



NADO LEGISLATIVE UPDATE

JULY 27, 2021

JOE MCKINNEY

JMCKINNEY@NADO.ORG

MIRIELLE BURGOYNE

MBURGOYNE@NADO.ORG

ABOUT NADO

- The National Association of Development Organizations (NADO) advocates for the nation's network of hundreds of Regional Development Organizations (RDOs) across the country, and for the economic and community development programs they help implement
- NADO works closely with EDA and Economic Development Districts (EDDs), and with other federal partners and community development stakeholders

www.nado.org

Interested in becoming a NADO member?

Please contact Brittany Salazar at bsalazar@nado.org or Krystal De Leon at kdeleon@nado.org

COVID-19 RELIEF OVERVIEW

- First major stimulus bill passed March 2020: **The Coronavirus Aid, Relief, and Economic Security (CARES) Act**
- Second major stimulus bill passed March 2021: **the American Rescue Plan Act (ARPA)**

COVID-19 RELIEF TIMELINE

March 6, 2020

P.L. 116-123

The Coronavirus Preparedness and Response Supplemental Appropriations Act

March 27, 2020

P.L. 116-136

The Coronavirus Aid, Relief, and Economic Security (CARES) Act
\$2.2 trillion

August 8, 2020

Presidential Memoranda - August 8, 2020

March 11, 2021

P.L. 117-2

The American Rescue Plan Act of 2021
\$1.9 trillion

P.L. 116-127

The Families First Coronavirus Response Act

March 18, 2020

P.L. 116-139

The Paycheck Protection Program and Health Care Enhancement Act

April 24, 2020

P.L. 116-260

The Coronavirus Response and Relief Supplemental Appropriations Act, 2021
\$900 billion COVID-19 relief stimulus plus \$1.4 trillion FY 21 appropriations omnibus

December 27, 2020

AMERICAN RESCUE PLAN ACT HIGHLIGHTS

[The American Rescue Plan Act \(P.L. 117-2\)](#) includes:

- **\$3 billion** for the U.S. Department of Commerce Economic Development Administration (EDA)
- **\$350 billion** for state, local, tribal, and territorial support
- \$7.25 billion for the SBA Paycheck Protection Program (PPP)
- \$15 billion for Economic Injury Disaster Loans (EIDL)
- \$1400 direct stimulus checks for eligible individual taxpayers
- \$300 weekly federal unemployment benefits through September 6, 2021
- And many other provisions

Sources and Useful Reference Materials:

- [American Rescue Plan Section-by-Section Summary - Senate Democrats](#)
- [National Conference of State Legislatures \(NCSL\) Overview](#)

EDA FUNDS WITHIN ARPA

- **U.S. Department of Commerce Economic Development Administration (EDA)**
 - [The American Rescue Plan Act](#) contains **\$3 billion** in supplemental funding for EDA
 - For context, \$3 billion is **twice** the amount of EDA funding included in the CARES Act and nearly **ten times** EDA's typical annual appropriation
 - The bill language specifies that:
 - The EDA funding is intended to be used to *“prevent, prepare for, and respond to coronavirus, and for necessary expenses for responding to **economic injury** as a result of coronavirus”*
 - **25%** of the funds shall be allocated to *“states and communities that have suffered economic injury as a result of job and gross domestic product losses in the **travel, tourism, and outdoor recreation sectors**”*
 - EDA must allocate funding no later than September 30, **2022**; funds will remain available to recipients until September 20, **2027**

EDA ARPA NOFO RELEASED JULY 22

- On Thursday July 22, EDA released the [Notice of Funding Opportunities](#) (NOFOs) that will guide the administration of the \$3 billion in supplemental funding the EDA received through the American Rescue Plan
- Six NOFOs and a collection of programs that EDA is collectively referred to as the *Investing in America's Communities* initiative:
 - \$1 billion for the [Build Back Better Regional Challenge](#)
 - \$500 million for the [Good Jobs Challenge](#)
 - \$500 million for [Economic Adjustment Assistance](#)
 - \$100 million for [Indigenous Communities](#)
 - \$750 million for [Travel, Tourism, and Outdoor Recreation](#)
 - \$90 million for [Statewide Planning, Research, and Networks](#)
- EDA is also making a [Coal Communities Commitment](#), allocating \$300 million for this priority



EDA AMERICAN RESCUE PLAN FUNDS

For more information:

Register for an upcoming EDA America Rescue Plan overview webinar on [July 27](#) or [July 29](#) at 3 p.m. ET.

Additional details available on [EDA's website](#)



Build Back Better Regional Challenge



Good Jobs Challenge



Economic Adjustment Assistance



Indigenous Communities



Travel, Tourism and Outdoor Recreation



Statewide Planning, Research and Networks



Coal Communities Commitment

EDA 101 and America Rescue Plan Overview

Jul 27, 2021 3:00 PM Eastern Daylight Time

REGISTER NOW

Full Name*

Email*

City, State*


Enter your answer here

Characters remaining 150

AMERICAN RESCUE PLAN ACT (ARPA) STATE AND LOCAL RELIEF FUNDING

- [The American Rescue Plan Act](#) includes more than **\$350 billion** for state, local tribal, and territorial support
 - Allowable uses of state and local relief funding as described in legislation:
 - *Subtitle M: Coronavirus State and Local Fiscal Recovery Funds*
 - **SEC. 603. CORONAVIRUS LOCAL FISCAL RECOVERY FUND.**
 - “(1) **USE OF FUNDS**.—Subject to paragraph (2), and except as provided in paragraph (3), a State, territory, or Tribal government shall only use the funds provided under a payment made under this section, or transferred pursuant to section 603(c)(4), to cover costs incurred by the State, territory, or Tribal government, **by December 31, 2024**—
 - “**(A)** to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
 - “**(B)** to respond to workers performing essential work during the COVID–19 public health emergency by providing premium pay to eligible workers of the State, territory, or Tribal government that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;
 - “**(C)** for the provision of government services to the extent of the reduction in revenue of such State, territory, or Tribal government due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year of the State, territory, or Tribal government prior to the emergency; or
 - “**(D)** to make necessary investments in water, sewer, or broadband infrastructure.

AMERICAN RESCUE PLAN ACT (ARPA) STATE AND LOCAL RELIEF FUNDING

 U.S. DEPARTMENT OF THE TREASURY

ABOUT TREASURY **POLICY ISSUES** DATA SERVICES NEWS SEARCH

We can do this. Find COVID-19 vaccines near you. Visit [Vaccines.gov](https://www.vaccines.gov).

HOME > POLICY ISSUES > COVID19 ECONOMIC RELIEF > ASSISTANCE FOR STATE, LOCAL, AND TRIBAL GOVERNMENTS > STATE AND LOCAL FISCAL RECOVERY FUND

POLICY ISSUES

COVID19 Economic Relief

Assistance for American Families and Workers

Assistance for Small Businesses

Assistance for State, Local, and Tribal Governments

State and Local Fiscal Recovery Fund

Request Funding

Tribal Governments

Non-Entitlement Units

Recipient Compliance and Reporting Responsibilities

Coronavirus State and Local Fiscal Recovery Funds

The American Rescue Plan will deliver \$350 billion for eligible state, local, territorial, and Tribal governments to respond to the COVID-19 emergency and bring back jobs.

The Coronavirus State and Local Fiscal Recovery Funds provide a substantial infusion of resources to help turn the tide on the pandemic, address its economic fallout, and lay the foundation for a strong and equitable recovery.

REQUEST FISCAL RECOVERY FUNDS

RECEIVE COVID-19 RELIEF UPDATES

- [Interim Final Rule](#)
- [Fact Sheet](#)
- [FAQs](#)
- [Quick Reference Guide](#)
- [Press Release](#)
- [Tribal Government Information](#)
- [Non-Entitlement Unit Information](#)
- [Compliance and Reporting Guidance](#)

ARPA STATE/LOCAL FUNDING LINKS

- **U.S. Treasury Department Guidance - Coronavirus State and Local Relief Fund Resources:**
 - Full details – **interim final rule:** <https://home.treasury.gov/system/files/136/FRF-Interim-Final-Rule.pdf>
- **Additional Treasury Resources:**
 - Main page: <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/state-and-local-fiscal-recovery-funds>
 - Fact sheet: <https://home.treasury.gov/system/files/136/SLFRP-Fact-Sheet-FINAL1-508A.pdf>
 - FAQs: <https://home.treasury.gov/system/files/136/SLFRPFAQ.pdf> - check back for frequent updates
 - Non-entitlement FAQs: <https://home.treasury.gov/system/files/136/NEU-FAQs.pdf> - check back for frequent updates
 - Reference guide: <https://home.treasury.gov/system/files/136/SLFRP-Quick-Reference-Guide-FINAL-508a.pdf>
 - Allocations for counties: https://home.treasury.gov/system/files/136/fiscalrecoveryfunds_countyfunding_2021.05.10-1a-508A.pdf
 - Allocations for metropolitan cities: <https://home.treasury.gov/system/files/136/fiscalrecoveryfunds-metrocitiesfunding1-508A.pdf>

ARPA STATE/LOCAL FUNDING LINKS

■ **Non-Entitlement Units (NEU) Guidance:**

- Additional treasury guidance to assist states with their distribution of funds to “non-entitlement units of local government” (NEUs), which are local governments typically serving a population under 50,000, can be found here:
- General NEU guidance page: <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/state-and-local-fiscal-recovery-fund/non-entitlement-units>
- NEU distribution information: <https://home.treasury.gov/system/files/136/Status-State-NEU-Distribution.pdf>
- Eligible NEUs list: <https://home.treasury.gov/system/files/136/ERA-List-of-Eligible-Local-Governments-Final.pdf>
- Non-entitlement units FAQs: <https://home.treasury.gov/system/files/136/NEU-FAQs.pdf> - check frequently for new updates

ARPA STATE/LOCAL FISCAL RECOVERY FUND ELIGIBLE USES

Eligible Uses

A. Public health and economic impacts [\(interim rule page 10\)](#)

1. Responding to COVID-19 (page 12; eligible uses begin on page 17)

COVID-19 Mitigation and Prevention (page 18) – **testing, contact tracing**, support for individuals in isolation or quarantine, enforcement of public health orders, public communication efforts, public health surveillance, **enhancement to health care capacity** through alternative care facilities, enhancement of public health data systems, capital investments in public facilities to meet pandemic operational needs

Behavioral Health Care (page 19) – **mental health** services, behavioral health services, **substance use** mitigation, crisis intervention

Public Health and Safety Staff (page 20) – funds may be used for **payroll and covered benefits** expenses for **public safety, health care, human services, and similar employees**, to the extent that their services are devoted to mitigating or responding to the COVID-19 emergency. For administrative convenience, the recipient may consider public health and safety employees to be entirely devoted to mitigating or responding to the public health emergency, and therefore fully covered, if the employee or their division is primarily dedicated to responding to the COVID-19 public health emergency

Expenses to Improve the Design and Execution of Public Health Programs (page 21) – funds may be used for planning and analysis to improve programs addressing the COVID-19 pandemic, impact evaluations, and data analysis

2. Responding to Negative Economic Impacts (page 23; eligible uses begin on page 30)

Assistance to Unemployed Workers (page 32) – **job training** to accelerate rehiring of unemployed workers (including workers who were already unemployed when the pandemic began)

Assistance to Households (page 33) – **food assistance; rent, mortgage, or utility assistance**; counseling and legal aid to prevent eviction or homelessness; cash assistance; internet access or digital literacy assistance; cash transfer programs

Expenses to Improve Efficacy of Economic Relief Programs (page 34) – improve efficacy of state and local programs addressing negative economic impacts, including through data analysis, targeted consumer outreach, improvements to data or technology infrastructure, and impact evaluations

Small Businesses and Non-profits (page 34) – provide **loans or grants** to small businesses and nonprofits

Rehiring State, Local, and Tribal Government Staff (page 35) – **rehiring public sector staff**, up to the pre-pandemic staffing level of the government

Aid to Impacted Industries (page 36) – speed the recovery of impacted industries such as **travel, tourism, and hospitality** services

ARPA STATE/LOCAL FISCAL RECOVERY FUND ELIGIBLE USES

Eligible Uses

B. Premium Pay for Essential Workers (page 45)

■ Such workers include:

- Staff at nursing homes, hospitals, and home care settings;
- Workers at farms, food production facilities, grocery stores, and restaurants;
- Janitors and sanitation workers;
- Truck drivers, transit staff, and warehouse workers;
- Public health and safety staff;
- Childcare workers, educators, and other school staff; and
- Social service and human services staff.

- Funds may be used to provide premium pay to **essential workers**, both directly and through grants to third-party employers (page 45)
- “To ensure that premium pay is **targeted** to workers that faced or face **heightened risks** due to the character of their work, the Interim Final Rule defines essential work as work involving regular **in-person interactions** or regular physical handling of items that were also handled by others” (page 47)
- “Many of the workers performing critical essential services are low- or moderate- income workers....the ARPA recognizes this by defining premium pay to mean an **amount up to \$13 per hour in addition to wages or remuneration the worker otherwise receives** and in an aggregate amount **not to exceed \$25,000** per eligible worker” (page 48)
- “If premium pay would increase a worker’s total pay **above 150 percent** of their residing state’s average annual wage for all occupations, as defined by the Bureau of Labor Statistics’ Occupational Employment and Wage Statistics, or their residing county’s average annual wage, as defined by the Bureau of Labor Statistics’ Occupational Employment and Wage Statistics, whichever is higher, on an annual basis, the State, local, or Tribal government must provide Treasury and make publicly available, whether for themselves or on behalf of a grantee, a **written justification** of how the premium pay or grant is responsive to workers performing essential worker during the public health emergency” (page 49)

ARPA STATE/LOCAL FISCAL RECOVERY FUND ELIGIBLE USES

Eligible Uses

C. Revenue Loss (page 51)

- Funds may be used for the provision of government services to the extent of the reduction in revenue experienced due to the COVID-19 public health emergency (page 51)
- Public sector revenue loss is calculated relative to the expected trend, beginning with the last full fiscal year (pre-pandemic) and adjusted annually for growth
- Recipients may recalculate revenue loss at multiple points during the program, recognizing that revenue loss may occur with a lag
- Once revenue loss is identified, recipients have broad latitude to use funds to support government services
- The interim final rule establishes a methodology that each recipient should use to calculate its reduction in revenue

Helpful video on this topic from the National Association of Counties linked below:

<https://www.naco.org/events/understanding-eligible-expenses-fiscal-recovery-fund-revenue-loss>

ARPA STATE/LOCAL FISCAL RECOVERY FUND ELIGIBLE USES

Eligible Uses

D. Water, Sewer, and Broadband (page 62)

1. Water and sewer: (page 63)

Recipients may use funds to invest in a broad range of projects that improve drinking water, such as building or upgrading facilities and transmission, distribution, and storage systems, including replacement of lead service lines (page 67)

Eligible uses align with Environmental Protection Agency project categories for the [Clean Water State Revolving Fund and Drinking Water State Revolving Fund](#) (page 63)

2. Broadband: (page 69)

Eligible investments in broadband are those that are designed to provide services meeting adequate speeds and are provided to unserved and underserved households and businesses (page 71)

Focus on households and businesses without a wireline connection capable of reliably delivering 25 Mbps download / 3 Mbps upload

Fund projects that deliver reliable, high-quality service (minimum 100 Mbps download / 100 Mbps upload speeds unless impracticable)

“Under the Interim Final Rule, eligible projects are expected to be designed to deliver, upon project completion, service that reliably meets or exceeds symmetrical upload and download speeds of **100 Mbps**. There may be instances in which it would not be practicable for a project to deliver such service speeds because of the geography, topography, or excessive costs associated with such a project. In these instances, the affected project would be expected to be designed to deliver, upon project completion, service that reliably meets or exceeds **100 Mbps download** and between at least **20 Mbps and 100 Mbps upload** speeds and be scalable to a minimum of 100 Mbps symmetrical for download and upload speeds” (page 71)

Information from National League of Cities about recently updated Treasury FAQ broadband eligibility guidance: <https://www.nlc.org/article/2021/06/18/treasury-expands-broadband-eligibility-for-arpa-in-a-win-for-cities/>

ARPA CORONAVIRUS FISCAL RECOVERY FUND TIMELINE

Timeline

- July 16, 2021 – comment period closed for Treasury Interim Final Rule
- August 31, 2021 – interim report deadline
- October 31, 2021 – project and expenditure report deadline
- December 31, 2024 – funds must be obligated (not incurred or spent)
- December 31, 2026 – funds must be expended

Table 2: Reporting requirements by recipient type

Recipient	Interim Report	Project and Expenditure Report	Recovery Plan Performance Report
States, U.S. territories, metropolitan cities and counties with a population that exceeds 250,000 residents	By August 31, 2021, with expenditures by category	By October 31, 2021, and then 30 days after the end of each quarter thereafter ⁹	By August 31, 2021, and annually thereafter by July 31 ¹⁰
Metropolitan cities and counties with a population below 250,000 residents which received more than \$5 million in SLFRF funding			Not required
Tribal Governments		By October 31, 2021, and then annually thereafter ¹¹	
Metropolitan cities and counties with a population below 250,000 residents which received less than \$5 million in SLFRF funding			
NEUs	Not required		

TRANSFER OF FUNDS

- **U.S. Treasury Department Guidance - Coronavirus State and Local Relief Fund Resources:**
 - Full details – **interim final rule:** <https://home.treasury.gov/system/files/136/FRF-Interim-Final-Rule.pdf>
- Notable language on “special purpose districts” and “special purpose units of state or local government”
 - Page 105:

VI. Transfer

The statute authorizes State, territorial, and Tribal governments; counties; metropolitan cities; and nonentitlement units of local government (counties, metropolitan cities, and nonentitlement units of local government are collectively referred to as “local governments”) to transfer amounts paid from the Fiscal Recovery Funds to a number of specified entities. By permitting these transfers, Congress recognized the importance of providing flexibility to governments seeking to achieve the greatest impact with their funds, including by working with other levels or units of government or private entities to assist recipient governments in carrying out their programs. This includes special-purpose districts that perform specific functions in the community, such as fire, water, sewer, or mosquito abatement districts.

Specifically, under section 602(c)(3), a State, territory, or Tribal government may transfer funds to a “private nonprofit organization . . . a Tribal organization . . . a public benefit corporation involved in the transportation of passengers or cargo, or a special-purpose unit of State or local government.”¹⁸⁰ Similarly, section 603(c)(3) authorizes a local government to transfer funds to the same entities (other than Tribal organizations).

The Interim Final Rule clarifies that the lists of transferees in Sections 602(c)(3) and 603(c)(3) are not exclusive. The Interim Final Rule permits State, territorial, and Tribal governments to transfer Fiscal Recovery Funds to other constituent units of government or private entities beyond those specified in the statute. Similarly, local governments are authorized to transfer Fiscal Recovery Funds to other constituent units of government (e.g., a county is able to transfer Fiscal Recovery Funds to a city, town, or school district within it) or to private entities. This approach is intended to help provide funding to local governments with needs that may exceed the allocation provided under the statutory formula.

AMERICAN RESCUE PLAN ACT STATE AND LOCAL RELIEF FUNDING


Additional Resources: Coronavirus State and Local Relief Fund Information

Webinar Recordings:

- [National League of Cities Treasury Guidance Webinar #1 - Coronavirus State and Local Fiscal Recovery Fund](#)
- [NLC Guidance Webinar #2 - Coronavirus State and Local Fiscal Recovery Fund](#)
- [NLC ARPA Fiscal Recovery Fund Reporting Requirements Webinar Recording](#)

Email to contact Department of Treasury with questions about the Coronavirus State and Local Relief Fund:

- slfrp@treasury.gov



Other Notable Legislative Updates

As of July 2021

PRESIDENT'S FY 2022 BUDGET

- A [detailed version of the President's budget](#) was released Friday May 27, 2021
- The President's budget recommends \$382.5 million for the U.S. Economic Development Administration for FY22. If enacted, this would be:
 - A nearly \$40 million increase over FY 2020 levels
 - A nearly \$50 million increase for FY 2021 levels
- The President's budget recommends increasing EDA planning grants to \$37 million, an increase of \$3.5 million above FY 2021 levels
- The release of the President's budget proposal serves as the foundation for the negotiation process between the President and Congress to determine the distribution of funds across the government for FY 2022. Final appropriations decisions are made by Congress.

U.S. ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) Final FY 2021 Appropriation (in millions)

Budget figures are in millions	FY2018 Final	FY2019 Final	FY2020 House	FY2020 Senate	FY2020 Final	FY2021 House	FY2021 Senate	FY2021 Final	President's Budget FY2022	House FY2022
Economic Development Administration Overall Total	\$301.5	\$304	\$540	\$319.5	\$333	\$356	\$340	\$346	—	\$433.1
Total – Economic Development Assistance Programs	\$262.5	\$265	\$498.3	\$279.5	\$292.5	\$314	\$299	\$305.5	\$382.5	\$382.5
Partnership Planning	\$33	\$33	\$35	\$33	\$33	\$33	\$33.5	\$33.5	\$37	\$36
Public Works	\$117.5	\$117.5	\$250	\$119.5	\$118.5	\$122	\$118.5	\$119.5	\$124	\$124
Economic Adjustment Assistance	\$37	\$37	\$37	\$37	\$37	\$40	\$37	\$37.5	\$49	\$42.5
Technical Assistance	\$9.5	\$9.5	\$12.75	\$9.5	\$9.5	\$9.5	\$10	\$10	\$14	\$14
Research and Evaluation	\$1.5	\$1.5	\$1.6	\$1.5	\$1.5	\$1.5	\$1.5	\$1.5	\$2	\$2
Trade Adjustment Assistance	\$13	\$13	\$15	\$13	\$13	\$13.5	\$13	\$13.5	\$13	\$13.5
Regional Innovation Program Grants	\$21	\$23.5	\$30	\$31	\$33	\$35	\$38.5	\$38	\$45	\$50
Assistance to Coal Mining Communities	\$30	\$30	\$35	\$30	\$30	\$37	\$30	\$33.5	\$81	\$80.5
Assistance to Nuclear Closure Communities	-	-	\$17	\$5	\$15	\$18	\$15	\$16.5	\$10	\$10
STEM Apprenticeship Pilot Program	-	-	\$5	-	\$2	\$4.5	\$2	\$2	\$10	\$10
Salaries and Expenses	\$39	\$39	\$41.65	\$40	\$40.5	\$42	\$41	\$40.5	—	\$50.6

EDA ASSISTANT SECRETARY NOMINATED

EDA Assistant Secretary Nominee Alejandra Castillo [nominated on April 27](#) – she has not yet been confirmed



INFRASTRUCTURE

- The Biden Administration has highlighted infrastructure as a key priority
 - The administration initially released two infrastructure proposals: the [American Jobs Plan](#) proposal (March 2021) and the [American Families Plan](#) proposal (April 2021). A [rural fact sheet](#) can be found here.
 - In June, a deal was reached between President Biden and a group of bipartisan senators on a \$1.2 trillion [bipartisan infrastructure framework](#) contains \$579 billion in new spending primarily for highways, bridges, transit, and broadband. Legislative text has not yet been released.
 - Once bill text is released, the bipartisan framework is expected to include parts of the surface transportation bills already passed by the Senate EPW Committee and the Senate Commerce Committee
 - Last week, Senate Democrats announced a [\\$3.5 trillion budget resolution](#) that they hope to vote on in tandem with the bipartisan proposal. This includes more of the Biden administration's "human infrastructure" priorities.

Surface Transportation Reauthorization Updates:

- The Senate Commerce Committee approved the [Surface Transportation Investment Act of 2021](#) in June 2021
- The Senate Environment and Public Works (EPW) Committee unanimously approved a [\\$311 billion surface transportation reauthorization bill](#) in May 2021
- The House T&I Committee approved a \$547 billion surface transportation reauthorization proposal, the [INVEST in America Act](#), in June
- The FAST Act expires in September 2021

GOOD NEWS: NO CHANGE TO OMB MSA DEFINITION

- An [OMB Federal Register Notice](#) published on January 19, 2021 requested public comment on a proposal to change the definition of a **Metropolitan Statistical Area (MSA)**
- The notice proposed changing the MSA population definition **from 50,000 to 100,000** minimum.
- **NADO submitted comments** in response to the Federal Register Notice **opposing this change.**
- Fortunately, OMB recently announced that they will maintain the minimum urban area population needed to qualify as an MSA at the current threshold level for 50,000. OMB will **NOT** raise the threshold.

NADO IS MONITORING: CENSUS URBAN AREAS PROPOSED CHANGE

- Another recently published [Federal Register Notice](#) requests comment on the **Census Bureau's** proposed criteria on **Urban Areas** (notice published in February 19 Federal Register)
- The proposed change is a shift away from the “Urbanized Area” population-based definition (50,000+) and a shift toward a housing unit density-based definition
- Potential implications of this notice:
 - Much like the OMB MSA issue, this proposed change could also have *potential* wide-reaching impacts, and NADO will be keeping a close watch on this issue as well
 - USDOT definitions of MPO/RPO/RTPOs would likely **NOT be affected** by the Census proposal (this is because the number “50,000” is explicitly written in statute as the basis for MPO/RPO/RTPO definitions.
 - However, this is something NADO is keeping a close watch on, especially with FAST Act (surface transportation) reauthorization on the horizon
- NADO submitted comments and is monitoring this issue closely



JOE MCKINNEY

JMCKINNEY@NADO.ORG

MIRIELLE BURGoyNE

MBURGOYNE@NADO.ORG