



April 30, 2018

VIA FIRST CLASS MAIL

Chip Harter
Deputy Assistant Secretary (International Tax Affairs)
U.S. Department of the Treasury
1500 Pennsylvania Avenue, NW
Washington, DC 20220

William M. Paul
Principal Deputy Chief Counsel
Internal Revenue Service
1111 Constitution Ave. N.W.
Washington, D.C. 20224

RE: COMMENTS ON “TRANSITION TAX”
UNDER 26 U.S.C. § 965

Dear Mr. Harter and Mr. Paul:

We applaud the recent efforts by the U.S. Treasury and the Internal Revenue Service (IRS) to provide taxpayers with the guidance needed under the Tax Cuts and Jobs Act. As a company with operations in both the United States and abroad, we are particularly vested in the guidance that will be finalizing under 26 U.S.C. § 965. Although many questions remain, the issuance of Notice 2018-07, Notice 2018-13, Notice 2018-26, and Rev. Proc. 2018 clarifying some aspects of the new law are welcome first steps. We write you today in hope that your next guidance project will include a clarification of the definition “aggregate foreign cash position” under section 965(c)(3).

Ashland Global Holdings Inc. (NYSE: ASH) is a \$4 billion global specialty chemicals company with 6,500 employees serving customers in more than 100 countries. We provide specialty chemicals to a wide range of consumer and industrial markets, including adhesives, architectural coatings, automotive, construction, energy, food and beverage, personal care and pharmaceutical. We also have an extensive network of manufacturing facilities, research and development laboratories, and centers of commercial excellence, including dozens of sites in the U.S.

Given its operation and expenses in the United States, Ashland has repatriated significant sums back to the United States. It is our position that such repatriated amounts should not be considered

for purposes of calculating the “aggregate foreign cash position.” Clarifying Treasury guidance is needed to ensure that companies such as Ashland, that have already been growing the U.S. economy with their repatriated foreign earnings, are not penalized. We believe Treasury has authority under section 965(o) to issue such clarifying guidance and that such clarification is consistent with the statute, its intended purpose, and legislative history.

Thank you for your consideration.

Sincerely,



Donald Meyer
Director, Tax Planning & Counsel
859-815-4091

Enclosure

CC:
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