

116TH CONGRESS  
1ST SESSION

# H. R. 1519

To assist entrepreneurs, support development of the creative economy, and encourage international cultural exchange, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2019

Mrs. DINGELL (for herself, Ms. PINGREE, Ms. CLARKE of New York, Mr. COHEN, and Ms. KUSTER of New Hampshire) introduced the following bill; which was referred to the Committee on Small Business, and in addition to the Committees on the Judiciary, Education and Labor, Financial Services, Transportation and Infrastructure, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To assist entrepreneurs, support development of the creative economy, and encourage international cultural exchange, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Comprehensive Resources for Entrepreneurs in the Arts  
6 to Transform the Economy Act of 2019” or the “CRE-  
7 ATE Act of 2019”.

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

Sec. 1. Short title; table of contents.

TITLE I—SUPPORT FOR ARTISTS AND ENTREPRENEURS

Sec. 101. Microloan program expansion.  
 Sec. 102. SBA business loans for the creative economy.  
 Sec. 103. SBA technical assistance programs.  
 Sec. 104. Arts-focused economic development.  
 Sec. 105. Arts-focused rural development.  
 Sec. 106. International participation in the arts.  
 Sec. 107. Disaster support for artists through FEMA.

TITLE II—CREATIVE COMMUNITY DEVELOPMENT

Sec. 201. Artist corps.  
 Sec. 202. Demonstration program on support of local programs that promote  
 creative and performance arts in local economic planning.  
 Sec. 203. Creative placemaking activities under the Housing and Community  
 Development Act of 1974.

3 **TITLE I—SUPPORT FOR ARTISTS**  
 4 **AND ENTREPRENEURS**

5 **SEC. 101. MICROLOAN PROGRAM EXPANSION.**

6 Section 7(m)(6) of the Small Business Act (15  
 7 U.S.C. 636(m)(6)) is amended by adding at the end the  
 8 following:

9 “(F) LOAN CRITERIA FOR ARTISTS AND  
 10 ARTS ENTREPRENEURS.—The Administration,  
 11 in consultation with eligible intermediaries,  
 12 shall develop loan criteria to ensure that small  
 13 business concerns owned and controlled by art-  
 14 ists and small business concerns that support  
 15 the creative economy receive loan proceeds  
 16 under this subsection.”.

1 **SEC. 102. SBA BUSINESS LOANS FOR THE CREATIVE ECON-**  
2 **OMY.**

3 Section 7(a) of the Small Business Act (15 U.S.C.  
4 636(a)) is amended by adding at the end the following:

5 “(36) CREATIVE ECONOMY.—In providing as-  
6 sistance under this subsection, the Administration  
7 shall develop procedures to evaluate the business  
8 proposals and business plans of small business con-  
9 cerns that focus on economic development, job cre-  
10 ation, and community growth with respect to the  
11 creative economy.”.

12 **SEC. 103. SBA TECHNICAL ASSISTANCE PROGRAMS.**

13 Section 21 of the Small Business Act (15 U.S.C. 648)  
14 is amended by adding at the end the following:

15 “(o) TECHNICAL ASSISTANCE PROGRAMS FOR ART-  
16 ISTS AND ARTS ENTREPRENEURS.—The Administration,  
17 in consultation with relevant stakeholders, shall develop  
18 technical assistance programs to be carried out by small  
19 business development centers under this subsection that  
20 target the specific needs of artists and arts entre-  
21 preneurs.”.

22 **SEC. 104. ARTS-FOCUSED ECONOMIC DEVELOPMENT.**

23 Title II of the Public Works and Economic Develop-  
24 ment Act of 1965 (42 U.S.C. 3141 et seq.) is amended  
25 by adding at the end the following:

1 **“SEC. 219. ARTS-FOCUSED ECONOMIC DEVELOPMENT.**

2 “(a) DEFINITIONS.—In this section:

3 “(1) BUSINESS INCUBATION PROGRAM.—The  
4 term ‘business incubation program’ means a pro-  
5 gram that—

6 “(A) accelerates the successful develop-  
7 ment of entrepreneurial businesses through  
8 business support resources and services, devel-  
9 oped or orchestrated by incubator management;

10 “(B) is designed to produce successful  
11 businesses; and

12 “(C) provides management guidance, tech-  
13 nical assistance, and consulting designed for  
14 young, growing businesses, including by pro-  
15 viding—

16 “(i) rental space and flexible leases;

17 “(ii) shared basic business services  
18 and equipment;

19 “(iii) technology support services; and

20 “(iv) assistance in obtaining financing  
21 necessary for growth of the business.

22 “(2) INCUBATOR.—The term ‘incubator’ means  
23 a multitenant facility with on-site management that  
24 directs a business incubation program.

25 “(b) ARTS-FOCUSED ECONOMIC DEVELOPMENT.—In  
26 providing grants and assistance under this Act (including

1 through the local technical assistance, partnership plan-  
2 ning, and comprehensive economic development strategies  
3 programs of the Economic Development Administration),  
4 the Secretary shall provide to artists and the creative  
5 economy support through traditional economic develop-  
6 ment tools, including—

7 “(1) incubators; and

8 “(2) economic development planning and tech-  
9 nical assistance.”.

10 **SEC. 105. ARTS-FOCUSED RURAL DEVELOPMENT.**

11 The Consolidated Farm and Rural Development Act  
12 (7 U.S.C. 1921 et seq.) is amended by adding at the end  
13 the following:

14 **“Subtitle I—Arts-Focused**  
15 **Economic Development**

16 **“SEC. 385. ARTS-FOCUSED ECONOMIC DEVELOPMENT.**

17 “(a) DEFINITIONS.—In this section:

18 “(1) BUSINESS INCUBATION PROGRAM.—The  
19 term ‘business incubation program’ means a pro-  
20 gram that—

21 “(A) accelerates the successful develop-  
22 ment of entrepreneurial businesses through  
23 business support resources and services, devel-  
24 oped or orchestrated by incubator management;

1           “(B) is designed to produce successful  
2 businesses; and

3           “(C) provides management guidance, tech-  
4 nical assistance, and consulting designed for  
5 young, growing businesses, including by pro-  
6 viding—

7                   “(i) rental space and flexible leases;

8                   “(ii) shared basic business services  
9 and equipment;

10                   “(iii) technology support services; and

11                   “(iv) assistance in obtaining financing  
12 necessary for growth of the business.

13           “(2) INCUBATOR.—The term ‘incubator’ means  
14 a multitenant facility with on-site management that  
15 directs a business incubation program.

16           “(b) ARTS-FOCUSED ECONOMIC DEVELOPMENT.—In  
17 providing grants and assistance under this Act (including  
18 through the local technical assistance, partnership plan-  
19 ning, and comprehensive economic development strategies  
20 programs of the Office of Rural Development), the Sec-  
21 retary, acting through the Assistant to the Secretary for  
22 Rural Development, shall provide to artists and the cre-  
23 ative economy support through traditional economic devel-  
24 opment tools, including—

25                   “(1) incubators; and

1           “(2) economic development planning and tech-  
2           nical assistance.”.

3 **SEC. 106. INTERNATIONAL PARTICIPATION IN THE ARTS.**

4           Section 214(c)(6)(D) of the Immigration and Nation-  
5           ality Act (8 U.S.C. 1184(c)(6)(D)) is amended—

6           (1) in the first sentence, by inserting “(i)” be-  
7           fore “Any person”;

8           (2) in the second sentence—

9                   (A) by striking “Once” and inserting “Ex-  
10                   cept as provided in clause (ii), once”; and

11                   (B) by striking “Attorney General shall”  
12                   and inserting “Secretary of Homeland Security  
13                   shall”;

14           (3) in the third sentence, by striking “The At-  
15           torney General” and inserting “The Secretary”; and

16           (4) by adding at the end the following:

17           “(ii) The Secretary of Homeland Security shall adju-  
18           dicate each petition for an alien with extraordinary ability  
19           in the arts (as described in section 101(a)(15)(O)(i)), an  
20           alien accompanying such an alien (as described in section  
21           101(a)(15)(O)(ii)), or an alien described in section  
22           101(a)(15)(P) (other than an alien described in section  
23           214(c)(4)(A) (relating to athletes)) not later than 14 days  
24           after—





1 quired by the self-employed or freelance worker are consid-  
2 ered eligible expenses for assistance under section 408 of  
3 the Robert T. Stafford Disaster Relief and Emergency As-  
4 sistance Act (42 U.S.C. 5174).

5 (b) LIMITATIONS.—The rules promulgated under  
6 subsection (a)—

7 (1) may not require, as a condition of receiving  
8 such assistance under section 408 of the Robert T.  
9 Stafford Disaster Relief and Emergency Assistance  
10 Act (42 U.S.C. 5174), an applicant—

11 (A) to apply or be declined for assistance  
12 from the Small Business Administration; or

13 (B) to demonstrate that assistance received  
14 from the Small Business Administration does  
15 not satisfy the total necessary expenses or seri-  
16 ous needs arising out of a major disaster or  
17 emergency; and

18 (2) shall provide that an applicant may not re-  
19 ceive assistance from the Small Business Adminis-  
20 tration and under section 408 of the Robert T. Staf-  
21 ford Disaster Relief and Emergency Assistance Act  
22 (42 U.S.C. 5174) for the same item.

1                   **TITLE II—CREATIVE**  
2                   **COMMUNITY DEVELOPMENT**

3   **SEC. 201. ARTIST CORPS.**

4           (a) CORPS.—Section 122(a) of the National and  
5 Community Service Act of 1990 (42 U.S.C. 12572(a)) is  
6 amended by adding at the end the following:

7                   “(6) ARTIST CORPS.—

8                           “(A) IN GENERAL.—The recipient may  
9 carry out national service programs through an  
10 Artist Corps that identifies and meets unmet  
11 needs within communities through artistic ac-  
12 tivities such as those described in subparagraph  
13 (B) and improves performance on the indicators  
14 described in subparagraph (C).

15                           “(B) ACTIVITIES.—An Artist Corps de-  
16 scribed in this paragraph may carry out activi-  
17 ties such as—

18                                   “(i) providing skilled visual and per-  
19 formance artists to address community  
20 needs through artistic activities in edu-  
21 cation, health care, and therapeutic set-  
22 tings, and in other settings in the commu-  
23 nity; or

24                                   “(ii) providing other artistic activities,  
25 addressing unmet community needs, that

1 the Corporation may designate, such as  
2 providing technical assistance for grant  
3 writing, marketing, and financial planning  
4 for artistic initiatives.

5 “(C) ARTIST CORPS INDICATORS.—The in-  
6 dicators for a corps program described in this  
7 paragraph are—

8 “(i) any indicator relating to meeting  
9 critical needs that the Corporation estab-  
10 lishes; or

11 “(ii) any local indicator (applicable to  
12 a particular recipient or community and on  
13 which an improvement in performance is  
14 needed) relating to meeting critical needs,  
15 that is approved by the Corporation or a  
16 State Commission.”.

17 (b) CONFORMING AMENDMENTS.—Section 122 of  
18 such Act is amended—

19 (1) in subsection (b)(3), by striking “or (5)”  
20 and inserting “(5), or (6)”; and

21 (2) in subsection (c)(1), in the matter preceding  
22 subparagraph (A), by striking “through (5)” and in-  
23 serting “through (6)”.

1 **SEC. 202. DEMONSTRATION PROGRAM ON SUPPORT OF**  
2 **LOCAL PROGRAMS THAT PROMOTE CRE-**  
3 **ATIVE AND PERFORMANCE ARTS IN LOCAL**  
4 **ECONOMIC PLANNING.**

5 (a) DEMONSTRATION PROGRAM REQUIRED.—The  
6 Secretary of Commerce shall establish a demonstration  
7 program to assess the feasibility and advisability of pro-  
8 viding support to covered programs to promote creative  
9 and performing arts in the economic planning of local gov-  
10 ernments.

11 (b) COVERED PROGRAMS.—For purposes of the dem-  
12 onstration program required by subsection (a), a covered  
13 program is any program that—

14 (1) was in effect on the day before the date of  
15 the enactment of this Act; and

16 (2) the Secretary of Commerce considers part  
17 of an art community.

18 **SEC. 203. CREATIVE PLACEMAKING ACTIVITIES UNDER**  
19 **THE HOUSING AND COMMUNITY DEVELOP-**  
20 **MENT ACT OF 1974.**

21 Title I of the Housing and Community Development  
22 Act of 1974 (42 U.S.C. 5301 et seq.) is amended—

23 (1) in section 102(a) (42 U.S.C. 5302(a)), by  
24 adding at the end the following:

25 “(25) The term ‘creative placemaking’ means  
26 an activity that integrates arts, culture, or design to

1 strengthen communities by advancing local eco-  
2 nomic, physical, or social outcomes.”; and

3 (2) in section 105(a) (42 U.S.C. 5305(a))—

4 (A) in paragraph (25)(D), by striking  
5 “and” at the end;

6 (B) in paragraph (26), by striking the pe-  
7 riod at the end and inserting “; and”; and

8 (C) by adding at the end the following:

9 “(27) activities that support creative  
10 placemaking through—

11 “(A) partnerships between local govern-  
12 ments and nonprofit cultural organizations for  
13 the purpose of community development; or

14 “(B) disseminating knowledge about how  
15 to leverage arts, culture, and design as mecha-  
16 nisms for community development.”.

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