

## NSPS Government Affairs Update October 2017 – Frisco, Texas

*John M. Palatiello & Associates, Inc.*

### 3DEP

NSPS has endorsed the USGS 3DEP program to provide a consistent elevation data, primarily through LiDAR collection, for the United States, and has been a leader in efforts to assure the program is fully funded. Efforts are also include provisions as part of both the FEMA/NFIP Flood Map Reform bill as well as the 3DEP connection to Infrastructure

NSPS has met with key members of Congress to advocate for fully funding USGS at \$146 million per year through the Appropriations process. NSPS has also organized and mobilized other organizations that support 3DEP, such as the National Association of Realtors, who made a similar request of Congress. NSPS met with the OMB Budget Examiner for USGS on June 15 to discuss the budget cut. NSPS hosted a 3DEP Coalition meeting June 26 with USGS' Kevin Gallagher featuring as the keynote presenter.

NSPS continues to communicate with key USGS staff regarding the budget cuts and where and how the 3DEP Coalition can be helpful. Here is the summary provided to NSPS by USGS staff related to the President's FY2018 Budget Submission:

"Thank you very much for your ongoing support, and for your questions and interest in the FY18 President's budget for 3DEP. The following is provided to help clarify:

- Following increases in the FY17 Omnibus of \$2M for lidar and \$2.5M for Alaska IfSAR (total \$4.5M), the current USGS 3DEP Base Funding is approximately \$29 Million. Of that, approximately \$10M is planned for lidar acquisition and \$7M is planned for Alaska ifsar acquisition.
- The FY18 proposed budget describes a 3DEP cut of \$3M. However, it does not take into account the \$4.5M increase enacted in FY17. Taking the FY17 increase into account, the FY18 proposed budget reduces 3DEP lidar acquisition by \$5M and IfSAR acquisition by \$2.5M for a total of \$7.5M.
- In addition, the FY18 budget proposes a reduction of \$5.1M to USGS National Geospatial Program (NGP) to 'Eliminate Geospatial Research and Reduce 3DEP Technical Support', which supports 3DEP, Hydrography (National Hydrography, Watershed Boundaries, and NHDPlus High Resolution datasets), and US Topo (topographic map production), including maps for Alaska. The proposed cuts at a total of \$12.6M would reduce the 3DEP program to a level less than the 2015 base, defer completion of national lidar coverage to the year 2033 and defer Alaska Mapping progress as well."

The House Interior Appropriations Subcommittee finished their 2018 bill which included the following report language:

*Core Science Systems.—The Committee recommends \$114,737,000 for core science systems, of which \$24,397,000 is for the National Cooperative Geologic Mapping program. **The recommendation includes \$67,354,000 for the National Geospatial program, of which \$22,500,000 is for 3DEP National Enhancement. Landscape level assessments—Chesapeake Bay, Geospatial Research and 3DEP Technical Support, 3DEP Program Functions, and the Federal Geographic Data Committee Functions are funded at fiscal year 2017 enacted levels.***

On June 28, Sen. Lisa Murkowski (R-AK) introduced 3DEP authorization language in Section 10104 of S. 1460, the "Energy and Natural Resources Act of 2017". This language is similar to the [March 22](#) bill introduced by Sen. Maria Cantwell (D-WA), [S. 698](#), the "National Landslide Preparedness Act" with 3 cosponsors. Companion legislation the House, [H.R. 1675](#), was introduced by Rep. Susan DelBene (D-WA) with 8 cosponsors. In addition, NSPS will soon have a bill introduced in Congress designating 3DEP as the nation's enhanced elevation data collection program. On October 3, NSPS Government Affairs Consultant John Palatiello will provide commentary as a panelist during a Congressional Briefing in the Rayburn House Office Building.

### Appropriations (Continuing Resolution, CR) Funding the Government Through December 8, 2017

In September, President Trump signed into law H.R. 601, the "Continuing Appropriations Act, 2018 and Supplemental Appropriations for Disaster Relief Requirements Act, 2017". As a result, P.L. 115-56 contains the following highlights:

- Expiration Date...Sec. 106. Continues appropriations through December 8, 2017, or the enactment of the pertinent appropriations Act.
- Periodic Censuses and Program Exception Apportionment...Sec. 118. Allows the Census Bureau spending flexibility to keep preparations for the 2020 Decennial Census on schedule and on budget.
- National Flood Insurance Program Extension...Sec. 130. Extends through the duration of the CR the authorization date of the National Flood Insurance Program, which is set to expire on September 30, 2017.
- WIFIA Administrative Expenses...Sec. 133. Provides through the duration of the CR a higher rate for operations to cover costs associated with ongoing water infrastructure projects.

### Aviation Bill including UAS Policy

The current authorization of the FAA and aviation programs expires September 30. Congress on Thursday, September 28 approved for the President's signature a six-month extension of Federal Aviation Administration taxes to give lawmakers more time to debate contentious, long-term airline policies, through March 31.

NSPS is trying to add language to the full FAA reauthorization to reform Part 107, UAS operations. On June 27, the House Transportation and Infrastructure Committee bill was approved while the Senate Commerce Committee bill was approved June 29. The Senate bill does not contain the ATC privatization measure. The House bill does contain the ATC privatization measure, and as a result is still several dozen votes short of needed support before bringing the bill to the House floor.

### Council on Federal Procurement of Architectural and Engineering Services (COFPAES) & QBS

In January, H.R. 679, the "Construction Consensus Procurement Improvement Act of 2017" was introduced by Rep. Mark Meadows (R-NC). This legislation would limit the use of one-step design-build and reverse auctions in federal procurement of design and construction services. Sens. Rob Portman (R-OH) and Mazie Hirono (D-HI) are planning to introduce the Senate companion bill.

NSPS and COFPAES have filed comments and questions with GSA and NGA on the CIBORG IT Schedule 70 proposal. GSA's responses were inadequate. On September 27, NSPS Executive Director Curt Sumner, Government Affairs Consultant John Palatiello, and Federal Lobbyist John "JB" Byrd met with the Judith Zawatsky, the Chief of Staff for the Federal Acquisition Service (FAS) office of the General Services Agency (GSA) to work to address the inherent conflict GSA is promoting through the use of the GSA schedules, such as CIBORG, in that QBS related services are listed on these price schedules. Ms. Zawatsky agreed to review this policy and then communicate back to NSPS and COFPAES in late October or sometime in November after a policy review is complete.

As an additional threat to QBS, NSPS has been alerted through COFPAES regarding the Section 809 Panel that was directed by Congress in the FY2016 National Defense Authorization Act to look at ways to make DoD procurement faster. NSPS believes this panel is getting out of control. It is now looking at government-wide procurement reform (not just DoD) and there are members of the panel who want to attack or even repeal QBS. This is coming from concerns regarding the speed and efficiency of the QBS process.

### Davis-Bacon

This issue has been brought to the attention of the Trump transition team and current staff at the Department of Labor. On July 14, NSPS staff met with Rep. Francis Rooney (R-FL) and learned that he is planning to introduce a bill before the House Education and the Workforce Committee this fall containing targeted revisions to Davis-Bacon and is open to having a NSPS drafted provision. In addition, the Small Business Administration (SBA) is also planning to advocate repealing AAM 212. SBA staff contacted NSPS in August following the public forums around the country where NSPS members successfully advocated the repeal of AAM 212.

### Digital Coast, NOAA Ocean & Coastal Mapping

On May 25, the Digital Coast Act of 2017, S. 110, passed the Senate by unanimous consent. A House companion bill will soon be introduced by Reps. C.A. "Dutch" Ruppersberger (D-MD) and Rep. Don Young (R-AK). On September 21, NSPS Government Affairs Consultant John Palatiello and Federal Lobbyist John "JB" Byrd were among those who attended a standing room briefing, co-hosted by Reps. Ruppersberger and Young, as Congressional staff and stakeholders

gathered in the U.S. Capitol for a briefing on the benefits of the NOAA Digital Coast project. The session featured the project's applications to coastal resilience and economic development, as well as to disaster preparedness, such as the recent hurricanes. Disaster response is a major application of the data from Digital Coast, assisting with preparedness and recovery efforts.

#### Federal Prison Industries (FPI) Reform

Reps. Bill Huizenga (R-MI) and Carolyn Maloney (D-NY) will soon introduce FPI reform legislation with safeguard language preventing federal inmates from accessing sensitive geospatial, mapping and surveying data, including as part of GIS services, with the potential of adding the bill as an amendment to the House version of comprehensive criminal justice reform legislation.

#### FLAIR Act

On May 23, NSPS Government Affairs Consultant John Palatiello testified before Congress on H.R. 2199, the "Federal Land Asset Inventory Reform (FLAIR) Act of 2017" introduced by Reps. Kevin Cramer (R-ND) and Ron Kind (D-WI) on April 27. The bill was approved by the House Natural Resources Committee by a unanimous vote on July 26 and the Committee report has been filed, [H. Rept. 115-322](#). On June 28, Sen. Lisa Murkowski (R-AK) reintroduced the Senate version of the bill, which is a modified version of the House bill and found in Section 6101 of S. 1460, the "Energy and Natural Resources Act of 2017".

The House Appropriations Subcommittee on Financial Services and General Government included the following report language for the FY 2018 bill:

***Federal Real Property Profile.**—The Committee remains extremely frustrated with the slow pace at which GSA and other Federal agencies are improving the accuracy of the Federal Real Property Profile. The U.S. Government Accountability Office (GAO) named managing Federal real property to its 2017 High Risk List. The Committee is concerned that despite language in the fiscal year 2015, 2016, and 2017 reports, GSA has not made progress on the value and accuracy of its inventory, taken steps to include public lands as required by Executive Order 13327, made the FRPP available to the public, or geo-enabling the FRPP. The Committee is outraged that the Federal Government cannot provide an accurate accounting to the American public of all the property that it owns. The Committee expects GSA to work with agencies across government and utilize geographic information technology to improve the data contained in this report and enhance transparency to the American taxpayer. The Committee directs GSA to report to the Committees on Appropriations of the House and Senate on steps taken to improve the quality and transparency of the profile within 60 days after the enactment of this Act.*

The House Appropriations Subcommittee on Defense included the following report language for the FY 2018 bill:

#### **MAINTENANCE OF REAL PROPERTY**

*The Committee directs the Under Secretary of Defense (Policy), in conjunction with the Service Secretaries, to submit a report to the congressional defense committees not later than 90 days after the enactment of this Act that outlines the total real property with a zero percent utilization rate of five years or more currently accounted for in the Department of Defense real property inventory database and assesses the feasibility of conveying or selling this property.*

#### Geospatial Governance and Coordination

Jointly introduced May 25 by Sens. Orrin Hatch (R-UT), Mark Warner (D-VA), Dean Heller (R-NV) and Ron Wyden (D-OR), [S. 1253](#), the "Geospatial Data Act (GDA) of 2017" is a bill to improve the coordination and use of geospatial data. NSPS was [listed](#) in Sen. Hatch's news release as a supporter of the bill. NSPS successfully advocated reforms which were included: 1) FGDC becomes housed in the Office of Management and Budget, not the Department of the Interior; 2) outlines, by law, a role for the private sector; 3) clarifies, broadens and codifies application of the Brooks Act; and 4) establishes the primacy of state surveying licensing law. In July, Reps. Bruce Westerman (R-AR) and Seth Moulton (D-MA) introduced H.R. 3522 which is companion legislation to S. 1253.

Primarily developed at the urging of the National States Geographic Information Council (NSGIC), National Association of State Chief Information Officers (NASCIO), the National Association of Counties (NACo), the legislation is intended to improve the governance and coordination of federal geospatial activities. MAPPS and NSPS were among the organizations consulted by the bill's sponsor and it reflects many of these organizations' suggestions.

Sections 11 and 12 are strongly opposed by GIS organizations as it has been claimed that geospatial services are part of information technology (IT), not the field of architecture and engineering (AE). However, surveying and mapping, and now “geospatial” activities have long been considered part of the broad field of architecture and engineering, not only in procurement, but employment and other government categorization, including the North American Industrial Classification System (NAICS).

NSPS served on a working group created by COGO leadership to try to find consensus of the Geospatial Data Act. The following statement was issued on September 28 by COGO leadership, via NSGIC's Cy Smith, after over a month of consultations:

*"As you know, I have been facilitating a work group to try to develop consensus concerning revised language for the Geospatial Data Act of 2017 (S. 1253). The Geospatial Data Act work group that was formed at the COGO Face to Face meeting in San Diego in July completed its effort late last week. The work group was unable to reach consensus on revised language. Some member organizations are philosophically and strongly opposed to inclusion of procurement and associated definitional language in the Geospatial Data Act (GDA). Others are philosophically adamant concerning its inclusion in the GDA. We are at a stalemate."*

### Highways/State DoTs

FHWA published new regulations governing the procurement, management, and administration of engineering and design-related services, including surveying and mapping, on federal-aid highway projects. The rules include changes and clarifications to State DOT procurement policies and QBS procedures, contract negotiation and administration, audit and accounting of allowable costs, and program management and oversight. The rules took effect in June 2016. State DOTs will have one year to update their policies and procedures to comply with the new regulations.

### HUD

In April 2015, NSPS responded to a request for feedback on proposed changes in the Department of Housing and Urban Development (HUD) loan underwriting guidelines on multi-family projects. In its response, NSPS provided suggestions and volunteered to assist in resolving the numerous redundancies and problems related to the HUD Multi-family survey requirements. Examples include the use of a separate "Surveyors Report," requiring an additional certification, and other requirements that cause confusion such as those related to wetlands and references to "as-built" surveys. Gary Kent, PS, chair of the NSPS committee on the ALTA/ACSM Standards, coordinated the NSPS participation.

### Hydrographic Services Improvement Act (HSIA)

A recent Government Accountability Office (GAO) report found that NOAA needs to improve efforts to track and report costs under its hydrographic survey program. GAO found that NOAA did not consistently provide complete or accurate cost data in its cost comparison reports from fiscal years 2006 through 2016. GAO added that NOAA has yet to develop a strategy to increase private sector involvement in the hydrographic survey program as required by law.

In January, Rep. Don Young (R-AK) introduced H.R. 221, the "Hydrographic Services Improvement Act (HSIA)" which was referred to the House Committee on Natural Resources. The Senate Commerce Committee marked up S. 171 on January 24 and reported the bill out of Committee as amended.

### Infrastructure

Infrastructure is critical to our nation's prosperity. President Trump and Congress are planning a major infrastructure program of an estimated \$1 trillion for roads, bridges, airports, and other types of infrastructure. All of these projects require quality and accurate surveying and mapping data, products and services. In recognizing the importance of accurate geospatial data, Congress should include legislative language calling for surveying, mapping and geospatial data for the planning, design, construction, operation, and maintenance for all related infrastructure projects. Data needs include: Elevation; Boundary; Topo; Planimetrics; As-Built; Asset Management; and others. NSPS is urging sponsorship of provisions enabling the utilization of surveying and mapping technologies and applications in infrastructure legislation in the 115th Congress.

The House Appropriations Subcommittee on Transportation (THUD) included the following report language for the FY 2018 bill:

*Infrastructure mapping with geospatial tools.—DOT possesses and collects much information on airports, airways, roads, bridges and transit infrastructure, but this rich data source is neither location-based nor integrated across asset types. As the nation contemplates making a significant investment in improving infrastructure, the Committee encourages DOT to establish a location-based, comprehensive, integrated asset database that would allow the selection, management, measurement, cross-asset analysis and impact of infrastructure investments using competitively acquired commercial geospatial tools. This would optimize the Department's ability to properly analyze the condition of assets, project outcomes of investments, choose investments that would be most impactful, accurately report where investments were implemented, monitor infrastructure projects, measure the results of the investments, and provide data for public oversight in a modern, completely transparent environment.*

#### LightSquared

In 2016, LightSquared, which has rebranded with a new name, Ligado Networks LLC, continued to concern the Air Force command that operates U.S. military satellites over possible interference with GPS signals. General John Hyten, head of the Air Force Space Command, told a subcommittee of the Committee on Armed Services of the U.S. House of Representatives he wants to see results from new tests that will begin in April. In May, Reps. Mike Rogers (R-AL) and Jim Cooper (D-TN) introduced a "Sense of the Congress" amendment, which eventually was adopted by the House, to the 2017 National Defense Authorization Act (NDAA) to prevent the next version of "LightSquared" from damaging GPS signals. DoD is working with the Department of Transportation through its adjacent band study to evaluate this new proposal and to conduct GPS-adjacent band compatibility testing. The FCC will analyze the report and public comments before making a final recommendation and before it issues a final decision, and possible rulemaking. The FCC, DoD, and USDOT are working together, cooperatively, to develop the technical record to support a final recommendation on the revised proposal. S. 2943, the "National Defense Authorization Act of 2017" and signed into law by President Obama on December 23 contains this language as found in the Conference Report to S. 2943:

*"Section 1698 indicates that the House amendment contained a provision (Section 1673) that would amend the Federal Communications Commission (FCC) conditions on commercial terrestrial operations (47 U.S.C. 301 et seq.) by adding that the FCC shall not permit commercial terrestrial operations in the 1525–1559 megahertz band or the 1626.5–1660.5 megahertz band until 90 days after the FCC resolves concerns of widespread harmful interference by such operations in such band to Department of Defense GPS (GPS) devices. The provision would also require the Secretary of Defense to conduct a review of harmful interference of Department of Defense GPS devices and to notify congress if the Secretary determines the existence of widespread harmful interference. The Senate bill contained no similar provision. The Senate recedes with a technical amendment;"*

#### National Address and Parcel Data

A parcel system has been a NSPS public policy goal for many years. NSPS remains optimistic that this session will result in actions that will finally result in a parcel system that will assisting with economic development, housing, homeland security, land management, and dozens of other government and commercial activities.

#### National Flood Insurance Program (NFIP) & Flood Map Reforms

In September, a short-term extension for the NFIP was enacted moving the current deadline to approve comprehensive reform to December 8. Rep. Alex Mooney (R-WV) will soon introduce legislation known as the Improvement of Mapping, Addresses, Geography, Elevations and Structures (IMAGES) Act to accomplish NFIP reforms. On June 15, the House Financial Services Committee approved several bills that will be merged into one comprehensive bill. The goal is to have the soon to be introduced Mooney added to the comprehensive bill in time for or during floor consideration in the House. On July 17, the Senate Banking Committee released its bill, S. 1571, but has not yet marked up its bill. Section 202 of this bill Directs the Administrator to utilize the most up-to-date mapping technology and develop, in consultation with the Technical Mapping Advisory Council, a digital display environment to store and disseminate flood maps and hazard data.

While the President's FY2018 budget request zeroed out flood mapping within the NFIP, the House Homeland Security Appropriations Subcommittee bill does fund the mapping activities for the NFIP:

*Flood Hazard Mapping and Risk Analysis. The Committee recommends \$177,531,000 for Flood Hazard Mapping and Risk Analysis, \$177,531,000 above the amount requested and the same as the amount provided in fiscal year 2017. In lieu of discretionary funding for FEMA's Risk Mapping, Assessment, and Planning (Risk*

MAP) program, the fiscal year 2018 budget proposed to establish a new surcharge on National Flood Insurance Program (NFIP) policies to fund these activities. The Committee believes the Risk MAP program is critical to a wide range of users, not just flood insurance policy holders. In addition to informing flood insurance rates, flood mapping data is used to establish zoning, land use, and building standards, and to support infrastructure, transportation, and emergency management planning and response. Therefore, the recommendation sustains funding for the program at fiscal year 2017 levels. Accurate flood mapping data is the foundation of ensuring that communities are resilient in the face of disaster. FEMA's data collection and modeling processes must be transparent from beginning to end and involve the active participation of local jurisdictions to ensure maps accurately reflect local conditions and minimize costs to local communities. FEMA is directed to assess its existing processes to identify potential areas for improvement, including the process for reviewing and responding to appeals of preliminary Flood Insurance Rate Maps received from local communities. FEMA shall brief the Committee not later than 60 days after the date of enactment of this Act on any changes planned or implemented as a result of this assessment. Further, FEMA is directed to allocate flood map funding to assist local governments and cooperating technical partners in acquiring the data collection tools necessary to produce accurate, local data that meet FEMA's standards for use in the agency's modeling processes to re-map local jurisdictions.

*Recommendation* The Committee recommends \$13,573,000 for salaries and expenses associated with flood management and \$189,927,000 for flood plain management and flood mapping. Flood mitigation funds are available until September 30, 2019, and are offset by premium collections. In addition, the bill establishes obligation limitations on the use of mandatory NFIP collections, including \$175,000,000 for flood mitigation and flood mitigation assistance grants and \$5,000,000 for the Office of the Flood Insurance Advocate (OFIA). The recommendation does not include the proposals to establish a new surcharge or to increase premiums and surcharges on flood insurance policies, as the authorization of these proposals is not under the jurisdiction of this Committee. A comparison of the budget request to the Committee recommended level by budget activity is as follows:

*National Flood Insurance Fund Floodplain Management and Mapping*

<i>Budget Request</i>	<i>Recommendation</i>
\$239,927,000	\$189,927,000

The Committee continues to support the OFIA and encourages the Advocate to assist policy holders in accessing resources to validate applicable premium rates as FEMA establishes the rating criteria for all NFIP policies. The Advocate is required to aid potential policy holders under the NFIP in obtaining and verifying accurate and reliable flood insurance rate information when purchasing or renewing a flood insurance policy under the Homeowner Flood Insurance Affordability Act of 2014. Flood Insurance Rate Maps (FIRMs) are the basis for establishing the floodplain management responsibilities of communities participating in the Community Rating System program and for determining which properties require flood insurance coverage as a condition of receiving a mortgage from a federally regulated or insured lender. The Committee is aware that, as FEMA updates FIRMs across the country, it requests documentation from local communities and levee sponsors to demonstrate that levees meet or continue to meet the regulatory criteria for accreditation. According to a November 2014 Memorandum of Understanding between FEMA and the U.S. Army Corps of Engineers (USACE), levee inspection reports by USACE may satisfy certain criteria for FEMA accreditation. FEMA is directed to work closely with USACE to share information related to levee accreditation and avoid imposing unnecessary costs on levee sponsors or surrounding communities. In many communities, particularly in coastal areas, there are often a relatively small number of high-value homes existing alongside far more modest homes and businesses that have been present for decades, with a commensurate disparity in household income and financial resources. The Committee is aware of concerns that the use of micro-simulation models in determining eligibility for NFIP vouchers would result in skewed assumptions regarding average home values and incomes of NFIP policy holders, resulting in the disqualification of some homeowners who truly need the vouchers. As a means to address affordability of the NFIP, it is critical that accurate data be used in determining eligibility for and distribution of vouchers. For the forthcoming statutorily mandated affordability framework in which vouchers are being considered, FEMA is directed to collaborate with the Department of Housing and Urban Development and the U.S. Census Bureau to use data on actual home values and household income instead of simply relying on micro-simulation modeling.

### Pipelines, Utilities and Infrastructure

In a major victory for NSPS, President Obama in June signed into law the "Protecting our Infrastructure of Pipelines and Enhancing Safety" or "PIPES Act" of 2016 as Public Law 114-183. The law extends the Pipeline and Hazardous Materials Safety Administration (PHMSA), makes changes to PHMSA safety policies and gives the Department of Transportation more power in the event of pipeline emergencies. The law also includes an issue promoted by NSPS in the organizations' annual "lobby day" activities in Congress. It ensures coordination and collaboration on pipeline mapping, research, development, and technology between PHMSA, industry, and public stakeholders, including provisions strengthening geolocation data for pipelines and other underground utility infrastructure through enhanced underground utility location data requirements. Improved location and mapping of underground utilities has been a NSPS priority and was an issue NSPS members took to Congress in April 2015.

NSPS has drafted a Congressional Research Service (CRS) for a member of Congress to file to gather information on policies and programs related to underground utilities, including One Call or Miss Utility systems.

### Privacy and Geolocation Legislation

In February, Sen. Ron Wyden (D-OR) introduced S. 395, the "Geolocational Privacy and Surveillance (GPS) Act of 2017" to specify the circumstances in which a person may acquire geolocation information. The House companion bill, H.R. 1062, was also introduced that month by former Rep. Jason Chaffetz (R-UT) who resigned his seat this summer.

### Private Sector Utilization

In March, Rep. John J. "Jimmy" Duncan, Jr. (R-TN) and Sen. John Thune (R-SD) introduced the Freedom from Government Competition Act (FFGCA), legislation (H.R. 1339/S. 506) that would require federal agencies to rely on the private sector when providing goods and services that are commercially available. Thanks to NSPS member visits to the Hill on March 15, the House bill now has 12 cosponsors.

NSPS participated June 15 at a policy roundtable hosted by OMB at the White House regarding President Trump's Executive Order to reorganize the Federal Government, and submitted numerous recommendations impacting geospatial programs and activities.

### Railroad Reauthorization

Recent railroad accidents in highlight the need for Positive Train Control (PTC) systems, which utilize highly accurate geospatial data, such as GPS data, LIDAR data, high resolution digital imagery, survey data, and mobile mapping to delineate the location of rails, clearances and a detailed asset inventory, to assure safety, train separation or collision avoidance, speed enforcement, and for asset management. The Railroad Authorization was attached to the 2015 Highway Bill signed into law by President Obama included a three-year delay in the implementation of the PTC program for Class 1 railroads. NSPS is still working on the issue of survey monumentation upon railroad abandonment, but no legislative remedy has been identified.

### Water Resources Development Act (WRDA)

In December 2016, President Obama signed into law S. 612, the "Water Infrastructure Improvements for the Nation (WIIN) Act". P.L. 114-312 contains the following provisions:

- Section 1124 authorizes the designation an individual, within the headquarters office of the Corps of Engineers, to serve as the coordinator and principal approving official for developing the process and procedures by which the Corps of Engineers operates and maintains sUAS systems in support of civil works and emergency response missions of the Corps of Engineers, and acquires, applies for, and receives any necessary FAA authorizations for such operations and systems;
- Section 1134 amends Section 2040 of the Water Resources Development Act of 2007 by enabling an applicant or requester to track the status of a permit application or request in a manner that will allow identification and display of the location of the activities subject to a permit or request through a map-based interface;
- Section 3101 authorizes the Bureau of Indian Affairs to establish a flood plain management pilot program to provide, at the request of an Indian tribe, guidance to the Indian tribe relating to best practices for the mitigation and prevention of floods, including consultation with the Indian tribe on flood plain mapping or new construction planning as part of Indian Dam Safety;
- Section 5006 provides for qualifications-based-selection (QBS) be used for grants to rehabilitate high hazard potential dams as a condition on the receipt of a grant of an amount greater than \$1,000,000, in that a non-Federal

sponsor that receives the grant shall require that each contract and subcontract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping, and related services entered into using funds from the grant be awarded in the same manner as a contract for architectural and engineering services is awarded;

- Section 5009 authorizes a report to Congress on groundwater contamination by the Secretary of the Navy on the groundwater contamination from the Bethpage, New York site that includes a description of the status of the groundwater contaminants that are leaving the site and migrating to a location within a 10-mile radius of the site, including detailed mapping of the movement of the plume over time, and projected migration rates of the plume;

#### White House Conference on Small Business (WHCSB)

NSPS Federal Lobbyist John "JB" Byrd is leading a coalition of trade associations and professional societies to have the next version of a White House Conference on Small Business (WHCSB) authorized either by legislation in Congress, or by Executive Order. The WHCSB was a series of three conferences that occurred in 1980, 1986, and 1995. A critical piece to the success of the WHCSB is the utilization of state conferences to ensure broad and equitable representation of the very diverse small-business community. Through the state conferences, which feed into the regional conferences and then into the national conference, small-business owners can develop, enhance and fully embrace the key issues facing small businesses nationwide. Rep. Rod Blum (R-IA) will soon introduce this bill in Congress.

#### Workforce Development

H.R. 2353, the "Strengthening Career and Technical Education for the 21st Century Act" was reported out of Committee on June 7 and passed by the House on June 22.

NSPS is implementing a program, with its state affiliates, to develop high school programs in surveying and geospatial in Career and Technical Education (CTE) through the state CTE offices and local workforce boards.

As announced in News and Views, model letters for all NSPS state societies to send to their state's Career and Technical Education (CTE) office seeking to prioritize surveying and geospatial workforce development. Also, model letters for local chapters and individual surveyors to send to their local workforce development board were prepared. NSPS is currently encouraging its members to begin this grass roots lobbying and awareness campaign.

This initiative is designed to help attract the next generation of professional surveyors and technicians. That program begins with a letter-writing campaign by state surveying societies, as well as by local chapters and individual surveyors and firms.

On the NSPS [website](#), a new page for workforce development has been created. On it are two sample letters to urge state and local workforce agencies to place a focus and emphasis on the surveying and geospatial workforce. The first is a sample letter that every state surveying society is urged to use to send to its state Career and Technical Education (CTE) office. The second sample letter should be used by chapters of state affiliate societies, or individual surveyors and/or surveying firms, to send to their local workforce development board and office. Included on the top of the letter is a [link](#) to every local workforce board across the nation.

This is the first step in a NSPS effort to attract more individuals into a career in surveying. The Federal government provides more than \$2 billion to state and local government for workforce development and career and technical education through the Departments of Labor and Education. These letters are a way for state and local surveying organizations to tap into the benefits of those funds.

In 2016, NSPS Executive Director Curtis Sumner and NSPS Government Consultant John Palatiello met with officials of the U.S. Department of Labor to discuss the need for a surveying and geospatial workforce development initiative to attract younger and new workers into the profession.

Pursuant to a motion adopted by the NSPS Board in March, 2016, NSPS is to develop a national strategy for workforce development.