

114TH CONGRESS
2D SESSION

H. R. 4439

To amend title 40, United States Code, to require that certain public buildings contain a lactation room for public use, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2016

Ms. NORTON introduced the following bill; which was referred to the
Committee on Transportation and Infrastructure

A BILL

To amend title 40, United States Code, to require that certain public buildings contain a lactation room for public use, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fairness for
5 Breastfeeding Mothers Act of 2016”.

6 **SEC. 2. LACTATION ROOM IN PUBLIC BUILDINGS.**

7 (a) LACTATION ROOM IN PUBLIC BUILDINGS.—
8 Chapter 33 of title 40, United States Code, is amended
9 by adding at the end the following new section:

1 **“§ 3317. Lactation room in public buildings**

2 “(a) DEFINITIONS.—In this section:

3 “(1) APPROPRIATE AUTHORITY.—The term ‘ap-
4 propriate authority’ means the head of a Federal
5 agency, the Architect of the Capitol, or other official
6 authority responsible for the operation of a public
7 building.

8 “(2) COVERED PUBLIC BUILDING.—The term
9 ‘covered public building’ means a public building (as
10 defined in section 3301) that is open to the public
11 and contains a public restroom, and includes a build-
12 ing listed in section 6301 or 5101.

13 “(3) LACTATION ROOM.—The term ‘lactation
14 room’ means a hygienic place, other than a bath-
15 room, that—

16 “(A) is shielded from view;

17 “(B) is free from intrusion; and

18 “(C) contains a chair, a working surface,
19 and, if the public building is otherwise supplied
20 with electricity, an electrical outlet.

21 “(b) LACTATION ROOM REQUIRED.—Except as pro-
22 vided in subsection (c), the appropriate authority of a cov-
23 ered public building shall ensure that the building contains
24 a lactation room that is made available for use by a mem-
25 ber of the public to express breast milk.

1 “(c) EXCEPTIONS.—A covered public building may be
2 excluded from the requirement in subsection (b) at the dis-
3 cretion of the appropriate authority if—

4 “(1) the public building—

5 “(A) does not contain a lactation room for
6 employees who work in the building; and

7 “(B) does not have a room that could be
8 repurposed as a lactation room or a space that
9 could be made private using portable materials,
10 at a reasonable cost; or

11 “(2) new construction would be required to cre-
12 ate a lactation room in the public building and the
13 cost of such construction is unfeasible.

14 “(d) NO UNAUTHORIZED ENTRY.—Nothing in this
15 section shall be construed to authorize an individual to
16 enter a public building that the individual is not otherwise
17 authorized to enter.”.

18 (b) TECHNICAL AND CONFORMING AMENDMENT.—
19 The table of sections at the beginning of chapter 33 of
20 title 40, United States Code, is amended by inserting after
21 the item related to section 3316 the following new item:

“3317. Lactation room in public buildings.”.

22 (c) EFFECTIVE DATE.—This Act and the amend-
23 ments made by this Act shall take effect one year after
24 the date of the enactment of this Act.