

# ALA American Library Association

March 20, 2025

Mr. Keith E. Sonderling  
Acting Director  
Institute of Museum and Library Services

Dear Acting Director Sonderling:

The American Library Association (ALA) submits this letter in response to President Trump's Executive Order 14238, "Continuing the Reduction of the Federal Bureaucracy," dated March 14, 2025, as it relates to the activities of the Institute of Museum and Library Services (IMLS).

The Executive Order, *inter alia*, directs the Director of the Institute of Museum and Library Services to "submit a report to the Director of the Office of Management and Budget confirming full compliance with this order and explaining which components or functions of the [IMLS], if any, are statutorily required and to what extent" within 7 days, that is, no later than March 21, 2025.

We are concerned about the Executive Order's impact on IMLS and the agency's important programs and services that benefit millions of Americans in communities across the country. In responding to the President's order, we urge you to be mindful of that impact, the purposes undergirding Congress' creation of IMLS, and the statutory obligations that Congress has imposed on IMLS.

## **Congressional Direction**

IMLS' organic statute, the Museum and Library Services Act (MLSA), was enacted in 1996. Bipartisan reauthorizations of the agency have been signed into law by Presidents George W. Bush in 2003, Barack Obama in 2010, and, most recently, President Donald J. Trump in 2018. The MLSA is codified in chapter 72 of title 20 of the U.S. Code.

Subchapter 1 of MLSA defines the agency's overall activities, such as directing the agency to carry out data collection and research about libraries and museums; subchapter 2, known as the Library Services and Technology Act (LSTA), directs IMLS to expend appropriated funds to support libraries across the country; and subchapter 3, known as the Museum Services Act, directs IMLS to expend appropriated funds to support museums across the country.

LSTA's predecessor, the Library Services Act, was originally signed into law by President Eisenhower in 1956. For nearly 70 years, Congress has directed the executive branch to carry out these programs that support the nation's libraries in serving Americans' information needs.

In passing the MLSA, Congress provided explicit direction and clearly expressed Congressional intent regarding the execution of the functions and activities directed under MLSA. For instance, the purpose of LSTA is codified at 20 U.S.C. § 9121; the purpose of the Museum Services Act is codified at 20 U.S.C. § 9171; and the objectives of the agency’s data collection and research activities are codified at 20 U.S.C § 9108(b). These purposes are an integral mandatory part of the statute that directs the agency’s execution of the law.

The MLSA authorizes appropriations for IMLS to execute these activities, and Congress has appropriated funds for the agency to implement activities in furtherance of those purposes. Most recently, on March 15, 2025, President Trump signed into law P.L. 119-4, the *Full-Year Continuing Appropriations and Extensions Act, 2025*, which continues the agency’s appropriations for fiscal year 2025 at the levels enacted for fiscal year 2024 in P.L. 118-47. In that law, Congress provided \$294.8 million and directed IMLS to use those funds to carry out the requirements of MLSA.<sup>1</sup>

The President may not impound appropriated funds and decline to spend money that Congress has appropriated and directed IMLS to expend. To the extent funds have been appropriated by Congress, their disbursement and expenditure is a statutorily mandated act which may not be terminated by Executive Order. Therefore, your report to the Director of the Office of Management and Budget should identify this ongoing expenditure as statutorily required.

Ensuring that these funds are expended efficiently, in compliance with law, and free from waste, fraud, or abuse, requires diligent oversight by the talented staff of IMLS. The agency’s operations and workforce are small and lean. We understand that the agency is currently authorized for only 91 full-time equivalent employees, and that the headcount as of today may already be substantially fewer than that. Further reducing the IMLS workforce would undermine the agency’s ability to faithfully execute its statutory obligations.

### **Examples of Statutory Requirements**

In addition to expending appropriated funds, there are other activities that must be continued by IMLS in accordance with law. As described above, Congress has directed IMLS to undertake numerous activities, enacted purposes that direct the agency’s implementation of those activities, and provided funding and directed IMLS to expend those funds to undertake those activities. A number of statutory obligations of IMLS are couched in expressly mandatory terms, for instance providing that the Director “shall” engage in certain activities. In other instances, requirements

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<sup>1</sup> The appropriations law also provides funds to IMLS, and directed IMLS to expend those funds, for carrying out its requirements under the National Museum of African American History and Culture Act, P.L. 108-184, and the National Museum of the American Latino Act, P.L. 116-260.

are made clear in the context of the statute. Below, we provide a non-exhaustive list of examples of statutory requirements.<sup>2</sup>

- 20 U.S.C. § 9102(b): “The Institute shall consist of an Office of Museum Services and an Office of Library Services.”
- 20 U.S.C. § 9102(c): “There shall be a National Museum and Library Services Board within the Institute, as provided under section 9105a of this title.”
- 20 U.S.C. § 9103: “The Director shall have primary responsibility for the development and implementation of policy to ensure the availability of museum, library, and information services adequate to meet the essential information, education, research, economic, cultural, and civic needs of the people of the United States.” “The Director shall” carry out specified duties. “The Director shall ensure coordination of the policies and activities of the Institute with the policies and activities of other agencies and offices of the Federal Government having interest in and responsibilities for the improvement of museums and libraries and information services.”
- 20 U.S.C. § 9104: “The Office of Library Services shall be headed by a Deputy Director, who shall be appointed by the Director from among individuals who have a graduate degree in library science and expertise in library and information services. The Office of Museum Services shall be headed by a Deputy Director, who shall be appointed by the Director from among individuals who have expertise in museum services.”
- 20 U.S.C. § 9105: Directs the Director to appoint employees as are “necessary to carry out the duties of the Institute.”
- 20 U.S.C. § 9105a: Provides for the composition, appointment, and operations of the National Museum and Library Services Board, e.g. that the “Board shall be composed of the following” officers, that certain members “shall be professional librarians or information specialists,” that certain members “shall serve for a term of 5 years,” that the Board “shall advise the Director on general policies with respect to the duties, powers, and authority of the Institute relating to museum, library, and information services,” that the Board “shall meet not less than 2 times each year,” etc.
- 20 U.S.C. § 9108: “The Director shall regularly support and conduct, as appropriate, policy research, data collection, analysis and modeling, evaluation, and dissemination of information to extend and improve the Nation’s museum, library, and information services.” In doing so, “the Director shall conduct ongoing collaboration [...] and consult

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<sup>2</sup> Given ALA’s primary interests in IMLS’ library programs and agency-wide activities, these examples do not discuss statutory requirements that may apply under the Museum Services Act.

with State library administrative agencies; and National, State, tribal, and regional museum and library organizations.” “The Director shall widely disseminate [...] the results, data, reports, findings, studies, surveys, and other information obtained under this section.”

- 20 U.S.C. § 9131: (a) “From the amount appropriated under the authority of section 9123 of this title for any fiscal year, the Director shall reserve 2.25 percent to award grants in accordance with section 9161 of this title; shall reserve 3.75 percent to award national leadership grants or contracts in accordance with section 9162 of this title.” (b) “From the sums appropriated under the authority of section 9123 of this title and not reserved under subsection (a) for any fiscal year, the Director shall award grants from minimum allotments, as determined under paragraph (3), to each State. Any sums remaining after minimum allotments are made for such year shall be allotted in the manner set forth in paragraph (2).”
- 20 U.S.C. § 9133: “Subject to appropriations provided pursuant to section 9123 of this title, the Director shall pay to each State library administrative agency having a State plan approved under section 9134 of this title the Federal share of the cost of the activities described in the State plan.”
- 20 U.S.C. § 9161: “From amounts reserved under section 9131(a)(1)(A) of this title for any fiscal year the Director shall award grants to Indian tribes and to organizations that primarily serve and represent Native Hawaiians (as the term is defined in section 7517 of this title) to enable such tribes and organizations to carry out the activities described in section 9141 of this title.”
- 20 U.S.C. § 9162: “From the amounts reserved under section 9131(a)(1)(B) of this title for any fiscal year the Director shall establish and carry out a program to enhance the quality of library services nationwide and to provide coordination between libraries and museums.” Describes types of activities to be undertaken under the program directed by this section.
- 20 U.S.C. § 9165: Directs IMLS to carry out the Laura Bush 21st Century Librarian Program, provides purposes for that program, describes types of projects to be undertaken under that program, and provides that “the Director shall establish procedures for reviewing and evaluating projects supported under this part.”


In addition to the agency’s statutory requirements under MLSA, such as the examples described above, IMLS is also bound by law to carry out requirements under other statutes, such as:

- The National Museum of African American History and Culture Act (20 U.S.C. § 80r–5(b)): “The Director of the Institute of Museum and Library Services shall establish” programs then described.
- The National Museum of the American Latino Act (20 U.S.C. § 80u(f)(2)): “The Director of the Institute of Museum and Library Services [...] shall establish and carry out” programs then described.
- Implementing and ensuring compliance with requirements applicable to all executive agencies, such as the Freedom of Information Act, or all federally-supported education activities, such as Title IX of the Education Amendments of 1972.

### **Conclusion**

We trust that you will take these views into account in responding to the Office of Management and Budget and that they will assist you in conforming your actions to the statutory obligations of the Institute.

Sincerely,



Alan S. Inouye, Ph.D.

Senior Director, Public Policy & Government Relations and Interim Associate Executive Director  
American Library Association

cc: Cynthia Landrum, Deputy Director, Office of Library Services  
Laura Huerta Migus, Deputy Director, Office of Museum Services  
Thomas M. Browder III, General Counsel

*The American Library Association (ALA) is the foremost national organization providing resources to inspire library and information professionals to transform their communities through essential programs and services. For more than 140 years, the ALA has been the trusted voice for academic, public, school, government, and special libraries, advocating for the profession and the library's role in enhancing learning and ensuring access to information for all.*