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March 24, 2025

Keith E. Sonderling
Acting Director
Institute of Museum and Library Services
955 L'Enfant Plaza North, SW
Suite 4000
Washington, DC 20024

Dear Acting Director Sonderling,

The members of the National Museum and Library Services Board would like to welcome you to your new role as Acting Director of the Institute of Museum and Library Services. This is an important moment of transition for the agency, and we look forward to working with you to support and strengthen its mission.

The National Museum and Library Services Board is established under 20 U.S.C. § 9105a and operates pursuant to the Federal Advisory Committee Act, where we serve in an official advisory capacity to the Director of the Institute of Museum and Library Services. It is our statutory responsibility to provide advice and recommendations on the policies, programs, and interagency coordination of the Institute, particularly as they relate to museums, libraries, and information services. We value our role in partnership with the staff leadership of the Institute of Museum and Library Services and are committed to fulfilling our duties with independence, insight, and a shared commitment to public service.

We understand that on March 14, 2025, President Trump signed Executive Order 14238, Continuing the Reduction of the Federal Bureaucracy, which was subsequently published in the Federal Register on March 20, 2025. As members of the National Museum and Library Services Board, we have taken particular note of Section 2 of the Executive Order, which directs federal agencies—including the Institute of Museum and Library Services—to reduce “the non-statutory components and functions” of their operations “to the maximum extent consistent with applicable law,” and further instructs that “such entities shall reduce the performance of their statutory functions and associated personnel to the minimum presence and function required by law.” In light of these directives, we are sending this letter today to advise you, in our statutory capacity, on the essential functions of the Institute of Museum and Library Services as expressly provided by the Museum and Library Services Act of 2018 and budget appropriations enacted by Congress.

It is our considered determination that the Museum and Library Services Act of 2018, as codified in Title 20 of the U.S. Code, outlines specific statutory mandates that cannot be paused, reduced, or eliminated without violating Congressional intent and federal statute. Among all its programs, structures, and duties, we want to emphasize core statutory obligations that are not discretionary under the law:

- Grants to States for Library Services (§9141)
- Native American Library Services (§9161)
- National Leadership Grants Program (§9162)
- State Plan Requirements (§9134)
- Statutory Disbursement of Funds (§9133)

It is our considered advice that all current-year and multi-year grants, contracts, cooperative agreements, and awards that have been authorized by law and funded by Congressional appropriation, most recently by the Full-Year Continuing Appropriations and Extensions Act, 2025 (P.L. 119-4), constitute statutory obligations. These include all **Museum Services Activities** (§9173), **Technical Assistance for Museums and Libraries** activities (§9108), Laura Bush 21st Century Librarian Program grants (§9165), **Support for Digital Literacy and Emerging Technologies** grants (§9121, §9162), and other grant programs.

Additionally, Congress has codified structural and administrative requirements that establish the lawful foundation for the agency's continued operation. These include:

- The Institute must include both an Office of Library Services and an Office of Museum Services (§9102).
- IMLS shall conduct ongoing research, data collection, and policy evaluation related to libraries and museums and shall disseminate this information to the public and the field (§9108).
- The Director of IMLS shall be responsible for the development and implementation of policy and the coordination of IMLS activities with other federal agencies (§9103).
- The National Museum and Library Services Board must exist and meet at least twice per year to advise the Director on policy matters (§9105a).

Moreover, in addition to the agency's statutory requirements under the Museum and Library Services Act, IMLS is also bound by law to carry out requirements under other statutes, including the National Museum of African American History and Culture Act (20 U.S.C. § 80r– 5(b)) and the National Museum of the American Latino Act (20 U.S.C. § 80u(f)(2)).

All such statutory obligations may not be discontinued or delayed under an Executive Order or other executive action. Sections 9133 and 9176 of the Act affirm IMLS's duty to obligate and disburse funds to grantees, subject only to the availability of appropriations, not to executive discretion. Any failure to fulfill these legal obligations or to reduce staffing or program operations below the minimum required to meet statutory mandates would place the agency in noncompliance with Congressional intent.

We appreciate the gravity of Executive Order 14238 on the agency and urge you to consider these statutory obligations carefully in the Institute's response. We remain fully committed to fulfilling our statutory role as an advisor to you as Acting Director and to supporting the lawful and effective operation of the Institute. We are ready to convene and further assist you in developing the agency's response to the Executive Order.

Respectfully,

National Museum and Library Services Board

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2018 MSLA: https://www.imls.gov/sites/default/files/mlsa_2018_asamended.pdf via <https://www.imls.gov/about/learn-about-imls/our-mission-vision/legislation-budget/legislation>

Board Charter: <https://www.imls.gov/sites/default/files/2024-10/2019-nmls-board-charter.pdf>
