



ANN WARNER LLC

aviation | highways | rail | water

Advocating Policy Initiatives Before U.S. Congress

Program Reauthorization Laws

During more than three decades in Washington, Ann Warner, managing partner of Ann Warner LLC, has actively participated in the development of legislation resulting in progressive policy enhancements and funding levels for numerous infrastructure programs and services including five surface transportation laws authorizing the Federal-Aid Highway (Mass Transit) Program, five laws reauthorizing Federal aviation programs, and laws reauthorizing the Water Resources Development Act, Surface Transportation Board reauthorization, and Clean Water and Safe Drinking Water Program.

Surface Transportation Board Reauthorization

STB Reauthorization Act of 2015 (P.L. 114-110) While serving as the executive director and lobbyist for an alliance representing freight rail-dependent shippers, Warner directed the group's advocacy efforts resulting in the first reauthorization of the Surface Transportation Board since 1998. This law provides basic reforms and process enhancements long sought by Warner's client to help the STB more effectively meet its current and new responsibilities. Notably, the Act increases the size of the board from three members to five, allows the STB to initiate its own investigations, and requires the STB to maintain one or more streamlined processes for rate cases in which the full stand-alone cost presentation is too costly.

Surface Transportation Reauthorization Bills

During consideration of the last five surface transportation reauthorization bills, Warner worked to obtain the highest-possible funding levels for highway, transit and other programs. Examples of Warner's legislative successes include:

FAST Act: Fixing America's Surface Transportation Act (P.L. 114-94)

For a coalition supporting increased capital funding for transit programs, Warner successfully advocated for the highest-possible authorization for transit New Starts/Small Starts/Core Capacity programs in the first long term surface transportation bill in a decade.

MAP-21: Moving Ahead for Progress in the 21st Century (P.L. 112-141)

This two-year reauthorization was signed into law in July 2012, nearly three years after the previous law expired. Warner's efforts on behalf of her client, a U.S. subsidiary of an international corporation, included:

Surface Transportation Reauthorization Laws

*Surface Transportation Board
Reauthorization Act of 2015
(P.L. 114-110)*

*FAST Act: Fixing America's Surface
Transportation Act (P.L. 114-94)*

*MAP-21: Moving Ahead for Progress in
the 21st Century (P.L. 112-141)*

*SAFETEA-LU: The Safe, Accountable,
Flexible, Efficient Transportation Equity
Act: A Legacy for Users (P.L. 109-59)*

*TEA-21: Transportation Equity Act for
the 21st Century (P.L. 105-178)*

*ISTEA: Intermodal Surface
Transportation Efficiency Act of 1991
(P.L. 102-240)*





- Working with other stakeholders to successfully include a provision expanding Private Activity Bonds to water projects (as included in the Senate-passed bill).
- Successfully supporting inclusion of report language in the final bill encouraging the Administration to request full use of the Harbor Maintenance Tax (HMT) and that HMT funds should be fully expended for harbor operation and maintenance.

SAFETEA-LU: The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (P.L. 109-59)

This authorization was enacted in 2005, more than two years after the previous law expired. On behalf of her corporate client, Warner initiated and mobilized industry support for a Public Private Partnership (PPP) Pilot Program that encouraged New Start projects to utilize innovative project delivery approaches and/or alternative financing options. The pilot program resulted in a greater acceptance and use of alternative approaches where several projects pursued participation in this PPP Pilot Program.

Warner worked with the 1) Government Accountability Office on its report recommending to the U.S. Congress a funded PPP Pilot Program, released in March 2004 (GAO-04-419) and with 2) USDOT, FHWA and FTA officials in preparing its report, *Report to Congress on Public-Private Partnerships*, also released in 2004. The latter report was required in House-passed report language encouraging expanded use of PPPs in the *Fiscal Year 2004 Department of Transportation Appropriation Act, H.R. 2673 (H. Report 108-401)* that Warner advocated.

SAFETEA-LU also included provisions supported by Warner authorizing project activity – ranging from construction, final design, or preliminary engineering – on the Dulles Corridor Metrorail Extension, New York East Side Access, and Santa Clara Valley Transit Authority's Silicon Valley Rapid Transit Corridor.

Other *SAFETEA-LU* provisions advocated by Ann included: technical changes to the Transportation Infrastructure Finance and Innovation Act (TIFIA) and

expanded use of Private Activity Bonds (PABs) to highway projects.

TEA-21: Transportation Equity Act for the 21st Century (P.L. 105-178)

During debate on this 1998 law, Warner successfully helped to eliminate a provision which would have undercut concrete pavement competitiveness in the U.S. concrete paving industry, on behalf of her national trade association client.

ISTEA: Intermodal Surface Transportation Efficiency Act of 1991 (P.L. 102-240)

On behalf of her international trade association client, Warner successfully advocated for expanded opportunities for publicly and privately-owned toll authorities by allowing, for the first time, toll revenues to be combined with federal funds on certain Federally funded highway and bridge projects. In addition, she successfully secured provisions providing incentives for electronic toll and traffic management development, which later helped served as a cornerstone for Intelligent Vehicle Highway Systems (IVHS) applications.

Federal Aviation Administration Reauthorization Laws

Warner has worked on the last five aviation program reauthorization bills. In addition to advocating the highest-possible funding levels for the Airport Improvement Program (AIP) and increases in the Passenger Facility Charge (PFC) Program, she has promoted innovative contracting methods, alternative financing mechanisms and project delivery enhancements in the aviation arena.

FAA Modernization Act of 2012 (P.L. 112-95)

The Act is the first long-term authorization for the FAA since 2007. The law provides a four-year authorization at \$15.9 billion annually for FAA and related programs thru FY 2015. Warner advocated approval of report language encouraging Qualification Based Selection (QBS) on PFC-funded projects on behalf of her client, a U.S. subsidiary of an international company.



Vision 100: Century of Aviation Reauthorization Act (P.L. 108-176)

The law included a continuation of the applied research programs for airfield concrete pavement, first established in 2000, advocated by Warner on behalf of her client, a national trade association.

AIR-21: The Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (P.L. 106-181)

In this 2000 law, Warner successfully advocated for expanded market opportunities for the concrete pavement industry and secured the first-ever Federal authorization for applied airfield concrete pavement research on behalf of her national trade association client.

Federal Aviation Administration Reauthorization Act of 1996 (P.L. 104-264)

On behalf of her international trade association client, Warner was a leading voice to fund the AIP for two years at over \$2.2 billion annually and paving the way for long-term airport funding reform. In this law, she also helped to establish the first Airport Privatization Pilot Program, which is still being utilized today with three airport participants.

Federal Aviation Administration Authorization Act of 1994 (P.L. 103-350)

In this two-year law, Warner successfully helped to defeat provisions that would have taken away commercial service airports' proprietary rights to effectively obtain financing and to operate their facilities. These efforts, on behalf of her international trade association client, were recognized by the American Society of Association Executives' Award of Excellence in Government Relations/Most Outstanding Federal Legislative Campaign.

Water Resources Development Authorization

Warner advocated for reauthorization of the *Water Resources Development Act of 2007 (P.L. 110-144)* where she worked with other stakeholders in obtaining the inclusion of several provisions in the *Water Resources Development Act of 2013 (S. 601, S. Rpt. 113-13)*, as passed by the U.S. Senate:

- A "Water Infrastructure Finance and Innovation Act" Program (WIFIA) provision modeled after the existing TIFIA program, which would provide federal credit assistance in the form of direct loans and loan guarantees to finance water infrastructure projects.
- Language requiring the monies deposited into the Harbor Maintenance Trust Fund to be fully spent in accordance with various criteria.

Warner also advocated for a public-private partnership pilot program to engage private investment in ports and inland waterways navigation projects. All three of these concepts were later incorporated into the *Water Resources Reform and Development Act of 2014 (P.L. 113-1211)*.



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