

Re:Cap

Caplin & Drysdale
ATTORNEYS

Speakers Corner

October 2004

October 1, 2004

Brigham Young University Washington Seminar

Location: Caplin & Drysdale

Speaker: **Kirk Jowers**

Topic: The Impact of Campaign Finance Issues on the 2004 Elections

October 2, 2004

ABA Tax Section Meeting

Location: Boston, MA

Speaker: **Scott Michel**

Topic: Representation of Entities in Criminal Tax Investigations

October 13-19, 2004

Tax Law Association and the National Tax Association

Location: Seoul, Korea

Speaker: **H. David Rosenbloom**

Topic: Trends in International Taxation

October 15, 2004

BNA Tax Shelter Conference

Location: Washington, D.C.

Speaker: **Chris Rizek**

Topic: New Perils for Practitioners

October 22, 2004

Council of the American Law Institute

Location: Philadelphia, PA

Speaker: **Thomas Troyer**

Topic: Application of the Liberalized Rules for Lobbying by Public Charities

November 3, 2004

Annual ABA Institute on Criminal Tax Fraud

Location: Washington, D.C.

Speaker: **Scott Michel**

Topic: Professional Ethics and the IRS Office of Professional Responsibility

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November 4, 2004**National Business Officers Association's Institute for Advanced Financial Management**

Location: New York, NY

Speaker: **Lloyd Mayer**

Topic: Legal Climate for Nonprofits and Private Secondary Schools

November 5, 2004**ALI/ABA Tax Exempt Conference**

Location: Washington, D.C.

Speaker: **Chris Rizek**

Topic: Tax Shelters and Charities

November 11, 2004**Institute for International Research's Endowments & Foundations Symposium**

Location: New York, NY

Speaker: **Lloyd Mayer**

Topic: Guidelines to Funding International Activities

Notes & Notables

Leila Dominick, a recent graduate of the University of Virginia School of Law has joined the firm as an associate and will be working on General Tax matters.

On September 14, 2004, a delegation from Japan, the Coalition for Legislation to Support Citizens Organizations, met with **Milton Cerny** to discuss non profit organizations and their administration.

Milton Cerny participated in the Emerging Issues in Philanthropy Seminar for The Urban Institute on September 23, 2004. He presented on the panel "Enforcement Mechanisms to Achieve the Goals of Federal Regulation."

Kirk Jowers spoke to the University of Utah Executive M.P.A.s on September 17, 2004 regarding "The Difference Between Legislative Intent and Policy as Established Through Agency Implementation."

On August 9, 2004, **Kirk Jowers** was the guest speaker for the Huntsman Seminar in Salt Lake City, Utah. His topic was the "History of Campaign Finance Laws and the Implications of those laws on the 2004 Elections."

On July 26, 2004, **Kirk Jowers** briefed a delegation from the Mexican Attorney General's office on campaign finance laws and enforcement. The delegation was from the Specialized Prosecution Office for Enforcement of Electoral Crimes, and sought to understand efforts in the United States to promote enforcement law.

Head of the Class

October 8, 2004

James F. Humphrey's Complex Litigation Institute, George Washington University Law School

Elihu Inselbuch will be participating in the first annual conference.October 13-19, 2004

Seoul National University

H. David Rosenbloom will address students about arbitrage.October 29, 2004

University School of Law, St. Louis

Chris Rizek will participate in the school's Ethics Forum for Tax PractitionersNovember 8-12, 2004

Universita' Bocconi, Milan, Italy

H. David Rosenbloom will be lecturing on U.S. International Taxation.

Recent Publications

July/August 2004

What's New? What's Missing? The IRS Updates APA Procedures

The Tax Executive

In this article, **Patricia G. Lewis** explores the changes reflected in Rev. Proc. 2004-04 and the implications for the Advance Pricing Agreements (APAs) customer base.

September 22, 2004

Politics and the Pulpit

In this booklet, **Milton Cerny** explains the Internal Revenue Code rules governing churches and political activity.

In The News

September 2004

Editors Notebook

The Exempt Organization Tax Review

Milton Cerny and **Rebecca Rosenberg** explain new temporary and proposed regulations on the allocation and apportionment of charitable contribution deductions and say the regulations could help U.S. charities' fundraising efforts by enhancing donors' tax benefits.

September 6, 2004

"Thousands Missing in Revenue Records of Culinary Charity"

The New York Times

In this article regarding the recent investigation into the James Beard Foundation, **Milton Cerny** states his belief that the foundation's nonprofit status is at risk unless it can show that its charitable program is commensurate with its income and that it provides a broad public benefit.

September 17, 2004

"Bush's bounce goes flat"

CNN.com

Trevor Potter explains that Ralph Nader's aides have sought Senator McCain's support in Nader's Florida Supreme Court case which seeks to have Nader placed on the ballot in Florida.

September 17, 2004

"McCain Urges Florida Court to Allow Nader on State Ballot"

The New York Times

Commenting on Republican Senator McCain's support of Ralph Nader's request to have Nader's name placed on the Florida's presidential ballot, **Trevor Potter** explains that the Senator will likely file a friend-of-the-court brief on Mr. Nader's behalf, if the state court rules against Nader and if federal issues arise.

September 20, 2004

"U.S. Judge Strikes Down FEC Campaign Finance Rules (Update2)"

Bloomberg.com

Trevor Potter says the FEC probably won't rewrite the FEC campaign finance rules before the election, but that a recent court ruling may put groups on notice that the loopholes opened by the FEC may no longer exist. He also says the new ruling should make everyone more careful in general.

September 21, 2004

"Eviscerating the Foreign Tax Credit Limitations and Cutting the Registration Tax—What's ETI Repeal Got to Do With It?"

Tax Notes Today

In this article, the author quotes some of **H. David Rosenbloom's** prior comments on repatriation tax reduction proposals. (This article also appeared in *Tax Notes International and World Wide Tax Daily*.)

September 22, 2004

"Bush Team Orchestrates Larger Ad Campaign"

Associated Press

Trevor Potter argues that Bush's latest advertising strategy of inserting the phrase "our leaders in Congress" into his ads as a way of circumventing the \$16 million dollar cap on party money is probably a violation of the campaign finance rules.

September 27, 2004

"Campaign Groups Want FEC Chief Out"

On behalf of the Campaign Legal Center, **Trevor Potter** said that Bradley Smith should be disqualified from deciding whether the "Swift Boad Veterans" should have registered as a political committee. He explained that federal regulatory officials must not prejudice the facts of cases before them and that Smith's recent comments suggest that he has done just that.

September 30, 2004

The Kojo Nnamdi Show

Kirk Jowers was interviewed regarding voter exclusion and voter fraud. (Interview was broadcast on NPR)

For more information on any of the items contained in this issue of Re:Cap please contact the Marketing Department at 202-862-5000 or krs@capdale.com