

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(c)(1)(C) of such Act (29 U.S.C. 3121(c)(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 serting “; 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)”; and

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

as qualified community development entities for purposes of section 45D(c) of the Internal Revenue Code of 1986.

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

(b) WORK OPPORTUNITY CREDIT FOR HIRING CERTAIN DISPLACED WORKERS.—

(1) IN GENERAL.—Paragraph (1) of section 51(d) of the Internal Revenue Code of 1986 is amended by striking “or” at the end of subparagraph (I), by striking the period at the end of subparagraph (J) and inserting “, or”, and by adding at the end the following new subparagraph:

“(xi) a qualified displaced worker.”.

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

“(P) QUALIFIED DISPLACED WORKER.—

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

“(i) is an eligible TAA recipient (as 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 “(II) promote the export of goods produced and
2 services provided by creative industries or occupa-
3 tions.

4 “(ii) Not later than 1 year after the date of enact-
5 ment of this subparagraph, the President of the Bank
6 shall submit to Congress a report on the activities under-
7 taken pursuant to this subparagraph.

8 “(iii) In this subparagraph, the term ‘creative indus-
9 try or occupation’ has the meaning given that term in sec-
10 tion 3 of the Promoting Local Arts and Creative Economy
11 Workforce Act of 2020.”.

12 **SEC. 13. RURAL BUSINESS CREATIVE ECONOMY TECH-**
13 **NICAL ASSISTANCE.**

14 The Consolidated Farm and Rural Development Act
15 is amended by inserting after section 374 (7 U.S.C. 2008i)
16 the following:

17 **“SEC. 375. RURAL BUSINESS CREATIVE ECONOMY TECH-**
18 **NICAL ASSISTANCE.**

19 “The Secretary shall provide to businesses in rural
20 communities that are in creative industries and occupa-
21 tions (as defined in section 3 of the Promoting Local Arts
22 and Creative Economy Workforce Act of 2020) and em-
23 ploy individuals in those creative industries and occupa-
24 tions technical assistance to develop those creative indus-
25 tries and occupations.”.

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.

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