

FAIRNESS FOR BREASTFEEDING MOTHERS ACT OF 2019

Ms. NORTON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 866) to provide a lactation room in public buildings.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 866

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Fairness For Breastfeeding Mothers Act of 2019”.

SEC. 2. LACTATION ROOM IN PUBLIC BUILDINGS.

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

“§ 3318. Lactation room in public buildings

“(a) DEFINITIONS.—In this section:

“(1) APPROPRIATE AUTHORITY.—The term ‘appropriate authority’ means the head of a Federal agency, the Architect of the Capitol, or other official authority responsible for the operation of a public building.

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

“(3) LACTATION ROOM.—The term ‘lactation room’ means a hygienic place, other than a bathroom, that—

“(A) is shielded from view;

“(B) is free from intrusion; and

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

“(b) LACTATION ROOM REQUIRED.—Except as provided in subsection (c), the appropriate authority of a covered public building shall ensure that the building contains a lactation room that is made available for use by members of the public to express breast milk.

“(c) EXCEPTIONS.—A covered public building may be excluded from the requirement in subsection (b) at the discretion of the appropriate authority if—

“(1) the public building—

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

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

“(2) new construction would be required to create a lactation room in the public building and the cost of such construction is unfeasible.

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

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

“3318. Lactation room in public buildings.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 1 year after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Michigan (Mr. MITCHELL) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 866.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, today I rise in support of my bill, the Fairness For Breastfeeding Mothers Act of 2019, a bill that would require buildings that are either federally owned or leased to provide designated private and hygienic lactation spaces for nursing mothers.

The House passed this bill by voice vote when I offered it last Congress. The House also passed this bill in the 114th Congress as an amendment to the Public Buildings Reform and Savings Act of 2016. I appreciate the prior support of my colleagues, and I hope they will join me today in support of this important legislation once again.

For years, Federal agencies such as the U.S. Department of Agriculture and the Centers for Disease Control and Prevention have encouraged breastfeeding. The benefits are so great that the Affordable Care Act amended Federal law to require employers to provide a designated, non-bathroom space for returning employees to pump breast milk for their newborns, ensuring that new mothers would be able to continue the essential practice even after returning to work.

My bill would extend this requirement to include not only employees, but visitors and guests to Federal facilities across the Nation. Actually, Federal facilities visited by millions of Americans and others should lead the way.

My bill does not require the expenditure of Federal funds or require space to be mandated. It would simply allow visitors to Federal buildings to make use of spaces that are already available to Federal employees or to access similar spaces within those buildings.

In Washington, D.C., alone, there are millions of tourists who visit Federal sites, such as the Lincoln Memorial and the Smithsonian Institution. Increasingly, families understand the unique benefits of breastfeeding as encouraged by Federal agencies and programs, and visitors to these buildings who have newborns and babies should have a private space to breastfeed or pump.

The benefits of breastfeeding are well-documented. Breast milk contains antibodies and hormones that boost babies’ immune systems. Studies have shown lower risks of asthma, diabetes, respiratory infections, and other diseases among breastfed babies.

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Breastfeeding also has benefits for nursing mothers, who, research has

shown, have lower risks of diabetes and certain forms of cancer.

Given the significant health benefits of breastfeeding for both baby and mother already recognized in Federal policy, my bill is a logical step to ensure that visitors to Federal sites have access to clean, hygienic, and private spaces to nurse or pump.

It is also important to ensure that lactation spaces are accessible to individuals with disabilities. While the Americans with Disabilities Act does not apply to Federal buildings, the lactation spaces required by my bill would be subject to a similar law, the Architectural Barriers Act, which requires buildings and facilities that are designed, built, or altered with Federal dollars or leased by Federal agencies, to be accessible to individuals with disabilities whenever possible.

Madam Speaker, I urge my colleagues to support this important legislation, and I reserve the balance of my time.

Mr. MITCHELL. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I join my colleague in support of H.R. 866, which provides that federally managed buildings or federally owned buildings open to the public nursing rooms that are available.

The bill would apply to buildings that are already open to the public and which have nursing rooms for employees yet somehow do not manage to provide those to the general public, and they should. The requirements would not apply if the existing space cannot feasibly be opened.

As the gentlewoman notes, it does not create additional cost.

The legislation passed the House last Congress by voice vote and, if enacted, will help visiting mothers to our facilities in both the capital here and throughout the Nation.

Madam Speaker, I urge support for this legislation, and I urge the Senate to finally take up this legislation. To move it forward, I join my colleague in saying that it is about time that we open up the nursing rooms in Federal facilities to the general public in support of the care of newborns and young children.

Madam Speaker, I have no remaining speakers, and I yield back the balance of my time.

Ms. NORTON. Madam Speaker, we have had this act come up in a Republican House. It has now come up in a Democratic House. What more do we need in order for it to be clear that this is, shall we say, motherhood legislation and that the whole House is for it?

Madam Speaker, I have no remaining speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 866.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

REQUIRING FEDERAL RAILROAD ADMINISTRATION TO PROVIDE CONGRESSIONAL NOTICE OF COMPREHENSIVE SAFETY ASSESSMENTS

Ms. NORTON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 543) to require the Federal Railroad Administration to provide appropriate congressional notice of comprehensive safety assessments conducted with respect to intercity or commuter rail passenger transportation.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 543

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NOTICE OF COMPREHENSIVE SAFETY ASSESSMENTS.

(a) INITIAL NOTICE.—Not later than 10 business days after the Federal Railroad Administration initiates a comprehensive safety assessment of an entity providing regularly scheduled intercity or commuter rail passenger transportation, the Federal Railroad Administration shall notify in electronic format the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and each member of Congress representing a State in which the service that is the subject of the assessment being conducted is located, of the initiation of that assessment.

(b) FINDINGS.—Not later than 90 days after completion of a comprehensive safety assessment described in subsection (a), the Federal Railroad Administration shall transmit in electronic format to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and to each member of Congress representing a State in which the service that is the subject of the assessment being conducted is located, its findings of that assessment, including identified defects and any recommendations.

(c) DEFINITION.—For purpose of this section, the term “comprehensive safety assessment” means a focused review of the safety-related processes and procedures, compliance with safety regulations and requirements, and overall safety culture of an entity providing regularly scheduled intercity or commuter rail passenger transportation.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Michigan (Mr. MITCHELL) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 543.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, on the morning of September 29, 2016, a New Jersey Transit train failed to stop, overrode a bumping post at the end of its track, and struck a wall of the Hoboken Terminal in Hoboken, New Jersey.

In the wake of this fatal accident, which killed a young mother and injured 110 passengers and crew members, it was made public that the Federal Railroad Administration had been conducting a so-called “deep audit” of New Jersey Transit, which was prompted by an increase in safety violations.

This bill requires that the FRA provide appropriate congressional notice when the agency initiates and completes a comprehensive safety assessment of an intercity or commuter rail passenger system.

It is important that Members of Congress are informed as soon as Federal safety assessments are underway so that we may work on ways to provide assistance and oversight for our districts’ intercity or commuter passenger rail services and inform our constituents of any safety issues before accidents like what happened in Hoboken occur again.

Madam Speaker, I urge my colleagues to join me in supporting this bill, and I reserve the balance of my time.

Mr. MITCHELL. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, this bill would improve safety and transparency for our Nation’s railroads. Our constituents expect no less, by the way.

It requires notification of proper congressional committees and Members of Congress of the initiation of certain safety assessments for passenger railroads and rail transit agencies. Further, upon completion of those safety assessments, the bill requires the Federal Railroad Administration’s findings and recommendations be submitted to the proper committees and all affected Members of Congress.

Rail safety is critical to our Nation. When the FRA begins an in-depth safety assessment of a railroad, it means the agency has identified a significant and serious safety problem. Our constituents expect us to be advised of that, and, in fact, to keep them informed.

It is important that the Transportation and Infrastructure Committee and affected Members be notified timely both that the investigation is underway and what the agency found as a result of it. Doing so can only help improve the safety of our passenger and commuter railroads, as well as keep our constituents informed.

The bill passed the committee and the House last year unanimously. I certainly hope we can get the Senate to give it considerable concern. I thank my colleague, Mr. SIRE, for his hard

work on this legislation, and I reserve the balance of my time.

Ms. NORTON. Madam Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. SIRE), the sponsor of this legislation.

Mr. SIRE. Madam Speaker, in 2016, in Hoboken, New Jersey, my district, a New Jersey Transit commuter train ran past the end of the track and into the terminal, killing a young mother and injuring over 100 passengers and crew members.

In the wake of this tragedy, it was made public that the Federal Railroad Administration had been conducting a deep audit on New Jersey Transit for months, prompted by an increase in safety violations. At that time, the safety review was not known to relevant Members of Congress or the public who relied on New Jersey Transit to take them to work and bring them home safely every day.

Madam Speaker, H.R. 543 is a simple, straightforward piece of legislation. When the FRA begins a safety assessment on an intercity or commuter passenger rail system, it must notify Members of Congress and Senators on committees of jurisdiction or representing the State in which the assessment is conducted. The FRA will have 10 business days after the assessment begins to notify these parties.

The FRA will also need to transmit its findings, including any safety recommendations, to the relevant parties within 90 days of completion of the assessment.

Madam Speaker, this bill brings us one step closer to ensuring full transparency for Federal agencies and helps us ensure that our rail transportation infrastructure is safe.

Mr. MITCHELL. Madam Speaker, I have no further speakers. I reserve the balance of my time to close.

Ms. NORTON. Madam Speaker, this bill, too, was considered in the Republican House. We are considering it here in the Democratic House. I certainly hope that the urgency of this bill is apparent.

I have no further speakers other than the gentleman from New Jersey, who knows this issue perhaps best, and I yield back the balance of my time.

Mr. MITCHELL. Madam Speaker, I urge my colleagues to support this bill. I urge the Senate to move forward, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 543.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

REVIVING AMERICA’S SCENIC BYWAYS ACT OF 2019

Ms. NORTON. Madam Speaker, I move to suspend the rules and pass the