruptcy & Workouts 	Farragut Square, Level 5B	3:00PM – 6:15PM 3:00p – Collection of Title 26 International Penalties 4:00p – Collection Abroad – Passport Revocation and Beyond 5:00p – Break for Tax Section Pro Bono Presentation  5:15p – Collection of Title 31 International Penalties	51
Tax Exempt Financing 	Burnham, Level 3B	3:00PM – 5:45PM 3:00p – Legislative, IRS, and Treasury Update 4:00p – Tax Reform Fallout 4:45p – Economic Development Bonds After the 2017 Tax Act 5:15p – The Multipurpose Allocation Rules Still Have an Impact	52
Teaching Taxation 	Independence C, Level 5B	3:00PM – 4:30PM 3:00p – The Tax Consequences of Initial Coin Offerings	54
US Activities of Foreigners & Tax Treaties 	Independence A West, Level 5B	3:00PM – 5:00PM 3:00p – Inbound Issues Related to Tax Reform 4:00p – A Disturbance in the Force?	54
FRIDAY 4:00PM			
Young Lawyers Forum  ★	Declaration, Level 1B	4:00PM – 5:30PM 4:00p – Are Some Groups More Equal Than Others? ★ Sponsored by: University of San Francisco School of Law	55



SCHEDULE AT-A-GLANCE

COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
FRIDAY 4:30PM			
Publications 🗣️	Banneker, Level 1B	4:30PM – 5:30PM	55
FRIDAY 5:45PM			
Foreign Activities of US Taxpayers Business Meeting 🗣️	Independence I, Level 5B	5:45PM – 6:30PM	55
Foreign Lawyers Forum Business Meeting 🗣️	Banneker, Level 1B	5:45PM – 6:30PM	55
Transfer Pricing Business Meeting 🗣️	Douglass, Level 1B	5:45PM – 6:30PM	55
US Activities of Foreigners & Tax Treaties Business Meeting 🗣️	Independence H, Level 5B	5:45PM – 6:30PM	55
FRIDAY 6:45PM			
Section Reception 🗣️★ <i>(Ticketed Event)</i>	Independence A, Level 5B	6:45PM – 7:45PM (Hosted by the Diversity Committee and Young Lawyers Forum) Sponsored by: Bloomberg Tax	55
FRIDAY 8:00PM			
Joint International Committees Dinner 🗣️★ <i>(Reservations Required)</i>	Bobby Van's, 1201 New York Ave. NW	8:00PM – 10:00PM	55
SATURDAY 7:15AM			
SPONSORED PROGRAM 🗣️ <i>(Complimentary) Breakfast Forum Presented by US Virgin Islands Economic Development Authority</i>	Penn Quarter, Level 1B	7:15AM – 8:15AM US Federal Corporate Tax Incentive Programs in the US Virgin Islands – Overview and Updates for 2018 🗣️	56
Real Estate, Partnerships & LLCs and S Corporations “Shop Talking” Breakfast 🗣️ <i>(Ticketed Event)</i>	Independence A, Level 5B	7:15AM – 8:30AM	56
SATURDAY 7:30AM			
ACTC Fellows Breakfast 🗣️ <i>(ACTC Members and Guests)</i>	McPherson Square, Level 5B	7:30AM – 9:00AM	56
Tax Practice Management 🗣️🗣️	Independence G, Level 5B	7:30AM – 8:30AM 7:30a – Don't Become the Wolf of Crypto Street 🗣️	56

SCHEDULE AT-A-GLANCE



COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
SATURDAY 7:45AM			
Court Procedure & Practice Committee Breakfast (Ticketed Event)	Renwick, Level 3B	7:45AM – 9:15AM	56
SATURDAY 8:00AM			
Corporate Tax	Constitution E, Level 3B	8:00AM – 11:45AM 8:00a – Current Developments in Corporate Tax 9:00a – How the 2017 Tax Act Changes the M&A Playbook: Part I – Transactions with Third Parties 10:15a – Break 10:30a – How the 2017 Tax Act Changes the M&A Playbook: Part II – Post Acquisition Planning and Internal Restructuring	56
SATURDAY 8:30AM			
Employee Benefits	Constitution B, Level 3B	8:30AM – 11:45AM 8:30a – Is Blockchain the New Benefit Panacea? 9:30a – Break 9:45a – Fringe Benefits After Tax Reform: No More Free Lunch? 10:45a – Social Media Policies for Law Firms	57
Fiduciary Income Tax	Declaration, Level 1B	8:30AM – 11:45AM 8:30a – Current Developments 8:55a – Trials and Tribulations of New Section 199A 9:50a – Break 10:05a – Putting It On & Taking It Off: Managing Tax Basis Today for Tomorrow 10:55a – Uniform Decanting: Coming Soon to a Legislature Near You?	58
LLCs and LLPs Subcommittee of Partnerships & LLCs Roundtable Discussion	Farragut Square, Level 5B	8:30AM – 10:30AM 8:30a – New Partnership Audit Rules – No Longer a Theoretical Exercise 9:30a – Roundtable Discussion of 199A	59
Pro Bono & Tax Clinics	Wilson, Level 3B	8:30AM – 11:45AM 8:30a – Update from the Tax Court 9:00a – Taxpayer Rights: To What End (Part 2) 10:30a – Break 10:45a– Advanced Lien Issues for Low-Income Taxpayer Representatives	59



SCHEDULE AT-A-GLANCE

COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
Sales, Exchanges & Basis ★	Independence I, Level 5B	8:30AM – 11:45AM 8:30a – Current Developments Relating to Sales, Exchanges & Basis ★ 9:00a – The Tax Exemption for Small Business Stock is Big Business 9:45a – Break 10:00a – Capital Gain or Loss, Without a Sale or Exchange? Perhaps, Under Section 1234A 10:30a – When Does a Sale of a Contract to Provide Future Services Produce Capital Gain? 11:00a – Implications of IRS Nonacquiescences	60
SATURDAY 8:30AM (Continued)			
State & Local Taxes Practitioner's Roundtable (Executive Session)	Constitution A, Level 3B	8:30AM – 10:30AM	62
SATURDAY 8:45AM			
Civil & Criminal Tax Penalties	Independence E, Level 5B	8:45AM – 12:00PM 8:45a – Reports of Subcommittees on Important Developments 9:10a – Internal Revenue Service, Criminal Investigation – Update 9:35a – Department of Justice Tax Division – Update 10:00a – Break 10:15a – Musings on <i>Marinello</i> 10:40a – The Life and Taxing of a Cryptocurrency 11:20a – Critical Issues for Cannabis Businesses	62
SATURDAY 9:00AM			
Foreign Lawyers Forum	Independence G, Level 5B	9:00AM – 11:30AM 9:00a – The Global Implications of Corporate Tax Reform: A Practical Guide	63
SATURDAY 10:30AM			
State & Local Taxes: Publication Subcommittees	Constitution A, Level 3B	10:30AM – 11:00AM	63
SATURDAY 11:00AM			
State & Local Taxes Vice-Chairs' Planning Meeting (Executive Session)	Constitution A, Level 3B	11:00AM – 12:00PM	63
SATURDAY 12:00PM			
Section Luncheon & Plenary Session (Ticketed Event)	Independence A, Level 5B	12:00PM – 1:30PM <i>Speaker:</i> The Honorable David J. Kautter, Assistant Secretary for Tax Policy, U.S. Department of the Treasury	64
SATURDAY 1:45PM			
Section Program: Fundamentals of Tax Litigation: Choice of Forum and Appealing Decisions ★	Independence E, Level 5B	1:45PM – 3:00PM 1:45p – Fundamentals of Tax Litigation: Choice of Forum and Appealing Decisions ★	64

PROGRAM SCHEDULE

THURSDAY, MAY 10



8:00AM – 9:00AM
Incoming Officers & Council Orientation 🗣️ (Executive Session)

McPherson Square, Level 5B

9:00AM – 2:00PM
Officers & Council Meeting 🗣️ (Executive Session)

Farragut Square, Level 5B

12:00PM – 5:00PM

Constitution A, Level 3B

Tax Bridge to Practice 📺★

Sponsored by: Young Lawyers Forum and Diversity

Program Co-Chairs: Kelley C. Miller, Reed Smith LLP, Washington, DC; Cathy Fung, Office of Chief Counsel (Large Business & International), IRS, Washington, DC

A Special Note - Tax Bridge to Practice: Celebrating Ten Years. The Section of Taxation 2018 May Meeting marks the tenth anniversary of the Tax Bridge to Practice Program. Envisioned as a way to welcome young and new tax practitioners into the Section at the Annual May Meeting, Tax Bridge to Practice has grown now to be a regular and integral component of every Section Meeting throughout the year. More than 1,000 attendees have participated in Tax Bridge to Practice. The Co-Chairs, Kelley C. Miller (Founder, Tax Bridge to Practice) and Cathy Fung wish to express their indebtedness to the Section Chairs and Councils, and to the Tax Section and its wonderful staff for their incredible support for this program over the past decade.

- 12:00pm A Conversation with... Drita Tonuzi, Deputy Chief Counsel (Operations), Internal Revenue Service.** 🗣️ Drita Tonuzi serves as the Deputy Chief Counsel (Operations), where she provides legal guidance and litigation support to the Internal Revenue Service (IRS) and the Departments of Treasury and Justice in all matters pertaining to the administration and enforcement of the Internal Revenue laws. She is responsible for all litigation in the United States Tax Court, the management of personnel in 50 field offices nationwide and in headquarters operations in Washington, DC, and supervision of nine IRS Divisions. Tax Bridge to Practice is honored to welcome Ms. Tonuzi as our featured practitioner for its “A Conversation with...” series at the 2018 May Meeting.
- 12:45pm A Renewed Focus on CoGS.** The exception for Costs of Goods Sold (CoGS) from the new Base Erosion and Anti-Avoidance Tax (BEAT) has brought a renewed interest in understanding the contours of this tax accounting concept. This panel will provide a review of BEAT, section 263A, and CoGS with focus on the mechanics of section 263A (the Uniform Capitalization rules). The panelists also will address the relevant administrative guidance, case law, and the applicability of CoGS to BEAT.
Moderator: Anne Gordon, PwC, Washington, DC
Panelists: Neville Jiang, Deloitte, Washington, DC; Jeffery Mitchell, Branch Chief, Office of Associate Chief Counsel (International), IRS, Washington, DC; Natasha Mulleneaux, Attorney, Office of Associate Chief Counsel (Income Tax & Accounting), Washington, DC; Elizabeth Stevens, Caplin & Drysdale, Washington, DC
Co-Sponsored by: Foreign Activities of US Taxpayers and Tax Accounting
- 1:45pm The Ins and Outs of Litigating Penalties.** During the 2017 year, the IRS assessed 39 billion separate penalties totaling more than \$26.5 billion dollars. Most practitioners are familiar with the negligence and substantial understatement components of the accuracy penalty, which are assessed at 20% of the tax. This panel will address situations where the accuracy penalty may be imposed at a higher rate (30% or 40%), including gross valuation misstatements, undisclosed non-economic substance transactions, undisclosed foreign financial asset understatements and undisclosed listed and other avoidance transactions. The



PROGRAM SCHEDULE THURSDAY, MAY 10

panelists will also discuss the penalties most likely to be encountered in litigation as well as available defenses. In addition to the accuracy-related penalties due to a gross valuation misstatement, the panel will also discuss penalties for an undisclosed foreign financial asset understatement, and undisclosed listed and other avoidance transactions.

Moderator: Kelley C. Miller, Reed Smith LLP, Washington, DC

Panelists: Lawrence A. Sannicandro, McCarter English, Newark, NJ; Adriana Lofaro, Wirtz Cooley LLP, New York, NY; Lacey Strachan, Hochman Salkin Rettig Toscher & Perez, Los Angeles, CA

Co-Sponsored by: Court Procedure & Practice

2:45pm **Break.** ☕

3:00pm **Dude, Where's My Refund? An Overview of Joint Committee Review of Tax Refunds.** This panel explores the role of the Joint Committee on Taxation ("JCT") with respect to taxpayer claims for refund. Aside from its important work in advising members of Congress, the JCT also has a statutorily mandated role in reviewing certain large refund claims by taxpayers. Panelists from private practice and government will shed some light on how cases are referred to the JCT, and how the JCT conducts its review.

Panelists: Janet E. Kidd, Senior Technician Reviewer, Office of Associate Chief Counsel (Procedure & Administration), IRS, Washington, DC; Kandyce Korotky, Covington & Burling LLP, Washington, DC; Paul McLaughlin, Legislation Counsel, Joint Committee on Taxation, Washington, DC; Mary Slonina, PwC, Washington, DC; Shamik Trivedi, Grant Thornton LLP, Washington, DC

Co-Sponsored by: Court Procedure & Practice

4:00pm **Crypto-Currency: Disclosure & Audits, What to Do and How to Handle.** Cryptocurrencies have gained significant attention since the introduction of Bitcoin in 2009, the first decentralized cryptocurrency, from which hundreds more cryptocurrencies have been derived. Concurrent with the evolution of the cryptocurrencies, the U.S. Department of Treasury and the Internal Revenue Service have focused on taxpayers who have unreported foreign financial assets and accounts. Cryptocurrency-related tax liabilities are at estimated to be \$25 billion as a result of \$92 billion of taxable gains for U.S. cryptocurrency investors during 2017 alone. This panel, comprised of many of the authors of the Section's recent comments on cryptocurrency and disclosure, will provide an overview of virtual currencies, the IRS guidance related to the same, how cryptocurrency should be dealt with during an audit, reporting compliance and options for taxpayer disclosure of cryptocurrencies.

Moderator: Kelley C. Miller, Reed Smith LLP, Washington, DC

Panelists: James P. Beatty, Attorney, Office of Associate Chief Counsel (Income Tax & Accounting), Washington, DC; Bridget E. Tombul, Branch Chief, Office of Associate Chief Counsel (Income Tax & Accounting), Washington, DC; Hasnain Valika, KPMG, Houston, TX; Lawrence Sannicandro, McCarter English, Newark, NJ; Michael Sardar, Kostelantz and Fink, New York, NY; Sahel Assar, Buchannan Ingersoll, Washington, DC; Michel Stein, Hochman Salkin Rettig Toscher & Perez, Los Angeles, CA; Carina C. Federico, Steptoe & Johnson LLP, Washington, DC

Co-Sponsored by: Tax Accounting

PROGRAM SCHEDULE

THURSDAY, MAY 10



1:00PM – 5:00PM

Independence C, Level 5B

Low Income Taxpayer Representation Workshop

The Pro Bono & Tax Clinics Committee proudly presents the annual workshop for new and pro bono practitioners.

The 2017 Tax Act: Impacts on Low-Income Taxpayers

1:00pm The 2017 Tax Act and Low-Income Families. Panelists will explain aspects of the 2017 Tax Act that Low-Income Taxpayer Representatives need to know in order to effectively advise and represent their clients in individual income tax matters, including changes to taxation of alimony, child-related tax benefits, and filing thresholds.

Moderator: Tamara A. Borland, IRS Taxpayer Advocate Service, Washington, DC

Panelists: Joshua R. Beck, IRS Taxpayer Advocate Service, Des Moines, IA; Phyllis Horn Epstein, Epstein Shapiro & Epstein PC, Philadelphia PA; Lisa Sperow, Cal Poly Low Income Taxpayer Clinic, San Luis Obispo, CA

Co-Sponsored by: Individual & Family Tax

2:15pm Break. 

2:30pm The 2017 Tax Act and Self-Employed Workers. This panel will discuss new code section 199A as well as tax planning issues for self-employed and “gig economy” workers in light of the changes made by the 2017 Tax Act.

Moderator: Caleb Smith, Ronald M. Mankoff Tax Clinic, University of Minnesota Law School, Minneapolis, MN

Panelists: Jennifer Brown, American University Kogod School of Business, Washington, DC; Caroline Bruckner, American University Kogod School of Business, Washington, DC; Eric LoPresti, IRS Taxpayer Advocate Service, Washington, DC; Gina DeConcini, Moss & Barnett, Minneapolis, MN

3:45pm History and Context: “Tax Reform” Efforts of the Past 50 Years. Panelists will provide valuable context and historical perspective on recent tax law changes and ongoing tax reform efforts.

Moderator: Professor Sonya Watson, Rosenblum Family Foundation Tax Clinic, University of Nevada, Las Vegas, Las Vegas, NV

Panelists: Armando Gomez, Skadden Arps Slate Meagher & Flom LLP, Washington, DC; Gregory F. Jenner, Stoel Rives LLP, Washington, DC; Nina E. Olson, National Taxpayer Advocate, IRS Taxpayer Advocate Service, Washington, DC; Alexander L. Reid, Morgan Lewis & Bockius LLP, Washington, DC

4:30PM – 6:00PM

Penn Quarter A, Level 1B

National Center on Philanthropy and the Law Philanthropy Professors Meeting

5:00PM – 7:00PM

Wilson, Level 3B

The Laurence Neal Woodworth Memorial Lecture and Reception

The Challenges Facing the IRS of the Future.

Speaker: John Koskinen

Sponsored by: Ohio Northern University



PROGRAM SCHEDULE THURSDAY, MAY 10

6:00PM – 7:00PM

Constitution B, Level 3B

Welcome Reception, Honoring Pro Bono  (Complimentary)

Complimentary reception open to all conference attendees. The reception will include a celebration of the Section's commitment to advancing pro bono and public service and fostering a fair and equitable tax system.

Sponsored by: Pillsbury Winthrop Shaw Pittman LLP

7:00PM – 9:30PM

NoPa Kitchen + Bar, 800 F St. NW

Administrative Practice Committees Dinner  (Invitation Only)

7:00PM – 9:30PM

Bobby Van's Grill, 1201 New York Ave NW

Partnerships & LLCs and Real Estate Committees Dinner  (Reservation Required)

Members of the Real Estate Committee and the Partnerships & LLCs Committee will meet for cocktails and dinner at Bobby Van's Grill, 1201 New York Avenue NW. Cocktails (cash bar) will begin at 7:00pm, followed by dinner at 7:30pm. Reservations and advance payment will be required. For details, please visit the Partnerships & LLCs or Real Estate Committee Pages.

7:30PM – 9:00PM

Capitol City Brewing Company, 1100 New York Ave. NW

Young Tax Lawyers Networking Reception ★ 

Come network with young tax professionals as we gather for the start of the 2018 ABA Tax Section May Meeting.

Hosted by: Sideman & Bancroft, LLP

PROGRAM SCHEDULE

FRIDAY, MAY 11



7:15AM – 8:15AM

Penn Quarter, Level 1B

Sponsored Program

Breakfast Forum Presented by Aon 

Managing Tax Risks in a Post-Tax Reform World Through Tax Insurance

Join the Leaders of Aon's Transaction and Tax Insurance Team for breakfast to learn the new ways M&A dealmakers and Chief Tax Officers are eliminating tax uncertainty and protecting against unexpected liabilities. Discover how tax insurance is being used in the tax equity market and as a corporate risk management tool.

Speakers: Gary Blitz and Daniel Schoenberg

7:30AM – 9:00AM

Banneker, Level 1B

ACTC Board of Regents Meeting  (Executive Session)

7:30AM – 8:30AM

Marriott Metro Center, Salon C, Grand Ballroom

Exempt Organizations Subcommittee on Audits, Appeals and Litigation 

Chairs: Michael A. Clark, Sidley Austin, Chicago, IL; Marcus S. Owens, Loeb & Loeb LLP, Washington, DC

7:30am Roundtable Discussion of Current Developments  A representative from the IRS Statistics of Income Division has been invited to discuss "The Data in Data Driven Enforcement: A Conversation with IRS Statistics of Income."

7:30AM – 8:30AM

Marriott Metro Center, Salon D, Grand Ballroom

Exempt Organizations Subcommittee on Health-Care Organizations 

Chairs: T.J. Sullivan, Drinker Biddle & Reath LLP, Washington, DC; Robert W. Friz, PwC, Philadelphia, PA

7:30am Roundtable Discussion of Current Developments 

7:30AM – 8:30AM

Marriott Metro Center, Salon E, Grand Ballroom

Exempt Organizations Subcommittee on Political and Lobbying Organizations 

Chairs: Elizabeth J. Kingsley, Harmon Curran Spielberg + Eisenberg LLP, Washington, DC; Richard F. Riley, Foley & Lardner LLP, Washington, DC

7:30am Roundtable Discussion of Current Developments 

7:30AM – 8:30AM

Marriott Metro Center, London II, Grand Ballroom

Exempt Organizations Subcommittee on Private Foundations, Unrelated Business Income and International Philanthropy 

Chairs: LaVerne Woods, Davis Wright Tremaine LLP, Seattle, WA; Robin Krause, Patterson Belknap Webb & Tyler LLP, New York, NY; Alexander L. Reid, Morgan Lewis & Bockius LLP, Washington, DC; Tamara Watts, Bill & Melinda Gates Foundation, Seattle, WA; Ofer Lion, Seyfarth Shaw LLP, Los Angeles, CA; James P. Joseph, Arnold & Porter LLP, Washington, DC

7:30am Roundtable Discussion of Current Developments 

7:30AM – 8:30AM

Marriott Metro Center, Jr. Ballroom 1, 2nd Floor

Exempt Organizations Subcommittee on Religious Organizations 

Chairs: Michael E. Durham, Kirton McConkie PC, Salt Lake City, UT; Thomas E. Wetmore, General Conference of Seventh-Day Adventists, Silver Spring, MD

7:30am Roundtable Discussion of Current Developments 



PROGRAM SCHEDULE FRIDAY, MAY 11

8:00AM – 10:45AM

Constitution E, Level 3B

Administrative Practice

Chair: Jennifer Breen, Morgan Lewis & Bockius, Washington, DC

8:00am Important Developments. This panel will discuss current developments and topics of immediate interest in tax administrative practice. Panel will focus on recent legislative efforts impacting tax law and the IRS, Treasury and IRS guidance, court decisions, ongoing litigation and other items germane to tax administration.

Moderator: Kat Gregor, Ropes & Gray, Boston, MA

Panelists: Kathryn Zuba, Associate Chief Counsel (Procedure and Administration), IRS, Washington, DC; Brendan O'Dell, Department of Treasury, Washington, DC; James Gadwood, Miller & Chevalier, Washington, DC

9:00am A Day in the Life of a Partnership Representative. Under the new partnership audit regime, the "Partnership Representative" or "PR" has a lot of power when it comes to an IRS examination of a partnership. This panel will examine the roles and responsibilities of this important position and options for how partnerships, their partners and the partnership representative could structure this relationship, including the ways the parties may wish to document the relationship, with contracts or other agreements.

Moderator: Chuck Hodges, Jones Day, Atlanta, GA

Panelists: Joy Gerdy-Zogby, Attorney, Office of Associate Chief Counsel (Procedure & Administration), Washington, DC; Dave Straub, CSC Global, Wilmington, DE; Sarah Brodie, Morgan Lewis & Bockius LLP, Washington, DC

10:00am Tips and Best Practices for Holding an Effective Virtual Appeals Conference.

Battling resource constraints, Appeals requires campus case hearings to be conducted telephonically. For some taxpayers and their representatives, even if a face-to-face conference is available, their hearing may not be scheduled in close proximity to where they reside and travel may not be feasible for one reason or another, making a virtual conference mandatory. While most practitioners agree there is no substitute for a face-to-face conference, there are best practices to ensure the parties achieve the best communication possible. This panel will discuss tips and techniques to effectively participate in a virtual appeals conference.

Moderator: Mary Slonina, PwC, Washington, DC

Panelists: Andrew Keyso, Deputy Chief, Appeals, IRS, Washington, DC; Robert Bryant, Appeals Team Manager, IRS, Washington, DC; Matt Cooper, EY, Washington, DC; Carol Luttati, The Law Offices of Carol Luttati, New York, NY

8:00AM – 10:45AM

Farragut Square, Level 5B

Banking & Savings Institutions

Chair: Mark H. Price, KPMG LLP, Washington, DC

8:00am Tax Considerations for Credit/Loan and Security Agreements. Credit/loan and security agreements entered into between taxpayers and financial institutions generally contain similar tax-related provisions. Professional associations have published model credit agreements, which provide a form of agreement that is often used in financing transactions. This panel is going to discuss tax aspects of credit agreements, with a discussion of provisions that have been affected by the 2017 Tax Act.

Moderator: James H. Combs, Honigman Miller Schwartz and Cohn LLP, Detroit, MI

Panelist: Elena Romanova, Latham & Watkins LLP, New York, NY

 = Taped

★ = Young Lawyers Program

⬆️ = Ethics Credits Requested

 = No CLE Credit

PROGRAM SCHEDULE

FRIDAY, MAY 11



9:20am **Tax Issues for Banking and Savings Institutions Dealing in Cryptocurrency.**

Cryptocurrencies and ICOs continue to proliferate. This panel will consider issues pertinent to banks and other financial institutions raised by cryptocurrencies, including amount, character, timing and source of income and deductions from cryptocurrency loans and borrowings, treatment of cryptocurrency derivatives, and reporting and withholding obligations. Additionally, unique tax issues associated with ICOs will also be addressed.

Panelists: Stow Lovejoy, Kostelanetz & Fink LLP, New York, NY; Anthony Tuths, KPMG, New York, NY; Stevie D. Conlon, Wolters Kluwer Financial Services, Arlington Heights, IL; Rebecca Lee, PwC, San Francisco, CA

8:00AM – 10:00AM

Wilson, Level 3B

Capital Recovery & Leasing

Chair: Christian Wood, RSM US LLP, Washington, DC

8:00am Tax Reform and Its Implications for Leasing Transactions. This panel will discuss the various tax issues related to tax reform and its impact on leasing transactions. Sample topics of discussion include section 451(b) and the exception for section 467, section 163(j), the elimination of certain like kind exchanges, net operating losses, 100 percent bonus depreciation, section 199A and sale/lease back planning.

Moderator: Glenn Johnson, EY, Washington, DC

Panelists: Kate Abdo, PwC, Stamford, CT; Scott Dinwiddie, Associate Chief Counsel, IRS – Income Tax & Accounting, Washington, DC; Brinton Warren, Special Counsel, IRS – Income Tax & Accounting, Office of Associate Chief Counsel, Washington, DC; Forest Boone, Branch 5, IRS – Income Tax & Accounting, Washington, DC

8:45am Tax Reform and Its Implications for Fixed Assets. This panel will discuss the various tax issues related to tax reform and how it will impact taxpayer requirements for capital recovery. Sample topics covered will include what constitutes used property, implications for property with a long production period, and binding contract rules.

Moderator: Richard Shevak, CohnReznick LLP, Roseland, NJ

Panelists: Jane Rohrs, Deloitte, Washington, DC; Kathleen Reed, Branch Chief 7, IRS – Income Tax & Accounting, Washington, DC; Elizabeth Binder, Branch 7, IRS – Income Tax & Accounting, Washington, DC; Natalie Tucker, Legislative Tax Accountant, Joint Committee on Taxation, Washington, DC

9:30am Current Developments Report and Update on Pending Guidance. This panel will cover the important recent developments in the areas of capital recovery and leasing.

Moderator: Ryan Corcoran, RSM, Madison, WI

Panelists: Andrea Mouw, Eide Bailly, Minneapolis, MN; Scott Dinwiddie, Associate Chief Counsel, IRS – Income Tax & Accounting, Washington, DC; Kathleen Reed, Branch Chief 7, IRS – Income Tax & Accounting, Washington, DC; Ellen Martin, Tax Policy Advisor, Office of Tax Policy, Department of Treasury, Washington, DC (Invited)

8:00AM – 9:30AM

Marriott Metro Center, Jr. Ballroom 2, 2nd Floor

Employee Benefits Defined Contribution Plans Update

Presented by the Subcommittee on Defined Contribution Plans

Chairs: Matthew Eickman, Qualified Plan Advisors, Omaha, NE; Puneet K. Arora, Willis Towers Watson, Arlington, VA



PROGRAM SCHEDULE FRIDAY, MAY 11

Vice-Chairs: Hallie Goodman, Gray Plant Moody, Minneapolis, MN; Julia Kovacs, DLA Piper LLP, Washington, DC

Liaison to the Subcommittee: Sarah J. Touzalin, Seyfarth Shaw LLP, Chicago, IL

This meeting will examine recent and pending regulatory and enforcement activity relating to Section 401(k) plans and other defined contribution plans. It will also include a discussion of issues relating to missing participants, uncashed checks, and required minimum distributions. Finally, it will talk about recent litigation relating to and impacting defined contribution plans, as well as emerging issues.

Panelists: Kyle Brown, Division Counsel, Tax Exempt and Government Entities Division Counsel, Office of Chief Counsel, IRS, Washington, DC (Invited); Stephanie Cibinic, Deputy Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, Washington, DC (Invited); Matthew Eickman, Qualified Plan Advisors, Omaha, NE; William Evans, Attorney Advisor, Office of Benefits Tax Counsel, Department of Treasury, Washington, DC (Invited); James Goldstein, Senior Investigator, Office of Enforcement, Los Angeles Regional Office, Employee Benefits Security Administration, Department of Labor, Pasadena, CA (Invited); Julia Kovacs, DLA Piper LLP, Washington, DC; Sarah J. Touzalin, Seyfarth Shaw LLP, Chicago, IL

8:00AM – 9:30AM

Marriott Metro Center, Jr. Ballroom 3, 2nd Floor

Employee Benefits Executive Compensation, Fringe Benefits and Federal Securities Law Update

Presented by the Subcommittees on Employee Benefits Executive Compensation and Fringe Benefits and Federal Securities Law

Chair: Sandy Shurin, Deloitte Tax LLP, Houston, TX

Vice-Chairs: Curtis Fisher, Bass Berry & Sims PLC, Nashville, TN; Ali Fawaz, Proskauer, New York, NY

Assistant Vice-Chairs: Nicole Hanna, ONEOK Inc., Tulsa, OK; Rita Patel, DLA Piper LLP, Washington, DC

This meeting will focus on strategies and creative solutions for how companies and executives might respond to the recently-passed tax reform legislation, in particular the elimination of the performance-based compensation exclusion from Code section 162(m), until further legislation is passed or explanatory guidance is issued. In addition, the discussion will also provide an update on the status of recent CEO Pay Ratio proxy disclosures and initial thoughts on how companies choose to comply with the disclosure requirements.

Panelists: Ali Fawaz, Proskauer, New York, NY; Nathan Holmes, Thompson Hine LLP, Cincinnati, OH; Stephen LaGarde, Attorney Advisor, Office of Tax Policy, Department of Treasury, Washington, DC (Invited); Robert Neis, Benefits Tax Counsel, Office of Benefits Tax Counsel, Department of Treasury, Washington, DC (Invited); John Richards, Senior Technician Reviewer, Executive Compensation Branch, Tax Exempt and Government Entities Division, IRS Office of Chief Counsel, Washington, DC (Invited); Stephen Tackney, Deputy Associate Chief Counsel (Employee Benefits), Office of Associate Chief Counsel (TEGE), IRS, Washington, DC (Invited); Mark Wincek, Kilpatrick Townsend & Stockton LLP, Washington, DC; Amy Wood, Cooley LLP, San Diego, CA

8:00AM – 10:45AM

Independence E, Level 5B

Estate & Gift Taxes

Chair: Benjamin G. Carter, Texas Capital Bank, Dallas, TX

8:00am Current Developments. This panel will review developments in federal estate, gift and generation-skipping transfer tax laws since January 2018.

Panelists: Brian P. Tsu, Henderson Caverly Pum & Charney LLP, San Diego, CA; Helen E. Rogers, Holland & Hart, Denver, CO; Megan M. Curran, Fiduciary Counselling Inc., Tacoma, WA; Catherine V. Hughes, Office of Tax Policy, Department of Treasury, Washington, DC

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- 8:30am GRRR (Gift Return Reporting Requirements): Taming the Wild 709 Tiger.** This presentation will provide an overview of the rules regarding reporting gifts on IRS Form 709 for both gift and generation-skipping transfer tax purposes. Furthermore, the presentation will highlight the importance of adequate disclosure and discuss common Form 709 reporting errors.
Panelist: Christine Wakeman, Winstead PC, Dallas, TX
- 9:15am The Anatomy of the 706 – An Overview of the Federal Estate Tax Return and Tips on Reporting Entries.** This presentation will provide an explanatory overview of the 706 and its schedules, and will include some "not-so-well-known" tips on how to report certain assets and deductions.
Panelists: George D. Karibjanian, Franklin Karibjanian & Law PLLC, Boca Raton, FL; Beth Kerwin, Paul Weiss Rifkind Wharton & Garrison LLP, New York, NY
- 10:00am Dirt and Taxes: Estate Planning for Real Estate Investors.** Join us for a discussion of gift and estate planning for real estate entrepreneurs and investors, with the important interface of key income tax issues – including the deal structure, utilizing discounts in value and grantor trusts, negative capital accounts, the essential 754 election and liquidity issues.
Panelists: Stefan F. Tucker, Venable LLP, Washington, DC; Sarah Moore Johnson, Birchstone Moore LLC, Washington, DC

8:00AM – 10:45AM

Independence I, Level 5B

Investment Management

Chair: Roger S. Wise, Willkie Farr & Gallagher LLP, Washington, DC

- 8:00am Treaty Issues for Offshore Funds and Foreign Investments.** The panel will discuss: 1) the use of tax treaty "independent agent" structures for funds that desire to participate in loan origination activities in the United States and 2) the "Multilateral Instrument" (MLI), which grew out of the BEPS process and has now been approved by over 100 countries; the MLI will trigger a significant change in the ground rules for interpreting and applying tax treaties world-wide; in particular, the so-called "principal purpose test" (PPT) will require close analysis of the entitlement to treaty benefits in many cases.
Moderator: Rick Reinhold, Willkie Farr & Gallagher LLP, New York, NY
Panelist: David Lawless, Dillon Eustace, Dublin, Ireland
- 8:55am Planning for Fund Managers and GPs after Tax Reform.** The panel will explore various tax planning opportunities for fund managers and general partners after tax reform.
Moderator: David S. Miller, Proskauer Rose LLP, New York, NY
Panelists: Stuart E. Leblang, Akin Gump Strauss Hauer & Feld LLP, New York, NY; Jeffrey W. Maddrey, PwC, Washington, DC;
- 9:50am Updates from the Internal Revenue Service and Investment Company Institute.** Representatives from the IRS and the Investment Company Institute will discuss provisions of interest to investment companies under the Tax Cuts and Jobs Act and requests for guidance.



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Moderator: Katie Sunderland, Investment Company Institute, Washington, DC

Panelists: Karen Gibian, Investment Company Institute, Washington, DC; Mark Erwin, Financial Institutions & Products, IRS Office of Chief Counsel, Washington, DC; Steven Harrison, Financial Institutions & Products, IRS Office of Chief Counsel, Washington, DC

8:00AM – 10:45AM

Constitution B, Level 3B

Real Estate

Chair: Robert Honigman, PwC, Washington, DC

- 8:00am Hot Topics.** This panel will focus on new judicial, legislative, and administrative guidance and other recent developments relating to the taxation of real estate and partnerships.
Moderator: Eric B. Sloan, Gibson Dunn, New York, NY
Panelists: Sam Kamyans, Baker McKenzie, Washington, DC; Holly Porter, Associate Chief Counsel (Passthroughs and Special Industries), IRS, Washington, DC; Bryan A. Rimmke, Attorney-Advisor, Department of Treasury, Office of the Tax Legislative Counsel, Washington, DC (Invited)
- 8:45am Conducting a Real Estate Business Under the 2017 Tax Act.** This panel will provide an overview of the key changes from the 2017 Tax Act impacting various real estate businesses.
Moderator: Adam S. Feuerstein, PwC, Washington, DC
Panelist: Kimberly Arndt, PwC, McLean, VA
- 9:15am Tax Reform – Section 163(j), Part I.** This panel will provide a detailed discussion of the limitation on deductions for interest under new section 163(j), focusing on its application to partnerships and real estate trades or businesses. Part II will take place during the Partnerships and LLCs Committee meeting and will focus on applying the provision to partnerships and their partners.
Moderator: Amanda H. Nussbaum, Proskauer, New York, NY
Panelists: Monisha Santamaria, EY, Los Angeles, CA; Craig A. Gerson, PwC, Washington, DC; Brett York, Associate International Tax Counsel, Department of Treasury, Washington, DC (Invited)
- 10:00am Tax Reform – Section 168(k).** The panel will provide a detailed discussion of new section 168(k) regarding temporary 100 percent expensing for certain business assets, with an emphasis on applications to real estate.
Moderator: Jason Dexter, KPMG, Washington, DC
Panelists: Kathleen Reed, Branch Chief, IRS – Income Tax & Accounting, Branch 7 Washington, DC; Ellen McElroy, Eversheds Sutherland, Washington, DC; Richard G. Blumenreich, KPMG, LLP, Washington, DC

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8:15AM – 11:30AM

Independence G, Level 5B

Affiliated & Related Corporations

Chair: Donald W. Bakke, EY, Washington, DC

8:15am Applying the 2017 Tax Act to Troubled Companies Filing Consolidated Returns—Selected Issues. The panel will discuss selected issues raised when applying the provisions in the 2017 Tax Act to troubled companies filing consolidated returns. Topics covered will include the application of new section 163(j), the new NOL rules under section 172, and consolidated section 382.

Moderator: Jonathan Forrest, Deloitte Tax, Washington, DC

Panelists: Olivia Orobona, PwC, Washington, DC; David Wheat, KPMG, Dallas, TX; Kevin Jacobs, IRS Office of Associate Chief Counsel (Corporate), Washington, DC

9:45am Break. 

10:00am Current Developments and 2017 Tax Act Guidance Themes. This panel will consider current developments affecting affiliated and related corporations. Relatedly, the panel will consider common issues and themes for possible 2017 Tax Act guidance projects, with a particular focus on groups with foreign affiliates.

Moderator: Donald W. Bakke, EY, Washington, DC

Panelists: Britt Haxton, McDermott Will and Emery, Washington, DC; Cody Forgey, EY, Washington, DC; Brett York, Office of Tax Policy, Department of Treasury, Washington DC; Julie Wang, IRS Office of Associate Chief Counsel (Corporate), Washington, DC

8:15AM – 11:30AM

Renwick, Level 3B

Individual & Family Taxation

Chair: James Creech, Law Offices of James Creech, San Francisco, CA

8:15am Helping the Gig Workforce – Practice and Policy Perspectives. A review of federal, state and local taxes relevant to gig workers, tax issues, and policy considerations in modernizing our tax systems to address a growing work pattern.

Panelists: Jennifer Brown, Kogod Tax Policy Center, American University, Washington, DC; Caroline Bruckner, Kogod Tax Policy Center, American University, Washington, DC; Annette Nellen, San Jose State University, San Jose, CA

9:15am Taxpayer Rights: To What End (Part 1). In 2014, IRS adopted a taxpayer bill of rights and in 2015 Congress codified those rights by requiring that the Commissioner ensure that IRS employees are familiar with and act in accord with those rights. IRC § 7803(a)(3). In this panel, we will examine the use of the taxpayer bill of rights (TBOR) in tax controversies generally, as well as consider its application in the context of recent high-profile litigation between Facebook and the IRS, the application of similar legislation in state controversies, and the implications of the absence of a specific remedy associated with rights violations. This is the first of a two-part panel and is cosponsored by the Tax Clinics and Pro Bono Committee and the Individual & Family Tax Committee. Part Two, which will focus more on issues relating to lower income taxpayers and also consider recent National Taxpayer Advocate initiatives and recommendations, will be held Saturday morning at the Pro Bono and Tax Clinics Committee.

Moderator: Professor Alice Abreu, Temple University Beasley School of Law, Philadelphia, PA



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Panelists: Peter Faber, McDermott Will and Emery, New York, NY; Professor Richard K. Greenstein, Temple University Beasley School of Law, Philadelphia, PA; Professor Leandra Lederman, Indiana University Maurer School of Law, Bloomington, IN; Christopher S. Rizek, Caplin & Drysdale, Washington, DC

10:15am **Break.** ☕

10:30am **Nudging and Educating Taxpayers to Comply: Reevaluating Traditional Approaches to Taxpayer Compliance.** Traditional approaches to ensuring tax compliance have largely assumed that taxpayers make rational economic decisions based on sanctions and likelihood of detection in deciding whether to comply. Recently, there has been increased attention toward wider range of behavioral factors that may contribute to tax compliance. In this panel, we will explore (i) the theoretical background for these more recent insights, (ii) government efforts to test these insights, including a recent Taxpayer Advocate Service study that examines whether written communications with taxpayers improved subsequent compliance with the earned income tax credit (EITC), and (iii) scholarship that suggests that the government should supplement traditional compliance measures with approaches that apply insights from the field of behavioral economics.

Moderator: Lany L. Villalobos, Law Clerk, US Tax Court, Washington, DC

Panelists: Dave Williams, Intuit, San Diego, CA; Jeff Wilson, Senior Advisor, IRS Taxpayer Advocate Service, Indianapolis, IN; Professor Leslie Book, Villanova University Charles Widger School of Law, Villanova, PA; Emily Schmitt, Department of Health and Human Services, Washington, DC

8:30AM – 10:30AM

Independence A West, Level 5B

Foreign Activities of US Taxpayers 📺

Chair: Kimberly J. Majure, KPMG, Washington, DC

8:30am **Tax Is... a Puzzle.** Tax Reform delivered a host of new international tax rules. And while it's a challenge to understand the implications of each new rule, it's even more difficult to get a sense for how the new rules work with together and with pre-existing provisions. This panel will discuss how several of our most significant international tax rules - revised Subpart F, GILTI, FDII, and the 100% DRD – fit (or don't).

Moderator: Gretchen Sierra, Deloitte, Washington, DC

Panelists: Alan Granwell, Sharp Partners PA, Washington, DC; Layla Asali, Miller & Chevalier, Washington, DC; Daniel M. McCall, Acting Deputy Associate Chief Counsel (International Technical), IRS Office of Associate Chief Counsel (International), Washington, DC; Gary Scanlon, Attorney Advisor, Office of International Tax Counsel, Department of Treasury, Washington, DC

9:30am **Foreign Tax Credits: It Isn't Over 'Til It's Over.** Despite the move to a quasi-territorial system, foreign tax credits are still very much in the mix for US multinationals, and are very much top of mind. What's the new normal? Let's discuss.

Moderator: Michael Caballero, Covington & Burling, Washington, DC

Panelists: Caren Shein, Deloitte, Washington, DC; Micah Gibson, PWC, Washington, DC; Barbara A. Felker, Branch Chief, IRS Office of Associate Chief Counsel (International), Washington, DC; Lindsay Kitzinger, Attorney Advisor, Office of International Tax Counsel, Department of Treasury, Washington, DC

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8:45AM – 4:30PM

Marriott Metro Center, Salon A, Grand Ballroom

Exempt Organizations 

Chair: Lisa L. Johnsen, Bill & Melinda Gates Foundation, Seattle, WA

8:45am Committee Business. 

9:00am News from IRS, Treasury and the Hill. Representatives from the IRS, Treasury Department, and Joint Committee on Taxation will discuss topics of current interest to exempt organizations practitioners.

Moderator: Suzanne Ross McDowell, Steptoe & Johnson LLP, Washington, DC

Panelists: Victoria A. Judson, Associate Chief Counsel, Tax Exempt and Government Entities Division, Office of Chief Counsel, IRS, Washington, DC (Invited); Janine Cook, Deputy Associate Chief Counsel, IRS Office of Associate Chief Counsel (TEGE), Washington, DC (Invited); Elinor C. Ramey, Attorney-Advisor, Office of Tax Policy, Department of Treasury, Washington, DC (Invited); Gordon M. Clay, Senior Legislation Counsel, Joint Committee on Taxation, Washington, DC (Invited)

10:15am New Sections 4960 and 512(a)(7): The Entity Level Tax on Excess Compensation and UBIT on Certain Fringe Benefits. This panel will discuss the new law regarding executive compensation and the income tax on certain employee fringe benefits.

Moderator: Ralph E. DeJong, McDermott Will & Emery, Chicago, IL

Panelists: Stephen LaGarde, Attorney-Advisor, Office of Tax Policy, Department of Treasury, Washington, DC (Invited); Janine Cook, Deputy Associate Chief Counsel, IRS Office of Associate Chief Counsel (TEGE), Washington, DC (Invited); Kurt L. P. Lawson, Hogan Lovells, Washington, DC; Caroline W. Waldner, Morgan Lewis & Bockius LLP, Washington, DC

11:15am Break. 

11:30am New Section 512(a)(6): Unrelated Business Taxable Income Silos – Separating the Corn from the Wheat. This panel will examine new section 512(a)(6), which “silos off” each unrelated trade or business activity, prohibiting losses from one activity from offsetting gains of another. Using practical problems, the panel will discuss how to define “a” trade or business and when related activities might be considered a single trade or business.

Moderator: Robert A. Wexler, Adler & Colvin, San Francisco, CA

Panelists: Meghan R. Biss, Caplin & Drysdale, Washington, DC; Maura Whelan, Simpson Thacher & Bartlett LLP, New York, NY

12:30pm Exempt Organizations Committee Luncheon  *(Ticketed Event)*
“Opportunities and Challenges for Charities After the 2017 Tax Act”

Speaker: Dr. C. Eugene Steuerle, Urban Institute, Washington, DC

2:00pm New Section 4968: The Excise Tax on Investment Income of Private Colleges and Universities. “Tax exempt” isn’t what it used to be, especially if you are a relatively large private college or university with a substantial endowment. This panel will explore the policy implications of this new tax, as well as some of the interpretive issues that call out for guidance.

Moderator: A. L. (Lorry) Spitzer, MIT, Cambridge, MA

Panelists: Elinor C. Ramey, Attorney-Advisor, Office of Tax Policy, Department of Treasury, Washington, DC (Invited); Professor Lloyd Hitoshi Mayer, University of Notre Dame Law School, Notre Dame, IN



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2:45pm Donor Advised Funds. This panel will discuss comments and developments related to Notice 2017-73.

Moderator: David A. Shevlin, Simpson Thacher & Bartlett LLP, New York, NY

Panelists: Elinor C. Ramey, Attorney-Advisor, Office of Tax Policy, Department of Treasury, Washington, DC (Invited); Amber L. MacKenzie, Assistant Branch Chief, Exempt Organizations Branch 3, Office of the Associate Chief Counsel (TEGE), Washington, DC (Invited); Professor Roger Colinvaux, The Catholic University of America Columbus School of Law, Washington, DC; Edward J. Beckwith, Baker & Hostetler LLP, Washington, DC

4:00pm Cash Bar 

9:30AM – 11:00AM

Marriott Metro Center, Jr. Ballroom 1, 2nd Floor

Employee Benefits Administrative Practices Update

Presented by the Subcommittee on Administrative Practices

Chairs: Rhonda Migdail, Joint Committee on Taxation, Washington, DC; Thomas R. Pevarnik, Deloitte, Washington, DC

Vice-Chairs: Vanessa Blanco, Boutwell Fay LLP, Irvine, CA; Jewelie A. Grape, Conner & Winters LLP, St. Paul, MN

Assistant Vice-Chairs: Chad R. DeGroot, Laner Muchin, Chicago, IL; Serena Simons, The Segal Company, Washington, DC; Judy Hensley, Robers & Holland LLP, New York, NY

The subcommittee will be discussing various recent developments affecting the administration of qualified plans. Topics to be discussed at the meeting recent IRS guidance on the pre-approved plan program including Rev Proc 2018-21 allowing pre-approved defined benefit plans to provide for interest credits based on the rate of return on plan assets. Other developments related to the pre-approved plan program will be discussed. Other topics to be discussed include recent guidance on missing participants issued by the various agencies, a discussion of recently passed legislation related to qualified plans, the impact of tax reform on qualified plan administration, and developments under EPCRS. The meeting will also include an open forum to discuss topics of interest to the community.

Panelists: Kyle Brown, Division Counsel, Tax Exempt and Government Entities Division Counsel, Office of Chief Counsel, IRS, Washington, DC (Invited); Pamela Kinard, Senior Technician Reviewer, Office of Associate Chief Counsel (TEGE), IRS, Washington, DC (Invited); Lou Leslie, Technical Advisor to EP Director, IRS, Washington, DC (Invited); Ryan McDonald, Chief of Employee Plans Determination, IRS, Cincinnati, OH; Rhonda Migdail, Mercer, Washington, DC; Thomas R. Pevarnik, Deloitte, Washington, DC; Jewelie Grape, Conner & Winters, Washington, DC

9:30AM – 10:30AM

Marriott Metro Center, Salon D, Grand Ballroom

Employee Benefits Legislation & Litigation Update

Presented by Subcommittee on Employee Benefits Legislation & Litigation

Co-Chairs: Michael Bartolic, The Law Offices of Michael Bartolic, Chicago, IL; Lisa Bleier, SIFMA, Washington, DC

Vice-Chairs: Professor Jonathan B. Forman, University of Oklahoma, Norman, OK; Michael Kreps, Groom Law Group Chartered, Washington, DC

This panel will provide updates from Capitol Hill staff with regard to the latest employee benefits legislation under consideration, along with the new Super Committee set to discuss defined benefit legislative solutions. The session will also cover recent employee benefits litigation.

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Panelists: Michael Bartolic, The Law Offices of Michael Bartolic, Chicago, IL; Kara Getz, Chief Counsel, House Ways & Means Committee, Washington, DC; Kendra Isaacson, Senior Pensions Counsel, Senate Committee on Health, Education, Labor & Pensions, Washington, DC; Michael Kreps, Groom Law Group Chartered, Washington, DC; Additional Panelists TBD

9:30AM – 10:45AM

Marriott Metro Center, Salon C, Grand Ballroom

Employee Benefits Multinational Employee Benefits & Compensation Issues Update

Presented by the Subcommittee on Multinational Employee Benefits & Compensation Issues

Co-Chairs: Rob Fowler, Baker Botts LLP, Houston, TX; David W. Powell, Groom Law Group Chartered, Washington, DC

Vice-Chair: Karen D. Youngstrom, Thompson Hine LLP, Cleveland, OH

This panel will discuss the following topics: Hot Topics in Canada; European pension reform proposals – Ireland and the UK; New German DC Plans; EU Data Privacy; The Reach of Section 307 of ITEPA – Relief for UK Employer Contributions to US Pension Plans.

Panelists: David W. Powell, Groom Law Group Chartered, Washington, DC; Rob Fowler, Baker Botts LLP, Houston, TX; Caroline Helbronner, Blakes, Toronto, Ontario

9:30AM – 10:45AM

Independence C, Level 5B

Tax Policy & Simplification

Chair: Roger Roysse, Roysse Law Firm, Menlo Park, CA

9:30am The Byrd Rule and the Tax Legislative Process. The Byrd rule captured the spotlight in December 2017 when it briefly derailed an effort by congressional Republicans to enact the most sweeping tax overhaul in a generation. And while the Byrd rule did not prevent the ultimate passage of the new tax law, it profoundly influenced both the substance and the form of the final legislation. Tax law practitioners and professionals suggest that this is not the last time that the Byrd rule will play a conspicuous and consequential role in the tax legislative process. Today's speakers will provide an overview of the budget reconciliation process and explain the Byrd rule's role in that process. They will discuss and evaluate the impact that the Byrd rule had on the 2017 Tax Act, in addition to the normative implications of the Byrd rule's increasing prominence and how this will affect the tax code and tax policy.

Moderator: Joseph Dugan, Trial Attorney, Civil Division of the Department of Justice, Federal Programs Branch, Washington, DC

Panelists: Professor George Yin, University of Virginia Law School, Charlottesville, VA; Professor Ellen Aprill, Loyola Law School, Los Angeles, CA; Viva Hammer, Legislative Counsel, Joint Committee on Taxation, Washington, DC

9:45AM – 10:45AM

Marriott Metro Center, London II, Grand Ballroom

Employee Benefits Multiple Employers, PEOs and Controlled & Affiliated Service Groups Update

Presented by the Subcommittee on Multiple Employers, Professional Employer Organizations (PEOs) and Controlled and Affiliated Service Groups

Chair: Stefan P. Smith, Locke Lord LLP, Dallas, TX

Vice-Chairs: Robert J. Toth Jr., Law Office of Robert J. Toth Jr. LLC, Fort Wayne, IN; Farrah Fielder, National Association of Professional Employer Organizations, Alexandria, VA

Assistant Vice-Chair: Brandon Long, McAfee & Taft PC, Oklahoma City, OK

The Committee will discuss: (i) establishing and maintaining 403(b) multiple employer plans; (ii) the Code Section 414(m) regulation project clarifying and updating rules regarding affiliated service groups; and (iii) the proposed expansion of association health plans.



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Panelists: Stefan P. Smith, Lock Lord, LLP, Dallas, TX; Farrah Fielder, National Association of Professional Employer Organizations, Alexandria, VA; Robert J. Toth Jr., Law Office of Robert J. Toth Jr. LLC, Fort Wayne, IN; Pamela Kinard, Special Counsel, Tax Exempt and Government Entities Division, Office of Chief Counsel, IRS, Washington, DC (Invited); James Goldstein, Senior Investigator, Office of Enforcement, Los Angeles Regional Office, Employee Benefit Security Administration, Department of Labor, Pasadena, CA (Invited)

10:00AM – 11:00AM

Banneker, Level 1B

Appointments to the Tax Court (Executive Session)

Chair: Larry A. Campagna, Chamberlain, Houston, TX

10:00AM – 12:00PM

Marriott Metro Center, Jr. Ballroom 2, 2nd Floor

Employee Benefits Welfare Plans and EEOC, FMLA and Leaves Issues Update

Presented by the Subcommittee on Welfare Plan and EEOC, FMLA and Leaves Issues

Chairs: Yelena Fertman Gray, Nixon Peabody LLP, Chicago, IL; Gabriel S. Marinaro, Katten Muchin Rosenman LLP, Chicago, IL

Vice-Chairs: Jaquelyn Meng Abbott, ExxonMobil, The Woodlands, TX; Elena Kaplan, Jones Day, Atlanta, GA; Rachel Levy, Groom Law Group Chartered, Washington, DC

Assistant Vice-Chairs: Robyn Crosson, ADP, Indianapolis, IN; Gary Chase, Willis Towers Watson, New York, NY; Carolyn M. Trenda, McGuireWoods LLP, Chicago, IL; Kim Wilcoxon, Thompson Hine LLP, Cincinnati, OH

This meeting will discuss recent guidance on short-term, limited-durations insurance policies, its impact on employer plans and interaction with employer HRAs, recent developments in the application of the contraceptive coverage exception to certain employer plans and the tax implication of wellness arrangements. The speakers will also address employers' concerns in structuring their fringe benefit programs after the 2017 Tax Act and in the use of modern technology in benefits programs in compliance with ADA and other laws.

Panelists: Jacquelyn Meng Abbott, ExxonMobil, The Woodlands, TX; Alden J. Bianchi, Mintz Levin Cohn Ferris Glovsky and Popeo PC, Boston, MA; Robyn Crosson, ADP, Indianapolis, IN; Yelena Fertman Gray, Nixon Peabody LLP, Chicago, IL; Katie Johnson, Attorney Advisor, Office of Tax Policy, Department of Treasury, Washington, DC (Invited); Kevin Knopf, Senior Technician Reviewer, Health and Welfare Branch, Tax Exempt and Government Entities Division, IRS Office of Chief Counsel, Washington, DC (Invited); Rachel Levy, Groom Law Group Chartered, Washington, DC; Gabriel S. Marinaro, Katten Muchin Rosenman LLP, Chicago, IL; Carolyn M. Trenda, McGuireWoods LLP, Chicago, IL; Kim Wilcoxon, Thompson Hine LLP, Cincinnati, OH; Stephen Tackney, Deputy Associate Chief Counsel (Employee Benefits), Tax Exempt and Government Entities Division, Office of Chief Counsel, IRS, Washington, DC (Invited); Denise Trujillo, Chief, Health and Welfare Branch, Tax Exempt and Government Entities Division, IRS Office of Chief Counsel, Washington, DC (Invited)

10:30AM – 12:30PM

Independence A West, Level 5B

Transfer Pricing

Chair: John M. Breen, Skadden Arps Slate Meagher & Flom LLP, Washington, DC

10:30am US Tax Reform Reshapes the Transfer Pricing Landscape. The 2017 Tax Act included the first amendments to section 482 in more than 30 years. These changes, combined with extensive changes to the framework of US international taxation rules, have led taxpayers and practitioners to revisit long-held conventions regarding transfer pricing objectives. They may also call for changes to the section

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482 regulations and to dispute resolution measures in the transfer pricing area (Mutual Agreement Procedures and Advance Pricing Agreements). Uncertainty about the longevity of certain aspects of the new regime adds a layer of complexity to transfer pricing planning. The panel will explore these issues, as well as initial reactions of US treaty partners to the 2017 Tax Act provisions that affect transfer pricing.

Moderator: Rocco V. Femia, Miller & Chevalier Chartered, Washington, DC

Panelists: Christopher J. Bello, Branch Chief, Branch 6, IRS Office of Associate Chief Counsel (International), Washington, DC; Brian Jenn, Attorney Advisor, Office of International Tax Counsel, Department of Treasury, Washington, DC; David Ernick, PwC, Washington, DC; Barbara Rollinson, Horst Frisch Inc., Washington, DC; Niraja Srinivasan, Dell Technologies, Austin, TX

11:00AM – 12:00PM

Marriott Metro Center, Salon E, Grand Ballroom

Employee Benefits Distributions Update

Presented by the Subcommittee on Distributions

Chair: Anne M. Meyer, Snell & Wilmer LLP, Phoenix, AZ

Vice-Chair: J. Rose Zaklad, Groom Law Group Chartered, Washington, DC

Assistant Vice-Chair: Laura M. Nolen, Marathon Oil Corporation, Houston, TX

The Subcommittee will discuss recent issues of interest affecting plan distributions, including a discussion on the Department of Labor's investigations of missing participants. The subcommittee also will discuss provisions in the 2017 Tax Act and the Bipartisan Budget Act of 2018 that impact qualified plan distributions.

Panelists: William Evans, Attorney Advisor, Office of Benefits Tax Counsel, Department of Treasury, Washington, DC (Invited); Kevin Walsh, Groom Law Group Chartered, Washington, DC; Anne M. Meyer, Snell & Wilmer LLP, Phoenix, AZ; J. Rose Zaklad, Groom Law Group Chartered, Washington, DC

11:00AM – 12:00PM

Marriott Metro Center, Jr. Ballroom 3, 2nd Floor

Employee Benefits Fiduciary Responsibility/Plan Investments Update

Presented by the Subcommittee on Fiduciary Responsibility/Plan Investments

Chairs: David A. Cohen, Newport Trust Company, Washington, DC; Fritz Richter III, Bass Berry & Sims PLC, Nashville, TN

Vice-Chairs: Jeffrey Lieberman, Skadden Law Firm, New York, NY; Daniel R. Salemi, Morgan Lewis & Bockius LLP, Chicago, IL

Assistant Vice-Chair: Yongo Ding, Miller & Chevalier Chartered, Washington, DC; Kyla Smith, Newport Trust Company, New York, NY

This panel will discuss recent guidance and other issues addressing ERISA fiduciary responsibilities, including the status of the Department of Labor's conflict of interest rule and the associated class exemptions.

Panelists: David A. Cohen, Newport Trust Company, Washington, DC; Yongo Ding, Miller & Chevalier Chartered, Washington, DC; Jeffrey Lieberman, Skadden Arps, New York, NY; Fritz Richter III, Bass Berry & Sims PLC, Nashville, TN; Erin M. Sweeney, Miller & Chevalier Chartered, Washington, DC



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11:00AM – 11:30AM

Marriott Metro Center, Capitol Hill, 3rd Floor

Employee Benefits New Employee Benefits Attorneys Forum

Chair: Laura R. Westfall, King & Spalding, New York, NY

Informal meeting for new members of the Employee Benefits Committee.

11:00AM – 12:30PM

Penn Quarter, Level 1B

Energy & Environmental Taxes

Chair: Amish Shah, Eversheds Sutherland, Washington, DC

11:00am Updates Impacting the Energy Industry. The panel will discuss legislative, judicial and regulatory developments including updates on tax reform and tax extenders and frequently asked questions that practitioners and their clients believe are candidates for future regulatory guidance.

Moderators: Amish Shah, Eversheds Sutherland, Washington, DC; Courtney Sandifer, Deloitte, Washington, DC

Panelists: Jennifer Bernardini, Attorney, Branch 6, Passthroughs and Special Industries, IRS, Washington, DC; Hannah Hawkins, Attorney Adviser, Department of Treasury, Office of Tax Policy, Washington, DC; Kashi Way, Senior Legislation Counsel, Joint Committee on Taxation, Washington, DC; Brian Americus, Deloitte, Washington, DC

11:00AM – 1:45PM

Constitution B, Level 3B

S Corporations

Chair: Dana Lasley, Emerson Electric Co., St. Louis, MO

11:00am Hot Topics. A dialogue with representatives from the Government about legislative and regulatory developments relevant to S corporations, including the section 1362(f) no-rule business plan item.

Moderators: Laura Howell-Smith, Deloitte Tax, Washington, DC; Thomas J. Nichols, Meissner Tierney Fisher & Nichols, Milwaukee, WI

Panelists: Michael R. Gould, IRS Office of Chief Counsel, Washington, DC; Victoria Glover, Tax Advisor, House Ways and Means Committee, Washington, DC; Eric Oman, Senior Policy Advisor-Tax & Accounting, Senate Finance Committee, Washington, DC; Paul McLaughlin, Legislative Counsel, Joint Committee on Taxation, Washington, DC; Audrey W. Ellis, Attorney-Advisor, Department of Treasury, Office of Tax Policy, Washington, DC

12:00pm Choice of Entity Under the 2017 Tax Act. The panelists will revisit the choice of entity in light of §199A.

Moderator: Brad Gould, Dean Mead Minton & Zwemer, Fort Pierce, FL

Panelists: Laura E. Krebs Al-Shathir, Capes Sokol Goodman & Sarachan PC, St. Louis, MO; J. Leigh Griffith, Waller Lansden Dortch & Davis, Nashville, TN; Thomas J. Nichols, Meissner Tierney Fisher & Nichols, Milwaukee, WI

1:00pm Important Developments in the Federal Income Taxation of S Corporations. The panelists will discuss tax reform and other recent legislative, administrative and judicial developments relating to S Corporations and their shareholders.

Moderator: Bryan Keith, Grant Thornton LLP, Washington, DC

Panelists: Gregory L. Lohmeyer, Quarles & Brady, Milwaukee, WI; Mary Beth Dolan, Bryan Cave LLP, St. Louis, MO

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11:00AM – 1:45PM

Constitution C, Level 3B

Standards of Tax Practice

Chair: Rachel L. Partain, Caplin & Drysdale Chartered, New York, NY

- 11:00am Ethics Issues in Criminal Representations and Fraud Examinations.**  This panel will discuss issues that frequently arise when representing individuals in the criminal and egg-shell audit contexts. Panel will cover such ethical conundrums as conflicts of interest, duty of candor to the tribunal, duties to the client, and issues arising in connection with filing current-year returns.

Moderator: Zhanna Ziering, Caplin & Drysdale Chartered, New York, NY

Panelists: Jenny L. Johnson, Johnson Moore, Chicago, IL; Sara G. Neill, Capes Sokol Goodman & Sarachan PC, St. Louis, MO; Steven R. Toscher, Hochman Salkin Rettig Toscher & Perez PC, Beverly Hills, CA

Co-Sponsored by: Civil & Criminal Tax Penalties

- 12:00pm Primer on Ethics and Circular 230 Issues for Young Attorneys.**   A panel of staff members from the IRS Office of Professional Responsibility and private practitioners will discuss basic ethics issues for young lawyers and the sources of guidance that young attorneys should consult, including the ABA Model Rules and Circular 230.

Moderator: Catherine Karayan Wilbur, Mitchell Silberberg & Knupp LLP, Los Angeles, CA

Panelists: Stephen Whitlock, Director, IRS Office of Professional Responsibility, Washington, DC; Garrett Gluth, Chief, Legal Analysis Branch, IRS Office of Professional Responsibility, Washington, DC; Kevin P. Carle, Attorney, Legal Analysis Branch, IRS Office of Professional Responsibility, Washington, DC; Megan L. Brackney, Kostelanetz & Fink LLP, New York, NY

Co-Sponsored by: Young Lawyers Forum

11:30AM – 12:30PM

Wilson, Level 3B

Court Procedure & Practice Roundtable

Chair: Joshua Odintz, Baker McKenzie, Washington, DC

- 11:30am ABCs of Summary Accounting Evidence.** Tax cases frequently involve a large amount of accounting data that has to be presented to a judge or even a jury. Often this is done through an accounting summary and/or an expert witness. This panel will discuss the evidentiary issues and tactical decisions involved in presenting such evidence.

Moderator: Christopher S. Rizek, Caplin & Drysdale, Washington, DC

Panelists: Curtis Elliott, Culp Elliott & Carpenter PLLC, Charlotte, NC; Elizabeth Monty, Veriti Consulting, Phoenix, AZ; The Honorable L. Paige Marvel, US Tax Court, Washington, DC



PROGRAM SCHEDULE FRIDAY, MAY 11

11:30AM – 12:30PM

Marriott Metro Center, London II, Grand Ballroom

Employee Benefits Exempt Organization and Governmental Plans Update

Presented by the Subcommittee on Exempt Organization and Governmental Plans

Chairs: Blake C. McKay, Alston & Bird, Atlanta, GA; Don Wellington, Reed Smith LLP, Los Angeles, CA

Vice-Chair: Robert Johnson, Kaufman & Canoles PC, Newport News, VA

Assistant Vice-Chairs: Bryanne Kelleher, Voya, Windsor, CT; Jenni Kregel, Reed Smith LLP, Los Angeles, CA

The panel will discuss current issues impacting governmental, tax-exempt, and church plans, including questions and issues relating to the new Section 4960 excise tax on executive compensation, UBIT on certain non-taxable fringe benefits, and a review of other applicable legislative provisions.

Panelists: Robert Johnson, Kaufman & Canoles PC, Newport News, VA; Pamela Kinard, Special Counsel, Tax Exempt and Government Entities Division, IRS, Washington, DC (Invited); Bryanne Kelleher, VOYA, Windsor, CT; Jenni Kregel, Reed Smith LLP, Los Angeles, CA; Blake C. MacKay, Alston & Bird, Atlanta, GA; Stephen Tackney, Deputy Associate Chief Counsel (Employee Benefits), Tax Exempt and Government Entities Division, Office of Chief Counsel, IRS, Washington, DC (Invited); Carol Weiser, Deputy Benefits Tax Counsel, Office of Benefits Tax Counsel, Department of Treasury, Washington, DC (Invited); Don Wellington, Reed Smith LLP, Los Angeles, CA

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COMMITTEE LUNCHEONS

12:00PM – 1:30PM Independence E, Level 5B
Corporate Tax and Affiliated & Related Corporations 🎟️ (Ticketed Event)

12:00PM – 12:30PM Tiber Creek, Level 1B
Diversity 🎟️ (Ticketed Event)

12:00PM – 12:30PM McPherson Square, Level 5B
Estate & Gift Taxes and Fiduciary Income Tax 🎟️ (Ticketed Event)

12:00PM – 1:00PM Hamilton Live, 600 14th St. NW
Real Estate & Partnerships & LLCs 🎟️ (Ticketed Event)

Barbara Angus, Chief Tax Counsel for the Ways and Means Committee, will give her thoughts on the new tax act and the future state of the Code.

Speaker: Barbara M. Angus, Chief Tax Counsel, Committee on Ways and Means of the United States House of Representatives, Washington, DC

12:00PM – 12:30PM Declaration, Level 1B
State & Local Taxes 🎟️ (Ticketed Event)
Sponsored by: Perkins Coie

12:30PM – 1:30PM Farragut Square, Level 5B
Administrative Practice and Court Procedure & Practice 🎟️ (Ticketed Event)

Speaker: Frederick W. Schindler, Director, Implementation Oversight - ACA Office/IRS, Washington, DC

Sponsored by: Caplin & Drysdale; Kostelanetz & Fink, LLP; Miller & Chevalier Chartered; Morgan Lewis; Thompson Hine LLP; Thompson & Knight LLP

12:30PM – 1:30PM Marriott Metro Center, Salon C, Grand Ballroom
Exempt Organizations 🎟️ (Ticketed Event)

“Opportunities and Challenges for Charities After the 2017 Tax Act”

Speaker: Dr. C. Eugene Steuerle, Urban Institute, Washington, DC

12:30PM – 1:00PM Independence A East, Level 5B
Foreign Activities of US Taxpayers, Foreign Lawyers Forum, Transfer Pricing, and US Activities of Foreigners & Tax Treaties 🎟️ (Ticketed Event)

1:45PM – 2:45PM Independence I, Level 5B
Banking & Savings Institutions, Financial Transactions, Insurance Companies, Investment Management and Tax Exempt Financing 🎟️ (Ticketed Event)

Sponsored by: Morgan Lewis **Speaker:** Dana L. Trier, Davis Polk & Wardwell LLP, New York, NY

1:45PM – 2:45PM Clyde's, 707 7th St. NW
Civil & Criminal Tax Penalties 🎟️ (Ticketed Event)

Sponsored by: Hochman, Salkin, Rettig, Toscher & Perez, P.C.; Kostelanetz & Fink, LLP



PROGRAM SCHEDULE FRIDAY, MAY 11

12:00PM – 1:00PM

Marriott Metro Center, Jr. Ballroom 1, 2nd Floor

Employee Benefits Corporate Counsel Forum

Presented by the Employee Benefits Corporate Counsel Forum

Chair: Jacquelyn M. Abbott, Exxon Mobil Corporation, Houston, TX

Vice-Chair: Christina M. Crockett, Fifth Third Bank, Cincinnati, OH

“Tag, you’re it” – Avoiding the fiduciary tag. Join panelists at the Corporate Counsel Forum discussing who is a fiduciary and who is not, and more importantly, how to advise your clients on avoiding the tag. We will also discuss the value of fiduciary insurance. Brad Huss has been practicing in the employee benefits field for over four decades and his practice is primarily in the areas of ERISA litigation, fiduciary responsibility matters, qualified pension and profit sharing plans, and Department of Labor investigations.

Panelists: Mabel Capolongo, Office Director, Office of Enforcement, Employee Benefits Security Administration, Department of Labor, Washington, DC (Invited); R. Bradford Huss, Trucker Huss, San Francisco, CA; Jeanne Klinefelter Wilson, Deputy Assistant Secretary for Policy, Employee Benefits Security, Administration, Department of Labor, Washington, DC (Invited)

12:00PM – 1:15PM

Marriott Metro Center, Salon E, Grand Ballroom

Employee Benefits Defined Benefit Plans Update

Presented by the Subcommittee on Defined Benefit Plans

Chairs: Sarah Fry, The North American Coal Corporation, Plano, TX; John H. Wendeln, Thompson Hine LLP, Cincinnati, OH

Vice-Chairs: Rosina Barker, Morgan Lewis & Bockius LLP, Washington, DC; Allison Hoots, Keightley & Ashner LLP, Washington, DC; Meredith VanderWilt, Polsinelli PC, Dallas, TX

The subcommittee will discuss recent issues of interest affecting defined benefit plans, including current developments from the IRS/Treasury and the PBGC and corporate tax savings for 2017 from the 2017 Tax Act and the related plan funding and pension risk transfer issues and opportunities. The meeting will end with a “fireside chat” with the PBGC.

Panelists: Harold J. Ashner, Keightley & Ashner LLP, Washington, DC; Rosina Barker, Morgan Lewis & Bockius LLP, Washington, DC; Diane Bloom, Senior Attorney, Tax Exempt and Government Entities Division, IRS Office of Chief Counsel, Washington, DC (Invited); Sarah Fry, The North American Coal Corporation, Plano, TX; Kartar Khalsa, Deputy General Counsel, Office of General Counsel, Pension Benefit Guaranty Corporation, Washington, DC (Invited); Joseph Krettek, Assistant General Counsel, Office of General Counsel, Pension Benefit Guaranty Corporation, Washington, DC (Invited); Linda Marshall, Senior Counsel, Tax Exempt and Government Entities Division, IRS Office of Chief Counsel, Washington, DC (Invited); Harlan Weller, Senior Actuary, Department of Treasury, Washington, DC (Invited); John H. Wendeln, Thompson Hine LLP, Cincinnati, OH

12:00PM – 1:00PM

Marriott Metro Center, Capitol Hill, 3rd Floor

Employee Benefits ESOP Update

Presented by the Subcommittee on ESOPs

Chair: David A. Whaley, Thompson Hine LLP, Cincinnati, OH

Assistant Vice-Chairs: Benjamin J. Evans, Bingham Greenebaum Doll LLP, Louisville, KY; Allison Wilkerson, McDermott Will & Emery, Dallas, TX; Michelle Lewis, Hunton & Williams LLP, Washington, DC

This meeting will include a discussion of the potential for ESOP Regulations in light of Tax Reform. In addition (subject to DOL involvement), the discussion will include a conversation in connection

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with the life cycle of a DOL investigation. Finally, we will have a discussion of the terms of the existing private trustee settlement agreements and the obligations that are arising thereunder.

Panelists: David Cohen, Newport Trust Company, Washington, DC; Benjamin J. Evans, Bingham Greenebaum Doll LLP, Louisville, KY; Michelle Lewis, Hunton & Williams LLP, Washington, DC; David A. Whaley, Thompson Hine LLP, Cincinnati, OH; Allison Wilkerson, McDermott Will & Emery, Dallas, TX

12:30PM – 1:30PM

Tiber Creek, Level 1B

Diversity

Chair: Jairo Cano, E-Trade Financial, Jersey City, NJ

12:30pm Transforming Tax Law Through a Feminist Perspective.  Could a feminist perspective transform tax law? This panel brings together contributors to the book, *Feminist Judgments: Rewritten Tax Opinions*, and explores the importance of perspective, background, and preconceptions on reading and interpreting statutes and the difference a feminist analysis can have on statutory interpretation.

Moderator: The Honorable Diana L. Leyden, US Tax Court, Washington, DC

Panelists: Professor Anthony Infanti, University of Pittsburgh School of Law, Pittsburgh, PA; Professor Francine J. Lipman, University of Nevada William S. Boyd School of Law, Las Vegas, NV; Dean David A. Brennan, University of Kentucky College of Law, Lexington, KY; Professor Ann Murphy, Gonzaga University School of Law, Spokane, WA

12:30PM – 1:30PM

McPherson Square, Level 5B

Estate & Gift Taxes and Fiduciary Income Tax Young Lawyers Subcommittee

Chairs: Benjamin G. Carter, Texas Capital Bank, Dallas, TX; Stacey Delich-Gould, Capital Group Private Client Services, New York, NY

12:30pm How a Tax Bill Becomes a Law.  Last year, Congress passed and the President signed the most significant tax legislation of recent years. But, as the old grade school song asks, “How Does a Bill Become a Law?” This interactive presentation will walk through the mechanics of how the tax legislation sausage gets made, from introduction to signature by the President.

Panelist: Emily A. Plocki, Venable LLP, Washington, DC

12:30PM – 1:30PM

Declaration, Level 1B

State & Local Taxes

Chair: Edward J. Bernert, BakerHostetler, Columbus, OH

12:30pm The Wayfair Oral Argument.  The US Supreme Court has scheduled oral argument on April 17 in the *Wayfair* case, which is the challenge by the states to the continued use of the physical presence test when determining when remote sellers should be required to collect use tax. George Isaacson is arguing the case for the remote sellers. He will share with us his impressions from the oral argument and the case generally.

Moderator: Leah S. Robinson, Mayer Brown LLP, New York, NY

Panelist: George Isaacson, Brann & Isaacson, Lewiston, ME



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1:00PM – 2:30PM

Independence A East, Level 5B

Foreign Activities of US Taxpayers, Foreign Lawyers Forum, Transfer Pricing, and US Activities of Foreigners and Tax Treaties

1:00pm Government Officials Panel. This panel will discuss the latest international tax developments.

Moderator: Joshua D. Odintz, Baker & McKenzie LLP, Washington, DC

Panelists: Marjorie A. Rollinson, Associate Chief Counsel, IRS Office of Associate Chief Counsel (International), Washington, DC; Daniel M. McCall, Acting Deputy Associate Chief Counsel (International Technical), IRS Office of Associate Chief Counsel (International), Washington, DC; Raymond Stahl, Attorney-Advisor, IRS Office of Associate Chief Counsel (International), Washington, DC; Douglas Poms, Deputy International Tax Counsel, Department of Treasury, Washington, DC

1:30PM – 5:45PM

Penn Quarter, Level 1B

Employment Taxes

Chair: Megan E. Marlin, PwC, Washington, DC

1:30pm IRS Employment Tax Update. This panel will provide a federal employment tax update. The panel will discuss new administrative, regulatory, legislative developments and case law relevant to employment tax withholding and reporting.

Moderator: Ligeia Donis, PwC, Washington, DC

Panelists: Lynne Camillo, Branch Chief, Employment Tax Branch 2, TEGE, IRS Office of Chief Counsel, Washington, DC; Syd Gernstein, Branch Chief, Employment Tax Branch 1, TEGE, IRS Office of Chief Counsel, Washington, DC

2:30pm Tax Withholding on Independent Contractors: Good Idea or No? With the advent of the “gig economy,” one issue that has stirred debate is whether some form of tax withholding would be appropriate for independent contractors to assist them in meeting their estimated-tax payment obligations. Some believe the idea has merit, and should be pursued, while others believe tax withholding is incompatible with independent contractors and should be avoided. This panel discussion will present diverse perspectives on this important issue.

Moderator: Edward Leyden, Leyden Law LLC, Washington, DC

Panelists: Nina Olson, Taxpayer Advocate Service, Washington, DC; Russ Hollrah, Hollrah LLC, Washington, DC

3:30pm Break. 

3:45pm Tax Consequences of Employment Settlements and Judgments. Resolving employment disputes has always been a prominent feature of the legal landscape. Recent events, however, have brought into even sharper focus for employers and their executives, alike, the potential pitfalls that can arise from alleged workplace harassment and misconduct. Partly in response to these events – and for separate fiscal reasons, as well – the Tax Cut and Jobs Act has made very significant changes to the federal tax consequences that may arise from the disposition of an employment dispute, including for the deductibility of settlement amounts and attorneys’ fees. This panel will provide an overview of the overarching tax principles governing employment disputes, examine the tax treatment of settlements and judgments under revised federal tax law (including new IRC § 162(q)), and discuss potential next steps for addressing these challenges.

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Moderator: Megan Marlin, PwC, Washington, DC

Panelists: Edward Leyden, Leyden Law LLC, Washington, DC; William Weismann, Littler Mendelson, Walnut Creek, CA; Anthony Arcidiacono, EY, Newark, NJ

4:45pm Employment Tax Liabilities and IRS Collections. This panel will discuss the scenarios that can lead to employment tax deficiencies and collections. In particular, the panelists will consider the early intervention initiative, potential penalties, such as failure to deposit, failure to pay, late filing, and accuracy related penalties, and strategies to mitigate employer and individual liability.

Moderator: Chaya Kundra, Kundra & Associates PC, Rockville, MD

Panelists: Noreene Stehlik, Senior Litigation Counsel, Tax Division, Department of Justice, Washington, DC; Tim Hartigan, Field Group Manager, IRS, Washington, DC

1:30PM – 2:30PM

Banneker, Level 1B

Section CLE 

Chair: Katherine E. David, Strasburger & Price LLP, San Antonio, TX

2:00PM – 6:00PM

Marriott Metro Center, Jr. Ballroom, 2nd Floor

Employee Benefits 

Chair: Professor Kathryn J. Kennedy, The John Marshall Law School, Chicago, IL

2:00pm Pension Benefit Guaranty Corporation Update. This panel will discuss current PBGC regulatory, enforcement and litigation activities.

Moderator: Harold J. Ashner, Keightley & Ashner LLP, Washington, DC

Panelists: Karen Morris, Chief of Negotiations and Restructuring, Pension Benefit Guaranty Corporation, Washington, DC; Judith Starr, General Counsel, Pension Benefit Guaranty Corporation, Washington, DC

3:00pm Break. 

3:15pm Department of Treasury/Internal Revenue Service Hot Topics. Representatives from the Department of Treasury and IRS will provide updates on the latest guidance and developments affecting employee plans.

Moderator: W. Waldan Lloyd, Durham Jones & Pinegar, Salt Lake City, UT

Panelists: Kyle Brown, Division Counsel, Tax Exempt and Government Entities Division Counsel, Office of Chief Counsel, IRS, Washington, DC (Invited); Robert Neis, Benefits Tax Counsel, Office of Benefits Tax Counsel, Department of Treasury, Washington, DC (Invited); Victoria A. Judson, Associate Chief Counsel, Tax Exempt and Government Entities Division, Office of Chief Counsel, IRS, Washington, DC (Invited); Stephen Tackney, Deputy Associate Chief Counsel (Employee Benefits), Tax Exempt and Government Entities Division, Office of Chief Counsel, IRS, Washington, DC (Invited)

4:15pm Department of Treasury/Internal Revenue Service Technical Sessions. This panel will provide an overview of some of the issues presented to the Department of Treasury and the IRS during the technical session meeting on May 10, 2018.

Moderator: Professor Kathryn J. Kennedy, The John Marshall Law School, Chicago, IL

Panelists: Alden J. Bianchi, Mintz Levin Cohn Ferris Glovsky and Popeo PC, Boston, MA; Jacquelyn M. Abbott, Exxon Mobil Corporation, The Woodlands, TX;



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Elena Kaplan, Jones Day, Atlanta, GA; Ralph E. DeJong, McDermott Will & Emery, Chicago, IL; Malcolm C. Slee, Groom Law Group Chartered, Washington, DC; Stefan P. Smith, Locke Lord LLP, Dallas, TX

5:15pm Treasury / IRS Fireside Chat. Informal “town hall” discussion with Department of Treasury and IRS representatives on topics of interest to attendees.

6:00pm Networking Reception.
Sponsored by: Practical Law

2:30PM – 3:30PM

Douglass, Level 1B

Law Student Tax Challenge Planning Meeting

Please attend this planning meeting if you would like to volunteer to help with the Law Student Tax Challenge. The Law Student Tax Challenge is an outstanding event and a great opportunity to get involved with the Young Lawyers Forum. This meeting will kick off our planning for the next Law Student Tax Challenge to be held at the 2019 Midyear Meeting, January 17-19, in New Orleans, LA. We always look for enthusiastic volunteers to assist with marketing, problem drafting, judging, day-of-competition support and more. No previous experience necessary!

2:30PM – 5:45PM

Independence G, Level 5B

State & Local Taxes

Chair: Edward J. Bernert, BakerHostetler, Columbus, OH

2:30pm Post Wynne Challenges. The fate of income tax credits and state and local tax systems. The US Supreme Court decided in *Wynne v. Maryland Comptroller of the Treasury* that Maryland had to provide its residents a credit against the local income tax for tax paid to other states. Since that time, federal and state courts around the country have cited *Wynne* and applied its analysis to challenges of many types of taxes, including state and local income taxes, corporate income taxes, motor fuel use taxes, and financial institution taxes. Local governments have also reformed their taxes in the wake of *Wynne*. This panel will report on the litigation, administrative, legislative and other efforts and issues – legal and economic, that have ensued since the Supreme Court decided *Wynne*.

Moderator: John A. Biek, Neal Gerber & Eisenberg LLP, Chicago, IL

Panelists: Professor Ruth Mason, University of Virginia School of Law, Charlottesville, VA; Timothy Noonan, Hodgson Russ LLP, New York, NY; Jaye Calhoun, Kean Miller LLP, New Orleans, LA

3:30pm The Wayfair Case and Its Potential Aftermath. The US Supreme Court has accepted the state's appeal of *South Dakota v. Wayfair, Inc.*, which asks the Supreme Court to uphold the constitutionality of the state's “factor presence” use tax nexus statute and overturn the Supreme Court's long-standing physical presence nexus standard that it established in 1967 in *National Bellas Hess, Inc. v. Department of Revenue* and reaffirmed in 1992 in *Quill Corp. v. North Dakota*. As of the date of this panel, the Supreme Court will have heard oral argument in the *Wayfair* case, but probably not have issued a decision. This panel will discuss the potential consequences of a revisiting of *Quill*, including whether remote sellers will find it as easy as the states

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argue for remote sellers to comply with the intricacies of the various state and local use tax collection rules, and whether the *Wayfair* case, however it is decided, might finally prompt Congress to enact a legislative use tax nexus standard.

Moderator: Debra Silverman Herman, Hodgson Russ LLP, New York, NY

Panelists: Joseph Bishop-Henchman, Tax Foundation, Washington, DC; Daniel Huff, US House of Representatives, Washington, DC

4:30pm **Break.** 🚫

4:45pm **SALT + Transfer Pricing.** Whether it is the transfer of semi-finished or finished tangible property, intangible property like trademarks and patents, or the provision of services, these intercompany transactions can trigger SALT issues for companies. The panelists will discuss common state tax issues that arise in the area of transfer pricing. The session will include lessons learned, taxpayer trends in this area, and guidance on how to prevent pitfalls.

Moderator: Jennifer Y. Barber, Frost Brown Todd LLC, Louisville, KY

Panelists: Clark R. Calhoun, Alston & Bird LLP, Los Angeles, CA; Chris Coffman, Frost Brown Todd LLC, Louisville, KY

3:00PM – 6:15PM

Wilson, Level 3B

Closely Held Businesses 🗣️

Chair: Shawn McIntire, Ballard Spahr LLP, Denver, CO

3:00pm **Worker Classification – the States, IRS and Department of Labor.** This panel will discuss current state worker classification issues, which are separate and distinct from the worker classification tests of the IRS and DOL. In addition, the panel will compare the IRS's and DOL's classification tests, as well as discuss both section 530 relief and the Voluntary Classification Settlement Program.

Panelists: Robb A. Longman, Longman & VanGrack LLC, Bethesda, MD; Sat Nam S. Khalsa, Khalsa Law LLC, Washington, DC; Galina "Allie" Petrova, Petrova Law PLLC, Greensboro, NC; William P. Prescott, Wickens Herzer Panza, Avon, OH

4:15pm **Break.** 🚫

4:30pm **Impact of 199A on Closely Held Businesses.** With the passage of new Section 199A of the IRC, Congress has provided the owners of flow-through tax entities with a generous tax deduction for income generated by the business. However, there are many complexities to the new rule of which tax practitioners must be aware. This panel will address those complexities, including such issues as qualifications for the deduction; how to properly calculate the deduction; how to maximize the deduction through properly structuring the business; what kinds of income and distributions will qualify; the special rules for professional entities; and many other issues. Panelists will also address the more practical issues involved with section 199A, including especially the changes that should be made to the taxpayer's governing documents and methods of accounting, and will also discuss the ABA Tax Section's submitted recommendations to the IRS regarding its possible regulations and clarifications on the section.

Panelists: Mark E. Wilensky, Meltzer Lippe Goldstein & Breitstone LLP, Mineola, NY; Elizabeth F. Stieff, Venable LLP, Baltimore, MD; J. Robert Turnipseed, Armbrecht Jackson LLP, Mobile, AL; Adam Kool, Kirkland & Ellis LLP, New York, NY



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3:00PM – 6:15PM

Constitution C, Level 3B

Court Procedure & Practice

Chair: Joshua Odintz, Baker McKenzie, Washington, DC

- 3:00pm Current Developments.** This panel will include a report from the Tax Court, discussion of significant IRS guidance and litigation, an update on Tax Division priorities, a report from Treasury, and a discussion of significant pending litigation.
Moderator: Allison De Tal, Baker & McKenzie LLP, Washington, DC
Panelists: The Honorable L. Paige Marvel, US Tax Court, Washington, DC; Travis Greaves, Deputy Assistant Attorney General, Department of Justice, Tax Division, Washington, DC; Richard Goldman, Deputy Associate Chief Counsel (Procedure & Administration), IRS Office of Chief Counsel, Washington, DC
- 3:30pm The Rise of Section 6751(b): Ghouls That Rise from the *Graev*.** This panel will focus on the repercussions and outstanding questions surrounding section 6751(b) following the Second Circuit's decision in *Chai* and the US Tax Court's recent decision in *Graev*. The panel will also discuss the basics of section 6751(b), which requires written approval of the initial determination of any penalty, and will also identify key issues that the courts, the IRS, and taxpayers may still face.
Moderator: Rebecca Stork, Eversheds Sutherland (US) LLP, Atlanta, GA
Panelists: Professor Caleb Smith, University of Minnesota Tax Clinic, Minneapolis, MN; Gregory Rhodes, Sirote & Permutt, Birmingham, AL; David Bergman, Senior Counsel, Procedure & Administration, IRS, Washington, DC
- 4:20pm Break.** 
- 4:35pm The Gathering Storm: Grappling with the Impact of Restitution Orders on Civil Tax Litigation.** In criminal cases involving tax counts, defendants being sentenced frequently wish to show remorse by paying the criminal tax loss prior to sentencing. These payments generally predate any actual civil tax determinations, let alone an IRS assessment. To allow the IRS to assess and collect an amount of restitution as if such amount were tax, Congress, in 2010, amended section 6201(a)(4). The result was that sentencing district court judges could now issue Restitution Orders permitting immediate assessment of the tax loss amount by IRS. Such orders are final and cannot be changed absent going back to the sentencing court. But tax loss for sentencing is not synonymous with deficiency for tax assessment purposes. The fact that these orders cannot be modified on a later audit based on actual tax owed, or compromised for lack of collectability, presents significant challenges for the civil tax representative. Cases decided by the Tax Court like *Klein v. Commissioner* illustrate the problem. This panel will explore the nature of these problems and possible solutions.
Moderator: Arielle Borsos, Caplin & Drysdale, Washington, DC
Panelists: Rich Sapinski, Sills Cummins & Gross, Newark, NJ; Caroline D. Ciraolo, Kostelanetz & Fink, Washington, DC, LuAnn Dominguez, Gunster LLP, Ft. Lauderdale, FL; Thomas Curteman, Branch Chief, Procedure & Administration, IRS, Washington, DC; The Honorable Albert G. Lauber, US Tax Court, Washington, DC
- 5:25pm Give It Away Now: An Update on Conservation Easements, Charitable Deductions and Substantial Compliance.** In late 2016, the IRS issued Notice 2017-10 identifying certain syndicated conservation easements as listed transactions. The past two years the US Tax Court has issued division opinions, *Cave Buttes v.*

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Commissioner and RERI Holdings I v. Commissioner, presenting differing views on the substantial compliance doctrine for deductible charitable donations. The panel will discuss these developments for deductible charitable gifts, the relationship between the two, and recent cases.

Moderator: Kathy Keneally, Jones Day, New York, NY

Panelists: Ronald Levitt, Sirote & Permutt, Birmingham, AL; Frank Agostino, Agostino & Associates, Hackensack, NJ; Anson Asbury, Asbury Law Firm, Decatur, GA

3:00PM – 5:00PM

Tiber Creek, Level 1B

Diversity

Chair: Jairo Cano, E-Trade Financial, Jersey City, NJ

3:00pm Tax Implications of Reverse Mortgages on Senior Citizens. Senior citizens with limited, fixed incomes often turn to reverse mortgages to stay afloat. Though advertised as an easy way to access money from your home, these financial products are actually quite risky and can have devastating consequences; even a minor property tax delinquency can quickly lead to reverse mortgage foreclosure. This panel will provide an overview of reverse mortgages, discuss common complaints from a consumer perspective, explore their use at state and local levels in various jurisdictions, and examine their tax consequences on taxpayers.

Moderator: Eunkyong Choi, Office of the Taxpayer Advocate, New York City Department of Finance, New York, NY

Panelists: Susanna Ratner, Senior Law Center, Philadelphia, PA; Joanne Savage, AARP Legal Counsel for the Elderly, Washington DC; Christina Glendening, IRS Office of Chief Counsel (Income Tax & Accounting), Washington, DC; Stacy Canan, Office of Older Americans, Consumer Financial Protection Bureau, Washington, DC

4:00pm Section 162(q): Deductions For Sexual Harassment Settlements and Related Attorney's Fees After the 2017 Tax Act. The 2017 Tax Act added section 162(q) to the Code. This new provision denies deductions for any settlement or payment related to sexual harassment or sexual abuse if that settlement or payment is subject to a nondisclosure agreement and for any related attorney's fees. This panel will provide an overview of the new provision, discuss some of the challenges in its implementation, and explore its impact on current employer practices.

Moderator: Camille Edwards-Bennehoff, Law Clerk, US Tax Court, Washington, DC

Panelists: Renay France, IRS Office of Chief Counsel (Income Tax & Accounting), Washington, DC; Ryan M. Session, Eversheds Sutherland, Washington, DC; Elizabeth Erickson, McDermott Will & Emery, Washington, DC

3:00PM – 5:45PM

Independence E, Level 5B

Financial Transactions

Chair: Michael B. Shulman, Shearman & Sterling LLP, New York, NY

3:00pm Debt Restructurings in Response to the 2017 Tax Act. This panel will discuss why debtors may wish to restructure their outstanding debt in response to various provisions of the 2017 Tax Act and the tax issues that should be addressed in connection with such restructurings.

Moderator: Michael Shulman, Shearman & Sterling, New York, NY

Panelists: Michael Yagmour, EY, Washington, DC; Elena Romanova, Latham & Watkins, New York, NY



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- 4:00pm Proposed Regulations Under Sections 954 and 988.** The panel will discuss proposed regulations pertaining to (1) guidance on the treatment of foreign currency gain or loss of a CFC under the business needs exception and the hedge timing rule, and (2) a new mark-to-market election for Section 988 transactions.
Moderator: David Shapiro, PwC, Washington, DC
Panelists: Chip Harter, Deputy Assistant Secretary, Department of Treasury, Washington, DC; Michael Mou, Deloitte, Washington, DC
- 5:00pm Issues Involving New Section 163(j).** This panel will examine section 163(j), as amended by 2017 Tax Act and Notice 2018-28 and discuss the unanswered questions, pitfalls, and planning considerations for taxpayers, including partnerships.
Moderator: John T. Lutz, McDermott Will & Emery LLP, New York, NY
Panelists: Eric Sloan, Gibson Dunn & Crutcher, Washington, DC; Peter Connors, Orrick Herrington & Sutcliffe, New York, NY

3:00PM – 5:45PM

McPherson Square, Level 5B

Insurance Companies

Chair: M. Kristan Rizzolo, Eversheds Sutherland (US) LLP, Washington, DC

- 3:00pm Litigating an Insurance Case in Tax Court.** This panel will provide judges' perspectives on best practices for trying an insurance tax case in the US Tax Court.
Moderator: Susan Seabrook, Eversheds Sutherland, Washington, DC
Panelists: The Honorable Albert Lauber, US Tax Court, Washington, DC; The Honorable Mark Holmes, US Tax Court, Washington, DC
- 4:30pm A Discussion Regarding Tax Reform Implementation.** This panel will discuss implementation issues related to the 2017 Tax Act. The panel will focus on questions about the interpretation of the insurance specific provisions, the application of the general provisions to insurance companies, and the identification of the guidance needed by insurance companies in order to implement the new rules.
Moderator: Lori Robbins, KPMG, Washington, DC
Panelists: Howard Stecker, EY, New York, NY; Brenda Viehe-Naess, Washington Advocates Group, Washington, DC; Pete Bautz, American Council of Life Insurers, Washington, DC; Alexis MacIvor, Office of Chief Counsel, FIP, Insurance Branch, Washington, DC

3:00PM – 5:45PM

Constitution B, Level 3B

Partnerships & LLCs

Chair: Professor Noel P. Brock, Eastern Michigan University, Ann Arbor, MI

- 3:00pm Code Section 199A.** This panel will discuss the application of section 199A to partnerships and their partners.
Moderator: Glenn Dance, Grant Thornton LLP, Washington, DC
Panelists: David H. Schnabel, Davis Polk & Wardwell LLP, New York, NY; Audrey Ellis, Attorney-Advisor, Office of Tax Legislative Counsel, Department of Treasury, Washington, DC (Invited); Wendy L. Kribell, Office of Associate Chief Counsel (Passthroughs & Special Industries), IRS Office of Chief Counsel, Washington, DC (Invited)

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- 3:40pm Code Section 163(j).** This panel will discuss the implications of section 163(j) to partnerships and their partners.
Moderator: Craig Gerson, PwC, Washington, DC
Panelists: Eric B. Sloan, Gibson Dunn & Crutcher LLP, New York, NY; Bryan Rimmke, Attorney-Advisor, Office of Tax Legislative Counsel, Department of Treasury, Washington, DC (Invited); Meghan Howard, Office of Associate Chief Counsel (Passthroughs & Special Industries), IRS Office of Chief Counsel, Washington, DC (Invited)
- 4:35pm Who's the "Taxpayer"?** This panel will discuss whether certain provisions of the Code result in a partnership being a "taxpayer" and the potential implications of such a result.
Panelists: David Franklin, EY, New York, NY; Jennifer A. Ray, Crowell & Moring LLP, Washington, DC; Bryan Rimmke, Attorney-Advisor, Office of Tax Legislative Counsel, Department of Treasury, Washington, DC (Invited)
- 5:05pm Application of Section 1061: The Quest for Congressional Intent.** This panel will consider the application of section 1061 to profits interests received in a variety of circumstances. We will explore the scope of the new three-year holding period requirement, the definition of an "applicable partnership interest," what profits interests are excluded, and related party transfers.
Moderator: James B. Sowell, KPMG, Washington, DC
Panelists: Michael A. Scaramella, Deloitte Tax LLP, Chicago, IL; Faith P. Colson, Office of Associate Chief Counsel (Passthroughs & Special Industries), IRS Office of Chief Counsel, Washington, DC (Invited)

3:00PM – 5:45PM

Renwick, Level 3B

Tax Accounting

Chair: David Auclair, Grant Thornton LLP, Washington, DC

- 3:00pm Current Developments.** This panel will review recent developments in the area of tax accounting since the Section of Taxation meeting held in San Diego, CA, in February. The panel will also discuss ongoing projects and anticipated guidance, with commentary and input from our guests from the IRS and Department of Treasury.
Moderator: Selvan Boominathan, Cohn Reznick LLP, Bethesda, MD
Panelists: Michael Resnick, Eversheds Sutherland LLP, Washington, DC; Ellen Martin, Tax Policy Advisor, Office of Tax Policy, Department of Treasury, Washington, DC; Scott Dinwiddie, Associate Chief Counsel, Income Tax & Accounting, Washington, DC
- 3:30pm Domestic Tax Reform.** This panel will discuss various domestic provisions of the 2017 Tax Act that impact the tax accounting area. The panel will also discuss recent guidance issued that impacts the implementation and application of the 2017 Tax Act.
Moderator: Jason Black, PwC, Washington, DC
Panelists: Ellen McElroy, Eversheds Sutherland LLP, Washington, DC; Natalie Tucker, Legislative Tax Accountant, Joint Committee on Taxation, Washington, DC; Brinton Warren, Special Counsel, Income Tax & Accounting, Office of Associate Chief Counsel, IRS, Washington, DC; Karla Meola, Special Counsel, Income Tax & Accounting, Office of Associate Chief Counsel, IRS, Washington, DC



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- 4:15pm International Tax Reform.** This panel will discuss various international provisions of the 2017 Tax Act that are impacted by the tax accounting area. The panel will also discuss recent guidance issued that impacts the implementation and application of the 2017 Tax Act.
Moderator: Alison Evans, Deloitte LLP, New York, NY
Panelists: Christine Turgeon, PwC, New York, NY; Brenda Zent, Special Advisor on International Taxation, Office of International Tax, Washington, DC; Jeffery Mitchell, Branch Chief, Branch 2, Office of Associate Chief Counsel, International, Washington, DC
- 5:00pm Revenue Recognition Comparison Between ASC 606 and Section 451.** As taxpayers begin to adopt the new accounting standards for revenue recognition in ASC 606, one of the issues to be considered is the difference between these new standards and the revenue recognition methods for tax and the impact of the changes under section 451. The panel will build on the revenue recognition panel held during the Tax Accounting Committee's last meeting in San Diego, CA, by continuing to discuss a comparison of revenue recognition methods between ASC 606 and new rules under section 451, including any additional guidance released for taxpayers implementing tax accounting method changes as a result of the new standard and change in tax law.
Moderator: Ryan Corcoran, RSM LLP, Madison, WI
Panelists: Carol Conjura, KPMG, Washington, DC; Ellen Martin, Tax Policy Advisor, Office of Tax Policy, Department of Treasury, Washington, DC; Heather Harman, Legislative Tax Accountant, Joint Committee on Taxation, Washington, DC; Norma Rotunno, Branch Chief, Branch 1, Income Tax & Accounting, Office of Associate Chief Counsel, IRS, Washington, DC; Charles Gorham, Senior Attorney, Branch 1, Income Tax & Accounting, Office of Associate Chief Counsel, IRS, Washington, DC; Peter Ford, Senior Attorney, Branch 2, Income Tax & Accounting, Office of Associate Chief Counsel, IRS, Washington, DC

3:00PM – 6:15PM

Farragut Square, Level 5B

Tax Collection, Bankruptcy & Workouts

Co-Sponsored by: Civil & Criminal Tax Penalties and Pro Bono & Tax Clinics

Chair: Christin Bucci, Bucci Law Offices, Fort Lauderdale, FL

- 3:00pm Collection of Title 26 International Penalties.** Many penalties resulting from failing to report foreign income and assets are assessable (i.e., the deficiency procedures do not apply). This panel will discuss the procedures that apply after the IRS Examination Division assesses or proposes an assessment of a penalty for failing to report foreign income or assets. The panelists will explain the options available to contest and/or compromise the international penalties under Title 26, including accelerated appeals, collection due process hearings, collection alternatives, and Tax Court litigation. Among the penalties to be covered are international information return penalties, accuracy-related penalties due to undisclosed foreign financial asset understatements, and the fraud penalty.
Moderator: Frank Agostino, Agostino & Associates PC, Hackensack, NJ
Panelists: Chaya Kundra, Kundra & Associates, Rockville, MD; Charles Pillitteri, Assistant Division Counsel, IRS Office of Chief Counsel, Washington, DC

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4:00pm Collection Abroad – Passport Revocation and Beyond. This panel will explain what to expect once the IRS certifies tax debts to the State Department, and options to challenge the revocation of clients' passports. The panelists will also discuss other collection devices available to the Government to collect taxes from abroad, including: writ ne exeat republica actions and customs or prevent departure orders; levies on domestic branches of a financial institution; repatriation orders; and mutual collection assistance requests under applicable treaties.

Moderator: Christin Bucci, Bucci Law Offices, Fort Lauderdale, FL

Panelist: Dennis N. Brager, Brager Tax Law Group, Los Angeles, CA; Eric P. Benson, Branch Chief, IRS Office of Associate Chief Counsel (Procedure & Administration), Washington, DC; Nathaniel B. Parker, IRS Office of Associate Chief Counsel (International) Washington, DC; Wm. Robert Pope, White & Reasor, Nashville, TN

5:00pm Break for Tax Section Pro Bono Presentation. 

5:15pm Collection of Title 31 International Penalties. With the increase in international enforcement efforts and heightened focus on anti-money laundering and anti-tax evasion, individuals and entities are finding themselves subject to substantial civil penalties for failing to report foreign financial accounts and other violations of the Bank Secrecy Act. This panel will review the Title 31 international penalties, the methods by which the United States can collect such penalties, available defenses, and best practices for pursuing collection alternatives.

Moderator: Caroline D. Ciruolo, Kostelanetz & Fink LLP, Washington, DC

Panelists: Sandra R. Brown, Hochman Salkin Rettig Toscher & Perez PC, Beverly Hills, CA; Jeremy N. Hendon, Department of Justice, Tax Division, Washington, DC; Niles Elber, Caplin & Drysdale Chartered, Washington, DC; Charles Pillitteri, IRS Office of Chief Counsel, Washington, DC

3:00PM – 5:45PM

Burnham, Level 3B

Tax Exempt Financing 

Chair: Todd Cooper, Locke Lord LLP, Cincinnati, OH

3:00pm Legislative, IRS, and Treasury Update. This panel will discuss (i) recent legislative proposals, (ii) recent guidance for tax-exempt bonds including (a) the recently Revenue Procedure 2018-26 which provides remedial action rules for tax credit bonds and supplements the remedial action regulations for tax-exempt bonds, (b) PLR 201811009 which determined that tax-exempt bonds issued by a nonprofit health care system to purchase a university's academic medical center was not a refunding, (iii) PLR 201816007 which, citing Shamberg, determined that a county health district with eminent domain powers and whose board is appointed by the county governing board is a political subdivision under Reg. § 1.103-1(b), (iv) the status of the request for guidance on the issuance of tax exempt bonds to refund bonds that are not tax-advantaged, (v) the effect of the Budget Bill on sequestration



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and what happens on October 1, 2018, and (vi) the IRS implementation of guidance necessitated by the 2017 Tax Act (H.R. 1) and the role of the IRS' internal Tax Reform Implementation Office ("TRIO") in providing that guidance.

Moderator: Todd Cooper, Locke Lord LLP, Cincinnati, OH

Panelists: John Cross, Associate Tax Legislative Counsel, Office of Tax Policy, Department of Treasury, Washington, DC; Vicky Tsilas, Branch Chief, Financial Institutions and Products, IRS Office of Chief Counsel, Washington, DC; Telly Meier, Field Operations Manager, Indian Tribal Governments/Tax-Exempt Bonds, IRS, Washington, DC

4:00pm Tax Reform Fallout. This panel will explore the latest thinking about (i) the refunding of Build America Bonds, (ii) the issues raised by "Cinderella" Bonds including reissuance and issue price questions, (iii) other structures to benefit issuers and borrowers who can no longer advance refund, such as detachable call options, and (iv) proposals to reinstate advance refundings while paying Treasury for the cost of the "double subsidy."

Moderator: Chas Cardall, Orrick Herrington & Sutcliffe LLP, San Francisco, CA

Panelist: Carol Lew, Stradling Yocca Carlson & Rauth PC, Newport Beach, CA

4:45pm Economic Development Bonds After the 2017 Tax Act. The 2017 Tax Act cut a wide swath through the federal tax law. Many of those provisions, while not directly affecting tax-exempt bonds, nonetheless affect the way development projects will be structured. This panel will discuss the potentially positive and negative impacts of some of the new rules regarding depreciation, historic tax credits, low income housing tax credits, Opportunity Zones, etc.

Moderator: Linda Schakel, Ballard Spahr LLP, Washington, DC

Panelist: Matthias Edrich, Kutak Rock LLP, Denver, CO; Stefano Taverna, McCall Parkhurst & Horton LLP, Dallas, TX

5:15pm The Multipurpose Allocation Rules Still Have an Impact. While advance refundings are no longer permitted as a result of the 2017 Tax Act, the multipurpose allocation rules in Treas. Reg. § 1.148-9 still have meaning (i) in analyzing the \$15M limit in section 141(b)(5) of the Code, (ii) in making allocations between AMT and non-AMT bonds in airport and seaport financings, and (iii) in analyzing private business use under Treas. Reg. 1.141-13. This panel will discuss the remaining importance of the multipurpose allocation rules.

Moderator: Mark Norell, Norton Rose Fulbright US LLP, New York, NY

Panelists: Darren McHugh, Stradling Yocca Carlson & Rauth PC, Denver, CO; David Cholst, Chapman and Cutler LLP, Chicago, IL; Scott Lilienthal, Hogan Lovells US LLP, Washington, DC

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3:00PM – 4:30PM

Independence C, Level 5B

Teaching Taxation 

Chair: Professor Kerry Ryan, Saint Louis University, Saint Louis, MO

3:00pm The Tax Consequences of Initial Coin Offerings. Initial Coin Offerings (ICOs) are an increasingly popular form of crowdfunding using cryptocurrencies. In an ICO, a fundraiser issues digital tokens the ownership of which is recorded on a decentralized ledger, in exchange for cryptocurrencies or fiat money. The digital token may represent various types of interests, such as interest in the capital, profits, or future products and services of the issuer. ICOs raise a host of unique federal tax issues for both issuers and investors. To date, the IRS has not addressed the tax treatment of ICOs. This program will bring together panelists from the cryptocurrency industry, the legal profession, and government to address the nature of ICOs, the tax questions they raise, and possible government responses to such questions.

Moderator: Professor Kerry Ryan, Saint Louis University, Saint Louis, MO

Panelists: Peter Van Valkenburgh, Coin Center, Washington, DC; Lucy W. Farr, Davis Polk & Wardwell LLP, New York, NY; Bridget Tombul, Branch Chief, IRS Office of Chief Counsel, Washington, DC; James Beatty, Attorney, IRS Office of Chief Counsel, Washington, DC

3:00PM – 5:00PM

Independence A West, Level 5B

US Activities of Foreigners & Tax Treaties 

Chair: Jason S. Bazar, Mayer Brown LLP, New York, NY

3:00pm Inbound Issues Related to Tax Reform. The panel will explore the guidance on the implementation of the 10% withholding that is now required on the sale of partnership interests, and what might be coming down the pike. Given the withholding, the panel will also explore current issues with the use of blockers – will the AET be an issue? In addition, the panel will explore the impact of the repeal of Section 958(b)(4) (attribution to US persons) on inbound debt and equity financings - creations of CFCs, SFCs, and denial of portfolio interest exceptions.

Moderator: Joan C. Arnold, Pepper Hamilton LLP, Philadelphia, PA

Panelists: Robert Cassanos, Fried Frank Harris Shriver & Jacobson LLP, New York, NY; Lori Hellkamp, Jones Day, Washington, DC; Scott A. Harty, Alston & Bird LLP, Atlanta, GA; Subin Seth, IRS Office of Associate Chief Counsel (International), Washington, DC; Daniel Winnick, Attorney Advisor, Office of International Tax Counsel, Department of Treasury, Washington, DC

4:00pm A Disturbance in the Force? In December 2017, major US trading and tax treaty partners raised concerns that pending US tax legislation would lead to “distortions in the international tax consensus.” This panel will explore how well new US international tax rules fit with existing US treaty obligations, potential changes anticipated by the 2016 US Model Income Tax Convention and other aspects of “the international tax consensus” (presumably reflected in BEPS, the Multilateral Instrument and the 2017 OECD Model) and how taxpayers should take these considerations into account in their tax planning.

Moderator: Professor Patricia Brown, University of Miami, Coral Gables, FL

Panelists: Heather Ripley, Alston & Bird LLP, New York, NY; Brian Jenn, Attorney Advisor, Office of International Tax Counsel, Department of Treasury, Washington, DC



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4:00PM – 5:30PM

Declaration, Level 1B

Young Lawyers Forum  

Chair: Clayton Collins, PwC, Washington, DC

4:00pm Are Some Groups More Equal Than Others?  Throughout the Code, Congress has formulated the concept of a "group" in various (and sometimes confusing) ways. This panel will explore some of the definitional differences between controlled groups, affiliated groups, and expanded affiliated groups. This panel also will provide some insights into how these definitional differences can impact planning for various provision to which these group concepts are relevant.

Moderator: Kandyce Korotky, Covington & Burling, Washington, DC

Panelists: Bill Alexander, Skadden, Washington, DC; Sarah Hoyt, PwC, Washington, DC; Tim Nichols, KPMG, Washington, DC

Sponsored by: University of San Francisco School of Law

4:30PM – 5:30PM

Banneker, Level 1B

Publications 

Chair: Julie A. Divola, Pillsbury Winthrop Shaw Pittman LLP, San Francisco, CA

5:45PM – 6:30PM

Independence I, Level 5B

Foreign Activities of US Taxpayers Business Meeting 

5:45PM – 6:30PM

Banneker, Level 1B

Foreign Lawyers Forum Business Meeting 

5:45PM – 6:30PM

Douglass, Level 1B

Transfer Pricing Business Meeting 

5:45PM – 6:30PM

Independence H, Level 5B

US Activities of Foreigners & Tax Treaties Business Meeting 

6:45PM – 7:45PM

Independence A, Level 5B

Section Reception   *(Ticketed Event)*

Hosted by the Diversity Committee and Young Lawyers Forum

Sponsored by: Bloomberg Tax

8:00PM – 10:00PM

Bobby Van's, 1201 New York Ave. NW

Joint International Committees Dinner  *(Reservation Required)*

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7:15AM – 8:15AM

Penn Quarter, Level 1B

Sponsored Program

Breakfast Forum Presented by the US Virgin Islands Economic Development Authority  **US Federal Corporate Tax Incentive Programs in the US Virgin Islands – Overview and Updates for 2018**

This breakfast forum will focus on the unique benefits of the US Virgin Islands Economic Development Commission Tax Incentive and how businesses can leverage this program. The Commission offers a unique and attractive tax incentive program for companies locating in the USVI. This is a competitive off-shore tax benefit program that is sanctioned by the U.S. Government through an Act of Congress under the Internal Revenue Code. We will also address the US Virgin Islands Mirror Tax Code and key updates in 2018 as they relate to the Federal tax reform.

Speaker: Wayne Biggs, CEO, US Virgin Islands Economic Development Authority and Marvin Pickering, Director, US Virgin Islands Bureau of Internal Revenue

7:15AM – 8:30AM

Independence A, Level 5B

Real Estate, Partnerships & LLCs and S Corporations “Shop Talking” Breakfast  (Ticketed Event)

Members of the Real Estate, Partnerships & LLCs and S Corporations Committees will gather for the traditional “open mic” breakfast to share ideas and war stories and to seek input on technical issues.

7:30AM – 9:00AM

McPherson Square, Level 5B

ACTC Fellows Breakfast  (ACTC Members and Guests)

Speaker: Marjorie A. Rollinson, Associate Chief Counsel, Office of Associate Chief Counsel (International), IRS, Washington, DC

7:30AM – 8:30AM

Independence G, Level 5B

Tax Practice Management  

Chair: Jeffrey K. Gonya, Venable LLP, Baltimore, MD

7:30am Don't Become the Wolf of Crypto Street.  Cryptocurrencies, such as Bitcoin, have reached the mainstream, and businesses raised over \$7 billion in capital through Initial Coin Offerings (“ICOs”) during 2017. This session will offer a primer on what cryptocurrencies and ICOs are, and then address the tax implications of creating, acquiring, holding, and using cryptocurrencies. The session will also address ethical considerations in advising clients on the uncertain application of existing laws and regulations to avoid possible pitfalls or questionable practices.

Panelists: Christopher Murrer, Baker & McKenzie, Zurich, Switzerland; Peter Mitchell, Baker & McKenzie, Zurich, Switzerland

7:45AM – 9:15AM

Renwick, Level 3B

Court Procedure & Practice Committee Breakfast  (Ticketed Event)

8:00AM – 11:45AM

Constitution E, Level 3B

Corporate Tax 

Chair: Kathleen Ferrell, Davis Polk & Wardwell LLP, New York, NY

8:00am Current Developments in Corporate Tax. This panel will address new developments in administrative guidance including Notice 2018-28 and other guidance relating to the 2017 Tax Act.

Moderator: Jay M. Singer, McDermott Will & Emery LLP, Washington, DC



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Panelists: Kara L. Mungovan, Cravath Swaine & Moore LLP, New York, NY; William D. Alexander, Skadden Arps Slate Meagher & Flom LLP, Palo Alto, CA; Robert H. Wellen, Associate Chief Counsel (Corporate), IRS, Washington, DC

9:00am **How the 2017 Tax Act Changes the M&A Playbook: Part I – Transactions with Third Parties.** This panel will address how the 2017 Tax Act may change what you think you know about M&A transactions, including the impact of the new expensing rules on the structure of transactions, the impact of GILTI and other new international rules on sales/acquisitions of CFCs, the impact of amended section 163(j) on financing, including where to locate debt.

Moderator: Robert M. Gordon, True Partners Consulting, Chicago, IL

Panelists: Mark Hoffenberg, KPMG LLP, Washington, DC; David H. Schnabel, Davis Polk & Wardwell LLP, New York, NY; Krishna Vallabhaneni, Deputy Tax Legislative Counsel, Office of Tax Policy, Department of Treasury, Washington, DC

10:15am **Break.** ☕

10:30am **How the 2017 Tax Act Changes the M&A Playbook: Part II – Post Acquisition Planning and Internal Restructuring.** This panel will review the impact of 2017 Tax Act provisions on integration planning to maximize value and avoid traps for the unwary, explore the issues and uncertainties related to attributes raised in the context of internal planning, and discuss considerations for future guidance.

Moderator: Karen Gilbreath Sowell, EY, Washington, DC

Panelists: Kimberly S. Blanchard, Weil Gotshal & Manges LLP, New York, NY; John Harrell, GE Capital, Norwalk, CT; Brian Reed, EY, Washington, DC; Brett York, Attorney-Advisor, Office of Tax Legislative Counsel (Tax Policy), Department of Treasury, Washington, DC

8:30AM – 11:45AM

Constitution B, Level 3B

Employee Benefits ☑️📄

Chair: Professor Kathryn J. Kennedy, The John Marshall Law School, Chicago, IL

8:30am **Is Blockchain the New Benefit Panacea?** Blockchain has been touted as a game-changer to both reform retirement plan recordkeeping and protect consumers from counterfeit prescription drugs. This panel will answer such pressing questions as "What is blockchain?", "How could blockchain revolutionize the delivery of benefits?", and most importantly, "How can I get my arms around blockchain before my clients ask me their first blockchain question?"

Moderator: Erin Sweeney, Miller & Chevalier Chartered, Washington, DC

Panelists: John C. Eustice, Miller & Chevalier Chartered, Washington, DC; Dirk Rodgers, Systech, Princeton, NJ

9:30am **Break.** ☕

9:45am **Fringe Benefits After Tax Reform: No More Free Lunch?** The 2017 Tax Act made a number of significant changes to both the employer and employee tax treatment of many fringe benefits commonly used by employers to incentivize employees and also revamped the deductibility of meal and entertainment expenses. This panel will

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explore the changes made to transportation benefits, moving expenses, meals and entertainment and employee achievement awards, as well as the new employer paid leave credit.

Moderator: Martha N. Steinman, Hogan Lovells US LLP, New York, NY

Panelists: Anne G. Batter, Baker & McKenzie LLP, Washington, DC; Lynne Camillo, Chief, Employment Tax Branch 2, Tax Exempt and Government Entities Division, IRS Office of Chief Counsel, Washington, DC (Invited); Syd Gernstein, Chief, Employment Tax Branch 1, Tax Exempt and Government Entities Division, IRS Office of Chief Counsel, Washington, DC (Invited); Kurt Lawson, Hogan Lovells US LLP, Washington, DC; Veena Murthy, Legislation Counsel, Joint Committee on Taxation, Washington, DC

Co-Sponsored by: Employment Taxes

10:45am Social Media Policies for Law Firms. 🏊 Whether your firm has jumped into the social media waters with both feet, or you are being dragged kicking and screaming to the side of the pool, you need a social media policy. And, ideally, it should be in place before the first Twitter tweet or re-posting of funny cats. This panel will provide you with guidelines and directives for the implementation of simple and direct policies for employees to follow for appropriate online behavior and also outline consequences for inappropriate behavior. We will consider and discuss tools for the creation and maintenance of social media sites, use of work time and work devices for the access and use of same, ways to protect client confidentiality, to respond to negative feedback, the provision of legal advice and other privacy concerns.

Moderator: Bret Hamlin, Hill Ward Henderson, Tampa, FL

Panelists: George R. Clark, Washington, DC; Michael E. McCabe Jr., McCabe Law LLC, Washington, DC; Tracy L. Kepler, ABA Center for Professional Responsibility, Chicago, IL

8:30AM – 11:45AM

Declaration, Level 1B

Fiduciary Income Tax 🗣️

Chair: Stacey Delich-Gould, Capital Group Private Client Services, New York, NY

8:30am Current Developments. Cathy Hughes will update the committee on developments within the Treasury and the Service and Nolan and AK will review current developments in fiduciary income tax.

Panelists: Catherine V. Hughes, Office of Tax Policy, Department of Treasury, Washington, DC; Nolan A. Moulle III, Northern Trust, Houston, TX; Anna Katherine (AK) Moody, Venable LLP, Washington, DC

8:55am Trials and Tribulations of New Section 199A. This session will explore the new section 199A (20% deduction for passthrough businesses) with a primary focus on definitional & computational issues for individuals, estates, and trusts.

Panelists: David Kirk, EY, Washington, DC; Adrienne Mikolashek, Passthroughs and Special Industries, IRS Office of Chief Counsel, Washington, DC

9:50am Break. 🚫

10:05am Putting It On & Taking It Off: Managing Tax Basis Today for Tomorrow. The management and creation of tax basis is the most important planning issue today and in the future, now that "tax reform" has been enacted. This presentation will discuss innovative tax basis management techniques that strip, shift, create, concentrate, and maximize basis where it can be of most benefit to taxpayers. The



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discussion will include upstream planning, powers of appointment to create basis, using leverage, partnerships to move basis to where you want it, and planning that benefits charity while capturing new basis for the family.

Panelist: Paul Lee, Northern Trust, New York, NY

10:55am Uniform Decanting: Coming Soon to a Legislature Near You? In light of the growing number of state legislatures enacting or considering the enactment of the Uniform Trust Decanting Act, this session will review basic features of the Act and will also provide a discussion on possible income tax consequences of trust decanting, including changes in grantor trust status and recognition of gain.

Panelists: Sarah Kahl, Venable LLP, Baltimore, MD; Stephanie R. Dourado, Yates Campbell & Hoeg LLP, Fairfax, VA

8:30AM – 10:30AM

Farragut Square, Level 5B

LLCs and LLPs Subcommittee of Partnerships & LLCs Roundtable Discussion

Chair: J. Leigh Griffith, Waller Lansden Dortch & Davis LLP, Nashville, TN

8:30am New Partnership Audit Rules – No Longer a Theoretical Exercise. Discussion of the new rules in light of the technical corrections of the Consolidated Appropriations Act, 2018 (“Consolidated Act”). The Consolidated Act largely provides a statutory base for already issued proposed regulations and provides for a “pull-in” mechanism for adjusting the imputed underpayment. In the case of a partnership that does not make a push-out election and fails to pay the imputed underpayment, the Adjustment Year Partners are liable. The role and decision making process of the Partnership Representative needs to be carefully considered and addressed.

Panelists: Robert E. Box Jr., Jones Walker LLP, Jackson MS; J. Leigh Griffith, Waller Lansden Dortch & Davis LLP, Nashville, TN

9:30am Roundtable Discussion of 199A. This will be a continuation of the panel “Choice of Entity Under the 2017 Tax Act” presented on Friday at the S Corporations Committee. The discussion will attempt to look at some real world scenarios and how 199A might apply.

Panelists: Brad Gould, Dean Mead, Fort Pierce, FL; Laura E. Krebs Al-Shathir, Capes Sokol Goodman & Sarachan PC, St. Louis, MO; Thomas J. Nichols, Meissner Tierney Fisher & Nichols, Milwaukee, WI; J. Leigh Griffith, Waller Lansden Dortch & Davis LLP, Nashville, TN

8:30AM – 11:45AM

Wilson, Level 3B

Pro Bono & Tax Clinics

Chair: Christine Speidel, Vermont Legal Aid, Springfield, VT

8:30am Update from the Tax Court. Chief Special Trial Judge Lewis R. Carluzzo will bring to the committee the Court’s annual update on cases, rules and administrative practices at the Tax Court that impact practitioners representing low-income taxpayers.

Panelist: The Honorable Lewis R. Carluzzo, Chief Special Trial Judge, US Tax Court, Washington, DC

9:00am Taxpayer Rights: To What End (Part 2). In 2014, IRS adopted a taxpayer bill of rights and in 2015 Congress codified those rights by requiring that the Commissioner ensure that IRS employees are familiar with and act in accord with those rights. IRC § 7803(a)(3). In this panel, we will consider how taxpayer rights relate to common situations involving taxpayers interacting with the IRS, including in the context of

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collection cases and cases involving taxpayers claiming the earned income tax credit. The panel will also consider insights from the Third International Taxpayer Rights Conference and the role of the Purple Book, a new addition to the National Taxpayer Advocate's annual report to Congress that highlights legislative recommendations that would, if enacted, strengthen taxpayer rights and improve tax administration. This is the second of a two-part panel and is cosponsored by the Tax Clinics and Pro Bono Committee and the Individual & Family Tax Committee. Part One, which will consider the use of taxpayer rights provisions more generally, will be held Friday morning as part of the Individual & Family Tax Committee.

Moderator: Professor Leslie Book, Villanova University Widger School of Law, Villanova, PA

Panelists: Frank Agostino, Agostino & Associates PC, Hackensack, NJ; Susan Morgenstern, Local Taxpayer Advocate, Taxpayer Advocate Service, Cleveland, OH; Nina E. Olson, National Taxpayer Advocate, Washington, DC; Anna Tavis, Brooklyn Legal Services, Brooklyn, NY

Co-Sponsored by: Individual & Family Tax

10:30am **Break.** ☕

10:45am **Advanced Lien Issues for Low-Income Taxpayer Representatives.** Panelists will provide an overview of nominee and transferee liability for federal tax debts, provide tips for spotting potential federal tax lien problems, and discuss the interplay of these issues with common low-income taxpayer cases including innocent spouse.

Moderator: Christine Speidel, Vermont Legal Aid, Springfield, VT

Panelists: Timothy L. Jacobs, Hunton & Williams LLP, Washington, DC; Robert E. McKenzie, Saul Ewing Arnstein & Lehr LLP, Chicago, IL; Nathan B. Rosen, IRS Office of Chief Counsel (Procedure & Administration), Washington, DC

Co-Sponsored by: Tax Collections, Bankruptcy & Workouts

8:30AM – 11:45AM

Independence I, Level 5B

Sales, Exchanges & Basis ☑ ★

Chair: Alan S. Lederman, Gunster, Fort Lauderdale, FL

8:30am **Current Developments Relating to Sales, Exchanges & Basis.** ★ Panelists review recent case law and guidance on traditional sale, exchange, and basis issues, and section 1031 developments.

Panelists: Rafi W. Mottahedeh, Jenner & Block LLP, Chicago, IL; David Shechtman, Drinker Biddle & Reath LLP, Philadelphia, PA

9:00am **The Tax Exemption for Small Business Stock is Big Business.** Individuals, including individual investors in venture capital funds, may be entitled under section 1202 to exclude from tax up to \$10 million of their gain on sale of stock acquired at original issue from a domestic C corporation, if that C corporation's aggregate gross assets immediately after the stock issuance did not exceed \$50 million (based on tax basis), and if that corporation has carried on a qualifying active business (as defined in the Code). Additional gain may be eligible for deferral under section 1045 by rollover into other qualified small business stock. Panelists will discuss how section 1202 fits into the C corp. vs. pass-through choice-of-entity decision, and point out planning techniques for qualifying for and utilizing the section 1202 exclusion and section 1045 roll-over benefits.

Moderator: Stuart J. Kohn, Levenfeld Pearlstein LLC, Chicago, IL



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Panelists: Caryn I. Friedman, EY, Washington, DC; Matthew E. Rappaport, New York, NY; Scott Dinwiddie, Associate Chief Counsel, IRS – Income Tax & Accounting, Washington, DC

9:45am **Break.** ☕

10:00am **Capital Gain or Loss, Without a Sale or Exchange? Perhaps, Under Section 1234A.** Section 1234A has become a tool for the IRS to treat as capital losses payments by taxpayers, such as termination fees paid by businesses relating to capital assets they failed to acquire. Conversely, section 1234A has become a tool for the IRS to treat as ordinary income payments received by taxpayers related to their assets, such as deposits forfeited to prospective sellers of non-capital assets. The panel will review the evolving scope of section 1234A, including its application in corporate acquisition and real estate transactions.

Moderator: Professor Annette Nellen, San Jose State University, San Jose, CA

Panelists: Aaron S. Gaynor, Roberts & Holland, New York, NY; Jarrod Kiyuna, Assemi Group Inc., Fresno, CA; Jeffrey T. Rodrick, Special Counsel, IRS Associate Chief Counsel (Financial Institutions & Products), Washington, DC

10:30am **When Does a Sale of a Contract to Provide Future Services Produce Capital Gain?** Tax advisers to sellers of pass-through services businesses face the question of whether the sale can operate to convert what would have been higher-taxed future ordinary income (e.g., 30% tax rate “qualified business income” described in section 199A) to lower-taxed (e.g., 20% tax rate) long-term capital gains. In *Greenteam Materials Recovery Facility v. Comm’r*, T.C. Memo 2017-122, the Tax Court held that a partnership’s sale to a third party of a contractual right to provide future compensated services to a governmental unit over a fixed area qualified for long-term capital gain treatment under section 1253. In doing so, the Court’s opinion left open other questions as to when contracts to provide services do and do not qualify for long-term term capital gain treatment. The panel will critique the Greenteam opinion and review open issues concerning the “Substitute-for-ordinary-income doctrine.”

Moderator: Stephen Breitstone, Meltzer Lippe Goldstein & Breitstone, Mineola, NY

Panelists: Professor Calvin H. Johnson, The University of Texas School of Law, Austin, TX; Douglas H. Kim, IRS Office of Associate Chief Counsel (Income Tax & Accounting), Washington, DC

11:00am **Implications of IRS Nonacquiescences.** In *Bartell*, 147 T.C. No. 5 (2016), the Tax Court approved a non-safe harbor reverse like-kind exchange. Rather than appeal *Bartell* to the Ninth Circuit, the IRS in 2017 decided to issue a nonacquiescence. Using *Bartell* as an illustration, panelists will review the published academic criticism of the approach used in *Bartell* of non-appeal plus nonacquiescence; the IRS use in other situations of nonacquiescence of an appellate decision; the practical implications of nonacquiescence on the IRS examination, penalty assertion, appeals, and litigation process; and taxpayer consideration of nonacquiescence in determining whether to undertake, and pursue a defense of, transactions covered by the nonacquiescence.

Moderator: Professor Bradley T. Borden, Brooklyn Law School, Brooklyn, NY

Panelists: Diana L. Erbsen, DLA Piper, New York, NY; Mary B. Foster, 1031 Services Inc., Seattle, WA; Howard J. Levine, Roberts & Holland, Washington, DC; R. Matthew Kelley, Special Counsel, IRS Office of Associate Chief Counsel (Income Tax

PROGRAM SCHEDULE

SATURDAY, MAY 12



& Accounting), Washington, DC; Steven J. Toomey, Senior Counsel, IRS Office of Associate Chief Counsel (Income Tax & Accounting), Washington, DC

Co-Sponsored by: Administrative Practice

8:30AM – 10:30AM

Constitution A, Level 3B

State & Local Taxes Practitioner's Roundtable 🗣️ (Executive Session)

Moderator: Mark E. Holcomb, Dean, Mead & Dunbar, Tallahassee, FL

8:45AM – 12:00PM

Independence E, Level 5B

Civil & Criminal Tax Penalties 📧

Chair: Niles A. Elber, Caplin & Drysdale Chtd., Washington, DC

8:45am Reports of Subcommittees on Important Developments. Important Developments (Civil) – Sara G. Neill and Michelle F. Schwerin, Capes Sokol Goodman Sarachan PC, St. Louis, MO; Important Developments (Criminal) – Evan J. Davis, Hochman Salkin Rettig Toscher & Perez PC, Beverly Hills, CA and Claire Taylor, Colvin & Hallett, Seattle, WA; International Tax Enforcement – Bruce Zagaris, Berliner Corcoran & Rowe LLP, Washington, DC and Joseph M. Erwin, Dallas, TX; IRS Investigations and Practices – Michael A. Villa Jr., Meadows Collier Reed Cousins Crouch & Ungerman LLP, Dallas, TX and Eric L. Green, Green & Sklarz LLC, New Haven, CT; Legislative and Administrative Developments – Brian C. McManus, Latham & Watkins LLP, Boston, MA and Robert J. Kovacev, Steptoe & Johnson, Washington, DC; Monetary Violations and Forfeitures – Peter D. Hardy, Ballard Spahr LLP, Philadelphia, PA; Offshore Compliance and Enforcement – Zhanna A. Ziering, Caplin & Drysdale Chtd., New York, NY and Michael Sardar, Kostelanetz & Fink LLP, New York, NY; Sentencing Guidelines – Matthew C. Hicks, Caplin & Drysdale Chtd., Washington, DC and Jeffrey A. Neiman, Marcus Neiman & Rashbaum, Fort Lauderdale, FL

9:10am Internal Revenue Service, Criminal Investigation – Update.

Moderator: Michael A. Villa Jr., Meadows Collier Reed Cousins Crouch & Ungerman LLP, Dallas, TX

Panelist: Don Fort, Chief, IRS Criminal Investigation, Washington, DC

9:35am Department of Justice Tax Division – Update.

Moderator: Niles A. Elber, Caplin & Drysdale Chtd., Washington, DC

Panelist: Samuel R. Lyons, Chief, Criminal Appeals & Tax Enforcement Policy Section, Department of Justice, Tax Division, Washington, DC

10:00am Break. 🗣️

10:15am Musings on *Marinello*. Hear the lawyer who argued *Marinello*'s case to the Supreme Court talk about the strategy, decisions, and preparation that went into this notable win for individuals under criminal tax investigation.

Moderator: Jenny L. Johnson Ware, Johnson | Moore, Chicago, IL

Panelist: Matthew S. Hellman, Jenner & Block LLP, Washington, DC

10:40am The Life and Taxing of a Cryptocurrency. This panel will follow the life cycle of a cryptocurrency and the tax issues that arise at each stage including the formation of the entity issuing the token, solicitation of investors via a SAFT, token launch and acceptance on an exchange, and tokens held for investment purposes and used similar to fiat currency.

Moderator: Allison Baker Shealy, Shulman Rogers Gandal Porfy & Ecker PA, Potomac, MD



PROGRAM SCHEDULE SATURDAY, MAY 12

Panelists: Jeff Gorham, Frost Brown Todd LLC, Indianapolis, IN; Bryan Skarlatos, Kostelanez & Fink LLP, New York, NY; Jason H. Poole, Trial Attorney and CHIP Coordinator, Department of Justice, Tax Division, Washington, DC

11:20am Critical Issues for Cannabis Businesses. A primer on critical issues facing cannabis businesses providing valuable background from experts on issues faced by the industry including: the CSA and Federal Preemption; DOJ Enforcement; FinCEN Guidance and banking issues; RICO litigation; IRS summons enforcement cases; unresolved legal issues and other industry issues addressed or being addressed in Tax Court litigation.

Moderator: Jennifer E. Benda, Fox Rothschild LLP, Denver, CO

Panelists: Matthew A. Houtsma, Associate Area Counsel, IRS, Denver, CO; John W. Vardaman, Hypur, Washington, DC; Anna Hatch, LivWell Enlightened Health, Denver, CO

9:00AM – 11:30AM

Independence G, Level 5B

Foreign Lawyers Forum

Chair: Saskia Bijl de Vroe, NautaDutilh, Amsterdam, Netherlands

9:00am The Global Implications of Corporate Tax Reform: A Practical Guide. The consequences of recent developments in the corporate tax world, including US corporate tax reform, have no regard for borders. Tax reform, landmark court cases and policy changes all over the world have a ripple effect, influencing global structuring decisions and investment strategies of multinational companies. This panel will therefore discuss the practical implications of US corporate tax reform and other major developments in the international tax world. Case studies will be used to discuss topics such as the tax consequences of Brexit, the use of hybrid entities and instruments, the possibilities for the migration of companies and the future of a European holding company for non-US investments. Come and join us to find out which structures still work and which ones are no longer futureproof, what changes are considered and which options multinational companies will have in the years to come.

Moderator: Robert Stack, Deloitte Tax LLP, Washington, DC

Panelists: Gareth Amdor, ReedSmith, London, UK; Francesco Gucciardo, Aird & Berlis LLP, Toronto, Ontario; Ailish Finnerty, Arthur Cox, Dublin, Ireland; Gustavo Haddad, Lefosse Advogados, Sao Paulo, Brazil; Wouter Vosse, Hamelink & Van den Tooren, Amsterdam, the Netherlands

10:30AM – 11:00AM

Constitution A, Level 3B

State & Local Taxes: Publication Subcommittees

Moderator: Robert L. Mahon, Perkins Coie LLP, Seattle, WA

11:00AM – 12:00PM

Constitution A, Level 3B

State & Local Taxes Vice-Chairs' Planning Meeting (Executive Session)

Chair: Edward J. Bernert, BakerHostetler, Columbus, OH

PROGRAM SCHEDULE

SATURDAY, MAY 12



12:00PM – 1:30PM

Independence A, Level 5B

Section Luncheon & Plenary Session (Ticketed Event)

Karen L. Hawkins, Section Chair, Presiding

Certificate Presentation

Recognition of the 2017-2018 Section of Taxation Chair, Karen L. Hawkins

Chair's Report to the Section

Karen L. Hawkins, Section Chair

PRESENTATION

2018 Distinguished Service Award Recipient



Susan P. Serota, Senior Partner, Pillsbury Winthrop Shaw Pittman LLP

Based in New York and Washington DC, Susan represents a global clientele, including government entities, on employee benefits, global equity programs, pensions, deferred compensation and stock option programs, senior executives' employment/compensation arrangements and ERISA fiduciary matters. Susan also advises on employee benefit aspects of cross-border mergers and acquisitions, joint ventures, welfare plans and securities law matters. She is a former chair of the American Bar Association Section of Taxation.

KEYNOTE SPEAKER

The Honorable David J. Kautter, Assistant Secretary for Tax Policy, U.S. Department of the Treasury



As the Assistant Secretary for Tax Policy, Mr. Kautter is responsible for developing and implementing federal tax policies and programs, reviewing regulations and rulings to administer the Internal Revenue Code, negotiating tax treaties, and providing economic and legal policy analysis for domestic and international tax policy decisions. He is also responsible for providing revenue estimates for the President's budget, fiscal policy decisions, and cash management decisions.

1:45PM – 3:00PM

Independence E, Level 5B

Section Program: Fundamentals of Tax Litigation: Choice of Forum and Appealing Decisions ★

1:45pm Fundamentals of Tax Litigation: Choice of Forum and Appealing Decisions. This panel will discuss some of the basics of tax litigation; choosing a forum for litigating a tax dispute; and procedures for appealing decisions from the different trial forums. Panelists will discuss jurisdictional requirements and limitations of the various courts, differences in discovery practice, trial procedure, drafting litigation documents, and procedures for appealing.

Moderator: Brandon King, United States Tax Court, Washington, DC

Panelists: Caroline D. Ciruolo, Kostelanetz & Fink LLP, Washington, DC; Drew A. Cummings, Morgan, Lewis & Bockius LLP, Washington, DC; Robert J. Kovacev, Steptoe & Johnson LLP, Washington, DC



AFFILIATED ORGANIZATIONS

AMERICAN COLLEGE OF TAX COUNSEL

FRIDAY, MAY 11

7:30AM – 9:00AM

Banneker, Level 1B

ACTC Board of Regents Meeting (*Executive Session*) 

SATURDAY, MAY 12

7:30AM – 9:00AM

McPherson Square, Level 5B

ACTC Fellows Breakfast (*ACTC Members and Guests*) 

Speaker: Marjorie A. Rollinson, Associate Chief Counsel, Office of Associate Chief Counsel (International), IRS, Washington, DC

NATIONAL CENTER ON PHILANTHROPY AND THE LAW

THURSDAY, MAY 10

4:30PM – 6:00PM

Penn Quarter, Level 1B

Philanthropy Professors Meeting 

OHIO NORTHERN UNIVERSITY PETTIT COLLEGE OF LAW

THURSDAY, MAY 10

5:00PM – 7:00PM

Wilson, Level 3B

The Laurence Neal Woodworth Memorial Lecture and Reception 

GENERAL INFORMATION



MEETING MATERIALS

In the interest of providing the most up-to-date meeting materials for all attendees, materials for the **2018 May Meeting** will be available online at www.ambar.org/taxmtgmaterials and via the mobile meeting application (please see page 3 for more information). Complimentary WiFi will be provided throughout the meeting space.

Should you wish to print out any materials, printing stations will be available Thursday 12pm - 5pm; Friday 7am - 6pm; Saturday 7am - 2pm in Constitution Foyer, Level 3B. A print kiosk will also be available at the Marriott Metro Center on Grand Ballroom Level on Friday from 7am - 6pm. Print Kiosks sponsored by Northwestern Pritzker School of Law Tax Program.

Please note that materials will be updated on the website throughout the meeting. These materials, to the extent they are provided to the Section, will also be made available to Tax Section members following the meeting as an exclusive membership benefit at www.ambar.org/taxiq.

CLE AND ETHICS CREDIT

You **must be registered for the meeting** in order to attend and be eligible to receive CLE or ethics credit.

The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, MN, MS, MO, MT, NH, NM, NV, NY, NC, ND, OH, OK, OR, PA, PR, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, visit http://www.americanbar.org/groups/taxation/events_cle/inpersoncle.html or contact Tim Brady (tim.brady@americanbar.org).

Please note the  symbol indicates that Ethics credit will be requested for this program, and the  symbol indicates that CLE credit is not available for this program.

REQUIREMENTS FOR NEW YORK ATTORNEYS: New York-licensed attorneys are responsible for signing in and out of each session they attend. The New York sign-in/out sheets are available in each meeting room. A customized New York CLE certificate will be issued to New York-licensed attorneys following the meeting by email, based on information recorded on the sign-in sheets.

REQUIREMENTS FOR ILLINOIS ATTORNEYS: Illinois-licensed attorneys are responsible for signing in for each session they attend. The Illinois sign-in sheets are available in each meeting room. A customized Illinois Certificate of Attendance will be issued to Illinois-licensed attorneys following the meeting by email, based on information recorded on the sign-in sheets.

CLE INFORMATION BOOTH

The CLE Information Booth, located in Independence Foyer, Level 5B, will be open during the following hours:

Thursday 12:00pm – 7:30pm
Friday 8:00am – 6:30pm
Saturday 8:00am – 3:00pm



GENERAL INFORMATION

CPE INFORMATION

The American Bar Association is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be submitted to the National Registry of CPE Sponsors through its website: www.learningmarket.org.

REGISTRATION

Registration will be available in Independence Foyer, Level 5B. All individuals attending any part of the **2018 May Meeting**, including speakers, must register and pay the registration fee. Shared registrations are not permitted. Companions are defined as non-Section members not attending substantive meetings. Any companion attending substantive programs must register and pay either the Section member or non-Section member registration fee, whichever is applicable.

The registration fee includes exclusive access to the meeting materials website, mobile meeting application and permits registrants to attend all meetings, sessions and programs; however, it does not include meal functions and social events listed as "Ticketed Event." All ticketed events are sold on a first-come, first-served basis.

REFUND POLICY

The deadline for refunds was **May 4, 2018**. **Refunds will not be granted at or after the meeting.**

MP3 INSTANT DOWNLOADS

MP3s of Committee Meetings and Section Programs are available for purchase on site. To place an order, visit the Digital Conference Providers (DCP) booth located in Constitution Foyer, Level 3B. After the meeting visit www.dcpvidersonline.com/abatx/ for instant downloads.

20% MEETING DISCOUNT ON SECTION PUBLICATIONS

Stop by the Publications Display, located in the Constitution Foyer, Level 3B, to preview the most popular titles from the Section of Taxation and receive a 20% discount on all publication orders. Use this meeting discount code: **PTX18SMAY** online or call the ABA Service Center at (800) 285-2221 to take advantage of this special discount. Please note that the offer expires May 18, 2018.

ABA OPEN MEETINGS POLICY

In accordance with the ABA Open Meetings Policy, all ABA programs are open to the media unless they are to conduct business sessions of a confidential nature. The Association encourages media coverage of its activities. If you have questions about this policy, please contact the Sections' main office at 202-662-8670.

Please note: By attending the conference, attendees have agreed to the terms of the American Bar Association Image/Audio/Video Release Form, which allows images, audio and video recorded on site to be used for educational and promotional purposes.

SCHOLARSHIP POLICY

A limited number of scholarships to defray tuition expenses are available for this program. To request a scholarship application, please contact the Tax Section (taxmeeting@americanbar.org). Scholarship applications must be received no later than 30 days prior to the program. For programs with tuition costs over \$500, qualifying attorneys will receive at least a 50% reduction in the registration fee.

COMPANIONS INFORMATION



Guide to the City: Washington, DC

A guide to Washington, DC's best including great restaurants, sights to see, and experiences not to be missed, is available at the Conference Registration Desk and at the Concierge Desk. We hope that you enjoy the suggested attractions.

For more information on how to schedule tours and for additional recommendations, you may also contact the concierge team at the Grand Hyatt by calling: 202-582-1234 ext. 51 or by visiting the Concierge Desk, located in the Hotel Lobby.

Companions Meeting Point

To make the most of your time in Washington, DC, network and gather with fellow companions at the Companion Meeting Point on Friday 7:30am - 10:30am. A table has been reserved in the Grand Foyer, Level 1B. All companions are welcome to attend!

Hospitality Center

Complimentary continental breakfast and afternoon snacks will be available to all companions with a name badge in the Hospitality Center. The Hospitality Center will be located in Grand Foyer, Level 1B and Independence Foyer, Level 5B on Friday and Saturday.

Hospitality Hours:

Friday: AM Break 7:00am - 11:00am / PM Break 1:30pm - 4:00pm

Saturday: AM Break 7:00am - 11:00am / PM Break 1:30pm - 3:00pm

Companions Email Discussion List

Another great way to connect is through the companions' email discussion list. This group email allows companions to connect before the conference and is the best way to receive updates on suggested area attractions for our upcoming meetings. If you are not currently part of the email discussion list and would like to join, please contact taxmeeting@americanbar.org.



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SECTION OF TAXATION
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Thank you for joining us at the May Meeting. We look forward to seeing you at the Joint Fall CLE Meeting in Atlanta, GA.

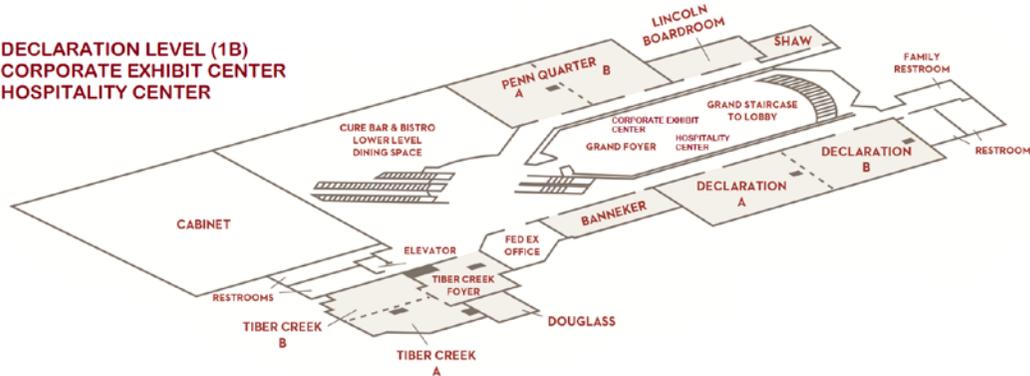
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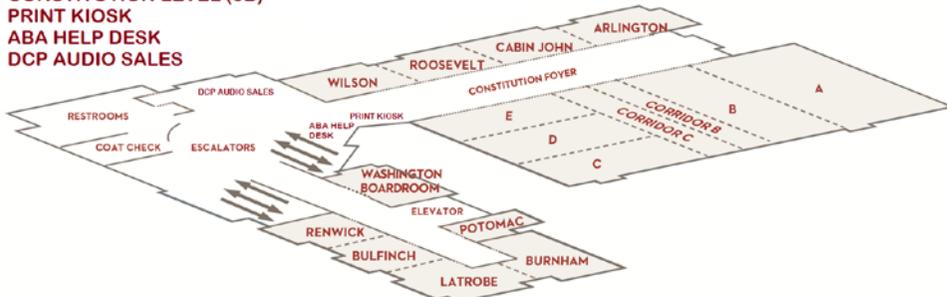
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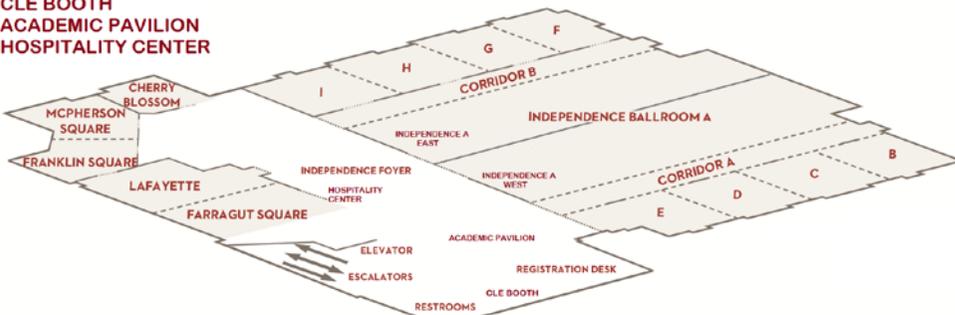
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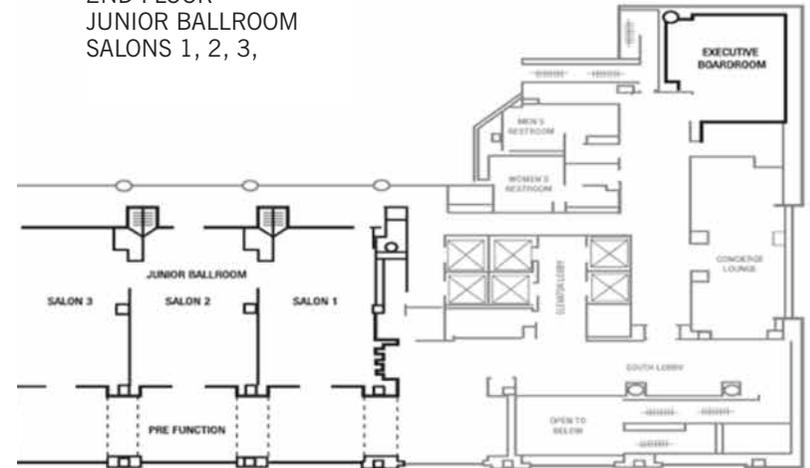
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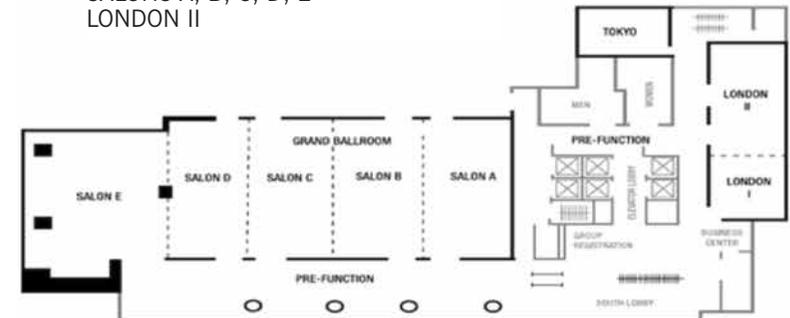
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