

The Department of Justice (DOJ) Memo on the Integration Mandate:

What You Need to Know

Developed by The Partnership for Inclusive Disaster Strategies

What the integration mandate is and where it came from:

Section 504 of the Rehabilitation Act and the Americans with Disabilities Act (ADA) established that disabled people have the right to be included in their communities.

In the Supreme Court case [*Olmstead v. L.C.*](#), Lois Curtis and Elaine Wilson sued to get out of an institution. On June 22, 1999, the Supreme Court affirmed that people with disabilities had the right to “services in the most integrated setting appropriate to their needs.”

Courts have interpreted the *Olmstead* decision to mean that states are required to support people if they want to leave institutions or never want to live there in the first place. The *Olmstead* decision has led to policy that helps disabled people get out of and stay out of institutions. This is called the integration mandate.

Institutions include nursing homes, mental health facilities, training schools for people with intellectual and developmental disabilities, and other congregate places where people live and get services. Many people with physical disabilities, mental health conditions, sensory disabilities, and people who are Deaf or Hard of Hearing have been freed from institutions, including nursing facilities, or have not been forced to live there because of the *Olmstead* decision and the integration mandate.

What happened:

- On June 18th, the Office of Legal Counsel (OLC) in the Department of Justice (DOJ) [issued a memo](#).
- This memo said that there is no integration mandate under *Olmstead*. Disabled people don't have the right to receive services in the community.
- There was no court case. This is just a memo. The DOJ does not have the power to change the law, only Congress can do that.

What this does not mean:

The law has not changed.

The regulations have not been changed, but they could be. Before regulations can change, there must be a long process, like there is when they issue regulations.

We don't know all that will happen as a result of this memo...



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Here is what we do know:

People with disabilities are institutionalized at high rates during disasters and this could increase. The administration has continually expressed support for disabled people being institutionalized, rather than living in the community.

This includes:

- Supporting cuts to home- and community-based services (HCBS) that allow us to live in the community, not in institutions.
- Issuance of [Executive Order 14321](#) Ending Crime on America's Streets. This has nothing to do with ending crime. It says that the federal government wants to increase forced institutionalization for unhoused people, and change agreements states have made to get people out of psychiatric institutions so that people have to stay in institutions.
- The June 18 DOJ memo that claims there is no integration mandate followed by the publication of [a notice on July 20, 2026, in the Federal Register](#) stating that “the guidance issued by the Department on Olmstead ... are not enforceable.”
- The memo also stated that the DOJ “plans to revisit the *Olmstead* Guidance in light of the Supreme Court’s decision in *Loper Bright Enters. v. Raimondo*” [Supreme Court decision](#). “The Department will not rely upon the *Olmstead* Guidance in its enforcement of Title II of the Americans with Disabilities Act (ADA).”

What to do:

- Educate or re-educate legislators about the importance of community services.
- Urge them to support the resolutions by Senator Tammy Duckworth and Congresswoman Debbie Dingell to rescind the DOJ memo.

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Representative Dingell's Office

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The Partnership will share other actions to take as they come up!



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