

117TH CONGRESS
2^D SESSION

H. R. 7627

To address systemic racism through the arts and humanities in the United States.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2022

Ms. LEE of California introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To address systemic racism through the arts and humanities 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.**

4 This Act may be cited as the “Advancing Equity
5 Through the Arts and Humanities Act of 2022”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Access to the arts and cultural program-
9 ming influences positive social determinants and is
10 integral to healthy communities.

1 (2) In America, the received narrative is that
2 the arts are for entertainment or for artists, but a
3 deeper look shows the profound effect access to the
4 arts has on those most impacted by the justice sys-
5 tem, children, veterans, low-income communities,
6 and self-designated non-artists.

7 (3) Concentrated cultural districts are associ-
8 ated with reduced poverty without neighborhood dis-
9 placement, improved child welfare, and lower mor-
10 bidity.

11 (4) Low-income neighborhoods with cultural re-
12 sources have 14 percent fewer cases of child abuse
13 and neglect, and 18 percent less serious crime than
14 low-income neighborhoods without cultural re-
15 sources.

16 (5) Low-income students who participate in the
17 arts, both in school and after school, have a dropout
18 rate of just 4 percent or 5 times lower than their
19 peers. Children with access to arts programming in
20 schools showed a 22.55 percent improvement in
21 math proficiency, a 12.62 percent improvement in
22 reading, and suspensions were reduced by as much
23 as 89 percent.

24 (6) Seventy-one percent of at-risk students with
25 high arts involvement attend college, whereas only

1 48 percent of at-risk students with low arts involve-
2 ment attend college.

3 (7) Participation in after-school arts programs
4 causes juvenile crime to fall by 4.2 percent on aver-
5 age, and slightly more (5.4 percent) in lower-income
6 cities.

7 (8) Arts programming in prisons showed an 89-
8 percent drop in infractions.

9 (9) The cultural economy is significant not only
10 in cities, but also in rural and tribal communities.
11 Forty percent of Native American households on the
12 Pine Ridge Reservation in Kyle, South Dakota, de-
13 pend on home-based arts enterprises.

14 (10) The arts heal the mental, physical, and
15 moral injuries of war for military servicemembers
16 and veterans, as well as aid in their reintegration
17 into the community.

18 (11) Arts and culture is an \$878,000,000,000
19 industry in the U.S. (nonprofit, commercial, edu-
20 cation). The nonprofit arts industry alone generates
21 \$166,300,000,000 in annual economic activity
22 spending by organizations and their audience, which
23 supports 4,600,000 jobs and generates
24 \$27,500,000,000 in government revenue.

1 (12) The National Endowment for the Arts is
2 the only arts funder in the United States, public or
3 private, that provides access to the arts in all 50
4 States, the District of Columbia, and territories of
5 the United States.

6 (13) Many of the most far-reaching victories for
7 racial healing in the United States have been greatly
8 enhanced by the involvement, support, and dedica-
9 tion of individuals from any and all racial groups.

10 (14) At the same time, much of the progress to-
11 ward racial healing and racial equity in the United
12 States has been limited or reversed by our failure to
13 address the root cause of racism, the belief in the
14 myth of a hierarchy of human value based on super-
15 ficial physical characteristics such as skin color and
16 facial features.

17 (15) Limited arts access is linked to economic
18 and racial inequities as well as resource deprivation.

19 (16) Arts organizations serving communities of
20 color are, in general, much less financially secure
21 and far smaller than their counterparts in White
22 communities. The median budgets of the 20 largest
23 arts organizations serving communities of color in a
24 given discipline, such as dance, theater, or music,

1 were more than 90 percent smaller than the budgets
2 of the largest organizations in that discipline.

3 (17) Children of color, who make up the over-
4 whelming percentage of the children living in poverty
5 in the United States, and other students with lower
6 socioeconomic status, have a lower probability of ac-
7 cessing arts education.

8 (18) Access to arts education declined signifi-
9 cantly more for Black and Brown students than it
10 did for White children between 1982 and 2008.
11 There was less than a 2 percent decrease for White
12 children, while there was a 49 percent decrease for
13 Black children and a 40 percent decrease for Latin
14 children.

15 (19) The arts are in everyone. Everyone should
16 have access to the arts.

17 (20) Racial and ethnic inequality is a result of
18 systematic and internalized racism and racist public
19 and private policies and practices. Dismantling
20 structural racism through the arts and humanities is
21 critical to the health of our Nation.

22 **SEC. 3. DEFINITIONS.**

23 (1) ANTIRACISM.—The term “antiracism”
24 means a collection of antiracist policies and practices
25 that lead to racial equity, are substantiated by

1 antiracist ideas, and include a policy or practice that
2 recognizes pervasive racism in society, and actively
3 combats racial prejudice and discrimination in order
4 to promote racial justice and equity.

5 (2) ANTIRACIST.—The term “antiracist” means
6 any measure that produces or sustains racial equity
7 between racial groups, including any policy or prac-
8 tice that produces active resistance to and disman-
9 tling of the system of racism.

10 (3) SYSTEMIC RACISM.—The term “systemic
11 racism” means systems of power, unfair policies, dis-
12 criminatory practices, and normalized dynamics (his-
13 torical, cultural, internalized, interpersonal, institu-
14 tional) that routinely produce inequitable outcomes
15 for oppressed people and advantages for privileged
16 people, with the effect of creating and sustaining in-
17 equities.

18 (4) EQUITY.—The term “equity” means fair
19 and impartial outcomes, opportunities, and access
20 for an individual (or entity) engaging with an orga-
21 nization or systems (political and socio-economic), to
22 receive or experience what is needed (not equal) in
23 order to maintain fairness.

24 (5) BIPOC.—The term “BIPOC” is an acro-
25 nym to refer inclusively to—

1 (A) “Black, Indigenous, and People of
2 Color”, which includes South West Asian and
3 North African (SWANA);

4 (B) Black and African American; Hispanic
5 and Latino; and

6 (C) Native American, Alaska Native, and
7 Indigenous American; Asian American, Native
8 Hawaiian and Pacific Islander (AANHPI) peo-
9 ples.

10 (6) HISPANIC.—The term “Hispanic” means an
11 individual whose origin is Mexican, Puerto Rican,
12 Cuban, Central or South American, or any other
13 Spanish-speaking country.

14 (7) BIPOC-LED.—The term “BIPOC-led”
15 means an organization that is founded by or cur-
16 rently has executive leadership made up of BIPOC
17 individuals, but excludes an organization that is pre-
18 dominantly White or serves predominantly White au-
19 diences that simply have a BIPOC individual in a
20 token leadership position.

21 (8) CHAIRPERSONS.—The term “Chairpersons”
22 means the Chairperson of the National Endowment
23 for the Arts and the Chairperson of the National
24 Endowment for the Humanities.

1 (9) PROMISING PRACTICES.—The term “prom-
2 ising practices” means programs that have strate-
3 gies, activities, or approaches which have supporting
4 research and evaluation, as well as measurable out-
5 comes that have shown the program to be effective
6 and impactful for participants.

7 (10) HUMANITIES.—The term “humanities”
8 means a discipline and method to share stories,
9 ideas, and experiences.

10 (11) HUMANITIES ORGANIZATION.—The term
11 “humanities organization” means an organization
12 that connects people through stories, ideas, and ex-
13 periences that positively change lives and strengthen
14 communities, bringing communities together for
15 meaningful encounters, and includes—

16 (A) cultural and tribal organizations; mu-
17 seums; performing artists; and

18 (B) libraries and archives; media; historical
19 societies; publishers; arts and crafts groups;
20 educational institutions; and more.

21 **SEC. 4. ADVANCING EQUITY THROUGH THE ARTS AND HU-**
22 **MANITIES PROGRAM.**

23 (a) IN GENERAL.—

24 (1) ANTIRACISM PROGRAM.—There is estab-
25 lished an Advancing Equity Through the Arts and

1 Humanities Program, to be carried out by the
2 Chairperson of the National Endowment for the
3 Arts (in this Act referred to as the NEA) and the
4 Chairperson of the National Endowment for the Hu-
5 manities (in this Act referred to as the NEH) to in-
6 crease engagement with public and nonprofit entities
7 (including faith-based and community-based organi-
8 zations that serve and are led by people of color)
9 and to support arts and humanities projects that di-
10 rectly combat systemic racism through the arts and
11 humanities.

12 (2) PROGRAM COMPONENTS.—Under the Ad-
13 vancing Equity through the Arts and Humanities
14 Program, the Chairpersons of NEA and NEH
15 shall—

16 (A) encourage, consult with, and engage in
17 capacity building with public and nonprofit en-
18 tities, including faith-based and community-
19 based organizations, led by majority BIPOC
20 to—

21 (i) build and implement a competitive
22 grant program that directly combats sys-
23 temic racism through the arts and human-
24 ities;

1 (ii) review and augment existing NEA
2 and NEH programs to include strategies
3 to dismantle systemic racism through the
4 arts and humanities;

5 (iii) develop and implement outreach
6 strategies and provide pre- and post-tech-
7 nical support for NEA and NEH programs
8 that directly combat systemic racism
9 through the arts and humanities; and

10 (iv) provide free grant writing train-
11 ing and technical support for grant appli-
12 cants, including potential and unapproved
13 applicants;

14 (B) collaborate with governmental agen-
15 cies, universities, museums, and non-profit,
16 faith-based, and community-based organizations
17 with anti-racism initiatives focused on disman-
18 tling systemic racism by helping remove bar-
19 riers to access;

20 (C) build a database of grantees to in-
21 crease participation and outreach in consulta-
22 tion with the advisory task force created under
23 this Act;

24 (D) ensure grant panelists include majority
25 BIPOC members, majority artists, advocates,

1 community leaders, researchers, people who
2 have participated in arts programing while in-
3 carcerated, and educators;

4 (E) ensure that grantees who partner with
5 other organizations do so with those who em-
6 ploy and center communities of color;

7 (F) have the discretion to extend grant
8 funding for multi-year initiatives in good stand-
9 ing; and

10 (G) create an advisory task force, not later
11 than 90 days after the date of the enactment of
12 this Act, to develop guidelines for the
13 grantmaking process and reassess equitable
14 outreach and education as follows:

15 (i) Members of the task force shall in-
16 clude: majority BIPOC members, majority
17 artists, arts and humanities advocates rep-
18 resenting the diversity of the spectrum of
19 arts and humanities, community leaders,
20 researchers, at least 1 person who has par-
21 ticipated in arts programing while incar-
22 cerated, an educator from a public institu-
23 tion, youth, and represent geographic and
24 multigenerational diversity.

1 (ii) Members of the task force shall be
2 paid a fair wage for their service.

3 (iii) The task force shall, not later
4 than 180 days after formation, submit to
5 the Chairpersons of the National Endow-
6 ment for the Arts and the National En-
7 dowment for the Humanities, and make
8 publicly available, a report that includes—

9 (I) recommended guidelines for
10 the grantmaking process and reassess
11 equitable outreach and education;

12 (II) a recommended antiracism
13 framework for the selection of panel-
14 ists and grantees, including eligibility
15 requirements;

16 (III) a recommended framework
17 to increase accessibility to grants,
18 such as free grant writing classes, cul-
19 turally and linguistically appropriate
20 pre and post technical assistance to
21 apply for grants and produce reports,
22 in-language resources, and partner-
23 ships with community-based organiza-
24 tions and other public and private
25 nonprofits;

1 (IV) recommendations to ensure
2 that requests for proposals (RFPs)
3 are equitable and accessible to all in-
4 dividuals;

5 (V) review a database of grantees
6 to increase participation and outreach;
7 and

8 (VI) implement recommendations
9 aligned with task force guidelines.

10 **SEC. 5. GRANT PROGRAM.**

11 (a) ESTABLISHMENT.—Not later than 180 days after
12 the funds are appropriated to carry out this Act, the
13 Chairpersons, in consultation with the advisory task force,
14 shall establish a competitive grant program to be adminis-
15 tered jointly in the National Endowment for the Arts and
16 the National Endowment for the Humanities, to make
17 grants to eligible entities to create and expand programs
18 to support public and nonprofit arts and humanities orga-
19 nizations that directly combat systemic racism through the
20 arts and humanities, including dance, music, theater, mu-
21 sical theater, literary, poetry and spoken word, visual and
22 public art, performing, media arts, social justice, faith-
23 based, folk and traditional, and other arts and humanities
24 organizations.

1 (b) ELIGIBLE ENTITIES.—To carry out the compo-
2 nents of the program under this section, the Chairpersons
3 shall—

4 (1) give priority in this order to the following
5 eligible entities:

6 (A) public and nonprofit organizations that
7 work to combat systemic racism through arts
8 and humanities projects, including—

9 (i) public and nonprofit organizations
10 that are BIPOC-led;

11 (ii) public and nonprofit organizations
12 that have majority BIPOC executive staff
13 and board members and center them as de-
14 cision-makers;

15 (iii) public and nonprofit organiza-
16 tions that have a proven history of effec-
17 tive and ongoing antiracism work that has
18 made demonstrative change in organiza-
19 tional culture and shows a commitment to
20 supporting the BIPOC community; and

21 (iv) organizations, including commu-
22 nity-based organizations, that are fiscally
23 sponsored; and

24 (2) not include any for-profit entity.

1 (c) ALLOWABLE USE OF FUNDS.—An eligible entity
2 that receives a grant under this section shall carry out
3 1 or more of the following:

4 (1) Planning, developing, and implementing an
5 initiative and programming that work to combat sys-
6 temic racism through arts and/or humanities, includ-
7 ing—

8 (A) the arts or humanities engagement and
9 education, such as artist residency, arts fes-
10 tivals, coalition building, community co-creation
11 of art, performances, and public art;

12 (B) cultural planning, such as developing a
13 cultural plan and policies, cultural district plan-
14 ning, creative asset mapping, and public art
15 planning;

16 (C) design, such as artist or designer-fa-
17 cilitated community planning, design of artist
18 space, design of cultural facilities, and public
19 space design;

20 (D) artist and creative industry support,
21 such as creative business development and pro-
22 fessional artist development;

23 (E) arts and humanities programs for in-
24 carcerated individuals and for the prevention of
25 recidivism; and

1 (F) other arts and humanities program-
2 ming that work to dismantle systemic racism.

3 (2) General support, including capital funding,
4 salaries, contractors and consultants, office space
5 and supplies, benefits and insurance and other oper-
6 ational needs.

7 (3) Research to further the grant recipient's
8 work to dismantle systemic racism through the arts
9 or humanities.

10 (4) Training to further the grant recipient's
11 work to dismantle systemic racism through the arts
12 or humanities.

13 (d) ADMINISTRATIVE EXPENSES.—The Chairpersons
14 may use not more than 5 percent of funds available to
15 carry out this section for administration of the Advancing
16 Equity Through the Arts and Humanities Program, in-
17 cluding technical assistance, collaboration with other rel-
18 evant agencies, and dissemination of best practices.

19 (e) GRANTEES.—An eligible entity that receives a
20 grant under this section shall submit an annual report to
21 the Chairpersons describing—

22 (1) the proposed and actual uses of funds, in-
23 cluding a description of how much funding sup-
24 ported which promising practices;

1 (2) racial and ethnic demographics of persons
2 administering and implementing the grants, and ra-
3 cial and ethnic, age, and gender demographics of
4 persons benefiting from the grant, in a manner that
5 protects personally identifiable information;

6 (3) how funds were used and its effect on dis-
7 mantling systemic racism and other outcomes, which
8 may include success measures such as community
9 culture surveys, workplace culture surveys, commu-
10 nity and program participant feedback, and existing
11 diagnostic or formative assessments, disaggregated
12 by race and ethnicity, age, and gender in a manner
13 that protects personally identifiable information; and

14 (4) how the grant funds were supplemented
15 with State and local funds, or other funding
16 streams.

17 (f) REPORTS TO CONGRESS.—Beginning 1 year after
18 the first grants are awarded under this section, and annu-
19 ally thereafter, the Chairpersons shall publicly submit and
20 digitally publish a report to Congress detailing—

21 (1) the criteria on which grants were awarded;

22 (2) eligible entities that received grants and
23 amount of funding received by each grantee;

24 (3) barriers to access for BIPOC individuals
25 and communities, how NEA and NEH addressed

1 these challenges, and recommendations for Congress
2 to help support NEA and NEH address these bar-
3 riers;

4 (4) the proposed and actual uses of funds, in-
5 cluding—

6 (A) a description of community impact; ra-
7 cial and ethnic demographics of persons admin-
8 istering and implementing the grants;

9 (B) racial and ethnic, age, and gender de-
10 mographics of persons benefiting from the
11 grant; and

12 (C) racial and ethnic demographics of
13 grant panel, in a manner that protects person-
14 ally identifiable information;

15 (5) available outcomes related to the grant's im-
16 pact to dismantle systemic racism through the arts
17 and humanities;

18 (6) the technical assistance activities of the Na-
19 tional Endowment for the Arts and the National En-
20 dowment for the Humanities and costs of these ac-
21 tivities, dissemination costs, and costs of other ac-
22 tivities supported by the set-aside for the National
23 Endowment for the Arts and the National Endow-
24 ment for the Humanities; and

1 (7) any other information as deemed appro-
2 priate by the Chairpersons.

3 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated such sums as may be nec-
5 essary to carry out this section.

○