

February 2007

MAPPS Begins 25th Anniversary Celebration

2007 marks the 25th anniversary of the founding of MAPPS. A year-long celebration has begun, with the highlight to be a five-day observance at the MAPPS Summer Meeting, July 16-20 at the Mount Washington Resort in Bretton Woods, New Hampshire.

MAPPS kicked off the commemoration with the announcement of several new programs at the association's Winter Meeting, held January 21-25 in Naples, Florida. A new electronic newsletter, Field Notes, was inaugurated in January, a new program to permit member firms to use the MAPPS logo to promote their membership in the association in their own marketing materials was announced, a "members only" section to the MAPPS web site was launched, a legal fund has been established to help protect and defend the interests of the private geospatial community in court, and a Project Excellence Awards program was unveiled.



MAPPS was formed in 1982 by fewer than two dozen private firms, primarily in the aerial photogrammetry field, and had an initial annual budget of less than \$10,000. Today, the association boasts more than 150 member firms and a budget in excess of \$850,000. MAPPS is the only U.S. trade and professional association exclusively comprised of private geospatial firms. Member firms and associates are from all aspects of the private mapping, spatial data and geographic information systems field employing more than 10,000 professionals and technicians engaged in mapping, photogrammetry, satellite and airborne remote sensing, aerial photography, LIDAR, hydrography, aerial and satellite image processing, charting, GPS and GIS data collection, integration and conversion services, as well as leading hardware, software and support service firms, and firms based outside the United States.

QBS Litigation Goes to Oral Arguments Friday, February 23

The United States District Court for the Eastern District of Virginia, located in Alexandria, VA, will be the site of oral arguments in the matter of MAPPS, COFPAES, NSPE and ASCE v. United States of America on Friday, February, 23.

Judge Thomas Selby Ellis III will hear attorneys for the plaintiffs argue that the Federal Acquisition Regulation (FAR) Council has failed to properly implement the Brooks Act (40 USC 1101) as it applies to surveying and mapping services. The suit by MAPPS and the other organizations claim Congress has passed several pieces of legislation into law requiring broad application of the Brooks Act's qualifications based selection process to surveying and mapping, but that the implementing regulations fail to accurately reflect those laws. Moreover, the regulations do not make it clear that several states include a variety of mapping services, including photogrammetry, topographic mapping, GIS, and other tasks, under their state law definition of surveying, requiring performance by licensed surveyors and adherence to the QBS process.

MAPPS and its co-plaintiffs offered to settle the case out of court, but that offer was rejected by the U.S. Government.

MAPPS has posted new information about the case on the new Members Only section of the MAPPS web site. This information is intended to assist members when discussing the case with other interested parties. MAPPS will also host a special "members only" session on the litigation on Tuesday, March 20 at 4:00 PM at the Hyatt Regency Hotel in Washington, DC, during the Federal Programs Conference.

Agency Budget & Contracting Briefs, Visit to Congress on Tap for Federal Programs Conference, March 19-21 (Continued on page 4)

President's Column

by Kurt Allen
MAPPS President



“Getting Involved and Committed”

There is an old joke about the difference between involvement and commitment. In a bacon and eggs breakfast, the chicken is involved but the pig is fully committed. MAPPS is an organization in which every member should become fully committed.

2007 marks the 25th anniversary of the founding of MAPPS. Throughout its history, MAPPS has stood for two principles – growing the market for our members and promoting professionalism through the members conduct in the marketplace.

There is no hidden agenda to MAPPS. What you see is what you get. I've given some thought lately about MAPPS, its place in the geospatial community, and particularly its place vis-à-vis other geospatial organizations. I'm reminded a bit of the infamous speech Barry Goldwater gave at the 1964 Republican convention, when he said, “any who join us in all sincerity, we welcome. Those who do not care for our cause we do not expect to enter our ranks in any case ... extremism in the defense of liberty is no vice. Moderation in the pursuit of justice is no virtue.” Surely, Goldwater lost the 1964 Presidential election by a wide margin. But he sowed the seeds for modern conservatism that led to the election of Ronald Reagan in 1980 and the Republican control of Congress beginning in 1994.

We had a lively, healthy, entertaining and informative Oxford-style debate at our Winter Meeting in Florida last month on the question of whether geospatial is an industry or a profession. It was a proud moment for MAPPS. No team won or lost the debate. Everyone learned something. And we proved we are an organization that is big, diverse and strong enough that we can host such a discussion in, -- yes, I'll use the term, a “professional” -- manner that showed our community is mature enough to air our laundry, let all sides be heard and still disagree without being disagreeable.

One observation that came out of the debate was that the geospatial community is both an industry and a profession. Just as there is a health care industry, in which the medical profession practices, the suggestion

was proffered that there is a large geospatial market, the core of which is work of professionals.

But why is “professional recognition” important? As was discussed in another session in Naples, we compete for projects where clients issue RFP's where they demand bid bonds, performance bonds, surety bonds, progress payments, retainage clauses, liquidated damages and other “protections” that are not indicative of confidence in us as professionals. The U.S. Department of Labor calls positions in our firms “apprenticeable,” which is code for eligible for labor union organizing. The IRS Code defines surveying and mapping as part of the broad architecture-engineering field, and firms are eligible to use cash based accounting, a methodology that is particularly needed by smaller firms that may have as much as one-third of their revenues as accounts receivable, and taxable, if reclassified and required to use accrual accounting. Similarly, most states that levy a sales tax apply such tax to products, but not services. In those states, surveying, mapping and related activities are considered professional services, exempt from sales tax. Classifying geospatial as an “industry” could result in new taxes on providing geospatial data to clients. Reclassifying our field as an industry, say, part of information technology,” as the U.S. Department of Labor has suggested, could wreak havoc with the professional liability insurance many of our firms carry, resulting in a new, and higher, risk and rating system and significantly higher premiums.

And, of course, there is the procurement issue. Surveying and mapping, and the more contemporary term “geospatial” has long been considered part of the broad architecture-engineering field in Federal law such as the “Brooks Act”, state law, and the American Bar Association Model Procurement Code for State and Local Government. These qualifications based selection or “QBS” statutes apply to professional A/E services, not the IT industry. The pending QBS litigation (MAPPS et al v. United States of America, 1:06cv378) has exposed a fundamental lack of understanding of state licensing, state law definitions of surveying, and procurement processes among members of several geospatial organizations, such as the Association of American Geographers (AAG),

Geospatial Information & Technology Association (GITA), the GIS Certification Institute (GISCI), the University Consortium for Geographic Information Science (UCGIS), and the Urban and Regional Information Systems Association (URISA), all of whom have filed an *amicus* brief in Federal District Court in opposition to QBS and claiming that GIS and geospatial activities are not part of the broad architecture, engineering, surveying and mapping field.

One of those groups, UCGIS, has gone so far as to issue a statement that it “is on record as opposed to accreditation” of university programs in the geographic information field.

Professionalism is a market issue. It is part of building up our field, not dumbing it down.

At the MAPPS Winter Meeting in St. Thomas in 2005, MAPPS Executive Director John Palatiello challenged the membership to think about words, descriptions, classifications and standards used in our community. That presentation, “*The Death of Professionalism: Is the Geospatial Community Dumbing Itself Down*” detailed why professional recognition is important and highlighted many of the points I just made in the preceding paragraphs.

So where are AAG, GITA, GISCI, UCGIS and URISA going with their *amicus* brief? Are they against professionalism? I don’t think so. Is low bid procurement their goal here? Probably not, as I am sure they all instinctively understand the problems associated with low bids for complex geospatial programs and the risks it poses to the health, welfare, and safety of our citizens. Do they not care about

having a viable and vibrant geospatial private sector? No, I am sure that they do care.

So why did they file the brief? That is a really good question. From my point of view, it is pretty clear from their public statements that the Boards of these associations either simply don’t understand federal procurement or they have been scared by the bogus possibility of restrictive licensing and business classifications (like having to be an A/E firm) to perform geospatial services. Who knows, maybe they are just receiving poor legal advice.

The point is that when MAPPS member firms see this kind of misinformation out there in the marketplace, we need your help in dispelling the untruths. MAPPS has all the information you need about the pending QBS litigation on our web site. We have also generated some frequently answered questions to assist you. The point I have tried to make with Barry Goldwater’s quote is that we can’t expect the entire geospatial community, particularly the user community, to understand all the details associated with federal procurement for professional services or the challenges we as professionals face on a daily basis with liability, licensing, taxes, and low bid procurements, but **we have to stand for something**. We, as licensed and/or certified professionals, have to stand for professionalism in the way we do business. When you get down to it, that is really what the QBS litigation is about.

Growing the market for our members and promoting professionalism in the members’ conduct in the market are inseparable. It is what MAPPS stands for. Don’t just get committed, get involved.

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MAPPS Board to Meet March 18, in Washington, DC

The MAPPS Board of Directors will meet Sunday, March 18 at the Hyatt Regency Hotel on Capitol Hill in Washington, DC prior to the Federal Programs Conference. The meeting begins at 10:00 AM. MAPPS Board meetings are open to the membership. Any member who wishes to attend or address the Board should contact MAPPS Executive Director John Palatiello at (703) 787-6996 or john@mapps.org.

MAPPS, ASPRS Oppose Licensing Bill in Washington Legislature

MAPPS and ASPRS have jointly written the sponsors of H.B. 1184, a bill to amend the definition of surveying in the Washington State licensing law, “to express our concern for H.B. 1184 in its present form, and to respectfully request your assistance and cooperation in amending the bill to correct its defect.” The organizations said, “We believe the bill will have the unintended consequence of legislating photogrammetrists out of business in Washington State. We also believe that the language currently in the bill is sufficiently broad to be misinterpreted to include significant applications of geographic information system (GIS) technology. Although H.B. 1184 does not use the terms “photogrammetry” or “GIS,” the bill includes language that would include those techniques in the practice of surveying.” MAPPS and ASPRS recommended the bill be amended to including the grandfather provision recommended in the NCEES Model Law. View the letter on the MAPPS website at www.mapps.org.

Federal Programs Conference Set for March 19-21



Would you like to learn, in one day, where there will be tens of millions of dollars in geospatial contracting opportunities will be? Would you like to see an integrated geospatial contracting program in the Farm bill Congress will soon consider? Would you like to see NOAA contract for a multi-disciplined digital oceans and coastal mapping program using a variety of sensors and data acquisition, and value-added services for coastal-related applications? Would you like to have FAA implement a better, more workable regulatory system so aerial photography missions can operate with minimal air traffic control restrictions? Would you like to see a more expansive FEMA flood mapping program that take better use of commercially available geospatial technologies? Would you like to see the Federal government have a current, accurate parcel-based inventory of the land it owns?

If your answer to any of these questions is “yes”, then come to the MAPPS Federal Programs Conference, March 19-21 in Washington, DC. Please register with MAPPS as soon as possible, so we can begin to make your appointments with your Congressman and Senators’ offices. Register online for the conference with MAPPS at: www.mapps.org/FederalProgramsConference.asp. Make hotel reservations online (while rooms last) at: <http://washingtonregency.hyatt.com/groupbooking/wasrwmapp2007>.

At this conference, you will learn about upcoming Federal contracting opportunities, as well as Federal agency grants to your state and local government agency clients. You will also learn about upcoming opportunities to team with other firms on Federal contracts. Whether your firm works as a prime contractor or a subcontractor, for Federal agencies, or for state or local government or private firms, this conference provides you the most comprehensive overview you can find anywhere for the market for your firm’s services, data or products. It is also a chance to meet in small groups with key Federal agency officials. And you will join your professional colleagues in MAPPS in meetings with Congressmen and Senators from your home state.

MAPPS will host its second Technology Expo in the U.S. Capitol Building on Wednesday, March 21. This exposition will provide members of Congress and their staff, Federal agency officials, trade press, and other key constituent groups a hands-on, up close look at geospatial technologies and their application to Federal programs and policy issues before the Congress. **Exhibitors will be Aerometric/Photo Science (jointly), EarthData, Geoeye, and i-cubed.**



This is the most important event on the MAPPS annual calendar. This conference is important to your firm, your association, and your profession. Help strengthen the voice, stature and influence of the private geospatial community. Please register today.

MAPPS Task Forces Begin Drafting Proposals for New Congress

Five MAPPS task forces are working on legislative proposals the association will seek to have passed into law during the 100th Congress. MAPPS President Kurt Allen announced the formation of the task forces in late 2006 to develop recommendations for proposed legislation to benefit the American public and the private geospatial community.

The current 5-year Farm Bill is scheduled to expire in 2007 and a MAPPS task force is developing a proposal for an integrated geospatial program to support U. S. Department of Agriculture activities in precision agriculture; crop management, production and conservation; support payment monitoring and enforcement; environmental management; and other applications. The Farm Bill Task Force is chaired by Matt Herring of John Deere Geo Services and includes Ron Drake of Wilson & Company Inc., Walter Ertz of Aerial Services, Inc., Ken Fleming of Tenix LADS, Inc., Kenny Legleiter of Merrick & Company, Tim Lowe of Lowe Engineers, LLC, Tom Olive of 3001, Inc., Jim Schriever of Sanborn, and Brett Thomassie of DigitalGlobe.

Also slated to be reauthorized in 2007 is the Hydrographic Services Improvement Act (HSIA). This bill oversees NOAA's hydrography and nautical charting program. The Oceans and Coastal Mapping Task Force is explore and recommending improvements to HSIA and the NOAA program, including development of an integrated oceans and coastal mapping initiative. The Oceans and Coastal mapping Task Force is chaired by Anne Miglarese of EarthData, and includes Kurt Allen of Photo Science, Inc., Ken Cirillo of C-MAP, Inc., Doug Hall of MDA Federal, Inc., Dennis Jones of GeoEye, Michael Janus of Tenix LADS, Inc., Scott Perkins of Western Air Maps, Inc., Bob Richards of Fugro Pelagos, Inc., and Eric Sacon of Navionics Inc.

The current program providing support for the Nation's aviation program, including grants to local airports for capital improvements, and conduct of the Federal Aviation Administration, is also up for renewal in 2007. A MAPPS task force is exploring proposed legislative provisions for that bill to address access to airspace for aerial survey missions; safety, airspace access and government competition issues related to unmanned aerial vehicles (UAVs); standards for NOAA and local airport obstruction to navigation surveys; and other issues. The Aviation Task Force is chaired by Jim Loncella (L. Robert Kimball Associates) and includes Richard Breitlow (Agfa Corporation), Richard Crouse (Richard Crouse & Associates), Larry Deibert (Horizons, Inc.), Richard Harter (I.K. Curtis Services, Inc.), Jeff Lovin (Woolpert, Inc.), Mike Ritchie (Photo Science, Inc.), and Don Vance (Boeing).

The MAPPS task force on FEMA flood mapping, which has been meeting for the past year, and has already been successful in developing recommendations that are in the flood insurance reform bill that was approved in a U.S. Senate committee last year will continue to provide input to the Congress. The FEMA Flood Mapping Task Force is chaired by Silas Suazo (Bohannon-Huston) and includes Michael Bullock (Intermap Technologies, Inc.), Vince DiCamillo (Greenhorne & O'Mara, Inc.), David Greenwood (Michael Baker Corp.), and David Maune (Dewberry).

Building on the progress made in the 109th Congress, the MAPPS Cadastre Task Force is working on improvements to the Federal Land Asset Inventory Reform (FLAIR) Act, and other legislation affecting parcel mapping systems in the U.S. The Cadastre Task Force is chaired by Susan Marlow (Smart Data Strategies) and includes Silas Suazo (Bohannon Huston), Roger Crystal (Sanborn), and Mike Swartz (First American Flood Data Services).

The issues being addressed by the task forces, and the recommendations, will be the core of the MAPPS legislative agenda for 2007 and will be the primary issues MAPPS members take to Capitol Hill during the Federal Programs Conference on March 21 and will be the subject of the technology exposition in the U.S. Capitol later that day.

Any MAPPS member interested in these task forces, or having questions or suggestions, should contact MAPPS Government Affairs Manager John Byrd at jbyrd@mapps.org.

2007 Winter Meeting in Naples, FL Produces Networking Opportunities, Education ... and Fun!

More than 220 MAPPS member firm principals and their spouses and guests gathered January 21-25 at the Naples Grande Resort & Club in Naples, Florida for the MAPPS 2007 Winter Meeting.

The conference program included a variety of current topics of interest to the MAPPS membership, including Oblique Aerial Imagery: An Emerging Market?; Geospatial One Stop for Atheists, Agnostics & True Believers; Bonding and Professional Liability Insurance; Airborne Platforms for New Sensors; Going Global: A Look at the International Geospatial Market; a discussion on whether Geospatial is an Industry or Profession; Geospatial Applications in FL for Everglades, Hurricanes, and Growth; and updates on Federal/state legislation and licensing.



MAPPS meetings provide a "networking" opportunity among its members second to none in the geospatial community through acquaintances, friendships and professional relationships developed. MAPPS, members reap millions of dollars a year in business opportunities through contracts and teams that result from these conferences. In fact, networking has been ranked the number one benefit of such participation in MAPPS.

"The Naples conference was very informative about the current status of government funding in support of geospatial technology giving the changing political picture in Washington, DC. The sharing of ideas with our peers,

customers and business partners at these meetings always help me as I direct our business providing solutions for our customers. Our participation in these meetings always results in opportunities to grow our business,” one member commented.



The session on oblique imagery helped clarify the approach the leaders in the market are using to provide solutions to the GIS community. Members were instructed on verisimilitude -- the quality of appearing to be true or real and something that has the appearance of being true or real. Verisimilitude is the “appearance of truth”. In geospatial product development, this is achieved, for the first time, with oblique imagery. Many agreed that verisimilitude is becoming a driving factor in the procurement and specification development of geospatial imagery products. More people can relate to an oblique picture of their neighborhood than a vertical picture. The challenge is integrating this with other services. Members also gained an appreciation for the concept of Level-of-Detail (LOD). This term comes from gaming, but is increasingly important in geospatial technologies. These conversations were spurred by the oblique imagery presentations and are increasingly becoming a requirement in NGA GGI deliverables.

The conference also featured an open discussion, in an Oxford style debate format, regarding “Industry vs. Profession”. MAPPS members found there are valid positions on both sides of this issue, the important conclusion is that MAPPS is a big tent association that meets the needs of professionals as well as those who consider themselves to be in industry. Each group has unique interests and concerns, but many concerns are shared by all members of the community and MAPPS continues to work hard to address them.

Debating for a
“Profession” (l-r)
Terry Keating
Mike Ritchie
Kass Green



Debating for an
“Industry” (l-r)
Bob Hickey,
Doug Leibbrandt,
Michael Bullock

Moderator, MAPPS Executive Director John Palatiello (center)

MAPPS Seeks to Prevent NOAA Aircraft, Sensor Build-up

In a letter, January 30, to Vice-Admiral Conrad C. Lautenbacher, Jr., (U.S. Navy Ret.), Under Secretary of Commerce for Oceans and Atmosphere and Administrator of NOAA, MAPPS has expressed its “deep concerns for NOAA’s proposal to expend some \$12 million for the acquisition of new aircraft and additional aerial sensor equipment for hurricane damage assessment imagery and other applications” and has asked NOAA, Congress, OMB and the White House to stop the agency’s in-house capability build up.

MAPPS is opposed to this expenditure, which will duplicate and compete with the private sector, for a number of reasons. The \$12 million was provided in an earmark in a Supplemental Appropriations bill passed by Congress last year, but was not requested by the Bush Administration. The funds were provided in a Congressional committee report, not legislation, and are an example of the “earmarks” that have become so controversial. The proposed plane and camera are ostensibly to be used by NOAA for post-hurricane aerial photography. However, the acquisition of such photography is a commercial, not inherently governmental activity, and in fact several other federal agencies already contract with the private sector for post-hurricane imagery. MAPPS questions why this activity is being brought in-house when a qualified, capable and responsive private sector can adequately meet the government’s needs, and has done so in the past. Just within the past few weeks, a new report, “Successful Response Starts With A Map: Improving Geospatial Support for Disaster Management,” was issued by the National Research Council of the National Academies, and it recommended that pre-positioned contracts be put in place to permit government agencies to rapidly acquire aerial imagery. The report did not recommend an in-house governmental build-up, nor did it recommend a NOAA role in emergency response aerial imagery or geospatial activities. Also, the Commerce Department Inspector General has long recommended that NOAA’s aircraft fleet be privatized, not expanded. (National Oceanic and Atmospheric Administration Light Aircraft Fleet Should Be Privatized, U.S. Department of Commerce, Office of Inspector General, Final Audit Report No. STD-9952-8-001, August 1998).

In lieu of spending \$12 million to procure an aircraft and sensors, MAPPS said it urges “NOAA to use such funds for hurricane damage assessment imagery contracting” through NOAA’s own shoreline mapping or remote sensing services contracts, or, through the work can be accomplished through a recent memorandum of agreement signed by the Department of Homeland Security and the Department of the Interior through which USGS contracts will be used for geospatial services related to emergency response.

Project Excellence Awards Competition Announced

MAPPS is pleased to announce that it will bestow annual Geospatial Products and Services Excellence Awards to its member and associate member firms and their clients that recognize the professionalism, value, integrity, and achievement that the firm’s staff has demonstrated over the previous year. These awards provide an opportunity for our members to obtain national recognition and to showcase their projects at the MAPPS Annual Meeting (July 16-20, 2007) at the Mount Washington Resort at Bretton Woods, New Hampshire.

A distinguished and impartial panel of five judges will evaluate the submitted projects from six categories: airborne and satellite data acquisition; photogrammetry/elevation data generation; remote sensing; GIS/IT; small projects; and technology innovation. This panel will review each submission and select a winner for each category. A Grand Award will also be chosen from the six award winners to represent the MAPPS Project of The Year.

At the Summer Meeting, all submitted projects will be recognized for their contribution to the geospatial profession. A portion of the Annual Meeting’s Banquet will be dedicated to showcasing all projects submitted and the winners for each category and the MAPPS Project of the Year will be announced at the event. Each submitted entry will be asked to also submit a Photographic Display Panel and these displays will be mounted for viewing by all meeting attendees. Any MAPPS Member Firm or Associate Member Firm in good standing is eligible to enter the awards program. Entries must be submitted to the MAPPS Awards Competition in accordance with the rules and requirements in the brochure posted on the MAPPS web site. **All entry materials must be received no later than May 15, 2007 to be considered for an award.**



Scheduled Events

Federal Programs Conference & Geospatial Technology Exhibition

March 19-21, 2007
Hyatt Regency Capitol Hill, Washington, DC

MAPPS Summer Conference

July 16-20, 2007
The Mount Washington Resort at Bretton Woods
Bretton Woods, New Hampshire

MAPPS Winter Conference

January 31- February 4, 2008
The Westin Mission Hills Resort & Spa
Rancho Mirage, CA

Federal Programs Conference

March 10-12, 2008
Hyatt Regency Capitol Hill, Washington, DC

MAPPS Summer Conference

July 19-23, 2008
Sun Valley Resort, Sun Valley, Idaho