

United States Senate

WASHINGTON, DC 20510

July 22, 2026

The Honorable Todd Blanche
Acting Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Acting Attorney General Blanche:

We write to express our outrage concerning the U.S. Department of Justice's June 18 opinion, titled "Application of the Rehabilitation Act and Americans with Disabilities Act to State Institutionalization of Patients with Severe Mental Illness or Disabilities," which would undermine both the scope and enforcement of the integration mandate under Title II of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act. The opinion represents a dramatic departure from decades of federal law, regulations, and judicial precedent protecting the civil rights of people with all types of disabilities and must be withdrawn.

For more than 50 years, federal civil rights laws have recognized that unnecessary segregation and institutionalization constitute discrimination. In 1977 and 1978, the then-Department of Health, Education, and Welfare promulgated regulations requiring recipients of federal financial assistance to provide services to individuals with disabilities in the most integrated setting appropriate to their needs. Congress subsequently ratified and strengthened these requirements when it amended Section 504, and later purposefully included the principles in the ADA in 1990.

In enacting the ADA, Congress explicitly found that "historically, society has tended to isolate and segregate individuals with disabilities" and determined that such segregation constitutes a serious and pervasive form of discrimination. The ADA was designed not merely to prohibit intentional exclusion, but to ensure that people with disabilities have meaningful opportunities to live, work, learn, and participate fully in community life as full members of their communities.

In 1999, the Supreme Court affirmed these principles in *Olmstead v. L.C.*, holding that unjustified institutional isolation of individuals with disabilities is discrimination under the ADA. The Court recognized that institutionalization perpetuates harmful stereotypes about the capabilities of people with disabilities and severely diminishes opportunities for family relationships, employment, economic independence, educational advancement, and participation in community life.

For more than 25 years, federal courts across the country, Republican and Democratic administrations alike, the Department of Justice, and Congress have interpreted and implemented the *Olmstead* decision to require states and public entities to provide services in integrated settings when appropriate. This long-accepted interpretation has enabled hundreds of thousands of Americans with disabilities to avoid harmful and unnecessary institutionalization and remain connected to their families, schools, workplaces, neighborhoods, and chosen communities.

The Department's recent opinion rejects this settled understanding and threatens to undermine one of the most important civil rights protections for people with disabilities. Notably, the opinion itself acknowledges that its interpretation is "out of step with common understanding of that decision within Federal courts." Such an admission should give serious pause before the Department reverses decades of enforcement efforts or undertakes further regulatory actions. In order to protect the civil rights of disabled people, DOJ must meaningfully enforce the integration mandate. Instead, on July 20, DOJ issued a notice stating that guidance on enforcing *Olmstead* and the integration mandate, which DOJ relied upon for the past 15 years, was not enforceable, and DOJ would no longer rely upon it in its enforcement of Title II of the ADA; the notice also stated that DOJ plans to revisit the guidance.

The consequences of weakening the integration mandate would be profound. Millions of Americans with disabilities rely on home and community-based services supporting them to be among their families, maintain employment, pursue education, and participate in civic life. The Department's new interpretation risks creating, supporting, and encouraging policies that steer individuals into segregated settings such as nursing homes, psychiatric facilities, and segregated classrooms. Such a result would be inconsistent with federal law, contrary to congressional intent, and harmful to people with disabilities and their families. We cannot return to a time when people with disabilities were denied basic civil rights, ripped away from their families, and institutionalized against their will.

The disability community has spent decades advancing the promise that disability should never be grounds for exclusion from community life. The integration mandate is a cornerstone of that promise, and weakening it would reverse decades of bipartisan progress. People with disabilities belong in their communities, with the services and support they need. They deserve clear assurance that the federal government will continue to defend their right to live, receive services, and participate fully in society.

Therefore, we urge the Department of Justice to:

1. Immediately rescind its June 18, 2026 opinion concerning the integration mandate under Title II of the ADA and Section 504;
2. Reaffirm the Department's longstanding commitment to enforcing *Olmstead v. L.C.* and the integration mandate;
3. Continue vigorous enforcement efforts to prevent unnecessary institutionalization and segregation of people with disabilities; and
4. Engage with people with disabilities, family members, advocates, providers, and state and local governments to strengthen community-based supports and services.

To better understand the basis for the Department's actions and the implications of this opinion, please provide responses to the following questions and requests no later than August 5, 2026:

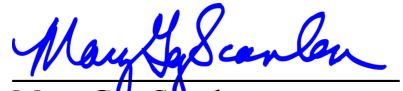
1. Provide all memoranda, legal analyses, briefing materials, draft opinions, and other documents from within the Department or received by the Department related to or relied upon in the development and drafting of the June 18, 2026 opinion, including any internal or external instructions, responses, and feedback related to the final opinion and any draft iterations.
2. Identify companies and organizations that provided legal analyses, briefing materials, or other communication related to the development of the OLC opinion, such as the Cicero Institute, an organization founded by Joe Lonsdale, co-founder of Palantir, that advocates for criminalizing homelessness; Social Purpose Corrections, an organization headed by a former CoreCivic warden; or any other entity that owns, operates, or plans to expand segregated settings for individuals with disabilities.
3. Identify all Department officials, political appointees, and outside individuals, including from the White House, who participated in initiating, drafting, reviewing, approving, or advising on the opinion.
4. Identify every pending or completed Department investigation, settlement agreement, consent decree, statement of interest, technical assistance document, or enforcement action that may be affected by the opinion.
5. Explain whether the Department intends to modify, withdraw, or cease enforcement of any existing *Olmstead*-related settlements, consent decrees, or agreements as a result of the opinion.
6. Describe any consultations conducted with disability rights organizations, individuals with disabilities, state and local governments, providers, researchers, or other stakeholders prior to issuance of the opinion.
7. Provide all communications between the Department and the White House, the Office of Management and Budget, and the Department of Health and Human Services related to the opinion.
8. Explain whether the Department conducted any analysis of the opinion's impact on:
 - a. Individuals receiving home and community-based services;
 - b. Individuals at risk of institutionalization;
 - c. Individuals involved in psychiatric institutions, nursing facilities, segregated day programs, correctional settings, and segregated educational placements;
 - d. State Medicaid programs; and
 - e. Existing federal disability rights enforcement efforts.
9. Provide any estimate prepared by the Department regarding the number of individuals with disabilities who may be affected by changes in federal enforcement resulting from the opinion.

The integration mandate has transformed the lives of countless Americans with disabilities by expanding access to community living, employment, education, and self-determination. We urge the Department to honor both the letter and spirit of the ADA by rescinding this opinion and reaffirming its commitment to the civil rights of people with disabilities.

Sincerely,



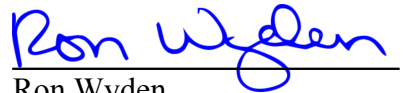
Richard J. Durbin
United States Senator
Ranking Member, Senate
Committee on the Judiciary



Mary Gay Scanlon
Member of Congress



Tammy Duckworth
United States Senator



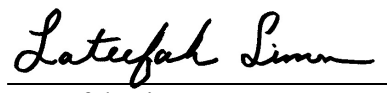
Ron Wyden
United States Senator
Ranking Member, Committee
on Finance



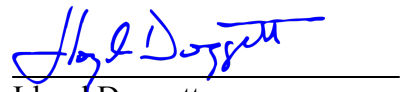
Bernard Sanders
United States Senator
Ranking Member, Committee
on Health, Education, Labor,
and Pensions



Debbie Dingell
Member of Congress



Lateefah Simon
Member of Congress



Lloyd Doggett
Member of Congress



Sharice L. Davids
Member of Congress



Eleanor Holmes Norton
Member of Congress



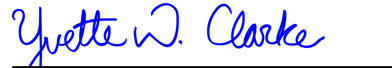
Danny K. Davis
Member of Congress



Rashida Tlaib
Member of Congress



Delia C. Ramirez
Member of Congress



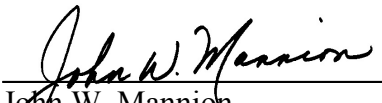
Yvette D. Clarke
Member of Congress



Chellie Pingree
Member of Congress



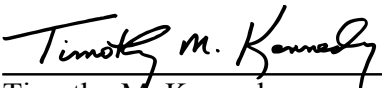
Chris Pappas
Member of Congress



John W. Mannion
Member of Congress



Bill Foster
Member of Congress



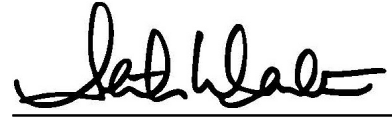
Timothy M. Kennedy
Member of Congress



Suzanne Bonamici
Member of Congress



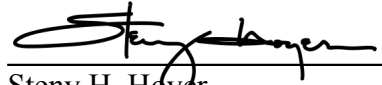
Val Hoyle
Member of Congress



Seth Moulton
Member of Congress



André Carson
Member of Congress



Steny H. Hoyer
Member of Congress



Nanette Diaz Barragán
Member of Congress



Charles E. Schumer
United States Senator



Mark DeSaulnier
Member of Congress



Ted W. Lieu
Member of Congress



Shri Thanedar
Member of Congress



Andrea Salinas
Member of Congress



Jennifer L. McClellan
Member of Congress



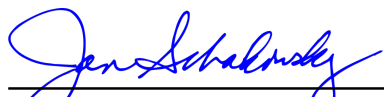
Raja Krishnamoorthi
Member of Congress



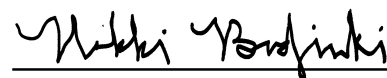
Ritchie Torres
Member of Congress



Andy Kim
United States Senator



Jan Schakowsky
Member of Congress



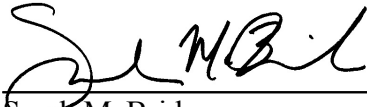
Nikki Budzinski
Member of Congress



Chris Deluzio
Member of Congress



Chris Van Hollen
United States Senator



Sarah McBride
Member of Congress



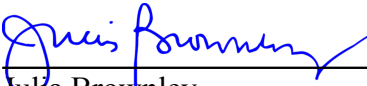
Jasmine Crockett
Member of Congress



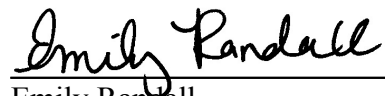
Richard Blumenthal
United States Senator



Zoe Lofgren
Member of Congress



Julia Brownley
Member of Congress



Emily Randall
Member of Congress



Ed Case
Member of Congress



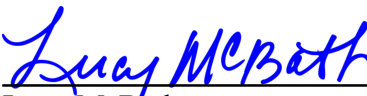
James P. McGovern
Member of Congress



Jeanne Shaheen
United States Senator



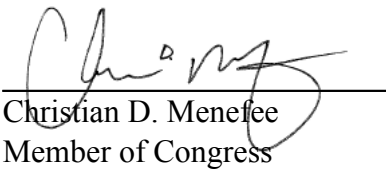
Doris Matsui
Member of Congress



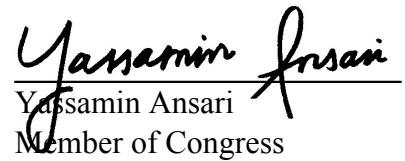
Lucy McBath
Member of Congress



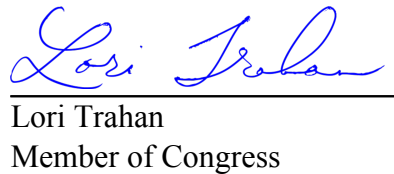
Steve Cohen
Member of Congress



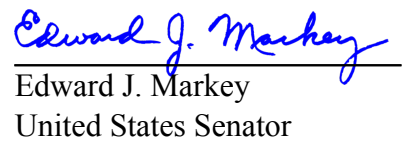
Christian D. Menefee
Member of Congress



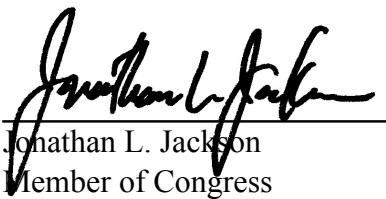
Yassamin Ansari
Member of Congress



Lori Trahan
Member of Congress



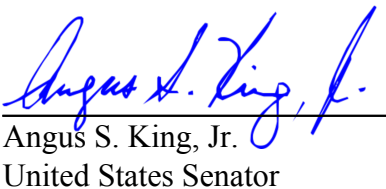
Edward J. Markey
United States Senator



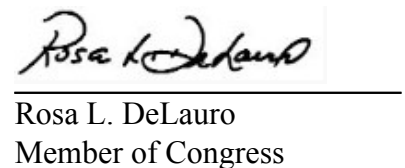
Jonathan L. Jackson
Member of Congress



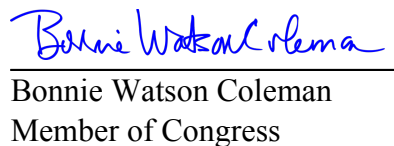
Joyce Beatty
Member of Congress



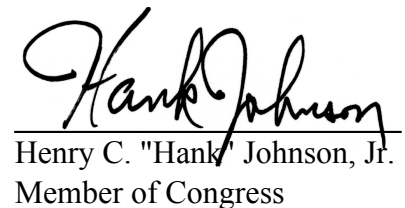
Angus S. King, Jr.
United States Senator



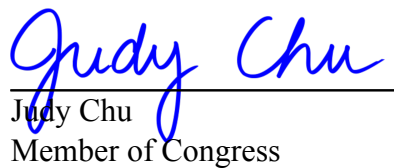
Rosa L. DeLauro
Member of Congress



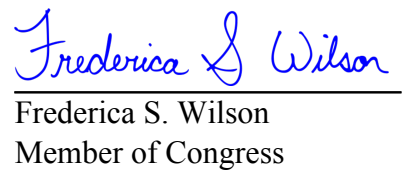
Bonnie Watson Coleman
Member of Congress



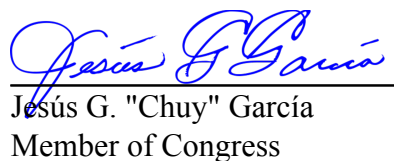
Henry C. "Hank" Johnson, Jr.
Member of Congress



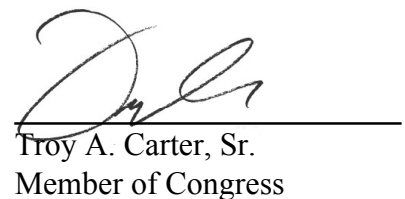
Judy Chu
Member of Congress



Frederica S. Wilson
Member of Congress



Jesús G. "Chuy" García
Member of Congress



Troy A. Carter, Sr.
Member of Congress



Maxine Dexter, M.D.
Member of Congress



Marilyn Strickland
Member of Congress



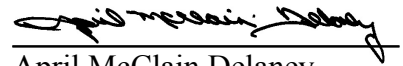
Rick Larsen
Member of Congress



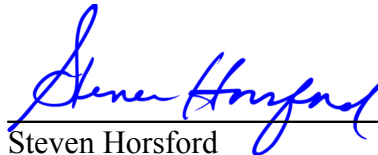
Lois Frankel
Member of Congress



Diana DeGette
Member of Congress



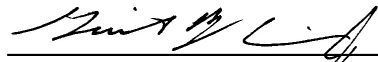
April McClain Delaney
Member of Congress



Steven Horsford
Member of Congress



John Garamendi
Member of Congress



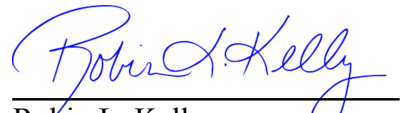
Gilbert Ray Cisneros, Jr.
Member of Congress



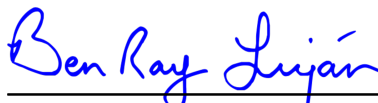
Elizabeth Warren
United States Senator



Adelita S. Grijalva
Member of Congress



Robin L. Kelly
Member of Congress



Ben Ray Lujan
United States Senator



Summer L. Lee
Member of Congress



Paul D. Tonko
Member of Congress



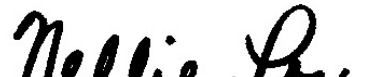
Angela D. Alsobrooks
United States Senator



Seth Magaziner
Member of Congress



Kweisi Mfume
Member of Congress



Nellie Pou
Member of Congress



Patty Murray
United States Senator



Jack Reed
United States Senator



Kelly Morrison
Member of Congress



Julie Johnson
Member of Congress



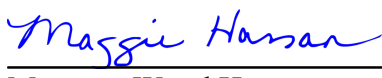
Jeffrey A. Merkley
United States Senator



Dina Titus
Member of Congress



Suhas Subramanyam
Member of Congress



Margaret Wood Hassan
United States Senator



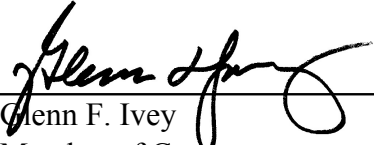
Robert Garcia
Member of Congress



Mark Takano
Member of Congress



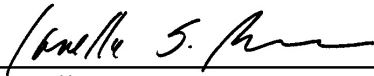
Sheldon Whitehouse
United States Senator



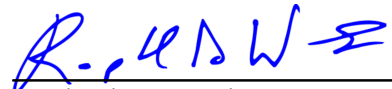
Glenn F. Ivey
Member of Congress



Michael F. Bennet
United States Senator



Janelle S. Bynum
Member of Congress



Raphael Warnock
United States Senator



Mazie K. Hirono
United States Senator



Gabe Amo
Member of Congress