

(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.

(Added Pub. L. 116-30, §2(a), July 25, 2019, 133 Stat. 1032.)

EFFECTIVE DATE

Pub. L. 116-30, §2(c), July 25, 2019, 133 Stat. 1033, provided that: “The amendments made by this section [enacting this section] shall take effect 1 year after the date of the enactment of this Act [July 25, 2019].”

CHAPTER 35—NON-FEDERAL PUBLIC WORKS

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§ 3501. Definitions

In this chapter, the following definitions apply:

- (1) PUBLIC AGENCY.—The term “public agency” means a State or a public agency or political subdivision of a State.
- (2) PUBLIC WORKS.—The term “public works” includes any public works other than housing.
- (3) STATE.—The term “State” means a State of the United States, the District of Columbia,

Puerto Rico, Guam, the Virgin Islands, the Northern Mariana Islands, the Federated States of Micronesia, the Marshall Islands, Palau, and any territory or possession of the United States.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1167.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3501	40:460.	Aug. 2, 1954, ch. 649, title VII, §703, 68 Stat. 641; Pub. L. 90-19, §10(d), May 25, 1967, 81 Stat. 22; Pub. L. 93-383, title IV, §401(c), Aug. 22, 1974, 88 Stat. 691.

In this section, the text of 40:460(2) is omitted as unnecessary because the complete name of the Secretary of Housing and Urban Development is used the first time the term appears in a section.

In clause (1), the words “or ‘public agencies’” are omitted as unnecessary because of 1:1.

In clause (3), the words “Guam, the Virgin Islands” are added to clarify that the provisions of the source law apply to those jurisdictions. The words “the Northern Mariana Islands, the Federated States of Micronesia, the Marshall Islands, Palau” are substituted for “the Trust Territory of the Pacific Islands” because of the termination of the Trust Territory of the Pacific Islands. See 48:1681 note prec.

§ 3502. Planned public works

(a) ADVANCES TO ENSURE PLANNING.—Notwithstanding section 3324(a) and (b) of title 31, the Secretary of Housing and Urban Development may make advances to public agencies and Indian tribes—

- (1) to encourage public agencies and Indian tribes to maintain at all times a current and adequate reserve of planned public works the construction of which can rapidly be commenced, particularly when the national or local economic situation makes that action desirable; and
- (2) to help attain maximum economy and efficiency in the planning and construction of public works.

(b) USES OF ADVANCES.—A public agency or Indian tribe shall use an advance under subsection (a) to aid in financing the cost of feasibility studies, engineering and architectural surveys, designs, plans, working drawings, specifications, or other action preliminary to and in preparation for the construction of public works, and for construction in connection with the development of a medical center, a general plan for the development of the center.

(c) NO FUTURE COMMITMENT.—An advance under subsection (a) does not commit the Congress to appropriate amounts to assist in financing the construction of any public works planned with the aid of that advance. Outstanding advances to public agencies and Indian tribes in a State shall not exceed 12.5 percent of the aggregate then authorized to be appropriated to the revolving fund established under section 3503 of this title.

(d) REQUIREMENTS FOR ADVANCES.—An advance shall not be made under subsection (a) for an individual project (including a regional, metropolitan, or other areawide project) unless—