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The ALA Sues Over the Scuppering of the IMLS

By John Maher, with reporting by Nathalie op de Beeck | Apr 08, 2025

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Photo: John Maher

The E. Barrett Prettyman Courthouse in Washington, D.C.

The American Library Association (ALA) and the American Federation of State, County, and Municipal Employees (AFSCME), whose members include museum and library workers nationwide, have sued over what the ALA called, in a release, “the Trump administration’s gutting of the Institute of Museum and Library Services (IMLS).” Among the defendants are Keith Sonderling, in his capacity as acting director of the IMLS, along with the IMLS itself; President Donald Trump; and U.S. DOGE Service acting administrator Amy Gleason, along with DOGE itself.

The lawsuit, filed yesterday in the U.S. District Court for the District of Columbia, argues that the administration’s recent actions—which include firing most IMLS staff, terminating grant programs, and effectively shutting down the organization’s operations—are both illegal and, separately, unconstitutional. The actions, the suit asserts, violate the first two articles of the Constitution: Article I, which establishes the separation of powers and designates Congress as the only body with authority to pass laws creating government agencies, and Article II, which enumerates the president’s duty to “take care that the Laws be faithfully executed.” It also alleges that the defendants’ actions violate the Administrative Procedure Act, which establishes the responsibility of the judiciary to “hold unlawful and set aside agency action...found to be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.”

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In addition, the suit asserts, "Defendants' evisceration of the agency will have immediate and disastrous consequences for Plaintiffs ALA and AFSCME as well as their members, including librarians, libraries, and the public." The groups seeks an injunction to "immediately cease actions to shut down IMLS's operations in a manner not authorized by Congress," as well as the reinstatement of IMLS employees, the reopening of the IMLS offices, the restoration of its computer systems and websites, and the return of funding to all grantees.

The suit alleges certain actions with hard numbers that had previously proven difficult to nail down as the IMLS, in cooperation with DOGE, operates with minimal transparency. Among its assertions are that the agency retained "only 12 IMLS employees" out of a staff that previously numbered around six dozen. It also confirms what a source on the board that historically advises the IMLS told *PW* on condition of anonymity: that on April 4, "Sonderling fired all 23

members of the National Museum and Library Services Board," following multiple board missives requesting transparency and adherence to Congressional mandates.

"Defendants took these actions to dismantle IMLS, and they were taken without congressional authorization," the suit alleges. "Congress is the only entity that may lawfully dismantle the agency, not the President and certainly not DOGE."

The filing also points to the potential for damage from the cancellation of statutorily required grants at libraries across the country following the cancellation of several last week. "It is only a matter of time before Defendants cancel en masse IMLS grants that fund activities at libraries across the country. Even if grants are not canceled, the severely reduced workforce will not be able to effectively and timely process grant payments and applications," it asserts. "Without grant funding or IMLS staff to process reimbursements, local and state libraries will suffer an immediate and irreparable inability to pay vendors or staff hired in reliance on IMLS' promise to make these reimbursements. In addition, IMLS provides important day-to-day services and advice to libraries across the country, which has already ceased, causing irreparable harm."

The ALA lawsuit is the second over the executive disassembly of the agency to be filed in federal court since a March 14 executive order signed by President Donald Trump called for the elimination of the agency "to the maximum extent consistent with applicable law." On April 4, 21 states attorney general filed suit in the U.S. District Court for the District of Rhode Island with a similar argument: that "whatever the President's policy preferences, he cannot override the congressional enactments that authorize federal agencies, appropriate funds for them to administer, and define how they must operate," per that filing. Just a day before, four of the Big Five publishers and Sourcebooks sent a letter to Capitol Hill, pleading with Congress to reject the executive order to close IMLS and to restore the agency's funding.

"Libraries play an important role in our democracy, from preserving history to providing access to government information, advancing literacy and civic engagement, and offering access to a variety of perspectives," said ALA president Cindy Hohl, in a statement. "These values are worth defending. We will not allow extremists to threaten our democracy by eliminating programs at IMLS and harming the children and communities who rely on libraries and the services and opportunities they provide."

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