

# 2009 Legislative Outlook

—by Laurence Socci

With the financial and economic turbulence swirling around them, the Obama Administration and the 111<sup>th</sup> Congress are gearing to work on a long and busy legislative agenda. Let us examine what this agenda has in store for the surveying profession over the next two years. Below are some of the issues we'll be working on.

**The American Recovery and Reinvestment Act of 2009.** Everybody wants a piece of this pie. Also known as the infrastructure stimulus bill, the 1000 plus page bill covers many sectors and offers billions of dollars in incentives and tax cuts. Of interest to surveying professionals is the section dealing with infrastructure. It offers \$30 billion in transportation, with all of it going to highway construction; \$31 billion to modernize federal and other public infrastructure, with investments that lead to long-term energy cost savings; \$19 billion for clean water, flood control, and environmental restoration investments; and \$10 billion for transit and rail to reduce traffic congestion and gas consumption. ACSM is working to make sure a portion of the money, and legislative language in the bill will benefit surveying and mapping professionals.

**Labor Issues.** We expect that we will be dealing with a number of labor-related issues including, but certainly not limited to, the Davis-Bacon Act and the Employee Free Choice Act, a.k.a. "Card Check." President Obama has been very clear that these two labor items will be very high on his agenda. He wants to expand Davis-Bacon to cover as many workers as possible, and he wants to expand the industries that it will cover.

The Employee Free Choice Act, or its more common name, Card Check, will affect business owners in two major ways: (1) it will allow unions to infiltrate more businesses easily; and (2) under the existing law, workers have a chance to vote for or against unionization in

a private ballot election that is federally supervised. Under Card Check, if more than fifty percent of workers at a facility sign a card, the government would have to certify the union, and a private ballot election would be prohibited—even if workers want one. By forcing workers to sign a card in public (instead of a vote in private), Card Check opens the door to intimidation and coercion.

**FEMA Flood Map Modernization.** We will once again work with FEMA on its Flood Map Modernization program, now called RiskMAP. Although the focus of the program will move from modernizing, digitizing, and updating flood maps to making sure the maps stay current, the program still needs a steady flow of federal money to stay afloat. ACSM, as part of the Map Modernization Coalition, will continue to work with other groups to secure money for the program, and ensure local service providers, including surveying and mapping professionals, play a larger role in the Flood Map Modernization program.

**3% Withholding of Payments on Government Contracts.** Legislation was already introduced in the House, H.R. 275, to repeal the tax. Senator Arlen Specter is expected to do the same in the Senate. The American Recovery and Reinvestment Act contains language that would extend the time that the 3% withholding tax would go into effect by one year.

**Preservation of Railroad Monumentation.** In the last Congress, we began to discuss this issue with key Members

of the House and Senate. This year, we prepared a white paper and draft legislative language. We hope to enlist grass-root efforts by our members around the country to contact their Representatives and Senators and impress on them the importance of the issue.

**National Height Modernization Program.** A white paper was prepared that gives a background on the issue. Efforts are being made to secure funding for the program as part of one or more appropriations bills. We will work with other groups and coalitions to build broad support for a national program. Once again, support at the grassroots level will be crucial.

**Funding for Trig-Star.** Competition for a limited amount of funding is as fierce as ever, and there is considerable uncertainty how requests for earmarks will henceforth fare if President Obama goes ahead with his campaign promise to veto earmarks. However, we will continue efforts to attract funding to this very important NSPS program.

**Lobby Day 2009.** Given the issues before us, this year's event will be one of the most important Lobby Days we've had in years. Watch this space for further information about this event.

*If you haven't already done so, make sure you sign up for the government affairs updates. We'll be discussing the issues outlined here throughout the year. Also, make plans to join us at Lobby Day later this year; we will need your help.*