

**2010-2011 ALA CD#2.1
2011 ALA Annual Conference**

ALA COUNCIL

MINUTES

2011 ALA MIDWINTER MEETING

SAN DIEGO, CA

AMERICAN LIBRARY ASSOCIATION

VOLUME 49

ALA COUNCIL MINUTES

**2011 ALA Midwinter Meeting
ALA Council/Executive Board/Membership Information Session
Sunday, January 9, 2011
9:00-10:00am
San Diego Convention Center, Ballroom 20 A/B
San Diego, CA**

The customary information session was held in accordance with Policy 5.5.2, which states that at least one joint session of the Membership and Council with the Executive Board shall be held for information only prior to other meetings of Council and Membership. The information session was convened at 9:00am on Sunday, January 7, 2011, in the Ballroom 20 A/B of the San Diego Convention Center.

ANNOUNCEMENTS. Before the start of this meeting, ALA President Roberta A. Stevens called for a moment of silence to honor the memory of ALA Honorary Member Dr. Norman Horrocks, who passed away on October 14, 2010.

"Norman was truly a treasure to our profession and to the American and Canadian Library Associations and the embodiment of warmth, kindness and intelligence. His gentle manner and graciousness are all an example to us," Stevens said.

A tribute to Norman Horrocks (his photo, an *ALA Handbook of Organization*, and a copy of *The Standard Code of Parliamentary Procedure*) was set up in the observers' seating section in the Council Chambers.

A memorial service also was held for Dr. Horrocks on Saturday, January 6, where many of his friends and colleagues shared their treasured memories of him.

President Stevens also noted the recent death of former Councilor Locke Morrissey. Other Memorials, Tributes and Testimonials will be presented at Council III on Tuesday, January 11, 2011.

INTRODUCTIONS. President Stevens introduced Parliamentarian Eli Mina, President-Elect Molly Raphael, and ALA Executive Director and Secretary of the Council Keith Michael Fiels. ALA staff members assisting with the Council meetings were JoAnne Kempf, Director, Office of ALA Governance; Lois Ann Gregory-Wood, Council Secretariat; Danielle Alderson and Alicia Bastl, Projectionists; and Kathy Cortopassi, Captionist.

BUDGET ANALYSIS AND REVIEW COMMITTEE (BARC) REPORT, ALA CD#33. Mario M. Gonzalez, chair, highlighted some key issues discussed and acted upon by BARC since the 2010 Annual Conference in Washington, D.C., which included:

**ALA Council Minutes
2011 ALA Midwinter Meeting
January 7-11, 2011
San Diego, CA**

FY 2010 Budget Review. The total ALA (all combined funds) revenue of \$8,653,554 is \$377,004 less than budget. The general fund revenue is \$149,500 less than budget due primarily to lower organizational dues revenue. The Division revenues are 6 percent, \$2,808,065, or \$174,700 less than budget, and Grants and Awards are \$822,351, or \$81,065 less than budget.

Total ALA expenses of \$10,278,309 are \$700,385 less than budget. The General Fund expenses are 2 percent (\$120,594) higher than budget, or \$6,424,604. Divisions are \$659,166 less than budget. Grants and Awards are \$81,065 less than budget.

BARC recommended to the Executive Board that an organizational incentive of an amount equal up to one-week's salary plus benefits be awarded to all staff as of August 31, 2010. This recommendation was due to the larger than expected General Fund net income of approximately \$304,000.

Final FY 2011 Budget Update. The FY 2011 budget has been adjusted to incorporate grants received after the 2010 Annual Conference. Division budgets also were modified. BARC recommended to the Executive Board the approval of the fiscal year 2011 budget.

Although the economic climate is showing signs of improvement, the library community is expected to continue to experience negative effects for the foreseeable future.

New Business Development. On October 11, 2010, following the BARC meeting, the business advisory group (consisting of Jim Neal, Rod Hersberger, Keith Michael Fiels, Robert Walton, Susan Epstein, and Jim Fish) met to identify new markets for current products/services; explore merger/acquisition opportunities; and evaluate the feasibility of investment in new business product/services.

Finance Workshop Content. A new finance workshop has been instituted to provide ALA members and member-leaders an opportunity to understand the ALA budget process. The feedback received on changes made last year to the workshop's structure and materials indicated further refinements were needed. Several ALA units have been identified as having excellent processes in budget development and projections. They will be invited to participate in this year's program.

Since it is important to ensure all ALA divisions are financially vibrant and self-supporting, Executive Director Keith Michael Fiels said BARC will discuss a business plan for the two divisions currently receiving ALA subsidies to help them achieve economic stability. The divisions receiving ALA subsidies for many years are the Association for Library Trustees Advocates, Friends and Foundations (ALTAFF), and the Association of Specialized and Cooperative Library Agencies (ASCLA). Gonzalez said BARC will discuss the ALA subsidies currently given to two divisions at its spring meeting.

**ALA Council Minutes
2011 ALA Midwinter Meeting
January 7-11, 2011
San Diego, CA**

Several questions were raised about the increase in ALA's endowment over time, and the components of the endowment's growth. Neal responded that such information would be provided to Council after the Midwinter Meeting via the Council's electronic discussion list.

ENDOWMENT TRUSTEES REPORT, ALA CD#16. Daniel (Dan) J. Bradbury, chair, said 2010 was a year of slow financial recovery and corporate growth. Although unemployment reached close to 10 percent, corporate America seldom has done better. The cash balances for many American companies reached a 50-year high. He pointed out that most of the profitability realized during the year was the result of labor cost savings and other cost-cutting efforts, but not organic growth, he pointed out.

Bradbury said the value of the endowment on December 31, 2010, was \$31,668,000, a gain over last year by approximately \$3 million. The estimated gross return for the ALA portfolio was 12.2 percent in 2010.

Bradbury noted that all 12 portfolio managers reported positive results: 8 of the 12 beat their index, and 5 showed double digit returns.

Bradbury provided details on the current asset allocation and strategy. The Trustees, in conjunction with its investment manager, continually monitor the portfolio, looking for new opportunities to boost performance at appropriate risk levels.

The Trustees have been examining ways to increase the amount funds that can be made available for scholarships, awards, program initiatives, and other projects. To this end, the Trustees and ALA's finance staff are performing some financial modeling to find a payout rate that will not only increase the current level of spending while minimizing the impact on the portfolio's total return, but also provide some consistency for budget planning.

Several questions were raised about the increase in ALA's endowment over time, and the components of the endowment's growth. It was agreed that this information would be sent to Council e-list after the Midwinter Meeting.

ALA PRESIDENT'S REPORT, ALA CD#21. At the 2010 ALA Annual Conference, after the passage of ALA CD#44 Revised, A Resolution to Insure Equitable Access to All Formats of Electronic Content through Libraries, the ALA Council called for the formation of an ALA Presidential Task Force charged with (a) studying the issue of electronic content and distribution infrastructure for libraries, (b) developing a list of potentially practical, effective collaborations and courses of action that ALA and libraries around the country could engage in, (c) drafting a policy for ALA to adopt that works toward and encourages the creation of an effective electronic content and distribution infrastructure for libraries, and (d) submitting a report to Council at the 2011 ALA Annual Conference.

Stevens said there was a tremendous response to the request for nominees to serve on the task force. The Equitable Access to Electronic Content Task Force has been established and is co-

**ALA Council Minutes
2011 ALA Midwinter Meeting
January 7-11, 2011
San Diego, CA**

chaired by Linda D. Crowe and Michael Porter. The task force will present a preliminary report during Council II at this meeting.

Stevens said her *Our Authors, Our Advocates* initiative has been successful. It has enlisted many well-known authors to speak out for libraries through video and audio PSAs and quotes. Council then was shown a clip of some of the PSAs.

Stevens also said a "virtual postcard" featuring the PSAs will be e-mailed to ALA members on January 11. The postcard gives libraries the opportunity to help spread the word about these authors who are speaking out on behalf of libraries.

Stevens stated that a "Cultivating Your Local Notables" online toolkit is now available through the Advocacy University at www.ala.org/localnotables. The toolkit contains information and strategies to help libraries enlist support from their local celebrities.

The "Why I Need My Library" contest is soliciting contestants from ages, 13 to 15, and 16 to 18, with prizes for each: \$3,000 for 1st place, \$2,000 for 2nd place, and \$1,000 for 3rd place winners. Submission forms, contest details, etc., are available at www.ilovelibraries.org/whyneedmylibrary. The contest will run through April 18, 2011.

Stevens concluded her report by stating that Ted Danson, film and television actor and environmental activist, will be the featured speaker at this Midwinter President's Program, Sunday, January 9, 2011, 3:30-5pm, SDCC, Ballroom C.

ALA PRESIDENT-ELECT'S REPORT, ALA CD#29. Molly Raphael reported on her activities from July through December 2010, which included:

- **ALA and Council Committee Appointments.** In consultation with the ALA Committee on Appointments (comprised of the ALA division presidents-elect) and the Council Committee on Committee (comprised of four elected councilors), more than 200 committee members and 30 interns were appointed to the 36 ALA and Council committees.
- **Presidential Initiatives:**
 - **Advocacy**—Building on previous advocacy initiatives, this initiative will focus on engaging communities to advocate for libraries and their value, based on factors that matter to communities and their leaders. Patty Wong, director, Yolo County of California, and Barbara Stripling, director, Libraries New York City Public Schools will co-chair this initiative group.
 - **Diversity**—ALA, through the Spectrum Scholarship Program, has made a major commitment to build and support a more diverse workforce of librarians. This initiative will seek to connect leadership development opportunities with this more diverse workforce so that the library leaders of tomorrow are as diverse as the populations we

serve. At this Midwinter Meeting a meeting of about 20 member leaders will discuss ways that ALA directly offers leadership development opportunities to a more diverse workforce.

In conclusion, Raphael thanked the ALA staff for their support and assistance.

EXECUTIVE DIRECTOR'S REPORT, ALA CD#23. Executive Director Keith Michael Fiels reported on the following items:

- **Membership.** As of November 2010, ALA's membership is 61,479, but is down by 2.2 percent. Personal and Corporate membership revenue is at budget. Organizational membership continues to be sluggish. One contributing factor in the decline in organizational membership is that Oprah Winfrey's book club selections are no longer offered as an organizational membership benefit, which grew the organizational membership by 1,000 members. The book club program ended about six years ago, and since then ALA has seen a steady decline in membership from those libraries who joined ALA specifically for that benefit.
- **Spectrum Presidential Initiative.** The National Library of Medicine (NLM) and the Medical Library Association (MLA) have announced their continued support for ALA's Spectrum Scholarship Program. In partnership with MLA, NLM has announced its support of the Spectrum Presidential Initiative and has committed to funding two Spectrum Scholars with an interest in the field of medical or health science librarianship annually for ten years, 2011-2020.
- The Office for Diversity and the ALA Development Office will continue their fundraising efforts for the Spectrum Presidential Initiative. As of December 10, 2010, over \$560,000 has been contributed to this initiative.
- **Liberty Square LEED Certified.** The Association of College & Research Libraries (ACRL) *CHOICE* magazine headquarters has recently received notification of the approval of its Commercial Interior LEED application for its new Liberty Square office condominium in Middletown, CT. LEED (Leadership in Energy and Environmental Design) certification is granted to projects that meet national standards for sustainability and green practices in building design.
- **"Connect with your kids @ your library" Campaign**
ALA has entered into an agreement with Lifetime Television Network to support the "Connect with your kids @ your library" campaign. As part of the agreement, Lifetime Network will provide ALA with a grant to produce two television public service announcements (PSAs) and will provide donated airtime for one year following the completion of the PSAs.

**ALA Council Minutes
2011 ALA Midwinter Meeting
January 7-11, 2011
San Diego, CA**

- **Stonewall Children's and Young Adult Literature Award.** The Stonewall Children's and Young Adult Literature Award for English-language works for children or teens of exceptional merit relating to the gay, lesbian, bisexual and transgendered experience, will be honored for the first time at this Midwinter Meeting.

WHITE PAPER ON THE FUTURE OF ALA MIDWINTER MEETINGS, ALA CD#23.1.

Over the past decade, the combination of technological advances and economic stress has caused many members to question the way in which ALA groups accomplish their work. In particular, they have raised issues related to the continuing viability of the ALA Midwinter Meeting. The ALA Board asked that a white paper on the future of the Midwinter Meeting (ALA CD#23.1) be written. Executive Director Keith Michael Fiels asked Councilors to read and discuss the report and provide ideas and feedback, which would be incorporated into another iteration of this report.

Fiels reported on progress related to accomplishing the 2015 ALA Strategic Plan goal "Transforming Libraries." Fiels said the Association needs to do everything it can to support, encourage, and inspire a transformation of library services in libraries of all types.

Fiels then responded to questions from the audience.

ADJOURNMENT. After several announcements, the meeting was adjourned.

ALA Council I
Sunday, January 9, 2011
10:00am-12:15pm
San Diego Convention Center, Ballroom 20 A/B
San Diego, CA

The first meeting of the ALA Council during the 2011 ALA Midwinter Meeting was convened at 10:00 am. on Sunday, January 9, in the San Diego Convention Center, Ballroom. 20 A/B.

ANNOUNCEMENTS AND INTRODUCTIONS. President Roberta A. Stevens reintroduced Parliamentarian Eli Mina, President-Elect Molly Raphael, and ALA Executive Director and Secretary of the Council Keith Michael Fiels. ALA staff members assisting with the Council meetings were JoAnne Kempf, Director, Office of ALA Governance; Lois Ann Gregory-Wood, Council Secretariat; Danielle Alderson and Alicia Bastl, Projectionists; and Kathy Cortopassi, Captionist.

Special guests included Lucille C. Thomas, ALA Honorary Member; Ingrid Parent, President-Elect, International Federation of Library Associations and Institutions (IFLA); Florante Peter Ibanez, President, Asian/Pacific American Librarians Association; Sandy Littletree, President-Elect, American Indian Library Association; Elizabeth Leslie Bagley, President-Elect, Georgia Library Association; Wanda K. Brown, President-Elect, North Carolina Library Association; Terry Buckner, President-Elect, Kentucky Library Association; Wendy Cornelisen, President-Elect, Tennessee Library Association; Leoma Dunn, President, Kentucky Library Association; Lucy Holman, President-Elect, Maryland Library Association; Benjamin Hunter, President, Idaho Library Association; Jennifer Alvino Leo, President, New England Library Association; Paymaneh Maghsoudi, President, California Library Association; John Allyn Moorman, ALA Councilor, and Immediate Past President, Virginia Library Association; Rhonda Puntney, ALA Councilor and President, Wisconsin Library Association; Jacqueline Rafferty, ALA Councilor and President, Massachusetts Library Association; and Jerilynn A. Williams, President-Elect, Texas Library Association.

THE ATTENDANCE AND VOTING RECORD is attached as Exhibit 1.

QUORUM. A quorum was established at the beginning of each meeting.

RULES FOR ALA COUNCIL MEETINGS, ALA CD#5. By *CONSENT*, the ALA Council adopted the Rules for ALA Council Meetings.

ESTABLISHING THE AGENDA, ALA CD#8.1 Revised, 1/8/11. By *CONSENT*, Council adopted ALA CD#8.1 Revised, 1/8/11, as amended to defer consideration of the following resolutions until Council II, Monday, January 10, 2011, 10:00am-12:15pm: ALA CD#34 (rev), Resolution in Support of Requiring the Right to Cancel Contracts with Hotels with Active Labor Disputes; CD#36 (rev), Resolution on the Removal and Censorship of Artwork from the Smithsonian Institution's National Portrait Gallery; ALA CD#37 (rev), Resolution on WikiLeaks and Federal Agencies; ALA CD#38

ALA Council Minutes
2011 ALA Midwinter Meeting
January 7-11, 2011
San Diego, CA

(rev), Resolution in Support of WikiLeaks; and ALA CD#39 (rev), Resolution in Support of the Dream Act.

2011 ALA ANNUAL CONFERENCE COUNCIL MINUTES, ALA CD#2. By *CONSENT*, the Minutes were adopted as distributed.

2011 ALA NOMINATING COMMITTEE REPORT, ALA CD#26-26.1. Robert A. Newlen, chair, presented the slate of candidates for the upcoming 2011 ALA election. Candidates for the office of ALA President-Elect are **Susan Stroyan**, Information Services Librarian, Illinois Wesleyan University, Ames Library, Bloomington, IL; and **Maureen Sullivan**, Organization Development Consultant, Maureen Sullivan Associates, Annapolis, MD. The revised slate of nominees for the office of Councilor-at-Large is listed in ALA CD#26.1.

ALA Bylaws Article III, Section 3B, provides that "the ALA Nominating Committee shall also include on the official ballot other nominations filed with the executive director by petition of any twenty-five (25) members of the Association at least four months before the annual conference, provided written consent of these nominees shall have been filed with the executive director of the Association." Keith Michael Fiels reported that to date, no petitions have been filed for the office of ALA President-Elect. Petitions with consent have been filed for the office of ALA Councilor-at-Large from **Mary Biblo** (retired), Librarian, University of Chicago, IL; **Joseph M. Eagan**, Library Manager, Montgomery County Public Libraries, Olney (MA) Library; **Ed Garcia**, Information Access Librarian, Cranston Public Library, Adult Services/Reference, Cranston, RI; **Margaret L. Kirkpatrick**, Elementary Librarian, Unified School District 259, Wichita, KS; **Em Claire Knowles**, Assistant Dean for Student Services, Simmons College, Graduate School of Library and Information Services, Boston, MA; **Bobbie L. Newman**, Digital Branch Manager Chattahoochee Valley Libraries, Columbus, GA; **Brenda Pruitt-Annisette**, Coordinator, K-12 Media Services, Fulton County School, Atlanta, GA; **John C. Sandstrom**, Manager, Cielo Vista Library, El Paso (TX) Public Library Branch Services; **Jennifer Wann Walker**, Library Consultant, Mississippi Library Commission, Jackson, MS; and **Amanda J. Williams**, Librarian, Austin (TX) Public Library.

Electronic balloting will begin on March 16, 2011; polls will close on April 22, 2011; and the election results will be announced on April 29, 2011.

NOMINATIONS FOR EXECUTIVE BOARD ELECTION, ALA CD#11. President-Elect Molly Raphael, chair, 2010-2011 Committee on Committees, read the names of the candidates for the Council election to the ALA Executive Board: **Jose A. Aponte**, Library Director, San Diego (CA) County Library; **Karen E. Downing**, University Learning Communities Liaison and Foundation & Grants Librarian, University of Michigan, Ann Arbor, MI; **Loida Garcia-Febo**, Coordinator, Special Services, Queens Library, Jamaica, NY; **Dora Ho**, Young Adult, Librarian/Program Specialist Youth Services, Los Angeles (CA) Public Library; **Michael Porter**, Communication Manager, WebJunction, and President, Library Renewal, Seattle WA; and **Thomas (Tom) L. Wilding**, Professor of Practice, University of Arizona. Floor nominees included **Sylvia K. Norton**, Doctoral Student, Florida State University, School of Library and Information Studies, Tallahassee, FL (nominated by Nick Buron,

**ALA Council Minutes
2011 ALA Midwinter Meeting
January 7-11, 2011
San Diego, CA**

YALSA Division Councilor), and **Gina A. Persichini**, Networking Consultant, Idaho Commission for Libraries, Boise, ID (nominated by Rodney Lippard, North Carolina Chapter Councilor).

Appreciation was extended by Molly Raphael and her Committee, Irene L. Briggs; Trevor A. Dawes; Wei Jeng-Chu; and Rhonda K. Puntney.

An Executive Board Candidates Forum will be held on Monday, January 10, 2011, 12:30-1:30pm. The forum will allow Council members an opportunity to hear the views and ask questions of the Executive Board candidates.

The election results will be announced at ALA Council III on Tuesday, January 11, 2011, 8:00am-12:30pm.

APPOINTMENT OF TELLERS FOR THE ELECTION, ALA CD#11.1. Councilors Nanette Donohue; John Allyn Moorman; Elena Rosenfeld; Henry Stewart; and Em Claire Knowles, chair, volunteered to serve as election tellers.

COMMITTEE ON MEMBERSHIP MEETINGS (COMM) REPORT, ALA CD#40. In speaking of past challenges to attract a quorum (75 ALA personal members) to the membership meetings, Loida Garcia-Febo said that COMM, along with a recently appointed subcommittee, has been exploring ways to attract more attendees to the membership meetings.

In addition to piloting a virtual Membership Meeting to reach ALA members who do not attend the Annual Conference, the committee also will craft a membership survey to seek member input on membership meetings.

SPECTRUM PRESIDENTIAL INITIATIVE. ALA Executive Board Member Em Claire Knowles, co-chair, Dinners for Spectrum Scholars Coordinating Committee, noted that the Spectrum Presidential Initiative campaign to raise \$1 million for the Spectrum Scholarship Program is a call to action to meet the challenges that face the library profession by offering additional spectrum scholarships to master and doctoral students; to strengthen the ALA spectrum scholarship endowment; and to build a foundation for recruitment and career development.

To date, more than \$568,000 has been raised through the generosity of ALA members and member groups.

Pledge envelopes were placed in Council folders with the hope that 100 percent of the Council would contribute to the Spectrum Presidential Initiative. To date, 100 percent of the ALA Executive Board has contributed more than \$16,000.

ALA EXECUTIVE BOARD ACTIONS SINCE THE 2010 ALA ANNUAL CONFERENCE, ALA CD#15. Executive Director Keith Michael Fiels highlighted various actions taken by the ALA Executive Board since the 2010 ALA Annual Conference. Among the actions taken, the Board:

**ALA Council Minutes
2011 ALA Midwinter Meeting
January 7-11, 2011
San Diego, CA**

- **VOTED**, To continue the Young Librarians Task Force—originally appointed by President Camila Alire—for one year. The task force will identify strategies and actions for ALA, its offices, committees, divisions, and round tables to be more responsive to the young librarians who will be its members and future leaders with a goal of increasing retention rates; and develop a recommended plan of action with short-, medium-, and long-term goals for ALA to better meet the needs of young librarians.
- **VOTED**, To acknowledge and recognize the extraordinary efforts by staff and the finance/accounting team for their work in bringing the Association to a positive financial result in view of the difficult environment in which they operated.
- **VOTED**, That the Executive Board approve a two-year trial period for a new category within ALTAFF called "Community Group Members" beginning October 25, 2010.

IMPLEMENTATION OF 2010 ALA ANNUAL CONFERENCE COUNCIL ACTIONS, ALA CD#9.

Executive Director Keith Michael Fiels updated Council on the implementation of Council actions. Council raised no questions about the provided information.

NEW BUSINESS.

ALA CD#32, RESOLUTION ON NOTIFYING CONFERENCE AND MEETING ATTENDEES OF HOTELS NAMED ON "DO NOT PATRONIZE" LISTS. Councilors Carrie Gardner and Jacqueline Rafferty moved the adoption of ALA CD#32, Resolution on Notifying Conference and Meeting Attendees of Hotels Named on "Do Not Patronize" Lists, which read: "That the American Library Association directs the Executive Director to the extent known at the initial announcement of Conference registration and prior to the Conference taking place, will inform attendees of conferences and exhibitions if a hotel is on the "do not patronize" list of the local labor body during an ALA event or is the object of a boycott because of the unfair labor practices of the hotel."

In speaking to the resolution, Councilor Gardner said at least 25 percent of the ALA members belong to organized labor unions, and the adoption of this resolution would direct the Executive Director to provide beneficial information to its members regarding labor issues prior to a scheduled ALA conference.

Executive Director Keith Michael Fiels spoke of the financial implications related to this resolution, by apprising Council that hotel contracts—because of the size of the ALA conferences—are negotiated at least six years in advance of the actual conference. All ALA's hotel contracts include attrition clauses based on the concept that a hotel will make a block of rooms available and guarantee ALA the rooms at a favorable rate to attendees.

If ALA has contracts in place and has announced the conference hotels, and subsequently a hotel is placed on "a do not patronize" list, and if members, as a result, withdraw their bookings from the hotel, that would result in attrition being assessed against ALA. In other words, if ALA does not meet its hotel room block requirements, ALA will suffer a financial penalty.

After an in-depth debate it was

VOTED, That action on ALA CD#32, Resolution on Notifying Conference and Meeting Attendees of Hotels Named on "Do Not Patronize" Lists, be postponed until ALA legal counsel Paula Goedert has an opportunity speak to the resolution at Council II on Monday, January 20, 2011, 10am-12:15pm.

ALA CD#35, CLARIFICATION WITH JOB LISTINGS AS TO THE PRESENCE OR ABSENCE OF DOMESTIC PARTNER BENEFITS. Councilors Peter Hepburn and Larry Romans moved the adoption of ALA CD#35, Clarification with Job Listings as to the Presence or Absence of Domestic Partner Benefits, which read: "That the American Library Association:

- (1) requires that potential employers specify explicitly in their job announcements in ALA publications or website whether or not they provide domestic partner benefits by means of appending one of the following two phrases: "Domestic-partner benefits are not offered by this institution" or "Domestic-partner benefits are offered by this institution."
- (2) urges other publishers and providers to require potential employers to specify explicitly in their job announcements whether or not they provide domestic partner benefits by means of appending one of the following two phrases: "Domestic-partner benefits are not offered by this institution" or "Domestic-partner benefits are offered by this institution."

The above resolution was later amended to replace the word "**requires**" with the word "**encourages**" in the first resolved clause, and replace the word "**require**" with the word "**encourage**" in the 2nd resolved clause. ALA CD#35, Clarification with Job Listings as to the Presence or Absence of Domestic Partner Benefits, was *ADOPTED* as amended.

ANNOUNCEMENTS. Executive Director Keith Michael Fiels announced the following new petition nominees: Diane R. Chen, Library Information Specialist, John F. Kennedy Middle School, Antioch, TN; Darcel Jones, Community Library Manager, Contra Costa County Library, Pittsburg, CA; and Kirby McCurtis, Youth Services Librarian, San Diego (CA) Public Library.

ADJOURNMENT. After several other announcements, the meeting was adjourned.

ALA COUNCIL II
Monday, January 10, 2011, 10:00am-12:15pm
San Diego Convention Center, Ballroom 20 A/B
San Diego, CA

The second meeting of the ALA Council during the 2011 ALA Midwinter Meeting was convened at 10:00am on Monday, January 10, in the San Diego Convention and Center, Ballroom A/B.

QUORUM. A quorum was established.

ESTABLISHING THE AGENDA, CD#8.3 Revised. By **CONSENT**, ALA CD#8.2 Revised, ALA Council II agenda, was adopted as amended to include the following items under "New Business": ALA CD#32, Resolution on Notifying Conference and Meeting Attendees of Hotels Named on "Do Not Patronize" Lists; ALA CD#34, Rev.; Resolution in Support of Requiring the Right to Cancel Contracts with Hotels with Active Labor Disputes; ALA CD#36 (rev), Resolution on the Removal and Censorship of Artwork from the Smithsonian Institution's National Portrait Gallery; ALA CD#37 (rev), Resolution on WikiLeaks and Federal Agencies; and ALA CD#38 (rev) Resolution in Support of WikiLeaks and ALA CD#39 (rev), Resolution in Support of the Dream Act.

In the interest of time, ALA CD#34, Rev., Resolution in Support of Requiring the Right to Cancel Contracts with Hotels with Active Labor Disputes, was withdrawn from the Council II Agenda.

The following resolutions were moved to "New Business" on the Council III Agenda: ALA CD#36 (rev), Resolution on the Removal and Censorship of Artwork from the Smithsonian Institution's National Portrait Gallery; ALA CD#37 (rev), Resolution on WikiLeaks and Federal Agencies; ALA CD#38 (rev) Resolution in Support of WikiLeaks; and ALA CD#39 (rev), Resolution in Support of the Dream Act.

POLICY MONITORING COMMITTEE REPORT (PMC), ALA CD#17. Councilor John Allyn Moorman, chair, moved and Council **ADOPTED**, the following four (4) action items contained in ALA CD#17, Policy Monitoring Committee (PMC) Report:

Item#1. ALA CD#43, A Resolution Reaffirming Equal Employment Opportunity for Gay, Lesbian, Bisexual and Transgender Librarians and Library Workers.

At the 2010 Annual Conference, ALA Council adopted ALA CD#43, A Resolution Reaffirming Equal Employment Opportunity for Gay, Lesbian, Bisexual and Transgender Librarians and Library Workers. To bring the *ALA Policy Manual* in agreement with this resolution, PMC moves the following changes in the *ALA Policy Manual*:

Change ALA Policy 54.16 from this text:

51.16-Gay Rights. The American Library Association Council reaffirms its support for equal employment opportunity for gay librarians and library workers. The Council recommends that libraries reaffirm their obligation under the *Library Bill of Rights* to disseminate information representing all points of view on this topic.

To this text:

54.16-Gay, Lesbian, Bisexual, and Transgender Rights. The American Library Association supports equal employment opportunity for gay, lesbian, bisexual, and transgender librarians and library workers.

Item #2. ALA CD#45, Revised, A Resolution on Non-Discrimination in Conference Contracts. At the 2010 Annual Conference, ALA Council adopted ALA CD#45, Revised, A Resolution on Non-Discrimination in Conference Contracts. To bring the *ALA Policy Manual* in agreement with this resolution, PMC moves the following changes in the *ALA Policy Manual*:

Change ALA Policy 7.1.1 from this current text:

7.1.1. 2nd Paragraph - Non Discrimination in Conference Contracts

The ALA will enter into conference center site contracts only with organizations and legal bodies in cities, counties, or states that do not by law discriminate against lesbian, gay, and bisexual people.

To this text:

7.1.1-Non Discrimination in Conference Contracts

There shall be no discrimination, including that based on race, origin, color, sex, sexual orientation, creed or disability, in the use of any facilities used by the American Library Association. This policy shall become a part of ALA contracts for the use of space. The ALA will avoid entering, whenever possible, into convention center contracts with organizations and legal bodies in cities, counties, or states that by law discriminate against gay, lesbian, bisexual or transgender people. ALA will provide materials for promoting sensitivity to sexual orientation, gender identity, and gender expression for all employees on the floor of each convention center, including employees of companies to which the convention center has contracted for services on the floor of the convention.

Item #3. ALA CD#19.3, Prisoners' Right to Read: An Interpretation of the Library Bill of Rights. At the 2010 Annual Conference ALA Council approved CD#19.3 Prisoners' Right to Read: An Interpretation of the *Library Bill of Rights*. These interpretations are traditionally represented in the *Policy Manual* by means of an abstract supplied by the originating committee, followed by a reference to the Policy Reference File, where the full text of the Interpretation resides. New interpretations are inserted in the order they are added. Therefore, PMC moves the insertion of

53.1.23 Prisoners' Right to Read as follows:

The American Library Association asserts a compelling public interest in the preservation of intellectual freedom for individuals of any age held in jails, prisons, detention facilities, juvenile facilities, immigration facilities, prison work camps and segregated units within any facility. Those who cherish their full freedom and rights

ALA Council Minutes
2011 ALA Midwinter Meeting
January 7-11, 2011
San Diego, CA

should work to guarantee that the right to intellectual freedom is extended to all incarcerated individuals. Adopted 2010. (*See Policy Reference File: Prisoners' Right to Read: An Interpretation of the Library Bill of Rights: 2009-2010 ALA CD#19.3*)

Item #4. EBD #12.19 Electronic Signatures. At the 2008 Fall Executive Board Meeting, the ALA Executive Board voted to support the use of electronic signatures wherever the American Library Association Constitution, Bylaws, and *ALA Policy Manual* require members to petition for candidacy or other action. To bring the *ALA Policy Manual* in agreement with this resolution, PMC moves the following change in the *ALA Policy Manual*:

Change Policy 6.2.1 from this current text:

6.2.1 Petitions for Establishment of New Units of ALA

Minimum acceptable standards for petitions requesting the establishment of new divisions, round tables, and other units of ALA are: 1) The purpose of the petition shall be clearly stated on a single sheet attached to each group of signature pages. 2) Each signature page shall contain this statement: "I favor this petition to . . ." 3) Petitioners shall sign and give library affiliation legibly. Failure to do so may result in the invalidation of the petition. 4) Information about this format and a sample petition will be supplied from ALA headquarters to anyone inquiring. 5) Petitioners shall be personal members of ALA.

To this text:

6.2.1 Petitions for Establishment of New Units of ALA

Petitions requesting the establishment of new divisions, round tables, and other units of ALA may be filed in electronic or paper format. Minimum acceptable standards for petitions requesting the establishment of new divisions, round tables, and other units of ALA are: For electronic petitions the process found on the ALA website shall be used in the petition process. For petitions using paper format, 1) The purpose of the petition shall be clearly stated on a single sheet attached to each group of signature pages. 2) Each signature page shall contain this statement: "I favor this petition to . . ." 3) Petitioners shall sign and give library affiliation legibly. Failure to do so may result in the invalidation of the petition. 4) Information about this format and a sample petition will be supplied from ALA headquarters to anyone inquiring. 5) Petitioners shall be personal members of ALA.

COMMITTEE ON ORGANIZATION (COO) REPORT, ALA CD#27-27.1. James (Jim) R. Rettig, chair, moved and Council, **ADOPTED** the following three (3) action items contained in ALA CD#27, Committee on Organization Report (COO):

Item #1. To change the name of the Gay, Lesbian, Bisexual, and Transgendered Round Table to the Gay, Lesbian, Bisexual, and Transgendered Round Table.

**ALA Council Minutes
2011 ALA Midwinter Meeting
January 7-11, 2011
San Diego, CA**

Item #2. To amend the composition of the Web Advisory Committee by adding as an ex officio member the chair of the ASCLA Accessibility Assembly.

Item #3. To discontinue the ALA-AAP Joint Committee in favor of a more workable system of maintaining an important ongoing inter-association relationship. (*Note:* ALA CD#27.1 lays out the committee's history, its challenges, the logistical obstacles to making its current structure function, and the cultural differences between the two associations and a practical proposal to maintain an important inter-association relationship).

FREEDOM TO READ FOUNDATION (FTRF) REPORT, ALA CD#22. Kenton L. Oliver, FTRF President, stated that FTRF Treasurer Susan Hildreth tendered her resignation from the FTRF Board upon receiving an appointment as director of the Institute for Museum and Library Services (IMLS). Chris Finan (president, American Booksellers Foundation for Free Expression (ABFFE)) will fill her term on the board, and current Trustee Robert P. Doyle (executive director, Illinois Library Association) will complete Hildreth's term as Treasurer.

Oliver also reported on two new legal victories for the freedom to read since the 2010 ALA Annual Conference. The first victory came in the case of *Powell's Books v. Kroger*, a lawsuit challenging two new "harmful to minors" statutes passed by the Oregon Legislature. The Ninth Circuit confirmed FTRF's concerns when it ruled both laws unconstitutional on ground of overbreadth.

Secondly, FTRF filed a lawsuit to challenge the Alaska statute that criminalizes the distribution of certain materials to minors under the age of 16 either on the Internet or in person, such as in a library or a bookstore. The district court granted the FTRF's motion for a preliminary injunction, holding that the statute chills free speech. On November 17, the court issued an order clarifying that the statute cannot be enforced during the pendency of the case.

Oliver noted that grants from the Judith F. Krug Fund underwrote Banned Books Week programs and events in seven different communities in 2010. In addition to the Banned Books Week grants, the Judith Krug Fund also plans to fund online intellectual freedom education opportunities for LIS students.

In conclusion, Oliver announced that for the first time, the FTRF's assets have reached over \$1 million.

PRESIDENTIAL TASK FORCE ON TRADITIONAL CULTURAL EXPRESSION, ALA CD#30-30.1. Co-chairs Maggie Farrell and Vivian Pisano reported this task force was established in April 2010 by ALA President Camila A. Alire. The 11-member task force (representing a wide spectrum of ALA constituents) was charged with the following tasks: (1) Review the background and development of the current version (7.0) of document *Librarianship and Traditional Cultural Expressions: Nurturing Understanding and Respect*; (2) Examine the current document and other relevant material; (3) As necessary, propose any revision to the document; and (4) Bring forward a recommended revised draft document for approval by the ALA Council at the Midwinter 2011.

**ALA Council Minutes
2011 ALA Midwinter Meeting
January 7-11, 2011
San Diego, CA**

Vivian Pisano noted the task force tried to define the terminology definitions drawn on by the World Intellectual Property Organization (WIPO) general documentation and the particulars of its Intergovernmental Committee, Revised Provisions for the Protection of Traditional Cultural Expressions/Expressions of Folklore (Revised Provisions).

The task force also identified cultural materials as the primary focus, as librarians typically deal with the manifestations and documentation of traditional cultural expressions.

Farrell said the purpose of this report is to alleviate the confusion regarding what are traditional cultural expressions (TCEs) and cultural materials in order to clarify the many contributions that librarians can make to libraries and communities for cultural materials while identifying issues that need further clarification and study for both cultural materials and TCEs.

The task force reaffirms the values of librarianship and provides guidelines that will assist librarians in their responsibilities regarding cultural materials. This report may also inform archives and museums as to the role of libraries in the management of cultural materials and contribute toward a common understanding that will aid further dialogue regarding cultural materials and TCEs.

The task force determined it was not yet possible to develop policy recommendations that would encompass all of the issues surrounding traditional cultural expressions. The task force trusts that its report and recommendations will build the foundation of understanding to move forward in developing specific policies.

Farrell pointed out that the American Indian Library Association did send a formal letter stating they do not endorse the report, but they support the focus on education, inclusion, and the need for further study.

Councilor Sue Sherif, member of the American Indian Library Association, then read AILA's official statement to the report. She said the statement was unanimously passed during its business on Sunday, January 9, 2011.

"The American Indian Library Association, AILA, does not endorse the Traditional Cultural Expressions Task Force report and expresses its disappointment in the document, not acknowledging the views of indigenous cultures. AILA urges ALA Council to seek AILA's participation in continued education of ALA members about issues involving traditional cultural expressions . . ."

Many councilors voiced their concerns with the report, but also acknowledged the difficulty of the task force's charge, and thanked the task force for its hard work.

ALA PRESIDENTIAL TASK FORCE ON EQUITABLE ACCESS TO ELECTRONIC CONTENT REPORT, ALA CD41. As co-chair Linda Crowe was unable to attend this meeting, Councilor Michael Porter, co-chair, presented the report. He reported that at the 2010 ALA Annual Conference, Council called for the formation of an ALA Presidential Task Force charged with (a) studying the issue of electronic content and distribution infrastructure for libraries, (b) developing

a list of potentially practical, effective collaborations and courses of action that ALA and libraries around the country could engage in, (c) drafting a policy for ALA to adopt that works toward and encourages the creation of an effective electronic content and distribution infrastructure for libraries, and (d) submitting a report to Council at ALA Annual Conference 2011. The 20-member task force was established following the 2010 Annual Conference,

Porter reported on the task force's plans to carry out its charge. He also noted that the Office for Information Technology Policy's e-book subcommittee is working on issues closely related to the Council resolution. The task force will be collaboratively working with this subcommittee.

Councilor Sue Kamm asked whether the task force would examine the word "accessibility" from the following perspectives: (1) physical, (2) financial, and (3) intellectual freedom.

Porter said he would report this issue out to the task force for its deliberation.

ALA TREASURER'S REPORT, ALA CD#13-13.2. James (Jim) G. Neal reported that the ALA Finance & Audit Committee met with auditors from Grant Thornton to review the ALA financial statements for FY10. The auditors reported no material weaknesses or significant deficiencies, and issued an unqualified opinion, which is the best possible rating.

After providing a report on the audited FY10 financial statements and other detailed budgetary information, Jim Neal, ALA Treasurer, moved and Council

ADOPTED, FY2012 programmatic priorities as amended to include "Transforming Libraries" for the American Library Association. The FY2012 priorities are:

- Diversity
- Equitable Access to Information and Library Services
- Education and Lifelong Learning
- Intellectual Freedom
- Advocacy for Libraries and the Profession
- Literacy
- Organizational Excellence
- Transforming Libraries

ALA HONORARY MEMBERSHIP NOMINATION, ALA CD#24. On behalf of the ALA Executive Board, Immediate Past President Camila A. Alire recommended that an ALA honorary membership bestowed upon Yohannes Gebregeorgis in recognition of his founding Ethiopia Reads, a nonprofit organization that is establishing children's libraries in Ethiopia and publishing bilingual and trilingual children's books, thereby providing the children an opportunity to learn the love of reading and increasing literacy in an entire nation.

The ALA Council

VOTED, To bestow an ALA honorary membership upon Yohannes Gebregeorgis.

The ALA honorary membership will be presented to Yohannes Gebregeorgis during the Opening General Session at the ALA Annual Conference in New Orleans, LA.

NEW BUSINESS.

RESOLUTION ON NOTIFYING CONFERENCE AND MEETING ATTENDEES OF HOTELS NAMED ON THE "DO NOT PATRONIZE" LIST, ALA CD#32, REV. Council action on this resolution was postponed until ALA's legal counsel Paula Goedert could be present to speak to the antitrust issues related to this resolution.

Goedert explained that antitrust laws prohibit boycotts for commercial purposes. Unions are exempt from those antitrust laws; however, associations are not exempt from antitrust laws. The antitrust laws carry not only harsh civil penalties but also criminal penalties. For this reason, most association counsels take a slightly more conservative view in counseling clients on antitrust matters.

Goedert said ALA can provide information about what hotels are on "do not patronize" lists, but it should be done in a context that stops short of calling for a commercial boycott.

In response to an inquiry asking if ALA distributes this kind of information to its membership, is there a reasonable expectation that the members will act on that information and not patronize those hotels?

Goedert said one of the issues with the antitrust laws is there is rarely an instance in which people overtly disobey the antitrust laws. Most antitrust prosecutions are brought on the basis of implications, signals, and subliminal messages.

Goedert stated that if it is the desire of Council to provide information about which hotels are on "do not patronize" lists, she wanted to help frame that provision of information in a way that would protect the Association and avoid any accusation of implications.

ALA Executive Director Keith Michael Fiels spoke again of ALA's financial liability if it did not meet its contractual obligations for hotel room occupancy.

After an in-depth discussion on the pros and cons of the Resolution on Notifying Conference and Meeting Attendees of Hotels Named on the "Do Not Patronize" List, ALA CD#32, Rev., it was moved to amend the resolution by deleting the "Resolved" clause and replacing it with the following language: "That ALA include information on finding 'do not patronize' information in registration packets or other registration information."

**ALA Council Minutes
2011 ALA Midwinter Meeting
January 7-11, 2011
San Diego, CA**

By *CONSENT*, Council postponed further discussion on the above resolution until Council III. It will be the first discussion item under "new business."

ANNOUNCEMENTS. ALA Executive Director Keith Michael Fiels announced that petitions for the position of Councilor-at-Large were received from **Shirley A. Bruursema**, Past President, Kent District Library Board of Trustees, Comstock Park, MI; **Jennifer Emanuel**, Digital Services & Reference Librarian, University of Illinois, Urbana, IL; **Florante Peter Ibanez**, Manager of Library Computer Services, Loyola Law School. Rains Library, Los Angeles, CA; **Zora J. Sampson**, Director, Karrmann Library, University of Wisconsin - Platteville; **Barbara K. Stripling**, Director of Library Services, New York City Department of Education, New York, NY; and **James K. Teliha**, Associate University Librarian for Public Services, Idaho State University, Pocatello, ID.

ADJOURNMENT. The Council II meeting adjourned. at 12:20pm.

ALA Council III
Tuesday, January 11, 2011
8:00am-12:30pm
Ballroom 20 A/B
San Diego, CA

The third meeting of the ALA Council during the 2011 Midwinter Meeting was convened at 8:00am on Tuesday, January 11, in the San Diego Convention Center, Ballroom 20 A/B.

QUORUM. A quorum was established at the beginning of each meeting.

ESTABLISHING THE AGENDA, ALA CD#8.4 Revised. By *CONSENT*, ALA CD#8.4 Revised was adopted as amended by adding the following items under "new business": ALA CD#32 Rev., Resolution on Notifying Conference and Meeting Attendees of Hotels Named on "Do Not Patronize" List; ALA CD#39 Rev., 1/10/11, 5:45pm, Resolution in Support of Requesting Congress to Reintroduce and Vote on the Dream Act; ALA CD#36, Rev., Resolution on the Removal and Censorship of Artwork from the Smithsonian Institution's National Portrait Gallery; ALA CD#37, Rev., 1/10/11, Resolution on WikiLeaks and Federal Agencies; and CD#38, Rev., 1/10/11, Resolution in Support of WikiLeaks.

MEMORIALS, ALA MR#1-4. Council Policy 5.3. (15) provides that memorials, tributes, and testimonials will be presented at the beginning of the last session of Council. Memorials were adopted for the following: George P. D'Elia, M-#1; Locke Morrissey, M-#2; Edward G. Holley, M-#3; Carolyn Wicker Field, M-#4; and Norman Horrocks (no written resolution).

TRIBUTES, ALA TR#1-3. By *ACCLAMATION*, Council adopted the following tributes: 100th Anniversary of the Arkansas Library Association, T-#1; Retired Members Round Table (RMRT), T-#2; and John Ison on His Retirement from DEMCO, Inc., T-#3.

COUNCIL TELLERS' REPORT ON THE ALA EXECUTIVE BOARD ELECTION, CD#11.2. Councilors Nanette Donohue; John A. Moorman; Elena Rosenfeld; Henry Stewart; and Em Claire Knowles, chair, reported the following election results (*signifies those elected): Jose A. Aponte, 34; Karen E. Downing, 42; Loida Garcia-Febo, 28; *Dora T. Ho, 58; *Sylvia K. Norton, 47; Gina A. Persichini, 25; *Michael Porter, 46; and Thomas (Tom) L. Wilding, 43.

CONSTITUTION AND BYLAWS COMMITTEE REPORT, ALA CD#25. Councilor Thomas (Tom) L. Wilding, chair, moved and Council,

ADOPTED, the following action items contained in ALA CD#25, Constitution and Bylaws Committee Report:

Action Item #1

To amend ALA Constitution Article IX by replacing the entire article with the following language:

Article IX. Endowment Funds

1. Receipts from life memberships and all gifts for endowment purposes shall, subject to conditions attached thereto, constitute endowment funds. Subject to conditions legally incident thereto, such funds shall be in the custody of no fewer than three nor more than six appointed trustees. One or more of these appointed trustees shall be appointed by the Executive Board annually to hold office for three years from the date of appointment or until a successor shall be appointed.
2. The trustees shall have authority to hold, invest, reinvest, disburse, and otherwise deal with endowment funds in accordance with such directions as may be given them by the ALA Executive Board. The principal of and income from endowment funds shall be expended under the directions of the Executive Board but no such expenditures shall be made except in accordance with any conditions imposed by the donors of any such funds nor for any purposes which are not in consonance with the approved policies of the Association, nor shall principal be expended unless expressly permitted by the terms of the gift, or any amendment or modification thereof. No action shall be taken with reference to investment, reinvestment, or other principal transaction with respect to securities held in the endowment fund, except upon a resolution adopted by or written order signed by a majority of the trustees.
3. The ALA Treasurer shall serve as an *ex officio* voting trustee.

Action Item #2a

To amend ALA Constitution Article VIII, Section 1 to include the parenthetical descriptor **(non-voting)** after the words "Executive Director" in the second sentence so that the sentence reads:

"The officers of the Association shall be a president, a president-elect, who shall serve as vice-president, an executive director **(non-voting)**, and a treasurer."

Action Item #2b

To amend ALA Constitution Article III by inserting **voting** before the word "members," so that the last sentence reads as follows:

"The Executive Board may suspend a member for cause after a hearing by a two-thirds vote of the **voting** members of the Executive Board and may reinstate a member by a three-fourths vote of the **voting** members of the Executive Board."

Action Item #2c

To amend ALA Constitution, Article VII, Section 4 by inserting the phrase of the voting members to read as follows:

"A majority of the voting members shall constitute a quorum of the Executive Board."

Action Item #3

To amend ALA Bylaw Article III, Section 1(b) and Section 1(d) as follows:

(b) Such committee shall nominate candidates from among the general membership for the position of president-elect annually; for the position of treasurer, whenever this is required by Article VIII, Section 1 of the Constitution; members-at-large of Council as provided in section[s] (c) [and (e)] below[;] , including any vacant member-at-large positions [and to fill vacancies].

To eliminate Section 1(d) and renumbering the subsequent subsections.

Note: The Constitution and Bylaws Committee was advised that this item could be treated as a non-substantive change without submitting it to a membership vote and so recommends that process.

Action Item #4

To amend ALA Bylaw Article III, Section 4(a) to read as follows:

"The Executive Board shall appoint a Committee on Election which shall have charge of the conduct of the regular elections of the Association, [and] the divisions, and the roundtables, and the counting and tabulation of all votes cast."

Note: CBC was advised that this item could be treated as a non-substantive change without submitting it to a membership vote and so recommends that process.

Action Item #5a

To amend ALA Bylaw Article IV, Section 3 to read as follows:

"All elected at large, divisional, and roundtable councilors, except those elected to fill vacancies, shall serve terms of three years, commencing at the adjournment of the final ALA Council meeting of the annual conference following their election."

Action Item #5b

To amend ALA Bylaw Article IV, Section 5 to read as follows:

"A vacancy in the membership of Council representing the Association at large shall be filled at the following election to complete the unexpired term and take effect immediately after the election is certified."

INTELLECTUAL FREEDOM COMMITTEE (IFC) REPORT, ALA CD#19. After providing an update on IFC and other intellectual freedom activities, Julius Jefferson, chair, reported that the IFC and the Committee on Legislation (COL) jointly reviewed the issues associated with WikiLeaks' disclosure focusing on classification, whistleblowing, and access to government information.

As a Library of Congress employee, a federal agency, Julius Jefferson recused himself from all of the WikiLeaks discussions, and Martin Garnar, immediate past IFC chair, lead those discussions for the Intellectual Freedom Committee.

Also, as an employee on leave from the Library of Congress, ALA President Roberta A. Stevens recused herself from the Council discussion on ALA CD#19.1, Resolution on Access to and Classification of Government Information. Stevens requested that ALA President-Elect Molly Raphael chair this portion of the meeting.

Charles E. Kratz, Jr., COL chair, moved the jointly crafted COL and IFC Resolution on Access to and Classification of Government Information, ALA CD#19.1, which read:

"That the American Library Association (ALA):

- (1) commends President Barack Obama for establishing the National Declassification Agency and issuing Executive Order 13526 on Classified National Security Information and supports and encourages expanded initiatives to reform the U.S. classification system;
- (2) urges Congress to pass legislation that expands protections for whistleblowers in the Federal government, such as the Whistleblower Protection Enhancement Act of 2010;
- (3) urges the U.S. President, Congress, the federal courts, and executive and legislative agencies to defend the inalienable right of the press and citizens to disseminate information to the public about national security issues and to refrain from initiatives that impair these rights; and
- (4) affirms the principle that government information made public within the boundaries of U.S. law should be available through libraries and the press without restriction.

Council **ADOPTED** the above resolution.

President Roberta A. Stevens resumed the chair.

COMMITTEE ON LEGISLATION (COL) REPORT, ALA CD#20-20.4. Charles E. Kratz, Jr., chair, moved and Council **ADOPTED**, the following four (4) action items contained in ALA CD#20-20.4:

ALA Council Minutes
2011 ALA Midwinter Meeting
January 7-11, 2011
San Diego, CA

Item #1. ALA CD#20.1, Resolution Commending the U.S. Congress and the President on the Reauthorization of the Museum and Library Services Act, which read: "That the American Library Association commends the leadership of Senator Jack Reed, co-sponsors Senators Thad Cochran, Richard Burr, Tom Harkin, Susan Collins, Michael Enzi, and Jon Tester and the members of the United States Senate and House of Representatives, and President Barack Obama for their efforts to sustain the federal role supporting library services, as the cornerstone of our nation's information infrastructure."

Item #2. ALA CD#20.2, Resolution Commending President Obama and the U.S. Senate in Nominating and Confirming Susan Hildreth to be IMLS Director, which read: "That the American Library Association commends President Obama for nominating Susan Hildreth to serve as director of IMLS and the United States Senate for confirming her."

Item #3. ALA CD20.3, Resolution Thanking Bob Tapella for His Service as the 25th Public Printer of the United States, which read: "That the American Library Association express gratitude to Mr. Tapella for his service as the nation's 25th Public Printer."

Item#4, ALA CD20.4, Resolution to Commend Senator Jack Reed for His Efforts to Recognize Libraries as Essential Community Organizations during Disasters, which read: "Resolved the American Library Association (ALA) commends Senator Jack Reed for his tireless efforts working to convince the Federal Emergency Management Agency (FEMA) to amend its policies to recognize libraries as essential community organizations, thus entitled to reimbursement for temporary relocation facilities."

INTERNATIONAL RELATIONS COMMITTEE (IRC) REPORT, ALA CD#18-18.1. Sha Li Zhang, chair, reported on the following items:

- **International Participation at the Midwinter Meeting.** Seventy-five (75) librarians from eighteen (18) countries participated in this Midwinter Meeting.
- **Haiti and Chile Library Relief.** ALA's relief efforts to date have raised and distributed more than \$25,000 for three libraries in Haiti: the Petit Goave Public Library, the Centre Cultural Pyepoudre Community Library and La Bibliothèque haïtienne des Pères du Saint-Esprit (BHPSE).

ALA's Chile Library Relief Fund has raised \$1,500 to help libraries damaged by the Chilean earthquakes on February 27, 2010.

- **Traditional Cultural Expressions Task Force.** The IRC adopted a resolution expressing its gratitude to Maggie Farrell and Vivian Pisano for their serving as co-chairs and the rest of the Traditional Cultural Expressions Task Force members for their outstanding work on the final report. The report was presented to Council at this Midwinter Meeting.

ALA Council Minutes
2011 ALA Midwinter Meeting
January 7-11, 2011
San Diego, CA

- **An ALA Representative to the U.S. National Commission of UNESCO.** The International Relations Committee developed the criteria and issued an open call in selecting ALA representatives to the U.S. Commission. The committee's recommendations will be sent to the Executive Board for approval.
- **International Federation of Library Associations and Institutions (IFLA).** Ingrid Parent, incoming IFLA President, attended this Midwinter Meeting. U.S. librarians consist of 19 percent of the IFLA members. Ms. Parent commended the contributions from U.S. librarians to help shape the policy development and programs of IFLA. The 2011 IFLA conference will be held in August this year in San Juan, Puerto Rico.

2011 is the IFLA election cycle for its standing committees. Calls for nominations were sent to the membership by all ALA units last spring. The IRC reviewed the nominations from these units and presented the recommended list to the Executive Board for approval. Thirty (30) ALA members were recommended to serve on IFLA standing committees.

Guadalajara Book Fair. One-hundred fifteen (115) ALA members attended the Guadalajara Book Fair in November 2010. President Roberta A. Stevens presentation "Protection of Cultural Works," drew over 200 attendees.

China-U.S. Collaboration. Sha Li Zhang, IRC chair, participated in the China-North America Library Conference held in Beijing, September 2010. A U.S. delegation of more than 50 librarians and information professionals participated in the conference.

NEW BUSINESS.

RESOLUTION ON NOTIFYING CONFERENCE AND MEETING ATTENDEES OF HOTELS NAMED ON "DO NOT PATRONIZE" LIST, ALA CD#32, REV. President Roberta A. Stevens noted that prior to the adjournment of the Council II meeting, an amendment to ALA CD#32, Rev., was postponed until this Council III. The amendment has since been revised. Councilor Tom Wilding then moved the amendment to replace the "Resolved" clause with the following language: **"Executive Director will provide registrants with information on how to determine whether there are labor disputes at hotels with contracted housing blocks, so that registrants can decide whether to utilize the information when making hotel choices;** and to change the resolution's name to: **Resolution on Labor Disputes.**"

After some debate, the above amendments were *DEFEATED*.

The Council then returned to the original motion, which read: "That the American Library Association directs the Executive Director, to the extent known at the initial announcement of conference registration and prior to the conference taking place, will inform attendees of conferences and exhibitions if a hotel is on the "Do Not Patronize" list of the local labor body during an ALA event, or is the object of a boycott because of the unfair labor practices of the hotel."

Following an in-depth debate, the resolution was *DEFEATED*.

RESOLUTION IN SUPPORT OF REQUESTING CONGRESS TO REINTRODUCE AND VOTE ON THE DREAM ACT, ALA CD#39, REV., 1/10/11, 5:54PM. Councilors Loida Garcia-Febo and Larry Romans moved and Council

ADOPTED, ALA CD#39, Resolution in Support of Requesting Congress to Reintroduce and Vote on the Dream Act, Rev., 1/10/11, 5:54pm, which read: "That the American Library Association (ALA):

- (1) urges members of the Congress of the United States to re-introduce and vote for the DREAM Act;
- (2) urges members of the Congress to include community service and vocational education—in addition to attending college and joining the military—as a pathway to citizenship; and
- (3) asserts that having higher education, military service, or community service will provide these immigrant children greater success in life through higher lifetime earnings, higher income tax contributions, greater contributions to the economy, and less reliance on government assistance."

RESOLUTION ON THE REMOVAL AND CENSORSHIP OF ARTWORK FROM THE SMITHSONIAN INSTITUTION'S NATIONAL PORTRAIT GALLERY, ALA CD#36 REVISED 1/11/11, 10:27AM. Councilors Peter Hepburn and Larry Romans moved and Council

ADOPTED, ALA CD#36 Revised 1/11/11, 10:27am, Resolution on the Removal and Censorship of Artwork from the Smithsonian Institution's National Portrait Gallery, which read: "That the American Library Association (ALA):

- (1) commends the National Portrait Gallery for its inclusion of materials that reflect the diversity of our society, including those related to religious viewpoint, specifically as presented in the Hide/Seek Exhibition;
- (2) commends the National Portrait Gallery for its inclusion of materials that reflect the diversity of our society, including those related to sex, gender identity, and sexual orientation, specifically as presented in the Hide/Seek Exhibition; (ALA Resolution on Threats to Library Materials Related to Sex, Gender Identity, or Sexual Orientation);
- (3) condemns the censorship of the Hide/Seek Exhibition at the National Portrait Gallery;
- (4) urges the National Portrait Gallery to immediately reinstate the video artwork by David Wojnarowicz to the Hide/Seek Exhibition at the National Portrait Gallery;
- (5) urges the National Portrait Gallery to refuse to censor by removal or alteration other works of art from any exhibition or collection; and

ALA Council Minutes
2011 ALA Midwinter Meeting
January 7-11, 2011
San Diego, CA

- (6) urges the Smithsonian Institution to fight censorship of works of art or collections dealing with any subject matter, including sex, gender identity, sexual orientation, or religious viewpoint in its national galleries, museums, archives and libraries."

President Roberta A. Stevens recused herself from chairing the discussion on the Resolution on WikiLeaks and Federal Agencies, ALA CD#37 Rev. (1/10/11), and the Resolution in Support of WikiLeaks, ALA CD#38 Rev. 1/10/11. President-Elect Molly Raphael chaired the meeting through the discussions on the above resolutions.

In light of the earlier discussion and adoption of ALA CD# 19.1, Resolution on Access to and Classification of Government Information during the Council II meeting, the following two (2) resolutions were **TABLED**:

ALA CD#37 Rev., 1/10/11, Resolution on WikiLeaks and Federal Agencies, which read: "That the American Library Association (ALA):

- (1) calls for the amendment of Executive Order 13526, Classified National Security Information (December 29, 2009) to exclude publicly available information;
- (2) calls for the amendment of any other executive orders, public laws, or federal regulations that forbid access to publicly available information; and
- (3) calls for all US government agencies to follow the example of the Library of Congress in unblocking and providing access to documents available on WikiLeaks."

ALA CD# 38 Rev., 1/10/11, Resolution in Support of WikiLeaks, which read: "That the American Library Association (ALA):

- (1) supports the rights of WikiLeaks to publish leaked government documents;
- (2) commends the efforts of WikiLeaks to expunge from documents names and other material deemed potentially harmful to innocent people;
- (3) commends WikiLeaks for performing a public service by making available important documents related to foreign and military policy;
- (4) urges libraries to link their websites to the WikiLeaks websites; and
- (5) condemns the harassment of WikiLeaks volunteers.

President Stevens resumed the chair.

**ALA Council Minutes
2011 ALA Midwinter Meeting
January 7-11, 2011
San Diego, CA**

ANNOUNCEMENTS. Keith Michael Fiels reported receipt of the following petitions for Councilor-at-Large since the Council II meeting: **Rosina R. Alaimo**, School Librarian, Maple West Elementary School, Williamsville, NY; **Irene L. Briggs**, Associate Director of Public Services, Prince George's County Memorial Library System, Hyattsville, MD; **Diedre Conkling**, Director, Lincoln County Library District, Newport, OR; **Alison Adams Ernst**, Principal, Alison Ernst Associates, Pleasant Ridge, MI; **Martin L. Garnar**, Reference Services Librarian, Regis University, Denver, CO; **Gail G. Griffin**, Board Trustee, Shreve Memorial Library, Shreveport, LA; **Wei Jeng-Chu**, Technology Division Head, Worcester Public Library, Worcester, MA; **Catherine E. Marriott**, Director, Technology and Information Services, Orchard Park (NY) Central Schools; and **Julie A. Schneider**, Library Director, University of Wisconsin, Ebling Library, Madison, WI

ADJOURNMENT. Council III was adjourned at the conclusion of the agenda.