

Public Law 117–219
117th Congress

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.

Dec. 5, 2022
[S. 1941]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

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

SEC. 2. FINDINGS.

Congress finds the following:

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

(2) Core-based statistical area delineations provide a nationally consistent set of standards for collecting, tabulating, and publishing Federal statistics for geographic areas, and they are not intended for any public or private sector non-statistical uses such as program administration or service delivery.

(3) Updates to core-based statistical area delineations may cause widespread disruption to the delivery of Federal services, benefits, and funding to people in the United States based on the reliance of Federal programs on these delineations.

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

(5) Increased transparency on the impacts of any update to core-based statistical area delineations may be overly burdensome due to the anticipated variety of Federal programs that rely on these delineations. Any requirement for complete disclosure of these impacts prior to implementation of new delineations may unintentionally cause the existing delineations to ossify.

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

Metropolitan
Areas
Protection and
Standardization
Act of 2021.
31 USC 6101
note.
31 USC 6102
note.

statistical policymaking, Congress must sever the link between future updates to core-based statistical area delineations and any automatic impact on Federal programs that rely on these delineations.

31 USC 6102
note.

SEC. 3. PURPOSE.

This purpose of this Act is to ensure—

- (1) transparency in how core-based statistical area delineations are used in domestic assistance programs; and
- (2) independence of the Office of Management and Budget in establishing and updating core-based statistical area delineations.

31 USC 6102
note.

SEC. 4. DEFINITIONS.

In this Act:

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

(2) COMPTROLLER GENERAL.—The term “Comptroller General” means the Comptroller General of the United States.

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

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

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

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

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

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

31 USC 6309.

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

Effective date.

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

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

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

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

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

Determination.

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

“(i) supports the purposes of the program; and

“(ii) is in the public interest; and

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

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

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 63 of title 31, United States Code, is amended by inserting after the item relating to section 6308 the following: 31 USC
prec. 6301.

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

SEC. 6. TRANSPARENCY OF NON-STATISTICAL USES OF CORE-BASED STATISTICAL AREA DELINEATIONS.

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

(1) by redesignating subparagraph (G) as subparagraph (H);

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

(3) by inserting after subparagraph (F) the following:

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

(b) CONTENT REQUIREMENTS.—In collecting and reviewing the information required under section 6102(a)(2)(G) of title 31, United States Code, as amended by subsection (a) of this section, the Director shall include as standardized categories— 31 USC 6102
note.

(1) whether the most current core-based statistical area delineation has been affirmatively adopted pursuant to section 6309 of title 31, United States Code, as added by this Act;

(2) which historical core-based statistical area delineation was maintained, in cases where an updated delineation has not been affirmatively adopted pursuant to section 6309 of title 31, United States Code, as added by this Act;

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

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

(B) to determine distribution of any Federal service, benefit, or funding; and

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

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

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

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

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

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

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

Updates.
Deadlines.
31 USC 6102
note.

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

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

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

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

SEC. 7. INDEPENDENCE, INTEGRITY, AND ACCOUNTABILITY OF CORE-BASED STATISTICAL AREA DELINEATIONS.

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

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

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

(3) by adding at the end the following:

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

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

“(i) the scientific basis, criteria, and methodology for such change to existing standards, including clear quantitative thresholds for determining any future statistical re-delineations; and

“(ii) the opinions of domestic and international experts in statistics and demographics, including government experts at the Bureau of the Census and other relevant agencies, who were consulted regarding such change to existing standards;

“(B) not be influenced by any non-statistical considerations such as impact on program administration or service delivery; and

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

Public
information.
Reports.

SEC. 8. COMPTROLLER GENERAL REPORT.

Not later than 3 years after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives a report that—

(1) assesses the completeness, timeliness, quality, accuracy, accessibility, and usefulness of the information reported pursuant to section 6 and the amendment made by section 6; and

(2) identifies any Federal programs, including any domestic assistance programs or other programs, that—

(A) use core-based statistical area delineations for any non-statistical purpose; and

(B) as of the date of the report, are not reported pursuant to section 6 and the amendment made by section 6; and

Assessments.

(3) if appropriate, includes any recommendations for Federal agencies or Congress based on the findings described in paragraphs (1) and (2). Recommendations.

Approved December 5, 2022.

LEGISLATIVE HISTORY—S. 1941:

SENATE REPORTS: No. 117–98 (Comm. on Homeland Security and Governmental Affairs).

CONGRESSIONAL RECORD, Vol. 168 (2022):

May 26, considered and passed Senate.

Nov. 14, considered and passed House.