

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

STATE OF RHODE ISLAND et al.,

Plaintiffs,

v.

DONALD J. TRUMP, et al.,

Defendants.

C.A. No.:

DECLARATION OF WENDY CORNELISEN

Pursuant to 28 U.S.C. § 1746, I, Wendy Cornelisen, hereby declare as follows:

1. I am a resident of Oregon. I am over the age of 18 and have personal knowledge of all the facts stated herein. If called as a witness, I could and would testify competently to the matters set forth below.

2. In March 2022, I was appointed as Oregon's State Librarian. In that role, I am the head of the State Library of Oregon, a state agency. I previously served the state libraries in Georgia and Tennessee.

3. The mission of the State Library of Oregon is to cultivate, preserve, and deliver library and information services to foster lifelong learning and community engagement. Its statutory duties (ORS 357.008) include maintaining library services to meet the state government's reference and research needs; supporting local library services in the state; providing library services to persons who are print-disabled; and promoting library services for children and youth.

4. As State Librarian, I am responsible for managing the State Library of Oregon budget, and I oversee the State Library's request, receipt, and administration of federal funds, among other duties.

5. I submit this declaration in connection with Executive Order 14,238, "Continuing the Reduction of the Federal Bureaucracy," which directed seven federal agencies, including the Institute of Museum and Library Services (IMLS), to eliminate any non-statutory components and functions to the maximum extent consistent with applicable law, and to reduce the performance of any statutory functions and associate personnel to the minimum presence and function required by law.

6. Given my experience, if Executive Order 14,238 causes IMLS to be unable to administer financial awards and/or programs on which the State Library of Oregon relies and on

which it expects to rely in the future, it will cause significant financial harm to the State of Oregon and hamper the State's efforts to facilitate access to information through providing library services.

The Museum Library Services Act

7. In 1996, Congress established IMLS by the Museum and Library Services Act of 1996, which amended the Museum Services Act (20 U.S.C. § 961 *et seq.*). The Library Services and Technology Act, which was enacted as part of the Museum and Library Services Act in 1996, authorized the distribution of federal funding to help support libraries across the United States. The Museum and Library Services Act was most recently reauthorized in 2018, codified at 20 U.S.C. § 9101 *et seq.*

8. IMLS, which administers the Library Services and Technology Act, is authorized to provide federal funding to State library administrative agencies. 20 U.S.C. § 9133(a). A “State library administrative agency” is an “official agency of a State charged by the law of the State with the extension and development of public library services throughout the State.” *Id.* § 9122(4). The State Library of Oregon is a State library administrative agency.

9. In order to receive funds under the Library Services and Technology Act (LSTA), each State library administrative agency must submit to IMLS its five-year state plan, which describes the State library administrative agency's needs and goals and the ways in which the State intends to use the federal funding to meet those needs. *Id.* § 9134. A copy of Oregon's five-year plan is Attachment 1 to this declaration.

10. Five-year plans that satisfy the statutory criteria are approved by the Director of IMLS. 20 U.S.C. § 9134(e). After the plan has been approved, IMLS allocates funding through a population-based statutory formula, *id.* § 9131(b), and pays to each State the Federal share of the activities in the plan, which is 66 percent. *Id.* § 9133(b). Independent of the matching requirement,

a state must also meet the LSTA’s “maintenance of effort” requirement. Under the maintenance-of-effort requirement, the amount otherwise allotted under LSTA to a state for a fiscal year is reduced if the level of state expenditures for the previous fiscal year is less than the average of the total of such expenditures for the three fiscal years preceding that year. Oregon has met the maintenance-of-effort requirement throughout the life of the program, and it anticipates doing so in future years.

11. Section 9141 provides that:

Of the funds provided to a State library administrative agency under [20 U.S.C. § 9123] such agency shall expend, either directly or through subgrants of cooperative agreements, at least 96 percent of such funds for—

(1) expanding services for learning and access to information and educational resources in a variety of formats (including new and emerging technology), in all types of libraries, for individuals of all ages in order to support such individuals’ needs for education, lifelong learning, workforce development, economic and business development, health information, critical thinking skills, digital literacy skills, and financial literacy and other types of literacy skills;

(2) establishing or enhancing electronic and other linkages and improved coordination among and between libraries and entities, as described in [20 U.S.C. § 9134(b)(6),] for the purpose of improving the quality of and access to library and information services;

(3)

(A) providing training and professional development, including continuing education, to enhance the skills of the current library workforce and leadership, and advance the delivery of library and information services; and

(B) enhancing efforts to recruit future professionals, including those from diverse and underrepresented backgrounds, to the field of library and information services;

(4) developing public and private partnerships with other agencies, tribes, and community-based organizations;

(5) targeting library services to individuals of diverse geographic, cultural, and socioeconomic backgrounds, to individuals with disabilities, and to individuals with limited functional literacy or information skills;

(6) targeting library and information services to persons having difficulty using a library and to underserved urban and rural communities, including children (from birth through age 17) from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved;

(7) developing library services that provide all users access to information through local, State, regional, national, and international collaborations and networks; and

(8) carrying out other activities consistent with the purposes set forth in [20 U.S.C. § 9121], as described in the State library administrative agency's plan.

20 U.S.C. §§ 9141(a)(1)-(8).

The Institute of Museum and Library Services' Impact on the State of Oregon

12. In 2024, IMLS invested \$180 million in libraries across the United States under its Grants to States Program. Of that amount, Oregon was awarded \$2,597,695, which represents the 66 percent Federal share of the activities in the approved plan.

13. The State Library of Oregon's budget for this year has relied on federal funding of \$2,597,695 and the State Library has made plans, allocated funding for staffing, and issued subgrants to local libraries and other institutions based on the anticipated receipt of Federal funding as promised.

14. The State Library of Oregon uses these federal funds to support many of its programs, including, but not limited to, (a) funding staff for the Library Support and Development

Services division, which provides leadership, grants, statewide services, and consulting to approximately 1,600 academic, public, school, and special libraries, and tribal nations throughout Oregon, and (b) funding subgrants to support local libraries and their outreach activities.

15. The State Library of Oregon uses these federal funds to support all or part of the salaries of 12 employees, principally in the Library Support and Development Services division (Library Support). Library Support provides leadership, grants, statewide services, and consulting to approximately 1,600 academic, public, school, and special libraries, and tribal nations throughout Oregon. These staff advise libraries on children and teens services, early literacy, digital equity, continuing education, community outreach, reference services, school libraries, intellectual freedom, digitization, and public library data. They also manage the program that provides access to statewide databases and services for all Oregonians using federal block-grant funding. Library Support also coordinates statewide library services in partnership with other libraries and library associations, such as the *Answerland* online reference service, the Oregon School Library Information System, and the Statewide Database Licensing Program.

16. The State Library of Oregon also uses these federal funds to award subgrants to local libraries and non-profit organizations to support library services and literacy. The current list of subgrants is Attachment 2 to this declaration. The State Library of Oregon anticipates using its FY25 allotment to award a similar number of subgrants in the second quarter of 2025.

17. Under IMLS's official FY24 award notification dated April 18, 2024, the State Library of Oregon is scheduled to receive more than \$975,000 of additional disbursements by September 30, 2025. More than \$450,000 of that figure is anticipated to be provided to subgrantees. More than \$250,000 of that figure is anticipated to support staff salaries.

18. The State Library seeks reimbursements on an ongoing basis for expenses as it incurs them, submitting requests via the IMLS's online portal at least once a month. Historically, before March 14, 2025, we received reimbursements in the next 1-to-3 business days. When we submitted a reimbursement request on March 14, we were informed that we would be reimbursed in 10-to-12 business days and received the funds on March 26.

19. In addition to administering federal funding to States, IMLS also funds and disseminates research useful to libraries, which the State Library of Oregon relies on for its own programs and further disseminates to libraries throughout the state. For example, in June 2020, IMLS research determined that library materials could be safely circulated without spreading the COVID-19 virus. IMLS, Research Shows Virus Undetectable on Five Highly Circulated Library Materials After Three Days (June 19, 2020), *available at* <https://www.ims.gov/news/research-shows-virus-undetectable-five-highly-circulated-library-materials-after-three-days>. Termination of IMLS's research function will impair the State Library of Oregon's ability to meet its mission to serve its patrons and to support local libraries in Oregon.

20. On March 31, 2025, I received the following email:

From: Teresa A. DeVoe <TDevoe@imls.gov>
Sent: Monday, March 31, 2025 11:38:43 AM
To: Teresa A. DeVoe <TDevoe@imls.gov>
Cc: Dennis Nangle <DNangle@imls.gov>; Madison Bolls <MBolls@imls.gov>; Cindy Boyden <CBoyden@IMLS.gov>; Laura McKenzie <LMcKenzie@imls.gov>
Subject: all IMLS staff going on administrative leave today

TO: Chief Officers and LSTA Coordinators

Within the last hour IMLS received word that all staff are going to be placed on administrative leave, effective today. We will not be able to work or respond to your emails, and we don't have any information about future timelines related to this action.

Please share with other staff as appropriate, and please know how much we appreciate you and your work.

Teri DeVoe

Associate Deputy Director, Grants to States
Institute of Museum and Library Services
955 L'Enfant Plaza North, SW, Suite 4000
Washington, D.C. 20024
P: 202-653-4778

[Website](#) | [LinkedIn](#) | [Facebook](#)

21. As of the date of this declaration, I have received no further communications from IMLS staff, including regarding future reimbursements. If we do not receive reimbursements in a timely manner, the State Library will not have funds available to meet its payroll needs or reimburse its subgrantees in a timely manner.

22. Based on the enactment of Public Law 119-4, commonly known as the Full-Year Continuing Appropriations and Extensions Act, 2025, and the State Library's continuing compliance with IMLS conditions for federal block-grants, the State Library has anticipated continuing to receive federal funds in future years. That expectation would be formalized through an award letter, which was expected in April 2025. Based on that anticipated award, the State Library of Oregon continues to employ its current workforce and is preparing to award subgrants

for the coming year. However, the uncertainty created by Executive Order 14,238 is likely to undermine the State Library's ability to attract and retain employees and may undermine subgrantees willingness to perform their projects due to the uncertainty of repayment.

I declare under penalty of perjury under the laws of the United States that, to the best of my knowledge, the foregoing is true and correct. Executed on April 1, 2025, at Salem, Oregon.

Dated: April 1, 2025

s/Wendy Cornelisen

Wendy Cornelisen