

116TH CONGRESS  
2D SESSION

# S. 3232

To promote and support the local arts and creative economy in the United States.

---

IN THE SENATE OF THE UNITED STATES

JANUARY 28, 2020

Mr. SCHATZ introduced the following bill; which was read twice and referred to the Committee on Finance

---

## A BILL

To promote and support the local arts and creative economy in the United States.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Promoting Local Arts and Creative Economy Workforce  
6 Act of 2020” or the “PLACE Act”.

7 (b) TABLE OF CONTENTS.—The table of contents for  
8 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.
- Sec. 4. Department of Labor.
- Sec. 5. Department of Education.

- Sec. 6. Economic Development Administration programs.
- Sec. 7. Creative jobs training through Bureau of Prisons reentry and skills development programs.
- Sec. 8. Grants relating to the creative economy.
- Sec. 9. Promotion for veterans with service-connected disabilities of job training and resources in creative industries and occupations.
- Sec. 10. Small business creative economy assistance.
- Sec. 11. Tax incentives.
- Sec. 12. Promotion by Export-Import Bank of the United States of exports by creative industries and occupations.
- Sec. 13. Rural business creative economy technical assistance.
- Sec. 14. Disaster assistance for creative industry workers through FEMA.
- Sec. 15. Collaboration.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) The United States economy has changed  
 4 rapidly as automation, artificial intelligence, digital  
 5 technologies, and modern information and commu-  
 6 nication systems have transformed the way people in  
 7 the United States work, live, and interact.

8 (2) The United States must establish policies  
 9 and create programs capable of responding to chang-  
 10 ing economic realities.

11 (3) The United States must develop strategies  
 12 to maximize current assets and help grow a United  
 13 States economy and workforce that can thrive in a  
 14 challenging environment of constant change and re-  
 15 invention.

16 (4) The Nation needs to strengthen and im-  
 17 prove Federal support for a Next Generation econ-  
 18 omy and workforce.

1           (5) The United States must explore sustainable  
2 strategies to create jobs that will endure, will remain  
3 reliant on a local workforce, and are unlikely to  
4 move overseas.

5           (6) There is great value and untapped potential  
6 in the Nation's rich history, the creative freedoms  
7 enjoyed by its people, and the many cultures and  
8 traditions that make the United States so unique.

9           (7) Promoting local arts and enhancing the cre-  
10 ative economy of the United States would support  
11 the Nation's diverse citizenry, rich traditions, and  
12 vast creative talents, including the unique history  
13 and continuing vitality of Native American commu-  
14 nities.

15           (8) The United States must embrace the oppor-  
16 tunities and challenges the country faces and re-  
17 imagine the role of the Federal Government in pro-  
18 viding support for local arts and expanding the cre-  
19 ative economy.

20           (9) The United States needs to engage workers  
21 from around the Nation to develop, hone, and share  
22 expressions of their cultural heritage, including lan-  
23 guages, creative collaborations, and artistic skills.

24           (10) The Nation needs to recognize that there  
25 is a broad range of undervalued and underutilized

1 human potential in the United States, and the exist-  
2 ence of that human potential has profound social,  
3 economic, and workforce ramifications.

4 (11) Securing the future well-being of individ-  
5 uals, families, communities, and the Nation will de-  
6 pend in part on adopting Federal policies that will  
7 increase support for the creative economy.

8 (12) The Nation needs to improve creative  
9 workforce readiness and develop an education and  
10 job training plan, including a plan for education and  
11 training through specialized vocational schools and  
12 apprenticeship programs, to ensure that individuals  
13 of all ages in the United States can realize their full  
14 creative potential now and in the future.

15 (13) Investing in a creative economy workforce  
16 would help showcase the Nation’s creative arts,  
17 strengthen its capacity for job growth, promote eco-  
18 nomic inclusion, boost entrepreneurship, improve  
19 and revitalize rural, remote, and underserved areas,  
20 and empower communities to share their stories.

21 **SEC. 3. DEFINITIONS.**

22 In this Act:

23 (1) CREATIVE INDUSTRY OR OCCUPATION.—

24 The term “creative industry or occupation” means—

25 (A) an industry that—

1 (i) has a substantial current or poten-  
2 tial impact (including through positions  
3 that lead to economic self-sufficiency and  
4 opportunities for advancement) on a State,  
5 regional, or local economy or a Native  
6 American community's economy, as appro-  
7 priate; and

8 (ii) contributes to the growth of busi-  
9 nesses or nonprofit organizations that have  
10 their origin in individual creativity, skill,  
11 and talent, including businesses focused on  
12 design, crafts, music, visual arts, media  
13 arts, performing arts, language, literature,  
14 or expressions of Native American culture  
15 or regional or local heritage culture; and

16 (B) an occupation that—

17 (i) currently has or is projected to  
18 have a number of positions (including posi-  
19 tions that lead to economic self-sufficiency  
20 and opportunities for advancement) in an  
21 industry sector so as to have a substantial  
22 potential impact on a State, regional, or  
23 local economy or a Native American com-  
24 munity's economy, as appropriate; and

1                   (ii) is comprised of businesses de-  
2                   scribed in subparagraph (A)(ii).

3                   (2) NATIVE AMERICAN.—The term “Native  
4                   American”, used with respect to culture, means the  
5                   culture of a Native American, as defined in section  
6                   103 of the Native American Languages Act (25  
7                   U.S.C. 2902).

8 **SEC. 4. DEPARTMENT OF LABOR.**

9                   (a) WORKFORCE INNOVATION AND OPPORTUNITY  
10 ACT.—

11                   (1) DEFINITION.—Section 3 of the Workforce  
12                   Innovation and Opportunity Act (29 U.S.C. 3102) is  
13                   amended by adding at the end the following:

14                   “(72) CREATIVE INDUSTRY OR OCCUPATION.—  
15                   The term ‘creative industry or occupation’ has the  
16                   meaning given the term in section 3 of the PLACE  
17                   Act.”.

18                   (2) UNIFIED STATE PLANS.—Section  
19                   102(b)(1)(A) of such Act (29 U.S.C. 3112(b)(1)(A))  
20                   is amended—

21                   (A) in clause (i), by striking “occupa-  
22                   tions;” and inserting “occupations, and creative  
23                   industries and occupations;”; and

1 (B) in clause (ii), by striking “those indus-  
2 tries and occupations” and “the sectors, indus-  
3 tries, and occupations described in clause (i)”.

4 (3) REGIONAL COORDINATION.—Section  
5 106(e)(1)(C) of such Act (29 U.S.C. 3121(e)(1)(C))  
6 is amended by striking “occupations” and inserting  
7 “occupations, and regional creative industries and  
8 occupations,”.

9 (4) LOCAL PLANS.—Section 108(b)(1)(B) of  
10 such Act (29 U.S.C. 3123(b)(1)(B)) is amended by  
11 striking “occupations;” and inserting “occupations,  
12 and creative industries and occupations;”.

13 (5) NATIVE AMERICAN PROGRAMS.—Section  
14 166(d)(2)(A)(i) of such Act (29 U.S.C.  
15 3221(d)(2)(A)(i)) is amended by inserting “develop-  
16 ment of skills relating to creative industries or occu-  
17 pations and” before “training on”.

18 (6) NATIONAL DISLOCATED WORKER  
19 GRANTS.—Section 170 of the Workforce Innovation  
20 and Opportunity Act (29 U.S.C. 3225) is amend-  
21 ed—

22 (A) in subsection (a)—

23 (i) in paragraph (1)—

24 (I) in subparagraph (A), by strik-  
25 ing “or” at the end;

1 (II) in subparagraph (B), by  
2 striking the period at the end and in-  
3 sserting “; or”; and

4 (III) by adding at the end the  
5 following:

6 “(C) for purposes of assistance provided  
7 under subsection (b)(1)(E), an opioid crisis, as  
8 declared by the Secretary after consultation  
9 with the Secretary of Health and Human Serv-  
10 ices.”; and

11 (ii) by adding at the end the fol-  
12 lowing:

13 “(3) DISLOCATED WORKER.—

14 “(A) IN GENERAL.—The term ‘dislocated  
15 worker’ means—

16 “(i) a dislocated worker, as defined in  
17 section 3; and

18 “(ii) for purposes of assistance pro-  
19 vided under subsection (b)(1)(E), a recov-  
20 ering individual.

21 “(B) RECOVERING INDIVIDUAL.—The term  
22 ‘recovering individual’ means an individual  
23 who—

1 “(i) left employment, or has never  
2 been employed, due mainly to opioid use;  
3 and

4 “(ii)(I) has successfully completed a  
5 supervised drug rehabilitation program for  
6 opioid use and is no longer engaging in the  
7 illegal use of opioids, or has otherwise been  
8 rehabilitated successfully and is no longer  
9 engaging in such illegal use;

10 “(II) is participating in a supervised  
11 rehabilitation program and is no longer en-  
12 gaging in such illegal use; or

13 “(III) is erroneously regarded as en-  
14 gaging in such illegal use, but is not en-  
15 gaging in such illegal use.”; and

16 (B) in subsection (b)(1)—

17 (i) in subparagraph (C), by striking  
18 “and” at the end;

19 (ii) in subparagraph (D), by striking  
20 the period at the end and inserting “;  
21 and”; and

22 (iii) by adding at the end the fol-  
23 lowing:

24 “(E) to provide employment and training  
25 assistance in a creative industry or occupation,

1 in an area where an opioid crisis has been de-  
2 clared, as described in subsection (a)(1)(C).”.

3 (b) CREATIVE ECONOMY GRANT PROGRAM.—

4 (1) IN GENERAL.—The Secretary of Labor, act-  
5 ing through the Assistant Secretary for Employment  
6 and Training, shall make grants to eligible entities  
7 to provide wage subsidies for certain employees in a  
8 creative industry or occupation.

9 (2) ELIGIBLE ENTITY.—To be eligible to receive  
10 such a grant, an entity shall be a business (including  
11 a nonprofit organization) that—

12 (A) is engaged in a creative industry or oc-  
13 cupation and has its origin in individual cre-  
14 ativity, skill, and talent, including focusing on  
15 design, crafts, music, visual arts, media arts,  
16 performing arts, language, literature, or expres-  
17 sions of Native American culture or regional or  
18 local heritage culture; and

19 (B) has fewer than 50 employees for each  
20 workday in each of 20 or more calendar weeks  
21 in the current or preceding calendar year.

22 (3) APPLICATION.—To be eligible to receive  
23 such a grant, an entity shall submit an application  
24 to the Secretary of Labor at such time, in such man-

1 ner, and containing such information as the Sec-  
2 retary may require.

3 (4) USE OF FUNDS.—An entity that receives a  
4 grant under this section shall use the grant funds,  
5 during its first year of operation, to provide wage  
6 subsidies for employees whose positions involve the  
7 individual creativity, skill, or talent described in  
8 paragraph (2)(A) rather than administrative, tech-  
9 nical, or support functions.

10 **SEC. 5. DEPARTMENT OF EDUCATION.**

11 (a) CORRECTIONS EDUCATION.—Section 225(b) of  
12 the Workforce Innovation and Opportunity Act (29 U.S.C.  
13 3305(b)) is amended—

14 (1) by redesignating paragraphs (7) and (8) as  
15 paragraphs (8) and (9), respectively; and

16 (2) by inserting after paragraph (6) the fol-  
17 lowing:

18 “(7) education that relates to a creative indus-  
19 try or occupation (as defined in section 3 of the Pro-  
20 moting Local Arts and Creative Economy Workforce  
21 Act of 2020);”.

22 (b) ADULT EDUCATION.—Section 203 of the Work-  
23 force Innovation and Opportunity Act (29 U.S.C. 3272)  
24 is amended—

25 (1) in paragraph (1)—

1 (A) by redesignating subparagraphs (B)  
2 and (C) as subparagraphs (C) and (D), respec-  
3 tively; and

4 (B) by inserting after subparagraph (A)  
5 the following:

6 “(B) gain education or skills relating to a  
7 creative industry or occupation (as defined in  
8 section 3 of the Promoting Local Arts and Cre-  
9 ative Economy Workforce Act of 2020)”;

10 (2) in paragraph (2), by inserting “skills relat-  
11 ing to a creative industry or occupation (as defined  
12 in section 3 of the Promoting Local Arts and Cre-  
13 ative Economy Workforce Act of 2020)” before “or  
14 integrated education and training”.

15 (c) CAREER AND TECHNICAL EDUCATION.—Section  
16 3(5) of the Career and Technical Education Act of 2006  
17 (20 U.S.C. 2302(5)) is amended—

18 (1) in subparagraph (C), by striking “and”  
19 after the semicolon;

20 (2) in subparagraph (D), by striking the period  
21 at the end and inserting “; and”; and

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

23 “(E) may be related to a creative industry  
24 or occupation (as defined in section 3 of the

1 Promoting Local Arts and Creative Economy  
2 Workforce Act of 2020).”.

3 (d) WORK STUDY.—Section 443 of the Higher Edu-  
4 cation Act of 1965 (20 U.S.C. 1087–53) is amended by  
5 adding at the end the following:

6 “(f) CREATIVE INDUSTRY OR OCCUPATION.—

7 “(1) IN GENERAL.—Funds granted to an insti-  
8 tution under this section may be used to compensate  
9 (including compensation for time spent in training  
10 and travel directly related to relevant activities) stu-  
11 dents employed in projects that support a creative  
12 industry or occupation (as defined in section 3 of the  
13 Promoting Local Arts and Creative Economy Work-  
14 force Act of 2020).

15 “(2) FEDERAL SHARE.—The Federal share of  
16 the compensation of work-study students com-  
17 pensated under this subsection may exceed 75 per-  
18 cent.”.

19 **SEC. 6. ECONOMIC DEVELOPMENT ADMINISTRATION PRO-**  
20 **GRAMS.**

21 (a) CREATIVE ECONOMY APPRENTICESHIP AND IN-  
22 TERNSHIP GRANTS.—Title II of the Public Works and  
23 Economic Development Act of 1965 is amended by insert-  
24 ing after section 207 (42 U.S.C. 3147) the following:

1 **“SEC. 208. CREATIVE ECONOMY APPRENTICESHIP AND IN-**  
2 **TERNSHIP GRANTS.**

3 “(a) DEFINITIONS.—In this section:

4 “(1) APPRENTICESHIP PROGRAM.—The term  
5 ‘apprenticeship program’ means a program under  
6 the Act of August 16, 1937 (commonly known as  
7 the ‘National Apprenticeship Act’) (50 Stat. 664,  
8 chapter 663; 29 U.S.C. 50 et seq.), to provide work-  
9 force training relating to a creative industry or occu-  
10 pation.

11 “(2) CREATIVE INDUSTRY OR OCCUPATION.—  
12 The term ‘creative industry or occupation’ has the  
13 meaning given the term in section 3 of the Pro-  
14 moting Local Arts and Creative Economy Workforce  
15 Act of 2020.

16 “(3) ELIGIBLE ENTITY.—The term ‘eligible en-  
17 tity’ means an eligible entity as determined by the  
18 Secretary.

19 “(4) INTERNSHIP PROGRAM.—The term ‘intern-  
20 ship program’ means a paid internship program to  
21 provide workforce training relating to a creative in-  
22 dustry or occupation that is conducted in accordance  
23 with such regulations and policies relating to paid  
24 internships as the Secretary of Labor may promul-  
25 gate.

26 “(b) APPRENTICESHIP PROGRAMS.—

1           “(1) ESTABLISHMENT.—The Secretary shall es-  
2           tablish a program, to be known as the ‘Creative  
3           Economy Apprenticeship Grant Program’, under  
4           which the Secretary shall provide to eligible entities  
5           grants, on a competitive basis, for use in accordance  
6           with paragraph (3).

7           “(2) APPLICATIONS.—

8           “(A) IN GENERAL.—To be eligible to re-  
9           ceive a grant under this subsection, an eligible  
10          entity shall submit to the Secretary an applica-  
11          tion at such time, in such manner, and con-  
12          taining such information as the Secretary may  
13          require.

14          “(B) DETERMINATION BY SECRETARY.—

15          “(i) IN GENERAL.—The Secretary  
16          shall determine whether to approve or dis-  
17          approve an application submitted under  
18          subparagraph (A) by not later than 90  
19          days after the date of receipt of the appli-  
20          cation.

21          “(ii) ACTION ON APPROVAL.—On ap-  
22          proval by the Secretary of an application  
23          under clause (i), the Secretary shall pro-  
24          vide to the applicable eligible entity a grant  
25          in accordance with paragraph (4).

1           “(iii) ACTION ON DISAPPROVAL.—On  
2           disapproval by the Secretary of an applica-  
3           tion under clause (i), the Secretary shall  
4           provide to the applicable eligible entity—

5                   “(I) a notice of the disapproval,  
6                   including a description of the reasons  
7                   for the disapproval; and

8                   “(II) an opportunity to remedy  
9                   any deficiency identified by the Sec-  
10                  retary under subclause (I) by submit-  
11                  ting to the Secretary a revised appli-  
12                  cation by not later than 30 days after  
13                  the date of the disapproval.

14           “(3) USE OF FUNDS.—An eligible entity shall  
15           use a grant provided under this subsection to carry  
16           out an apprenticeship program.

17           “(4) ALLOCATION.—Of the amounts made  
18           available to carry out this subsection for each fiscal  
19           year, the Secretary shall allocate to each eligible en-  
20           tity the application of which is approved under para-  
21           graph (2)(A) during that fiscal year an amount  
22           equal to the proportion that—

23                   “(A) the number of individuals served by  
24                   the apprenticeship program of the eligible enti-  
25                   ty; bears to

1           “(B) the total number of individuals served  
2           by the apprenticeship programs of all eligible  
3           entities that receive assistance under this sub-  
4           section for the fiscal year.

5           “(c) INTERNSHIP PROGRAMS.—

6           “(1) ESTABLISHMENT.—The Secretary shall es-  
7           tablish a program, to be known as the ‘Creative  
8           Economy Internship Grant Program’, under which  
9           the Secretary shall provide to eligible entities grants,  
10          on a competitive basis, for use in accordance with  
11          paragraph (3).

12          “(2) APPLICATIONS.—

13                 “(A) IN GENERAL.—To be eligible to re-  
14                 ceive a grant under this subsection, an eligible  
15                 entity shall submit to the Secretary an applica-  
16                 tion at such time, in such manner, and con-  
17                 taining such information as the Secretary may  
18                 require.

19                 “(B) DETERMINATION BY SECRETARY.—

20                         “(i) IN GENERAL.—The Secretary  
21                         shall determine whether to approve or dis-  
22                         approve an application submitted under  
23                         subparagraph (A) by not later than 90  
24                         days after the date of receipt of the appli-  
25                         cation.

1           “(ii) ACTION ON APPROVAL.—On ap-  
2           proval by the Secretary of an application  
3           under clause (i), the Secretary shall pro-  
4           vide to the applicable eligible entity a grant  
5           in accordance with paragraph (4).

6           “(iii) ACTION ON DISAPPROVAL.—On  
7           disapproval by the Secretary of an applica-  
8           tion under clause (i), the Secretary shall  
9           provide to the applicable eligible entity—

10                   “(I) a notice of the disapproval,  
11                   including a description of the reasons  
12                   for the disapproval; and

13                   “(II) an opportunity to remedy  
14                   any deficiency identified by the Sec-  
15                   retary under subclause (I) by submit-  
16                   ting to the Secretary a revised appli-  
17                   cation by not later than 30 days after  
18                   the date of the disapproval.

19           “(3) USE OF FUNDS.—An eligible entity shall  
20           use a grant provided under this subsection to carry  
21           out an internship program.

22           “(4) ALLOCATION.—Of the amounts made  
23           available to carry out this subsection for each fiscal  
24           year, the Secretary shall allocate to each eligible en-  
25           tity the application of which is approved under para-

1 graph (2)(A) during that fiscal year an amount  
2 equal to the proportion that—

3 “(A) the number of individuals served by  
4 the internship program of the eligible entity;  
5 bears to

6 “(B) the total number of individuals served  
7 by the internship programs of all eligible enti-  
8 ties that receive assistance under this sub-  
9 section for the fiscal year.

10 “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
11 are authorized to be appropriated to the Secretary such  
12 sums as are necessary to carry out this section.”.

13 (b) GRANTS FOR ECONOMIC ADJUSTMENT.—Section  
14 209(c)(5) of the Public Works and Economic Development  
15 Act of 1965 (42 U.S.C. 3149(c)(5)) is amended by insert-  
16 ing “, including through the promotion of creative indus-  
17 tries and occupations (as defined in section 3 of the Pro-  
18 moting Local Arts and Creative Economy Workforce Act  
19 of 2020)” before the period at the end.

20 **SEC. 7. CREATIVE JOBS TRAINING THROUGH BUREAU OF**  
21 **PRISONS REENTRY AND SKILLS DEVELOP-**  
22 **MENT PROGRAMS.**

23 Section 231(a) of the Second Chance Act of 2007 (34  
24 U.S.C. 60541(a)) is amended by adding at the end the  
25 following:

1           “(3) Ensuring that reentry and skills develop-  
 2           ment programs for prisoners include skills training  
 3           for jobs in creative industries and occupations, as  
 4           defined in section 3 of the Promoting Local Arts  
 5           and Creative Economy Workforce Act of 2020.”.

6 **SEC. 8. GRANTS RELATING TO THE CREATIVE ECONOMY.**

7           To the extent practicable, grant programs relating to  
 8           economic development administered by the Department of  
 9           Health and Human Services, Commissioner of the Admin-  
 10          istration for Native Americans, or the head of an agency  
 11          with assets or resources relating to workforce develop-  
 12          ment, may be used to support efforts to provide workforce  
 13          training related to the creative economy (as defined in sec-  
 14          tion 3 of the Promoting Local Arts and Creative Economy  
 15          Workforce Act of 2020).

16 **SEC. 9. PROMOTION FOR VETERANS WITH SERVICE-CON-**  
 17                                   **NECTED DISABILITIES OF JOB TRAINING AND**  
 18                                   **RESOURCES IN CREATIVE INDUSTRIES AND**  
 19                                   **OCCUPATIONS.**

20          Section 3116 of title 38, United States Code, is  
 21          amended by adding at the end the following new sub-  
 22          section:

23           “(c) In carrying out this section, the Secretary shall  
 24          assist in making available and promote job training and  
 25          resources that—

1           “(1) are provided by nonprofit organizations,  
2           educational institutions, Native American (as de-  
3           fined in section 3765 of this title) governments and  
4           organizations, and Federal, State, and local govern-  
5           ments; and

6           “(2) relate to creative industries and occupa-  
7           tions, as defined in section 3 of the Promoting Local  
8           Arts and Creative Economy Workforce Act of  
9           2020.”.

10 **SEC. 10. SMALL BUSINESS CREATIVE ECONOMY ASSIST-**  
11 **ANCE.**

12           (a) **BUSINESS LOANS.**—Section 7(a) of the Small  
13 Business Act (15 U.S.C. 636(a)) is amended by adding  
14 at the end the following:

15           “(36) **CREATIVE ECONOMY.**—In providing as-  
16 sistance under this subsection, the Administration  
17 shall develop procedures to evaluate the business  
18 proposals and business plans of small business con-  
19 cerns that focus on economic development, job cre-  
20 ation, and community growth with respect to cre-  
21 ative industries and occupations, as defined in sec-  
22 tion 3 of the Promoting Local Arts and Creative  
23 Economy Workforce Act of 2020.”.

1 (b) TECHNICAL ASSISTANCE PROGRAMS.—Section  
2 21 of the Small Business Act (15 U.S.C. 648) is amended  
3 by adding at the end the following:

4 “(o) TECHNICAL ASSISTANCE PROGRAMS FOR CRE-  
5 ATIVE ECONOMY-FOCUSED BUSINESSES.—The Adminis-  
6 tration, in consultation with relevant stakeholders, shall  
7 develop technical assistance programs to be carried out by  
8 small business development centers under this subsection  
9 that target the specific needs of small business concerns  
10 (including microenterprises) in creative industries and oc-  
11 cupations, as defined in section 3 of the Promoting Local  
12 Arts and Creative Economy Workforce Act of 2020.”.

13 (c) OFFICE OF RURAL AFFAIRS.—Section 26(c) of  
14 the Small Business Act (15 U.S.C. 653(c)) is amended—

15 (1) in paragraph (4), by striking “and” at the  
16 end;

17 (2) in paragraph (5), by striking the period at  
18 the end and inserting a semicolon; and

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

20 “(6) provide information to creative industries  
21 located in rural communities about programs admin-  
22 istered by Federal, State, and local governments  
23 that address the needs of creative industries and oc-  
24 cupations, as defined in section 3 of the Promoting

1 Local Arts and Creative Economy Workforce Act of  
2 2020.”.

3 (d) VETERANS PROGRAMS.—Section 32(c)(3)(B) of  
4 the Small Business Act (15 U.S.C. 657b(c)(3)(B)) is  
5 amended—

6 (1) in clause (v), by striking “and” at the end;

7 (2) by redesignating clause (vi) as clause (vii);

8 and

9 (3) by inserting after clause (v) the following:

10 “(vi) improving capital access and  
11 technical assistance for veterans in creative  
12 industries and occupations, as defined in  
13 section 3 of the Promoting Local Arts and  
14 Creative Economy Workforce Act of 2020;  
15 and”.

16 **SEC. 11. TAX INCENTIVES.**

17 (a) NEW MARKETS TAX CREDIT AND GUIDELINES  
18 FOR QUALIFIED COMMUNITY DEVELOPMENT ENTI-  
19 TIES.—

20 (1) IN GENERAL.—Not later than 1 year after  
21 the date of the enactment of this Act, the Secretary  
22 of the Treasury shall issue guidelines for the cre-  
23 ation and operation of community development enti-  
24 ties focused on the creative industries or occupa-  
25 tions, which would allow such entities to be treated

1 as qualified community development entities for pur-  
2 poses of section 45D(c) of the Internal Revenue  
3 Code of 1986.

4 (2) EXTENSION OF NEW MARKETS TAX CREDIT  
5 NATIONAL LIMITATION.—Subparagraph (H) of sec-  
6 tion 45D(f)(1) of such Code is amended by striking  
7 “2020” and inserting “2022”.

8 (b) WORK OPPORTUNITY CREDIT FOR HIRING CER-  
9 TAIN DISPLACED WORKERS.—

10 (1) IN GENERAL.—Paragraph (1) of section  
11 51(d) of the Internal Revenue Code of 1986 is  
12 amended by striking “or” at the end of subpara-  
13 graph (I), by striking the period at the end of sub-  
14 paragraph (J) and inserting “, or”, and by adding  
15 at the end the following new subparagraph:

16 “(xi) a qualified displaced worker.”.

17 (2) QUALIFIED DISPLACED WORKER.—Sub-  
18 section (d) of section 51 of such Code is amended  
19 by adding at the end the following new paragraph:

20 “(P) QUALIFIED DISPLACED WORKER.—

21 The term ‘qualified displaced worker’ means an  
22 individual who, immediately before beginning  
23 work for the employer—

24 “(i) is an eligible TAA recipient (as  
25 defined in section 35(c)(2)),

1                   “(ii) is an eligible alternative TAA re-  
2                   cipient (as defined in section 35(c)(3)), or

3                   “(iii) is eligible for employment and  
4                   training activities for dislocated workers  
5                   under chapter 3 of subtitle B of title I of  
6                   the Workforce Innovation and Opportunity  
7                   Act (29 U.S.C. 3171 et seq.) or assistance  
8                   under section 170 of such Act (29 U.S.C.  
9                   3225).”.

10                   (3) EFFECTIVE DATE.—The amendments made  
11                   by this subsection shall apply to individuals begin-  
12                   ning work for the employer after the date of the en-  
13                   actment of this Act.

14                   (c) ABOVE-THE-LINE DEDUCTION OF EXPENSES OF  
15                   PERFORMING ARTISTS.—

16                   (1) IN GENERAL.—Section 62(a)(2)(B) of the  
17                   Internal Revenue Code of 1986 is amended—

18                   (A) by striking “PERFORMING ARTISTS.—  
19                   The deductions” and inserting “PERFORMING  
20                   ARTISTS.—

21                   “(i) IN GENERAL.—The deductions”,  
22                   and

23                   (B) by adding at the end the following new  
24                   clauses:

1           “(ii) PHASEOUT.—The amount of ex-  
2           penses taken into account under clause (i)  
3           shall be reduced (but not below zero) by 10  
4           percentage points for each \$2,000 (\$4,000  
5           in the case of a joint return), or fraction  
6           thereof, by which the taxpayer’s adjusted  
7           gross income (determined without regard  
8           to this subparagraph) for the taxable year  
9           exceeds \$100,000 (200 percent of such  
10          amount in the case of a joint return).

11          “(iii) COST-OF-LIVING ADJUST-  
12          MENT.—In the case of any taxable year be-  
13          ginning in a calendar year after 2020, the  
14          \$100,000 amount under clause (ii) shall be  
15          increased by an amount equal to—

16                 “(I) such dollar amount, multi-  
17                 plied by

18                 “(II) the cost-of-living adjust-  
19                 ment determined under section 1(f)(3)  
20                 for the calendar year in which the tax-  
21                 able year begins, determined by sub-  
22                 stituting ‘calendar year 2019’ for ‘cal-  
23                 endar year 2016’ in subparagraph  
24                 (A)(ii) thereof.

1           If any amount after adjustment under the  
2           preceding sentence is not a multiple of  
3           \$1,000, such amount shall be rounded to  
4           the nearest multiple of \$1,000.”.

5           (2) CLARIFICATION REGARDING COMMISSION  
6           PAID TO PERFORMING ARTIST’S MANAGER OR  
7           AGENT.—Section 62(a)(2)(B)(i) of such Code, as  
8           amended by subsection (a), is amended by inserting  
9           before the period at the end the following: “, includ-  
10          ing any commission paid to the performing artist’s  
11          manager or agent”.

12          (3) CONFORMING AMENDMENTS.—

13           (A) Section 62(a)(2)(B)(i) of such Code,  
14           as amended by this subsection, is further  
15           amended by striking “by him” and inserting  
16           “by the performing artist”.

17           (B) Section 62(b)(1) of such Code is  
18           amended by inserting “and” at the end of sub-  
19           paragraph (A), by striking “, and” at the end  
20           of subparagraph (B) and inserting a period,  
21           and by striking subparagraph (C).

22          (4) EFFECTIVE DATE.—The amendments made  
23          by this section shall apply to taxable years ending  
24          after the date of the enactment of this Act.

1 (d) CHARITABLE CONTRIBUTIONS OF CERTAIN  
2 ITEMS CREATED BY THE TAXPAYER.—

3 (1) IN GENERAL.—Subsection (e) of section  
4 170 of the Internal Revenue Code of 1986 is amend-  
5 ed by adding at the end the following new para-  
6 graph:

7 “(8) SPECIAL RULE FOR CERTAIN CONTRIBU-  
8 TIONS OF LITERARY, MUSICAL, OR ARTISTIC COM-  
9 POSITIONS.—

10 “(A) IN GENERAL.—In the case of a quali-  
11 fied artistic charitable contribution—

12 “(i) the amount of such contribution  
13 shall be the fair market value of the prop-  
14 erty contributed (determined at the time of  
15 such contribution), and

16 “(ii) no reduction in the amount of  
17 such contribution shall be made under  
18 paragraph (1).

19 “(B) QUALIFIED ARTISTIC CHARITABLE  
20 CONTRIBUTION.—For purposes of this para-  
21 graph, the term ‘qualified artistic charitable  
22 contribution’ means a charitable contribution of  
23 any literary, musical, artistic, or scholarly com-  
24 position, or similar property, or the copyright  
25 thereon (or both), but only if—

1           “(i) such property was created by the  
2           personal efforts of the taxpayer making  
3           such contribution no less than 18 months  
4           prior to such contribution,

5           “(ii) the taxpayer—

6                 “(I) has received a qualified ap-  
7                 praisal of the fair market value of  
8                 such property in accordance with the  
9                 regulations under this section, and

10                “(II) attaches to the taxpayer’s  
11                income tax return for the taxable year  
12                in which such contribution was made  
13                a copy of such appraisal,

14           “(iii) the donee is an organization de-  
15           scribed in subsection (b)(1)(A),

16           “(iv) the use of such property by the  
17           donee is related to the purpose or function  
18           constituting the basis for the donee’s ex-  
19           emption under section 501 (or, in the case  
20           of a governmental unit, to any purpose or  
21           function described under subsection (c)),

22           “(v) the taxpayer receives from the  
23           donee a written statement representing  
24           that the donee’s use of the property will be

1 in accordance with the provisions of clause  
2 (iv), and

3 “(vi) the written appraisal referred to  
4 in clause (ii) includes evidence of the ex-  
5 tent (if any) to which property created by  
6 the personal efforts of the taxpayer and of  
7 the same type as the donated property is  
8 or has been—

9 “(I) owned, maintained, and dis-  
10 played by organizations described in  
11 subsection (b)(1)(A), and

12 “(II) sold to or exchanged by  
13 persons other than the taxpayer,  
14 donee, or any related person (as de-  
15 fined in section 465(b)(3)(C)).

16 “(C) MAXIMUM DOLLAR LIMITATION; NO  
17 CARRYOVER OF INCREASED DEDUCTION.—The  
18 increase in the deduction under this section by  
19 reason of this paragraph for any taxable year—

20 “(i) shall not exceed the artistic ad-  
21 justed gross income of the taxpayer for  
22 such taxable year, and

23 “(ii) shall not be taken into account in  
24 determining the amount which may be car-

1           ried from such taxable year under sub-  
2           section (d).

3           “(D) ARTISTIC ADJUSTED GROSS IN-  
4           COME.—For purposes of this paragraph, the  
5           term ‘artistic adjusted gross income’ means  
6           that portion of the adjusted gross income of the  
7           taxpayer for the taxable year attributable to—

8                   “(i) income from the sale or use of  
9                   property created by the personal efforts of  
10                  the taxpayer which is of the same type as  
11                  the donated property, and

12                   “(ii) income from teaching, lecturing,  
13                   performing, or similar activity with respect  
14                   to property described in clause (i).

15           “(E) PARAGRAPH NOT TO APPLY TO CER-  
16           TAIN CONTRIBUTIONS.—Subparagraph (A) shall  
17           not apply to any charitable contribution of any  
18           letter, memorandum, or similar property which  
19           was written, prepared, or produced by or for an  
20           individual while the individual is an officer or  
21           employee of any person (including any govern-  
22           ment agency or instrumentality) unless such  
23           letter, memorandum, or similar property is en-  
24           tirely personal.

1           “(F) COPYRIGHT TREATED AS SEPARATE  
 2           PROPERTY FOR PARTIAL INTEREST RULE.—In  
 3           the case of a qualified artistic charitable con-  
 4           tribution, the tangible literary, musical, artistic,  
 5           or scholarly composition, or similar property  
 6           and the copyright on such work shall be treated  
 7           as separate properties for purposes of this para-  
 8           graph and subsection (f)(3).”.

9           (2) EFFECTIVE DATE.—The amendment made  
 10          by this subsection shall apply to contributions made  
 11          after the date of the enactment of this Act in tax-  
 12          able years ending after such date.

13 **SEC. 12. PROMOTION BY EXPORT-IMPORT BANK OF THE**  
 14                           **UNITED STATES OF EXPORTS BY CREATIVE**  
 15                           **INDUSTRIES AND OCCUPATIONS.**

16          Section 2(b)(1) of the Export-Import Bank Act of  
 17          1945 (12 U.S.C. 635(b)(1)) is amended by adding at the  
 18          end the following:

19           “(N)(i) The Bank shall—

20                   “(I) undertake efforts to enhance the Bank’s  
 21                   capacity to provide information about the Bank’s  
 22                   programs to creative industries or occupations that  
 23                   have not previously participated in the Bank’s pro-  
 24                   grams; and



1 **SEC. 14. DISASTER ASSISTANCE FOR CREATIVE INDUSTRY**  
2 **WORKERS THROUGH FEMA.**

3 (a) IN GENERAL.—The President, acting through the  
4 Administrator of the Federal Emergency Management  
5 Agency, shall promulgate rules to ensure that expenses in-  
6 curred, as a result of a major disaster or emergency, by  
7 a self-employed or freelance worker or worker in a creative  
8 microenterprise, including those workers whose work fo-  
9 cuses on design, crafts, music, visual arts, media arts, per-  
10 forming arts, language, literature, and expressions of Na-  
11 tive American culture and local or regional heritage cul-  
12 ture, to repair or replace tools needed by the self-employed  
13 or freelance worker or worker in a creative microenterprise  
14 are considered eligible expenses for assistance under sec-  
15 tion 408 of the Robert T. Stafford Disaster Relief and  
16 Emergency Assistance Act (42 U.S.C. 5174).

17 (b) REQUIREMENT.—The rules promulgated under  
18 subsection (a) may not require, as a condition of receiving  
19 such assistance under section 408 of the Robert T. Staf-  
20 ford Disaster Relief and Emergency Assistance Act (42  
21 U.S.C. 5174), an applicant—

22 (1) to apply or be declined for assistance from  
23 the Small Business Administration; or

24 (2) to demonstrate that assistance received  
25 from the Small Business Administration does not

1       satisfy the total necessary expenses or serious needs  
2       arising out of a major disaster or emergency.

3 **SEC. 15. COLLABORATION.**

4       In carrying out this Act, and the amendments made  
5 by this Act, the head of each relevant Federal agency  
6 shall, to the greatest extent practicable, collaborate with  
7 the Chairperson of the National Endowment for the Arts  
8 and the Chairperson of the National Endowment for the  
9 Humanities.

○