

118TH CONGRESS
2D SESSION

S. 5628

To provide for an international disability rights strategy, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 19 (legislative day, DECEMBER 16), 2024

Mr. KAINE (for himself and Mr. CASEY) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To provide for an international disability rights strategy,
and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “State Department Dis-
5 ability Policy and Accommodations Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) The United States has shown leadership do-
9 mestically on disability policy with the Americans
10 with Disabilities Act of 1990 (42 U.S.C. 12101 et

1 seq.), as well as section 504 of the Rehabilitation
2 Act (29 U.S.C. 794), and this leadership should be
3 leveraged to support international disability policy
4 priorities.

5 (2) The United Nations (UN) Sustainable De-
6 velopment Goals 4 (No Poverty), 8 (Decent Work
7 and Economic Growth), 10 (Reduced Inequality), 11
8 (Sustainable Cities and Communities), 16 (Peaceful
9 and Inclusive Societies), and 17 (Partnerships) ex-
10 plicitly mention persons with disabilities, while 13
11 other Goals are particularly related to persons with
12 disabilities, and countries are required to report dis-
13 ability disaggregated data for each.

14 (3) There are more than 1,000,000,000 people
15 with disabilities around the world and 80 percent
16 live in developing countries.

17 (4) Sixty percent of people with disabilities are
18 women, according to the United Nations.

19 (5) Women with disabilities are more likely to
20 experience violence and sexual violence than women
21 without disabilities.

22 (6) There are more than 90,000,000 children
23 with disabilities worldwide according to the United
24 Nations Children's Fund (UNICEF).

1 (7) Children with disabilities are more likely to
2 be malnourished, subject to violence, isolation, and
3 abuse and less likely to attend school than children
4 without disabilities.

5 (8) People with disabilities are subject to eco-
6 nomic and social marginalization. The International
7 Labor Organization has estimated that the cost of
8 excluding people with disabilities from the world of
9 work could be up to 7 percent of Gross Domestic
10 Product (GDP) in some low- and middle-income
11 countries.

12 (9) The inclusion of people with disabilities is
13 a fundamental part of democracy and essential to
14 the full realization of human rights.

15 (10) The political participation and leadership
16 of people with disabilities, including those who ac-
17 quired a disability through conflict, is crucial to sus-
18 taining democratic institutions.

19 (11) People with disabilities can face disadvan-
20 tages in all areas of life, including educational at-
21 tainment, labor market outcomes, financial stability,
22 housing, standard of living conditions, political par-
23 ticipation, access to health care, arts and culture,
24 sports, transportation, and access to justice and citi-
25 zenship.

1 (12) Issues related to disability policy cut
2 across all sectors of foreign assistance, including de-
3 mocracy, voting and elections, human rights, civil
4 rights, labor, global health, education, economic
5 growth and trade, gender equality and women's em-
6 powerment, agriculture and food security, water and
7 sanitation, conflict transformation, disaster risk re-
8 duction, and humanitarian recovery and relief.

9 (13) People with disabilities are members of all
10 marginalized groups, including women, young peo-
11 ple, older adults, the LGBTI+ community, ethnic
12 and religious minorities, indigenous people, inter-
13 nally displaced people, and refugees.

14 (14) The public presence of the Special Advisor
15 for International Disability Rights at the Depart-
16 ment of State, first appointed in 2010, helped raise
17 the visibility of people with disabilities in Depart-
18 ment policies and programs, and improved the inclu-
19 sion of disability in the Department's annual Coun-
20 try Reports on Human Rights Practices and Traf-
21 ficking in Persons reports.

22 (15) There is currently no mandate that De-
23 partment of State programming be disability inclu-
24 sive where relevant and the Department does not
25 have a formal, publicly available disability policy.

1 **SEC. 3. DISABILITY INCLUSION IN FOREIGN POLICY.**

2 (a) SENSE OF CONGRESS.—It is the sense of Con-
3 gress that, since international disability rights is
4 foundational to development, national security, and eco-
5 nomic outcomes, disability inclusion should be
6 mainstreamed through all foreign assistance and program-
7 ming.

8 (b) FORMAL POLICY FOR DISABILITY INCLUSION IN
9 FOREIGN POLICY.—

10 (1) IN GENERAL.—Not later than one year
11 after the date of the enactment of this Act, the Sec-
12 retary of State shall develop and adopt a formal pol-
13 icy for disability inclusion in United States foreign
14 assistance programming and ensure that such policy
15 is implemented in the Foreign Affairs Manual.

16 (2) MATTERS TO BE INCLUDED.—The policy
17 required under paragraph (1) should include infor-
18 mation and guidance on the Department’s approach
19 to disability inclusion in United States foreign as-
20 sistance and disaster response programming.

21 (3) CONSULTATION.—In developing and adopt-
22 ing the policy, the Secretary shall consult with—

23 (A) individuals with disabilities, organiza-
24 tions of people with disabilities and inter-
25 national nongovernmental organizations work-
26 ing on disability rights; and

1 (B) the Administrator of the United States
2 Agency for International Development (USAID)
3 to promote coherence of such policy with
4 USAID’s formal disability policy.

5 (4) PUBLIC AVAILABILITY.—The Secretary
6 shall publish such policy on a publicly available
7 website of the Department.

8 **SEC. 4. OFFICE OF INTERNATIONAL DISABILITY RIGHTS.**

9 (a) IN GENERAL.—The Secretary of State shall es-
10 tablish an Office of International Disability Rights (re-
11 ferred to in this section as the “Office”) and which shall
12 be headed by an Ambassador-at-Large.

13 (b) APPOINTMENT.—The Ambassador shall be ap-
14 pointed by the President, by and with advice and consent
15 of the Senate, and shall work with and through the Assist-
16 ant Secretary of State for Democracy, Human Rights, and
17 Labor to advise the Secretary of State regarding matters
18 related to disability rights.

19 (c) PURPOSE.—The Office shall coordinate efforts of
20 the United States Government, as directed by the Sec-
21 retary, regarding human rights for people with disabilities
22 and advancing the status of people with disabilities in
23 United States foreign policy.

1 (d) DUTIES.—Section 5104(b) of the Department of
2 State Authorization Act of 2021 (division D of Public Law
3 117–81; 135 Stat. 2345) is amended—

4 (1) by redesignating paragraphs (1), (2), (3),
5 (4), (5), (6), (7), and (8) as paragraphs (2), (3),
6 (4), (5), (6), (7), (8), and (13), respectively;

7 (2) by inserting before paragraph (2), as redес-
8 ignated by paragraph (1) of this subsection, the fol-
9 lowing new paragraph:

10 “(1) coordinate all international disability policy
11 and international assistance provided by the United
12 States Government, in consultation with relevant
13 and appropriate regional bureaus of the Department
14 and chiefs of mission, to support efforts abroad to
15 strengthen the rights of persons with disabilities;”;
16 and

17 (3) in paragraph (8), as so redesignated, by
18 striking “disabilities; and” and inserting the fol-
19 lowing: “disabilities;

20 “(9) coordinate the collection of data regarding
21 the United States Government’s international assist-
22 ance and activities to promote the rights of persons
23 with disabilities, in coordination with the Adminis-
24 trator of the United States Agency for International
25 Development, the Secretary of State, and the heads

1 of other relevant Federal agencies, including to the
2 extent feasible—

3 “(A) a detailed accounting of spending by
4 relevant Federal departments and agencies, in-
5 cluding, for each Federal department and agen-
6 cy, the statutory source of spending;

7 “(B) the amounts spent; and

8 “(C) activities supported to the extent
9 practicable and appropriate;

10 “(10) establish interagency detail or rotation
11 opportunities for relevant Federal agencies to be
12 housed within the Office for the purposes of—

13 “(A) augmenting the Office’s ability to
14 share United States Government best practices
15 with United States missions and with inter-
16 national partners; and

17 “(B) strengthening the Office’s role in the
18 coordination of efforts across the government;

19 “(11) work with relevant bureaus to promote
20 the use of existing educational and cultural ex-
21 changes with international disability policymakers
22 and advocates;

23 “(12) coordinate with the Administrator of the
24 United States Agency for International Development
25 on the publication and promotion of an updated

1 United States Agency for International Development
2 disability policy; and”.

3 (e) SUPERVISION.—Section 5104(c) of the Depart-
4 ment of State Authorization Act of 2021 (division D of
5 Public Law 117–81; 135 Stat. 2345) is amended to read
6 as follows:

7 “(c) SUPERVISION.—The Office shall be headed by
8 an Ambassador-at-Large for International Disability
9 Rights. The Ambassador-at-Large should be a person of
10 recognized distinction in the field of disability rights. The
11 Ambassador-at-Large shall be provided with appropriate
12 funding and staff consistent with the duties of the Office
13 and with Department of State guidance on the status of
14 an Office.”.

15 (f) INTERNATIONAL DISABILITY RIGHTS STRAT-
16 EGY.—Section 5104 of the Department of State Author-
17 ization Act of 2021 (division D of Public Law 117–81;
18 135 Stat. 2345) is amended by adding at the end the fol-
19 lowing new subsection:

20 “(e) INTERNATIONAL DISABILITY RIGHTS STRAT-
21 EGY.—

22 “(1) STRATEGY.—Not later than 180 days after
23 the date of the enactment of this subsection, the
24 Secretary of State, in coordination with the Admin-
25 istrator of the United States Agency for Inter-

1 national Development, the heads of other relevant
2 Federal agencies, and nongovernmental organiza-
3 tions, should submit to the appropriate congressional
4 committees a strategy to—

5 “(A) achieve the purposes described in
6 subsection (b);

7 “(B) identify target countries and regions
8 for prioritization of the Department’s inter-
9 national assistance efforts related to the rights
10 of persons with disabilities;

11 “(C) identify the United States national
12 security interest in the target countries and re-
13 gions where assistance will be provided;

14 “(D) establish specific goals to advance
15 international best practices relating to the
16 rights of persons with disabilities; and

17 “(E) implement the Department’s plan to
18 leverage resources and expertise through part-
19 nerships with the private sector, nongovern-
20 mental organizations, and research and aca-
21 demic institutions.

22 “(2) ANNUAL REPORT.—

23 “(A) IN GENERAL.—Not later than one
24 year after submission of the strategy required
25 under paragraph (1), and annually thereafter,

1 the Secretary of State, in consultation with the
2 Administrator of the United States Agency for
3 International Development and other relevant
4 Federal agencies, should provide the appro-
5 priate congressional committees with a written
6 description of results achieved, including—

7 “(i) progress on implementation of the
8 strategy;

9 “(ii) an assessment of efforts to co-
10 ordinate United States international dis-
11 ability rights activities and initiatives with
12 foreign governments, multilateral institu-
13 tions, nongovernmental organizations, and
14 other key stakeholders related to the rights
15 of persons with disabilities;

16 “(iii) a detailed accounting of spend-
17 ing by the Department of State, the
18 United States Agency for International
19 Development, and other relevant Federal
20 agencies on United States international
21 disability rights assistance to foreign gov-
22 ernments and multilateral institutions re-
23 lated to the rights of persons with disabil-
24 ities; and

1 “(iv) the number of educational and
2 cultural exchanges focused on advancing
3 international disability rights.

4 “(B) DISAGGREGATION OF DATA.—The
5 data submitted under subparagraph (A) should,
6 where feasible, be disaggregated by country,
7 gender of recipients of assistance, funding ac-
8 count, funding levels, and fiscal year of funding.

9 “(3) APPROPRIATE CONGRESSIONAL COMMIT-
10 TEES DEFINED.—In this subsection, the term ‘ap-
11 propriate congressional committees’ means—

12 “(A) the Committee on Foreign Relations
13 and the Committee on Appropriations of the
14 Senate; and

15 “(B) the Committee on Foreign Affairs
16 and the Committee on Appropriations of the
17 House of Representatives.”.

18 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
19 authorized to be appropriated to the Department of State
20 \$6,000,000 for each of fiscal years 2024 through 2027,
21 to achieve the purposes described in subsection (b) of sec-
22 tion 5104 of the Department of State Authorization Act
23 of 2021, as amended by subsection (a) of this section.

1 **SEC. 5. DEPARTMENTAL HIRING AND FACILITIES ACCESSI-**
2 **BILITY.**

3 (a) IN GENERAL.—The Under Secretary of State for
4 Management shall, in consultation with the Office of
5 International Disability Rights, prioritize in the hiring and
6 recruitment and overseas assignments, the accessibility
7 practices of civil service employees and Foreign Service of-
8 ficers with disabilities and their family members with
9 chronic medical conditions or disabilities.

10 (b) DUTIES.—The Under Secretary shall—

11 (1) ensure that facilities used to carry out the
12 mission of the United States at embassies, con-
13 sulates, leased facilities, or any other facilities are in
14 compliance with United States Access Board stand-
15 ards, including accessibility to people with disabil-
16 ities, including by—

17 (A) making websites and other forms of
18 communication accessible to people with disabil-
19 ities and providing reasonable accommodations
20 to program participants;

21 (B) ensuring accessibility of United States
22 Government facilities by contracting with local
23 contractors and subcontractors that meet the
24 requirements of section 503 of the Rehabilita-
25 tion Act of 1973 (29 U.S.C. 793) to affirma-
26 tively hire workers with disabilities; and

1 (C) consulting with the Department of La-
2 bor's Office of Federal Contracts Compliance to
3 ensure all Department of State contractors are
4 compliant with the Americans with Disabilities
5 Act of 1990 (42 U.S.C. 12101 et seq.);

6 (2) ensure that the policies and practices for
7 the recruitment and placement of Foreign Service
8 officers and their families encourage the hiring and
9 placement of people with disabilities in compliance
10 with the Rehabilitation Act of 1973 (29 U.S.C. 701
11 et seq.);

12 (3) consult with the Disability Rights Section of
13 the Civil Rights Division of the Department of Jus-
14 tice to ensure that Department of State hiring is
15 compliant with the Americans with Disabilities Act
16 of 1990 (42 U.S.C. 12101 et seq.); and

17 (4) ensure that policies are in place for hiring
18 locally employed staff in embassies and consulates
19 outside the United States to ensure that accom-
20 modations are offered, provided, and funded from
21 the Department's centralized reasonable accommoda-
22 tion fund.

23 (c) FACILITY ACCESSIBILITY.—The Under Secretary
24 for Management shall, in consultation with the Office of
25 International Disability Rights—

1 (1) ensure that embassies and consulates and
2 their services are accessible to people with disabili-
3 ties, including with respect to—

4 (A) the physical accessibility of facilities
5 housing embassies and consulates;

6 (B) websites of United States embassies
7 and consulates;

8 (C) public internet and telecommuni-
9 cations; and

10 (D) other means of communication with
11 United States residents and the general public;
12 and

13 (2) acquire 5 percent of residences per diplo-
14 matic post and ensure that such residences meet the
15 adaptable standards set by the Director of the Bu-
16 reau of Overseas Buildings.

17 **SEC. 6. TRAINING.**

18 (a) IN GENERAL.—The Secretary of State shall re-
19 quire online or in-person mandatory disability inclusion
20 training for all civil service and Foreign Service personnel
21 of the Department of State and chiefs of mission, includ-
22 ing on—

23 (1) how to develop solicitations, programming,
24 budgets, and policies that are inclusive;

1 (2) how to ensure a disability-inclusive work en-
2 vironment;

3 (3) how to conduct disability-inclusive analyses
4 of laws and programming;

5 (4) how to empower and support local organiza-
6 tions of people with disabilities;

7 (5) how to ensure implementing partners that
8 receive funding from the Department hire and in-
9 clude people with disabilities throughout all Depart-
10 ment programs, as applicable by using international
11 monitoring frameworks that address inclusive pro-
12 gramming and integrating inclusion indicators; and

13 (6) inclusive humanitarian action for people
14 with disabilities, in line with established inter-
15 national frameworks including the Inter-Agency
16 Standing Committee (IASC) guidelines and the
17 Charter on Inclusion of Persons with Disabilities in
18 Humanitarian Action.

19 (b) COUNTRY-SPECIFIC AND CULTURAL CONSIDER-
20 ATIONS.—The Secretary shall ensure that training for
21 Foreign Service officers under subsection (a) should in-
22 clude country-specific and cultural considerations.

23 (c) FOREIGN SERVICE OFFICERS.—Section
24 708(a)(1) of the Foreign Service Act of 1980 (22 U.S.C.
25 4028(a)(1)) is amended—

1 (1) in subparagraph (C), by striking “; and”
2 and inserting a semicolon;

3 (2) by redesignating subparagraph (D) as sub-
4 paragraph (E); and

5 (3) by inserting after subparagraph (C) the fol-
6 lowing new subparagraph:

7 “(D) instruction on recognizing risks and
8 vulnerabilities of individuals with disabilities in
9 specific country contexts, disability inclusion in
10 policymaking and outreach at United States
11 embassies and analysis of disability-inclusive
12 laws and programming in local country con-
13 texts; and”.

14 **SEC. 7. REPORT AND BRIEFING REQUIREMENTS.**

15 (a) IN GENERAL.—Not later than 180 days after the
16 date of the enactment of this Act, and annually thereafter,
17 the Secretary of State shall provide to the Committee on
18 Foreign Relations of the Senate and the Committee on
19 Foreign Affairs of the House of Representatives a report
20 and briefing on the steps taken to implement this Act.

21 (b) MATTERS TO BE INCLUDED.—The report and
22 briefing required under subsection (a) shall include—

23 (1) an explanation of policies and programs to
24 fulfill—

1 (A) the duties of the Office of Inter-
2 national Disability Rights established under
3 section 4; and

4 (B) the training requirements under sec-
5 tion 6;

6 (2) a description of the status of efforts to
7 mainstream disability rights throughout Department
8 of State programming without regard to whether
9 such programming is specifically directed toward
10 people with disabilities;

11 (3) an explanation of disability-specific pro-
12 gramming across the Department;

13 (4) a description of the status of accessible fa-
14 cilities in all foreign missions, as required under sec-
15 tion 5(c);

16 (5) a description of any policy, programming, or
17 human resources gaps to mainstreaming disability
18 rights policy throughout the Department, and plans
19 to address gaps through appropriate mechanisms;

20 (6) a description of progress made on the real-
21 ization of the rights of people with disabilities as a
22 result of Department policies and programming;

23 (7) an explanation of the current status of the
24 Department's evidence gathering and improved sys-
25 tematic disability data collection, including the use

1 of disaggregated data, in order to ensure that pro-
 2 gramming, monitoring, and reporting reflect and ad-
 3 dress the risks and needs of people with disabilities;
 4 and

5 (8) recommendations for legislative actions to
 6 fully implement the matters described in paragraphs
 7 (1) through (7).

8 **SEC. 8. JUDY HEUMANN FOREIGN AND CIVIL SERVICE DIS-**
 9 **ABILITY FELLOWSHIP PROGRAM.**

10 (a) SENSE OF CONGRESS.—It is the sense of Con-
 11 gress that—

12 (1) disability rights are foundational to human
 13 rights, national security, and positive economic out-
 14 comes;

15 (2) the Department of State should mainstream
 16 disability inclusion by expanding training and pro-
 17 fessional development opportunities for Foreign
 18 Service and civil service personnel of the Depart-
 19 ment—

20 (A) to support and advance efforts to
 21 make the Department of State a more acces-
 22 sible and disability inclusive workplace by—

23 (i) familiarizing personnel with domes-
 24 tic disability laws, regulations, and policies;
 25 and

1 (ii) providing first-hand experience of
2 disability policy; and

3 (B) to fully integrate support for persons
4 with disabilities as a key component of the De-
5 partment of State's foreign policy and foreign
6 assistance programming by—

7 (i) examining and identifying the
8 United States foreign policies and pro-
9 grams that affect individuals with disabili-
10 ties in other countries;

11 (ii) establishing the principle that no
12 United States international activity should
13 have a lower standard of inclusion than its
14 domestic correlate;

15 (iii) promoting disability inclusive
16 practices and the training of personnel on
17 quality programming that is fully inclusive
18 of people with disabilities;

19 (iv) strengthening support for and in-
20 clusion of persons with disabilities, along
21 with the effective development and imple-
22 mentation of inclusive disability laws, regu-
23 lations, standards, and policies, in foreign
24 and domestic partnerships; and

1 (v) representing the United States in
2 diplomatic and multilateral fora on matters
3 relevant to the rights of persons with dis-
4 abilities and working to raise the profile of
5 disabilities across a broad range of organi-
6 zations contributing to international devel-
7 opment efforts.

8 (b) DEFINITIONS.—In this section:

9 (1) DEPARTMENT.—The term “Department”
10 means the Department of State.

11 (2) ORGANIZATION OF PERSONS WITH DISABIL-
12 ITIES.—The term “organization of persons with dis-
13 abilities” means a nongovernmental civil society or-
14 ganization, including a think tank, nonprofit, non-
15 governmental organization, academic institution, or
16 other organization, that—

17 (A) includes staff leadership and a board
18 of directors the majority of which consists of
19 people with disabilities; and

20 (B) serves people with disabilities.

21 (c) ESTABLISHMENT.—The Secretary of State shall
22 establish the Judy Heumann Foreign Service Disability
23 Fellowship (referred in this section as the “Fellowship”)
24 for purposes of assigning fellows to opportunities at orga-
25 nizations of persons with disabilities lasting between 6

1 months and one year. The Secretary shall make grants
2 to organizations of persons with disabilities in order to en-
3 able fellows to carry out the activities described in sub-
4 section (e). The Secretary shall be responsible for design-
5 ing, implementing, and operating the Fellowship program,
6 including setting standards for successful completion of
7 each fellowship.

8 (d) SELECTION OF FELLOWS.—

9 (1) IN GENERAL.—The Secretary of State shall
10 establish criteria for selecting the fellows for the Fel-
11 lowship and shall play a central role in selecting 5
12 fellows for the Fellowship during the first two years
13 and 10 fellows for the Fellowship during each year
14 thereafter.

15 (2) SELECTION AND PLACEMENT.—The Sec-
16 retary of State shall—

17 (A) make efforts to recruit fellowship can-
18 didates who reflect the diversity of the United
19 States;

20 (B) select fellows from among entry-, mid-
21 and senior-level Foreign Service and civil serv-
22 ice personnel;

23 (C) prioritize the selection of candidates
24 willing to serve in a fellowship lasting one year;

1 (D) help fellows arrange a fellowship place-
2 ment with an organization of persons with dis-
3 abilities; and

4 (E) for each fellow, approve a work plan
5 that identifies the target objectives for the fel-
6 low, including specific duties and responsibil-
7 ities relating to those objectives.

8 (e) FELLOWSHIP ACTIVITIES.—Fellows participating
9 in the Fellowship program shall—

10 (1) study the United Nations Convention on the
11 Rights of Persons with Disabilities, done at New
12 York December 12, 2006;

13 (2) attend the Conference of States Parties to
14 the Convention on the Rights of Persons with Dis-
15 abilities (COSP) along with one member of the
16 hosting organization of persons with disabilities; and

17 (3) carry out such other activities as the Sec-
18 retary of State determines appropriate.

19 (f) ANNUAL REPORT.—Not later than one year after
20 the date of the completion of the Fellowship by the initial
21 cohort of fellows selected under subsection (d), and annu-
22 ally thereafter, the Secretary of State shall submit to the
23 Committee on Foreign Relations of the Senate and the
24 Committee on Foreign Affairs of the House of Representa-

1 tives a report on the implementation of the Fellowship,
2 including—

3 (1) a summary of gender, race, national origin,
4 disability status, or other demographic categories of
5 the cohort of fellows who completed a fellowship dur-
6 ing the preceding one-year period;

7 (2) a description of the fellowships and place-
8 ments, including feedback on implementation and
9 lessons learned; and

10 (3) an analysis of trends relating to the diver-
11 sity of each cohort of fellows since the establishment
12 of the Fellowship program.

○