

25-1477

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United States Court of Appeals  
for the First Circuit

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STATE OF RHODE ISLAND, STATE OF NEW YORK, STATE OF HAWAII,  
STATE OF CALIFORNIA, STATE OF COLORADO, STATE OF  
CONNECTICUT, STATE OF DELAWARE, STATE OF ILLINOIS, STATE OF  
MAINE, STATE OF MARYLAND, COMMONWEALTH OF  
MASSACHUSETTS, PEOPLE OF THE STATE OF MICHIGAN, STATE OF  
MINNESOTA, STATE OF NEVADA, STATE OF NEW JERSEY, STATE OF  
NEW MEXICO, STATE OF OREGON, STATE OF VERMONT, STATE OF  
WASHINGTON, STATE OF WISCONSIN, STATE OF ARIZONA,

*Plaintiffs-Appellees,*

v.

DONALD J. TRUMP, in the official capacity as President of the United States,

*Defendants-Appellants,*

*(Caption continues on next page)*

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On Appeal from the United States District Court  
for the District of Rhode Island

**UNOPPOSED BRIEF OF LIBRARY AND MUSEUM ORGANIZATIONS  
AND A LABOR UNION AS *AMICI CURIAE* IN SUPPORT OF PLAINTIFF-  
APPELLEES AND AFFIRMANCE OF THE DISTRICT COURT'S ORDER**

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*(Caption continued.)*

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*Defendants-Appellants,*

US INTERAGENCY COUNCIL ON HOMELESSNESS, KENNETH JACKSON, in the official capacity as Acting Executive Director of the US Interagency Council of Homelessness,

*Defendants.*

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### **CORPORATE DISCLOSURE STATEMENT**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure, *Amici Curiae* make the following disclosures:

- (1) For non-governmental corporate parties, list any parent corporation:

*None.*

- (2) For non-governmental corporate parties, list all publicly held corporations that hold 10% or more of the party's stock:

*None.*

**INTEREST OF *AMICI CURIAE*<sup>1</sup>**

*Amici Curiae* are membership organizations and a labor union who, between them, represent libraries, librarians, museums, public gardens, zoos, aquariums, curators, historians, and other cultural professionals, institutions, and staff.

*Amici* the American Library Association; Association of Research Libraries; Association for Rural & Small Libraries; Association of Tribal Archives, Libraries, and Museums; and Urban Libraries Council are membership organizations supporting libraries across the United States.

*Amici* the American Association for State and Local History, American Alliance of Museums, Association of Art Museum Directors, American Public Gardens Association, Association of Children’s Museums, Association of Science and Technology Centers, Association of Zoos & Aquariums, and Association of Science Museum Directors are membership organizations supporting museums and other educational and cultural institutions throughout the country.

*Amicus* the American Federation of State, County, and Municipal Employees, AFL-CIO (AFSCME) is a national labor organization and unincorporated membership association headquartered in Washington, D.C.

AFSCME, through its affiliate local unions and councils, represents 1.4 million

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<sup>1</sup> No person or entity other than *Amici* and their counsel assisted in or made a monetary contribution to the preparation or submission of this brief. All parties consent to its filing.



members across the United States. AFSCME’s membership includes more than 50,000 cultural workers—more than any other union—who work in more than 650 museums, libraries, zoos, and other cultural institutions in 38 states, the District of Columbia, and the Commonwealth of Puerto Rico.

As detailed in the brief below, *Amici* and their members (and their members’ staffs) work closely with the Institute of Museum and Library Services (IMLS), which they rely upon for information, coordination, funding, and other support. Through its research and program development assistance, IMLS has brought the nation’s libraries and cultural institutions into the modern era so that their services meet the essential education, research, economic, cultural, and civic needs of the people of the United States. *See* 20 U.S.C. §9103(c) (setting forth IMLS’s statutory purposes as reflected in the duties and powers of the Director). If Defendants are successful in eviscerating the agency during the pendency of this litigation, that effort will stall, causing long-lasting damage. And *Amici* and their membership, who as collaborators in that effort rely on collaboration with IMLS’s dedicated and specialized staff, will be forced to reduce and discontinue services. *Amici* accordingly have an interest in this case.

## PRELIMINARY STATEMENT

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*“If a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be.”*

Letter from President Thomas Jefferson to Charles Yancey (Jan. 6, 1816).<sup>2</sup>

\*\*\*

*“Books and ideas are the most effective weapons against intolerance and ignorance.”*

President Lyndon B. Johnson, Remarks Upon Signing Bill Amending the Library Services Act (Feb. 11, 1964).<sup>3</sup>

\*\*\*

On March 14, President Trump issued an Executive Order (the “Executive Order”) directing IMLS, among other agencies, to “eliminate” all its purportedly non-statutory components and functions and “reduce the performance of [its] statutory functions and associated personnel to the minimum presence and function required by law.” Exec. Order No. 14,238, §2, 90 Fed. Reg. 13043 (Mar. 14, 2025). In response to the Executive Order, IMLS’s new leadership dramatically reduced its staff and halted its data collection and technical assistance operations,

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<sup>2</sup> Letter from President Thomas Jefferson to Charles Yancey (Jan. 6, 1816), <https://founders.archives.gov/documents/Jefferson/03-09-02-0209>.

<sup>3</sup> President Lyndon B. Johnson, Remarks Upon Signing Bill Amending the Library Services Act (Feb. 11, 1964), <https://www.presidency.ucsb.edu/documents/remarks-upon-signing-bill-amending-the-library-services-act>.

incapacitating IMLS. The District Court issued a preliminary injunction enjoining IMLS and its leader Keith Sonderling from implementing Section 2. A1-29.

Defendants appealed.

*Amici* support plaintiffs' arguments on the likelihood of success on the merits and irreparable harm but focus here on the public interest, which weighs heavily against a reversal. *See Corp. Techs., Inc. v. Harnett*, 731 F.3d 6, 9-10 (1st Cir. 2013) (providing the standard for granting a preliminary injunction, which this Court reviews for abuse of discretion). *Amici's* experiences collaborating with IMLS—in the decades before and the months after implementation of the Executive Order—make clear that the public has a strong interest in its full operation during the pendency of this litigation and beyond. As discussed in detail below, IMLS provides libraries, museums, and cultural organizations with the capacity to operate effective programs. Its services also benefit cultural workers (and their unions) in irreplaceable ways. Any delay in reinstating IMLS to full operating capacity will hinder access to information and resources for people across the country.

## ARGUMENT

### **I. IMLS Is—and Was Designed by Congress to Be—the Connective Tissue of America's Library and Cultural Institutions.**

America's modern network of libraries and museums preserves the nation's history and heritage, makes information readily accessible to the public, and

provides essential social services and technological access and support to millions of Americans. See *Public Libraries Survey*, IMLS, <https://www.imls.gov/research-evaluation/surveys/public-libraries-survey-pls> (FY 2022 results spreadsheet showing 157 million registered library users); *Museum Facts & Data*, Am. All. Museums, <https://www.aam-us.org/programs/about-museums/museum-facts-data/> (“More people visit art museums, science centers, historic houses or sites, zoos, or aquariums than attend professional sporting events.”); see also, e.g., *Resources for Public Libraries Serving Persons Experiencing Homelessness*, ALA, <https://www.ala.org/pla/resources/tools/homelessness> (providing information on the provision of social work, social service resources, and mental health support in libraries). And the IMLS is at the center of this network—*Amici*, relying on leadership and guidance from IMLS, collaborate with libraries and museums across the nation to offer proven and coordinated resources and programs.

But this has not always been the case. Before the mid-twentieth century, America’s libraries and museums were decentralized and depended on inconsistent local funding. As of 1951, 30 million Americans (then about 20% of the nation’s population, see *Historical Population Change Data*, U.S. Census Bureau (Apr. 26, 2021), <https://www.census.gov/data/tables/time-series/dec/popchange-data-text.html>), including 26 million people living in rural areas, had no access to a public library. S. Rep. No. 82-775, at 2 (1951). When Congress passed the Library

Services Act a few years later, an additional 50 million people lived in places with “extremely inadequate” library services. S. Rep. No. 86-1412, at 2 (1960) (discussing statistics from 1956). Congress viewed this “lack of adequate public library services in the towns, villages, farming communities, and other non-urban areas of our Nation” as a “serious deficiency in the educational program of the United States.” *Id.* at 1-2.

Responding to that deficiency, beginning in 1956 with the Library Services Act (“LSA”), ch. 407, Pub. L. No. 84-597, 70 Stat. 293 (1956), Congress began constructing the administrative infrastructure that has become the modern IMLS. In passing the LSA, Congress reasoned that, “[i]n our complex society, democracy must, if it is to survive, have educated citizens who are aware of the issues facing their country and the world and understand those issues.” S. Rep. No. 82-775, at 1. The passing of the LSA was a victory for *Amicus* the American Library Association (ALA), which had first established an office in Washington, D.C., in 1945 with the goal of creating a program of federal assistance for libraries. *See ALA Washington Office: A Chronology of Its First Fifty Years of Activities on Behalf of Libraries, Librarians, and Users of American Libraries*, ALA 5-7 (May 1996), <https://www.ala.org/sites/default/files/aboutala/content/PPA/ALA%20WO%20Chronology%20First%2050%20Years.pdf>.

Congress re-authorized, extended, and amended the LSA several times over the intervening decades, expanding it to facilitate interlibrary cooperation and library service to the handicapped and institutionalized, Library Services and Construction Act Amendments of 1966, Pub. L. No. 89-511, §9, 80 Stat. 313, 314-17 (1966); strengthening state library agencies through increased funding, Library Services and Construction Amendments of 1970, Pub. L. No. 91-600, 84 Stat. 1660 (1970); encouraging programming for older persons, Older Americans Comprehensive Services Amendments of 1973, Pub. L. No. 93-29, §801, 87 Stat. 30, 57-59 (1973), and those with limited abilities in the English language, Education Amendments of 1974, Pub. L. No. 93-380, §841, 88 Stat. 484, 606-07 (1974); and shoring up the resources of major urban libraries, Library Services and Construction Act Amendments of 1977, Pub. L. 95-123, 91 Stat. 1095 (1977); among other expansions.

Then in 1976, in the context of the nation’s Bicentennial, Congress created the Institute of Museum Services (“IMS”), recognizing museums’ emerging role as “centers of learning.” Arts, Humanities, and Cultural Affairs Act of 1976, Pub. L. No. 94-462, §§201-10, 90 Stat. 1971, 1975-78 (1976); H.R. Rep. No. 94-1024, at 11 (1976). Congress intended the IMS to “encourage and assist museums in their educational role[;] to assist museums in modernizing their methods and facilities so that they may be better able to conserve our cultural, historic, and scientific

heritage; and to ease the financial burden borne by museums as a result of their increasing use by the public.” §202, 90 Stat. at 1975.

Ultimately, in 1996, Congress passed the Museum and Library Services Act (MLSA), formally uniting museum- and library-directed services in IMLS. Omnibus Consolidated Appropriations Act, 1997, Pub. L. No. 104-208, §§701-02, 110 Stat. 3009, 3009-294 to -306 (1996). The MLSA articulates Congress’s vision for IMLS, requiring that its Director coordinate between various levels of government and the private sector to meet Americans’ needs for museum and library services. 20 U.S.C. §9103(c)(2)(B). The Director must also “ensure that museum, library, and information services are fully integrated into the information and education infrastructures of the United States.” 20 U.S.C. §9103(c)(2)(D).

Congress has continued to strengthen and update the statutory framework for IMLS since its creation, consistently recognizing the importance of access to information in the twenty-first century. In 2010, Representative Raúl Grijalva noted that “[o]ur Nation’s museums are...a critical part of our country’s educational and economic infrastructure....” 156 Cong. Rec. H8321 (daily ed. Dec. 14, 2010). And in the words of Representative Virginia Foxx in 2018,

As a girl growing up in the mountains of North Carolina, libraries were vital to my own education, and that was the case for everyone in my community. Almost 19 years into the 21st century, libraries

continue to provide lifelines to lifelong learners all across this great country. They are as vital as ever.

164 Cong. Rec. H10313 (daily ed. Dec. 19, 2018).

Congress’s carefully crafted directives to IMLS and its predecessors over the past seven decades reflect the American conviction, voiced by Presidents Jefferson and Johnson, *supra*, that widespread access to information is vital to democracy. The resulting statutory scheme has brought about the vibrant landscape of libraries and cultural institutions Americans enjoy today, including in rural areas and other previously underserved communities. It also reflects a promise that our Government will work to make knowledge accessible to all Americans. The IMLS’s implementation of the Executive Order summarily dismisses and has already set back that work.

## **II. Through Its Expertise, IMLS Has Brought Best Practices and Economies of Scale to Institutions of All Types—Implementation of the Executive Order Has Curtailed that Work.**

In structuring IMLS as the preeminent source of support for library and museum services nationwide, Congress prioritized the centralization of expertise and skill within the agency. The MLSA requires the Director of IMLS to have “special competence” as either a library or museum specialist. Similarly, Deputy Directors must be “individuals who have a graduate degree in library science and expertise in library and information services” or “expertise in museum services,” 20 U.S.C. §9104. The MLSA additionally authorizes the agency to hire “technical



and professional employees” and “experts and consultants,” 20 U.S.C. §9105(b), (d), and requires it to “advise...Congress...on museum, library, and information services,” 20 U.S.C. §9103(c)(2)(A).

Prior to the Executive Order, IMLS was home to employees with a wealth of expertise. IMLS staff cultivated relationships with library and museum professionals, facilitated collaboration between institutions, and conducted research, helping museums and libraries better serve their communities. But the agency’s implementation of the Executive Order dramatically reduced IMLS’s staff from approximately seventy-five to just twelve. *See* Nathalie op de Beeck, *IMLS Staffers Cry Foul as New Leadership Continues to ‘Slash and Burn,’* Publisher’s Weekly (Apr. 16, 2025), <https://www.publishersweekly.com/pw/by-topic/industry-news/libraries/article/97563-imls-staffers-cry-foul-as-new-leadership-continues-to-slash-and-burn.html>. It was only after preliminary injunctive relief that IMLS began bringing some employees back.<sup>4</sup>

The loss of IMLS’s staff has reverberating harm: The staff who remain are simply unable to fulfill the agency’s statutory responsibilities and provide the services that *Amici* depend on. This Section discusses examples of those services and the way they have been significantly compromised as a result of the Executive Order.

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<sup>4</sup> *Amici* understand the current number of full-time IMLS employees to be 35.

## ***Research***

Congress requires IMLS to “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.” 20 U.S.C. §9108(a). Furthermore, the agency must “widely disseminate” its findings. 20 U.S.C. §9108(f). *Amici* and their members have traditionally relied heavily on these resources to make informed programming, planning, and collective bargaining decisions.

A significant example of IMLS research already compromised as a result of the Executive Order is the annual Public Libraries Survey (PLS). The PLS collects data from over 9,200 public libraries across the country, providing a crucial snapshot of the public-library landscape. *Annual Performance Report Fiscal Year 2024*, IMLS 22-23 (Feb. 2025), <https://www.imls.gov/sites/default/files/2025-02/2024apr.pdf>. This objective and comprehensive data includes information about staffing levels, patronage rates, collection sizes, and operating revenue, allowing libraries and their workers to see, at no cost, what programs their peer institutions are offering. Replicating the scope of information that PLS provides to the public would be a nearly impossible feat and prohibitively expensive for *Amici* to attempt. Moreover, the PLS has been conducted on an uninterrupted annual basis for more

than three decades, constituting a unique dataset for longitudinal research and comparisons over time.

PLS data is typically published in June of each year. However, despite *Amici's* understanding that the 2023 data was ready to be released in April 2025, IMLS did not publish it until late August 2025. IMLS's delay immediately interfered with *Amici's* ability to allocate resources and plan services.

In particular, *Amicus* the American Federation of State, County, and Municipal Employees, AFL-CIO (AFSCME) relies on PLS data to identify comparably sized institutions and survey their salary and benefit information in preparation for collective bargaining with cultural institution employers. IMLS's delay in releasing the 2023 data has already damaged AFSCME's ability to effectively negotiate on behalf of its members by forcing it to craft its bargaining proposals at an information disadvantage. The delay also presents an ongoing threat to AFSCME's bargaining, because once a collective bargaining agreement is executed, it is a binding contract with a fixed duration that then provides the foundation for subsequent contracts. The result is that any information disadvantage that leads to artificially low terms and conditions of employment can echo through future contracts at that same employer and others as well.

Unfortunately, the disruption resulting from the Executive Order may have affected the quality of the 2023 PLS data. Nonetheless, absent the District Court's

preliminary injunction, the 2023 PLS release likely would not have happened at all. The anticipated 2026 release of the 2024 PLS data almost certainly depends upon the status of the preliminary injunction as well.

As another example, building on the success of the PLS, the IMLS has spent the last few years piloting a parallel National Museum Survey (NMS) which launched in January 2025. *Annual Performance Report Fiscal Year 2024*, IMLS 23 (Feb. 2025), <https://www.imls.gov/sites/default/files/2025-02/2024apr.pdf>; *The FIRST EVER National Museum Survey Launches January 27, 2025*, IMLS, <https://www.imls.gov/research-evaluation/surveys/national-museum-survey-nms>. The NMS would have filled important gaps in knowledge regarding our national universe of museums, including information about museums' facilities, finances, admissions, and digital presence. *Frequently asked questions (FAQ) about the NMS*, IMLS, <https://www.imls.gov/research-evaluation/surveys/national-museum-survey-nms/faqs-about-the-nms>. Although the NMS was designed in partnership with *Amici* the American Association of State and Local History and the American Alliance of Museums, since the survey's launch *Amici* have been cut out of NMS discussions. As far as *Amici* know, IMLS has ground the NMS to a halt.

Another research effort cut short by the Executive Order was an in-depth study on how libraries can advance "Child Reading Literacy"—one of three "strategic learning priorities" identified in IMLS's "Learning Agenda" for Fiscal

Years 2023 through 2026. *See Learning Agenda: Research Questions to Guide IMLS Priorities*, IMLS 5-6, <https://www.imls.gov/sites/default/files/2023-11/learning-agenda.pdf>. The first step in the project, a literature review, was compiled in 2023. *See Ozen Guzen & Yasmina Haddad, Research on Motivation, Literacy, and Reading Development: A Review of Best Practices*, IMLS (Sept. 2023), <https://www.imls.gov/sites/default/files/2024-04/research-motivation-literacy-reading-development-report.pdf>. *Amicus* ALA understood that IMLS subsequently initiated additional research activities on this topic, and ALA planned to rely on that research to update resources it initially compiled in 2004 through its seminal Every Child Ready to Read initiative. *See Every Child Ready to Read*, ALA, <https://everychildreadytoread.org/about/>. All of IMLS’s research on this topic appears to have ceased since the Executive Order, hindering ALA’s ability to support public libraries nationwide in fostering children’s reading.

IMLS’s research on the physical condition of libraries and museums has also stalled. In the past several years, Congressional appropriations committees have encouraged IMLS to study the potential costs for bringing library and museum facilities into a state of good repair.<sup>5</sup> ALA—like Congress—understood that IMLS

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<sup>5</sup> *See, e.g.*, H.R. Rep. No. 117-403, at 312 (2022) (“The Committee notes growing concern regarding the physical condition of public libraries. The Committee supports efforts to assess the availability and condition of public library facilities, the availability and condition of public library facilities located in economically disadvantaged or underserved communities, the accessibility of public library

planned to publish a report on this topic in 2025; but implementation of the Executive Order has disrupted the contracts and staffing necessary for it to do so. Failure to complete the project—the most likely outcome absent a continuing preliminary injunction—will hinder *Amici*’s members and staff, as well as state and local governments, from making data-informed capital investments.

### ***Program Development***

Before the Executive Order led to the gutting of the agency, librarians and museum staff regularly turned to IMLS staff for help developing their programs and linking them to a national agenda. *Amicus* the Association of Research Libraries reports the benefits of long-term relationships with individual program officers at IMLS who came to understand individual institutions’ needs and helped them develop programming aligned with best practices, including by encouraging the replication of programs that work, while weeding out unnecessary duplication between institutions. *Amici* ALA and the Association for Rural & Small Libraries concur, citing IMLS guidance as key to designing effective interlibrary sharing programs, which are essential to the nation’s robust network of small libraries.

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facilities for individuals with disabilities, the condition of public library facilities affected by natural disasters and extreme weather, and potential costs associated with bringing public library facilities to a state of good repair.”); S. Rep. No. 118-207, at 313 (2024) (“[T]he Committee appreciates IMLS’s work to conduct a study on this issue [museum and library facilities] and looks forward to the publication of the resulting report.”); S. Rep. No. 119-55, at 330 (2025) (reiterating the same).

IMLS staff have also worked over time to build rapport with—and help develop libraries, museums, and other cultural institutions for—historically marginalized communities.

IMLS also helps institutions *assess* their programs. Through a cooperative agreement with IMLS, *Amicus* the American Alliance of Museums has operated the Museum Assessment Program (MAP), which has helped more than 5,000 small and mid-sized museums of all types strengthen offerings through site visits, self-assessment, and peer review since 1981. *Museum Assessment Program (MAP)*, Am. All. Museums, <https://www.aam-us.org/programs/accreditation-excellence-programs/museum-assessment-program-map/>. As a result of the Executive Order, this year’s MAP has been cancelled. *Id.* Even a temporary pause to this service sets back *Amici*’s members, many of whom planned to participate in MAP this year.

### ***Access & Affordability***

IMLS coordinates other programs that are critical to making America’s museums and libraries available to all Americans regardless of income or ability. For example, through an IMLS initiative called Museums for All, over 1,500 museums offer free or reduced admission for individuals who receive assistance under the federal Supplemental Nutrition Assistance Program. *Museums for All*, <https://museums4all.org/>. IMLS does not issue grants or reimburse museums for the cost of participating in the program but instead provides coordinating support

and programming to participating museums, making it easier for them to execute a free-or-reduced admission program. Without that centralized coordination, smaller museums will struggle to implement these programs, decreasing the accessibility of museums for low-income Americans.

As another example, in the late 2010s, recognizing the impact of the “book famine” on individuals with print disabilities (in particular individuals who are blind or have low vision), IMLS partnered with the United States Patent and Trademark Office, the United States Copyright Office, the United States Trade Representative, and the Department of State to expand the availability of accessible format materials through a ground-breaking treaty and amendments to federal law. *See United States Becomes 50th Member State to Join Historic Copyright Treaty*, IMLS (Feb. 8, 2019), <https://www.imls.gov/news/united-states-becomes-50th-member-state-join-historic-copyright-treaty>. The agency’s implementation of the Executive Order will curtail IMLS’s ability to identify and provide leadership on this and similar issues going forward.

### ***Emergency Response Planning & Coordination***

Insufficient staffing because of the Executive Order will also leave IMLS unable to provide key emergency response planning and coordination. In particular, IMLS helps coordinate museum and library engagement in the Heritage Emergency National Task Force, which provides resources and conducts research



to preserve “heritage collections” in the event of disasters such as floods, tornadoes, hurricanes, and fires. *See Protecting America’s Collections: Results from the Heritage Health Information Survey*, IMLS 28 (Feb. 2019), <https://www.imls.gov/sites/default/files/publications/documents/imls-hhis-report.pdf>. Without IMLS’s work to develop and coordinate emergency responses, irreplaceable artifacts and documents are at risk.

### **III. Cuts to IMLS Staffing Will Prevent IMLS from Carrying Forward Its Legacy of Effective Grantmaking, Significantly Diminishing the Value of Libraries and Museums to the Public.**

As Congress envisioned, one of IMLS’s central responsibilities is grantmaking. In Fiscal Year 2024, IMLS distributed a total of \$265,613,839 in grant funding to state governments, museums, and libraries in all 50 states, the District of Columbia and six U.S. territories. *Annual Financial Report: Fiscal Year 2024*, IMLS 10-14 (Feb. 2025), <https://www.imls.gov/sites/default/files/2024-11/2024afr.pdf>. These grants also brought in \$144,647,926 in cost-sharing and matching funds from awardees, reflecting the IMLS’s ability to harness state and private resources in service of libraries and museums. *Id.* IMLS has been a leader among its peer agencies in ensuring compliance and good governance among its grantees: Senators Tom Coburn and Tom Carper recognized the IMLS in 2006 for its excellent results in grantmaking and other programming. *Hearing Before the Fed. Fin. Mgmt., Govt. Info. & Int’l Sec. Subcomm. of the S. Comm. on Homeland*

*Sec. & Governmental Affs.*, 109th Cong. 1, 7 (2006) (statement of Sen. Tom Coburn) (lauding the “accountability principles that guide the grant work of...the Institute of Museum and Library Services”).

IMLS’s evidence-backed and cost-effective grantmaking does not happen magically; nor can it be done by just anyone. *Amici* have observed over decades the immense care and expertise that goes into IMLS grantmaking, stewarded by IMLS employees, known as “program officers,” with deep knowledge of information and museum services. IMLS program officers routinely engage with potential grantees (including at conferences and in virtual trainings) in advance of their proposal submissions, helping applicants put forward projects that advance national priorities and avoid duplication. *See, e.g.*, 20 U.S.C. §9162(a)(3) (directing IMLS to give priority to “projects emphasizing coordination” and “avoiding duplication”).

Moreover, IMLS’s grantmaking process involves not only program officers but other stakeholders as well, including many dozens of external reviewers each year. As *Amicus* the American Association for State and Local History explains, the external review process facilitates a fairer and more broadly-informed grantmaking process and offers important opportunities for practitioners to learn from one another and make cross-country professional connections.

Without continued preliminary injunctive relief, IMLS's skeleton staff simply will not be able to advise grantees through project implementation, facilitate the external review process, or—most importantly—make well-informed funding allocations.

This Section describes IMLS's grantmaking programs (to both libraries and museums) and examples of specific grants that have been funded under each.<sup>6</sup> All the grants discussed in this Section were paused due to the Executive Order, and while some were reinstated following the preliminary injunction below, the public has already begun to feel the effects of increased funding uncertainty—as have institutions' staff, who are now working in a more precarious employment environment. This uncertainty is deepened by the fact that significant grant funding changes often force institutions to restructure their operations—something they would traditionally do in collaboration with IMLS program officers, who may no longer be available.

For example, as a result of IMLS grant terminations, the Science Museum of Minnesota laid off several staff, including AFSCME members. Grant funding that

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<sup>6</sup> According to a spreadsheet produced by IMLS to *Amicus* the Association of Art Museum Directors in response to a FOIA request, as of April 15, 2025, IMLS had slated over 1,300 existing grants for termination, totaling a loss of \$260,764,872.41 in funds designated for museums and libraries of all sizes and serving diverse populations. Among the terminated grants are hundreds awarded to *Amici* and their members.

was reinstated due to the preliminary injunction in this case allowed the museum to retain some staff members, but the continuing uncertainty around existing grants and the unknown prospect of future grants may result in additional staff reductions.

Whether or not existing IMLS grants like the Science Museum's and others discussed below are ultimately fully reinstated, a defunct IMLS cannot fulfill its statutorily-required grantmaking role or counsel organizations through grant changes that do occur going forward, and the follow-on consequences of losing that grantmaking expertise are severe. The effect of staff cuts resulting from the Executive Order will be to make high-quality grant programs and grants like those described below rare at best and non-existent at worst.

***A. Libraries***

IMLS and its expert staff have traditionally supported libraries through several types of grants. Each of these grantmaking initiatives is tailored to the particular populations and institutions it serves, but they all share an essential common attribute: their outsized and transformational impacts on libraries, their partner organizations, and the field of information sciences. Cuts to IMLS staff will compromise IMLS's ability to support libraries through the grants described below, and other similar grants.

**National Leadership Grants for Libraries** fulfill the statutory requirement that the Director of IMLS "establish and carry out a program to enhance the quality

of library services nationwide and [] provide coordination between libraries and museums.” 20 U.S.C. §9162(a-b). These grants fund projects that help libraries prepare for and recover from natural disasters that threaten historical documents, support small and rural libraries in collaborating with religious organizations to better meet the needs of their communities, conduct economic analysis on the efficiency and effectiveness of federal library policy, and much more.

Recent National Leadership Grants have aimed to modernize the library system through cutting-edge applications of artificial intelligence. One such grant supported the library of a research institution in Virginia (a member of *Amicus* the Association of Research Libraries) in working with the school’s Department of Computer Science to incorporate Large Language Models into library services and tools, providing relevant and trustworthy information and insights for academic library users. *LG-256638-OLS-24*, IMLS, <https://www.imls.gov/grants/awarded/lg-256638-ols-24>. Projects like this are essential to help research libraries modernize their digital systems and train their workforces; slowing down such research will only make it harder for academic institutions and library patrons to keep pace with technological developments.

The **Laura Bush 21st Century Librarian Program** (LB21) is also aimed at modernizing America’s libraries, specifically through targeted training for librarians. 20 U.S.C. §9165. Before LB21, America’s librarians had few

opportunities for reliable, science-backed, and nationally coordinated training, leading to gaps in librarian expertise. In authorizing LB21, representatives emphasized the ability of the program to “support[] the development of a diverse workforce[] capable of meeting the 21st-century information needs of our communities.” 156 Cong. Rec. 19772 (2010) (statement of Rep. Raúl Grijalva).

LB21 grants have not only ushered America’s information-sciences workforce into the twenty-first century but have also made the path to a career as a librarian more structured, encouraging young Americans to enter this public-service field. Because emerging librarians and curators depend on IMLS grants to develop skills and expertise, curtailments in these grants will endanger their careers.

Many LB21 grants are focused on replicating proven professional-development programs for librarians. For example, the Consortium of Academic and Research Libraries in Illinois (CARLI) was awarded an LB21 Planning Grant to facilitate the expansion of its continuing education library leadership immersion program to other U.S. library consortia. *RE-256707-OLS-24*, IMLS, <https://www.imls.gov/grants/awarded/re-256707-ols-24>. CARLI’s program has helped its member libraries better assess their own work, leading to more responsive services, improved resource access, and enhanced support for the evolving needs of library users—expanding the program to more consortia is an

efficient way to improve research libraries everywhere. *See Analytics and Advocacy for Service Development Curriculum Guide*, Consortium Acad. & Rsch. Librs. Ill., <https://www.carli.illinois.edu/analytics-and-advocacy-service-development-curriculum-guide>.

Other LB21 grants have funded initiatives to train and retain a library workforce that can provide instruction on the use of generative AI, serve older adults, and support students and other patrons who have disabilities. These initiatives include efforts to:

- create an open-source AI framework for digital libraries to explore, curate, and analyze large collections of digitized poetry texts, *RE-252382-OLS-22*, IMLS, <https://www.imls.gov/grants/awarded/re-252382-ols-22>;
- study older adults' needs from libraries based on interviews in New York, Arizona, Wisconsin, North Carolina, Kansas, and Washington, *RE-256568-OLS-24*, IMLS, <https://www.imls.gov/grants/awarded/re-256568-ols-24>, and;
- develop tools to augment visual charts into accessible formats for blind and low-vision library patrons, *RE-254891-OLS-23*, IMLS, <https://www.imls.gov/grants/awarded/re-254891-ols-23>.

LB21 grants not only advance librarians' careers but move the entire information sciences field forward.

IMLS has also traditionally operated three grantmaking programs specifically serving Native American and Native Hawaiian Libraries: **Native American Library Services Basic Grants, Native American Library Services Enhancement Grants, and Native Hawaiian Library Services Grants.** *See Grant Programs*, IMLS, <https://www.imls.gov/find-funding/funding-opportunities/grant-programs>. These programs provide essential support to *Amicus* the Association of Tribal Archives, Libraries, and Museums (ATALM) and its members, allowing them to offer continuing education trainings to staff at indigenous cultural institutions, develop new cultural centers, and provide computer labs and technical training to tribal members.

For example, the Red Cliff Nation in Wisconsin has previously used IMLS funding to host career and business fairs, as well as cultural classes including language and music lessons. *IMLS Matters: Standing Up for Libraries That Serve Us All*, IMLS (Apr. 21, 2025), <https://ailanet.org/imls-matters-standing-up-for-libraries-that-serve-us-all/>. The Jamestown S'Klallam Library in Washington state used IMLS funding to support its effective Primetime Family Reading Program. Dawn Dailey, *Trump Cuts Have WA Libraries, Museums, and Tribes Scrambling*, *Seattle Times* (Apr. 24, 2025),



<https://www.seattletimes.com/entertainment/books/trump-cuts-have-wa-libraries-museums-and-tribes-scrambling/>. Without an operational and effectively staffed IMLS, it would be infeasible for many tribal communities to operate library or museum services at all. Without those services, some communities would lose the resources to tell their own stories, cultural heritage that might not be preserved any other way.

Finally, IMLS administers the **Grants to States** program, *see* 20 U.S.C. §9141, which provides significant funding to fifty-nine states and territories, typically funneled through their respective state library systems. These grants provide vital services. For example, AFSCME members understand that the District of Columbia Public Library (DCPL) receives more than \$1,000,000 in IMLS grants each year, which fund (at least in part) its disability services program, hygiene supply program, digital literacy program, and staff trainings. A number of DCPL employees' positions are funded directly by IMLS grants, including two positions dedicated to increasing access for deaf, hard of hearing, and blind or low-sight individuals. Both of those positions are filled by AFSCME-represented members. *Amici* ALA and ASRL report that Grants to States funds are also instrumental in supporting inter-library loan services, which are a fundamental building block of America's library network and vital especially for small local libraries that cannot support their own large catalogs.

While the Government does not challenge the injunction with respect to Grants to States, *see* Appellant's Br. at 25 n.3, IMLS staff cuts resulting from the Executive Order will generally jeopardize the agency's ability to administer and coordinate these grants in future cycles and create further budgetary instability that damages libraries and their workers, including AFSCME members.

### ***B. Museums***

Like libraries, museums and related cultural and horticultural institutions across the country depend on IMLS grants from several programs to design innovative new programming, support and develop museum staff, and guarantee that their materials are well preserved. IMLS's staff cuts will prohibit it from effectively administering the grant programs described below, resulting in harm to museums, their patrons, and our ability to preserve our national heritage.

The **Museums for America** grant program has traditionally been the heart of IMLS's museum grantmaking work. Museums for America grants support activities at museums across disciplines and of all sizes, seeking to drive three main goals: lifelong learning, community engagement, and collections stewardship and access. *See Museums for America*, IMLS, <https://www.imls.gov/grants/available/museums-america>. *Amici* and their members have pioneered many innovative programs with Museums for America support.

Some Museums for America projects expand access to museums for individuals and families who may otherwise face barriers to entry. For example:

- A Museums for America grant to the San Luis Obispo Museum of Art, a member of *Amicus* the American Alliance of Museums, supported arts education programming for Title I schools. *MA-255799-OMS-24*, IMLS, <https://www.imls.gov/grants/awarded/ma-255799-oms-24>. Among other outreach and engagement efforts, this grant provided direct transportation subsidies to the low-income, rural population, directly expanding access to valuable resources. *Id.*; *Tours*, San Luis Obispo Museum of Art, <https://sloma.org/visit/tours/>.
- A project by the Sciencenter Discovery Museum in Ithaca, New York, partnered with local libraries to increase access to STEM enrichment activities in rural areas, bringing the resources many urban and suburban children already access to children in more remote areas. *Sciencenter Hit by Federal Grant Termination*, Sciencenter (Apr. 15, 2025), <https://sciencenter.org/sciencenter-hit-by-federal-grant-termination/>.
- At the Walker Art Center in Minneapolis, Minnesota, whose director is a member of *Amicus* the Association of Art Museum

Directors and which is an employer of cultural workers represented by AFSCME, a Museums for America grant funded critical efforts to implement a major three-year accessibility initiative, expanding access for patrons who are deaf or hard of hearing, blind or partially sighted, neurodivergent, or have a physical disability. *MA-255896-OMS-24*, IMLS, <https://www.imls.gov/grants/awarded/ma-255896-oms-24>.

Museums-for-America-funded projects aimed at collections stewardship and preservation often fund unglamorous but urgently necessary projects to keep collections or buildings—or entire species—safe. For example:

- The Shelburne Museum in Shelburne, Vermont, whose director is a member of the Association of Art Museum Directors, was awarded a Museums for America grant to update the lighting and HVAC systems in a building that houses some of the most significant French impressionist paintings in the United States—systems that are critical to the preservation of the art at the heart of the museum’s collection, *MA-252869-OMS-23*, IMLS, <https://www.imls.gov/grants/awarded/ma-252869-oms-23>.
- The Science Museum of Minnesota, a member of the Association of Science and Technology Centers and, as described above, an

- employer of AFSCME members, received grants to support the digitization of thousands of fossils and Mayan textiles to increase access to these rare items, *MA-255597-OMS-24*, IMLS, <https://www.imls.gov/grants/awarded/ma-255597-oms-24>; *MA-251877-OMS-22*, IMLS, <https://www.imls.gov/grants/awarded/ma-251877-oms-22>.
- The Desert Botanical Garden in Phoenix Arizona, a member of *Amicus* the American Public Gardens Association, received IMLS funding to develop statewide conservation plans for at-risk pollinators like Monarch butterflies. *MA-255631-OMS-24*, IMLS, <https://www.imls.gov/grants/awarded/ma-255631-oms-24>.
  - The Genesee Country Village and Museum in New York state, a member of *Amicus* the American Association for State and Local History, received a Museums for America grant to tell the history of slavery in the state and provide new educational materials about four buildings at its site. *MA-256057-OMS-24*, IMLS, <https://www.imls.gov/grants/awarded/ma-256057-oms-24>.

These preservation projects might not appeal to private foundations or other funders looking to make headlines, making IMLS grantmaking especially critical.

IMLS also provides important support to small museums through **Inspire! Grants for Small Museums**, which range from \$5,000 to \$75,000. *Inspire! Grants for Small Museums*, IMLS, <https://www.imls.gov/grants/available/inspire-grants-small-museums>. All Inspire! grants over \$25,000 include a cost-sharing requirement, ensuring maximum impact of the federal funds. *Id.* For example, the Oneida Community Mansion House, a member of *Amicus* the American Association for State and Local History, received a \$25,000 Inspire! Grant to inventory and catalog approximately 850 objects in its care to preserve and improve access to its collection and advance knowledge of the Oneida Community and its relevance in American history. *IGSM-255932-OMS-24*, IMLS, <https://www.imls.gov/grants/awarded/igsm-255932-oms-24>.

In addition to supporting individual museums' activities and exhibits, IMLS disburses **National Leadership Grants for Museums** to fund sector-wide projects that gather data to improve services and create replicable programming. One National Leadership Grant to a member of *Amicus* the Association of Children's Museums, Thanksgiving Point, funded a partnership with other national museum leaders, including the Santa Cruz Children's Discovery Museum, to assess the effectiveness of the Museums for All program, discussed *supra*. *MG-252983-OMS-23*, IMLS, <https://www.imls.gov/grants/awarded/mg-252983-oms-23>. IMLS's work to realize studies that assess the effectiveness of its own programming is

essential to its ability to ensure that future grants make the best possible use of taxpayer funds. This work will not be possible going forward without adequate staffing.

Another National-Leadership-Grants-funded project at the Morton Arboretum in Lisle, Illinois, a member of *Amicus* the American Public Gardens Association, addressed critical workforce-development needs for public-garden professionals by co-creating a foundational horticulture training curriculum. MG-255705-OMS-24, IMLS, <https://www.imls.gov/grants/awarded/mg-255705-oms-24>. Without projects like the Morton Arboretum's, the professional horticulture industry will face a dearth of resources for training.

\* \* \*

IMLS's grantmaking to museums, libraries, and other cultural institutions is larger than the sum of its parts, allowing *Amici* and their members, some of whom have received dozens of grants from IMLS, to develop, implement, and assess projects over time. These funds have historically supported a wide range of evidence-backed projects—from early learning for children to urgent preservation efforts. The dismantling of IMLS—in particular, by indiscriminately slashing the agency's expert civil servants—will prevent it from making the evidence-based and economically efficient grants it is statutorily required to make, leaving the public without crucial programming in the short and long terms.

## CONCLUSION

The IMLS is the connective tissue of the nation's library and cultural institutions—big and small, old and new—which have come to rely on its support and collaboration for programs essential to their existence. Without a preliminary injunction, the American public will feel the loss of that support, deeply and immediately. For the foregoing reasons, this Court should affirm the district court's grant of a preliminary injunction.

Dated: September 3, 2025      Respectfully submitted,

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**CERTIFICATE OF COMPLIANCE WITH RULES 29 & 32**

I hereby certify that this brief complies with the type-volume limitations in Federal Rule of Appellate Procedure 29(a)(5) because it contains 6,386 words. I further certify that this brief complies with the typeface requirements of Rule 32(a)(5) and the type-style requirements of Rule 32(a)(6) because it was prepared using Microsoft Word in 14 point Times New Roman, a proportionally-spaced font.

Dated: September 3, 2025

/s/ Roisin Duffy-Gideon  
Roisin Duffy-Gideon

**CERTIFICATE OF SERVICE**

I hereby certify that on September 3, 2025, I electronically filed the foregoing *Amici Curiae* brief with the Clerk of the Court for the United States Court of Appeals for the First Circuit by using the appellate CM/ECF system. Participants in this case are registered CM/ECF users, and service will be accomplished by the CM/ECF system.

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