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EDUCATION

Georgetown University Law Center

LLM

University of Virginia School of Law

JD

James Madison University

BA, summa cum laude

ADMISSIONS

District of Columbia

Brigen Winters

Principal | Policy Chair; Executive Committee Member

Brigen Winters is a senior-level advisor to employers, plan administrators, financial institutions, professional employer organizations (PEOs), trade associations, and coalitions on health and welfare, retirement, tax, executive compensation, regulatory, and legislative matters. His guidance integrates strategic thinking, deep knowledge of a client's business, and in-depth expertise in – and experience with – legal, legislative and regulatory processes to help clients achieve successful outcomes.

Brigen advises many of the nation's largest employers, benefit plans and service providers on plan design and administration, funding and compliance issues with respect to retirement, health and welfare, executive, and deferred compensation plans. He helps clients achieve favorable outcomes through legislative amendments from Congress and regulatory guidance from the IRS and the Departments of the Treasury, Labor, and Health and Human Services. He also has extensive experience advising clients on budget reconciliation, tax reform and health reform legislation.

He counsels clients on all aspects of tax-qualified and individual retirement arrangements (IRAs), including tax, ERISA fiduciary, and pension plan funding issues. He helps clients address complex pension funding challenges for both multiemployer (Taft-Hartley) and single-employer plans. He guides clients in the design and administration of executive and nonqualified deferred compensation plans, equity and long-term incentive plans, rabbi trusts, and other funding arrangements. He also advises tax-exempt organizations with respect to a broad range of issues, including compliance, group NIL licensing, tax-exempt structuring, and unrelated business income tax (UBIT) liability.

His practice also includes counseling clients concerning the full range of laws that affect the administration of health and welfare benefit plans, cafeteria plans, health savings accounts (HSAs), health reimbursement arrangements (HRAs), flexible spending arrangements (FSAs), retiree medical plans, and health funding arrangements, including VEBAs. He works extensively on compliance, product and plan design, business strategy,

and public policy matters related to the Affordable Care Act (ACA), health reform, and drug pricing and PBM reform.

In addition to his experience in private practice, Brigen also served in the 106th and 107th Congresses as Tax Counsel to the Committee on Ways and Means of the U.S. House of Representatives. In this position, he was responsible for a broad array of legislative topics, including retirement, pension, health, ERISA, employment tax, tax-exempt, insurance, committee jurisdiction, and tax reform issues for the Committee. In addition, he was the primary House staff member responsible for the comprehensive retirement reforms in the 2001 budget reconciliation legislation (EGTRRA, the Economic Growth and Tax Reform Reconciliation Act of 2001).

Brigen is a member of Groom's Executive Committee and chairs its [Policy and Legislative](#) Practice. He is a frequent speaker and writer on issues in the health, retirement, executive compensation, and tax areas.

In his free time, Brigen is an avid golfer, tennis player and skier, and is very involved in fundraising and attending sporting events and other activities at his sons' schools.

PREVIOUS EXPERIENCE

Tax Counsel, Majority Staff, U.S. House Committee on Ways and Means

PROFESSIONAL AFFILIATIONS

- Fellow, American College of Employee Benefits Counsel
- Fellow, American College of Tax Counsel
- Member, American Benefits Council (ABC)
- Member, ERISA Industry Committee (ERIC)

HONORS & DISTINCTIONS

- Listed, *The Best Lawyers in America*, Employee Benefits (ERISA) Law (2021-2025)
- Listed, *The Legal 500 US*, Employee Benefits & Executive Compensation (2007, 2011-2014)
- Listed, *The Legal 500 US*, Healthcare (2015)
- Health Care Reform Editorial Contributor, "Second Opinions," *Plan Sponsor Newsletter and Magazine* (2009-2015)