

## James L. Madison Award: Background Summary and Next Steps

### Background & History

The [award named for President James Madison](#) was established in 1989 by the ALA-led Coalition for Government Information\*. It was conceived as a way to recognize positive action in support of public access to government information – and as a counterpart to the Rosemary Awards for the “worst in open government.” The award was presented on Freedom of Information Day, the anniversary of the birth of James Madison.

\*The ad hoc Committee to form a coalition on government information was approved by ALA Council at the 1985 Midwinter Meeting. The ad hoc committee was appointed by ALA President E. J. Josey.

When the Coalition folded in the mid-90s, the recognition was continued through the ALA Washington Office. In an October 1999 memo, then ALA President-Elect Nancy Kranich proposed to the ALA Executive Board that: *The American Library Association should sponsor the James Madison Award beginning with Freedom of Information Day, 2000, and that the [ALA] Washington Office take over this award in conjunction with the Committee on Legislation and ALA’s officers.*

In the document supporting this proposal, Kranich noted: “Since its inception, the ALA Washington Office has acted as the secretariat for the Coalition, and ALA has absorbed all costs related to its operation. The recipients of the James Madison Award have been nominated by members of the Coalition (several are also involved with ALA) and selected at ALA’s Midwinter Meeting by the ALA Committee on Legislation’s Government Information Subcommittee. ALA has paid for the plaques and the reception at which the Award is presented.” Kranich also noted that “An underwriter for the event could be sought to sponsor the annual celebration,” which, indeed, appears to be the case.

The formal motion, moved by Nancy Kranich and seconded by Immediate Past President Ann Symons, was that “the Executive Board endorse the administration of the James Madison Award through the American Library Association via our Washington Office and the Committee on Legislation.”

In the discussion that followed, members of the ALA Executive Board, including Martin Gomez and James Neal, raised concerns about moving the process “outside of our standard awards policy and process.” Both Kranich and Symons supported the proposal to “grandfather” the award because there was an existing structure, process – and it was an “unfunded” award (with limited costs paid through the ALA Washington Office budget.) “Grandfathering” the award was seen as avoiding concerns about precedent setting. Board member Liz Bishoff proposed that it move through the ALA Awards Committee, with the Awards Committee “charging it to the Legislation Committee to do the award....”

Following extensive discussion, on a motion by Nancy Kranich, seconded by Ann Symons, the ALA Executive Board “VOTED TO endorse that ALA sponsor the James Madison Awards through

the Washington Office and the Committee on Legislation. Since this award has been administered by the ALA Washington Office for more than a decade, the Executive Board would like to “grandfather” this award and asks that the Awards Committee review the awards at the 2000 Midwinter Meeting and assign administration of the Madison Awards to the Washington Office. The Executive Board directs the Washington Office to proceed with administering the award for the year 2000.” Looking at the documentation, the intent of the ALA Executive Board was that the Awards Committee make the formal charge to the ALA Committee on Legislation to administer the award, rather than administering it itself. The precedent of the Pura Belpre Award was noted in the Board discussion.

The motion from the ALA Executive Board was on the ALA Awards Committee agenda at the 2000 Midwinter Meeting in San Antonio. The minutes of the Awards Committee indicate simply that the Awards Committee “needs more information on this award.” This makes it seem likely that the report initially presented to the ALA Executive Board may not have been transmitted to the Awards Committee. The matter was not taken up at its following meeting, nor is there evidence at hand showing that the “additional information” was provided.

The intent remained to recognize individuals or groups who have championed, protected and promoted public access to government information and the public’s right to know, at the national level. Because many of the same individuals remained involved, the transition process seems to have been informal. The [list of past recipients](#) includes several members of Congress from both parties, including Sen. Patrick Leahy (D-VT), Rep. Zoe Lofgren (D-CA), Sen. John Cornyn (R-TX), and Sen. Jon Tester (D-MT).

The recipient receives a commemorative plaque from ALA (cost approximately \$150), this falls within the limits under Congressional ethics rules. There is no monetary award to the recipient. The award is also not an endorsement. In the case of members of Congress, delivery of the award is coordinated with their Congressional office. There has, from the inception of the recognition, been a call for nominations. It also seems clear that the final selection has historically been made by ALA Washington Office staff, with input from the ALA Committee on Legislation or an appropriate subcommittee. Given the relatively informal nature of the process and scant documentation, it seems likely that the nature and extent of interaction between staff and members varied.

In 2017 (when Sen. Jon Tester of Montana received the Madison Award) 2016-2017 ALA President Julie Todaro asked that information on “Sunshine Week” activities – including the Madison Award – be provided to the President, to provide time for planning and for keeping the Board informed. Inquiries about the award at that time suggested that the previous ALA Washington Office AED had selected the awardee, with WO staff participation. That did not happen in 2018.

Several staff have left the ALA Washington Office during the past year. New staff in the ALA Washington Office acted on the basis of the minimal documentation they had, which indicated that the selection was made by ALA Washington Office staff. That documentation has already been updated – and will be further augmented as a result of this review process, particularly

the work of the Committee on Organization and the ALA Awards Committee. In addition, related documentation has been connected to this file, emphasizing that awards should seek to avoid being construed as 'political speech' in line with ALA's tax status and nonpartisan constitution.

## 2018 Timeline

Dec. 15, 2017: Nominations for the 2018 award were invited.

- The invitation was posted on [District Dispatch](#) and in [American Libraries magazine](#).
- The invitation was shared with ALA member groups including:
  - Committee on Legislation
  - Government Information Subcommittee
  - OITP Advisory Committee
  - Legislation Assembly
  - Committee on Library Advocacy
- The invitation was also shared externally with organizations that advocate for public access to government information and promoted extensively on social media.

Jan. 10, 2018: Rep. Issa announces that he will not run for re-election.

Jan. 22, 2018: After the nominations period closes, the Washington Office begins reviewing nominations and evaluating ideas for possible recipients.

Five people submitted nominations. Suggestions included Rep. Mike Quigley (D-IL), as well as Republican members of Congress, but not Rep. Issa (R-CA).

The combination of Rep. Quigley's nomination, Rep. Issa's announced retirement, Quigley and Issa's co-chairmanship of the bipartisan Congressional Transparency Caucus, and interest in the continuation of that Caucus led Washington Office staff to a tentative decision to recognize Representatives Quigley and Issa jointly.

Jan. 31, 2018: Washington Office staff reached out to contacts in the states of potential recipients to ask about any known concerns from local libraries in relation to the co-awardees. Staff also consulted with external colleagues, specifically those who advocate for public access to government information. No concerns were raised concerning the recipients.

Feb. 2, 2018: The Washington Office selected the 2018 award recipients and placed orders for the award plaques.

March 5, 2018: Washington Office staff reached out to contacts in the states of the award recipients to notify them of the recipients.

March 9, 2018: ALA announced the 2018 award recipients and presented the awards at the Newseum, as a kickoff to Sunshine Week.

### Next Steps:

- This and other recognitions or awards currently being handled outside of normal ALA practice will be suspended pending review and definition of appropriate process of each award.
  - In the 1999-2000 Board discussion there was discussion of the “unusual” nature of this award. Then-Executive Director William Gordon indicated that no similar awards had been discovered. However, Kathi Kromer, ALA AED, Washington Office, has indicated the following awards are likely in this category. The process history for each should be reviewed and processes changed to clearly vest selections with the appropriate member body.
    - L. Ray Patterson Copyright Award. Current practice: a call for nomination, with selection by the OITP copyright subcommittee.
    - The Eileen Cooke State and Local Madison Award. Current practice: a call for nomination, with final selection currently by ALA Washington Office staff.
    - The White House Conference on Library and Information Services Task Force Award (Legislative Day scholarship). Current practice: There is a call for nominations. Both a reference letter and an expression of interest are required. A preliminary selection is made by ALA Washington Office staff, with final approval by the “WHCLIST Committee.”
- The ALA Committee on Organization has already been asked to review the award and make recommendations regarding an appropriate process and mechanism for member engagement in the process and decision-making. COO has already begun this work.

The original action by the ALA Executive Board (2000) included a referral to the ALA Awards Committee, with the intent that the Awards Committee designate the ALA Committee on Legislation as the administrator of the award. Based on documentation available at this writing, that process does not appear to have been completed.

The ALA Committee on Organization and ALA Awards Committee will work collaboratively to develop a recommendation and will work in consultation with the ALA Executive Board to ensure appropriate review and process.

- Internal staff training across the Association will emphasize ALA mission, values and strategic directions.
- Communications protocols will be reviewed and expanded to specifically include recognitions and awards.
- The ALA Executive Board and ALA Management will work together to facilitate discussion among both members and staff related to the critical intersection of judgment, values and essential ALA strategy in support of the Association’s mission and public policy goals.

Related documents:

Ad Hoc Committee to form a Coalition on Government Information, Progress Report, July 9, 1985, Francis J. Buckley, Jr., Chair.

1987-1988 CD#54, The Coalition on Government Information, Report to ALA Council, July 12, 1988, by Nancy C. Kranich, Chair, Ad Hoc Committee to Form a Coalition on Government Information

1999-2000 EBD# 1.5, Memorandum to ALA Executive Board from Nancy Kranich re. James Madison Award. (1999 Fall Meeting)

2000 ALA Midwinter Meeting, ALA Awards Committee, Bridget Lamont, Chair, Minutes.

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