
Advancing Equity Through the Arts and Humanities Act

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BILL TEXT:

117TH CONGRESS
2ND SESSION

H.R.7627

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

IN THE HOUSE OF REPRESENTATIVES

2021

A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

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

SEC. 2. FINDINGS

Congress makes the following findings:

- (1) Access to the arts and cultural programming influences positive social determinants and is integral to healthy communities.
- (2) In America, the received narrative is that the arts are for entertainment or for artists, but a deeper look shows the profound effect access to the arts has on those most impacted by

the justice system, children, veterans, low-income communities, and self-designated non-artists.

- (3) Concentrated cultural districts are associated with reduced poverty without neighborhood displacement, improved child welfare, and lower morbidity.
- (4) Low-income neighborhoods with cultural resources have 14% fewer cases of child abuse and neglect, and 18% less serious crime than low-income neighborhoods without cultural resources.
- (5) Low-income students who participate in the arts, both in school and after school, have a dropout rate of just 4 percent—five times lower than their peers. Children with access to arts programming in schools showed a 22.55% improvement in math proficiency, a 12.62% improvement in reading, and suspensions were reduced by as much as 89%.
- (6) 71% of at-risk students with high arts involvement attend college, whereas only 48% of at-risk students with low arts involvement attend college.
- (7) Participation in after-school arts programs causes juvenile crime to fall by 4.2 percent on average, and slightly more (5.4 percent) in lower-income cities.
- (8) Arts programming in prisons showed an 89% drop in infractions.
- (9) The creative and cultural economy is significant not only in cities, but also in rural and tribal communities. 40 percent of Native households on the Pine Ridge Reservation in Kyle, South Dakota, depend on home-based arts enterprises.
- (10) The arts help heal the mental, physical, and moral injuries of war for military servicemembers and Veterans as well as aid in their reintegration into the community.
- (11) Arts and culture is an \$878 billion industry in the U.S. (nonprofit, commercial, education). The nonprofit arts industry alone generates \$166.3 billion in annual economic activity spending by organizations and their audience, which supports 4.6 million jobs and generates \$27.5 billion in government revenue.
- (1) The National Endowment for the Arts and the National Endowment for the Humanities are the largest arts and humanities funders in America that grant funding to the arts and humanities in all 50 states, the District of Columbia, and U.S. territories.
- (12) Many of the most far-reaching victories for racial healing in the United States have been greatly enhanced by the involvement, support, and dedication of individuals from any and all racial groups.
- (13) At the same time, much of the progress toward racial healing and racial equity in the United States has been limited or reversed by our failure to address the root cause of racism, the belief in the myth of a hierarchy of human value based on superficial physical characteristics such as skin color and facial features.
- (14) Limited arts access is linked to economic and racial inequities as well as resource deprivation.
- (15) Arts organizations serving communities of color are, in general, much less financially secure and far smaller than their counterparts in white communities. The median budgets of the 20 largest arts organizations serving communities of color in a given discipline, such as dance, theater, or music, were more than 90 percent smaller than the budgets of the largest organizations in that discipline.
- (16) Children of color, who make up the overwhelming percentage of the children living in poverty in the U.S., and other students with lower socioeconomic status have a lower probability of accessing arts education.

- (17) Access to arts education declined significantly more for Black and Brown students than it did for white children between 1982 and 2008. There was less than a 2% decrease for white children, while there was a 49% decrease for Black children and a 40% decrease for Latinx children.
- (18) The arts are in everyone. Everyone should have access to the arts.
- (19) Racial and ethnic inequality is a result of systematic and internalized racism and racist public and private policies and practices. Dismantling structural racism through the arts and humanities is critical to the health of our nation.

SEC. 3. DEFINITIONS

(1) ANTIRACISM.—The term “antiracism” is a collection of antiracist policies and practices that lead to racial equity, and are substantiated by antiracist ideas. This includes a policy or practice that recognizes pervasive racism in society, and actively combats racial prejudice and discrimination in order to promote racial justice and equity.

(2) ANTIRACIST.—The term “antiracist” is any measure that produces or sustains racial equity between racial groups. This includes any policy or practice that produces active resistance to and dismantling of the system of racism

(3) SYSTEMIC RACISM. – systems of power, unfair policies, discriminatory practices, and normalized dynamics (historical, cultural, internalized, interpersonal, institutional) that routinely produce inequitable outcomes for oppressed people and advantages for privileged people. Its effect is to create and sustain inequities.

(4) EQUITY.- fair and impartial outcomes, opportunities, and access for an individual (or entity) engaging with an organization or systems (political and socio-economic), meaning the individual (or entity) receives or experiences what is needed (not equal) in order to maintain fairness.

(5) BIPOC.- an acronym for “Black, Indigenous, and People of Color,” which includes South West Asian and North African (SWANA); Black and African American; Hispanic and Latino; Native American, Alaska Native, and Indigenous American; Asian American, Native Hawaiian and Pacific Islander (AANHPI). The term ‘Hispanic’ means individuals whose origin is Mexican, Puerto Rican, Cuban, Central or South American, or any other Spanish-speaking country.

(6) BIPOC-led.- an organization that is founded by or currently has executive leadership made up of BIPOC (defined above) individuals. This does not include organizations that are predominantly white and/or serve predominantly white audiences that simply have a BIPOC individual in a token leadership position.

(7) Chairpersons.—The term “Chairpersons” means the Chairperson of the National Endowment for the Arts and the Chairperson of the National Endowment for the Humanities.

(8) Promising practices - Programs that have strategies, activities, or approaches which have supporting research/evaluation, as well as measurable outcomes that have shown the program to be effective and impactful for participants.

(9) Humanities - a discipline and method to share stories, ideas, and experiences. A humanities organization connects people through stories, ideas, and experiences that positively change lives and strengthen communities. They include cultural and tribal organizations; museums; performing artists; libraries and archives; media; historical societies; publishers; arts

and crafts groups; educational institutions; and more. The work they do seeks to bring communities together for meaningful encounters.

SEC. 4. ADVANCING EQUITY THROUGH THE ARTS AND HUMANITIES PROGRAM.

(a) **IN GENERAL** —

(1) **ANTIRACISM PROGRAM.**—There is established an Advancing Equity Through the Arts and Humanities Program, to be carried out by the Chairperson of the National Endowment for the Arts (NEA) and the Chairperson of the National Endowment for the Humanities (NEH) to increase engagement with public and nonprofit entities, including faith-based and community-based organizations, that serve and are led by people of color, and to support arts and humanities projects that directly combat systemic racism through the arts and humanities.

(2) **PROGRAM COMPONENTS.**—Under the Advancing Equity through the Arts and Humanities Program, the Chairpersons of NEA and NEH shall—

- a. encourage, consult with, and engage in capacity building with public and nonprofit entities, including faith-based and community-based organizations, led by majority BIPOC to:
 - i. build and implement a competitive grant program that directly combats systemic racism through the arts and humanities;
 - ii. review and augment existing NEA and NEH programs to include strategies to dismantle systemic racism through the arts and humanities;
 - iii. develop and implement outreach strategies and provide pre and post technical support for NEA and NEH programs that directly combat systemic racism through the arts and humanities; and
 - iv. Provide free grant writing training and technical support for grant applicants, including potential and unapproved applicants.
- b. collaborate with governmental agencies, universities, museums, educational agencies, and non-profit, faith-based, and community-based organizations with anti-racism initiatives focused on dismantling systemic racism by helping remove barriers to access;
- c. build a database of grantees to increase participation and outreach in consultation with the advisory task force created under this Act;
- d. ensure grant panelists include majority BIPOC members, majority artists, advocates, community leaders, researchers, people who have participated in arts programming while incarcerated, and educators;
- e. ensure that grantees who partner with other organizations do so with those who employ and center communities of color;
- f. have the discretion to extend grant funding for multi-year initiatives in good standing;

- g. create an advisory task force, not later than 90 days after the date of the enactment of this Act, to develop guidelines for the grantmaking process and reassess equitable outreach and education;
 - i. Members of the task force shall include: majority BIPOC members, and a majority of artists, arts and humanities advocates representing the diversity of the spectrum of arts and humanities, community leaders, researchers, at least 1 person who has participated in arts programming while incarcerated, an educator from a public institution, youth, and represent geographic and multigenerational diversity.
 - ii. Members of the task force shall be paid a fair wage for their service.
 - iii. The task force shall:
 - 1. within 180 days upon formation, submit a report to the Chairpersons of NEA and NEH, and make publicly available, that includes the following:
 - a. recommended guidelines for the grantmaking process and reassess equitable outreach and education;
 - b. a recommended antiracism framework for the selection of panelists and grantees, including eligibility requirements;
 - c. a recommended framework to increase accessibility to grants, such as free grant writing classes, culturally and linguistically appropriate pre and post technical assistance to apply for grants and produce reports, in-language resources, and partnerships with community-based organizations and other public and private nonprofits; and
 - d. recommendations to ensure that requests for proposals (RFPs) are equitable and accessible to all individuals.
 - 2. review a database of grantees to increase participation and outreach.
- f. implement recommendations aligned with task force guidelines

SEC. 5 GRANT PROGRAM.

(a) Establishment.—Not later than 180 days after the date of enactment of this Act, the Chairpersons, in consultation with the advisory task force, shall establish a competitive grant program within the National Endowment for the Arts and the National Endowment for the Humanities, the purpose of which shall be to create and expand programs to support public and nonprofit arts and humanities organizations that directly combat systemic racism through the arts and humanities. This includes dance, music, theater, musical theater, literary, poetry and spoken word, visual and public art, performing, media arts, social justice, faith-based, arts education, folk and traditional, and other arts and humanities organizations.

(3) ELIGIBLE ENTITIES.—To carry out the components of the program under subsection (4), the Chairpersons shall—

- a) give priority in this order to the following eligible entities:
 - a. In awarding grants under this subsection, the Chairpersons shall give priority in this order to the following eligible entities:
 - i. public and nonprofit organizations that work to combat systemic racism through arts and humanities projects, including:
 - 1. public and nonprofit organizations that are BIPOC-led;
 - 2. public and nonprofit organizations that have majority BIPOC executive staff and board members and center them as decision-makers;
 - 3. public and nonprofit organizations that have a proven history of effective and ongoing antiracism work that has made demonstrative change in organizational culture and shows a commitment to supporting the BIPOC community;
 - b. organizations & CBOs that are fiscally sponsored
 - b) shall not include any for-profit entity.

d) Allowable use of funds - An eligible entity that receives a grant under this section shall carry out one or more of the following:

- a. Planning, developing, and implementing an initiative and programming that work to combat systemic racism through arts and/or humanities, including:
 - i. arts/humanities engagement and education, such as artist residency, arts festivals, coalition building, community co-creation of art, performances, and public art;
 - ii. cultural planning, such as developing a cultural plan and policies, cultural district planning, creative asset mapping, and public art planning;
 - iii. design, such as artist/designer-facilitated community planning, design of artist space, design of cultural facilities, and public space design;
 - iv. artist and creative industry support, such as creative business development and professional artist development;
 - v. arts and humanities programs for incarcerated individuals and for the prevention of recidivism;
 - vi. other arts and humanities programming that work to dismantle systemic racism.
- b. General support - including capital funding, salaries, contractors and consultants, office space & supplies, benefits and insurance and other operational needs;
- c. Research to further the grant recipient's work to dismantle systemic racism through the arts and/or humanities; and
- d. Training to further the grant recipient's work to dismantle systemic racism through the arts and/or humanities.

(1) ADMINISTRATIVE EXPENSES.—The Chairpersons may use not more than 5 percent of funds available to carry out this section for administration of the Advancing

Equity Through the Arts and Humanities program, including technical assistance, collaboration with other relevant agencies, and dissemination of best practices.

REPORTS.—

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

(A) the proposed and actual uses of funds, including a description of how much funding supported which promising practices;

(B) racial/ethnic demographics of persons administering and implementing the grants and persons benefiting from the grant as commonly collected by NEA and NEH;

(C) how funds were used and its effect on dismantling systemic racism and other outcomes, which may include success measures such as community culture surveys, workplace culture surveys, community and program participant feedback, and existing diagnostic or formative assessments, disaggregated by race and ethnicity, age, and gender in a manner that protects personally identifiable information; and

(D) how the grant funds were supplemented with State and local funds, or other funding streams.

REPORTS TO CONGRESS.—Beginning 1 year after the first grants are awarded under this section, and annually thereafter, the Chairpersons shall publicly submit and digitally publish a report to Congress detailing—

(A) the criteria on which grants were awarded;

(B) eligible entities that received grants and amount of funding received by each grantee;

(C) barriers to access for BIPOC individuals and communities, how NEA and NEH addressed these challenges, and recommendations for Congress to help support NEA and NEH address these barriers;

(D) the proposed and actual uses of funds, including a description of community impact; racial/ethnic demographics of persons administering and implementing the grants; racial/ethnic, age, and gender demographics of persons benefiting from the grant; and racial/ethnic demographics of grant panel - in a manner that protects personally identifiable information;

(E) available outcomes related to the grant’s impact to dismantle systemic racism through the arts and humanities;

(F) the technical assistance activities of the National Endowment for the Arts and the National Endowment for the Humanities and costs of these activities, dissemination costs, and costs of other activities supported by the set-aside for the National Endowment for the Arts and the National Endowment for the Humanities;

(G) any other information as deemed appropriate by the Chairpersons.

(C) AUTHORIZATION OF APPROPRIATIONS.— There is authorized to be appropriated, such sums as may be necessary to carry out this section.