

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—117th Cong., 1st Sess.**

**S. 1941**

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.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended  
to be proposed by Mr. PETERS

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

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:

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

6           (2) Core-based statistical area delineations pro-  
7           vide a nationally consistent set of standards for col-  
8           lecting, tabulating, and publishing Federal statistics  
9           for geographic areas, and they are not intended for  
10          any public or private sector non-statistical uses such  
11          as program administration or service delivery.

12          (3) Updates to core-based statistical area delin-  
13          eations may cause widespread disruption to the de-  
14          livery of Federal services, benefits, and funding to  
15          people in the United States based on the reliance of  
16          Federal programs on these delineations.

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

22          (5) Increased transparency on the impacts of  
23          any update to core-based statistical area delineations  
24          may be overly burdensome due to the anticipated va-  
25          riety of Federal programs that rely on these delinea-

1 tions. Any requirement for complete disclosure of  
2 these impacts prior to implementation of new delin-  
3 eations may unintentionally cause the existing delin-  
4 eations to ossify.

5 (6) In order to prevent any disruption to service  
6 delivery of Federal programs based on updates to  
7 core-based statistical area delineations, and ensure  
8 the independence of Federal statistical policymaking,  
9 Congress must sever the link between future updates  
10 to core-based statistical area delineations and any  
11 automatic impact on Federal programs that rely on  
12 these delineations.

13 **SEC. 3. PURPOSE.**

14 This purpose of this Act is to ensure—

15 (1) transparency in how core-based statistical  
16 area delineations are used in domestic assistance  
17 programs; and

18 (2) independence of the Office of Management  
19 and Budget in establishing and updating core-based  
20 statistical area delineations.

21 **SEC. 4. DEFINITIONS.**

22 In this Act:

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

1           (2)   COMPROLLER   GENERAL.—The   term  
2           “Comptroller General” means the Comptroller Gen-  
3           eral of the United States.

4           (3)   CORE-BASED   STATISTICAL   AREA.—The  
5           term “core-based statistical area” has the meaning  
6           given the term by the Office of Management and  
7           Budget in the Notice of Decision entitled “2020  
8           Standards for Delineating Core-Based Statistical  
9           Areas”, published in the Federal Register on July  
10          16, 2021 (86 Fed. Reg. 37770), or any successor to  
11          that Notice.

12          (4)   DIRECTOR.—The term “Director” means  
13          the Director of the Office of Management and Budg-  
14          et.

15          (5)   DOMESTIC   ASSISTANCE   PROGRAM.—The  
16          term “domestic assistance program” has the mean-  
17          ing given the term in section 6101 of title 31,  
18          United States Code.

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

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

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

6 **“SEC. 6309. NON-PROPAGATION OF CORE-BASED STATIS-**  
7 **TICAL AREA DELINEATIONS.**

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

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

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

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

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

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

24 “(i) supports the purposes of the pro-  
25 gram; and

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

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

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

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

8 **SEC. 6. TRANSPARENCY OF NON-STATISTICAL USES OF**  
9                   **CORE-BASED STATISTICAL AREA DELINEA-**  
10                  **TIONS.**

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

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

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

17                   (3) by inserting after subparagraph (F) the fol-  
18                   lowing:

19                           “(G) uses of core-based statistical area de-  
20                   lineations (as chosen from standardized cat-  
21                   egories of uses determined by the Director), for  
22                   purposes including prime recipient and sub-  
23                   recipient eligibility for, and distribution of, any  
24                   Federal service, benefit, or funding; and”.

1 (b) CONTENT REQUIREMENTS.—In collecting and re-  
2 viewing the information required under section  
3 6102(a)(2)(G) of title 31, United States Code, as amended  
4 by subsection (a) of this section, the Director shall include  
5 as standardized categories—

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

10 (2) which historical core-based statistical area  
11 delineation was maintained, in cases where an up-  
12 dated delineation has not been affirmatively adopted  
13 pursuant to section 6309 of title 31, United States  
14 Coded, as added by this Act;

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

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

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

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

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

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

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

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

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

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

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

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

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

20 (d) IMPLEMENTATION TIMELINE.—The requirements  
21 of this section shall be fully implemented not later than  
22 2 years after the date of enactment of this Act.



1 **SEC. 7. INDEPENDENCE, INTEGRITY, AND ACCOUNTABILITY**  
2 **OF CORE-BASED STATISTICAL AREA DELIN-**  
3 **EATIONS.**

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

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

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

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

11 “(10) ensure that any change to the standards  
12 of core-based statistical area delineations pursuant  
13 to this subsection shall—

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

16 “(i) the scientific basis, criteria, and  
17 methodology for such change to existing  
18 standards, including clear quantitative  
19 thresholds for determining any future sta-  
20 tistical re-delineations; and

21 “(ii) the opinions of domestic and  
22 international experts in statistics and de-  
23 mographics, including government experts  
24 at the Bureau of the Census and other rel-  
25 evant agencies, who were consulted regard-  
26 ing such change to existing standards;

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

4           “(C) not propagate automatically for any  
5           non-statistical use by any domestic assistance  
6           program.”.

7 **SEC. 8. COMPTROLLER GENERAL REPORT.**

8           Not later than 3 years after the date of enactment  
9           of this Act, the Comptroller General shall submit to the  
10          Committee on Homeland Security and Governmental Af-  
11          fairs of the Senate and the Committee on Oversight and  
12          Reform of the House of Representatives a report that—

13           (1) assesses the completeness, timeliness, qual-  
14           ity, accuracy, accessibility, and usefulness of the in-  
15           formation reported pursuant to section 6 and the  
16           amendment made by section 6; and

17           (2) identifies any Federal programs, including  
18           any domestic assistance programs or other pro-  
19           grams, that—

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

22           (B) as of the date of the report, are not  
23           reported pursuant to section 6 and the amend-  
24           ment made by section 6; and

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