

Transfer Pricing Country Profile  
(to be posted on the OECD Internet site www.oecd.org/taxation)

Name of Country: United States Date of profile: February 2009

No.	Item	Reference to and wherever possible text of the provisions; Wherever needed and possible, a translation into one of the OECD official languages would be welcome
1	<b>Reference to the Arm's Length Principle</b>	Treasury Regulation 1.482-1(b)(1)
2	<b>Reference to the OECD Transfer Pricing Guidelines (if any)</b>	Not applicable.
3	<b>Definition of related parties</b>	Treasury Regulation 1.482-1(i)(5)
4	<b>Transfer pricing methods</b>	Treasury Regulation 1.482-2(a) (loans or advances), 1.482-3 through 1.482-6 (tangible and intangible property). Temp. Treas. Reg. 1.482-7T (cost sharing arrangements), Temp. Treas. Reg. 1.482-9T (b) – (g) (services). Prop. Treas. Reg. 1.482-8 (global dealing).
5	<b>Transfer pricing documentation requirements</b>	<u>See</u> Internal Revenue Code, 6662(e), (h) <u>See</u> Treasury Regulation 1.6662-6
6	<b>Specific transfer pricing audit procedures and / or specific transfer pricing penalties.</b>	Internal Revenue Code, 6662(e), (h) Treasury Regulation 1.6662-6
7	<b>Relevant regulations on Advance Pricing Arrangements</b>	Rev. Proc. 2006-9, 2006-9 I.R.B. 278, Rev. Proc. 2008-31, 2008-23 I.R.B. 1133.
8	<b>Link to relevant Government Internet sites</b>	<a href="http://www.irs.gov/businesses/international/article/0,,id=120220,00.html">http://www.irs.gov/businesses/international/article/0,,id=120220,00.html</a>
9	<b>Other relevant information</b>	Anticipate publishing new final regulations on services in 2009.

## **Note**

1. Relevant provisions of domestic legislation referring to the Arm's Length Principle.
2. Reference if any to the OECD Transfer Pricing Guidelines for Multinational Enterprises and Tax Administrations in domestic legislation or regulations.
3. Relevant legislation or regulations containing a definition of related parties or associated enterprises.
4. Relevant legislation or regulations containing guidance on transfer pricing methods including hierarchy among them if any.
5. Relevant regulations if any in relation to transfer pricing documentation requirements.
6. Relevant regulations if any on specific transfer pricing audit procedures and / or specific transfer pricing penalties.
7. Relevant regulations if any on Advance Pricing Arrangements.
8. Addresses of the Internet sites of the relevant authorities in charge of transfer pricing policy, its administration and Advance Pricing Arrangements.
9. Other relevant information, for instance having gone through a peer review, or having new transfer pricing regulations in preparation.