

TAX COUNCIL POLICY INSTITUTE



TAX POLICY  
& PRACTICE  
SYMPOSIUM

# HINDSIGHT IS 2020

What the **TCJA** and Global Developments  
Tell Us About the **Future of Tax**

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FEBRUARY 13–14, 2020 | THE RITZ CALRTON, WASHINGTON, DC

PROGRAM MANAGER



600 13th Street, NW  
Suite 1000  
Washington, DC 20005  
Tel: (202) 822-8062  
Fax: (202) 315-3413  
[www.tcpi.org](http://www.tcpi.org)



December 16, 2019

Dear Colleague,

The Tax Council Policy Institute (TCPI) invites you to participate in our 21st Annual Tax Policy and Practice Symposium, "**Hindsight is 2020: What the TCJA and Global Developments Tell Us about the Future of Tax**," to be held February 13-14, 2020 at The Ritz-Carlton in Washington, DC.

Join a focused, hands-on, educational assembly of more than 40 presenters representing tax leaders from business, government, and academia for a unique two-day symposium as we review the current state of the U.S. tax law, as substantially modified by the 2017 tax reform legislation. The internal and external pressures on the tax system will be examined to assess whether the policy choices reflected in the current Tax Code are still the right ones today, especially with regard to the taxation of domestic and multinational businesses.

The 2020 Symposium will present and explore how tax executives are anticipating and responding to how the US tax system might evolve in response to internal and external forces. Over our two days together we will examine several crucial issues, including:

- What are the real world effects of the TCJA and how has it changed thinking about global investment?
- Innovation — does the new U.S. tax system strike the right balance to encourage high value activity in the United States?
- How does the new interest deduction limitation (and the even lower "cap" scheduled to go in effect in 2022) change financing decisions and structures?
- What's the state of play of the OECD's efforts to reform international tax standards — what's really motivating these efforts and how might actions by other countries drive changes to U.S. tax policy?
- With two years of experience, how are the GILTI rules working relative to other anti-base erosion proposals?
- What might some of the significant changes to the U.S. system that have recently been proposed mean for the future of domestic and multinational tax?

Be on the forefront of the discussion! Join us in dissecting this important tax topic which crosses all industry lines and that impacts your country and your company. Make plans to attend this premier event and participate in sharing perspectives and understanding how current, proposed and possible future changes may impact your tax planning practices and structures.

TCPI is a highly respected non-profit and non-partisan public policy research and educational organization that is run by tax professionals for tax professionals. It has been sponsoring exceptional tax programs and conferences for more than 20 years. Our symposia are renowned for facilitating the opportunity for leading tax professionals and policy makers from government, academia, and business to fully explore all aspects of current tax topics. Thousands of tax professionals from around the world have attended our two-day conferences and webcasts. If you are not already involved in TCPI's mission, we invite you to contact us for more information.

On behalf of the TCPI and the Symposium Program Manager, KPMG, we look forward to seeing you in February.

Sincerely,

Lynda K. Walker, Esq.  
TCPI Executive Director and General Counsel

Tim C. Raymond  
Chairman, TCPI Board of Directors

# TCPI 2020 Planning Committee

## Program Manager

**Manal Corwin**  
Principal in Charge, Washington  
National Tax  
*KPMG LLP*

**John Gimigliano**  
Principal in Charge, Federal  
Legislative and Regulatory  
Services  
*KPMG LLP*

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Head of Global Tax Policy  
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Vice President, Global Tax  
*Eli Lilly and Company*

**Chris Miller**  
Senior Vice President, Tax  
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**Paul Nolan**  
Vice President, Tax &  
Government Affairs  
*McCormick and Company, Inc.*

**Scarlet Pereira**  
Interim Head of Tax  
*MasterCard*

**Tim Raymond**  
General Tax Counsel -  
Downstream  
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**Scott Reents**  
Vice President, Tax and Treasury  
*AbbVie*

**Amy Roberti**  
Director, US Federal  
Government Relations Leader  
and Global Tax Policy  
*Procter & Gamble*

**Thomas Roesser**  
Senior Director – Tax Affairs  
*Microsoft*

**Saul Rosen**  
Senior Tax Counsel and  
Managing Director  
*Citigroup*

**Urvi Doshi Sood**  
Vice President, Taxes & General  
Tax Counsel  
*Lockheed Martin Corporation*

**Shannon Stafford**  
Managing Director  
*The Carlyle Group*

**John Stowell**  
Senior Vice President, Corporate  
Tax  
*The Walt Disney Company*

**Louise Weingrod**  
Vice President, Global Taxation  
*Johnson & Johnson*

**Chad Withers**  
Chief Tax Officer  
*Caterpillar Inc.*

**Christopher Wolter**  
Vice President, Taxes  
*The Boeing Company*





# TCPI 2020 Planning Committee

## Program Manager Advisory Committee

**Barbara Angus**  
Global Tax Policy Leader  
*EY*

**Matthew Cutts**  
Partner  
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**Armando Gomez**  
Partner  
*Skadden, Arps, Slate, Meagher  
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**Pamela Olson**  
US Deputy Tax Leader and  
Washington National Tax  
Services (WNTS) Leader  
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**Patricia Sweeney**  
Member  
*Miller & Chevalier Chartered*

**Jonathan Traub**  
Managing Principal, Tax Policy  
Group  
*Deloitte Tax LLP*



# 2020 Symposium Faculty

**Speakers are still being finalized for the program and the list will be updated periodically on the TCPI website at [www.tcpi.org](http://www.tcpi.org)**

**Jennifer Acuña**  
Principal, Federal Legislative and Regulatory Services, Washington National Tax  
*KPMG*

**Rosanne Altshuler**  
Professor of Economics  
*Rutgers University*

**Barbara Angus**  
Global Tax Policy Leader  
*EY*

**Madeleine Barber**  
Senior Vice President & Chief Tax Officer  
*CBRE*

**John Bates**  
Principal, Washington National Tax  
*Deloitte Tax LLP*

**Beth Bell**  
Tax Counsel  
*House Committee on Ways and Means*

**Patrick Brown**  
US International Tax Policy Leader  
*PwC*

**Robert Carroll**  
Co-director, Quantitative Economics & Statistics Group (QUEST)  
*EY*

**Francois Chadwick**  
Vice President, Tax & Accounting  
*Uber*

**Kevin Conway**  
Senior Vice President, Tax  
*AmerisourceBergen*

**Jacqueline Crouse**  
Vice President, Tax  
*Amgen, Inc.*

**Heather Crowder**  
General Tax Officer  
*Phillips 66*

**Ronald Dabrowski**  
Principal and Technical Deputy, Washington National Tax  
*KPMG*

**Michael Desmond**  
Chief Counsel  
*Internal Revenue Service*

**Tadd Fowler**  
Vice President, Global Tax Operations  
*Procter & Gamble*

**Anthony Gedeller**  
Global Tax & Currency Director  
*Mars, Incorporated*

**Harry L. Gutman**  
Of Counsel  
*Ivins, Phillips & Barker*

**Melissa Hall**  
Senior Vice President - Tax  
*Assurant Inc.*

**Heather Harman**  
Managing Director  
*Andersen*



**Cory Hillier**  
Senior Counsel (Tax Law)  
*International Monetary Fund*

**Shahira Knight**  
Principal  
*Deloitte*

**Mark Mazur**  
Robert C. Pozen Director  
*Tax Policy Center*

**William Morris**  
Deputy Global Tax Policy  
Leader  
*PwC*

**Paul Nolan**  
Vice President, Tax &  
Government Affairs  
*McCormick & Company, Inc.*

**David Noren**  
Partner  
*McDermott Will & Emery*

**Scarlet Pereira**  
Interim Head of Tax  
*MasterCard*

**Loren Ponds**  
Member  
*Miller & Chevalier Chartered*

**Scott Reents**  
Vice President, Tax and  
Treasury  
*AbbVie*

**Danielle Rolfes**  
Partner, Co-lead International  
Tax, Washington National Tax  
*KPMG*

**Saul Rosen**  
Senior Tax Counsel and  
Managing Director  
*Citigroup*

**Martin A. Sullivan**  
Chief Economist  
*Tax Analysts*

**Russell Sullivan**  
Shareholder  
*Brownstein Hyatt Farber &  
Schreck*

**Mitch Thompson**  
Partner  
*Squire Patton Boggs*

**Alan D. Viard**  
Resident Scholar  
*American Enterprise Institute*

**Brett Weaver**  
Partner, National Leader, Value  
Chain Management  
*KPMG*

**Louise Weingrod**  
Vice President, Global Taxation  
*Johnson & Johnson*

**Tom West**  
Principal, Passthroughs Group  
*KPMG*

**B. Chase Wink**  
Partner, Tax  
*Skadden, Arps, Slate, Meagher  
& Flom LLP*

**Christopher Wolter**  
Vice President, Taxes  
*The Boeing Company*



## Day One: Thursday, February 13

7:00 a.m.–7:45 a.m.

**Continental Breakfast and Registration**

7:45 a.m.–8:00 a.m.

**Welcome Remarks and Recognition of Symposium Mission**

8:00 a.m.–8:30 a.m.

**Opening Keynote Address**

8:30 a.m.–8:45 a.m.

**Opening Video: The Case for TCJA**

8:45 a.m.–9:15 a.m.

**CBO Outlook**

The U.S. is hard at work implementing a tax regime. But more changes may soon be in store. Phillip Swagel, Director of the Congressional Budget Office, will examine economic forces that are poised to shape the U.S. budgetary outlook – including both spending commitments and revenue sources.

9:15 a.m.–10:00 a.m.

**The Economists' View**

Enacting comprehensive tax reform in 2017 marked a monumental change to the U.S. tax system. Now, two years in, we can begin to understand its broad economic impact. Join a panel of experienced economists as they offer their views on how new U.S. tax rules have affected business financing, structuring investment, innovation, trade, and other aspects of the U.S. economy.

10:00 a.m.–10:15 a.m.

**Mini-session: Corporate Rate Point/Counterpoint**

One of the most significant provisions of the TCJA is the cutting of the U.S. corporate income tax rate. It is also one of the most intensely debated. Is 21% the right rate for a healthy business environment? What were the intended goals of the rate cut and are those goals being achieved? The session provides a brief point-counterpoint on this “tent-pole” aspect of the TCJA.

10:15 a.m.–11:00 a.m.

**The TCJA in Action: Tax Reform in the Real World**

Part of the promise of the TCJA, as set forth in the *Unified Framework* on tax reform, was “to make America the jobs magnet of the world by leveling the playing field for American businesses.” Two years on from enactment, can we begin to evaluate to what extent and how the new law achieves these goals? This panel of senior tax executives will engage in a “real world” discussion of the effects of the lower rate, the participation exemption system, GILTI, and other “tent pole” aspects of the TCJA.

11:00 a.m.–11:30 a.m.

**Break**

11:30 a.m.–12:15 p.m.

**From Hindsight to Insight: Assessing Tax Reform's Effect on Innovation and other High-Value Activity**

From R&D and scientific discovery to technology commercialization, spurring American innovation was a major goal of the TCJA. This panel will assess those elements of U.S. tax reform — including the FDII deduction, the BEAT, and the





capitalization of Section 174 expenses — that were designed, either directly or indirectly, to incentivize and support innovation. The panel will also evaluate the global state of play concerning innovation and brainstorm how America might enhance its environment for innovation through future tax changes.

12:15 p.m.–2:00 p.m.

**Luncheon and Pillar of Excellence Award presentation**

2:00 p.m.–2:50 p.m.

**Breakout Sessions:**

**1. Survival Mode: Staying Afloat in the Wake of the Flood of TCJA Domestic Tax Guidance** [domestic track - technical]

Enactment of the TCJA marked a new dawn for the U.S. tax system. But for domestic tax compliance leaders, it was just the first of countless changes to come -- and to somehow manage. Post-tax reform, U.S. regulators issued technical guidance at an unprecedented pace, with each new development posing a new implementation challenge. This panel will explore real-world survival stories from the 2018 compliance season, when most guidance was either not available or still in proposed form. It will also look ahead to the next filing season, offering tax compliance leaders practical options for handling continued uncertainty regarding key provisions such as cost recovery, income recognition, and the interest limitation.

**2. Will Non-OECD Nations Push the US Toward a Destination-Based Tax System?** [international track - policy]

Many developing countries impose destination-based tax systems. As their share of global GDP increases, their consumer markets grow, and they attract more foreign investment, what challenges do these tax regimes present for multinational corporations doing business within their borders? Are destination-based tax systems sustainable in today's global economy -- and will the U.S. ever seriously consider such a system? This session will explore these fundamental questions about the future of international tax and its impact on the U.S. business community.

3:00 p.m.–3:50 p.m.

**Breakout Sessions:**

**1. Transfer Pricing: Developments and the Path Forward** [international track – technical]

Recent developments at home and abroad, including the enactment of several new international provisions under the TCJA and the OECD's ongoing work addressing novel nexus and profit allocation issues presented by the digitalization of the economy, are making the management of transfer pricing challenges even more complex. This panel of senior tax executives and transfer pricing experts will take an in-depth look at transfer pricing through the lens of these developments, and answer key questions including: What tensions exist between the well-established transfer pricing rules under section 482 and the inbound anti-base erosion measure codified under section 59A? What are the recent trends in transfer pricing litigation? Is the arm's length standard dead, and if so, what are the alternatives in today's constantly changing global economy?





## **2. The Future Role of the Corporate Income Tax** [domestic track – policy]

The TCJA was seen as one of the largest overhauls of the U.S. tax code ever. And the new, lower corporate rate was considered by many to be the most significant change. This panel will explore the real-world impact of business tax changes under the TCJA and what they might mean for domestic tax policy in future -- particularly if a separate tax on corporate income will still be relevant in America's changing economic and political climate.

**3:50 p.m.-4:20 p.m.**

**Break**

**4:20 p.m.-5:15 p.m.**

### **Debating Debt: What's the Real Deal with the Interest Limitation?**

Since the TCJA was enacted, taxpayers have been consumed with a host of technical questions about how the new limit on the deductibility of business debt applies. But there's a bigger question: Do the new rules really reverse the tax code's preferential treatment of debt and tip the scales toward equity? The panel will address how the new limitation is affecting C-suite decisions and business behavior, what its real-world impact is shaking out to be, and how the scheduled future change to the limitation might affect the tax landscape.

**5:15 p.m.-5:30 p.m.**

**Day-end recap**

**5:30 p.m.-7:00 p.m.**

**Networking Reception**



## Day Two: Friday, February 14

7:30 a.m.–8:15 a.m.

**Continental Breakfast**

8:15 a.m.–8:30 a.m.

**Welcome Back**

8:30 a.m.–9:00 a.m.

**Video: The OECD Speaks**

9:00 a.m.–10:00 a.m.

**Grappling with Global Reform**

The OECD continues to push toward a global solution to address the tax challenges presented by the digital economy. The specter of major changes to the international tax system looms large, yet nothing is certain -- even whether consensus will be reached. However the OECD's work unfolds, businesses will need to adapt and react. This panel will help multinational businesses manage the uncertainty of this moment with insights on the latest OECD proposals and practical discussion on how to navigate the current fluid state of international tax rules.

10:00 a.m.–10:15 a.m.

**Mini-Session: Weighing Unilateral Options Available to the U.S.**

As the OECD seeks a global solution on digital taxation, single jurisdictions are pursuing unilateral actions, creating great complexity for multinational businesses. This mini-session will debate the possible responses available to U.S. policymakers. Is doubling the tax rate on other countries under section 891 a real option? Are there other tax measures available? Or is trade the most likely retaliatory tool?

10:15 a.m.–10:45 a.m.

**Break**

10:45 a.m.–11:00 a.m.

**Mini-Session: What is the Goal of the Tax System?**

Is the view that corporations should pay "fairer share" of tax a driving factor in the OECD's international tax system reform work? When you really get down to it, are the issues at hand economic ones, ideological ones, or something else? Join a lively discussion of whether the tax morality debate raging around the world is based on policy or politics.

11:00 a.m.–11:50 a.m.

**Case Erosion: GILTI, Minimum Taxes and the Future of Outbound Taxation Post U.S. Tax Reform**

The GILTI was designed as the principal outbound anti-base erosion measure of the new U.S. international tax system. Does the provision hit the mark? This panel will examine the design of the GILTI regime, its interaction with BEAT, the key issues it raises for U.S.-based multinationals, and practical considerations for corporations adapting to the new law. Hear analysis of complex questions, including: Has the GILTI regime succeeded in preventing outbound base erosion? How have policy decisions by U.S. authorities influenced its effectiveness? What alternatives have been proposed by domestic and international policymakers and what impact would they have on taxpayers in different industries?



11:50 a.m.-12:30 p.m.

**20/20 Vision – Looking Ahead to the 2020 Elections and Beyond**

Experts will draw from their tax, economic and governmental expertise to focus upon what impact the results of the 2020 presidential and congressional elections could have upon the tax world. Panelists will discuss various tax proposals from both Democrats and Republicans and focus on the future in a post-2020 Washington.

12:30 p.m.–12:45 p.m.

**Closing remarks**



# Additional Information

## Program Location and Accommodations

The symposium will be held at The Ritz-Carlton, 1150 22nd Street NW, Washington, DC. Room reservations should be made directly with The Ritz-Carlton [online](#) or by calling (800) 241-333 or (202) 835-0500. You will find the hotel's amenity information at [www.ritzcarlton.com](http://www.ritzcarlton.com).

A limited number of rooms have been reserved at a rate of \$355 per night and are available under the group name Tax Council Policy Institute: 2020 Symposium. To obtain rooms at the group rate, please make your reservations as soon as possible, but no later than Wednesday, January 22, 2020. After that date, room availability and pricing cannot be guaranteed.

## Who Should Attend?

The program is designed for CFOs, VPs of Tax, VPs of Finance, corporate tax directors, government tax professionals, tax counsels, attorneys, and managers. The method of delivery will be group-live at an intermediate to advanced level. Participants should possess an advanced knowledge of tax policy and practice.

## TCPI Online

For more information about the 21st Annual Tax Policy & Practice Symposium or to learn more about past events or TCPI, please visit the TCPI website at [www.tcpi.org](http://www.tcpi.org). We will post periodic updates on the 2020 event. **Website registration is encouraged.**

## Continuing Education

Participation in the symposium will allow you the opportunity to receive continuing education credits. TCPI is registered with NASBA, and in accordance with its policies, up to 12 CPE credits can be earned. **(NASBA Field of Study: TAXATION)**

TCPI will also apply for CLE accreditation from those states that require it, which participants list on their registration form. The total amount of earned CLE credits varies by states.

The Tax Council Policy Institute 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 addressed to the National Registry of CPE Sponsors through its website: [www.learningmarket.org](http://www.learningmarket.org).





# Registration Information

## Registration

Register early to receive a discount. The symposium attendance fee includes all sessions plus two continental breakfasts, one lunch, and a networking reception.

### Registration form and payment received online or postmarked:

By January 17, 2020	\$950
After January 17, 2020	\$1,100
Government employees and members of academia (full-time students and faculty)	\$350

To pay by credit card, please visit our website at [www.tcpi.org](http://www.tcpi.org).

To pay by check or to request an invoice, please return the enclosed registration form.

## Cancellation and Refund

Fees are refundable, less a \$100 processing fee, if written notice is received by TCPI prior to January 18, 2020.

There will be no refunds after January 17, 2020; however, a substitute for the original registrant will be accepted. For more information regarding registration, refund, complaint, and/or program cancellation policies, please call TCPI at (202) 822-8062 or email [symposium@tcpi.org](mailto:symposium@tcpi.org).



# Symposium Exhibitors



# Registration Form

## Registration Form

\*Online registration at [www.tdpi.org](http://www.tdpi.org) is strongly encouraged.

Name: \_\_\_\_\_

Preferred name on badge: \_\_\_\_\_

Title: \_\_\_\_\_

Company: \_\_\_\_\_

Address 1: \_\_\_\_\_

Address 2: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

- I would like to receive CPE accreditation (no selection required)
- I would like to receive CLE accreditation for the following state(s): \_\_\_\_\_

**The conference fee includes meals as indicated in the schedule, snacks during all breaks, and the networking reception.**

**I would like to attend:**

- \$950 (payment postmarked by January 17, 2020)
- \$1,100 (payment postmarked after January 17, 2020)
- \$350 Government employees and members of academia (full-time students and faculty)
- Please invoice me

To pay by credit card, please visit our website at [www.tdpi.org](http://www.tdpi.org).

To pay by check, make checks payable to **Tax Council Policy Institute**, and mail your registration form and check to:

**Tax Council Policy Institute**  
600 13th Street, NW  
Suite 1000  
Washington, DC 20005



## About the Tax Council Policy Institute

The Tax Council Policy Institute is a non-profit and non-partisan public policy research and educational organization. Its mission is to bring about a better understanding of significant tax policies that impact our national economy and businesses through careful study, thoughtful evaluation and open discussion. TCPI accomplishes its mission in various ways such as hosting an Annual Tax Policy and Practice Symposium in Washington, DC and sponsoring mini-symposia on important tax issues, which are largely conveyed via webcast.

## Prior Symposia

- 2019** The evolving boundaries of tax
- 2018** Disruption and opportunity in the era of global tax transformation
- 2017** Tax Policy in Transition: Diverging Views in a Converging World
- 2016** Capital Matters: How Taxes Influence the Global Creation, Deployment, and Mobility of Capital
- 2015** How Taxes Matter: The Globalization of Tax Policy and Implications for US Economic Growth and Investment
- 2014** Why Taxes Matter: The Implications of Tax Policy on Strategic Business Decisions
- 2013** Taxation of Intangibles: Implications for Growth, Jobs and Competitiveness
- 2012** The New Realities of Tax Risk Management: Navigating Risk in a Complex World
- 2011** Tax Uncertainties in a Deficit-Driver World: Designing a Blueprint for Leadership
- 2010** Tax Reform: In Search of a 21st Century U.S. Tax System
- 2009** Certainty in an Uncertain World? Resolving Cross-Border Controversies
- 2008** Future Shock? Impact of U.S. Fiscal Policy on Corporate Taxation
- 2007** Understanding the Global Tax Arena: Risk & Regulation
- 2006** The Corporate Tax Practice in the Age of Transparency: A Path Forward
- 2005** The U.S. International Tax Regime: Confronting the Challenge of the Evolving Global Marketplace
- 2004** The Corporate Tax Practice: Responding to the New Challenges of a Changing Landscape
- 2003** Jurisdiction to Tax in the New Economy: International, National, and Sub-National Perspectives
- 2002** The Future of International Transfer Pricing: Practical and Policy, Opportunities
- 2001** The R&D Tax Credit in the New Economy
- 2000** INDOPCO: Past, Present and Future