



Government Relations & Public Policy

APPROPRIATIONS & FEDERAL FUNDING

Gaining Access to Federal Funding Sources

Appropriations

Van Ness Feldman has a record of success in representing its clients on federal appropriations matters. We alert clients to opportunities, prepare the documentation and other information necessary to justify an appropriation, assist the client in presenting that case to the Administration and/or Members of Congress, understand the timing of Congressional action, and ensure that the appropriation request does not “fall through the cracks.”

Federal Tax Policy

In addition to direct funding sources, Van Ness Feldman has tremendous substantive tax expertise and excellent relationships with the Congressional tax-writing committees. Combined with our expertise in the energy and environment arena, we have successfully worked to expand the Internal Revenue Code to include tax incentives that promote energy project development, tribal and native corporation investment, and environmental compliance. We are uniquely situated to work with clients to develop targeted tax initiatives, build the public policy rationale for the initiative, identify the legislative opportunity and successfully engage with the Congress on behalf of the client.

Representative Matters

An abbreviated list of Van Ness Feldman’s successes in the appropriations arenas is included below:

- **Clean Coal Technology.** The firm manages the Coal Utilization Research Council (CURC), a coalition of industry and educational institutions with an interest in promoting clean coal technology. CURC was a principal player in designing and advocating passage of the nearly \$7.0 billion in federal government incentives and authorizations for integrated gasification combined cycle (IGCC) and other clean coal technology programs now included in the Energy Policy Act of 2005.
- **Advance Collaborative Emissions Study (ACES).** The firm, on behalf of the Engine Manufacturers Association, helped secure the first significant funding for a rigorous multi-year stakeholder study of new, cleaner, heavy-duty diesel engines supported by engine manufacturers, the DOE, the EPA, the California Air Research Board, environmental organizations, the Coordinating Research Council, and the respected Health Effects Institute.

- **Sonoma County Water Agency.** Working on behalf of the Sonoma County Water Agency to establish the Pacific Coastal Salmon Restoration Fund, which provides local governments and stakeholders in the States of California, Oregon, Washington, Alaska, and Idaho with funding for salmon conservation efforts. The program was initially funded at \$54 million in FY 2000, and received \$90 million in FY 2001, \$110 million in FY 2002, \$110 million in FY 2003, and \$90 million in FY 2004 and FY 2005.
- **North Slope Borough.** The firm has represented the North Slope Borough of Alaska on a host of complex appropriations issues ranging from \$7 million for compensation of Inupiat victims of radioactive Iodine-131 experimentation in the 1950s to \$300,000 for an oil and gas assessment in the interior of Alaska, to securing \$4 million to close and relocate a municipal landfill.
- **Renewable Energy Bonds.** Representing the National Rural Electric Cooperative Association, and working with the American Public Power Association and the Large Public Power Council, the firm helped to create a new category of tax credit bonds, known as the Clean Renewable Energy Bonds (CREBs). Rural electric cooperatives, municipal utilities and Indian tribes may issue these bonds, which provide a tax credit to the purchaser, and use the proceeds to develop renewable electricity generation projects.
- **Private Use Bond Restriction.** The firm represented the Large Public Power Council in legislative efforts to modify private use restrictions on municipal bonds issued for energy infrastructure projects. This was a multi-year project where the firm worked with LPPC's bond counsel, and the bond counsel of individual LPPC members, to successfully modify federal policies that otherwise would have significantly disadvantaged large municipal power owners of significant generation assets.
- **Clean School Buses.** Van Ness Feldman's advocacy team represented a coalition of the nation's leading engine manufacturers in securing broad support for millions of dollars in multi-year funding for testing new environmentally friendly transportation technologies and deploying clean, efficient school buses. The firm also advocated the Clean School Buses program, a priority for EMA, which appeared in the President's budget and was funded through annual appropriations.
- **City of Bellingham/Port of Bellingham Waterfront Restoration Project.** Working with and on behalf of Bellingham, Washington, Van Ness Feldman secured a \$9.8 million project in the 2005 highway reauthorization legislation, SAFETEA-LU, recently signed into law. The Bellingham project received funding in both the House and Senate versions of the transportation reauthorization legislation. An additional \$500,000 for the Bellingham Waterfront Restoration was provided in the Fiscal Year 2006 Transportation Appropriations measure.
- **Washington State Rail Pool Car Program.** The firm secured \$2 million in earmarks in the Fiscal Year 2005 and 2006 Transportation Appropriations bills for an innovative program to secure refrigerated rail cars for Washington state.
- **Ferry Funding.** Van Ness Feldman secured earmarks in both House and Senate Transportation Appropriations bills to fund research and ferry boat acquisition for a client in the Puget Sound totaling \$4.8 million for Fiscal Year 2006. The funds will be used to research wake energy in Rich Passage and to ultimately purchase a low-wake ferries to restore fast ferry service between Seattle and Bremerton, Washington.
- **Whatcom County Council of Governments.** The firm helped secure \$3.2 million for a set of transportation projects along the border between Washington state and British Columbia.