

**Testimony of Marcia Bernbaum, Mentor & Advisor to the  
People for Fairness Coalition (PFFC) Downtown DC Public Restroom Initiative  
at the February 27, 2020 Oversight Hearing  
for the Department of General Services**

Facilities and Procurement Committee Chair White, members of the Committee on Facilities and Procurement, DGS Director Anderson.

Good morning. My name is Marcia Bernbaum. I am a proud member of the People for Fairness Coalition (PFFC). As a PFFC member one of my roles is that of Mentor & Advisor to PFFC's Downtown DC Public Restroom Initiative which we launched in November of 2014.

Early on we established a goal: increase the number of clean, safe public restrooms available to everyone in needed areas of Washington DC. To achieve this goal we adopted three strategies: (1) raise consciousness of the need for clean, safe public restrooms; (2) educate on why they are needed and who benefits; and (3) advocate for the DC government to increase the number of clean, safe public restrooms in needed areas of the district.

I join my colleague, George Olivar, in thanking the many organizations and individuals who have contributed to an important step toward achieving our goal – the introduction in April 2019 of Law 22-280, Public Restroom Facilities Installation & Promotion Act of 2018. Law 22-280 funds two public restroom pilots, one of which calls for the Department of General Services to install and maintain two standalone public restrooms open 24/7.

Our thanks: to Council Member Nadeau for introducing Bill 22-0223 with the same name in April of 2017; to the DC Council for passing Bill 22-0223 by unanimous vote in December 2018; to eleven ANCs that sent resolutions to the DC Council urging the passage of Bill 22-022; to 25 organizations in the District that have endorsed the need for more clean, safe public restrooms; and to 2,000 individuals who signed a petition submitted to the DC Council requesting the passage of Bill 22-0223. Finally, we are grateful to three BIDs – Downtown BID, Georgetown BID, and Capitol Hill BID -- who “support public restroom access for all members of the Downtown DC community to ensure a higher quality of life for our residents, workers and guests”.

And a VERY special note of thanks to you, Council Member White. You and your staff were instrumental on ensuring that the funding required for the two standalone restroom pilots made it into the District's 2020 Budget!

Law 22-280 went into effect on October 1, 2019 and with it a series statutory obligations to be carried out by the Mayor:

- By November 15, 2019: reach out to ANCs and BIDs to ask them to identify areas within their boundaries where standalone public restrooms open 24/7 are needed.
- By May 1, 2020: form an interagency Working Group, with non-profit participation, charged with assessing the feasibility of, and if found feasible, selecting both the model and siting for two standalone public restrooms to serve as pilots.
- By November 1, 2020: based on the report submitted by the Working Group, reach out to ANCs and the public in general requesting feedback on the Working Group's specific recommendations regarding the model and siting of the two standalone public restrooms.

It is now February 27, 2020 and implementation of the Mayor's first statutory obligation, reaching out to ANCs and BIDs, is nearly 3 ½ months behind schedule.

The good news is that the Mayor recently put the Office of the City Administrator in charge of overseeing the implementation of Law 22-280 and that an individual in this office has been assigned to and has started doing this oversight. We also understand that an individual, housed in the office of the DGS Director, has also been named and begun to carry out her responsibilities.

Before closing I would like to share with you and DGS that we were very pleasantly surprised last Fall when we found out that the DC Comprehensive Plan Update includes two amendments that we submitted in June of 2017:

- Action PROS 2.1.C: Parks Restroom Inventory. Conduct an assessment of the existing parks restroom inventory, considering park size and usage to determine the needs for additional public restrooms.
- Action UD- 2.1.D: Public Restrooms in Streetscapes. When designing and upgrading streets and sidewalks in commercial areas, investigate opportunities to install attractive, clean, safe standalone public restrooms that are accessible at all hours.

A final comment:

DC has the opportunity to join other capitals and large cities in Europe and Asia that, realizing the importance of ready access to clean, safe public restrooms for both personal and public health, have public restrooms readily available in commercial areas where there is a lot of pedestrian traffic. Downtown Washington DC off the Mall, by way of contrast, has a total 5 public restrooms available during the day, 4 with limited hours, and only two open 24/7, both in hard to access areas.

With Law 22-280 our Nation's Capital has the opportunity to pilots approaches that have been successfully used elsewhere and, if successful, expand the program and in so doing join other capitals for which ready access to clean, safe public restrooms is a given.

However, we need to do this right. In the case of the two standalone public restroom pilots it is critical that:

- A standalone public restroom model is selected that is safe, clean, and economical;
- The sites for the standalone public restrooms use criteria that have been proven successful in other cities; and,
- Thanks to wording included in Law 22-280, that a careful assessment be carried focusing on the effectiveness of the pilots which can be used to decide whether or not to expand public restroom access beyond the pilots.

Thank you for giving me this opportunity to testify.