

118TH CONGRESS
2D SESSION

S. RES. 703

Designating a day in May 2024, as “Disability Reproductive Equity Day”.

IN THE SENATE OF THE UNITED STATES

MAY 23, 2024

Ms. DUCKWORTH (for herself, Mrs. MURRAY, Mr. HEINRICH, Mr. WELCH, Mr. MARKEY, Ms. SMITH, Mr. MERKLEY, Mr. PADILLA, Ms. HIRONO, Ms. STABENOW, Mr. CASEY, and Mr. BOOKER) submitted the following resolution; which was referred to the Committee on the Judiciary

RESOLUTION

Designating a day in May 2024, as “Disability Reproductive Equity Day”.

Whereas, in the United States, there are approximately 1 in 4 adults with disabilities, 1 in 10 people with disabilities who are able to become pregnant, and approximately 4,100,000 parents with disabilities;

Whereas this country has witnessed a long history of reproductive coercion impacting people with disabilities, including through the discriminatory Supreme Court decision *Buck v. Bell*, 274 U.S. 200 (1927), which upheld State laws authorizing involuntary sterilization of people with disabilities and which has never been overturned;

Whereas 31 States and Washington, DC currently have laws explicitly allowing the forced sterilization of people with disabilities;

Whereas people with intellectual and developmental disabilities living in congregate care facilities are at an increased risk of physical and sexual abuse, and the majority of these abuses go unreported;

Whereas women with disabilities are almost twice as likely as women without disabilities to experience sexual violence in their lifetime;

Whereas people with disabilities face unique barriers when accessing reproductive health care and exercising their reproductive and sexual health, autonomy, and freedom, including—

- (1) harmful stereotypes about, and attitudes towards, people with disabilities;
- (2) legal barriers and lack of consent due to guardianship;
- (3) financial barriers;
- (4) language and communication barriers;
- (5) delays in receiving preventative services;
- (6) a lack of accessible health care facilities, medical diagnostic equipment, and travel; and
- (7) a lack of health care providers with training on, and knowledge of, the needs of people with disabilities receiving reproductive health care;

Whereas people with and without disabilities want children at the same frequency, but people with disabilities are less likely to receive contraception counseling and timely prenatal care, experience a higher rate of sterilization, and are at a greater risk for adverse pregnancy outcomes;

Whereas an ongoing legacy of reproductive oppression of people with disabilities, especially women with disabilities, people of color with disabilities, people with disabilities with low incomes, and LGBTQI+ people with disabilities, has deprived many of their reproductive autonomy;

Whereas nearly 2 years after the Supreme Court overturned *Roe v. Wade*, 410 U.S. 113 (1973) in *Dobbs v. Jackson Women’s Health Organization*, 142 S. Ct. 2228 (2022), nearly 3,000,000 reproductive-aged women with disabilities live in States that have, or are likely to have, abortion bans;

Whereas State laws and court decisions in at least 21 States have restricted access to reproductive health care, including abortion care, disproportionately harming people who already face barriers to reproductive health care, including people with disabilities;

Whereas section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), titles II and III of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.; 42 U.S.C. 12181 et seq.), and section 1557 of the Patient Protection and Affordable Care Act (42 U.S.C. 18116) prohibit discrimination against people with disabilities and provide them with the right to equitably access and receive health care; and

Whereas all people, including people with disabilities, have the right to decide if, when, and how to start and raise a family: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) designates a day in May 2024, as “Dis-
3 ability Reproductive Equity Day” to support and
4 bring awareness to the right of people with disabil-

1 ities to reproductive and sexual health, autonomy,
2 and freedom;

3 (2) pledges to advance the right of people with
4 disabilities to reproductive and sexual health, auton-
5 omy, and freedom; and

6 (3) calls on the President to continue to fulfill
7 the promise of the Rehabilitation Act of 1973, the
8 Americans with Disabilities Act of 1990, and the
9 Patient Protection and Affordable Care Act to sup-
10 port, bolster, and protect the right of people with
11 disabilities to reproductive and sexual health, auton-
12 omy, and freedom.

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