



Every month or so, ACSM members should be receiving a government affairs update that discusses some of the issues that the Joint Government Affairs Committee has been working on. Unfortunately, if you miss an update or two you really miss a lot. Here are some of the issues that have been keeping us here on the Joint Government Affairs Committee busy.

National Surveyor's Week Resolution

Introduced in the House and the Senate. On Tuesday, October 2, the National Surveyor's Week Resolution was introduced in the House of Representatives by Congressman Chris Van Hollen (D-MD) and Congressman Charlie Dent (R-PA). The Concurrent Resolution has number H. Con. Res. 223 and can be viewed at <http://thomas.loc.gov>. Senator Ted Stevens (R-AK) introduced the Senate version of the Congressional Resolution honoring surveyors by recognizing National Surveyor's Week. S. Con. Res. 57 was introduced on December 3, 2007. Take a moment to review both resolutions. Also, please contact your Representative to co-sponsor H. Con. Res. 223 and ask your Senators to co-sponsor S. Con. Res. 57.

H.R. 3374 the Small Community Visioning Improvement Act

Legislation was introduced that gave ACSM concern because it gives the landscape architects a superior position and unfair advantage over surveyors and mapping professionals in competition for community beautification projects.

The stated purpose of the Small Community Visioning Improvement Act is to improve the ability of small communities to coordinate with universities and design professionals in developing a vision to address their local needs. However, ACSM has concerns with the language of the bill. It is our opinion that the language of the bill is confusing and at some points conflicting. We would like to work with the sponsor of the legislation, Rep. Zack Space, to change the language so that it is fair to the surveying and mapping community.

The bill places landscape architects in a superior position over licensed professionals like surveyors. Only a handful of states license landscape architects, while all 50 states license surveyors. Section (2) (6) of the bill states that land-

scape architects "have the education, training and skills including in the areas of community involvement and public participation, land use planning, design, project visualization techniques, scenic resource assessment, mapping and Geographic Information Systems (GIS), environmental analysis, and environmental psychology, that ideally qualify them to lead community visioning efforts." As a declaratory statement, it is not accurate. Many of the services listed in this and other sections of the bill are specifically defined in state law as the practice of surveyors and other A/E professionals and are therefore limited to such licensed professionals.

In many states, if a landscape architect is not also a licensed as a surveyor, architect or engineer, that landscape architect would be guilty of practicing without a license if he or she were to carry out the services in H.R. 3374.

ACSM also objects with the language in the bill associated with universities, particularly in its definition of an "eligible grant recipient". All of the services in H.R. 3374 are commercially available and are not appropriate activities for universities. As currently drafted, the bill would result in unfair university competition with the private sector --- sanctioned by the federal government. The bill, as it currently stands, conflicts with state licensing laws in a number of ways. Language has been proposed that would fix these concerns; we are working to get the language into the bill.

FEMA Flood Map Modernization Update

The FEMA FloodMap Coalition met with FEMA staff to go over the progress of the FEMA Map Modernization project. Here are the highlights of the meeting.

Partnerships

FEMA is working with many partners on issues relating to the project. FEMA

claims these partnerships make the mapping process better and it needs to build off the partnerships. Among the groups FEMA is partnering with are private sector surveyors and engineers, as well as surveyors and engineers in the federal government. It is also working with the USGS to manage and distribute the modernized maps.

New Maps

FEMA noted that the federal government, under the Flood Insurance Reform Act proclaimed that "digital is official" when it comes to the new floodmaps, but there will still be quite a few paper only maps. At this point, half of the nation has updated digital maps that comply with FEMA's Mapping Information Platform. The standards of the Mapping Information Platform are available online at <http://hazards.fema.gov>.

By the end of the mapping process, FEMA expects 70% of communities nationwide to have adopted the new maps. FEMA's measures of success for the new maps are (1) whether the maps meet FEMA's standards in the Mapping Information Platform and (2) Whether the communities adopted the new maps.

Challenges

FEMA noted that there are several challenges that it still faces in the mapping modernization process. One of those challenges is the number of NFIP participating communities. Many communities choose not to participate in the program for a variety of reasons. Although FEMA would like every community to participate, if a community chooses not to participate, its floodmaps will not be updated. Another challenge is coastal flood hazards and areas around levees. Mapping these areas was not part of FEMA's original plan, but it has become clear that it is necessary to map these areas. FEMA also recognizes that the mapping process is ongoing and it faces the degradation of flood hazard data.

The JGAC Report

February 2008

Future of the Mapping Program

FEMA noted that new maps without follow-up is useless, therefore it is continually using engineering studies and program management techniques like its draft concept paper to stay up to speed on the mapping process. FEMA will use a Floodplain Boundary Standard to make sure the map lines are correct and will use new validated or updated engineering to make sure floodplain elevations are accurate.

COFPAES Fall A/E Forum and Delegate Meeting

COFPAES held its Fall A/E Forum and Delegate Meeting on October 23 at the American Institute of Architects. The morning session consisted of presentations on a variety of subjects. Melody Reis, professional staff for the House Committee on Small Business spoke about legislation currently in Congress affecting small business. Marvin Miller, CP, PLS, PPS of Aero-Metric, Inc. in Maple Grove, MN spoke about the I-35 Bridge Collapse and the emergency response that occurred after the collapse. Aero-Metric was one of the first A/E firms on the scene after the collapse. Bill Brodt, Experimental Facilities Engineer from NASA, spoke about the building SMARTalliance, National Building Information Model Standard and the Construction Operations Building Information Exchange (COBIE).

In the afternoon, the COFPAES Delegates, representatives from the COFPAES member organizations had their meeting. Here are some highlights.

- *USACE training.* COFPAES has been successful in getting a provision in the House and Senate versions of the Water Resources bill to expand the ability of the Corps to provide training and education to the private sector by authorizing the Corps to retain fees collected for educational programs. Although President Bush vetoed the legislation, Congress recently voted to override the veto.
- *Design-Build.* The Design-Build Industries Association is promoting the idea of revising the current design-build authority. COFPAES Staff has been meeting with DBIA and a proposal is on the table.

- *A-76 and outsourcing provisions.* A series of amendments have been approved on various appropriations bills, and the Defense Authorization bill, that prevent implementation of the FAIR Act and the Bush Administration's revision to OMB Circular A-76. These are the tools by which Federal agencies study the outsourcing of commercial activities from government employee performance to private sector performance. COFPAES is monitoring the progress of these amendments.

ACSM COFPAES Delegate Rick Allen was elected to the position of Chairman of COFPAES in 2008. Laurence Socci, ACSM Staff to COFPAES was appointed as the Secretary for 2008.

Federal Prison Industries Reform Language in Defense Authorization Bill

There is language in the National Defense Authorization Act for Fiscal Year 2008, H.R. 1585, that would make positive changes to the way the Federal government procures services when considering Federal Prison Industries (FPI) as a mandatory source provider.

Section 824 of the legislation makes positive changes to current law and gives federal managers and their contracting officers reasonable tools in dealing with FPI, despite FPI's continual preferential status as a mandatory source of supply to which Federal agencies must look initially. Under the proposed change, federal buyers will be empowered to conduct market research to determine whether products and services available from private sector suppliers are comparable to what is being offered by FPI in terms of quality, price and time of delivery. If a contracting officer determines that a better value can be obtained from the private sector, then the purchase must be made using competitive contracting procedures.

USGS Federal Funding

As part of the USGS Coalition, ACSM worked for increased federal funding for the U. S. Geological Survey so that it could carry out its mission. We successfully argued for more funding for mapping related programs. Unfortunately, Congress was not successful in passing

an appropriations bill for the Department of the Interior (which would have contained USGS funding) and USGS federal funding will now come through Congress' omnibus federal funding bill. As a result of the omnibus federal funding bill, funding for the USGS and its mapping and geospatial programs will be at a far lower level than it would have received had the appropriations bill passed Congress. ACSM will push for no cuts in federal funding for mapping and other geospatial programs in the USGS.

COFPAES Public Policy Meeting

COFPAES held its first Design/Construction/Geospatial Community on Legislation and Public Policy Meeting. The meeting was the first of a new series of meetings that COFPAES will host for design, construction and geospatial professionals to discuss legislation and federal regulations that affect them and to hear from Congressional or agency speakers discussing topics of interest. Curt Sumner and Laurence Socci attended the meeting on behalf of ACSM. The speaker for the first meeting was Assistant Secretary of the Army John Paul Woodley. Secretary Woodley gave a detailed discussion on how the federal budget will play a role in the many Army Corp of Engineers projects, particularly those relating to water. After a short question and answer session, and the departure of Secretary Woodley, the remaining attendees discussed the possibility of forming a coalition to monitor and advocate design, construction and geospatial issues in the federal government. This coalition will not be as formal or on the same level as COFPAES. Stay tuned for more information on this developing coalition.

QBS Repeal Bill Filed in New Jersey

Legislation was recently introduced in the New Jersey legislature that would repeal an existing law under which New Jersey State architectural, engineering, and land surveying contracts are awarded pursuant to a competitive negotiation process. Under the new bill's provisions these contracts would be competitively bid. The bill's number is S. 484 and was introduced on January 8, 2008 by State Senator Shirley Turner.

State Senator Turner introduced similar legislation in the past two sessions and the legislation did not pass either time. COFPAES and ACSM will be following this bill.

H.R. 3634, the STEP Act—Loan Forgiveness for Engineering Students

Legislation was recently introduced in Congress to establish and determine the eligibility of individuals for a loan forgiveness program for professional engineers in order to provide incentives for engineers currently employed and engineering students and other students pursuing or considering pursuing a degree in science, technology and engineering, and for the support of students pursuing such secondary and postsecondary education.

The bill is sponsored by Representative Emmanuel Cleaver and was referred to the Subcommittee on Higher Education, Lifelong Learning, and Competitiveness. The bill amends the Higher Education Act of 1965 to authorize the Secretary of Education to award renewable one-year Strategic Technology/Engineering Program (STEP) scholarships to students who pursue undergraduate or graduate degrees in engineering, technology, applied sciences, mathematics, or similar fields.

It also authorizes the Secretary to provide student loan forgiveness to borrowers under the Federal Family Education Loan and Direct Loan programs who agree to remain employed as engineers for at least eight years and obtain licensure as professional engineers within eight years of obtaining a degree.

In a recent meeting with the staff from Rep. Cleaver's office, we learned the language in the bill will be amended so that the emphasis will be on all technology and applied sciences curricula (not just engineering) where a shortage is perceived in the number of professionals, and instructors. It is unlikely that the legislation will progress much during the current session of Congress.

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