



# New administration, new tax policies?

March 31, 2021

**Eli Dicker**, Managing Director, Tax Services

**Rochelle Hodes**, Principal, Washington National Tax  
**Brent Felten**, Managing Director, Washington National Tax  
**Pete Judge**, Government Relations Leader

**Veena Murthy**, Principal, Washington National Tax  
**David Strong**, Managing Director, Washington National Tax  
**Tim Trifilo**, Partner, Tax Services

# Disclaimer

---

The information provided herein is educational in nature and is based on authorities that are subject to change. You should contact your tax adviser regarding application of the information provided to your specific facts and circumstances.

## PLEASE NOTE:

- All of today's audio is being broadcast to your computer speaker.
- Please submit questions through the Q&A function on your screen. If your question is not addressed in the session, a Crowe professional will follow up with you.
- To download a copy of the presentation or access the resources connected to this session, please visit the resources icon at the bottom of your console.

## CPE CREDIT

- Log in individually to the session
- Successfully complete 5 of the 6 attendance checks

## NO CPE CREDIT

- Failure to successfully complete 5 of the 6 attendance checks
- Viewing a recording of this session (CPE is only awarded for live sessions)

## CPE CERTIFICATE OF COMPLETION

Will be available for download following the session and e-mailed within two weeks of successfully passing this program

Upon completion of this program you will receive a post event evaluation.



# Agenda

---

- **Both ends of Pennsylvania Avenue**
- **A deeper dive**
  - International regulations
  - 199A and like-kind exchanges
  - Compensation and benefits tax
  - Opportunity zones and renewable energy

# Introductions

---



**Eli  
Dicker**

Managing Director, Tax Services



**Pete  
Judge**

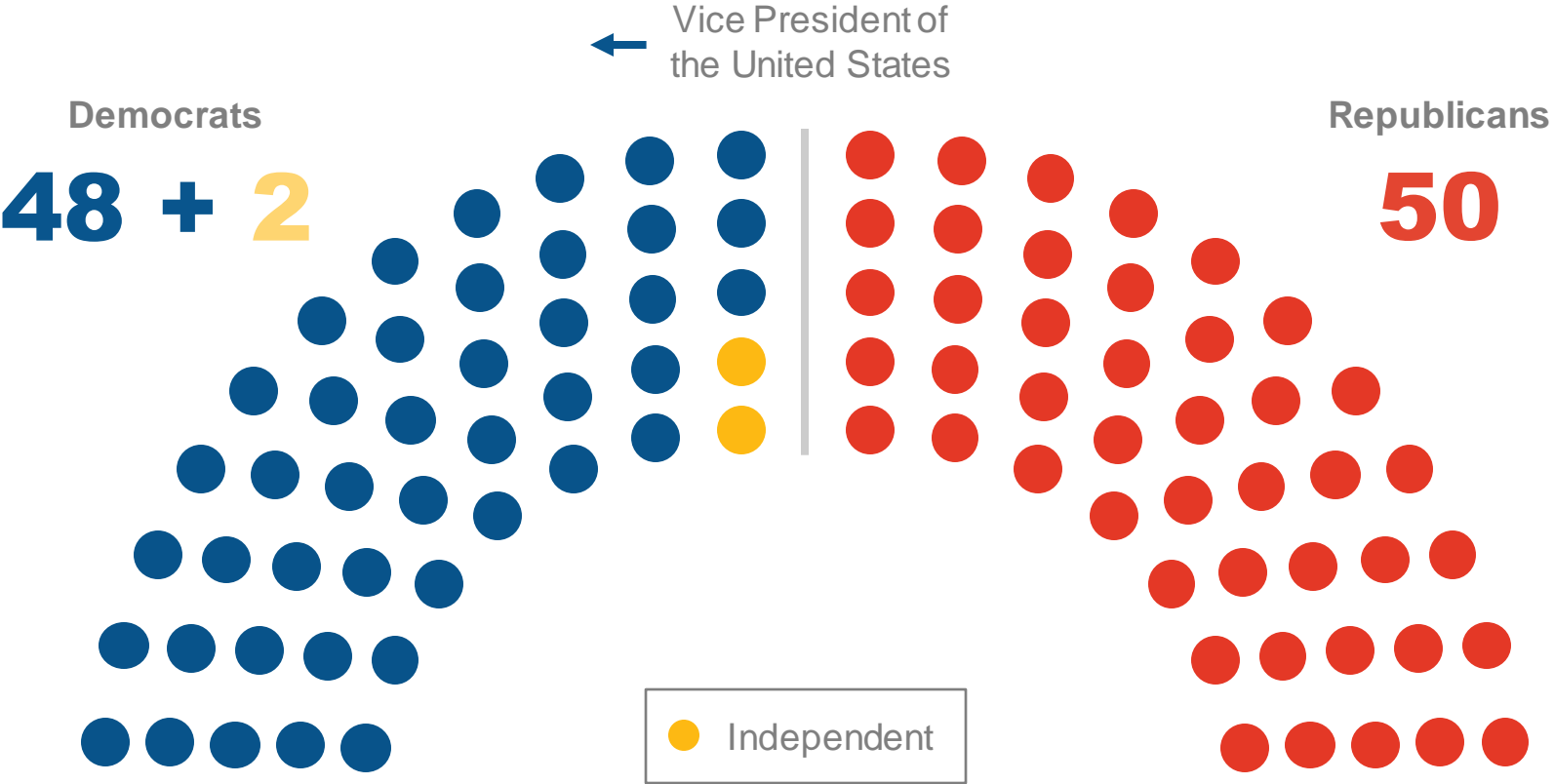
Government Relations Leader



**Rochelle  
Hodes**

Principal, Washington National Tax

# Balance of Power in U.S. Senate



# Budget Reconciliation Basics

---

## **What is “reconciliation”?**

An expedited procedure for legislation relating to budgetary goals (e.g., mandatory spending programs, entitlements, revenues) based on budget resolution instructions to both chambers.

## **How is it different from a regular bill?**

First step is congressional budget resolution, followed by reconciliation bill.

- Budget resolution: instructs Congress; cannot be stalled by Senate filibuster; not submitted to the president for signature/veto.
- Reconciliation bill: privileged status in the Senate; only needs a simple majority to pass; cannot be filibustered; maximum 20 hours debate; submitted to president for signature/veto.

If the budget resolution calls for reconciliation, instructs certain committees to change spending, revenues, or deficits by specific amounts within specific budget window. Each committee writes a bill to achieve its target, and if more than one committee, the Budget Committee combines the bills into one overall bill.

## **Why not use it for everything?**

Each Congress is limited in its number of reconciliation bills. A reconciliation bill can include only what is “germane” to the budgetary goals and subject to procedures including limited scope amendments, Byrd rule. For example, reconciliation does not permit changes that impact the OASDI (Social Security) trust funds.

# Moving the President's Tax Agenda

---

- **Opportunities for tax legislation**
- **Clues to future tax legislative proposals**
- **Tax rate increase**
  - Corporations
  - Individuals
  - Timing
- **Non-legislative options**





# Panelists

---



**Brent  
Felten**

Managing Director, Washington  
National Tax



**David  
Strong**

Managing Director, Washington  
National Tax



**Veena  
Murthy**

Principal, Washington National  
Tax



**Tim  
Trifilo**

Partner, Tax Services

# International Tax: Bleeding Multinationals

---

- **Policy driven by sexy acronyms & sound bites**
- **Leadership pulled from Academia**
  - Ivory tower v. practicality
  - Ever-increasing complexity
  - Software & techies critical
- **Playing defense on digital tax will dilute Treasury resources applied to domestic tax policy**

# Tax Cuts and Jobs Act – Tax Reform

---

- **Like Kind Exchanges**
  - Narrow applicability
  - What is and is not real property
  
- **Sec 199A – Qualified Business Activity Deduction**
  - 20% deduction on business income
  - Current limitations
  - Phase out of deduction over \$400,000

# Compensation and Benefits Tax Outlook

---

- **Likelihood of changes via legislation or regulatory route, or both?**
  - Health
  - Retirement and savings
  - Executive compensation/OASDI tax increases
  - Fringe benefits
  
- **Is pandemic relief a blueprint for long-term?**
  - Are payroll tax credits the new thing?
  - Retirement plans
  - Fringe and health benefits

# Renewable Energy & Opportunity Zone Tax Outlook

---

## ■ **Opportunity Zones**

- Partnering with NFP's & Community Organizations
- Increased Reporting
- Treasury to Review Efficacy of OZ

## ■ **Renewable Energy**

- Transformation of US energy policy in favor of Renewable Energy and Green Initiatives
- Move Away from Dependency on Fossil Fuels
- Importance of Reinstating/Extenders for current credits & Introduction of new incentives
- Interrelationship with Infrastructure





# Thank you

---





[crowe.com/keepscore](https://crowe.com/keepscore)

The information in this document is not – and is not intended to be – audit, tax, accounting, advisory, risk, performance, consulting, business, financial, investment, legal, or other professional advice. Some firm services may not be available to attest clients. The information is general in nature, based on existing authorities, and is subject to change. The information is not a substitute for professional advice or services, and you should consult a qualified professional adviser before taking any action based on the information. Crow e is not responsible for any loss incurred by any person who relies on the information discussed in this document. Visit [www.crowe.com/disclosure](https://www.crowe.com/disclosure) for more information about Crow e LLP, its subsidiaries, and Crow e Global. © 2021 Crow e LLP.

# Additional resources

# Resources

---

- [2020 post-election scorecard](#)
- [President Biden's tax agenda](#)
- [Washington National Tax overview](#)
- [Tax news highlights](#)
- [Sign up to receive weekly tax insights](#)

# Eli Dicker



**Eli Dicker, Managing Director  
Tax Services**

1455 Pennsylvania Avenue, N.W.  
Suite 700  
Washington, D.C. 20004-1008

[eli.dicker@crowe.com](mailto:eli.dicker@crowe.com)

## **Experience**

Eli Dicker is a Tax Managing Director (National Markets) in the Washington National Tax Office of Crowe. He joins Crowe with over thirty-five years of client service experience in government, industry, private practice, and professional service. Immediately prior to joining Crowe, Eli completed fifteen years of service to Tax Executive Institute, most recently as Executive Director, overseeing the education, networking and advocacy operations for the pre-eminent global association of in-house tax professionals. He had also served as TEL's Chief Tax Counsel. Eli's practice experience also includes service as Director, Tax Reporting and Compliance for a financial services company, tax principal at a major public accounting firm, and trial attorney (District Counsel) and attorney-adviser (Office of the Associate Chief Counsel (International) for the Internal Revenue Service.

## **Professional Affiliations**

- Commonwealth of Pennsylvania
- U.S. Tax Court
- American Bar Association
- American College of Tax Counsel

## **Education & Certifications**

- BA, Queens College, City University of New York
- MA, Queens College, City University of New York
- JD, Northeastern University School of Law
- LLM (Tax). New York University School of Law

## **Client Services Focus**

- Work alongside Crowe tax services leaders to expand practice scope and market penetration

# Rochelle L. Hodes, Principal



**Rochelle L. Hodes, Principal  
Washington National Tax**

1455 Pennsylvania Avenue, N.W.  
Suite 700  
Washington, D.C. 20004-1008

[rochelle.hodes@crowe.com](mailto:rochelle.hodes@crowe.com)

## Experience

Rochelle Hodes is a Principal in the Washington National Tax Office at Crowe. She has over thirty years of experience in federal tax practice and procedure, including federal tax dispute resolution and tax policy services. Rochelle advises clients on a broad range of tax matters relying on her deep knowledge developed in private practice and the federal government. Rochelle was named a 'Tax Person of the Year' for 2017 by Tax Notes.

Prior to becoming a Principal at Crowe, Rochelle was Associate Tax Legislative Counsel in the Office of Tax Policy at the U.S. Treasury Department. While at Treasury, she worked on a variety of matters, including the new partnership audit regime, crypto-currency and the Tax Cut and Jobs Act. Rochelle began her career as an attorney with the Internal Revenue Service Office of Chief Counsel. Before returning to Treasury, Rochelle spent several years in private practice in the Washington D.C. national tax office of two major public accounting firms. Her experience includes assisting clients in resolving federal tax disputes, obtaining private letter rulings, and addressing and responding to regulatory and legislative changes in tax policy.

## Professional Affiliations

- The District of Columbia Bar
- American College of Tax Counsel
- American Bar Association
- American Institute of Certified Public Accountants

## Education & Certifications

- Bachelor of Science, The American University, Washington, D.C.
- Juris Doctor, Law Review, Washington College of Law, Washington, D.C.
- Master of Laws, Taxation, Georgetown University Law Center, Washington, D.C.

## Client Services Focus

- Tax Dispute Resolution
- IRS Practice and Procedure
- Tax Policy

## Publications and Speaking Engagements

Rochelle is a frequent speaker and author, including:

- Whether to 'Push or Pay' Under the New Partnership Audit Rules, Tax Notes, Vol. 161 Number 13 (12/24/2018)
- ABA Tax Section 2018 Fall Meeting, "The New Partnership Audit Rules, Round 2: After the partnership audit, how you and the IRS fight it out"
- The Tax Advisor: "A Still Uncertain Future for Tax Accrual Workpapers"
- The Tax Advisor: "Regulation of Tax Return Preparers"
- American Institute of Certified Public Accountants: "Report on Civil Tax Penalties: The Need for Reform"

# Peter Judge, Government Relations Manager



**Peter Judge**  
**Government Relations Manager**  
**Washington National Tax**

1455 Pennsylvania Avenue, N.W.  
Suite 700  
Washington, D.C. 20004-1008

[peter.judge@crowe.com](mailto:peter.judge@crowe.com)

## **Experience**

Peter joined Crowe in August of 2015, and is in the Washington, D.C. office where he lobby's Congress and the Administration on behalf of the firm and with Industry partners.

Peter has extensive experience in the political world, working on many federal campaigns as well as several years as an aide on Capitol Hill with two members of Congress. He has also worked for a non-profit group and a traditional lobbying firm.

## **Professional Affiliations**

- Women in Housing and Finance (WHF)
- Federal Legislative Task Force, AICPA

## **Education & Certifications**

- Bachelors in Political Science, American University, Washington, D.C.

## **Client Services Focus**

- Government Relations

## **Publications and Speaking Engagements**

- Peter has spoken on a variety of federal legislative issues, communicating both to Crowe leadership and Congressional offices.

## **Community Involvement**

- West Potomac Rugby Football Club
- Boys and Girls Club of Greater Washington, D.C.

# Brent E. Felton, CPA, J.D.



**Brent E. Felton, Director**

55 Campau Avenue N.W.  
Suite 500  
Grand Rapids, MI 49503-2642

[brent.felton@crowe.com](mailto:brent.felton@crowe.com)

## **Experience**

Brent has practiced in the international tax arena for more than 25 years in public accounting and private industry.

## **Professional and Industry Experience**

Acquisitions, restructurings and divestitures, repatriation planning, international expansion, structuring for closely held U.S. corporations and partnerships, tax planning, U.S. and foreign tax examination defense, transfer pricing, global tangible transfer price management, movement of production activity, migration of manufacturing intangible assets, cost sharing arrangements and the establishment of an integrated brand intangible asset as well as the initiation of bilateral competent authority dispute resolution proceedings and bilateral APA proceedings.

## **Professional Affiliations**

- American Institute of Certified Public Accountants
- Tax Executive Institute
- Chicago Tax Club

## **Education & Certifications**

- Juris Doctorate
- Bachelor of Science, Accountancy
- Northern Illinois University, Illinois
- Certified Public Accountant

## **Client Services Focus**

- International tax

## **Industries**

- Manufacturing & Distribution
- Construction
- Financial Services

# Veena K. Murthy, J.D., LL.M Taxation



**Veena K. Murthy, Principal  
Washington National Tax**

1455 Pennsylvania Avenue, N.W.  
Suite 700  
Washington, D.C. 20004-1008

[veena.murthy@crowe.com](mailto:veena.murthy@crowe.com)

## Experience

Ms. Murthy is a Principal in Crowe's Washington National Tax Office and its Compensation and Benefits Tax Services Leader. With over 23 years' experience in compensation and benefits tax matters impacting employees and employers, she advises clients on executive compensation, fringe benefits, Affordable Care Act and health benefit taxation, partnership compensation and benefit taxation, M&A compensation and benefit tax issues, deductions under sections 162(m), 280G, 404(a)(5), and 83(h), payroll income/FICA/SECA taxation, qualified retirement plan tax compliance/deductions, and US taxation and treaty issues specific to cross-border compensation and benefits delivery.

Prior to becoming a Principal at Crowe, Ms. Murthy was a Legislation Counsel at the Joint Committee on Taxation, U.S. Congress, where she provided tax technical and policy advice to the House Ways and Means Committee and the Senate Finance Committee on, among other things, the SECURE Act, and 2017 tax reform (known as the "Tax Cuts and Jobs Act") in the areas of executive compensation (sections 162(m), 4960 and 83(i)), fringe benefits (274 parking, transportation, entertainment, meals), the new paid family and medical leave employer credit, health, and retirement. Prior to her government role, she spent many years in the private sector – including two Big Four accounting firms, Big Law, and as in-house benefits tax counsel at IBM Corporation. Ms. Murthy is a Fellow of the American College of Employee Benefits Counsel, a former Adjunct Professor of Law at Georgetown Law Center's LL.M Taxation Program, and a former Bloomberg Tax Compensation Planning Journal Advisory Board Member.

## Professional Affiliations

- New York Bar
- American Bar Association – member of Tax Section and Joint Committee on Employee Benefits (JCEB)
- Fellow of the American College of Employee Benefits Counsel

## Education & Certifications

- B.A., Barnard College, Columbia University, New York, NY
- J.D., Benjamin N. Cardozo School of Law, New York, NY
- LL.M Taxation, New York University School of Law, New York, NY

## Client Services Focus

- Executive compensation (sections 83, 409A, 457(f), 4960) taxation
- Fringe benefit & health/ACA taxation
- Compensation tax deductions
- Partnership compensation and benefit taxation
- M&A compensation and benefit tax issues
- Payroll income/FICA/SECA taxation
- Cross-border compensation and benefits taxation

## Publications and Speaking Engagements

- ABA Tax Section meetings (2014-present)
- ABA JCEB Executive Compensation National Institute (2014-2019)
- ABA JCEB Health and Welfare Benefit Plans National Institute (2018-present)
- ABA JCEB Employee Benefits Spring Update (2018-present)
- Tax Executives Institute national and local venues (including virtual 75<sup>th</sup> Annual Conference and virtual 70<sup>th</sup> & 71<sup>st</sup> Midyear Conferences)
- Bloomberg/BNACompensation Planning Journal: "The SECURE Act: A Tax Policy and Technical Perspective"; "Selected Cross-Border Equity and Deferred Compensation Issues with Funded Foreign Plans"
- WGL Corporate Taxation: "Why Paying Severance Has Become Like Walking a Tax Law Minefield"
- Tax Notes International: "Employee Stock Options and Tax Treaties: Will the Netherlands and the U.S. Set the Standard?"
- Frequently quoted in Tax Notes Today and Bloomberg Daily Tax Report, among others (Wall Street Journal, Accounting Today, Politico, CNN.com)



# David Strong, CPA



**David Strong, Director**

55 Campau Avenue N.W.  
Suite 500  
Grand Rapids, MI 49503-2642

[david.strong@crowe.com](mailto:david.strong@crowe.com)

## **Experience**

Dave Strong joined Crowe LLP's National Tax Office in April 2006, with more than 24 years of experience in both public accounting and the private sector. David is part of Crowe's National Tax Office and is responsible for monitoring legislative and regulatory changes and communicating those changes to the firm. He is also a leader in Crowe's Tax Accounting Methods Practice which provides consulting services related to inventory valuation and accounting method issues for a broad client base throughout the firm.

## **Professional Affiliations**

- American Institute of Certified Public Accountants
- Michigan Association of CPA's
- AICPA Tax Accounting Technical Resource Panel

## **Education & Certifications**

- Bachelor of Science in Business Administration, Accounting and Business Administration, Aquinas College, Michigan
- Certified Public Accountant (CPA), Michigan

## **Client Services Focus**

- Tax Consulting
- Transaction Cost Analysis
- Accounting Methods and Period

## **Industries**

- Retail
- Manufacturing and Distribution
- Food and Commodities

## **Publications and Speaking Engagements**

- Writer, The Tax Advisor, Mid Market Advantage, and Tax Notes published by Tax Analysts
- Speaker, Michigan Association of CPA's and the Financial Executives International.

# Timothy Trifilo, CPA



**Timothy Trifilo, CPA, Tax Partner  
National Real Estate Tax Leader**

1455 Pennsylvania Avenue, N.W.  
Suite 700  
Washington, D.C. 20004-1008

[timothy.trifilo@crowe.com](mailto:timothy.trifilo@crowe.com)

## **Experience**

Tim has 25 years of experience advising global clients in the real estate, asset management, and private equity industries, including private equity funds, venture capital, public and private REITs, institutional investment advisors, and real estate owners/developers.

Tim specializes in structuring global private equity funds and investments with diverse investor profiles and in providing transaction support and advice on fund formation, public and private equity offerings, tax-efficient capital structures, REIT formation, due-diligence and qualification issues, real estate workouts, and M&A transactions. Tim also has significant experience in partnership taxation and joint venture transactions, with specialized focus on cross-border tax planning including Sovereign Wealth Funds and structuring Shariah compliant funds.

Tim is responsible for all aspects of tax compliance and transaction advisory service engagements, including the planning and coordination with clients' finance, legal, and management personnel, as well as outside legal counsel. He has extensive technical and practical knowledge of U.S. and cross-border tax issues, as well as real estate investment and operations.

Prior to joining Crowe, Tim was a partner with a Big Four firm and most recently a large national firm. Tim's strategic focus at Crowe will be to significantly increase the firm's real estate industry practice and brand on a global basis.

Tim is currently an adjunct professor teaching a real estate transactions tax course at Georgetown University's Master in Real Estate program.

## **Client Services Focus**

- Tax Structuring & Financial Modelling
- Global Tax Compliance
- Tax Due Diligence
- Transaction Consulting & M&A

## **Professional Affiliations**

- The Real Estate Roundtable
- National Association of Real Estate Investment Trusts
- American Institute of Certified Public Accountants

## **Education & Certifications**

- New York University, Leonard N. Stern School of Business: MBA, Finance
- State University of New York at Buffalo: Bachelor of Science, Business Administration