

NIVA includes more than 2,900 independent live entertainment venues and promoters from all 50 states and Washington, D.C., banding together to fight for survival.

SITUATION

- Independent venues were the **first to close** and will be the **last to fully reopen**.
- Venues have zero revenue, but obligations like mortgage/rent, bills, loans, taxes, and insurance continue.
- We have no work to offer our employees for the foreseeable future.
- The shutdown is indefinite and likely to extend into 2021 as our venues are in the last stage of reopening.
- The ability to open at partial capacity is not economically feasible. Rents, utilities, payroll, taxes, insurance, and artist pay are not on a sliding scale matching the capacity we're permitted to host. They are fixed costs.
- Due to the national routing of most tours, our industry will not recover until the entire country is open at 100% capacity. NIVA members need assistance in order to survive until that day.

IMPACT

- According to a survey of NIVA members, 90% of independent venues report they will close permanently in a few months without federal funding. **Current PPP funding will not solve the crisis.**
- [Pollstar estimates](#) a \$9 billion loss in ticket sales alone - not counting food and beverage revenue - if venues remain closed through 2020.
- Live events [provide 75% of all artists' income](#).
- For every \$1 spent on a ticket at small venues, a total of [\\$12 in economic activity is generated](#) within communities on restaurants, hotels, taxis, and retail establishments.
- The [estimated direct annual economic impact](#) venues bring to local communities is nearly \$10 billion.
- NIVA members are among the hardest hit. While nearly [90% of US businesses](#) have reopened in some capacity, independent venues remain shuttered.

ARTIST SUPPORT

- **600+ artists with social media impressions of 900 million** are supporting NIVA's request for federal relief under the hashtag #SaveOurStages.
- Writing a [letter to Congress](#), artists including Dave Grohl of Foo Fighters, Mavis Staples, Lady Gaga, André 3000, Coldplay, Willie Nelson, Billie Eilish, Gary Clark Jr, Robert Plant of Led Zeppelin, Miranda Lambert, Billy Joel, Earth Wind & Fire, Kacey Musgraves, Leon Bridges, Wyclef Jean, Bon Iver, Jay Leno, Tiffany Haddish, Jeff Foxworthy, Jerry Seinfeld, and Tig Notaro are among those advocating on behalf of NIVA members.

THE PEOPLE ARE SPEAKING!

- Through [SaveOurStages.Com](#), individuals sent nearly 2 million emails, reaching all 535 members of Congress. They asked legislators to provide federal assistance to independent venues and promoters.

BIPARTISAN SUPPORT

- Led by legislators of both parties, nearly 150 members of Congress sent letters to Mitch McConnell and Chuck Schumer in the [Senate](#), and Nancy Pelosi and Kevin McCarthy in the [House](#) supporting NIVA's requests.

In order to ensure our survival, we are respectfully asking Congress to:

PROVIDE LONG-TERM ASSISTANCE FOR SHUTTERED BUSINESS

NIVA supports the Save Our Stages Act (S. 4258) led by Senators John Cornyn (R-TX) and Amy Klobuchar (D-MN) and (H.R. 7806) led by Representatives Peter Welch (D-VT) and Roger Williams (R-TX) which would provide a critical lifeline for independent venues. The bill has significant bipartisan support with more than 196 co-sponsors and was included in the Heroes Act passed by the House on October 1, 2020. Key provisions of the Act include:

- Establishes a \$10 billion grant program for live venue operators, promoters, producers and talent representatives.
- Eligible recipients must have fewer than 500 FTEs, not be publicly traded companies, and not own or operate venues in more than 1 country or more than 10 states.
- Each recipient is eligible for a grant no greater than 45% of gross revenue from 2019 or \$12 million, whichever is less.
- Grant funding may be used for expenses incurred between March 1, 2020 and ending on December 31, 2021.
- A recipient is eligible for a supplemental grant equal to 50% of the initial grant if the entity is still experiencing 80% or greater revenue loss on December 1, 2020.
- Grant funding may be used for payroll and benefits, rent, utilities, mortgage interest payments, interest payments, insurance, PPE, existing loans, payments to 1099 employees, and other ordinary and necessary business expenses.

NIVA supports the RESTART Act (S. 3814) led by Senators Todd Young (R-In) and Michael Bennet (D-CO), and (H.R. 7481) led by Representatives Michael Kelly and Jared Golden, and other like-minded proposals that tailor the PPP program to work for shuttered businesses like ours that have zero revenue, high overhead and no clear timeline for reopening. The RESTART Act:

- Finances the equivalent of six months' worth of payroll, benefits, and fixed operating costs.
- Allows for flexible use of loan proceeds and loan forgiveness with no minimums on the percentage dedicated to any one expense.
- Expands eligibility to ensure access for small businesses that have many part-time employees.
- Allows up to 90% loan forgiveness for businesses with fewer than 500 Full Time Equivalent Employees (FTEs) and high revenue loss.
- Implements a generous 7-year payback schedule, wherein principal payments are not required for 2 years and interest payments aren't due for the first 12 months.

RELIEF THROUGH TAX CREDITS

NIVA Supports the bi-partisan Entertainment New Credit Opportunity for Relief & Economic Sustainability (ENCORES) Act (S. 4344) introduced in the Senate by Senators Jon Tester (D-Mont.) and Tom Carper (D-Del.) and (H.R. 7735) introduced in the House by Rep. Ron Kind (D-WI) and Rep. Mike Kelly (R-PA). The ENCORES Act will allow music venues to recoup some of the losses they have experienced due to ticket refunds from canceled events by:

- Providing a tax credit for 50% of the value for refunded tickets to businesses with up to 500 full-time equivalent employees that promote, produce, or manage live concerts, comedy shows, non-professional sporting events, and live theatrical productions.

Other Tax Relief Measures NIVA Supports:

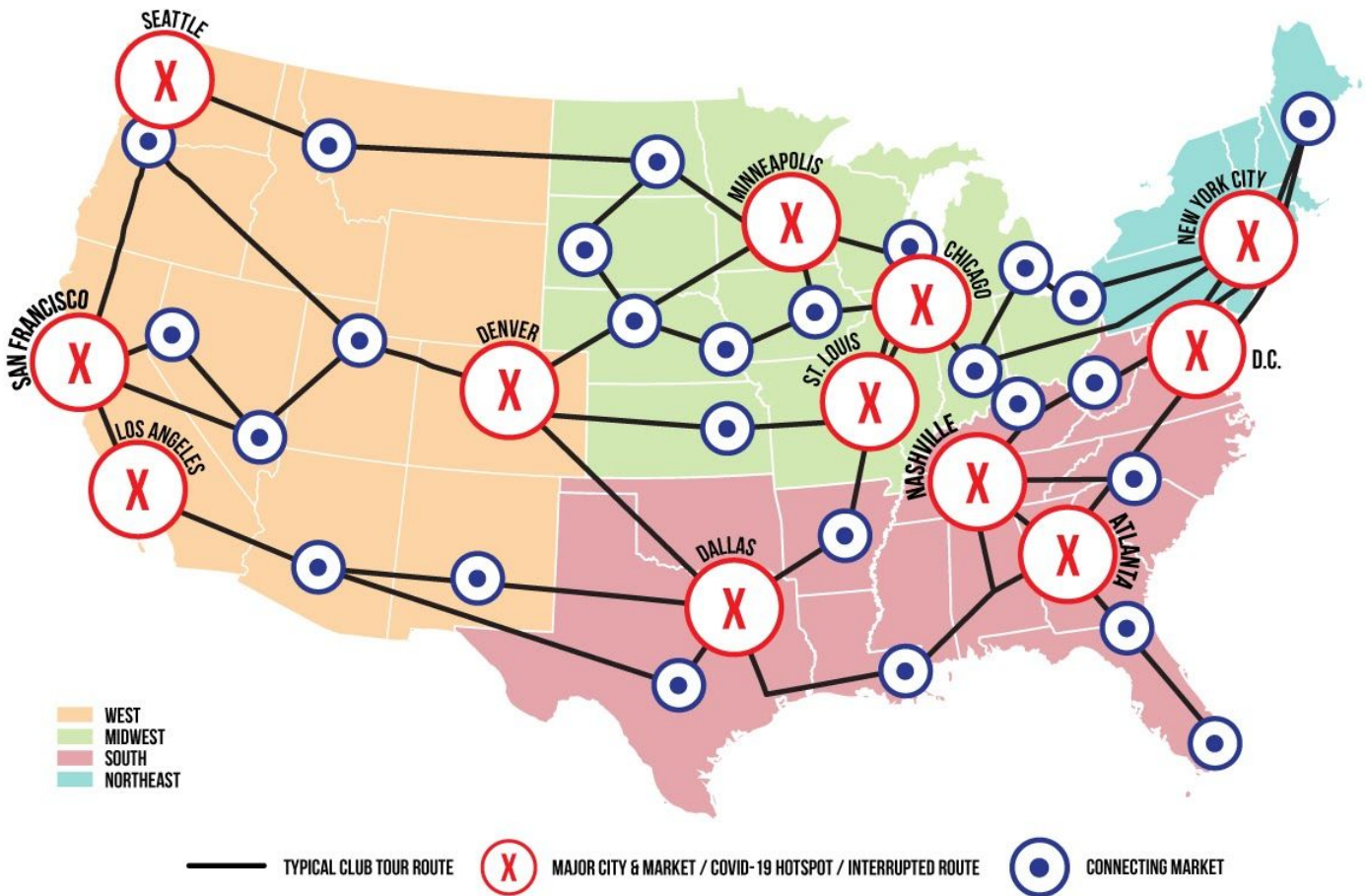
- **Rent/Mortgage Tax Credit.** NIVA supports proposals like the **Keeping the Lights on Act (H.R. 6799)**, which was included in the House-passed HEROES Act, that permit severely distressed small businesses to earn a tax credit for rent, mortgage, and utility expenses.
- **Employee Retention Tax Credit.** NIVA supports expanding eligibility for the ERTC in the CARES Act to include shuttered businesses that are recipients of PPP loans, and continuing this benefit until the industry is able to resume normal operations at full legal capacity.
- **Safe Workplace Incentives.** NIVA supports proposals like the **Clean Start Act (H.R. 7079)**, which provides a tax credit to businesses for added costs related to cleaning & disinfecting products, PPE, and other tools needed to ensure both workers and customers remain safe.
- **Independent Music Creators.** NIVA supports the **Help Independent Tracks Succeed (HITS) Act (H.R. 7886)**, which allows an individual to fully expense for tax purposes the cost of new studio recordings.
- **Excise Tax Relief on Beverage Alcohol.** NIVA supports making the federal excise tax rates on beverage alcohol permanent, as proposed in the **Craft Beverage Modernization & Tax Reform Act (H.R. 1175/S. 362)**, and opposes increases in state excise taxes on beverage alcohol.

CONTINUE UNEMPLOYMENT INSURANCE BENEFITS

- NIVA supports continuing additional unemployment insurance for employees of shuttered businesses, as well as the **Mixed Earner Pandemic Unemployment Assistance Act (H.R. 7691/S. 4442)** which ensures that workers who earn a mix of traditional (W-2) and independent (e.g. 1099) employment income are able to fully access the unemployment assistance provided in the CARES Act.

HOW TOUR ROUTES ARE AFFECTED BY COVID-19

EACH MAJOR MARKET SUPPORTS COUNTLESS SECONDARY MARKETS DUE TO PROXIMITY. IF TOURS CAN'T ROUTE TO PRIMARY MARKETS DUE TO COVID-19 HOTSPOTS, BOTH PRIMARY, SECONDARY, AND TERTIARY CITIES WILL BE IMPACTED.



GEOGRAPHICAL CONSIDERATIONS WHICH MAY AFFECT ARTIST BOOKINGS

LOCAL



Programming at many venues is dependent on availability of Local touring acts

- Travel Restrictions in US and variation across devolved governments
- Requirement to return back to households after shows
- Equipment transportation transfer & hire due to restrictions on equipment sharing
- Increased cost of travel & compliance with regulations and measures
- Unavailability of local venues suitable to meet band requirements

REGIONAL

Programming at many venues is dependent on availability of regional touring acts

- Travel Restrictions in US and variation across devolved governments
- Requirement to return back to households after shows
- Equipment transportation transfer & hire due to restrictions on equipment sharing
- Increased cost of travel & accommodation & compliance with regulations and measures
- Unwillingness to visit high risk areas
- Advance planning (+ 3 Months) & potential variance in regulations



NATIONAL



Programming at many venues is dependent on availability of national touring acts

- Travel Restrictions in US and variation across devolved governments
- Equipment transportation transfer & hire due to restrictions on equipment sharing
- Increased cost of travel & accommodation & compliance with regulations and measures
- Information on variances in compliance measures
- Unwillingness to visit high risk areas
- Variations in vulnerability classification
- Advance planning (+ 3 Months) & potential variance in regulations

INTERNATIONAL

Programming at many venues is dependent on availability of International touring acts

- Travel Restrictions in US & Country of Origin & Limitations on Visas
- Quarantine Restrictions in US & Country of Origin
- Variations in vulnerability classification
- Equipment transportation and transfer
- Outbreaks and resulting restrictions in other countries on tour which may impact both financial viability and time frames
- Increased cost of travel & accommodation & compliance with regulations and measures
- Information on variances in compliance measures
- Unwillingness to visit high risk areas
- Advance planning (+ 6 Months) & potential variance in regulations



Courtesy of REVS Protocols and Guidance - MVA Consultation Version