

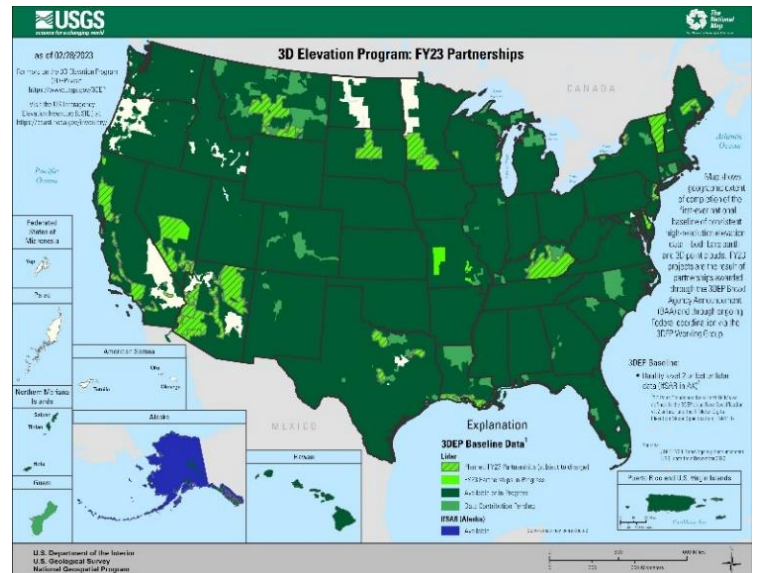
2023 Farm Bill: Broadband Mapping Reforms Enhancing Infrastructure Deployment

The National Society of Professional Surveyors ([NSPS](#)) respectfully urges the Rural Utilities Service (RUS), National Telecommunications and Information Administration (NTIA), and the Federal Communications Commission (FCC) to not repeat serious and costly mistakes made in Broadband Mapping since 2009. The awarding of contracts failed to place the proper, and legally required, emphasis on selection of contractors based on competence and qualifications. Rather than using the time-tested qualifications based selection (QBS) process codified in 40 U.S.C. 1101 et seq. (commonly known as the Brooks Act) and implemented in part 36.6 of the Federal Acquisition Regulation (FAR), as well as the “mini-Brooks Acts” found in almost every state law, past broadband mapping contracts were awarded without regard to the experience, past performance, qualifications, or competence of selected service providers. Many contracts were awarded based on price, including numerous awards to the lowest bidder, or to unqualified entities, who had no prior experience, capacity, capability, or record of successful performance of such professional services contracts.

The 2023 Farm Bill presents the opportunity to change course. The new generation of Broadband Mapping, pursuant to the Broadband DATA Act (P.L. 116-130) and Infrastructure Investment and Jobs Act (IIJA, P.L. 117-58), should place an emphasis on the utilization of qualified surveying and mapping firms, selected based on qualifications. NSPS believes additional consultation, coordination, and leveraging between RUS, NTIA, and FCC is now necessary since originally authorized by Section 6212 of the 2018 Farm Bill (P.L. 115-334). Compliance with the Brooks Act, FAR part 36.6 and, in the case of contracts awarded by state or local government using grants or loans from the Federal government, is essential to the success of the current Broadband Mapping. There are numerous reasons this emphasis on qualification and competence, rather than price, as evaluation and selection factors, is not only good policy, but a requirement of the law:

- Accuracy is important for public involvement and government dispute process;
- The Broadband Loop Support (BLS) fabric, if done properly, can provide the base map data necessary for high level design (HLD) for fiber-to-the-home and fixed wireless networks; and
- The use of QBS in the selection of professional surveying and mapping firms will expedite the engineering and construction process for funded areas to get connected.

There is a major need to not just improve the granularity of mapping data, but also to make sure that Federal broadband agencies fully leverage existing mapping efforts in other agencies where data is collected in a consistent standard by surveying and mapping professionals. One example of a partnership where such standardized data is leveraged by numerous federal agencies, and state and local governments and stakeholders, is the U.S. Geological Survey’s (USGS) 3D Elevation Program ([3DEP](#)). This nationwide elevation dataset using light detection and ranging (LiDAR) technology should be fully leveraged by the RUS, NTIA, and FCC so that the National Broadband Map uses 3DEP data as an accurate base-level map with the terrain and topographic features as well as man-made structures are displayed. As the ISP community builds in their coverage maps using GIS and the “fabric” authorized in the Broadband DATA Act, then a gap analysis is achievable. Understanding the terrain, and coverage gaps, 3DEP data can be leveraged for siting, permitting, and deployment of the related broadband infrastructure, above or underground, allowing maximum coverage. [Click here](#) for the 3DEP connection to Broadband Internet Access.



In the 118th Congress, NSPS plans to work with Members of Congress to introduce the Broadband Asset Surety Enhancement (BASE) Mapping Act to accomplish these vital reforms.

ACTION REQUESTED:

NSPS respectfully urges Members of Congress to co-sponsor legislation, the BASE Mapping Act, making reforms to broadband mapping efforts to help increase accuracy, and provide an improved ability for RUS, NTIA, and FCC to reduce or eliminate the Digital Divide. For more information, contact John "JB" Byrd, NSPS Federal Lobbyist, at jbyrd@mwcapitol.com or (703) 383-1330.