

Surety & Fidelity WEEKLY

 **The Surety & Fidelity**
ASSOCIATION OF AMERICA
Protecting Workers, Taxpayers & Businesses



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Upcoming Meetings & Events

Commercial Surety Advisory Committee Meeting on May 12, 2021 from 2:00pm to 3:30pm EST.



Board of Directors Meeting on May 20, 2021 from 1:30pm to 5:30pm EST.



Biden Administration Meeting with GOP Leaders to Discuss Infrastructure Proposals

President Biden is preparing to meet with top congressional Republicans, Senator McConnell (R-KY) and Representative McCarthy (R-CA), to discuss the administration's \$4 trillion economic proposal. After meeting with

Republican Leadership, President Biden will also meet with Senator Capito (R-WV) and five other Senators -- John Barrasso (R-WY), Roy Blunt (R-MO), Pat Toomey (R-PA), Mike Crapo (R-ID) and Roger Wicker (R-MS) -- to discuss his infrastructure proposal this week. GOP opposition to Biden's proposal has been ramping up, with Senator Capito (R-WV) unveiling an alternative plan that focuses more on traditional infrastructure such roads, highways, bridges, and broadband, but both sides remain open to further negotiating on a large scale package. Discussions this week will provide significant insight into how the administration will advance its infrastructure proposal and whether a bipartisan bill is feasible (Bloomberg).

SFAA & NASBP Strongly Support Miller Act Indexing Exemption



SFAA and NASBP commend Chairwoman Nydia Velazquez (D-NY) and Congressman Byron Donalds (R-FL) for the introduction of H.R. 2949. This legislation will ensure essential payment protections for subcontractors, suppliers, and workers and ensure performance protections for taxpayers will remain in place on federal construction contracts of \$150,000 and more. The bill will exempt the Miller Act bond threshold from periodic and arbitrary increases currently required under a broad indexing law.

“Bonding federal infrastructure protects taxpayers’ dollars, ensures project completion, protects local small businesses and workers, and promotes economic growth,” said Lee Covington, president and CEO of the SFAA. “The Miller Act provides essential remedial protections for many small businesses which furnish labor and materials on public work. If the bond threshold is raised, thousands of federal projects will no longer be protected by payment and performance bonds, leaving downstream parties exposed to significant risk of nonpayment if the contractor fails to pay them or goes out of business,” continued Covington.

The full press release is available [here](#).



2021 Infrastructure Week and Other Key Hearings Happening This Week

This week, United for Infrastructure will be hosting the 2021 Infrastructure Week to educate the American public and lawmakers about the importance of infrastructure in our lives and communities.

The signature event features a week of advocacy - bringing together organizations and individuals from across the country to host events, tour new and innovative projects, and talk about infrastructure with the press and on social media. The signature week will be held from May 10-14 and includes a series of webinars on a wide range of infrastructure initiatives. Additional information about the 2021 Infrastructure Week events can be found [here](#).

Additionally, there will be numerous meetings and hearings held this week that could help to frame infrastructure spending in 2021.

- The Hill will hold the "[Future of Mobility](#)" summit on May 12, which features House T&I Chairman Peter DeFazio (D-OR), Ranking Member Sam Graves (R-MO), and United Airlines CEO Scott Kirby as speakers for the event.
- On May 11, the Senate EPW Committee held a hearing on "[Equity in Transportation Infrastructure: Connecting Communities, Removing Barriers, and Repairing Networks Across America](#)." President Biden's American Jobs Plan includes \$20 billion over Fiscal Year 22-26/29 for initiatives addressed by this hearing (Capital Alpha Partners). The Senate Environment and Public Works Committee is one of three Senate Committees that take part in the surface transportation authorization.

Bipartisan Legislation to Improve Nation's Ports Introduced

Last week, House T&I Committee Chair Peter DeFazio (D-OR), T&I Ranking Member Sam

Graves (R-MO), and Subcommittee Chair Salud Carbajal (D-CA) introduced the Resilient Ports Act, bipartisan legislation to strengthen our nation's ports and increase funding for related infrastructure projects. The Resilient Ports Act will help to improve the resiliency of ports to extreme weather events including sea-level rising and flooding and increase funding.



According to the House Transportation and Infrastructure Committee, the bill:

- Creates a funding eligibility within the Port Infrastructure Development Program (PIDP) for port infrastructure projects that reduce the overall carbon footprint from port operations;
- Increases the set aside for inland river and small ports from 18% to 25% — such funds can be used for capital improvements to improve the movement of goods; acquire, repair, and maintain port equipment; and develop port improvement projects;
- Adds additional selection considerations for projects that address hazards to port infrastructure such as sea-level rise, flooding, and extreme weather events;
- Outlines resilience projects as those anticipating, adapting to, and recovering from disruptions to port infrastructure and vital operations; and
- Makes technical corrections within PIDP to clarify inland ports mean inland river ports.

“Like so much of our nation’s infrastructure, our ports are years, even decades behind the times, which affects our global competitiveness in the maritime sector. This bipartisan legislation—which will help reduce carbon pollution and ensure our ports are resilient to events related to climate change—is a key part of the solution,” Chair Peter DeFazio said. The full press release is available [here](#).



Transportation Construction Coalition to Host 2021 Legislative Fly-In This Month

Later this month, the Transportation Construction Coalition (TCC) will host the 2021 Virtual Legislative Fly-In on May 20 from 1:00 - 3:30pm EST. The TCC Legislative Fly-In will enable members to participate

in discussions on President Biden's infrastructure proposal and upcoming plans for FAST Act reauthorization with members of Congress and staff. The TCC, which SFAA serves on the executive committee of, is a group of 32 national associations and construction unions representing hundreds of thousands of individuals with a direct market interest in federal transportation programs.

Registration for the 2021 TCC Virtual Fly-In is available [here](#).

Updated Resources Available to Members



The **Law Library (Case Summary Database)** can be found [here](#).



Upcoming Events

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Law Library

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