

STATI UNITI D'AMERICA

REPORT REDATTO DA:

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Disclaimer: Il presente documento è frutto di una ricerca collettiva interna al Tavolo Modelli Esteri, costituitosi spontaneamente all'interno dell'assemblea Lavoratrici e lavoratori dell'arte contemporanea, durante l'emergenza coronavirus in Italia, al fine di analizzare diversi modelli internazionali di previdenza sociale e supporto economico al settore dell'arte contemporanea. Come tale il documento ha carattere informativo ed è rivolto soprattutto al lavoro interno al gruppo; non aspira ad essere esaustivo, né ad avere caratteristiche e valenze di una pubblicazione scientifica.

Disclaimer: This report is rooted in a desire to analyze some of the dominant funding structures and systems present in the United States with the hope of engaging some of the findings that may be applicable or may lend assistance to the Italian systems of funding in the arts. We are additionally interested in steering clear of the shortcomings of the systems analyzed herein. In no way does this report intend to be an exhaustive analysis of the United States funding systems. The scale and complexity across the US systems, operating on so many levels, with some arenas with little available information, and others with lengthy histories of data collection and contextual analysis to which this work is directly indebted, we aspire for a general and basic overview with a main focus on the NEA hoping that this may be helpful to all those interested in structures, policies and strategies around the funding of contemporary art and the implementation of knowledge around models that exist beyond the Italian panorama.

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CAP 1 / INQUADRAMENTO DI SISTEMA

Governance culturale: Inquadramento generale, eventualmente con rapidi riferimenti storici a leggi quadro per dare un'overview nello specifico di chi ha competenza in cosa, quali organi (pubblici o pubblici-privati) sono preposti a cosa, e se ci siano politiche di sotto-settore specifiche sviluppate. Interessante identificare anche iniziative e processi avviati da società civile o organizzazioni di lavoratori che hanno influenzato policy-making o dinamiche nel settore.

/ Tendenze governance di settore: in che sistema economico siamo? Pubblico vs privato, mercato e no profit, come agisce il settore pubblico?

Sommario della sezione

The United States represents the biggest global economic power in the world and with that, the largest impact on the artistic economy and workforce. The country is composed of 328.2 million people distributed in 50 states with 5.1 million arts and cultural sector jobs in 2017 accounting for 1.4% of the total workforce and 6.9 of the professional workforce with 2.5 million artists, 1.5 million people with primary jobs in cultural occupations in the country based on a 2019 survey. The largest populations of artists are based in the states of New York and California, as such, a portion of the research cited herein has a focus based on the state, county and municipal funding structure of New York State and New York City. The USA has the largest Art Market globally with an estimated share of 44% in 2018.

Most of the federal effort is embedded in a single program which is the NEA (National Endowment for the Arts) with its administrative branch the NEH (National Endowment for the Humanities). The program is headed by a chairman, nominated by the US President and confirmed by the senate, who oversees a council of advisors. Arts funding and the distribution of NEA funding extends across all governmental levels including Federal, State, County and Municipal levels. While total appropriations are generally highest at the Federal level and lowest at the Municipal level, the comparison and impact is drastically different when the numbers are viewed on a per capita basis.

Relevant public programs include the Percent for the Arts project administered through the General Services Administration, which has been implemented by every state in the USA, requiring corporate and public spending alike to invest a percentage towards the commissioning of art works. Another significant association and organizing strategy for arts funding is that of Grantmakers in the Arts which is the only national organization of private and public arts funders. Pulling together private, public and corporate arts funders the organization engages in leadership strategies to foster philanthropy and governmental support for the arts and culture.

Private philanthropy plays a major role contributing the largest amount of dollars in supporting the contemporary art section and nonprofits are generally entrusted with the redistribution of available funding. Historic programs such as the WPA (Works Progress association initiated by Roosevelt in 1939) represent the most significant moment of federal investment and faith in the arts using artists as what would in the days of this current pandemic be termed “Essential Workers” for the reconstruction of a post-Depression USA. The programs associated with this era are anomalies in the history of Federal engagement in the arts.

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The country is composed of 328.2 million people distributed in 50 states with 2.1 million artists based on a 2005 Survey¹. The highest number of artists are situated in the states of New York and California. The USA has the largest Art Market globally with an estimated share of 44% in 2018.

Arts and culture play a significant role in the economic activity of the country. The value added to GDP by arts and cultural production is nearly five times greater than that of the agricultural sector: in 2017 was \$877.8 billion, amounting to 4.5% of gross domestic product.² Arts and culture adds nearly \$60 billion more than construction and \$227 billion more than transportation and warehousing to the U.S. economy. Between 1998 and 2016, the arts and culture sector's contribution to GDP grew by 69.5%. Performing arts companies and independent artists, writers, and entertainers added a combined total of \$52.2 billion to the U.S. economy in 2017. America's nonprofit arts industry generates \$166.3 billion in economic activity every year, resulting in \$27.5 billion in federal, state and local tax revenues. There were 5.1 million arts and cultural sector jobs in America in 2017—accounting for 3.4% of all U.S. jobs—which collectively paid workers a total of \$404.9 billion. More than half of the artists in the United States (58%) are employed in the private, for-profit sector.³

Arts and cultural goods create a trade surplus. In 2016, the U.S. exported nearly \$25 billion more in arts and cultural goods and services than it imported, a 12-fold increase over 10 years. The Arts and Cultural Production Satellite Account exports are driven by

¹ <https://www.artbasel.com/news/art-market-report>

² https://nasaa-arts.org/nasaa_research/facts-figures-on-the-creative-economy/

³ https://nasaa-arts.org/nasaa_research/facts-figures-on-the-creative-economy/

movies and TV programs, advertising, and art related software such as video games. The average annual growth rate for arts and culture outperforms the growth rate of the total U.S. economy. From 2014 to 2016, the average annual growth rate in the contribution of arts and culture was 4.16 percent, nearly double the 2.22 percent growth rate of the total U.S. economy. Consumer spending of the performing arts has risen significantly. Between 1998 and 2016, the rate of consumer spending on performing arts admissions more than doubled, rising from 0.12 percent of U.S. GDP in 1998 to 0.26 percent, totaling \$32.7 billion, in 2016.⁴

Thirteen states had an average annual growth rate above the national average of 5.9 percent, as measured over the three year period of 2014 to 2016. Listed in order, these states were the fastest growing for the percentage of their gross state product coming from arts and cultural industries:

- Washington State: 11.9 percent
- Georgia: 11.1 percent
- Utah: 10.2 percent^[SEP]
- Nevada: 9.8 percent
- California: 7.8 percent
- *Tennessee: 7.8 percent
- New Mexico: 7.7 percent
- *South Carolina: 7.5 percent
- Florida: 7.1 percent
- *Montana: 6.6 percent
- Oregon: 6.5 percent
- Colorado: 6.3 percent
- Massachusetts: 6.2 percent⁵

*These states are identified as rural because 30 percent or more of the state's population live in rural areas.

The USA represents a specific model of cultural policy making due to its reliance on pluralism in administration and funding. In the United States, support for the arts is a mixed system involving public funding, philanthropy, and earned income as sources of revenue. There is no "ministry of culture" in the United States, that is, a Cabinet-level department responsible for comprehensive cultural policymaking and for administering a wide range of cultural activities.⁶

Before 1965 the arts in the United States enjoyed "no large-scale and continuous tradition of direct subsidy by the government, such as was common in Europe," (Cummings in Mulcahy and Swaim, 1982:142). An exception can be noted during the New Deal when the Roosevelt administration sponsored an innovative and comprehensive program of governmental art patronage in American history. The New Deal-era cultural programs were predicated on the belief that art could help people "to weather the Depression by giving them meaningful and hopeful communal (and governmental) symbols" (Park and Markowitz in Senie and Webster, 1992:131).⁷ Central programs within this framework include The Federal Art Project created in 1935 to provide work relief for visual artists working across mediums, the Public Works of Art Project (1933-34), the Treasury's Section of Fine Arts (1934-42) and its Treasury Relief Art Project (1935-38). These efforts were part of the WPA program and led to the establishing of a range of Arts Community Centers. However, the Roosevelt administration's efforts were a distinct exception to the American tradition of cultural patronage and reflected the exceptional exigencies of the Great Depression rather than any enduring commitment to a national policy to promote public culture.⁸

Arts funding in the United States happens on all governmental levels including Federal, State, County and Municipal levels. While total appropriations are generally highest at the Federal level and lowest at the Municipal level, the comparison and impact is drastically different when the numbers are viewed on a per capita basis.⁹

In the United States, government support for cultural affairs is typically associated with the National Endowment for the Arts (NEA) established in 1965. The NEA is the independent federal agency whose mission is "To strengthen the creative capacity of communities by providing all Americans with greater access through diverse opportunities for participation in the arts." The National Foundation on the Arts and Humanities Act of 1965 outlines the NEA's functions as providing: matching grants to States, to non-profit or public groups, and grants to individuals engaged in the creative and performing arts for the whole range of artistic activity. A major objective of this legislation is to stimulate private philanthropy for cultural endeavours and State activities to benefit the arts.

⁴ <https://www.arts.gov/news/2019/latest-data-shows-increase-us-economy-arts-and-cultural-sector>

⁵ <https://www.arts.gov/news/2019/latest-data-shows-increase-us-economy-arts-and-cultural-sector>

⁶ Mulcahy, Kevin V. "American Cultural Patronage: The Limits of Privatization"

⁷ Mulcahy, Kevin V. "American Cultural Patronage: The Limits of Privatization"

⁸ Mulcahy, Kevin V. "American Cultural Patronage: The Limits of Privatization"

⁹ Colwell, Richard, and Carol P. Richardson. *The New Handbook of Research on Music Teaching and Learning: A Project of the Music Educators National Conference*. Oxford: Oxford University Press, 2002. Print.

The term "the arts" includes, but is not limited to, music (instrumental and vocal), dance, drama, folk art, creative writing, architecture and allied fields, painting, sculpture, photography, graphic and craft arts, industrial design, costume and fashion design, motion pictures, television, radio, tape and sound, recording, and the arts related to the presentation, performance, execution, and exhibition of such major art forms (Public Law 89-209, 1965: 1).

The NEA's administrative companion, the National Endowment for the Humanities (NEH), provides support for scholarly studies and public programs in the following disciplines: "history, philosophy, languages, linguistics, literature, archeology, jurisprudence, history and criticism of the arts, ethics, comparative religion, and those aspects of the social sciences employing historical or philosophical approaches."

Among the other federal agencies and departments involved in cultural affairs besides the NEA and NEH are the Federal Council on the Arts and Humanities (which has been sporadically active in coordinating federal cultural policies), the National Gallery of Art, and Smithsonian Institution (which includes federal museums such as the Hirshhorn, Sackler Gallery, Freer Gallery, Museum of American History, Air and Space Museum), the Library of Congress, the Corporation for Public Broadcasting, the Institute of Museum and Library Services. The Department of the Interior supports Native-American arts and crafts as well as overseeing the allocation of historic-preservation funds.¹⁰

The Arts Endowment is led by a Chairman – appointed by the President and confirmed by the United States Senate – and advised by the National Council on the Arts. The National Council on the Arts advises the Chairman of the National Endowment for the Arts, who also chairs the Council, on agency policies and programs. It reviews and makes recommendations to the Chairman on applications for grants, funding guidelines, and leadership initiatives. The Council was established through the National Arts and Cultural Development Act of 1964, a full year before the federal agency was created by Congressional legislation.

The National Foundation on the Arts and Humanities Act of 1965 established the National Endowment for the Arts and provided for 26 citizens to serve as advisors to the agency as members of the National Council on the Arts. The Council was established through the National Arts and Cultural Development Act of 1964, a full year before the federal agency was created by Congressional legislation. Members are appointed by the President and approved by the Senate for six-year, staggered terms. Congress has since enacted legislation that reduced the membership of the Council. Currently, there are 18 members of the National Council on the Arts and an additional six members of Congress to serve in an ex officio, non-voting capacity for two-year terms. The Presidential appointments, by law, are selected for their widely recognized knowledge of the arts or their expertise or profound interest in the arts. They have records of distinguished service or achieved eminence in the arts and are appointed so as to represent equitably all geographical areas of the country. Congressional members are appointed in the following manner: two by the Speaker of the House, one by the Minority Leader of the House, two by the Majority Leader of the Senate, and one by the Minority Leader of the Senate.

The major areas in which the Council advises the agency and its Chairman are: Applications for Federal grant funds recommended by advisory panels; Guidelines outlining funding categories, objectives, and eligibility; Leadership initiatives and partnership agreements with other agencies; Agency budget levels, allocations, and funding priorities; Policy directions involving Congressional legislation and other issues of importance to the arts nationally.

In February 2009, President Barack Obama signed into law the American Recovery and Reinvestment Act (ARRA) to create and protect jobs in the aftermath of the 2007-2009 economic recession. ARRA recognized the not-for-profit arts industry as an important sector of the economy and, consequently, the NEA distributed \$50 million in recovery funds to preserve arts related jobs threatened by the decline of philanthropic support during the recession. Through ARRA, the NEA awarded 637 one-time grants totaling \$30 million; the remaining \$20 million in ARRA funding was distributed through state and regional arts organizations.

/ Cosa interessa al pubblico? Quali sotto-settori sono finanziati (es. film commission per il cinema, bandi regionali etc.)?

Sommario della sezione

The best publicly funded sector of art in the United States is that of Theater followed by Music, Arts Education then Media Arts. There is a fair amount of disproportion in regards to median wages and salaried occupations in the arts with Architecture at the top of the pay ladder and Dancers and Choreographers at the bottom. There is also an overall lack of equity across racial and gender lines when demographics are considered in more detail. This uneven distribution is further exacerbated by the fact that 2% of Cultural Institutions receive almost 60% of all revenue, which leads us to question the correlation of the distribution of arts funding as representative of Public interest.

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The National Endowment for the Arts is structured through the following Artistic Field Directorships: Accessibility; Media Arts; Arts Education; Dance; Design and Creative Placemaking; Folk & Traditional Arts; Literary Arts; Museums & Visual Arts; Music &

¹⁰ Mulcahy, Kevin V. "American Cultural Patronage: The Limits of Privatization"

Opera; Presenting & Multidisciplinary Works and Artist Communities; State, Regional & Local Partnerships and International Activities; Theater & Musical Theater.

If we can determine what the public seeks based on the highest paid labor in the arts in the USA then architecture followed by film and TV producers and directors are those at the top of the pay ladder as funded sectors. Extending further down the ladder amongst those more paid are the occupations of writers and authors, then designers.¹¹

In FY 2019, the National Endowment for the Arts awarded more than 2,400 grants and cooperative agreements, reaching more than 16,000 communities and every Congressional district throughout the country. A recent examination of the agency's direct grants showed that 62% go to small and medium organizations (less than \$2 million in prior year expenditures).¹²

If we take FY 2019 as an example, grants were allocated by NEA as follows:¹³

Artist Communities: 40 awardees, for a total of USD 740,000
Arts Education: 172 awardees, for a total of USD 5,474,633
Dance: 173 awardees, for a total of USD 4,007,724
Media Arts (Films and Moving Image): 195 awardees, for a total of USD 5,174,945
Museums: 113 awardees, for a total of USD 3,715,000
Music: 263 awardees, for a total of USD 5,605,000
Musical Theater: 34 awardees, for a total of USD 705,000
Opera: 70 awardees, for a total of USD 2,055,000
Theater: 235 awardees, for a total of USD 6,776,999
Visual arts: 137 awardees, for a total of USD 3,325,000

/ Chi decide? Chi legifera e implementa le decisioni? Cosa dipende dallo Stato centrale, cosa dalle regioni, che flusso seguono i fondi?

Sommario della sezione

The central influence in regards to federal funding in the United States is exerted through the NEA with its influence at State, county and city levels. This is orchestrated through advisory councils and funding is generally coordinated across sectors from Federal to Private with the larger portion of funding coming from the Private sector including foundations but also individual giving (which represents around 1/3 of the total revenue of the cultural sector). Local Arts Agencies (LAAs) broken down into Non profits 501(c)(3)s or administrative units of cities or counties with 2/3rds operating in the private sector, half of their funding coming from public sources. A case breakdown of New York at State, City and Borough levels is elaborated upon herein serving as one example of operational structures and programs. This section also addresses the lack of diversity across leadership sectors at private and public levels in relation to the demographics that they serve.

The National Endowment for the Arts extends its influence through state arts agencies (SAAs) and regional arts organizations (RAOs), ensuring that programs reach even the smallest communities in remote rural areas. By Congressional statute, 40 percent of the agency's grant-making funds are allocated to the 50 States, six special jurisdictions, and six RAOs. Half of the SAAs are independent agencies and half are located within other departments of state government such as education, economic development, tourism.

Every state arts agency is governed by a part-time, advisory council usually appointed by the governor and approved by the state legislature. These governing bodies review grant recommendations, set agency policy and determine the goals of public support of the arts in their state or territory. Nearly half of the states have some form of decentralization program through which part of its funds are regranted to artists and arts organizations by local arts agencies (Mulcahy in Beaulac and Colbert, 1992: 60-63). Each state has a humanities council which is often organized as a not-for-profit organization.¹⁴

State governments match the federal Arts Endowment grant dollars to create additional investments that support programs and initiatives that respond to constituent needs in arts education, organizational and community development, preservation of diverse cultures, and providing access to the arts. In recent years, more than 4,400 communities have been served each year through grants made possible by partnership agreements with SAAs and RAOs.

¹¹ https://www.arts.gov/sites/default/files/Artists_and_Other_Cultural_Workers.pdf

¹² Grant organization size breakdown: Small <\$500k in prior year expenditures; Medium \$500k-\$2m; Large >\$2m

¹³ Source: <https://apps.nea.gov/grantsearch/>

¹⁴ Mulcahy, Kevin V. "American Cultural Patronage: The Limits of Privatization"

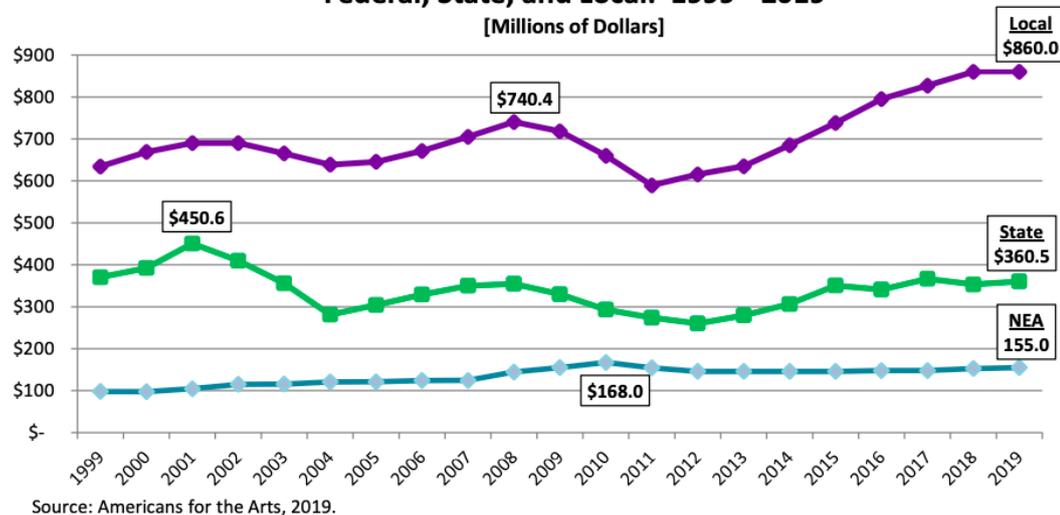
Based upon historical review of final reports filed by grantees, it is estimated that each \$1 awarded by the NEA in direct grants to nonprofit organizations leverages \$9 from other non-federal sources. This results in more than \$500 million in matching support. Federal, state, and local public funding for the arts totaled \$1.37 billion in FY2018.

At the local level, a local arts agency (LAA) is defined as a not-for-profit organization or an agency of city or county government which primarily provides programs, services, financial support, and cultural planning for arts organizations, individual artists, and the community as a whole. In its "Local Programs Guidelines," the National Endowment for the Arts defines a LAA as either a nonprofit, 501(c)(3) corporation designated to operate on behalf of its local government or an administrative unit of city or county government. Three-fourths of all LAAs are private not-for-profits; among the largest LAAs, two-thirds are agencies of state or county governments. There are approximately 3,800 local arts agencies throughout the United States and territories of which about 1,000 operate with a professional staff. LAAs serve 80 percent of American communities and are found in 90 percent of the largest cities; overall, 49 percent of local arts agencies are urban, 30 percent are rural and 21 percent are suburban.

While grantmaking is the most common activity, 87 percent of LAAs manage festivals and art exhibitions; over 70 percent provide services such as advocacy, volunteer referral, arts calendars and newsletters; 57 percent collaborate with convention and visitors bureaus and one-third administer programs for art in public places. In addition, other funds are available to the arts from other local agencies such as parks and recreation departments and downtown development districts. In effect, the local arts agency is a catalyst that brings together a range of community organizations (public and not-for-profit) to serve a public-cultural purpose.

The local arts agency is largely a community creation that depends on mixed funding from public, private, and earned-income sources. Overall, LAAs received 50 percent of their funds from public sources (primarily local governments), 31 percent from earned income, and 19 percent from the private sector as corporate and individual contributions.¹⁵

Government Funding to Arts Agencies Federal, State, and Local: 1999 - 2019



Local governments spend the most dollars on arts and culture when compared to states and the NEA, but local arts agencies are less likely to focus their services on grantmaking. According to the 2015 local arts agency census from Americans for the Arts, 53 percent of local arts agencies provide direct community investment in local artists or arts organizations. Larger percentages of local arts agencies support direct culture programming, such as public art and festivals, as well as service provision such as arts marketing. Of the local arts agencies that are involved in grantmaking, 92 percent do so for cultural and artistic programming, and 49 percent provide operating support.¹⁶

¹⁵ Mulcahy, Kevin V. "American Cultural Patronage: The Limits of Privatization"

¹⁶ <https://www.giarts.org/public-funding-arts-2018>

TABLE 1. Comparative grantmaking statistics by selected award types

	Foundation Center by Candid 1000		National Endowment for the Arts		State Arts Agencies	
	Dollars	Awards	Dollars	Awards	Dollars	Awards
Operating support	\$509,882,288	4,896	N/A	N/A	\$124,710,034	5,712
Museums	\$740,000,000	4,183	\$3,927,064	127	\$31,934,712	1,268
Capital and infrastructure	\$329,624,291	989	N/A	N/A	\$3,524,147	183
Arts education	\$110,200,000	N/A	\$5,688,955	192	\$79,190,870	9,710
Individual artists and fellowships	N/A	N/A	\$1,600,000	74	\$8,426,931	2,402

Source: GIA Reader, vol. 29, no. 1, Winter 2018. Foundation Center by Candid Sample, 2015, excludes grants of less than \$10,000; NEA arts.gov grants search, FY2017, excludes partnership awards to state arts agencies and regional arts organizations; SAA Final Descriptive Report records, FY2017.

Public funding — both state and local — has important value to the cultural sector above and beyond the dollar amounts involved. In fact, because state and local arts agencies distribute their resources across a very broad constituency, their grant amounts can be small relative to other sources of revenue for many arts organizations. However, most public arts agencies’ select their grantees through rigorous peer-panel processes, which involves a high level of due diligence about quality and relevance. This functions as a “seal of approval” that often unlocks other sources of support. Many private funding sources — foundations, corporations, and individuals — look for evidence of public funding as a prerequisite for their own grants. If they have not received public funds, cultural groups may be excluded from other sources of support.¹⁷

Focus 1 - Territorial redistribution

Each state has a different breakdown, making it difficult to provide an overview or analysis of the cultural impact on a state level. We took NY State and California as two examples according to our professional experience.

Territorial redistribution: New York State

1. State level:

New York State Council on the Arts (NYSCA)

Through its core grantmaking activity, NYSCA awarded \$43.8M in FY2020 to 2,500 organizations statewide through direct grants and regrants in 15 programs. The Decentralization (DEC) program initiates funding partnerships with regional arts councils and cultural organizations, reaching all 62 state counties. The local grant making organizations providing support in a wide range of arts disciplines are referred to as Decentralization (DEC) sites.

2. City level:

New York City Department of Cultural Affairs (DCLA)

The New York City DCLA is the largest municipal funder of culture in the country. DCLA is dedicated to supporting and strengthening New York City’s vibrant cultural life. Among its primary missions is to ensure adequate public funding for non-profit cultural organizations, both large and small, throughout the five boroughs. DCLA also works to promote and advocate for quality arts programming and to articulate the contribution made by the cultural community to the City’s economic vitality. The Department represents and serves non-profit cultural organizations involved in the visual, literary and performing arts; public-oriented science and humanities institutions including zoos, botanical gardens and historic and preservation societies; and creative artists at all skill levels who live and work within the City’s five boroughs.

Through its Materials for the Arts Program, DCLA provides free supplies for use in arts programs offered by non-profit groups and New York City public schools. DCLA has also changed the physical landscape of New York City through its Percent for Art program by commissioning more than 180 works of art by some of the world’s leading artists at public building sites throughout the city.

Cultural Affairs is structured primarily into three funding divisions:

1. Program Services Unit: Administers funds supporting 881 groups that provide cultural experiences for the City’s residents and visitors.
2. Cultural Institutions Unit: Provides operational support (in the form of unrestricted operating grants and the payment of all energy bills - heat, light and power) for major cultural institutions occupying City-owned buildings or land.
3. Capital Projects Unit: Provides capital design, construction and equipment funds for those institutions and other cultural groups in City-owned and non City-owned facilities.

In addition, Cultural Affairs provides: Access by artists and cultural institutions to the information, materials and resources to reinforce their creative contributions to the City.

¹⁷ <https://www.qiarts.org/article/how-are-private-funders-responding-cuts-public-funding>

The NYC Department of Cultural Affairs (DCLA) works with individual artists through the Percent for Art permanent public art program and the newly launched Public Artists in Residence program. In addition, DCLA supports New York City artists directly and indirectly through various ongoing efforts as well as through local arts councils.

Affordable Real Estate for Artists (AREA) is a long term initiative, announced by Mayor Bill de Blasio in 2015, to ensure that artists continue to thrive and work in New York City. AREA will grow the City's supply of affordable housing and workspace for artists over the next ten years.

SU-CASA places artists and arts organizations in residence at senior centers across the five boroughs of New York City.

3. Borough level:

Artist grants and fellowships are provided by local arts councils. For more information on funding and opportunities for artists, visit the arts council in your borough:

Bronx Council on the Arts: Serves Bronx artists and arts organizations by providing financial support, re-grant funding, information services, technical assistance, professional development, and community programming. www.bronxarts.org

Brooklyn Arts Council: Offers service and support to Brooklyn artists and arts organizations, including re-grant funding. www.brooklynartscouncil.org

Lower Manhattan Cultural Council: Leading arts presenter, advocate, and service provider to artists and arts groups throughout Lower Manhattan. Also provides services and re-grant programs through neighborhood-based organizations across Manhattan. www.lmcc.net

Queens Council on the Arts: Fosters, develops, and promotes cultural organizations within Queens, and provides services to artists and arts organizations including re-grant funding. www.queenscouncilarts.org

Staten Island Arts: Develops, fosters, and promotes arts, cultural, and humanities activities on Staten Island, and provides re-grant funding within the borough. www.statenislandarts.org

Territorial redistribution: California

1. State level:

California Arts Council (CAC) is a state agency founded through 4 primary sources: California State General Fund, The National Endowment for the Arts, proceeds from sales and renewals of California's Arts Plate and donations from the Keep Arts in School Fund.

According to the CAC Strategic Framework (2020 - 2027) the CAC has 20 grant programs providing project bases and general operating support for the arts, including intersectional work in education, reentry after incarceration, community engagement and empowerment, creative placemaking, artist residencies, media, veteran services, justice system-involved youth, historically underserved populations and individuals with disabilities.

In 2018-2019 there was **\$15.1 million** one-time general fund allocation and in 2019-2020 **\$26.083 million** general fund allocation + **\$27.5 million** one-time general fund allocation to 7 designated investments to promote California's arts and cultural diversity.

In 2018 - 2019 it granted **\$24,451,331** to **1337 recipients**.

2. City level - San Francisco and the Bay Area

San Francisco Arts Commission (SFAC)

According to its Strategic Plan (2014-2019) the SFAC is the city agency that supports and promotes the arts as 'essential to daily life' by investing in the arts community, the urban environment and innovative cultural policy. It has an annual grantmaking budget of over \$4million: the SFAC's Cultural Equity Grants program awards \$1.8million each year to artists and arts organizations working with the City and County of SF. It also provides \$2.2 million in non-competitive operating grants to the City's 6 Cultural Centers (Each of the Cultural Centers has an annual one-dollar lease for its facility in addition to the non-competitive general operating grant from the SFAC).

The SFAC also manages the Civic Design Review, Public Art (5% for maintenance funds) and the Civic Art Collection. The SFAC is charged with preservation of the Civic Art Collection, although no dedicated funding stream is identified in the City Charter for this purpose.

Arts and culture-inspired tourism contributes **\$1.7 billion** to the local economy, and non-profit arts and culture organizations support approximately **19,744 full-time equivalent jobs** and **\$508.9 million** in household income to local residents.

Grants Categories:

1. [Artistic Legacy Grant](#): annual grant for \$40,000 to acknowledge the impact of an artistic director that has served the organization consistently for 25 years or more.
2. [Cultural Equity Initiatives](#): grants up to \$100,000 to small and mid-sized arts organizations that are deeply rooted in historically marginalized communities, for capacity-building initiatives that ensure the artistic and cultural vitality.
3. [Creative Space Planning & Facilities](#): to improve existing arts facilities and develop new ones that will support the work of San Francisco's arts organizations and artists.
4. [Ebony McKinney Arts Leadership Grant](#): recognizes emerging arts and culture administrators who are addressing critical issues facing SF's arts community, and to continue the work of Ebony McKinney, whose deep commitment to cultivating leaders of color. This grant has been created in collaboration with [Emerging Arts Professional SF/Bay Area](#) (a network focused on empowerment, leadership, and growth of next generation arts and culture workers in the San Francisco Bay Area).
5. [Individual Artists Commission](#): with a contribution up to \$20,000 supports individual artists who have been continuous residents for specific personal, artistic projects that, in turn, stimulate the creation and presentation of new works of art throughout the city's neighborhoods.
6. [Organization Project Grants](#): supports small and mid-sized arts organizations in the production and presentation of artistic works.
7. [Special Projects](#): Occasionally, the Arts Commission receives additional funding from the Board of Supervisors for one-time projects.
8. [Street Artist Licensing](#)
9. [Artist in Residence \(AIR\)](#): builds partnerships with City Departments in order to provide residency opportunities that result in strengthening the value of artists participating in and responding to the advancement of civic dialogue. AIR opportunities are only open to artists residing in the Bay Area.

Other Institutions and Foundations supporting artists and art projects in the Bay Area:

1. [Fort Mason Center for Arts & Culture \(FMCAC\)](#): nonprofit operating within a Historic Landmark District along the northern waterfront of the SF Bay. It's part of the Golden Gate National Recreation Area and it provides approximately **\$2.5 million** in annual grants to local arts organizations, it hosts nearly two dozen nonprofit and arts organizations as permanent residents.
2. [Alternative Exposure](#): Southern Exposure's Alternative Exposure (AltEx) grant program supports the independent, self-organized work of artists and small groups that play a critical and significant role within the San Francisco Bay Area arts community. AltEx provides monetary awards to foster the development and presentation of artist-led projects and programs that are direct, accessible, and open to the public. It has awarded **\$873,400** in direct funds to **219 Bay Area projects** to date.
3. [San Francisco Grants for the Arts \(GFTA\)](#) has evolved into an international model of arts funding with annual revenue derived from the hotel tax. Since its inception in 1961, GFTA has distributed nearly **\$400 million** to hundreds of nonprofit arts and culture organizations in San Francisco.
4. [The Kenneth Rainin Foundation](#) (philanthropy): It provides support for small and mid-sized performing and multidisciplinary arts organizations in the Bay Area. It promotes 4 main grants: [New and Experimental Works \(NEW\) Program](#), [Open Spaces Program](#), [SFFILM / Rainin Filmmaking Grants](#) and the [Rainin Arts Real Estate Strategy](#).
5. [Phyllis C. Wattis Foundation](#): supports individual artists and small organizations through 2 main grants: the New Works and the Legacy Grant.
6. [Community Arts Stabilization Trust \(CAST\)](#): it purchases and leases space for the exclusive use of nonprofit arts organizations which might be forced to leave because of the rising cost of real estate in the Bay Area.

/ Che ruolo hanno i privati? (fondazioni, gallerie, banche, università, enti no profit e singoli), Perché e come sono incentivati a "investire" nel sostegno all'arte? Quali sono gli standard e i criteri di valutazione dell'impatto sociale di determinate iniziative private e come queste beneficiano di aiuti pubblici o sgravi? Esistono servizi offerti da enti indipendenti (incluse iniziative 'civiche' come cooperative, associazioni etc) in risposta a carenze del pubblico o del mercato, ad esempio nel settore sindacale, dell'educazione e della previdenza?

Sommario della sezione

Private funders contribute the largest amount to foundations and artists. This is incentivized by the tax system, which permits large

annual deductible contributions (up to 60%) diminishing taxes. This sector is subdivided into Non Profits, Foundations and Corporations and examines the incentivisation of giving and receiving for each of these subgroups. The overlapping of public and private funding as well as the recalibration of the distribution of funding through matching funds and the private support of entities less funded in the public realm are additionally explored.

The American arts organization is typically a private, not-for-profit entity supported by earned income, individual and foundation philanthropy and government funding; it is neither a public agency, nor one that is largely supported by public funds.

Charitable giving by individuals and businesses is an important source of funding for nonprofit organizations. Donors receive economic benefit from a reduction in the amount of paid taxes. The motivation to reduce taxes by contributing to a nonprofit is known in economic terms as a tax incentive. Tax incentives are incorporated in the tax codes at all levels of government: federal, state and local.¹⁸

Since 1917, individual taxpayers have been able to deduct charitable contributions from income that might otherwise be taxed. Individuals may deduct cash and certain other contributions up to 60 percent of adjusted gross income (AGI) in a given year and may carry forward any excess for deduction on future tax returns for up to five years. Contributions by individuals or corporations can take the form of cash, financial assets, or other noncash property such as real estate, clothing, or artwork. Certain contributions face greater restrictions than cash contributions, whereas others receive more generous treatment than cash.¹⁹

Private philanthropy

Recent figures show that charitable gifts of money have been 2 percent or more of GDP since 1998 and currently more than 89 percent of citizens donate to charity.²⁰ In the first year of the new millennium, arts and culture benefited from 4.6 percent of total private contributions, including giving by individuals, foundations, and corporations. In 2014, it accounted for 4.5 percent, suggesting just a minor fluctuation in support during this period. Estimated private contributions for the arts reached \$16 billion in 2014, up from \$10.6 billion in 2000. After inflation, this represented a 10 percent gain. During the same period, total private contributions for all sectors rose close to 14 percent after inflation.²¹

Nonprofits

Arts organizations in the United States constitute themselves as 501(c)(3)s, that is, tax exempt, not-for-profit, autonomous agencies, and cultural organizations. These organizations benefit from provisions allowing corporations, foundations, and individuals to deduct the full amount of charitable contributions made to them. Also, nonprofit arts organizations generally do not pay local property taxes, nor federal tax, nor local sales taxes on income that is related to their mission. Nonprofits also receive substantial subsidies through preferential postal rates; for example, nonprofits receive a 60 percent discount off the third-class postage rate (Cummings in Benedict, 1991: 39-41).²² Arts organizations can receive funding from federal, state, and local agencies, as well as from private foundations and donors.

Foundations

Foundation support for the arts often is packaged in large awards. Among the foundations tracked longitudinally by the Foundation Center, grants of \$500,000 or more accounted for 58 percent of all arts grant making. While beneficial to many in the arts community, this scale of support excludes many smaller, grassroots groups. The median NEA award size is \$25,000 and the median state arts agency grant amount is \$4,390 – making support broadly accessible through smaller, widely distributed awards.²³ In 2015, foundation funding for the largest 1,000 foundations totaled approximately \$2.5 billion dollars and 19,635 arts and culture grants. Candid (formerly Foundation Center) estimates indicated that US foundation giving overall increased by 5 percent in 2015; 86,000 active foundations gave a total of \$62.8 billion in 2015. However, giving from the largest 1,000 foundations to arts and culture remained stagnant, accounting for 9 percent of all funding. With this amalgamation of grantmaking policies and agendas, it is difficult to find comparative data across public and private sectors. Standardized data collection practices are not employed at the local arts agency level.²⁴

Corporations

¹⁸ <https://www.learningtogive.org/resources/tax-incentives-economic-basis-charitable-giving>

¹⁹ <https://www.taxpolicycenter.org/briefing-book/what-tax-treatment-charitable-contributions>

²⁰ <https://www.povertyactionlab.org/evaluation/effect-matching-ratios-charitable-giving-united-states>

²¹ <https://www.giarts.org/arts-funding-twenty-five#notes>

²² Mulcahy, Kevin V. "American Cultural Patronage: The Limits of Privatization"

²³ <https://mellon.org/shared-experiences-blog/better-together-public-and-private-funding-arts>

²⁴ <https://www.giarts.org/public-funding-arts-2018>

In 1935, Congress extended the right to deduct charitable contributions to corporations. Corporations may not deduct more than 10 percent of their pretax income in a given year but, like individuals, may carry forward excess donations for five years. Some corporate contributions, however, might also qualify as business expenses.²⁵

Corporate support for the arts has not fared well since the start of the new century. Data from The Conference Board for 2000 to 2010 suggest that corporate funding for the arts dropped by half after inflation over this period, in contrast to *Giving USA*'s projected 16 percent rise in overall corporate contributions after inflation during the same time frame. Corporate giving for the arts declined in 2003 and 2004 and for three consecutive years from 2008 through 2010. Subsequent research suggests an upturn in corporate support for the arts beginning in 2013. A recent analysis of corporate giving for the arts found that 81 percent of surveyed companies provided philanthropic support, while a lesser 73 percent of these companies gave to arts organizations. Smaller companies were more likely to fund the arts, which "reflects the fact that small businesses tend to focus their community engagements more locally than larger business, which have already spread their operations nationally or internationally." Among the potential factors affecting corporate support for the arts may be the ability of the sector to demonstrate impact. The report's authors observed, "Most companies are not focused on measuring the impact of arts support, but rather see it simply as a necessary practice that does not require much further investment." This conclusion was echoed in another recent study, whose author concluded, "As corporations integrate their philanthropic giving into the 'double bottom line' with an eye toward quantifiable return on their 'investments,' arts and culture are often at a disadvantage in relation to other programmatic focus areas (e.g., education, health, and the environment), which may benefit from a greater array of 'countable' outcomes."²⁶

What makes American culture peculiar is the extent to which the indirect mechanisms of tax exemptions empower private institutions and individuals to address a public purpose. "The nonprofit sector in the United States is enshrined in constitutional law, instrumental in the delivery of many social services, and inextricably bound up with broad social processes of change and governance" (Clotfelter 1992, I).²⁷

While there is much to recommend the American model of mixed-funding and not-for-profit cultural institutions, a major question is what constitutes the public interest in a funding triad composed of individual and institutional philanthropy, earned income, and government funding.

Matching funds system:

An important strategy in philanthropic giving is the matching funds system. Foundations and corporations often give money to non-profit entities in the form of a matching gift. Corporate matches often take the form of employee matching gifts, which means that if an employee donates to a nonprofit, the employee's corporation will donate money to the same nonprofit according to a predetermined match ratio (usually 1:1). For foundations, matching gifts are in the form of grants made directly to nonprofits if that nonprofit raises a set quantity of money before the grant is bestowed. The benefit of foundation matching grants is that they provide greater incentive leverage when a nonprofit is fundraising from its constituency. If a foundation approves a 1:1 matching grant, donors know that their dollars will be doubled. On the other side, foundations who give matching grants receive assurance of the nonprofit's capacity to raise adequate funds.

Tax incentives:

The tax system incentivizes non profit donations: in general, up to 60% of adjusted gross income can be deducted via charitable donations. This percentage may be limited to 20%, 30% or 50% depending on the type of contribution and the organization (contributions to certain private foundations, veterans organizations, fraternal societies, and cemetery organizations come with a lower limit, for instance). The limit applies to all donations made throughout the year, no matter how many organizations donations are made to. Contributions that exceed the limit can often be deducted on tax returns over the next five years — or until they're gone — through a process called a carryover.

/Servizi offerti da enti indipendenti (incluse iniziative 'civiche' come cooperative, associazioni etc) in risposta a carenze del pubblico o del mercato, ad esempio nel settore sindacale, dell'educazione e della previdenza

Sommario della sezione

There are a range of independent support systems situated throughout the United States that offer services varying from advocacy support and education to legal support for artists. These services are designed to fill in the gaps of traditional funding structures and provide the tools for others to join in arts advocacy. This section additionally addresses Fiscal Sponsorship as a means for increasing the funding opportunities of individual artists.

²⁵ <https://www.taxpolicycenter.org/briefing-book/what-tax-treatment-charitable-contributions>

²⁶ <https://www.giarts.org/arts-funding-twenty-five>

²⁷ Mulcahy, V. Kevin, *Entrepreneurship or Cultural Darwinism? Privatization and American Cultural Patronage*

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Key components of the US system include:

- Research as advocacy:

Americans for the Arts

Americans for the Arts was founded in 1996 as a result of the merger between the *National Assembly of Local Arts Agencies* (NALAA) and the *American Council for the Arts* (ACA). To inform decision makers about the arts, Americans for the Arts gathers, generates and disseminates data, information and the tools needed by arts industry stakeholders. The areas of focus are those that expand the conversation about arts policy, generate greater awareness of the role and value of the arts in community life and promote greater access to the arts by advancing community-based cultural organizations nationwide. Americans for the Arts conducts both quantitative and qualitative research studies on segments of America's nonprofit and for-profit arts industries. Through national visibility campaigns and local outreach, Americans for the Arts strives to motivate and mobilize opinion leaders and decision-makers who can ensure the arts thrive in America. As host of the national Arts Advocacy Day on Capitol Hill, Americans for the Arts annually convenes arts advocates from across the country to advance federal support of the arts, humanities, and arts education.

An important project fostered by American for the Arts is the Arts Action Fund:

Americans for the Arts Action Fund is a 501(c)(4) nonprofit membership organization affiliated with Americans for the Arts. The Arts Action Fund is the largest grassroots arts advocacy network in America advancing the arts on both the electoral and legislative landscapes to promote more vibrant and livable communities throughout the country. The Arts Action Fund's goal is to enlist and mobilize citizen activists that will help ensure that arts-friendly public policies are adopted at the federal, state, and local levels. In addition, the Arts Action Fund Political Action Committee (PAC) provides direct support to pro-arts federal House and Senate candidates. The Arts Action Fund PAC strives to support as many Democratic and Republican pro-arts candidates as possible in all 50 states. Through the Arts Action Fund PAC, 100% of contributed funds directly support the campaigns of pro-arts federal candidates. By pooling pro-arts contributions into larger donations, they provide candidates with more impactful funding than most are able to give individually. The long-term goal is to ensure that the federal government invests at least \$1 per citizen in the nonprofit arts and local governments invest 5% of their local education budgets in arts education. The Arts Action Fund is the only national bipartisan voice for the arts that dedicates 100% of its time, money, and political clout to advancing the arts in America.

The impact of this project includes:

100,000+ Emails to Congress to #SAVEtheNEA
60,000+ Petition signers to President Trump
360+ Pro-Arts Majority in Congress (307 House, 55 Senate)
\$162.25 Million Funding to NEA
& an additional \$162.25 Million to the NEH

Candid

Candid is an organization emerging from the integration of the Foundation Center and GuideStar. The Foundation Center is a 501(c)(3) nonprofit organization headquartered in New York City. The Center's stated mission is "to strengthen the social sector by advancing knowledge about philanthropy in the U.S. and around the world." Foundation Center maintains comprehensive databases on grantmakers and their grants; issues a wide variety of print, electronic, and online information resources; conducts and publishes research on trends in foundation growth, giving, and practice; and offers education and training programs online and at its five regional hubs and more than 400 Funding Information Network locations. GuideStar USA, Inc. is an information service specializing in reporting on U.S. nonprofit companies. In 2016, its database provided information on 2.5 million organizations. GuideStar was one of the first central sources of information on U.S. nonprofits and is the world's largest source of information about nonprofit organizations.

- Nonprofit supporting the nonprofit field:

Volunteer Lawyers for the Arts

VLA provides legal services to low-income artists and all non-profit arts organizations in every artistic discipline. VLA plays an important role in educating artists, professionals within arts and cultural institutions, attorneys, students, and the general public about legal and business issues that affect artistic and creative endeavors. Each year, they reach more than 5,000 people through more than 150 courses and offerings.

New York Foundation for the Arts

NYFA was established in 1971 as an independent nonprofit service organization to serve individual artists throughout New York State. Each year, NYFA awards \$2 million in cash grants to individual visual, performing, and literary artists based in New York State. NYFA's Fiscal Sponsorship program, one of the oldest and most reputable in the country, helps national artists and arts organizations raise and manage an average of \$4 million annually. NYFA's Learning programs, including its Artist as Entrepreneur and Immigrant Artist Mentoring Program, provide thousands of artists, creatives, and arts administrators with professional development training and support. NYFA's website, NYFA.org, is used by more than 1 million people and features more than 20,000 opportunities and resources available to artists in all disciplines. Projects of particular significance developed by NYFA include

Doctor's Hours, which offers artists an opportunity for one-on-one consultations with a range of industry professionals in their creative field, NYFA Coaching, which provides artists, creatives, and arts administrators with individualized remote sessions with specialized NYFA staff or industry professionals, and the Immigrant Artists Program, a mentorship program connecting artists with services and resources to foster their creative careers, gain support and exposure for their work, and integrate into the cultural world of New York and beyond while upholding their distinct identities.

United States Artists

In 2003, the Urban Institute conducted a study which revealed that 96% of Americans valued art in their lives, while only 27% valued artists. Motivated by the study and in response to the NEA's severe budget cuts, four leaders of the Ford, Rockefeller, Rasmuson, and Prudential Foundations spearheaded the launch of an organization to illuminate the value of artists to American society and address their economic challenges. Originally established in 2006, United States Artists has awarded more than 600 artists and cultural practitioners with over \$30 million of direct support in all disciplines including Architecture & Design, Craft, Dance, Film, Media, Music, Theater & Performance, Traditional Arts, Visual Art, and Writing. With this unrestricted award, recipients decide for themselves how to best use the money – whether it is creating new work, paying rent, reducing debt, getting healthcare, or supporting their families. To make this work possible, USA actively fundraises each year and is supported by a broad range of philanthropic foundations, companies, and individuals. Additionally, USA works annually with select nominators, panelists, and our Board of Trustees to determine each year's class of awardees.

- **Fiscal sponsorship**

Fiscal sponsorship refers to the practice of non-profit organizations offering their legal and tax-exempt status to groups—typically projects—engaged in activities related to the sponsoring organization's mission. Fiscal Sponsorship increases funding opportunities for individual artists and emerging arts organizations in all disciplines by allowing them to raise funds using NYFA's tax-exempt status as a 501(c)(3)-classified organization.

Fractured Atlas

Fractured Atlas was founded as a performing arts producer in downtown New York City in 1998 and into an arts service organization in 2002, with a new goal of empowering a wider segment of the arts community in a manner that was both scalable and sustainable. The organization helps individual artists and arts organizations at every level of the cultural ecosystem, in every creative medium, through several programs, including Fiscal Sponsorship, Artful.ly, and SpaceFinder

CAP 2 / ATTORI E STRUMENTI

2.1) Inquadramento persone fisiche: come si relaziona un/a professionista culturale dell'arte contemporanea col sistema pubblico? Che rappresentanza ha e come figura? Esiste un sostegno apposito per la categoria o ci si collega alla previdenza sociale "standard"?

NB - per persone fisiche si considerano gli artisti, ma anche altre figure professionali del settore quali curatori, mediatori, critici, tecnici (dare un'attenzione particolare al lavoro autonomo)

Sommario della sezione

The Freelance classification is designated to those self employed and carries with it access to tax deductions in relation to supplies and other work related expenditures. This status represents 34% of artists based on a 2017 survey.²⁸

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/Aspetti istituzionali: / Sistema fiscale: Tipi di partite IVA e altre forme di pagamento (ritenute ecc), cooperative di lavoratori; Sgravi o esenzioni fiscali, su tasse per operatori culturali (i.e. riduzione IVA, riduzioni tasse su reddito...)

Freelance workers are classified as self-employed/small business owners. The taxation system is complex, because it requires the payment of taxes both to the federal government, through the IRS, and to individual states. According to the IRS an activity, including artistic, curatorial work, etc., is considered professional when these 9 factors occur:

<https://www.irs.gov/faqs/small-business-self-employed-other-business/income-expenses/income-expenses>

- Whether you carry on the activity in a businesslike manner and maintain complete and accurate books and records.
- Whether the time and effort you put into the activity indicate you intend to make it profitable.
- Whether you depend on income from the activity for your livelihood.
- Whether your losses are due to circumstances beyond your control (or are normal in the startup phase of your type of business).

²⁸ https://www.arts.gov/sites/default/files/Artists_and_Other_Cultural_Workers.pdf

- Whether you change your methods of operation in an attempt to improve profitability.
- Whether you or your advisors have the knowledge needed to carry on the activity as a successful business.
- Whether you were successful in making a profit in similar activities in the past.
- Whether the activity makes a profit in some years and how much profit it makes.
- Whether you can expect to make a future profit from the appreciation of the assets used in the activity.

When a freelancer qualifies as a professional receives a series of tax deductions, based on the specific professional category he or she belongs to: art supplies; books, magazines, reference material; business gifts; business insurance; business meals; cabs, subways, buses; copying, printing; cultural events/ museum entrance fees; entry fees; equipment and software; film & processing; framing; gallery fees; gas and electric; internet; legal fees; memberships (museums, professional organizations); messengers, private mail carriers, postage; office supplies; promotion; studio or home office rent; tax preparation, telephone, travel costs

A self-employed artist may deduct any expense that is: directly related to the art activity ordinary and necessary, and not lavish or extravagant under the circumstances.

Starting from January 2018, the federal law allows what are known as “pass-through” entities to deduct 20% of their qualified business income from their taxes, in addition to deducting business expenses.

Professions classification

The Occupational Outlook Handbook is a publication of the United States Department of Labor's Bureau of Labor Statistics that includes information about the nature of work, working conditions, training and education, earnings and job outlook for hundreds of different occupations in the United States. Within this publication are included and analyzed the most diverse cultural professions.

<https://www.bls.gov/ooh/>

In parallel with the Occupational Outlook Handbook, the 'O*NET Program contains standardized and occupation-specific descriptors <https://www.onetonline.org/link/summary/27-1019.00>

/ Finanziamento attività e vita: Project grant vs living grant, Doppio lavoro (%), Borse di studio (quante? da parte di chi? ammontare? condizioni? Criteri adottati?...), Bandi a progetto (quante? da parte di chi? ammontare? condizioni? Criteri adottati?...)

Private sponsorship (sgravi per privato?), Vendita opere / Offerta servizi

/ Protezione sociale (pensioni, disoccupazione etc): Meccanismi di sostegno al reddito (i.e. intermittenza...), Forme di integrazione / supplementi pensione, Modelli/meccanismi di stipulazione assicurazione sanitaria (al di là della pubblica), Maternità/paternità

/ Riconoscimento giuridico: * Legge quadro sotto-settore (si/no e quanto specifica), Statuto d'artista (e per figure assimilabili per condizioni lavorative), Leggi per lavoratori autonomi settore culturale/arti visive...

New York City:

Freelance Isn't Free Act

On May 15, 2017, Local Law 140 of 2016 took effect. The law establishes and enhances protections for freelance workers, specifically the right to:

- A written contract
- Timely and full payment
- Protection from retaliation

The law establishes penalties for violations of these rights, including statutory damages, double damages, injunctive relief, and attorney's fees.

This act is not specific to the arts field.

/ Protezione proprietà intellettuale

Aspetti relazionali: / Relazioni lavoratore / istituzione: Codici di condotta, Contratti tipo, Tabelle di remunerazione / Associazioni e strutture di rappresentanza (enti sindacali etc.)

There is no single go-to organization/association. Examples include:

UAW Local 2110:

The Technical, Office and Professional (TOP) Union, Local 2110, is an amalgamated union with 30 contracts covering over 3000 workers in universities, publishing, museums, law firms and other offices. We represent teachers, secretaries, administrators, editors, computer operators, librarians, museum curators, typesetters and graphic artists, among many others.

Workers Defense League:

The Workers Defense League (WDL), founded in 1936, is a nonprofit workers' rights organization that specializes in helping people who have been denied unemployment insurance. It also conducts training for unions and other organizations about unemployment insurance rules (including recent significant changes in the law) and the hearing process.

Freelancers Union

Freelancers Union is the largest and fast-growing organization representing the 56.7 million independent workers across the country. We give our 490,000+ members a powerful voice through policy advocacy, benefits, and community.

Membership is free and open to freelancers of all kinds, from graphic designers and contractors, to entrepreneurs and moonlighters.

Freelancers Union offers:

- Insurance benefits such as health, dental, term life, disability, liability, and accident & illness.
- Community, including SPARK, local freelance hubs in nearly 25 major cities
- Advocacy for policy change, such as the annual Freelancing in America survey and the Freelance Isn't Free law
- Resources, including the #1 blog for freelancers

/ Sostegno alla mobilità internazionale, promozione networks internazionali

/ Formazione e professionalità: Educazione, Formazione su strumenti disponibili (giuridici, fiscali, finanziari), Formazione post-laurea

Sommario della sezione

There is a broad network of funding opportunities for artists through open call and application processes. Many of the grants available are project based with seemingly fewer opportunities for living grants. There is also a broad range of opportunities that are nomination only.

There are 5 million workers employed in cultural industries half of which are either self employed or wage and salary workers.

333,000 self employed or wage and salary workers that hold secondary jobs as artists and 1.2 million self employed or wage and salary workers with primary jobs in cultural occupations other than artist. There are a range of Freelance Unions and other forms of legal regulating support for Freelance artists and cultural workers.²⁹

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Fulbright Program

Led by the United States government in partnership with more than 160 countries worldwide, the Fulbright Program offers international educational and cultural exchange programs for passionate and accomplished students, scholars, artists, teachers, and professionals of all backgrounds to study, teach, or pursue important research and professional projects.

In 1945, senator from Arkansas, J. William Fulbright introduced a bill in the U.S. Congress that called for the use of proceeds from the sales of surplus war property to fund the “promotion of international good will through the exchange of students in the fields of education, culture and science.” One year later, President Harry S. Truman signed the Fulbright Act into law.

Through an annual appropriation from the U.S. Congress and by the people of partner nations, the Fulbright program—working with universities, schools, binational Fulbright commissions, government agencies, nongovernmental organizations and the private sector—actively seeks out individuals of achievement and potential who represent the full diversity of their respective societies and selects nominees through open, merit-based competitions.

Programs for Artists, Writers & Musicians:

U.S. Student Program

In the creative and performing arts, applicants without a Bachelor's degree may substitute at least four years of professional training or experience.

Fulbright Foreign Student Program

²⁹ https://www.arts.gov/sites/default/files/Artists_and_Other_Cultural_Workers.pdf

The Fulbright Foreign Student Program offers opportunities for foreign graduate students, young professionals and artists from abroad to study, conduct research, and/or teach their native language in the U.S.

U.S. Scholar Program

For artists applying to the Fulbright U.S. Scholar Program from outside academe, projects will be judged on recognized professional standing and substantial professional accomplishments.

Fulbright Visiting Scholar Program

The Fulbright Visiting Scholar Program offers opportunities for foreign scholars, artists and professionals to conduct post-doctoral research and/or lecture in the U.S.

2.2) Inquadramento persone giuridiche e associazioni: come si relaziona un'istituzione culturale indipendente dell'arte contemporanea col sistema pubblico? Che rappresentanza ha e come figura?

Sommario della sezione

The Majority of associations and cultural institutions are set up as 501(c)(3) providing tax exemptions, including property tax and permitting that corporations, foundations and individuals that donate to them may deduct the total amount of the donations. Three subcategories are addressed herein: Public Charities, Private Foundations and Private Operating Foundations.

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Aspetti istituzionali:/ Statuto fiscale: Sgravi o esenzioni fiscali, su tasse per attività no profit (i.e. riduzione IVA, deduzioni tasse su reddito...) / Statuto giuridico: Legge quadro sotto-settore (si/no e quanto specifica), Riconoscimento giuridico (~statuto) spazi culturali di piccola/media taglia, Provvedimenti specifici per i soggetti...

Cultural institutions in the USA are incorporated as 501(c)(3), which refers to as a charitable organization that is involved in religious, charitable, educational, literary, preventing cruelty to animals and children, fostering amateur sports competition (locally and internationally), testing for public safety, and scientific activities or operations.

Section 501(c)(3) is the portion of the US Internal Revenue Code that allows for federal tax exemption of nonprofit organizations, specifically those that are considered public charities, private foundations or private operating foundations. It is regulated and administered by the US Department of Treasury through the Internal Revenue Service. There are other 501(c) organizations, indicated by categories 501(c)(1) – 501(c)(29). Entities that can seek 501(c)(3) determination from the IRS include corporations, trusts, community chests, LLCs¹, and unincorporated associations. The overwhelming majority of 501(c)(3) organizations are nonprofit corporations.

501(c)(3)s benefit from provisions allowing corporations, foundations, and individuals to deduct the full amount of charitable contributions made to them. Also, nonprofit arts organizations generally do not pay local property taxes, nor federal tax, nor local sales taxes on income that is related to their mission. Nonprofits also receive substantial subsidies through preferential postal rates; for example, nonprofits receive a 60 percent discount off the third-class postage rate (Cummings in Benedict, 1991: 39-41).

501(c)(3) organizations fall into one of three primary categories: public charities, private foundations, and private operating foundations.

Public charity. Public charities are what most people recognize as those organizations with active programs. Examples include churches, benevolence organizations, animal welfare agencies, educational organizations, etc. They usually receive a substantial portion of its revenue from the general public or from the government.

In order to remain a public charity (and not a private foundation), a 501(c)(3) must obtain at least 1/3 of its donated revenue from a fairly broad base of public support. Public support can be from individuals, companies and/or other public charities.

Donations to public charities can be tax deductible to the individual donor up to 60% of the donor's income. Corporate limits are generally 10%. In addition, public charities must maintain a governing body that is mostly made up of independent, unrelated individuals.

Private foundation. A private foundation is often referred to as a non-operating foundation, as they typically do not have active programs. They are not required to be publicly supported, so revenue may come from a relatively small number of donors, even single individuals or families.

Private foundations are usually thought of as nonprofits which support the work of public charities through grants, though that is not always the case. Donations to private foundations can be tax deductible to the individual donor up to 30% of the donor's income. Governance of a private foundation can be much more closely held than in a public charity. A family foundation is an example of a private foundation.

Private operating foundation. The third category is the least common: private operating foundation. These organizations often maintain active programs similar to public charities, but may have attributes (such as close governance) similar to a foundation. As such, private operating foundations are often considered hybrids. Most of the earnings must go to the conduct of programs. Donation deductibility is similar to a public charity.

501(c)(3) organizations are highly regulated entities. Strict rules apply to both the activities and the governance of these organizations. No part of the activities or the net earnings can unfairly benefit any director, officer, or any private individual.

In addition, all assets are permanently dedicated to a charitable purpose. In the event that a 501(c)(3) organization must cease operations, all assets remaining after debts are paid must be distributed for a charitable purpose.

Further, lobbying, propaganda or other legislative activity must be kept relatively insubstantial⁵. Intervention in political campaigns or the endorsement/anti-endorsement of candidates for public office is strictly prohibited.

In order for a corporation or other qualifying entity to receive 501(c)(3) status, it must apply to the IRS for recognition by filing Form 1023 (or Form 1023-EZ), Application for Recognition of Tax Exemption. The application is a thorough examination of the organization's structure, governance and programs.

Having 501(c)(3) status comes with compliance requirements at both the state and federal level. Annual filing requirements include a corporate annual report, IRS Form 990, and state charitable solicitations registration and renewal.

/ Sistemi finanziamento attività: Fondi strutturali (quanti? da parte di chi? ammontare? condizioni? Criteri adottati?...); Fondi a progetto (quanti? da parte di chi? ammontare? condizioni? Criteri adottati?...); Attività proprie (vendite diverse...); Sostegno/deduzioni/calmierazione costi fissi (per spazi ad esempio); Incentivi a sponsorships private / Protezione sociale e del lavoro (pensioni, disoccupazione etc) / Protezione proprietà intellettuale

Sommario della sezione

Copyright is a protection of intellectual and creative property. Owners of copyrights can determine what is permitted in relation to the work. Only the author of the work can claim copyright. The federal Moral Rights Act is an additional safeguard rights of attribution and rights of artistic integrity.

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Copyright is a form of protection provided by the laws of the United States to the creators of "original works of authorship," including literary, dramatic, musical, and artistic works. United States copyright law was last generally revised by the Copyright Act of 1976, codified in Title 17 of the United States Code. The United States Constitution explicitly grants Congress the power to create copyright law under Article 1, Section 8, Clause 8, known as the Copyright Clause.

Section 106 of the 1976 Copyright Act gives the owner of copyright the exclusive right to do and to authorize others to: reproduce the work in copies; to prepare derivative works; to distribute copies of the work to the public by sale or other transfer of ownership, or by rental, lease, or lending.

Copyright protection subsists from the time the work is created in fixed, tangible form and immediately becomes the property of the author who created the work. Only the author can rightfully claim copyright. It follows then, that the mere ownership of a painting, photograph, or sculpture, does not give the possessor of the physical work its underlying copyright. The law holds that transfer of ownership of any material object that embodies a protected work does not of itself convey the copyright or any interest in the copyright. This remains in the possession of the creator. Any or all of the copyright owner's exclusive rights or any subdivision of those rights may be transferred to another party, but the transfer of exclusive rights is not valid unless that transfer is in writing and signed by the owner of the copyright or such owner's duly authorized agent. Such transfers are rare in the U.S. and are almost never knowingly engaged in abroad.

A Federal Moral Rights Act called the Visual Artists Rights Act, or more colloquially VARA, was signed into law by the first President Bush in 1990 and went into effect on June 1, 1991. It grants artists two distinct rights not previously provided by U.S. federal law, but which were available in certain states such as California, New York and Massachusetts. These are the rights of attribution and the rights of artistic integrity.³⁰ These include the rights to claim authorship of a work, to prevent attachment of an artist's name to a work which he did not create, and, where there has been a subsequent distortion, mutilation, or modification of the work prejudicial to the artist's honor or reputation, the right to disclaim authorship and to prevent identification of the artist's name with the work.³¹

VARA afford artists limited moral rights of attribution and integrity of certain limited types of visual arts, i.e. fine art categories of "works of visual art": paintings, sculptures, drawings, prints, still photographs produced for exhibition. Within this group, only single copies or signed and numbered limited editions of 200 or less are actually protected. VARA does not apply to any of the following: works made for hire, posters, maps, globes or charts, technical drawings, diagrams, models, applied art, motion pictures, books and other publications, electronic publications, merchandising items or advertising, promotional, descriptive, covering, packaging material or container, nor does it cover any work not subject to general copyright protection.³²

While both copyright and physical ownership are property rights which may be transferred, moral rights may not be transferred. Moral rights may, however, be waived. The creator must consent in a written and signed instrument specifically identifying the artwork, the uses of that work, and with a clause limiting the waiver to both aspects. Where the artwork is created by more than one author, any one creator's waiver binds the group.

Aspetti relazionali: / Relazioni lavoratore / istituzione: Codici di condotta, Contratti tipo, Tabelle di remunerazione/ Associazioni e strutture di rappresentanza (enti sindacali etc.), / Sostegno alla mobilità internazionale, promozione networks internazionali / Formazione e professionalità: Educazione, Formazione su strumenti disponibili (giuridici, fiscali, finanziari), Formazione post-laurea

Other Aspects in Arts education should be examined

Sommario della sezione

Arts education is advanced through three branches of the NEA: Arts Education Partnership, the State Arts Agency Arts Education Managers, State Education Agency Directors of Arts Education. These function mainly as bridges between the federal, state and local levels and are designed to foster support around arts education from k-12 through higher education providing technical assistance and research in this sector.

In addition to its grants, the NEA provides support for three national networks as part of its core work to advance arts education in the United States:

- 1) the Arts Education Partnership (AEP), which is jointly funded by the US Department of Education,
 - 2) State Arts Agency Arts Education Managers (SAA AE Managers); and
 - 3) State Education Agency Directors of Arts Education (SEADAE). Each network plays a distinct leadership role that extends the federal reach and impact of the Arts Endowment's work to the state and local level.
- Arts Education Partnership (AEP): The AEP, in coordination with Education Commission of the States, is a national coalition of more than 100 education, arts, cultural, government, business and philanthropic organizations that was created in 1995 by the National Endowment for the Arts and the U.S. Department of Education. AEP serves as the nation's hub for individuals and organizations committed to making high-quality arts education accessible to all U.S. students, improving arts education practice, tracking relevant state and national education policies, and researching how art influences and strengthens American education.
 - Collaboration with State Arts Agency Arts Education Managers: Since 1987, the Arts Endowment, in coordination with the National Assembly of State Arts Agencies (NASAA), has provided technical assistance and support services to convene and administer an annual Professional Development Institute for state arts agency arts education managers. The Professional

³⁰ <https://arsny.com/artists-rights-101/>

³¹ http://www.law.harvard.edu/faculty/martin/art_law/esworthy.htm

³² http://www.law.harvard.edu/faculty/martin/art_law/esworthy.htm

Development Institute provides meaningful learning opportunities for new and seasoned arts education managers, as well as a peer network of knowledgeable arts education leaders.

- Collaboration with the State Education Agencies Directors of Arts Education (SEADAE): The Arts Endowment provides support to SEADAE, a nonprofit professional membership organization, whose members consist of individuals at state education agencies who are responsible for dance, media arts, music, theater and/or visual arts education. SEADAE provides professional development and technical assistance to increase the professional effectiveness of individual members and provide a collective voice for leadership on issues affecting arts education.
- Also, through a cooperative agreement with the Education Commission of the States, the Arts Endowment is implementing the Statewide Data Infrastructure Project for Arts Education. Through this project, the Arts Endowment is creating tools and providing technical assistance to states to help states extract, analyze, and report on the arts education data that most states already collect in their statewide education data systems. By reporting on the condition of arts education, states will have crucial data they need to make informed decisions about student access to dance, media arts, music, theater, and visual arts and the quality of arts instruction.

Education policies almost universally recognize the value of arts. Forty-seven states have arts-education mandates, forty-eight have arts-education standards, and forty have arts requirements for high school graduation, according to the 2007-08 AEP state policy database. The Goals 2000 Educate America Act, passed in 1994 to set the school-reform agenda of the Clinton and Bush administrations, declared art to be part of what all schools should teach. NCLB, enacted in 2001, included art as one of the ten core academic subjects of public education, a designation that qualified arts programs for an assortment of federal grants. (<https://www.edutopia.org/arts-music-curriculum-child-development>)

A range of membership based organizations exist that work towards fostering stronger support and advocacy for arts education in the United States. This includes:

- National Art Education Association:

Founded in 1947, the National Art Education Association is the leading professional membership organization exclusively for visual arts educators.

Members include elementary, middle, and high school visual arts educators; college and university professors; university students preparing to become art educators; researchers and scholars; teaching artists; administrators and supervisors; and art museum educators—as well as more than 54,000 students who are members of the National Art Honor Society. We represent members in all 50 states plus the District of Columbia, U.S. Possessions, most Canadian Provinces, U.S. military bases around the world, and 25 foreign countries.

The National Art Education Association (NAEA) advances visual arts education to fulfill human potential and promote global understanding. (<https://www.arteducators.org/>)

- Strategic National Arts Alumni Project

SNAAP is an annual online survey, data management and institutional improvement system designed to enhance the impact of arts-school education. SNAAP will provide the first national data on how artists develop in this country, help identify the factors needed to better connect arts training to artistic careers and allow education institutions, researchers and arts leaders to look at the systemic factors that helped or hindered the career paths of alumni, whether they have chosen to work as artists or pursue other paths. (<http://www.snaap.iub.edu/overview.cfm>)

- College Arts Association

Founded in 1911, the **College Art Association**: Promotes excellence in scholarship and teaching in the history and criticism of the visual **arts** and in creativity and technical skill in the teaching and practices of **art**. CAA also provides publication of scholarship, criticism, and **artists'** writings. Caa also provides support and counsel for Academic Programs, Academic Hiring Practices, Assistance for candidates seeking employment, Tools for Visual Artists, Art Historians, Museum Professionals and Arts Administrators. (<https://collegeart.org/>)

CAP 3 / ASPETTI PARTICOLARMENTE RILEVANTI E PARTICOLARITÀ'

Studi di settore, peculiarità, modelli virtuosi e problematiche particolari, approfondimenti utili in generale.

W.A.G.E. was founded in 2008 with the mission to establish sustainable economic relationships between artists (and to a lesser extent of art workers in general) and the institutions that contract labor. W.A.G.E. operates through a series of self-regulatory tools that include:

- W.A.G.E. Certification, is a national program that publicly recognizes those nonprofit arts organizations demonstrating to voluntarily pay artist fees that meet minimum payment standards. W.A.G.E. Certification sets minimum standards of compensation to be paid to artists for 15 fee categories. In addition to paying fees meeting W.A.G.E. standards, a W.A.G.E. Certified institutions must also meet the specific requirements, including basic programming costs and production costs.
- WAGENCY is a platform/protocol that facilitates the transaction and fair remuneration of artists' labor in the nonprofit sector. It supplies artists with digital tools and the necessary collective agency to negotiate W.A.G.E. fees or withhold content from art institutions when they decline to pay according to W.A.G.E. standards. The subscription to Wagency costs \$5 per month
- fee calculator for non-profit institutions, based on total annual operating expenses

Museums Unions

- **The Technical, Office and Professional (TOP) Union, Local 2110**, is an amalgamated union with 30 contracts covering over 3000 workers in universities, publishing, museums, law firms and other offices. It represents teachers, secretaries, administrators, editors, computer operators, librarians, museum curators, typesetters and graphic artists, among many others. Local 2110 represents art workers of the following museums, among the others: Bronx Museum of the Arts, Museum of Modern Art, New York, The New Museum of Contemporary Art.
- **SFMOMA union**
- **Occupy Museums** is a collective of artists and activists that emerged directly from the Occupy Wall Street movement; most of the members met in Zuccotti Park in 2011. The common goal of Occupy Museums is to bring the critique of wealth and inequality directly to the cultural sphere where finance and aesthetics currently collude. The goal is to create a new way of looking at art objects. We want people to see not only the colors, forms, and meanings intended by the artists, but also the often withering economic realities that frame the practice of art in America today.
- **Debtfair** is based around a single question we asked of artists and the cultural communities at large: "how does your economic reality affect your art?" In bringing this question to a luxury art museum like the Whitney, Debtfair connects the boom of the art market with the boom of debt as linked realities.

CAP 4 / EMERGENZA COVID

Qual è stata la reazione all'emergenza, dalla chiusura di musei e spazi di aggregazione all'impossibilità per gli artisti di lavorare e/o vendere? La previdenza sociale ordinaria ha aiutato, e se sì: chi è stato incluso e chi escluso? Ci sono state misure straordinarie? Esiste una comunicazione chiara e diretta con gli indipendenti relative alle norme, soprattutto riguardanti la chiusura e riapertura degli spazi (nel caso inserire link)?

- / Livello istituzionale (come ha impattato musei e spazi grossi?)
- / Istituzioni indipendenti (c'è un supporto chiaro alla riapertura?)
- / Lavoratori dipendenti con contratto (sono stati tutelati? con che categoria?)
- / Professionisti individuali, freelance, artisti (come si sono limitati i danni?)
- / Bandi ed eventi soppressi (quali politiche sono state adottate dall'ente iniziatore?)

1. Public:

Cares Act

For non-profit organizations:

With the \$75 million appropriated to the National Endowment for the Arts through the CARES Act, the Arts Endowment will award 40 percent of the funds directly to state and regional arts agencies by April 30th to distribute through their funding programs. Sixty percent of the funds are designated for direct grants to nonprofit arts organizations all across the United States and will be announced by June 30th. More than 3,700 organizations that have received National Endowment for the Arts awards in the past four years are eligible to apply for a direct grant. Funds can be used for staff salary support, fees for artists or contractual personnel, and facilities costs. The direct grants will not require a cost share or match and will be for a fixed amount of \$50,000. Designated local arts agencies eligible to subgrant may request \$100,000 or \$250,000 for subgranting programs. The deadline to apply is April 22, 2020

with the earliest announcement of grant award or rejection by June 30. The earliest Announcement of Grant Award or Rejection is June 2020. The Earliest Beginning Date for National Endowment for the Arts Period of Performance is July 1, 2020.

For individuals:

- IRS Recovery Rebate payments \$290 Billion Adjusted Gross Income (AGI) based on 2019 tax return. Otherwise, 2018 tax return. Direct electronic payment to checking account by mid-April if account is already on file with IRS or a check will be mailed later. \$1,200 for single filers with AGI of \$75K (\$5 reduced for every \$100 over threshold up to \$99K) \$1,200 for Head of House filers with AGI of \$112.5K (\$5 reduced for every \$100 over threshold up to \$146.5K) \$2,400 for married filers with AGI of \$150K (\$5 reduced for every \$100 over threshold up to \$198K) \$500 extra for each dependent (16 years old or younger only)

Federal Arts Funding Opportunities for Nonprofit and Commerical Arts Organizations and Individual Artists

As of May 7, 2020

C.A.R.E.S. Act Coronavirus Aid Relief & Economic Security Act www.congress.gov/bills/116th-congress/house-bill/748/text	Nonprofit 501(c)(3) arts organizations	Governmental Arts/Humanities Agencies (State, Regional, Local)	Commerical Arts Business with employees	Individual Professional Artists, Self-employed, Indep Contractor Artists, "Gig" and 1099 workers	Individual Taxpayers
	PPP LOAN		Versus	EIDL LOAN	
Loan Administrator:	SBA approved banks			SBA.gov	
Max Amount:	Lesser of \$10 million or 2.5 times average monthly payroll			Up to \$2 million	
Loan Term:	2 years			Up to 30 years	
Interest Rate:	1.00%			2.75% for nonprofits and 3.75% for-profits	
Deferral:	6 months (interest accrues)			1 year (interest accrues)	
Prepay Allowed:	Yes			Yes	
Can Be Used For:	Payroll, benefits, mortgage interest, rent, utilities, other debt			Payroll, benefits, accounts payable, other expenses	
Refinance Debt:	Yes for non-COVID-19 EIDL only			No	
Collateral Required:	No			For loans over \$25,000	
Forgiveness:	Yes, if loan used for 75% payroll and re-hire employees by 6/30/20			Yes, for up to \$10,000 advance (\$1,000 per employee)	
Guarantee Required:	None			No for loans under \$200K	

2. Private:

Artistrelief

Artist Relief is an initiative organized by the Academy of American Poets, Artadia, Creative Capital, Foundation for Contemporary Arts, MAP Fund, National YoungArts Foundation, and United States Artists—all small to mid-sized national arts grantmakers—that have come together in this unprecedented moment guided by the understanding that the wellbeing of artists has financial, professional, social, and mental dimensions, and should be fostered with a holistic framework of support.

As such, Artist Relief will distribute \$5,000 grants to artists facing dire financial emergencies due to COVID-19; serve as an ongoing informational resource; and co-launch the *COVID-19 Impact Survey for Artists and Creative Workers*, designed by Americans for the Arts, to better identify and address the needs of artists moving forward.

Artist Relief launched with a generous \$5 million seed gift from The Andrew W. Mellon Foundation, to match an initial \$5 million in funding generously provided by the following foundations: 7|G Foundation, Adolph and Esther Gottlieb Foundation, Amazon Literary Partnership, The Andy Warhol Foundation for the Visual Arts, Arison Arts Foundation, Doris Duke Charitable Foundation, Emily Hall Tremain Foundation, Ford Foundation, Helen Frankenthaler Foundation COVID-19 Relief Effort, Jerome Foundation, Joan Mitchell Foundation, John S. and James L. Knight Foundation, Kraus Family Foundation, LeRoy Neiman and Janet Byrne Neiman Foundation, Metabolic Studio, Mike Kelley Foundation for the Arts, Open Society Foundations, Pritzker Pucker Family Foundation,

Richard Salomon Family Foundation, Robert Rauschenberg Foundation, The Sue Hostetler and Beau Wrigley Family Foundation, Teiger Foundation, The Wallace Foundation, and The Willem de Kooning Foundation.

The initiative will operate through September, as organizers monitor the impact of the pandemic and continue to fundraise to assist with the rapidly escalating needs of the country's artists. According to *Artists and Other Cultural Workers: A Statistical Portrait*, a study published in 2019 by the Office of Research & Analysis (ORA) at the National Endowment for the Arts (NEA), there are 2.5 million working artists in the United States. To meet the needs of as many artists as possible, donations can be made here.

Practicing artists living in all fifty states, territories, and Tribal Nations, working in any discipline, are able to apply for the \$5,000 grant. Applicants must be 21 or older, able to receive taxable income in the United States regardless of their citizenship status, and have generally lived and worked in the United States for the last two years. Due to expected demand, Artist Relief recognizes it will not be able to fund every applicant. Artists demonstrating the most severe needs will be prioritized, with an emphasis on funding widely across disciplines and geographies, as well as disability, ethnicity, and gender. Applications will be reviewed and assessed for eligibility and need in collaboration with cultural nonprofits across the country, who will assist in the determination and selection process.

Tri-State Relief Fund to Support Non-Salaried Workers in the Visual Arts

The Willem de Kooning Foundation, the Helen Frankenthaler Foundation, Teiger Foundation, and the Cy Twombly Foundation have partnered to establish an emergency relief grant program, administered by New York Foundation for the Arts (NYFA), that will provide \$1,250,000 in aid to Tri-State non-salaried workers in the visual arts who have experienced financial hardship from lack of income or opportunity as a direct result of the COVID-19 crisis. The Tri-State Relief Fund to Support Non-Salaried Workers in the Visual Arts will distribute one-time unrestricted cash grants of \$2,000 each to freelance, contract, or non-salaried archivists, art handlers, artist/photographer's assistants, cataloguers, database specialists, digital assets specialists, image scanners/digitizers, and registrars. Applications will be accepted over three cycles starting Tuesday, May 5, 2020. After reviewing for completeness and documented losses of income, qualifying applicants will be selected for funding each cycle via a lottery process.

Applicants must meet all of the following requirements:

- They are a behind-the-scenes freelance, contract, or non-salaried cultural worker in the visual arts, who are able to demonstrate a sustained commitment for the past five years (2015 to 2020) to work in one or more of the following roles:
 - Archivist
 - Art Handler
 - Artist/Photographer's Assistant
 - Cataloguer
 - Database Specialist
 - Digital Assets Specialist
 - Image Scanner/Digitizer
 - Registrar
- They can provide documented loss of income for the period of March 1, 2020 to August 1, 2020.
- They have experienced dire financial emergencies due to the COVID-19 pandemic.
- They have been living and working in the Tri-State area (New York, New Jersey, and Connecticut) for a minimum of two years (from 2018).
- They are 21 years of age or older on or before the first cycle opens on May 5, 2020.
- They can provide a W9 and Social Security Number (SSN) or Individual Taxpayer Identification Number (ITIN).
- They are not a full-time employee, board member, director, officer, or immediate family member of NYFA, nor are they currently connected to The Willem de Kooning Foundation, the Helen Frankenthaler Foundation, Teiger Foundation, or the Cy Twombly Foundation (by employment or freelance work).
- They have not previously been awarded a relief grant from this fund.

The San Francisco mayor London Breed announced in October the implementation of a [pilot basic income program for artists](#), with \$6 million earmarked for \$1,000 monthly stipends for up to 130 artists and cultural workers, including teachers. Recipients can expect their first payment in early 2021, with disbursements to continue for at least six months.

On labor:

Working Artists and the Great Economy:

Guidelines for the Postponement or Cancellation of Work (March 27, 2020)

1) Work that was contracted, completed, and then cancelled due to mandatory closure.*

Artists should be paid now for work that was completed, such as an exhibition that had already opened or was about to open. If the institution cannot pay immediately, the artist and institution should negotiate a timetable for payment immediately.

2) Work that was contracted but not necessarily completed.

Postpone; don't cancel. If an institution contracted an artist for a future program, especially if it's within the fiscal year, don't cancel it—postpone. It's likely an artist has already paid out of pocket for production expenses in preparation. This investment, as well as the promise of work, should be honored.

3) Future work that was contracted but has not yet begun.

This will depend on an institution's ability to survive through the crisis, but the principle is the same: postpone; don't cancel. Timing in the art system is critical for artists, many have waited years for opportunities. Cancelling a program altogether could adversely impact an artist long into the future and may have implications for an institution's reputation more broadly.

W.A.G.E. will continue to work on adding to these guidelines as conditions evolve. In the meantime, please don't hesitate to reach out with questions: info@wageforwork.com.

*New York City's Freelance Isn't Free Act requires payment within 30 days of completion of work. WAGENCY's payment guidelines were designed around this law.

Recommended Best Practice Protocols for Institutions and Funders (April 13, 2020)

Set of suggested best practice protocols building on Guidelines for the Postponement or Cancellation of Work:

1) Compensation for Online Content

Content transferred online or commissioned exclusively going forward for web-based platforms should be paid for at the same or greater rate as prior to the pandemic. Artists shouldn't be asked to provide free content in order to maintain the perception of continued institutional productivity.

2) Layoff and Furlough Transparency

In addition to updating audiences about programming changes and support for artists, institutions should consider including in their public announcements the layoff and furlough of workers, what measures they may be taking to support their staff, as well as any reduction in the compensation of their highest paid employees. The nonprofit sector's public-facing messaging should mirror internal policy changes that directly impact the livelihood of workers.

3) Distribution of Emergency Funding

Pledges of support from private foundations along with relief aid from the federal government should be distributed in ways that do not replicate existing unequal divisions of wealth among cultural institutions, but should instead be made with an awareness of the greater vulnerability to closure of non-endowed institutions, and in particular small-scale, local and community-based cultural organizations. Relief funding for institutions should be contingent on fair labor practices including the rehiring and equitable compensation of staff negotiated in good faith with unions.

CAP 5 / CONCLUSIONI

Sintesi del modello, parallelismi con l'Italia, riassunto dei benefici a livello individuale e sociale, raccomandazioni.

- The structure and administration of funding sources and support for artists and art workers is incredibly diverse and we can draw a few lessons from it that may serve advocacy in the context of Italy. **The main focus of this research was on the NEA** which provides many intriguing points of departure for how funding can be structured and administered at a **national level in support of regional and city levels** while at the same time providing **support to individual artists without requiring them to affiliate with an institution or Museum**. NEA is a well documented structure and while it has many shortcomings it should be analysed further in order to extract the components that are best suited to the Italian context. Individuals not requiring institutional or non profit affiliation
- Another crucial factor in the US system that may be drawn upon is the **501(c)3 status** and its capacity to bolster private and public funding at the same time through a **series of exemptions and tax deductions**. The exemption from property taxes and reduced postal rates for 501(c)3 are just a couple incentives that could be applied. Additionally the possibility of fiscally sponsoring projects in order to apply these exemptions onto others is another model. The fact that **donations are almost entirely tax deductible** is a huge incentive towards funding in this sector.
- There are a range of **advocacy groups** working to increase arts awareness and funding in the US from which AWI can take notes and strategies that are applicable in Italy. Perhaps one of the more crucial elements that is provided by them is the

collection of arts related data in order to increase awareness and keep track of the inner workings and systems in addition to providing tools and strategies for artists and art workers. W.A.G.E is just one but perhaps the most suited model to examine in further depth.

- **Freelance status** in the US permits tax deductions on practice related expenditures also permitting tax deducting on a percentage of income and freelance Unions support these workers rights. **The Occupational Outlook Handbook** which includes a range of information on working conditions, training and more are additionally of great use.
- **The Fulbright** is an example of government partnership with other countries for funded projects and research that goes from the USA towards other countries and invites scholars and artists from abroad towards the USA.
- **Copyright protection laws** in the US are fairly well developed and may provide some important frameworks for thinking about this in Italy.
- **WPA** though now an incredibly dated and defunct program is an intriguing model in this moment of transnational economic crisis as is situated the rebuilding of the economy in tandem with the **rebuilding of the cultural sector simultaneously placing art workers alongside all other types of essential workers** and providing the needed support for artists and arts organizations in a moment of crisis.

BIBLIOGRAFIA ESSENZIALE

[COVID-19 Resources for the Artist Organization Field](#) initiated by [Common Field](#)

[COVID-19 Strike Document](#) elaborated by [Debt Collective](#)

[USA folder](#)

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