New section

[**Shuttered Venue Operators Grant (aka Save Our Stages)**](https://www.sba.gov/funding-programs/loans/coronavirus-relief-options/shuttered-venue-operators-grant)

The Small Business Administration will implement a new $15 billion grant program to support for “shuttered venue operators” and is still in the process of finalizing the details of eligibility requirements.

Timing for opening the application process is uncertain, and the SBA is posting preliminary information, subject to change in response to stakeholder feedback, on their Shuttered Venue Operators Grants (SVOG) web page. SBA will not write a rulemaking on the program, opting for less formal guidance for applicants.

While complete guidance on implementation of the program is not available, SBA will provide further web updates and video guides about the grants, who can apply, how potential organizations can prepare, and additional details regarding eligibility and applications.

* [SBA webpage on Shuttered Venue Operators Grant](https://www.sba.gov/funding-programs/loans/coronavirus-relief-options/shuttered-venue-operators-grant)
* [SBA Shuttered Venue Operators Grant FAQs](https://www.sba.gov/document/support-shuttered-venue-operators-grants-faq) (Updated February 5, 2021)
* [SBA Cross-Program Eligibility Chart](https://www.sba.gov/funding-programs/loans/coronavirus-relief-options/cross-program-eligibility-sba-coronavirus-relief-options)
* SBA's [webinar recording](https://www.youtube.com/watch?v=PdfQGb6z-gg&feature=youtu.be) from January 14, 2021
* Email questions to SVOGrant@sba.gov (Please include topic in the subject line. Note that as of February 1, SBA has received more than 7,500 emails. This portal helps track priority areas of concern, but emails may not be answered directly)

Prepare now:

* Confirm your SAM registration now! SBA will place a notice to initiate the application process on Grants.gov, and all applicants will be required to have a [DUNS number](https://www.grants.gov/applicants/organization-registration/step-1-obtain-duns-number.html#:~:text=A%20DUNS%20number%20is%20a%20unique%20nine-character%20number,number%20to%20track%20how%20federal%20money%20is%20allocated.) and register with the System for Award Management (SAM), where your organization's information must be renewed annually. Please remember that you can always go directly to sam.gov to renew your DUNS number directly and without cost.
	+ The [Grants.gov](https://www.grants.gov/) Contact Center is available 24 hours a day, 7 days a week. (Phone: 1-800-518-4726. email: support@grants.gov)
	+ [SAM.gov](https://sam.gov/SAM/) Federal Service Desk: Call 1-866-606-8220 or see the information posted on the SAM.gov website at SAM User Guides.
* [District and regional SBA](https://www.sba.gov/local-assistance?utm_medium=email&utm_source=govdelivery) offices may be a resource for technical assistance throughout the application process, and some will be providing specialized stakeholder events.
* While detailed information is not yet available on required documentation, SBA recommends that applicants “gather documents that demonstrate your number of employees and monthly revenues so you can calculate the average number of qualifying employees you had over the prior 12 months. Lastly, determine the extent of gross earned revenue loss you experienced between 2019 and 2020. This and additional information such as floor plans, contract copies and other evidence will be needed to apply for an SVOG.”

Eligible entities:

* An applicant may have received a PPP forgivable loan in 2020 but must choose whether to apply for a Shuttered Venues grant or PPP loan in 2021. SBA has clarified that *the act of applying*for a 2021 PPP loan will make that entity ineligible for applying for a SVOG. Only after a PPP application is rejected may the applicant apply for SVOG.
* Orchestras can qualify to apply, even if they do not own their performance space. “Live performing arts organization operators” are specifically eligible and are defined as an individual or entity that “as a principal business activity, organizes, promotes, produces, manages, or hosts live concerts, comedy shows, theatrical productions, other events by performing artists."
* Eligibility is offered to for-profit and nonprofit applicants, as well as independent motion picture theatre operators, museum operators, and talent representatives.
* Applicants must demonstrate a minimum 25% decline in gross earned revenue in one calendar quarter of 2020, compared to the same quarter in 2019, to qualify to apply.

Grant amounts:

* Applicants will calculate their grant amount based on 45% of an entity's gross earned revenue in 2019. The SBA FAQ offers a preliminary general definition of earned revenue that is “the total of earned revenue from various sales of goods or services, such as admission tickets, merchandise, food and beverages, advertising sales and contracted presentation income.” These revenue definitions are subject to change.
* Total grants received by an eligible entity are capped at $10 million per recipient.
* After receiving an initial grant, qualifying applicants that are experiencing a 70% revenue decline as of April 1, 2021 can receive a supplemental grant equal to half of their initial grant award. Supplemental grant awards will only be awarded after applications received in the first 60 days of the program have been processed.

Eligible costs:

* Grants may be used for costs incurred from March 1, 2020 through December 31, 2021 (and supplemental grants may be used from March 1, 2020 to June 30, 2022).
* Allowable expenses include payroll, including payments to independent contractors; rent; fixed costs like mortgage and debt payments; as well as maintenance expenses, administrative costs, and other expenses.

Priority period and non-priority reserve:

* The program will include two priority application periods. The SBA web guidance only specifies “revenue,” without clarifying whether required 90% and 70% declines will apply to “gross earned revenue” or total revenue.  This distinction is important to clarify before nonprofits can determine whether they may have access to the priority period, due to ongoing contributed revenue received throughout the pandemic. The SBA intends to provide more details to confirm these definitions.
* The first 14 days will limit access to applicants that demonstrate a revenue decline of 90% or more from April 1 to December 31, 2020, compared to the same time period in 2019.
* The second 14 days will be limited to those with a revenue decline of 70% or more.
* Relief funds already accessed through the CARES act will not count as revenue for this calculation, and seasonal organizations will use an alternate time period for the comparison.
* At the request of nonprofit advocates, 20% of funds will be reserved for availability after the conclusion of the priority period, accessible to all nonpriority applicants.

Certifications:

* Eligible applicants must submit a good faith certification that "the uncertainty of current economic conditions makes necessary the grant to support the ongoing operations," and certain applicants must abide by requirements that the recipient "will not abrogate existing collective bargaining agreements" and "will remain neutral in any union organizing effort."

To be swapped for current content

[**Families First Paid Leave Provisions**](https://live-american-orchestras.pantheonsite.io/learn/covid-19/federal-assistance/families-first-paid-leave-provisions/)

The Families First Coronavirus Relief Act (FFCRA) established COVID-related paid leave provisions for employees, refundable payroll tax credits for employers (including nonprofit employers) that provide the paid leave, and comparable leave provisions for self-employed workers. The FFCRA’s requirements for employers to provide paid leave expired on December 31, 2020, while the refundable tax credits for employers that voluntarily provide paid leave continue through March 31, 2021.

* **[Internal Revenue Service 2021 Paid Leave Overview](https://www.irs.gov/newsroom/covid-19-related-tax-credits-for-paid-leave-provided-by-small-and-midsize-businesses-faqs)**
* [**U.S. Department of Labor FAQ on Current Requirements**](https://www.dol.gov/agencies/whd/pandemic/ffcra-questions#104)
* **Internal Revenue Service Paid** [**Leave**](https://www.irs.gov/newsroom/covid-19-related-tax-credits-basic-faqs) **Tax Credit FAQ**

To be swapped for current content

[**Pandemic Unemployment Benefits, Including Self-Employed individuals**](https://live-american-orchestras.pantheonsite.io/learn/covid-19/federal-assistance/pandemic-unemployment-benefits-including-self-employed-individuals/)

Pandemic Unemployment Assistance has been extended, providing federal unemployment benefits for self-employed and gig workers typically not eligible for state unemployment benefits, including individuals who are unable to work due to a number of COVID-related reasons. Federal Pandemic Unemployment Compensation benefits are reinstated at $300 per week, through March 14, 2021. An extra $100 per week will be available for workers who have both W-2 and self-employment income but whose base benefit calculation doesn’t take their self-employment into account.

* [**U.S. Department of Labor Issues PUA Guidance to States**](https://wdr.doleta.gov/directives/attach/UIPL/UIPL_9-21.pdf) (PDF) (December 30, 2020)
* [**Find Your State Department of Labor**](https://www.dol.gov/agencies/whd/state/contacts)

To be swapped for current content – note change in headline

[**SBA Economic Injury Disaster Relief Loans and Advance**](https://live-american-orchestras.pantheonsite.io/learn/covid-19/federal-assistance/sba-economic-injury-disaster-relief-and-loan-advance/)**s**

The SBA’s Economic Injury Disaster Loan Program received dedicated COVID-19 funding to provide disaster relief loans and advances, with eligibility for nonprofit organizations and self-employed individuals. The SBA continues to issue EIDL loans and targeted advances in 2021. While the general EIDL advance program is now closed, those that received a 2020 EIDL Advance in addition to the Paycheck Protection Program (PPP) loan will no longer have the amount of the EIDL Advance subtracted from the forgiveness amount of their PPP loan.

* **[SBA Economic Injury Disaster Loans and Advance Guidelines](https://www.sba.gov/funding-programs/loans/coronavirus-relief-options/covid-19-economic-injury-disaster-loans%22%20%5Ct%20%22_blank)**
* [**Direct Link to Apply for EIDL Loan Online**](https://covid19relief.sba.gov/)

To be swapped for current content[**Paycheck Protection Program and Loan Forgiveness**](https://live-american-orchestras.pantheonsite.io/learn/covid-19/federal-assistance/paycheck-protection-program-and-loan-forgiveness/)

Under the CARES Act, organizations, including 501(c)(3) nonprofits, and self-employed individuals gained access to Paycheck Protection Program (PPP) forgivable loans in 2020, intended to provide rapid relief that will keep workers on the payroll and help self-employed workers. Loans are provided by local lending institutions that are authorized by the Small Business Administration (SBA). In December 2020, more than $280 billion in new PPP relief was signed into law, including reopening the program for first-time applicants, providing a second opportunity for 2020 loan recipients to seek forgivable loans, and revising the loan forgiveness process for both 2020 and 2021 loan recipients. The loan application process is currently accessible through March 31, 2021.

Eligibility:

* PPP allowable expenses are expanded to include software and computing costs associated with moving business services and operations online, and the cost of personal protective equipment and other expenses required for meeting public health and safety orders from March 1, 2020 to the end of the national emergency declaration.
* This expansion applies to prior PPP loans that have not yet been forgiven, as well as new PPP loans.
* As in 2020, the SBA continues its policy that, “independent contractors have the ability to apply for a PPP loan on their own so they do not count for purposes of a borrower’s PPP loan calculation.”

Loan Forgiveness:

* The requirement that 60% of costs be attributed to payroll in order to achieve full loan forgiveness is maintained.
* The prior requirement that borrowers deduct an Economic Injury Disaster Loan amount from their forgivable PPP loan amount has been repealed.
* The portion of the loan that can be forgiven will be reduced by an amount related to positions that have been eliminated and wages that have been reduced unless those positions and wages are restored. Borrowers are exempted from the proportional reduction of loan forgiveness related to retained full-time-equivalent positions in cases in which the borrower is unable to return to the same level of business activity due to compliance with federal requirements or guidance related to COVID-19.
* Borrowers will be eligible for loan forgiveness equal to the amount of allowable costs spent during a period of their choosing, between 8 and 24 weeks following the origination date of the loan. This flexibility to choose the duration of this period is available to 2020 PPP loans that have not completed the forgiveness process, as well as 2021 loans.
* The SBA has set in place a new streamlined loan forgiveness process for borrowers with loans of $150,000 and under.

Second Draw:

* Forgivable loans of up to $2 million will be available to employers with a workforce that does not exceed 300 employees and that can demonstrate at least a 25% gross receipts decline in any quarter of 2020, compared to 2019. For nonprofits, gross receipts are defined as under the terms of the Form 990.
* As with the first round of PPP, loan amounts equal 2.5 times average monthly payroll costs.
* [SBA Announces Opening of New PPP Programs](https://content.govdelivery.com/accounts/USSBA/bulletins/2b4dc43)
* [SBA Guidance on Accessing Capital for Minority, Underserved, Veteran and Women-Owned Business Concerns](https://www.sba.gov/sites/default/files/2021-01/Guidance%20on%20Accessing%20Capital%20for%20Minority%20Underserved%20Veteran%20and%20Women%20Owned%20Business%20Concerns%20.pdf)
* [**Paycheck Protection Program Frequently Asked Questions**](https://home.treasury.gov/system/files/136/Paycheck-Protection-Program-Frequently-Asked-Questions.pdf) (Continuously Updated) (PDF)
* [Data on 2021 PPP Loans Approved](https://www.sba.gov/funding-programs/loans/coronavirus-relief-options/paycheck-protection-program/ppp-data)

* [First Draw SBA Overview](https://www.sba.gov/funding-programs/loans/coronavirus-relief-options/paycheck-protection-program/first-draw-ppp-loans)
* [Interim Final Rule on Paycheck Protection Program as Amended by Economic Aid Act](https://www.sba.gov/sites/default/files/2021-01/PPP%20--%20IFR%20--%20Paycheck%20Protection%20Program%20as%20Amended%20by%20Economic%20Aid%20Act%20%281.6.2021%29.pdf)
* [First Draw Application Form](https://www.sba.gov/document/sba-form-2483-paycheck-protection-program-borrower-application-form)
* [Second Draw SBA Overview](https://www.sba.gov/funding-programs/loans/coronavirus-relief-options/paycheck-protection-program/second-draw-ppp-loans)
* [Interim Final Rule on Second Draw Loans](https://www.sba.gov/sites/default/files/2021-01/PPP%20--%20IFR%20--%20Second%20Draw%20Loans%20%281.6.2021%29.pdf)
* [Second Draw Application Form](https://www.sba.gov/document/sba-form-2483-sd-ppp-second-draw-borrower-application-form)
* [How to Calculate Revenue Reduction and Max Loan Amounts, Documentation Info](https://www.sba.gov/document/support-second-draw-ppp-loans-how-calculate-revenue-reduction-maximum-loan-amounts-including-what)
* [Loan Forgiveness and Loan Relief Requirements](https://www.sba.gov/funding-programs/loans/coronavirus-relief-options/paycheck-protection-program/ppp-loan-forgiveness)

To be swapped for current content

[**Employee Retention Credits**](https://live-american-orchestras.pantheonsite.io/learn/covid-19/federal-assistance/employee-retention-credits/)

The Employee Retention Tax Credits (ERTC) created under the CARES Act are refundable payroll tax credits accessible to nonprofit organizations and are now significantly expanded. The 2020 credit applied to 50% of qualified wages, up to $10,000 in wages/year, and PPP recipients were previously ineligible to access the ERTC. The 2020 ERTC is now retroactively available to 2020 PPP recipients for certain wages not covered by PPP forgivable loans.

The 2021 credit is valued at 70% of qualified wages, up to $10,000 in wages/quarter per employee for the first two quarters of 2021, amounting to up to $14,000 in refundable payroll tax credits per employee. Employers that receive Paycheck Protection Program loans or Shuttered Venue Operators Grants in 2021 will qualify for the expanded ERTC for wages that are not also covered by a forgivable PPP loan or an SVOG grant.

Complete guidance on the expanded ERTC is still awaited. In the meantime, the IRS has issued an initial overview, and the 2019 FAQs are a good starting point for becoming more familiar with this provision

* [IRS Issues January 27, 2021 ERTC Announcement](https://www.irs.gov/newsroom/new-law-extends-covid-tax-credit-for-employers-who-keep-workers-on-payroll)
* [**Internal Revenue Service Employee Retention Credit FAQs**](https://www.irs.gov/newsroom/faqs-employee-retention-credit-under-the-cares-act) **(to be updated)**
* [**Penalty Relief for Failure to File Employment Taxes**](https://www.irs.gov/pub/irs-drop/n-20-22.pdf) (PDF)

**We are deleting the entire section on Industry Stabilization Fund**

Small Change in Track Changes

[**Relief for Nonprofits Self-Insuring Unemployment Benefits**](https://live-american-orchestras.pantheonsite.io/learn/covid-19/federal-assistance/relief-for-nonprofits-self-insuring-unemployment-benefits/)

Many orchestras are among nonprofits that self-insure unemployment benefits rather than pay state unemployment taxes. Under the CARES Act, the federal government makes payments to states to reduce nonprofit liability to 50% of the costs they incur through December 31, 2020 to pay unemployment benefits, which has now been extended through March 14, 2021 . Original guidance from the U.S. Department of Labor indicated that states must first bill nonprofits for 100% of the costs, payment must be made to the states by nonprofits, and only then would the 50% reimbursement be issued to the nonprofit by the state.

On August 3, the [**“Protecting Nonprofits from Catastrophic Cash Flow Strain Act” (S. 4209)**](https://www.congress.gov/bill/116th-congress/senate-bill/4209) was signed into law, requiring states to only bill nonprofits for 50% of liability. This legislation is one of many requests the [**League and the larger nonprofit community**](https://live-american-orchestras.pantheonsite.io/wp-content/uploads/2020/10/Nonprofit-letter-on-UIPL-18-20.pdf) (PDF) had been urging Congress to pass, in order to ease the burden of unemployment compensation costs for self-insured nonprofits. While eliminating the requirement for nonprofits to pay 100 percent upfront is a partial victory, advocates continue to make the case for federal relief to cover 100 percent of costs.

* [**DOL Issues Unemployment Insurance Letter to States**](https://wdr.doleta.gov/directives/attach/UIPL/UIPL_18-20.pdf) (April 27, 2020) (PDF)
* [**DOL Issues Letter to States Implementing S. 4209**](https://wdr.doleta.gov/directives/attach/UIPL/UIPL_18-20_Change-1.pdf) (August 12, 2020) (PDF)

Unchanged!

[**COVID-19: International Artist Visas**](https://live-american-orchestras.pantheonsite.io/learn/covid-19/federal-assistance/international-artist-visas/)

Orchestras in communities of all sizes frequently engage international guest artists. In the wake of COVID-19, policy solutions are needed as arts organizations and global artists pivot to reschedule planned performances. The League and arts sector partners are calling on U.S. Citizenship and Immigration Services and the U.S. Department of State to implement immediate policy solutions that will support the future of international cultural activity. The League hosts [**www.artistsfromabroad.org**](http://www.artistsfromabroad.org/), a complete guide to artist visa procedures, where we are posting the latest news on artist visa policies.

* [**Latest News from Artists from Abroad**](https://www.artistsfromabroad.org/site/news/)
* [**League and Arts Sector Call for Artist Visa Solutions**](https://live-american-orchestras.pantheonsite.io/wp-content/uploads/2020/10/Artist-Visas-COVID-19.pdf) (PDF)

To be swapped for current content

[**New Charitable Giving Incentives**](https://live-american-orchestras.pantheonsite.io/learn/covid-19/federal-assistance/new-charitable-giving-incentives/)

Building on years of advocacy by orchestras in partnership with the broader nonprofit sector, a new universal charitable deduction is available, allowing the growing number of taxpayers who do not itemize their returns to receive a tax deduction for charitable donations. For the calendar year 2020, the deduction is available for up to $300 in cash charitable donations to 501(c)(3) nonprofit organizations for “each filing unit,” which means the dollar limitation applies per tax return, regardless whether filed individually, or jointly by a couple. The new universal charitable deduction for non-itemizers that was created under the CARES Act has been extended to apply throughout the 2021 tax year, and expanded so that single filers may deduct up to $300, and joint filers will be eligible for a $600 deduction for cash contributions.

In both 2020 and 2021, for taxpayers that itemize returns the limit on the total percentage of Adjusted Gross Income (AGI) eligible for the charitable deduction has been lifted, and the limit on corporate contributions has been raised to 25%.

* [**IRS Overview of 2020 Charitable Giving Incentives**](https://www.irs.gov/newsroom/how-the-cares-act-changes-deducting-charitable-contributions)

Changes in tracked changes[**COVID-19: National Endowment for the Arts Funding**](https://live-american-orchestras.pantheonsite.io/learn/covid-19/federal-assistance/national-endowment-for-the-arts-funding/)

The Coronavirus Aid, Relief, and Economic Security Act (CARES) included $75 million in funding for the National Endowment for the Arts to administer for COVID-19 assistance. Of the total, 40% of funding was administered in partnership with state arts agencies, and the remaining resources have been delivered through direct one-time grants to eligible nonprofit arts organizations across the country to help these entities and their employees endure the economic hardships caused by the forced closure of their operations due to the spread of COVID-19.

On July 1, 2020, the NEA announced federal grants of $50,000 each to support personnel and facilities costs for 64 orchestras nationwide in response to the COVID-19 pandemic. The Endowment’s [**grant announcement**](https://www.arts.gov/news/2020/national-endowment-arts-approves-arts-organizations-cares-act-funding) describes the broad distribution of awards among small, medium, and large organizations, and across locations that are urban, rural, and in-between. Out of more than 3,100 eligible applications, available funding supports 855 grants.

For FY21, the NEA received an appropriation of $167.5 million, $5.25 million more than the 2020 enacted levels. The NEA is also permitted by Congress to provide flexibility for grantees’ use of funds in fiscal years 2019, 2020, and 2021. Further details will be announced by the NEA.

* [**NEA CARES Act Grants Announced**](https://live-american-orchestras.pantheonsite.io/nea-cares-act-grants-announced/) (July 1, 2020)
* [**NEA Grants for Arts Projects Guidelines: Updated FAQ for FY21**](https://www.arts.gov/grants-organizations/gap/frequently-asked-questions)

To be swapped for current content

[**Federal Assistance Background Information**](https://live-american-orchestras.pantheonsite.io/learn/covid-19/federal-assistance/background/)

* **[League COVID-19 Federal Relief Question Portal](https://lao.az1.qualtrics.com/jfe/form/SV_1NRUD7wcl4wSi6F%22%20%5Ct%20%22_blank)**
* [**Contact Congress: League COVID-19 Relief Campaign**](https://live-american-orchestras.pantheonsite.io/learn/advocate/contact-congress-today/?vvsrc=%2Fcampaigns%2F72338%2Frespond)

**Relief Package #1:** [**Coronavirus Preparedness and Response Supplemental Appropriations Act**](https://www.congress.gov/bill/116th-congress/house-bill/6074) (signed into law 3/6/2020)

**Relief Package #2:**[**Families First Coronavirus Response Act (FFCRA)**](https://www.congress.gov/bill/116th-congress/house-bill/6201) (signed into law 3/18/20)

 **Relief Package #3:**[**Coronavirus Aid, Relief, and Economic Security (CARES)**](https://www.majorityleader.gov/sites/democraticwhip.house.gov/files/Senate%20Amendment%20to%20H.R.%20748_0.pdf) (PDF) (signed into law 3/27/2020)

**Relief Package #4:** [**Paycheck Protection Program and Enhancement Act**](https://www.congress.gov/bill/116th-congress/house-bill/266?q=%7B%22search%22%3A%5B%22P.L.+116-139%22%5D%7D&s=1&r=1) (signed into law April 24, 2020)

**Relief Package #5:** [**Consolidated Appropriations Act, 2021**](https://www.congress.gov/bill/116th-congress/house-bill/133?q=%7B%22search%22%3A%5B%22HR+133%22%5D%7D&s=3&r=12) (signed into law December 27, 2020)