

A photograph of the White House in Washington, D.C., taken at dusk. The building is illuminated from within, and the sky is a mix of blue and orange. In the foreground, there is a large green lawn with a fountain spraying water upwards. A yellow text box is overlaid on the left side of the image.

Republicans to control Washington in 2025





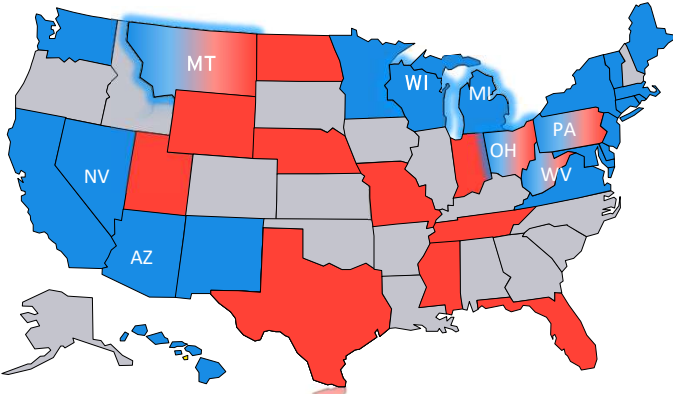
Introduction

Former President Trump is set to return to the presidency in 2025 and Republicans will be in control of the Senate and House, meaning they can proceed with their plans for a massive GOP-only budget reconciliation bill anchored by TCJA extensions.

Republicans have spent months laying the groundwork for a budget reconciliation bill in the event of a red sweep in the elections, which is what transpired. House Speaker Mike Johnson (R-LA) said months ago that Republicans intended to pursue a broad budget reconciliation bill beyond the single-issue bills of the past. Budget reconciliation allows legislation affecting revenues to pass the Senate with a 51-vote simple majority rather than the 60-vote filibuster threshold that applies to most other legislation. This means Republicans will not need to compromise with Democrats to pass a tax-focused bill through Congress and can tailor it to their priorities, which probably means that Tax Cuts & Jobs Act (TCJA) extensions would be applicable to all taxpayers, not curbed for those with higher incomes, and there may be less emphasis on revenue offsets.

President-elect Trump has said that the resulting economic growth will cover the cost of end-of-2025 tax cliff extensions and incoming Senate Finance Committee Chairman Mike Crapo (R-ID) has cited the precedent of not paying for extensions of current tax policy, though others in the party may insist on some revenue offsets given mounting deficit and debt concerns. Democrats' "fair share" tax increases on corporations and high-income taxpayers are now likely off the table. Rolling back Inflation Reduction Act (IRA) energy tax credits and CHIPS and Science Act provisions is a target for revenue under the Republican trifecta in Washington. Some Republicans support some of the provisions, complicating the outlook. Without Democrats in control of either chamber, there is no backstop for undoing those provisions.

While Republicans will control the Senate, they don't have a filibuster-proof 60 votes but do have a least a few-seat cushion in case some members do not support legislation like the TCJA cliff bill next year.



State	Incumbent	Result
West Virginia	Joe Manchin (I-WV) retiring	Jim Justice won
Montana	Jon Tester (D-MT)	Tim Sheehy won
Ohio	Sherrod Brown (D-OH)	Bernie Moreno won
Pennsylvania	Bob Casey (D-PA)	Dave McCormick won
Wisconsin	Tammy Baldwin (D-WI)	Baldwin won
Michigan	Debbie Stabenow (D-MI) retiring	Rep. Elissa Slotkin (D) won
Nevada	Jacky Rosen (D-NV)	Rosen won
Arizona	Kyrsten Sinema (I-AZ) retiring	Rep. Ruben Gallego (D-AZ) won



2024 ratio	51	49	2025 ratio	53	47
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House

Prior to the elections, control of the House was forecast as a jump ball, with a dozen or so toss-up races defended by each party and outcomes influenced by the presidential race. Democrats picked up some seats but lost others as Republicans stayed ahead in vote totals before sealing a majority for 2025 with at least 218 seats. The Republican majority will be narrow as it is in the current Congress and the Democratic-led House before it, though the influence of President-elect Trump may assist in keeping GOP members cohesive.



Policy outlook

A Republican-controlled Senate and House enables President-elect Trump to enact his agenda on tax, health and other issues, including a budget reconciliation bill anchored by extensions of TCJA provisions expiring at the end of 2025. Less certain is the reception to his other tax cut proposals, which could add trillions to the cost of a tax bill.

Major elements of the Trump tax plan include:

- Extension of TCJA provisions for all, relying on resulting economic growth to cover the cost
- Restoring the full state and local tax (SALT) deduction, which was capped by the TCJA
- 15% “Made in America” tax rate for companies that make products in America and, for those that make products elsewhere, “a very substantial tariff when you send your product into the United States”
- Tariffs, proposed to be:
 - 10%-20% generally
 - 25% for products from nations seen as contributing to illegal immigration
 - 60% for products from foreign rivals
 - 100% or 200% for certain foreign automobiles
- Expanded R&D tax credits, 100% expensing
- Family tax credit for caregivers who care for a parent or loved one
- Exempting from tax:
 - Tip income
 - Overtime income
 - Social Security benefits
- Making auto loan interest deductible

Because Republicans retained control of the House while also winning the presidency and Senate majority, they will have the opportunity to enact a GOP-only budget reconciliation bill, anchored by extensions of end-of-2025 expiring TCJA provisions, which has the advantage of being enacted with a simple majority vote in the Senate rather than the 60-vote filibuster threshold that would apply to the tax bill under a divided Congress. With a 53-vote majority in the Senate, but well short of 60 votes, reconciliation can be employed as a way around negotiating with at least some Democrats to gain votes for the tax bill and more partisan health policies.

Republican negotiations and revenue

Even though a GOP trifecta allows for budget reconciliation, there still must be intraparty negotiations over issues like a revenue target for the bill - determining how much of the cost of the bill will be paid for and how much will be added to the budget deficit. A November 7 New York Times story said, "lawmakers and advisers to Mr. Trump are undecided about how much money they can commit to lowering the nation's taxes again." The Congressional Budget Office has put the cost of TCJA extensions at \$4 trillion before interest costs, and Trump's additional campaign tax proposals could cost trillions more. The story said "some Republicans said the party would have to show some fiscal discipline. 'We can't just have it be unlimited, whatever we want to it to be,' Senator James Lankford, a Republican of Oklahoma and member of the Finance Committee, said of the cost of a tax bill next year."

Unanimity is not always assured even in cases when one party has sole control in Washington. In 2017, Republicans had some difficulty in settling on a cost limitation for the forthcoming tax reform bill, which eventually became the TCJA, before agreeing to a \$1.5 trillion ceiling. During 2021 Build Back Better Act (BBBA) negotiations, Senator Kyrsten Sinema (I-AZ) blocked tax rate increases, forcing Democrats to turn to other revenue offsets. Senator Joe Manchin (I-WV) blocked international tax changes in the resulting 2022 bill, the much narrower IRA.

A story in the November 7 Wall Street Journal said Republican power in Washington increases chances of extending the tax cuts - including rate cuts, a higher standard deduction and Child Tax Credit (CTC), the pass-through deduction, and larger estate tax exemption - but the party must face intraparty philosophical differences on other issues like the benefit of a higher CTC versus lower marginal rates. The story also noted that some Republicans are calling for rolling back IRA energy credits, but "those credits are funding projects in Republican districts, and many GOP lawmakers are wary of full repeal." Further, the GOP will "again, consider temporary extensions of many provisions because the reconciliation rules don't allow them to expand budget deficits beyond a 10-year period."

Dynamic scoring & IRA rollbacks

There isn't consensus among Republicans on paying for tax cut extensions. President-elect Trump has said resulting economic growth would cover the cost and incoming Senate Finance Committee Chairman Crapo has noted the precedent of not paying for extensions of current tax policy. Some members of Congress are likely to push for a package to be at least partially offset. Additionally, while some Republicans have expressed a desire to raise the 21% corporate tax rate, it seems unlikely that President-elect Trump, who has proposed a reduced 15% rate for domestic manufacturers, would support an increase.

Dynamic scoring or counting the economic growth resulting from tax policies - which President-elect Trump said would cover the cost of TCJA extensions prior to the election - and rolling back IRA credits appear to be the main revenue targets at this point, Rep. Byron Donalds (R-FL) said on Fox News Sunday November 10.

"When anybody talks about tax policy from these foundations, what they never say to the American people is that when they talk about \$7 trillion is the cost, that's using static modeling... [that] doesn't take into effect the impact of lower tax rates and economic growth as a result... So, President Trump's tax policy is actually going to be a net benefit to the United States because it's going to breed more economic growth," he said. "Number 2, there are massive areas in the federal government that do need to be scaled back, that need to be cut. One of them that we have to take a long hard look at are the Green New Deal tax credits in the Inflation Reduction Act... So, if you want to find money to pay for tax policy so we can grow our economy, so working families can get ahead with no tax on tips and no tax on overtime, how about we get rid of the Democrats' spending boondoggles that came in under the last administration?"

Under the current GOP-led House, the April 2023 "Limit, Save, Grow" GOP debt limit bill (H.R. 2811) proposed repealing or rolling back to prior law a broad swath of IRA credits, and the "Build It in America Act" (H.R. 3938) GOP tax bill would have more narrowly only repealed electric vehicle (EV)-related credits. Republicans have been especially critical of EV credits, and credits for clean hydrogen, storage, and technology-neutral credits have also been targeted. The appeal of the IRA energy provisions as a revenue source has grown along with their projected costs. As approved in August 2022, the energy credits were slated to cost \$271b/10 years. In May 2023, the Joint Committee on Taxation put the cost at \$650 billion/10 years. Outside groups have estimated the cost as even higher.

Tariffs

Trump's main proposed revenue offset is tariffs, describing them as at least 10%-20% for imported products, 25% for nations seen as contributing to US immigration issues, 60% for products from foreign rivals, and 100%-200% for some foreign automakers. There isn't a guarantee that Trump's proposed tax ideas get enacted as proposed, and advisors have made comments in the press suggesting efforts to try to enact change in the spirit of the proposals if not to the letter. A WSJ analysis said, "As for Trump's own plans, he may not raise tariffs as much as threatened, opting for negotiations over trade war. Congress may water down his tax plans." It is possible that tariffs imposed by the President, through various laws that provide authority, wouldn't officially count as revenue to offset legislation, but tariffs enacted by Congress could.

Politico reported November 7, "Advisers close to President-elect Donald Trump have been in discussions with House Ways and Means Chair Jason Smith (R-Mo.) on a broad tax package that is partially paid for by tariffs approved by Congress... As part of those conversations, staffers and advisers close to the Trump team have also investigated whether House rules need to be changed to use tariffs as offsets for tax cuts." The story said, "Congress has not raised tariffs through legislation in almost 100 years – the Smoot-Hawley Tariff Act of 1930 – and that has led to some confusion over how lawmakers should handle the issue as part of a broader tax package." Chairman Smith said on CNBC September 30, in the context of paying for TJA extensions: "I also believe if you codify various aspects of the 301 tariffs that can raise a lot of money in the hundreds of billions of dollars."

Process

The current expectation is that Republicans want to move the tax bill before acting on debt limit legislation required sometime mid-2025 after extraordinary measures are exhausted following the expiration of the current suspension (enacted in the June 2023 Fiscal Responsibility Act) on January 1, 2025. Republicans have already been in discussions about a reconciliation bill addressing expiring tax provisions and perhaps much more.

Speaker Johnson met with Senate Republicans in June to discuss the House plan for reconciliation in 2025 and suggested it would be broad in scope and address many issues, including tax. "The Democrats have used reconciliation much more aggressively than the Republican Party has in recent years. And so, we're not going to make that mistake again. We have big policy changes that we'd like to enact," he said. "To us these are important fixes, and I think things that can be done early in the Congress."

Johnson has prepared Republicans for a far-reaching bill aimed at addressing a wide range of issues at once. “Back in the 2017 timeframe and in previous years, we Republicans kind of took a single-subject approach to reconciliation. We did one round of health care reform, one round of tax reform. But we’re looking at for [FY 2025], we want to have a much larger scope, multiple issues to address in addition to the expiration of the [TCJA],” he said.

Speaker Johnson subsequently, on September 17, promised a “Day One” focus on corporate tax policy under Republican control next year, saying, “The first thing we want to do is promote investment and opportunity. And we do that by extending and building upon the Trump tax cuts.” He said Republicans will ensure the US is the “preeminent location for the investment and innovation and technology by restoring immediate expensing for R&D costs, by ensuring a strong FDII incentive to encourage U.S. ownership of intellectual property and restoring the 100% expensing provision.” The foreign-derived intangible income (FDII) deduction of 37.5% (for a 13.125% rate) is set to drop to 21.875% (for a 16.40625% rate) after 2025. Expensing for R&D costs ended after 2021, replaced by 5-year amortization, and 100% expensing began being phased down after 2022.

Republicans have laid at least some of the groundwork for considering issues related to the 2025 tax cliff, through bicameral discussions and the GOP-only Tax Teams that operated over the course of the year. “In the House, Republicans have been working to get as many budget scores back as possible from the Joint Committee on Taxation to guide conversations in the lame duck... That includes estimates for tax proposals that came up based on Tax Team feedback and options to address Trump’s campaign trail promises,” Punchbowl News reported November 6. “Smith said in our interview that depending on the House margin, he could have to ‘thread the needle’ on concerns about the debt, the state and local tax deduction and some issues ‘very important to people in Iowa, in Nebraska’ – an area where biofuels are a big constituency.”

In addition to questions over revenue offsets, there is also uncertainty about how Republicans in Congress will regard Trump’s additional tax proposals beyond TCJA extensions. He has proposed a family tax credit for caregivers who care for a parent or loved one, exempting tip and overtime income and Social Security benefits from tax, making auto loan interest tax deductible, and restoring the SALT deduction. “I’m not endorsing or not endorsing any of those ideas,” Senator Crapo said in September, referring to Trump’s tax proposals. “I think that we are going to have a very broad, deep discussion.” Senator John Thune (R-SD), now the incoming Majority Leader, said in a September 18 Washington Post report, “We’ll take them very seriously and into consideration as we try and put this thing together.”

OECD-led global tax agreement (BEPS 2.0)

The first-term Trump Treasury Department was involved with OECD-led negotiations before walking away over the group's insistence that Pillar 1 be mandatory, arguing in December 2019 that the goals could be "substantially achieved" by making it a safe-harbor regime. It is possible, if not likely, that the second-term Trump administration walks away from Pillar 1, though some US businesses see benefits from it.

Since 2019, more than 139 countries have reached agreement, in October 2021, on a global minimum tax deal (Pillar 2). The agreement, in part, requires the global minimum tax to be applied on a country-by-country basis in contrast to the US's minimum tax (GILTI), which is computed on an average basis. Moving GILTI to a country-by-country basis was proposed in the 2021 BBBA, but the Democratic controlled Congress was unable to enact these changes, keeping GILTI from being treated as a compliant Pillar 2 minimum tax. Republican contempt for the Pillar 2 agreement has grown since the Model Rules were agreed to in December 2021 and, in particular, to the idea that the backstop rule in Pillar 2 - the undertaxed profits rule or UTPR - could apply to US earnings of US companies and cause tax payments to be paid to other countries.

In a September 17, 2024, letter to the OECD, Speaker Johnson and other members of House leadership plus Ways & Means Chairman Smith and Republican committee members expressed support for a lawsuit challenging the UTPR. They said the UTPR "would surrender U.S. tax sovereignty, allowing unelected foreign bureaucrats to dictate tax policy, and help foreign governments arbitrarily extract hundreds of billions of dollars from the U.S. economy."

Shutting the door to Pillar 2 isn't as easy as Pillar 1, because around 40 countries have enacted some or all aspects of the Pillar 2 agreement into their domestic laws with effect for most countries January 1, 2024. It is unclear how a Trump administration, working with a Republican Congress, might pressure the OECD and supporting countries to make changes to Pillar 2. House Republican budgets have proposed withholding OECD funding and a July letter to Senate appropriators from Finance Ranking Member Crapo and Committee members Lankford and Steve Daines (R-MT) requested that the FY2025 Appropriations bill prohibit certain funding or voluntary contributions to the OECD, which they said "leads the anti-American global tax negotiations that will hinder American competitiveness, send U.S. taxpayer dollars to European bureaucrats, and cause American job losses, yet the U.S. unfairly pays the largest contributions."

The Trump administration and the Republican-controlled Congress will likely push to reopen some administrative guidance that has been released since the Model Rules in December 2021. At a minimum they would want to block the ability of foreign governments to impose UTPRs on US MNE earnings beyond the current delay from 2025 to 2026. A broader question is whether they try to eliminate the UTPR entirely or make the blended CFC push-down guidance that is helpful to US MNEs permanent.

Going forward, the Trump administration will need to decide whether it wants administrative guidance to continue. Treasury would like OECD countries to agree to important areas of guidance, perhaps by the end of 2024, but delegates from other countries are suggesting the guidance process should stop - whether it's to see what the next administration wants to do, or a permanent stop is not clear. US MNEs will need to watch this process develop, as Treasury believes guidance issued thus far has produced some very big successes to the benefit of US MNEs, including favorable treatment for tax equity deals and the transferable tax credits created by the IRA, and it continues to push to make the research credit treated similarly to a Qualified Refundable Tax Credit under the Model Rules. Next year and beyond, a Trump Treasury will have to navigate the administrative guidance process to continue to advocate for rules that are favorable to US MNEs.

Health care

President-elect Trump has not issued a formal health care plan, but based on his past presidency elements of Trump's health care agenda may include:

- Reining in spending on Affordable Care Act (ACA) programs, while granting states more flexibility in coverage through 1115 and 1332 waivers and policies to enable Medicaid block grants
- Bolstering alternative coverage options through rulemaking, including association health plans, limited duration health plans, health savings accounts, and individual coverage health reimbursement arrangements (IHRAs)
- Policies to bring down US drug costs, such as international reference pricing and modifications to the Inflation Reduction Act's drug price negotiation provisions
- Increased transparency into pharmacy benefit managers

Health care is another likely focus area for reconciliation, and possibly raising revenue. Republican efforts to repeal portions of the IRA are likely to include the law's drug price negotiation provisions. However, Republicans in Congress may have to work with Trump to develop alternatives to lowering drug prices, as drug costs have been a key issue for Trump in the past. Republicans also strongly oppose enhanced tax credits for ACA exchange plans, which are set to expire at the end of 2025. Allowing those tax credits to expire may not raise scorable revenue from government scorekeepers, but Republicans could point to savings as a justification for spending elsewhere.

The ACA's premium tax credits for health insurance were expanded in the American Rescue Plan Act (ARPA), and those expansions were extended through 2025 under the IRA. A Bloomberg Daily Tax Report story from July said: "Conservatives, fighting for tax cuts, are building a case for letting Obamacare's premium tax credits expire next year... 'It's going to draw a lot of attention about how we proceed forward,' Rep. Kevin Hern (R-Okla.) said. 'There's a lot of money being spent so we got to figure out every avenue to get after this.'"

The future of the ACA has been in the news after House Speaker Johnson made comments October 28 suggesting Republicans want to make major health care changes, and later clarified that those plans don't include ACA repeal. During the September 10 presidential debate, Former President Trump, when asked about the ACA, said, "I had a choice to make - do I save it and make it as good as it can be, or do I let it rot? And I saved it. I did the right thing, but it's still never going to be great, and it's too expensive for people. And what we will do is we're looking at different plans. If we can come up with a plan that's going to cost our people, our population less money and be better health care than Obamacare, then I would absolutely do it. But until then, I'd run it as good as it can be run." He said, "I have concepts of a plan."

Financial services

Republicans' retaining the House majority means there will be a four-way contest for the chairmanship of the House Financial Services Committee, as current Chairman Patrick McHenry (R-NC) is retiring. The race likely comes down to a choice between Reps. Andy Barr (R-KY) and French Hill (R-AR), both subcommittee chairmen, though Reps. Bill Huizenga (R-MI) and Frank Lucas (R-OK) are also seeking the post.

Hill founded a community bank in Little Rock and has served in both the Treasury Department and the White House of President George H.W. Bush. Barr, a lawyer and former college intern for Sen. Mitch McConnell (R-KY), has said he seeks to unite the pro-business and populist wings of the GOP.

Barr has been a leading Republican critic of the Federal Reserve's approach to monetary policy as well as its Basel III bank capital proposal.

On the Democratic side, the committee's ranking member will remain Maxine Waters (D-CA), who has made affordable housing a key personal issue. While Waters, 86, often engages in sharp questioning at hearings, she had a collegial relationship with McHenry and engaged in bipartisan negotiations with him on stablecoins legislation.

On the Senate Banking Committee, Sen. Tim Scott (R-SC) is expected to take over as chair now that Republicans have won the Senate majority. Scott, who was on the short list to serve as Trump's vice president, recently took himself out of the running for a Cabinet post in the incoming administration, and on November 13 the GOP caucus elected him chair of the National Republican Senatorial Committee. Scott has said he wants the Banking Committee to focus on capital formation, housing, creating a regulatory framework for digital assets and rolling back bank regulations.

The committee's ranking member will be Sen. Elizabeth Warren (D-MA), after the two senators who outrank her in seniority - Jack Reed (D-RI) and Mark Warner (D-VA) - announced that they would retain their ranking positions on the Armed Services Committee and the Intelligence Committee, respectively. Warren, a fierce critic of big banks and private equity firms, on November 12 said that her priorities in the new role would include "building more housing to lower prices and protecting consumers from private equity greed and special interest scams."

Possible executive actions

President-elect Trump's Agenda 47 website and other sources have identified numerous executive actions the incoming administration could take in the early going, including moving to:

- Direct federal agencies to identify portions of their budgets where savings are possible through the 1974 Congressional Budget and Impoundment Control Act, while maintaining funding levels for defense, Social Security, and Medicare. Trump's Agenda 47 website also says he will "take action to challenge the constitutionality of limits placed" on the 1974 impoundment law.
- Revoke temporary protected status (TPS) allowing migrants to reside and legally work in the United States, which was expanded by the Biden administration.

- Move to reinstate some form of “Schedule F,” a change made by Trump during his first term that made it easier to fire certain federal workers, by reclassifying them as “at-will” employees outside civil service protections. Trump in 2023 said he would “immediately reissue my 2020 executive order restoring the president’s authority to remove rogue bureaucrats, and I will wield that power very aggressively.” Because the Biden administration’s Office of Personnel Management in April 2024 completed a rulemaking process that made it more difficult for future administrations to reinstate Schedule F, the incoming Trump administration would likely have to go through a similar years-long rulemaking, with notice and public comment, to change the OPM rule, and Trump’s goals could not be achieved with an EO.
- Roll back Biden’s April 2022 fuel efficiency standards for cars and light trucks, as well as rules promoting the adoption of electric vehicles (EVs). Trump also has said he wants to reduce the amount of time it would take to approve drilling permits on public lands by half; increase permit applications to drill on federal land; and repeal regulations focused on emissions reductions from power plants, vehicles and energy production or on limiting liquefied natural gas (LNG) exports.
- Reinstate previous Trump executive orders curbing restrictions in the National Environmental Policy Act (NEPA), Endangered Species Act and Clean Water Act in order to expedite permits for federal infrastructure projects.
- Reinstate a previous executive order requiring the removal of multiple existing regulations for any new regulation proposed.
- Sign an executive order directing every Cabinet secretary and agency head to target inflation as a key priority. “We will target everything, from car affordability to housing affordability, to insurance costs, to supply chain issues,” Trump said in August. “I will instruct my Cabinet that I expect results within the first 100 days.”

Health care & Education

- Reinstitute Trump’s August 2020 Executive Order 13944 requiring that the Food and Drug Administration buy “essential” medications only from U.S. companies. Trump has also promised to block purchases of “any vital infrastructure” in the U.S. by Chinese investors, and to issue an executive order saying the government will only pay pharmaceutical companies the “best price they offer to foreign nations.”
- Create an independent commission to examine the cause of increases in chronic disease.

- Use federal funding as leverage to end diversity, equity and inclusion (DEI) programs in K-12 education, and to abolish tenure and adopt merit pay for teachers; and to take over the accreditation processes for colleges.
- Roll back the Biden administration's gender policy protections.

Trade

- Formally notify Mexico and Canada of Trump's intention to use the six-year renegotiating provision of the United States-Mexico-Canada Agreement (USMCA) to strike what he views as a better deal.
- Revoke China's MFN (most favored nation) trade status.

Immigration

- End "birthright citizenship" by means of an executive order preventing federal agencies from granting automatic citizenship to the children of illegal immigrants. Trump's web site said the EO would require that at least one parent be a U.S. citizen or lawful permanent resident for their children to be eligible for passports, Social Security numbers and other benefits.



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