



DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
WASHINGTON, D.C. 20224

OFFICE OF  
CHIEF COUNSEL

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MEMORANDUM FOR: Special Trial Attorney CC:LM:MCT:SLWAS  
FROM: Assistant Chief Counsel, APJP  
SUBJECT: Joint Committee Report -

This responds to your request for advice as to which years are required to be included in the report to the Joint Committee in the subject case. As we understand the facts, the sole issue for each of the years under examination ( through ) is whether the taxpayer was exempt from income tax under section 892 and therefore entitled to refunds of all section 1441/1442 withholding from its U.S.-source investment income.

It was our previous determination that a report should be submitted for the and years that prompted your request for clarification as to which other years and amounts, if any, were also required to be included. Based on the facts and refund/bond summary you provided, we have concluded that neither the , nor year need be reported. As to the and years, while we recognize that an argument can be made for omitting them, we read the aggregation rules as requiring their inclusion. Accordingly, based on the particulars of this and related cases, we believe it appropriate to include and , reporting only the additional amounts now being claimed, \$ and \$ respectively.

Should you have any further questions, please contact

CURT G. WILSON  
by: \_\_\_\_\_  
JAMES C. GIBBONS  
Chief, APJP Branch 1  
Procedure and Administration