

ASSEMBLY RESOLUTION No. 244

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MAY 16, 2019

Sponsored by:

Assemblywoman ELIANA PINTOR MARIN

District 29 (Essex)

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Co-Sponsored by:

**Assemblywomen Vainieri Huttler, Timberlake, McKnight, Swain, Jasey
and Murphy**

SYNOPSIS

Urges President and Congress of US to enact law prohibiting airline from counting breast milk or breast pumps against airline's carry-on limit or restricting passengers from carrying breast milk onto aircraft.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/17/2019)

1 **AN ASSEMBLY RESOLUTION** urging the President and the Congress
2 of the United States to enact a law prohibiting an airline from
3 counting breast milk or breast pumps against the airline's carry-
4 on limit or restricting passengers from carrying breast milk onto
5 the aircraft.

6
7 **WHEREAS**, More than 80 percent of mothers breastfeed their infants
8 during the first six months of the child's life; and

9 **WHEREAS**, No matter what they are doing or where they are,
10 breastfeeding mothers need to express milk every few hours in
11 order to keep up their milk supply and to prevent infection known
12 as mastitis; and

13 **WHEREAS**, On October 5, 2018, the President of the United States
14 signed into law a five-year reauthorization of the Federal Aviation
15 Administration, which included language that requires airports to
16 provide lactation rooms that are accessible to the public; and

17 **WHEREAS**, In spite of this federal law and laws in all 50 states that
18 specifically allow breastfeeding in any public or private location,
19 breastfeeding mothers have continued to face barriers, even
20 harassment, when breastfeeding or attempting to breastfeed in
21 public places; and

22 **WHEREAS**, The Transportation Security Administration (TSA) permits
23 breast pumps and breast milk for infants or toddlers in reasonable
24 quantities to pass through the security checkpoint in airports; and

25 **WHEREAS**, TSA also permits ice packs, freezer packs, frozen gel
26 packs, and other accessories required to cool breast milk to pass
27 through the security checkpoint in airports; and

28 **WHEREAS**, In spite of these TSA policies, some airlines still prevent
29 passengers from carrying breast milk onto aircraft or prevent
30 breastfeeding mothers from carrying breast pumps onto aircraft by
31 counting breast pumps against the airline's carry-on limits; and

32 **WHEREAS**, There is no federal law that prohibits an airline from
33 counting breast milk or breast pumps against the airline's carry-on
34 limit or restricting passengers from carrying breast milk onto
35 aircraft; and

36 **WHEREAS**, These airline policies create barriers for parents to feed
37 infants and toddlers while traveling and create health risks for
38 breastfeeding mothers who are prevented from expressing milk for
39 extended periods of time while traveling; now, therefore,

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41 **BE IT RESOLVED** by the General Assembly of the State of New
42 Jersey:

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44 1. This House urges the President and the Congress of the
45 United States to enact a law prohibiting an airline from counting
46 breast milk or breast pumps against the airline's carry-on limit or
47 restricting passengers from carrying breast milk onto aircraft.

1 2. Copies of this resolution, as filed with the Secretary of State,
2 shall be transmitted by the Clerk of the General Assembly to the
3 President of the United States, the President of the United States
4 Senate, the Speaker of the United States House of Representatives,
5 the Majority and Minority Leaders of the United States Senate and
6 United States House of Representatives, and each member of the
7 United States Congress elected from this State.

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STATEMENT

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12 This resolution urges the President and the Congress of the
13 United States to enact a law prohibiting an airline from counting
14 breast milk or breast pumps against the airline's carry-on limit or
15 restricting passengers from carrying breast milk onto aircraft. More
16 than 80 percent of mothers breastfeed their infants during the first
17 six months of the child's life. Breastfeeding mothers need to
18 express their milk every few hours in order to keep up their milk
19 supply and in order to prevent infection known as mastitis.

20 The Transportation Security Administration (TSA) permits
21 breast pumps and breast milk for infants or toddlers in reasonable
22 quantities to pass through the security checkpoint in airports. In
23 spite of these TSA policies, some airlines still prevent passengers
24 from carrying breast milk onto aircraft or prevent breastfeeding
25 mothers from carrying breast pumps onto aircraft by counting breast
26 pumps against the airline's carry-on limits. These airline policies
27 create barriers for parents to feed infants and toddlers while
28 traveling and create health risks for breastfeeding mothers who are
29 prevented from expressing milk for extended periods of time while
30 traveling.