A Victory for IMLS as Court Blocks Trump's Attempt to Dismantle Agency

by Lisa Peet
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UPDATE: In a statement released December 3, IMLS wrote: "Upon further review, the Institute of Museum and Library Services has reinstated all federal grants. This action supersedes any prior notices which may have been received related to grant termination. Grantees should access the agency's electronic grants management system for further information."

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McConnell's ruling permanently enjoins the administration "from taking any future actions to implement, give effect to, comply with, or carry out the directives contained in the Reduction EO with respect to IMLS," as well as the Minority Business Development Agency, the Federal Mediation and Conciliation Service, and the United States Interagency Council on Homelessness.

Shortly after President Trump issued a March 14 executive order that called for the elimination of IMLS and six other government agencies, two separate lawsuits were filed: *American Library Association v. Sonderling* by the American Library Association (ALA) and the American Federation of State, County and Municipal Employees; and *Rhode Island v. Trump* by a coalition of 21 state attorneys general.

Rhode Island v. Trump, filed on April 4, focused on the impact of closing IMLS and other agencies. McConnell was receptive to the plaintiffs' argument that the executive order was unlawful and violated the Constitution, and that shuttering IMLS would "immediately put at risk hundreds of millions of dollars in grant funding on which the States depend, and undermine library programs, economic opportunity, and the free flow of commerce throughout the country."

On May 13, McConnell issued a sweeping preliminary injunction ordering the administration to restore all IMLS staff to work and restore some of the terminated grants. The court also ordered Keith Sonderling, the Trump-appointed director of IMLS, to provide a status report detailing the agency's compliance within seven days. The report indicated that staff were returning to work, and that three previously terminated FY24 Grants to States—California, Connecticut, and Washington—were reauthorized; Sonderling noted as well that partial FY25 payments to all state grantees had been authorized, pending apportionment from the Office of Management and Budget.

Defendants were denied a motion for a stay pending appeal on September 11; the court concluded that they failed to make a strong showing that they were likely to succeed on the merits of their appeal, demonstrate that states would not likely suffer substantial injury if the stay were issued, and show that the issuance of a stay was in the public interest.

In the case of *ALA v. Sonderling*, Judge Richard J. Leon granted a temporary restraining order to block the dismantling of IMLS, noting that "Plaintiffs have demonstrated irreparable injury." The order prevented Sonderling from terminating staff but did not provide monetary relief to those states in which federal grants were canceled. On June 6, however, Leon declined to block the administration's cuts to the agency while litigation continued. Temporarily halted by the government shutdown, the case is now scheduled to proceed. Congress will also be deciding, over the next few months, whether to fund IMLS in FY26.

For now, however, the administration is blocked from further action to shutter IMLS. McConnell's decision laid out a range of harms that such actions would perpetuate, noting, "Given the 'plethora of injuries' that would arise if the Court did not grant injunctive relief, the balance of equities favors the States."

Lisa Peet



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IMLS

Rhode Island v. Trump

American Library Association v. Sonderling

Minnesota State Library Services receives an annual allotment of funding from IMLS through the <u>Grants to States program</u> authorized by Congress under the Library Services and Technology Act (LSTA) (20 U.S.C. § 9121).

According to <u>State Library Services</u>, a division of the Minnesota Department of Education, LSTA dollars in Minnesota flow into four main initiatives:

- 48% to Partner-provided Statewide Services Support for coordination across Minnesota, including <u>Minitex</u>, that maximizes access to library collections
- 16% to Local Library Projects Projects designed and implemented by individual libraries to meet community needs
- 20% to the <u>Minnesota Braille and Talking Book Library</u> Accessible library resources for Minnesotans who are blind or have difficulty reading due to visual impairment
- 16% to State Library Services Programming Statewide training and professional development for library workers

LSTA funding supports these Minitex services:

- Resource Sharing receives \$1.15M in annual funding. These funds pay for statewide delivery (including a statewide courier service) and for the salaries of staff who pull items from shelves, digitize materials, and send them to patrons.
- A further \$80k goes to support outreach and instruction related to <u>eLibrary</u>
 <u>Minnesota</u>. This gives Minnesotans the opportunity to learn how to use the
 resources in eLibrary Minnesota efficiently and effectively in order to find the
 authoritative, verifiable information they need, at the library, at school, and in the
 workplace.
- One-time federal grants (generally, in smaller amounts) have also supported:
 - o Additions to the Ebooks Minnesota collection
 - Transcriptions for items in the Minnesota Digital Library
 - o Development of the MNLINK interlibrary loan platform
 - Professional development opportunities for library staff.