

Calendar No. 349117TH CONGRESS
2^D SESSION**S. 1941****[Report No. 117-98]**

To direct the Director of the Office of Management and Budget to standardize the use of core-based statistical area designations across Federal programs, to allow between 120 and 180 days for public comment on any proposed change to such designations, and to report on the scientific basis and estimated impact to Federal programs for any proposed change to such designations, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 27, 2021

Mr. PETERS (for himself, Mr. PORTMAN, and Mr. MORAN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

APRIL 27, 2022

Reported by Mr. PETERS, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To direct the Director of the Office of Management and Budget to standardize the use of core-based statistical area designations across Federal programs, to allow between 120 and 180 days for public comment on any proposed change to such designations, and to report on the scientific basis and estimated impact to Federal pro-

grams for any proposed change to such designations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Metropolitan Areas
5 Protection and Standardization Act of 2021” or the
6 “MAPS Act of 2021”.

7 **SEC. 2. REQUIREMENTS FOR MODIFICATION OF CBSA**
8 **STANDARDS.**

9 (a) **DEFINITIONS.**—In this section:

10 (1) **CORE-BASED STATISTICAL AREA.**—The
11 term “core-based statistical area” has the meaning
12 given the term by the Office of Management and
13 Budget in the Notice of Decision entitled “2010
14 Standards for Delineating Metropolitan and
15 Micropolitan Statistical Areas”, published in the
16 Federal Register on June 28, 2010 (75 Fed. Reg.
17 37246), or any successor to that Notice.

18 (2) **DIRECTOR.**—The term “Director” means
19 the Director of the Office of Management and Budget.
20 et.

21 (b) **REQUIREMENTS.**—

22 (1) **IN GENERAL.**—Before the Director rec-
23 ommends, adopts, or implements any change to the

1 standards for a core-based statistical area, the Di-
2 rector shall—

3 (A) require the complete reporting of the
4 use of core-based statistical area designations
5 as standardized by the Office of Management
6 and Budget in accordance with the amendments
7 made by subsections (c) and (d);

8 (B) allow for public comment on any pro-
9 posed change to the standards for a core-based
10 statistical area for a period of not less than 120
11 days and not more than 180 days; and

12 (C) submit a public report, produced in ac-
13 cordance with paragraph (2), to the Committee
14 on Homeland Security and Governmental Af-
15 fairs of the Senate and the Committee on Over-
16 sight and Reform of the House of Representa-
17 tives on—

18 (i) the scientific basis, criteria, and
19 methodology for any such change to exist-
20 ing standards, including clear quantitative
21 thresholds for determining any future sta-
22 tistical redesignations; and

23 (ii) the complete list of Federal pro-
24 grams that would be impacted by any such
25 change to existing standards, including the

1 estimated impact on a county level to Fed-
2 eral services, opportunities, and funding of
3 these programs, which shall be made avail-
4 able in a searchable format and consistent
5 with the reporting described in subpara-
6 graph (A).

7 (2) REQUIRED CONSULTATION.—The Director
8 shall—

9 (A) for purpose of reporting the informa-
10 tion described in paragraph (1)(C)(i), consult
11 with domestic and international experts in sta-
12 tistics and demographics, including government
13 experts at the Bureau of the Census and other
14 relevant agencies, to assess and justify what
15 scientific basis, criteria, and methodology
16 should determine a region's descriptive status
17 as metropolitan or nonmetropolitan, including
18 any other necessary categories; and

19 (B) for purpose of reporting the informa-
20 tion described in paragraph (1)(C)(ii), consult
21 with program staff and other relevant entities,
22 such as representatives from State, local, and
23 tribal governments, as well as representatives
24 from the business community.

1 (e) AGENCY USE OF STATISTICAL STANDARDS.—
2 Section 3504(e) of title 44, United States Code, is amend-
3 ed—

4 (1) in paragraph (8)(B)(ii), by striking “and”
5 at the end;

6 (2) in paragraph (9)(B), by striking the period
7 at the end and inserting “; and”; and

8 (3) by adding at the end the following:

9 “(10) collaborate with Federal agencies to
10 study and disclose any impact to Federal programs
11 based on implementation of paragraph (3), including
12 agencies that use statistical standards for both sta-
13 tistical and non-statistical purposes.”.

14 (d) STANDARDIZATION.—

15 (1) PROGRAM INFORMATION REQUIREMENTS.—

16 Section 6102(a)(2) of title 31, United States Code,
17 is amended—

18 (A) by redesignating subparagraph (G)
19 and subparagraph (H);

20 (B) in subparagraph (F), by striking
21 “and” at the end; and

22 (C) by inserting after subparagraph (F)
23 the following:

24 “(G) use of core-based statistical area des-
25 ignations (as chosen from a standardized list

1 determined by the Office of Management and
2 Budget); for purposes including prime recipient
3 eligibility for, and distribution of, the funding;
4 and”.

5 (2) FEDERAL FUNDING ACCOUNTABILITY AND
6 TRANSPARENCY ACT OF 2006.—The Federal Funding
7 Accountability and Transparency Act of 2006 (31
8 U.S.C. 6101 note) is amended—

9 (A) in section 2(b)(1)—

10 (i) by redesignating subparagraph (G)
11 as subparagraph (H);

12 (ii) in subparagraph (F)(ii), by strik-
13 ing the period at the end and inserting a
14 semicolon; and

15 (iii) by inserting after subparagraph
16 (F) the following:

17 “(G) use of core-based statistical area des-
18 ignations (as chosen from a standardized list
19 determined by the Office of Management and
20 Budget); for purposes including prime recipient
21 and subrecipient eligibility for, and distribution
22 of, the funding; and”;

23 (B) in section 3(b)—

24 (i) in paragraph (3)(B), by striking
25 “and” at the end;

1 (ii) in paragraph (4)(B), by striking
2 the period at the end and inserting “;
3 and”; and

4 (iii) by adding at the end the fol-
5 lowing:

6 “~~(5)~~ for each program activity, the use of core-
7 based statistical area designations (as chosen from a
8 standardized list determined by the Office of Man-
9 agement and Budget), for purposes including prime
10 recipient and subrecipient eligibility for, and dis-
11 tribution of, the funding.”.

12 **SECTION 1. SHORT TITLE.**

13 *This Act may be cited as the “Metropolitan Areas Pro-
14 tection and Standardization Act of 2021” or the “MAPS
15 Act of 2021”.*

16 **SEC. 2. FINDINGS.**

17 *Congress finds the following:*

18 (1) *Federal programs use core-based statistical
19 area delineations to determine the delivery of Federal
20 services, benefits, and funding to people in the United
21 States, such as in criteria for eligibility or distribu-
22 tion.*

23 (2) *Core-based statistical area delineations pro-
24 vide a nationally consistent set of standards for col-
25 lecting, tabulating, and publishing Federal statistics*

1 *for geographic areas, and they are not intended for*
2 *any public or private sector non-statistical uses such*
3 *as program administration or service delivery.*

4 (3) *Updates to core-based statistical area delin-*
5 *eations may cause widespread disruption to the deliv-*
6 *ery of Federal services, benefits, and funding to people*
7 *in the United States based on the reliance of Federal*
8 *programs on these delineations.*

9 (4) *There does not exist any comprehensive list*
10 *of Federal programs that rely on core-based statistical*
11 *area delineations. Such a list is valuable for the study*
12 *of how Federal services, benefits, and funding are dis-*
13 *tributed to people in the United States.*

14 (5) *Increased transparency on the impacts of*
15 *any update to core-based statistical area delineations*
16 *may be overly burdensome due to the anticipated va-*
17 *riety of Federal programs that rely on these delinea-*
18 *tions. Any requirement for complete disclosure of these*
19 *impacts prior to implementation of new delineations*
20 *may unintentionally cause the existing delineations to*
21 *ossify.*

22 (6) *In order to prevent any disruption to service*
23 *delivery of Federal programs based on updates to*
24 *core-based statistical area delineations, and ensure the*
25 *independence of Federal statistical policymaking,*

1 *Congress must sever the link between future updates*
2 *to core-based statistical area delineations and any*
3 *automatic impact on Federal programs that rely on*
4 *these delineations.*

5 **SEC. 3. PURPOSE.**

6 *This purpose of this Act is to ensure—*

7 (1) *transparency in how core-based statistical*
8 *area delineations are used in domestic assistance pro-*
9 *grams; and*

10 (2) *independence of the Office of Management*
11 *and Budget in establishing and updating core-based*
12 *statistical area delineations.*

13 **SEC. 4. DEFINITIONS.**

14 *In this Act:*

15 (1) *AGENCY.—The term “agency” has the mean-*
16 *ing given the term in section 551 of title 5, United*
17 *States Code.*

18 (2) *COMPTROLLER GENERAL.—The term “Comp-*
19 *troller General” means the Comptroller General of the*
20 *United States.*

21 (3) *CORE-BASED STATISTICAL AREA.—The term*
22 *“core-based statistical area” has the meaning given*
23 *the term by the Office of Management and Budget in*
24 *the Notice of Decision entitled “2020 Standards for*
25 *Delineating Core-Based Statistical Areas”, published*

1 *in the Federal Register on July 16, 2021 (86 Fed.*
 2 *Reg. 37770), or any successor to that Notice.*

3 (4) *DIRECTOR.*—*The term “Director” means the*
 4 *Director of the Office of Management and Budget.*

5 (5) *DOMESTIC ASSISTANCE PROGRAM.*—*The term*
 6 *“domestic assistance program” has the meaning given*
 7 *the term in section 6101 of title 31, United States*
 8 *Code.*

9 (6) *OPEN GOVERNMENT DATA ASSET.*—*The term*
 10 *“open Government data asset” has the meaning given*
 11 *the term in section 3502 of title 44, United States*
 12 *Code.*

13 **SEC. 5. NON-PROPAGATION OF CORE-BASED STATISTICAL**
 14 **AREA DELINEATIONS.**

15 (a) *AMENDMENT.*—*Chapter 63 of title 31, United*
 16 *States Code, is amended by adding at the end the following:*

17 **“§ 6309. Non-propagation of core-based statistical**
 18 **area delineations**

19 “(a) *IN GENERAL.*—*Beginning on the date of enact-*
 20 *ment of the MAPS Act of 2021, and notwithstanding any*
 21 *other provision of law, any change to the standards of core-*
 22 *based statistical area delineations pursuant to section*
 23 *3504(e) of title 44—*

1 “(1) shall not propagate automatically for any
2 non-statistical use by any domestic assistance pro-
3 gram, including any such use as required through—

4 “(A) statutory reference to any core-based
5 statistical area delineation; or

6 “(B) administrative or regulatory reference
7 to any core-based statistical area delineation;
8 and

9 “(2) shall propagate for any non-statistical use
10 by any domestic assistance program only—

11 “(A) if a relevant agency determines that
12 such a propagation—

13 “(i) supports the purposes of the pro-
14 gram; and

15 “(ii) is in the public interest; and

16 “(B) through affirmative adoption through
17 notice-and-comment rulemaking pursuant to sec-
18 tion 553 of title 5.

19 “(b) *DEFINITIONS.*—*The definitions in section 4 of the*
20 *MAPS Act of 2021 shall apply to this section.*”.

21 (b) *TECHNICAL AND CONFORMING AMENDMENT.*—*The*
22 *table of sections for chapter 63 of title 31, United States*
23 *Code, is amended by inserting after the item relating to*
24 *section 6308 the following:*

“6309. *Non-propagation of core-based statistical area delineations.*”.

1 **SEC. 6. TRANSPARENCY OF NON-STATISTICAL USES OF**
2 **CORE-BASED STATISTICAL AREA DELINEA-**
3 **TIONS.**

4 (a) *IN GENERAL.*—Section 6102(a)(2) of title 31,
5 *United States Code*, is amended—

6 (1) *by redesignating subparagraph (G) as sub-*
7 *paragraph (H);*

8 (2) *in subparagraph (F), by striking “and” at*
9 *the end; and*

10 (3) *by inserting after subparagraph (F) the fol-*
11 *lowing:*

12 “(G) *uses of core-based statistical area (as*
13 *defined in section 4 of the MAPS Act of 2021)*
14 *delineations (as chosen from standardized cat-*
15 *egories of uses determined by the Director), for*
16 *purposes including prime recipient and sub-*
17 *recipient eligibility for, and distribution of, any*
18 *Federal service, benefit, or funding; and”.*

19 (b) *CONTENT REQUIREMENTS.*—*In collecting and re-*
20 *viewing the information required under section*
21 *6102(a)(2)(G) of title 31, United States Code, as amended*
22 *by subsection (a) of this section, the Director shall include*
23 *as standardized categories—*

24 (1) *whether the most current core-based statis-*
25 *tical area delineation has been affirmatively adopted*

1 *pursuant to section 6309 of title 31, United States*
2 *Coded, as added by this Act;*

3 (2) *which historical core-based statistical area*
4 *delineation was maintained, in cases where an up-*
5 *dated delineation has not been affirmatively adopted*
6 *pursuant to section 6309 of title 31, United States*
7 *Coded, as added by this Act;*

8 (3) *what purpose the core-based statistical area*
9 *delineation serves, including—*

10 (A) *to determine eligibility for any Federal*
11 *service, benefit, or funding;*

12 (B) *to determine distribution of any Fed-*
13 *eral service, benefit, or funding; and*

14 (C) *any other standardized category of pur-*
15 *pose determined by the Director;*

16 (4) *whether the use of core-based statistical area*
17 *delineation directly concerns any—*

18 (A) *prime recipient of any Federal service,*
19 *benefit, or funding; and*

20 (B) *subrecipient of any Federal service, ben-*
21 *efit, or funding; and*

22 (5) *the date when the information collected in*
23 *this subsection was last updated.*

24 (c) *ACCESSIBILITY REQUIREMENTS.—The Director*
25 *shall ensure that the information collected and reviewed*

1 *under section 6102(a)(2)(G) of title 31, United States Code,*
 2 *as amended by subsection (a) of this section, shall be—*

3 *(1) publicly accessible as an open Government*
 4 *data asset;*

5 *(2) presented in a user-friendly visual format*
 6 *with search and download capabilities;*

7 *(3) easily discoverable by the public on relevant*
 8 *government websites; and*

9 *(4) updated not less frequently than once every*
 10 *year.*

11 *(d) IMPLEMENTATION TIMELINE.—The requirements*
 12 *of this section shall be fully implemented not later than 2*
 13 *years after the date of enactment of this Act.*

14 **SEC. 7. INDEPENDENCE, INTEGRITY, AND ACCOUNTABILITY**
 15 **OF CORE-BASED STATISTICAL AREA DELINEA-**
 16 **TIONS.**

17 *Section 3504(e) of title 44, United States Code, is*
 18 *amended by—*

19 *(1) in paragraph (8)(B)(ii), by striking “and”*
 20 *at the end;*

21 *(2) in paragraph (9)(B), by striking the period*
 22 *at the end and inserting “; and”; and*

23 *(3) by adding at the end the following:*

24 *“(10) ensure that any change to the standards of*
 25 *core-based statistical area (as defined in section 4 of*

1 *the MAPS Act of 2021) delineations pursuant to this*
 2 *subsection shall—*

3 “(A) *be accompanied by a public report*
 4 *that explains—*

5 “(i) *the scientific basis, criteria, and*
 6 *methodology for such change to existing*
 7 *standards, including clear quantitative*
 8 *thresholds for determining any future statis-*
 9 *tical re-delineations; and*

10 “(ii) *the opinions of domestic and*
 11 *international experts in statistics and de-*
 12 *mographics, including government experts*
 13 *at the Bureau of the Census and other rel-*
 14 *evant agencies, who were consulted regard-*
 15 *ing such change to existing standards;*

16 “(B) *not be influenced by any non-statis-*
 17 *tical considerations such as impact on program*
 18 *administration or service delivery; and*

19 “(C) *not propagate automatically for any*
 20 *non-statistical use by any domestic assistance*
 21 *program (as defined in section 4 of the MAPS*
 22 *Act of 2021).”.*

23 **SEC. 8. COMPTROLLER GENERAL REPORT.**

24 *Not later than 3 years after the date of enactment of*
 25 *this Act, the Comptroller General shall submit to the Com-*

1 *mittee on Homeland Security and Governmental Affairs of*
2 *the Senate and the Committee on Oversight and Reform of*
3 *the House of Representatives a report that—*

4 (1) *assesses the completeness, timeliness, quality,*
5 *accuracy, accessibility, and usefulness of the informa-*
6 *tion reported pursuant to section 6 and the amend-*
7 *ment made by section 6; and*

8 (2) *identifies any Federal programs, including*
9 *any domestic assistance programs or other programs,*
10 *that—*

11 (A) *use core-based statistical area delinea-*
12 *tions for any non-statistical purpose; and*

13 (B) *as of the date of the report, are not re-*
14 *ported pursuant to section 6 and the amendment*
15 *made by section 6; and*

16 (3) *if appropriate, includes any recommenda-*
17 *tions for Federal agencies or Congress based on the*
18 *findings described in paragraphs (1) and (2).*

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A BILL

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APRIL 27, 2022

Reported with an amendment