

Understanding IMLS's "Shall" and "May" Language

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HOME NEWS UNDERSTANDING IMLS'S "SHALL" AND "MAY" LANGUAGE

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The Trump Administration has issued an executive order directing several small federal agencies, including the Institute of Museum and Library Services (IMLS), to review their operations and obligations under law with the intent to cut budgets and staffing.

The Executive Order dated [redacted] directs agency heads to reduce "elements of the Federal bureaucracy that the President has determined are unnecessary ... This includes the non-statutory components and functions of the following governmental entities shall be eliminated to the maximum extent consistent with applicable law, and such entities shall reduce the performance of their statutory functions and associated personnel to the minimum presence and function required by law."

The Executive Order goes on to give agency heads seven days 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 governmental entity, *if any*, are statutorily required and to what extent" (emphasis added). The [2018 Museum and Library Services Act \(MLSA\)](#) enumerates which programs are "shall" programs and duties, meaning that they are mandated by Congress, and which programs are "may" programs, meaning that they are discretionary for IMLS. [Understanding](#) which programs fall under which "functions and obligations" sections of the Executive Order is important for our sector.

"Shall" Programs and Duties (Mandatory for IMLS)

1. Grants to States for Library Services (§9141)

- At least 96% of federal funds allocated to state library agencies must be used for:
 - Expanding library services and access to information resources.
 - Establishing and improving linkages between libraries and other entities.
 - Providing training and professional development for library staff.
 - Recruiting diverse professionals into the field.
 - Developing partnerships with public and private entities.
 - Targeting underserved communities and individuals with disabilities.
 - Ensuring equitable access to information through collaborative networks.

2. State Plan Requirements for Library Grants (§9134)

- States must submit a five-year plan outlining:
 - Their goals and priorities for library services.
 - How they will use federal funds.
 - How they will evaluate program success.
 - Compliance with internet safety requirements for public and school libraries receiving funds.

3. Native American Library Services (§9161)

4. National Leadership Grants Program (§9162)

5. Institute of Museum and Library Services (IMLS) Administration

- Establish and maintain the IMLS within the National Foundation on the Arts and the Humanities. (§9102)
- Appoint a director who is responsible for developing and implementing policies to support museum, library, and information services and ensure coordination with other federal agencies and offices with similar responsibilities. (§9103)
- Set administrative funds allocation. (§9111)

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6. Policy Research, Data Collection, and Dissemination (§9108)

"May" Programs (Discretionary for IMLS)

1. **Awards and Medals** (§9107)
2. **Museum Services Activities** (§9173)
 - IMLS may provide funding for:
 - Museum education and access to collections.
 - Partnerships between museums and schools.
 - Preservation and conservation of museum collections.
 - Disaster preparedness and emergency planning.
 - Museum research and digital engagement initiatives.
3. **Laura Bush 21st Century Librarian Program** (§9165)
 - IMLS may fund initiatives for:
 - Recruiting and training new librarians.
 - Supporting diversity in the library workforce.
 - Enhancing graduate-level education for library professionals.
4. **21st Century Museum Professional Program** (§9175)
 - IMLS may provide funding for:
 - Workforce development for museum professionals.
 - Training and mentorship programs.
 - Research and evaluation of museum education initiatives.
5. Other Programs include **Technical Assistance for Museums and Libraries** (§9108(e)), **Public-Private Partnerships** (§9141(4), §9173(13)), and **Support for Digital Literacy and Emerging Technologies** (§9121, §9162).

As the libraries, archives, and museums sector grapples with this new Executive Order, it is important to recognize that several long-standing and useful programs that benefit the American people through their state libraries, public, school, and academic libraries, and museums are, in fact, discretionary. If our sector wants to continue to see a comprehensive ecosystem of support for libraries, archives, and museums, [we need to come together and advocate](#) for the preservation of all of IMLS's functions and obligations.



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