

Congress of the United States  
Washington, DC 20515

June 15, 2022

The Honorable Zoe Lofgren  
Chair  
Committee on House Administration  
1309 Longworth House Office Building  
Washington, D.C. 20515

Dear Chair Lofgren:

We write today to urge the Committee to support efforts to install single occupancy restrooms in the House of Representatives and the Capitol.

All employees, interns, and visitors should have access to safe and comfortable restrooms. For members of the transgender, gender nonconforming and disability communities, that often means the availability of single stall or single-occupancy restrooms. As lawmakers, we can more effectively represent our constituents when our staff and interns reflect the diversity of the American people. However, absent improvements, we in Congress are limiting our ability to hire and retain individuals who belong to these communities. Additionally, following the resuming of the Capitol and House buildings to public tours and meetings – ensuring the American people coming to visit their elected leaders have access to appropriate facilities is critical for living up to our obligations as The People’s House. Concern over the lack of appropriate facilities is shared by our staff and visitors who have relayed to us their stories and experiences, including Members of the LGBT Congressional Staff Association.

According to the 2015 U.S Transgender Survey, 12% of respondents reported that they have been harassed, attacked or sexually assaulted in a bathroom in the last year.<sup>1</sup> Additionally, 59% of respondents said they have avoided bathrooms because they feared confrontations in public restrooms, at work, school or other places. Accordingly, the Occupational Safety and Health Administration (OSHA) requires that employers make toilet facilities available so that employees can use them when they need to do so, and the employer may not impose unreasonable restrictions on employee use of the facilities.<sup>2</sup> OSHA has also issued guidance to employers on best practices regarding restroom access for transgender employees to help ensure everyone has access to restrooms that correspond to their gender identity.<sup>3</sup>

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<sup>1</sup> USTS Reports.” *2015 U.S. Trans Survey*, <https://www.ustranssurvey.org/reports>.

<sup>2</sup> “Restroom Access for Transgender Employees.” *HRC Foundation*, <https://www.thehrcfoundation.org/professional-resources/restroom-access-for-transgender-employees>.

<sup>3</sup> *A Guide to Restroom Access for Transgender Workers*.  
<https://www.osha.gov/sites/default/files/publications/OSHA3795.pdf>.

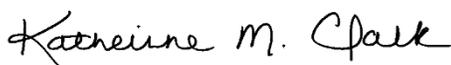
These facilities also benefit individuals with disabilities. Single stall restrooms allow individuals a higher level of privacy than standard multi-stall public restrooms and are often handicap accessible providing users with the space they need. According to the ADA’s guide to accessibility standards, providing an accessible unisex toilet room in addition to a multi-user toilet room is helpful for those who use personal care assistants of the opposite sex.<sup>4</sup> For individuals with caregivers of the opposite sex, public restrooms become difficult to use. Additionally, the International Building Code (IBC) requires accessible unisex or “family” toilet rooms in assembly and mercantile occupancies where a total of six or more toilet fixtures for each sex is required, (1108.2.1).<sup>5</sup>

While other federal buildings have improved accessibility to single-use restrooms, more work remains to be done in the House of Representatives and the Capitol. The House Appropriations Committee has taken steps to address this issue, including report language accompanying the FY21 appropriations bill that directed the Architect of the Capitol to detail the availability of single-stall restrooms in House office buildings, and subsequent report language accompanying the FY22 appropriations bill that directed the Architect to ensure that future construction and remodeling projects incorporate single-stall restrooms. Currently, there is only one single-use restroom located in the Longworth basement. For individuals working in the Cannon and Rayburn office buildings, they must leave their buildings and, in some cases, walk outside to find a safe and comfortable restroom to use.

Implementing single-use restrooms will make a visible difference in the lives of transgender and gender non-conforming individuals, as well as other marginalized communities, including people with disabilities, older adults, and parents of small children. As such, we ask for further examination of this issue and for your facilitation in installing additional restroom facilities to better accommodate those who work or seek to work in the House of Representatives.

Thank you for full and fair consideration, and we look forward to working with you to advance this important issue.

Sincerely,



Katherine M. Clark  
Member of Congress



Hakeem Jeffries  
Member of Congress

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<sup>4</sup> “U.S. Access Board.” *Chapter 6: Toilet Rooms*, <https://www.access-board.gov/ada/guides/chapter-6-toilet-rooms/#:~:text=The%20d.A%20Standards%20require%20that,1>).

<sup>5</sup> *Id.*