

For Immediate Release

Contact: Peter Roth, Vice President – Strategic Communications, Marketing & Research
Phone: (703) 401-0676 E-mail: proth@surety.org

Broad Coalition Encourages Lawmakers to Include Amendment Providing Essential Protections on All Federally Financed Projects Receiving TIFIA Funds *Adopting Amendment Lynch 45 Will Ensure Payment and Performance Protections for Taxpayers, Workers, Subcontractors and Suppliers*

June 8, 2021 (WASHINGTON, DC) – [The Surety & Fidelity Association of America \(SFAA\)](#) in collaboration with the National Association of Minority Contractors, the American Subcontractors Association, the American Property Casualty Insurance Association, National Association of Surety Bond Producers, and many other trade associations strongly encourage members of the House Committee on Transportation and Infrastructure, led by Chairman Peter A. DeFazio (D-OR) and Ranking Member Sam Graves (R-MO), to adopt [Amendment Lynch 45](#), a provision articulated in [H.R. 1641](#), “Promoting Infrastructure by Protecting Our Subcontractors and Taxpayers Act.” This bipartisan amendment provides essential protections for workers, contractors, and suppliers by requiring payment and performance protection on federally financed infrastructure projects receiving Transportation Infrastructure Finance and Innovation Act (TIFIA) loans, including public-private projects (P3s). Amendment Lynch 45 is co-sponsored by Congressman Anthony Brown (D-MD), Congressman Chris Pappas (D-NH), Congressman Jake Auchincloss (D-MA), Congressman Stephen Cohen (D-TN), Congressman Stephen Lynch (D-MA), and Congressman Troy Balderson (R-OH).

“Amendment Lynch 45 will ensure TIFIA-financed P3 projects will protect taxpayers’ dollars, ensure project completion, protect local small business contractors and workers, and promote economic growth,” said SFAA president and CEO, Lee Covington. “For nearly a hundred years, the federal government has recognized the importance of surety bond requirements. Over 95 percent of all public projects require bonding under the Miller Acts, however, the Miller Acts’ bonding requirements are not clear on P3s, therefore, putting those projects at risk,” continued Covington.

P3 projects have increased in popularity over the years, however the lack of clarity for requiring payment and performance protections on P3 projects can force taxpayers to absorb additional costs of rebidding a project. Subcontractors and workers are often left unpaid for extended periods of time if the contractor defaults. By ensuring a bond requirement, P3 projects will offer the same payment and performance protections that have been in place on public infrastructure projects, protecting workers, contractors, suppliers, and taxpayers.

A list of co-sponsors organizations and additional information can be found [here](#).

###

***The Surety & Fidelity Association of America (SFAA)** is a trade association of more than 425 insurance companies that write 98 percent of surety and fidelity bonds in the U.S. SFAA is licensed as a rating or advisory organization in all states and it has been designated by state insurance departments as a statistical agent for the reporting of fidelity and surety experience. www.surety.org*