



Henry P. Bubel

Of Counsel

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Henry Bubel is a tax lawyer with a sophisticated practice, international in scope. The breadth of his practice has led – after 40 years – to an in-depth knowledge of the income taxation of both corporations and partnerships, as well as estate, gift and trust taxation (particularly for ultra-high net worth and cross-border families). Mr. Bubel applies this knowledge in both tax planning and tax controversies, often working with family offices and trust companies.

Together with members of the corporate group, Mr. Bubel is involved in structuring, negotiating and documenting complex business transactions, including the refinancing and the restructuring of private companies, the formation of multinational joint ventures, and counseling on tax aspects of mergers and acquisitions. Working with lawyers in the trusts and estates group, Mr. Bubel advises on issues arising from the ownership of closely-held businesses and alternative investments typically held by high net worth individuals. Within this area, he is particularly knowledgeable about tax-efficient methods of diversifying the risks associated with concentrated stock positions, life insurance tax issues and insurance products.

In the real estate area, he regularly advises on real estate financings, partnership and limited liability company agreements, "like kind" exchanges and state and local real estate transfer tax matters. Much of his work in this area is done for foreign investors, often involving tax treaty planning.

In recent years, Mr. Bubel's cross-border work has focused on the changing world of offshore banking and, in particular, the IRS' increased enforcement of U.S. tax law with respect to citizens residing abroad and to dual nationals, green card holders and other persons subject to U.S. taxation. Such work has also put a focus on advising clients on "wealth migration" – passing wealth from elder non-U.S. parents to children or grandchildren who have taken up residency in the U.S. Within this area, Mr. Bubel has worked with many families based in France, Switzerland and Monaco.

Mr. Bubel publishes tax articles on a regular basis and lectures on tax matters, both within the Firm and to outside audiences. He also serves as a director of both closely-held businesses and charitable foundations and as trustee of client-related trusts. Mr. Bubel serves as Chairman and a member of the Board of Directors of SCG Legal, an international association of law firms. He was a partner of the Firm from November 1, 1986 to December 31, 2016.

Click on the play button below to hear Mr. Bubel discuss U.S. tax reporting required of U.S. citizens and green card holders residing abroad.

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Education

- New York University School of Law (LL.M., 1983)
- American University, Washington College of Law (J.D., *cum laude*, 1978)
- New York University, Graduate School of Business Administration (M.B.A., 1974)
- University of Connecticut (B.A., 1972)

Admissions

- U.S. Tax Court
- New York
- Connecticut
- District of Columbia

Professional Activities

MEMBERSHIPS: Chairman, SCG Legal (2016 – 2017); Member, Society for Trusts and Estates Practitioners (STEP); Member, American Bar Association (Section on Taxation, Committee on U.S. Activities of Foreign Taxpayers); New York State Bar Association (Section on Taxation); Connecticut Bar Association (Section on Taxation); Director, FJC Donor-Advised Funds; Lord Baltimore Capital Corporation; Chuck Goldman (UJA) Supporting Foundation

HONORS: Named in *Super Lawyers* in the area of Tax

SPEAKING ENGAGEMENTS: Presenter, "Who is a U.S. Person? And the Ramifications of Being One," Transnational Taxation Network's New York Tax Conference (May 5, 2014)

Publications

- Co-Author, "Who Should Apply to IRS' Voluntary Disclosure Program?" *Think Advisor* (January 15, 2021)
- Co-Author, "Impact of International Tax Reform Provisions on International Estate Planning," (May 2018)
- "Tax Reform Update: Tax Planning Opportunities for Noncitizens Residing in the United States," (January 2018)
- Co-Author, "Tax Planning for Foreign Couples Buying U.S. Homes: Ownership Through Foreign and Domestic Trusts," Bloomberg BNA's *Daily Tax Report* (November 2016)
- Co-Author, "Tax Planning for Foreign Couples Buying U.S. Homes: Ownership Through Foreign Corporations and Partnerships," Bloomberg BNA's *Daily Tax Report* (November 2016)
- Co-Author, "Tax Planning for Foreign Couples Buying U.S. Homes: Direct Ownership," Bloomberg BNA's *Daily Tax Report* (November 2016)
- Co-Author, "Beware the life insurance tax trap," *Private Asset Management* (May 2016)
- Co-Author, "U.S. Tax Planning for Temporary Residency in the Country," Bloomberg BNA's *Daily Tax Report* (December 2015)
- Co-Author, "Who Is a U.S. Person? Disparities Between U.S. Tax and Immigration Law," *BNA Tax Planning International Review* (March 2014)
- Author, "The Criminalization of Tax Practice," *The Tax Club* (updated July 16, 2009)
- "Avoiding Penalties With Tax Opinions After Long Term Capital," *The Tax Club* (November 17, 2004)
- "A Workout Structure for Split-Dollar Arrangements," written with Arthur D. Sederbaum (January 2003)

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- "Resuscitating the Equity-for-Debt Exception for COD Income," *The Tax Club* (January 2000)
- "Major Tax Reform in Kazakstan," *CIS Law Notes* (February 1996)
- "The Attorney-Client Privilege and the Attorney Work Product Doctrine - A Primer for Tax Lawyers," *The Tax Club* (September 20, 1995)
- "Report on State Taxation of Financial Institutions," *NYSBA* (March 1992)
- "Various State Tax Issues Arising from the Origination, Sale and Servicing of Mortgages," *The Tax Club* (October 1990)

Presentations

- "Investing in the US: Tax Considerations for French Investors," (September, 2016)