



United States
Conference of
Catholic Bishops



Catholic
Charities
USA.



United States
Office of Justice and Ecology



October 13, 2026

Dear Representative:

On June 18, the Office of Legal Counsel (OLC) at the Department of Justice (DOJ), in a slip opinion, announced a reversal of its longstanding position implementing the Supreme Court’s *Olmstead v. L.C.* opinion, that Title II of the Americans with Disabilities Act (ADA) requires states to provide services in the most integrated setting appropriate to an individual’s needs. Notwithstanding its measured legal language, the OLC slip opinion constitutes a radical undertaking that, in its own words, is admittedly “out of step with the common understanding” of the Supreme Court’s ruling in *Olmstead v. L.C.* and how it is interpreted by “the vast majority of courts.”¹

This announcement is deeply troubling. Subsequent actions taken by DOJ call into question its commitment to enforce the integration mandate and will lead to widespread pain and suffering among persons with disabilities and their families. We urge Congress to do everything in its power to affirm the rights of persons living with disabilities to flourish in their families and communities. Congress must act to protect the programs, policies, and resources that persons with disabilities and their families rely on to thrive.

In their pastoral statement on persons with disabilities, the Catholic bishops of the United States note the Church’s defense of the right to life

implies the defense of other rights that enable the disabled individual to achieve the fullest measure of personal development of which he or she is capable. These include the right to equal opportunity in education, in employment, in housing, as well as the right to free access to public accommodations, facilities, and services.²

Institutionalization should be a last resort because it deprives persons of these rights and opportunities while also stripping communities of the presence and participation of such persons.

Our parishes, schools, and social and health ministries in every diocese in this nation are enriched and blessed by the opportunity to worship with, serve alongside, and learn from persons with disabilities. It is in these interactions that we recognize that too often “[w]hen we think of persons with disabilities in relation to ministry, we tend automatically to think of doing something for them. We do not reflect that they can do something for us and with us.”³ Institutionalization is a top-down approach, the very warehousing of the most vulnerable, and the result is that we all suffer.

¹ Department of Justice Office of Legal Counsel. (2026). “Application of the Rehabilitation Act and the Americans with Disabilities Act to State Institutionalization of Patients with Severe Mental Illness or Disabilities.” Available: [justice.gov/olc/media/1446701/dl](https://www.justice.gov/olc/media/1446701/dl)

² United States Catholic Conference (1978). *Pastoral Statement of U.S. Catholic Bishops on Persons with Disabilities*. p.3. Available: [usccb.org/resources/pastoral-statement-persons-disabilities](https://www.usccb.org/resources/pastoral-statement-persons-disabilities)

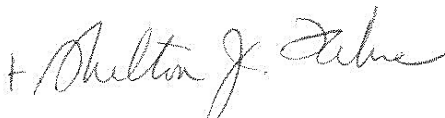
³ Ibid at p.5.

There is a more humane and just path forward--the family, which Church teaching regards as essential for persons to flourish. The bishops have noted that the “central importance of family members in the lives of all persons with disabilities, regardless of age, must never be underestimated.”⁴ In this vein, when the Supreme Court decided *Olmstead* in 1999, it recognized that most persons with disabilities can thrive with their families or in community-based settings, and that the government has an obligation to support them to the extent possible. As a result, Catholic hospitals, charities, schools, ministries, and parishes across the country work with public services to ensure persons with disabilities and their families have the resources they need to live healthy, vibrant, and productive lives. The Supreme Court's decision in *Olmstead* is a linchpin of this system; without its civil rights framework, persons with disabilities, their families, and the community organizations that support them simply will not have access to the resources they need and deserve. The re-institutionalization of persons with disabilities in substandard and possibly inhumane conditions is a foreseeable consequence of the DOJ's recent move to reinterpret the decision.

A government's most hallowed moral obligation is to protect the life and dignity of everyone, from conception through natural death. Ensuring that persons with disabilities have the support and resources they need to lead safe, healthy, and productive lives flows directly from this obligation.

We support members in Congress who have already called on the Administration to rescind the OLC's June 18, 2026, slip opinion undermining *Olmstead* and encourage other members to join that effort. Congress should do everything in its power to protect persons living with disabilities--including reaffirming that the ADA requires states and local governments to provide services to persons with disabilities in their communities when appropriate. We stand ready to collaborate with you in this important work.

Sincerely,



Most Rev. Shelton J. Fabre
Archbishop of Louisville
Chair, Committee on Domestic Justice
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United States Conference of
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Most Rev. Edward J. Burns
Bishop of Dallas
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⁴ Ibid at p.5.