

Finance Committee approves Rollinson's nomination as IRS chief counsel

The Senate Finance Committee advanced a key tax policy nominee on November 2, voting 16-11 to send to the full Senate the nomination of Marjorie Rollinson, President Biden's pick to serve as the next chief counsel for the Internal Revenue Service. Two Republicans on the panel, Sens. Bill Cassidy of Louisiana and Thom Tillis of North Carolina, joined 14 Democrats in the "aye" column.

The chief counsel is one of only two posts at the IRS that require Senate confirmation—the other is the commissioner—and plays a key role in developing guidance and regulations on new tax legislation. The position has been vacant since President Biden took office in January of 2021. William Paul, the current principal deputy chief counsel, has been serving as acting chief counsel in the interim.

Rollinson, who is currently retired, spent much of the past 36 years at a Big Four professional services firm, most recently as deputy director of its national tax department. However, she also served in the IRS chief counsel's office from 2013 to 2019, finishing her time there as associate chief counsel, international.

At a Finance Committee hearing September 28, Republican senators posed a host of questions to Rollinson on topics including the OECD project to overhaul international tax rules, interpretation of the tax provisions from Inflation Reduction Act of 2022 (P.L. 117-169) and the guidance implementing those provisions, and IRS's focus for taxpayer audits. (For details on Rollinson's responses, see *Tax News & Views*, Vol. 24, No. 32, Sep. 29, 2023. The Finance Committee on October 11 released Rollinson's written responses to additional questions for the record that taxwriters submitted after the hearing.)

URL: <https://www.congress.gov/117/plaws/publ169/PLAW-117publ169.pdf>

URL: https://dhub.deloitte.com/Newsletters/Tax/2023/TNV/230929_1.html

URL:
https://www.finance.senate.gov/imo/media/doc/responses_to_questions_for_the_record_to_marjorie_rollinson.pdf

The top Republican on the panel, Sen. Mike Crapo of Idaho, said in his statement before this week's vote that Rollinson "has a strong resume and impressive technical expertise" and that he was encouraged by the commitments she made in her hearing and meetings with senators; however, he ultimately concluded that he could not support her nomination "given the many existing unresolved issues at the IRS and Treasury."

"There are a number of concerning developments at the IRS and Treasury," Crapo said, "including an increasingly partisan framing of the tax gap and IRS enforcement efforts; the continued inability of the IRS to adequately address long-known security flaws; the IRS's continued focus on the development of the partisan and duplicative Direct File program; and Treasury's advancement of the OECD Pillar Two negotiations without meaningful congressional input, to the likely detriment of domestic businesses and workers. Despite continued assurances that transparency and taxpayer service will improve, there haven't been demonstrable changes to support these commitments."

In his own statement supporting Rollinson’s nomination, Finance Committee Chairman Ron Wyden, D-Ore., noted “[i]t’s no secret that Democrats and Republicans have differing views about how the IRS should operate,” but he added that the role of the chief counsel has traditionally received bipartisan support.

Plans for taking up Rollinson’s nomination on the Senate floor had not been announced at press time.

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Tax Policy Group
Deloitte Tax LLP

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