



June 18, 2013

The Honorable Tim Walberg
Chairman
House Committee on Education & The Workforce
Subcommittee on Workforce Protections
U.S. House of Representatives
Washington D.C. 20515

Dear Mr. Chairman:

MAPPS (www.mapps.org), the national association of private sector geospatial firms, commends you for holding an oversight hearing on the Davis-Bacon Act and respectfully requests that this letter be entered into the record of the hearing.

MAPPS strongly opposes the recent Davis-Bacon Act expansion into the professional surveying community by the Department of Labor. Our membership includes firms with professional survey crews in the field and thus subject to the change in regulations. We object not only to the Department of Labor's change in policy, but also as to the process utilized.

In March of this year, the Labor Department reversed more than 50 years of policy and determined that members of survey crews working on Federal construction projects are "laborers and mechanics" as that term is used in the Davis-Bacon Act, making those workers subject to the Act. The Labor Department did no public notice that it was considering a change in its regulations, made no request for public input or comments, and did not notify or seek advice, comment or input from the surveying profession and employers/management.

Since Arthur Goldberg was Secretary of Labor under President John F. Kennedy, in 1962, it has been policy and understood practice that members of survey crews were EXEMPT from the Davis-Bacon Act. He noted that such workers are covered ONLY to the extent to which they "perform manual work, such as clearing brush and sharpening stakes" which he said "are not commonplace". The recent Department of Labor change in policy is inconsistent with more than 50 years of settled law.

The Department of Labor has identified the geospatial field as one of the high growth sectors of the U.S. economy and has invested hundreds of thousands of dollars in workforce development programs to attract new employees to this field. Imposing a "prevailing rate" on wages in the geospatial field is not needed. Moreover, this regulation will impose a paperwork burden for our members, and increase the costs of these firms as well as the government agencies that contract for such services.

We look forward to working with Congress and the Administration to reverse this unnecessary and unwise policy.

For more information, please contact me or John Byrd, MAPPS Government Affairs Manager.

Respectfully,

John M. Palatiello
Executive Director

John M. Palatiello, Executive Director
1856 Old Reston Avenue, Suite 205, Reston, Virginia 20190
P (703) 787-6996 F (703) 787-7550 E info@mapps.org www.mapps.org