March 27, 2019

The Honorable John Barrasso
Chairman
Committee on Environment & Public Works
410 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Thomas R. Carper
Ranking Member
Committee on Environment & Public Works
410 Dirksen Senate Office Building
Washington, DC 20510

RE: S. 528, the Fairness for Breastfeeding Mothers Act of 2019

Dear Chairman Barrasso and Ranking Member Carper:

I am writing on behalf of the American Bar Association (ABA) and its over 400,000 members to express our support for providing lactation rooms in courthouses as envisioned by S. 528, the Fairness for Breastfeeding Mothers Act of 2019. We note that the House passed a companion bill, H.R. 866, last month and we look forward to prompt action by your committee on this issue.

The Senate bill would require covered “public buildings” to contain a lactation room available to members of the public. The ABA addressed the same issue in January 2019, albeit in a more limited manner. At the urging of our Young Lawyers Division, which has over 150,000 members under 36 years old, the ABA adopted a policy that encourages governments and court systems to establish lactation areas in courthouses. The installation of private, separate lactation rooms in courthouses is an important step to fully including women in the legal profession. In addition to serving lawyers, these lactation rooms would also benefit members of the public, jurors, litigants, and witnesses.

The Senate bill differs from the ABA policy not only in the scope of coverage, but also because it authorizes exemptions for public buildings that do not currently contain a lactation room for employees and do not have a space that could be repurposed or that would require new construction at an unfeasible cost. We urge that all courthouses, without exception, maintain a private, separate lactation room, equipped with chair, table, and electrical outlet for use by lactating employees and members of the public.

Thank you for considering this input. Please contact Denise Cardman in our Governmental Affairs Office at 202-662-1761 or denise.cardman@americanbar.org if the ABA can help advance this important legislation.

Sincerely,

Robert M. Carlson

Cc: Members of the Senate Committee on Environment & Public Works