



What We Know About the Restaurant Revitalization Fund Lawsuit

The Small Business Administration (SBA) can no longer disburse funds to applicants from the Restaurant Revitalization Fund (RRF) prioritization period in order to comply with an injunction filed in a Texas Federal court. This injunction follows lawsuits filed in Federal court that allege that the prioritization period is unconstitutional because it prioritizes applicants based on race and gender. Members of the prioritization period include businesses owned by: women or Veterans, and socially and economically disadvantaged groups, including Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans and Subcontinent Asian Americans.

The SBA informed 2,965 restaurants and bars already approved for an RRF grant that they would no longer receive funding. You are one of these applicants if you received [this email](#). The SBA will now disburse the funds allocated to those 2,965 applicants to members of non-priority groups, to comply with the court order.

Below is some information on what this means, how it may affect your grant application, and what you can do to ensure your business receives the relief it needs. If you have any questions that have not been answered in this document, please contact info@saverestaurants.com. The Independent Restaurant Coalition will continue to provide resources as this situation develops.

I received an email from the SBA saying that I will not be receiving the grant they promised me a few days earlier. What can I do to ensure my business has the relief it needs to keep its doors open?

You can advocate that Congress refills the Restaurant Revitalization Fund by visiting this [link](#). Members of Congress introduced the Restaurant Revitalization Fund Replenishment Act, which provides \$60 billion in additional funding for the RRF. [Join](#) the Independent Restaurant Coalition's fight to ensure your business and thousands of others have the relief they need to survive the pandemic.

I know a restaurant or bar operator who was promised a grant, but now will not receive it. How can I help? Who can I refer them to?

You and the operator you know can advocate that Congress refills the Restaurant Revitalization Fund. **Check out the [resources](#) the Independent Restaurant Coalition has created** to help the independent restaurant and bar community convince their members of Congress to refill the RRF.



You can refer the operator you know to info@restaurantcoalition.com -- we are happy to answer any questions they may have.

Does the Independent Restaurant Coalition recommend legal action?

Pursuing legal action is a personal decision. As an advocacy organization, the IRC cannot advise on legal matters.

I did not receive that email from the Small Business Administration, does this mean I still have an opportunity to receive funding?

The RRF is over-subscribed. If you have not received an award notice, your application will remain in the SBA portal; it will be eligible for review and award once the fund is refilled. If you have received an award notice but the funds awarded have not been deposited into your bank account there are a few things you can do:

- Contact the SBA at 844-279-8898.
- Contact your bank to ensure that the deposit has not been blocked due to fraud prevention systems.
- Contact your Representatives to make them aware of your situation and ask for assistance.

Even though I received this email from the SBA, do I have any chance at funds I was initially promised?

As a result of the court order, the SBA may not honor your award notice. Your application will remain in the portal and be eligible to receive funding once the RRF is refilled.

What will happen next with this lawsuit?

The Independent Restaurant Coalition will continue to provide updates as this situation as it unfolds.