

117<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# **S. 1941**

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## **AN ACT**

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.

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. FINDINGS.**

8        Congress finds the following:

9            (1) Federal programs use core-based statistical  
10        area delineations to determine the delivery of Fed-  
11        eral services, benefits, and funding to people in the  
12        United States, such as in criteria for eligibility or  
13        distribution.

14            (2) Core-based statistical area delineations pro-  
15        vide a nationally consistent set of standards for col-  
16        lecting, tabulating, and publishing Federal statistics  
17        for geographic areas, and they are not intended for  
18        any public or private sector non-statistical uses such  
19        as program administration or service delivery.

20            (3) Updates to core-based statistical area delin-  
21        eations may cause widespread disruption to the de-  
22        livery of Federal services, benefits, and funding to  
23        people in the United States based on the reliance of  
24        Federal programs on these delineations.

1           (4) There does not exist any comprehensive list  
2 of Federal programs that rely on core-based statis-  
3 tical area delineations. Such a list is valuable for the  
4 study of how Federal services, benefits, and funding  
5 are distributed to people in the United States.

6           (5) Increased transparency on the impacts of  
7 any update to core-based statistical area delineations  
8 may be overly burdensome due to the anticipated va-  
9 riety of Federal programs that rely on these delinea-  
10 tions. Any requirement for complete disclosure of  
11 these impacts prior to implementation of new delin-  
12 eations may unintentionally cause the existing delin-  
13 eations to ossify.

14           (6) In order to prevent any disruption to service  
15 delivery of Federal programs based on updates to  
16 core-based statistical area delineations, and ensure  
17 the independence of Federal statistical policymaking,  
18 Congress must sever the link between future updates  
19 to core-based statistical area delineations and any  
20 automatic impact on Federal programs that rely on  
21 these delineations.

22 **SEC. 3. PURPOSE.**

23           This purpose of this Act is to ensure—

1           (1) transparency in how core-based statistical  
2           area delineations are used in domestic assistance  
3           programs; and

4           (2) independence of the Office of Management  
5           and Budget in establishing and updating core-based  
6           statistical area delineations.

7 **SEC. 4. DEFINITIONS.**

8           In this Act:

9           (1) **AGENCY.**—The term “agency” has the  
10          meaning given the term in section 551 of title 5,  
11          United States Code.

12          (2) **COMPTROLLER GENERAL.**—The term  
13          “Comptroller General” means the Comptroller Gen-  
14          eral of the United States.

15          (3) **CORE-BASED STATISTICAL AREA.**—The  
16          term “core-based statistical area” has the meaning  
17          given the term by the Office of Management and  
18          Budget in the Notice of Decision entitled “2020  
19          Standards for Delineating Core-Based Statistical  
20          Areas”, published in the Federal Register on July  
21          16, 2021 (86 Fed. Reg. 37770), or any successor to  
22          that Notice.

23          (4) **DIRECTOR.**—The term “Director” means  
24          the Director of the Office of Management and Budg-  
25          et.

1           (5) DOMESTIC ASSISTANCE PROGRAM.—The  
 2           term “domestic assistance program” has the mean-  
 3           ing given the term in section 6101 of title 31,  
 4           United States Code.

5           (6) OPEN GOVERNMENT DATA ASSET.—The  
 6           term “open Government data asset” has the mean-  
 7           ing given the term in section 3502 of title 44,  
 8           United States Code.

9   **SEC. 5. NON-PROPAGATION OF CORE-BASED STATISTICAL**  
 10           **AREA DELINEATIONS.**

11          (a) AMENDMENT.—Chapter 63 of title 31, United  
 12          States Code, is amended by adding at the end the fol-  
 13          lowing:

14   **“§ 6309. Non-propagation of core-based statistical**  
 15           **area delineations**

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

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

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

1           “(B) administrative or regulatory reference  
 2           to any core-based statistical area delineation;  
 3           and

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

6           “(A) if a relevant agency determines that  
 7           such a propagation—

8           “(i) supports the purposes of the pro-  
 9           gram; and

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

11           “(B) through affirmative adoption through  
 12           notice-and-comment rulemaking pursuant to  
 13           section 553 of title 5.

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

16           (b) TECHNICAL AND CONFORMING AMENDMENT.—  
 17           The table of sections for chapter 63 of title 31, United  
 18           States Code, is amended by inserting after the item relat-  
 19           ing to section 6308 the following:

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

20           **SEC. 6. TRANSPARENCY OF NON-STATISTICAL USES OF**  
 21                           **CORE-BASED STATISTICAL AREA DELINEA-**  
 22                           **TIONS.**

23           (a) IN GENERAL.—Section 6102(a)(2) of title 31,  
 24           United States Code, is amended—

1           (1) by redesignating subparagraph (G) as sub-  
2           paragraph (H);

3           (2) in subparagraph (F), by striking “and” at  
4           the end; and

5           (3) by inserting after subparagraph (F) the fol-  
6           lowing:

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

14          (b) CONTENT REQUIREMENTS.—In collecting and re-  
15          viewing the information required under section  
16          6102(a)(2)(G) of title 31, United States Code, as amended  
17          by subsection (a) of this section, the Director shall include  
18          as standardized categories—

19                  (1) whether the most current core-based statis-  
20                  tical area delineation has been affirmatively adopted  
21                  pursuant to section 6309 of title 31, United States  
22                  Coded, as added by this Act;

23                  (2) which historical core-based statistical area  
24                  delineation was maintained, in cases where an up-  
25                  dated delineation has not been affirmatively adopted

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

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

5           (A) to determine eligibility for any Federal  
6       service, benefit, or funding;

7           (B) to determine distribution of any Fed-  
8       eral service, benefit, or funding; and

9           (C) any other standardized category of  
10      purpose determined by the Director;

11       (4) whether the use of core-based statistical  
12      area delineation directly concerns any—

13           (A) prime recipient of any Federal service,  
14      benefit, or funding; and

15           (B) subrecipient of any Federal service,  
16      benefit, or funding; and

17       (5) the date when the information collected in  
18      this subsection was last updated.

19       (c) ACCESSIBILITY REQUIREMENTS.—The Director  
20      shall ensure that the information collected and reviewed  
21      under section 6102(a)(2)(G) of title 31, United States  
22      Code, as amended by subsection (a) of this section, shall  
23      be—

24           (1) publicly accessible as an open Government  
25      data asset;



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

3           (3) easily discoverable by the public on relevant  
4 government websites; and

5           (4) updated not less frequently than once every  
6 year.

7           (d) IMPLEMENTATION TIMELINE.—The requirements  
8 of this section shall be fully implemented not later than  
9 2 years after the date of enactment of this Act.

10 **SEC. 7. INDEPENDENCE, INTEGRITY, AND ACCOUNTABILITY**  
11 **OF CORE-BASED STATISTICAL AREA DELIN-**  
12 **EATIONS.**

13           Section 3504(e) of title 44, United States Code, is  
14 amended by—

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

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

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

20           “(10) ensure that any change to the standards  
21 of core-based statistical area (as defined in section  
22 4 of the MAPS Act of 2021) delineations pursuant  
23 to this subsection shall—

24           “(A) be accompanied by a public report  
25 that explains—

1           “(i) the scientific basis, criteria, and  
 2           methodology for such change to existing  
 3           standards, including clear quantitative  
 4           thresholds for determining any future sta-  
 5           tistical re-delineations; and

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

12          “(B) not be influenced by any non-statis-  
 13          tical considerations such as impact on program  
 14          administration or service delivery; and

15          “(C) not propagate automatically for any  
 16          non-statistical use by any domestic assistance  
 17          program (as defined in section 4 of the MAPS  
 18          Act of 2021).”.

19 **SEC. 8. COMPTROLLER GENERAL REPORT.**

20          Not later than 3 years after the date of enactment  
 21          of this Act, the Comptroller General shall submit to the  
 22          Committee on Homeland Security and Governmental Af-  
 23          fairs of the Senate and the Committee on Oversight and  
 24          Reform of the House of Representatives a report that—

1           (1) assesses the completeness, timeliness, qual-  
2           ity, accuracy, accessibility, and usefulness of the in-  
3           formation reported pursuant to section 6 and the  
4           amendment made by section 6; and

5           (2) identifies any Federal programs, including  
6           any domestic assistance programs or other pro-  
7           grams, that—

8                 (A) use core-based statistical area delinea-  
9                 tions for any non-statistical purpose; and

10                (B) as of the date of the report, are not  
11                reported pursuant to section 6 and the amend-  
12                ment made by section 6; and

13           (3) if appropriate, includes any recommenda-  
14           tions for Federal agencies or Congress based on the  
15           findings described in paragraphs (1) and (2).

Passed the Senate May 26, 2022.

Attest:

*Secretary.*

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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.