



GOVERNMENT RELATIONS & POLICY

DISASTER RECOVERY

When a disaster strikes, our highest priority is to help those impacted or displaced regain a sense of normalcy and security. Van Ness Feldman is committed to assisting our clients and friends in recovering, restoring, and improving critical infrastructure systems in the wake of disasters.

The Van Ness Feldman disaster recovery team is led by former Senator Mary Landrieu (LA), who fought relentlessly and effectively for Louisiana and Gulf Coast recovery assistance in the wake of Hurricanes Katrina and Rita, which both struck in 2005. She served as Chair of the Senate Government Affairs and Homeland Security Committee that established a Disaster Recovery Subcommittee to lead Congressional policy on recovery in the wake of these major storms. In 2012, while still serving in the United States Senate, her assistance was called upon by her colleagues who represented the states affected by Hurricane Sandy. The experience gained by Senator Landrieu and other members of our team allow us to effectively assist localities and states that are confronting disaster relief today. Also on our team is Congressman Norm Dicks (WA), who served on the House Appropriations Committee for over thirty years, and brings unparalleled experience dealing with disaster recovery appropriations.

In addition, our day-to-day practice centers on energy, environmental infrastructure and public policy, with a special focus on federal issues. This focus lends an in depth knowledge and understanding of the operations of municipalities, cities, and businesses facing the daunting task of rebuilding. Through our experience with disaster recovery and our understanding of key programs, personnel, and processes in the federal government, we guide and support clients seeking relief and long-term restoration. We also recognize that when recovering from a disaster there is the opportunity to not only replace, but also substantially improve critical systems and infrastructure to provide resilience and storm protection for the future. We believe that well-conceived restoration improvements can enhance the quality of life of communities and prepare for future threats.

Below are some of the areas in which the Van Ness Feldman team may be able to assist.

RESTORATION LEGISLATION AND FUNDING

Complementing the expertise that Senator Landrieu brings with regard to disaster relief funding, the professionals at Van Ness Feldman have long histories of working both inside the government and in the private sector to assist in the recovery process for various natural disasters. Very often, our professionals have worked to develop effective relief in Congress and within agencies to help rebuilding efforts consider urgent recovery needs. Our professionals continue to use this experience before the Congress and federal Agencies to craft and advocate for remedial legislation that restores and rebuilds communities and regions and identify, track, apply for and negotiate financial awards – both for direct grants and other federal funding opportunities. For instance, the firm was involved actively in the Hurricane Katrina relief packages, particularly working to craft the Gulf Opportunity Zone Act bond program that was designed to assist in rebuilding the areas damaged by Hurricanes Katrina and Rita.

Additionally, professionals at the firm have experience with both HUD's Community Development Block Grant program, which is a major vehicle for dispensing federal funding in disaster recovery situations, and have worked with clients to secure awards and ensure that grantees are in compliance with all award obligations. We also have experience securing funds from Smart Growth and Brownfields grants from EPA.

TAX RELIEF

Almost every major economic/weather disaster over the last 20 years has been followed by Federal government consideration of temporary tax and spending measures. A tax incentive/cost recovery package, designed to assist both individuals and businesses with economic losses in their homes and businesses, are very likely to be considered by Congress in the wake of recent natural disasters.

The firm is able to assist clients with designing and promoting tax provisions that help them recover from physical and economic devastation by focusing private capital on disaster recovery. Previously, we worked on the Katrina Emergency Tax Relief Act of 2005 that was designed to help Louisiana, Mississippi, and Alabama recover from the devastation of Hurricane Katrina and was enacted 25 days after Katrina devastated that part of the Gulf coast. That same year, we worked on the Gulf Opportunity Zone Act of 2005 that provided additional tax benefits to assist in the recovery of the entire Gulf coast after Hurricanes Katrina, Rita and Wilma hit the Gulf coast region.

REGULATORY COUNSELING AND ENVIRONMENTAL PERMITS

Van Ness Feldman has assisted electric and gas utilities, and manufacturing companies on a wide range of regulatory and policy matters related to their power generation activities and other operations in the wake of natural disasters, including navigating reliability issues, and assisting with the procurement of waivers or emergency orders from the Federal Energy Regulatory Commission to help stabilize or mitigate any service interruptions that may have arisen during a disaster. After previous disasters, we have also obtained special legislative provisions that enable private and public sector actions that speed recovery. Similar provisions are expected to be entertained by Congress and the Executive Branch in the wake of recent disasters.

FLOOD PROTECTION AND COASTAL RESTORATION

Van Ness Feldman has extensive experience working with the Army Corps of Engineers on development and recovery projects, including coastal erosion and beach restoration projects. The firm's attorneys and policy professionals are experienced in all phases of Corps projects – from congressional authorization and funding, to project development, permitting, implementation, mitigation and monitoring.

NATIONAL FLOOD INSURANCE PROGRAM AND RISK MAPPING

Van Ness Feldman provides legal and strategic advice to clients as the Army Corps of Engineers and Federal Emergency Management Agency (FEMA) work to revise flood plain classifications across the country. The firm has many years of experience representing cities, businesses, and coalitions of economic interests who would be adversely affected by certain designations and interpretations before federal agencies, in Congress, and in the courts.

Prior hurricanes have highlighted the degree to which FEMA's floodplain maps and the local development regulations of many jurisdictions have become out of date and fail to reflect current priorities necessary to avoid future disasters. Van Ness Feldman can help clients identify the most current regulations and floodplain maps in this evolving landscape, including advocating for changes to those regulations and maps to facilitate clients' reconstruction efforts.

OTHER FEDERAL OPPORTUNITIES

In addition to adequate funding to recover from storm damage, there are always a wide range of policies that may be needed from the federal government, whether or not these issues are not foreseen, the Van Ness Feldman team is ready to help on this entire range of issues.

