

ALAAmericanLibraryAssociation

Resolution on Independent Booksellers

Whereas, Independent bookstores contribute directly to cultural and political diversity by keeping back list titles in stock as well as handling experimental literature, materials by new authors, and works that deal with unconventional subjects and viewpoints; and

Whereas, The vitality and even existence of independent bookstores are now endangered by unfair and frequently illegal discounts and other subsidies (including discriminatory 'remaindering' practices and co-op advertising payments afforded by major publishers solely to chain bookstores; and

Whereas, The Robinson-Patman Act, which requires publishers to offer books to competing bookstores at the same prices and on the same terms, has not been energetically enforced by the Federal Trade Commission; and

Whereas, The American Library Association has undertaken an antitrust lawsuit against several mega-publishers, charging them with price discrimination, promotional allowance discrimination, and unlawfully favoring a limited number of large bookstore chains and discount outlets, including warehouse clubs; and

Whereas, The decline or demise of independent booksellers concentrates undue power—for instance, decisions about what gets published and what doesn't—in the hands of four or five 'superstore' chains, resulting in reduced choices for writers, publishers, and readers alike and constituting a form of 'economic' or 'market censorship' that can only shrink and narrow cultural and political diversity; and

Resolution on Independent Booksellers/2

Whereas, The library profession is firmly and historically committed to promoting a broad and genuine variety of ideas and expression; now, therefore, be it

Resolved, That the American Library Association calls upon the Federal Trade Commission to vigorously and speedily enforce antitrust statutes relevant to book selling; and, be it further

Resolved, That the American Library Association expresses its support of the American Booksellers Association's efforts to gain fair treatment for independent bookstores.

**Adopted by the
Council of the American Library Association
July 10, 1997**

**Elizabeth Martinez
Secretary to the ALA Council**

Council Minutes
1996 ALA Annual Conference
July 4-10, 1996
New York, New York

Resolution Supporting Challenged Books Week, CD#47, Exhibit 47. Councilors Bernard Margolis and Deborah Coleman moved that the American Library Association suggest to its partner sponsor organizations the changing of the annual Banned Books Week promotion to Challenged Books Week beginning in 1997.

Councilor Anne E. Haley and seconder moved to refer CD#47 to the Intellectual Freedom Committee. In speaking to the motion to refer, Haley said that since a coalition of organizations used the name Banned Books Week, it would be appropriate to solicit their reactions to the proposed name change.

Councilor Gordon Conable said that Banned Books Week is a major revenue generator for the Office for Intellectual Freedom and to consider this issue without input from the Intellectual Freedom Committee would be a mistake.

Council then

VOTED, To refer CD#47 to the Intellectual Freedom Committee.

Resolution on Independent Booksellers, CD#48, Exhibit 48. Councilors Maurice J. Freedman and Peter Graham moved and Council

VOTED, That the American Library Association call upon the Federal Trade Commission to vigorously and speedily enforce the antitrust statutes relevant to book selling; and that the American Library Association express its support of the American Booksellers Association's efforts to gain fair treatment for independent bookstores.

Resolution of Appreciation on the Internet Room, CD#49, Exhibit 49. Councilors Ethelle S. Bean and Juanita Karr moved that the Council express its heartfelt gratitude and appreciation to the current and past members of the Internet Room Steering Committee for their innovations, enthusiasm, dedication and untold hours of labor on behalf of all ALA members in the maintenance and development of the Internet Room. Councilor Paul Evan Peters and Carol Parkhurst moved and by *CONSENT,* Council voted that the actual names of the Internet Room Steering Committee members be included in the resolved **clause of CD#49. Council then

VOTED, To adopt CD#49, Resolution of Appreciation on the Internet Room, as amended to include the actual names of the Internet Room Steering Committee members.

This concluded the unfinished business from Council II.

TELLERS REPORT, CD#53, Exhibit 50. Councilor Mark Goniwiecha, chair, reported the election results. (The asterisk [*] indicates candidates elected.

Council Committee on Committees:

Sarah A. Long
Judy Arteaga
Charlotte C. Kim
Gordon M. Conable
Susan B. Madden
Hiram L. Davis
Jack Forman
Lynn Scott Cochrane

ELECTED

48
68*
68*
84*
72*
49
44
49

IN PRINT

LOCAL ABA CONVENTION CONTROVERSY

Unowsky warns of radio threat

CARLIN ROMANO

KNIGHT-RIDDER NEWS SERVICE

The most high-friction session at this year's American Booksellers Association trade show was titled "Booksellers and Public Broadcasting: A Partnership for the Future." Moderated by Doubleday executive publicity director Marly Rusoff, it was supposed to be a love-fest. For most of its 1½ hours, it sounded like one.

"Nothing sells books better than public radio and public broadcasting," advised Rusoff, a former Minneapolis

bookseller herself, expressing the hope that publishers and broadcasters would continue to look for "partnerships to reach the public."

Before it was over, however, a heated Q&A from the floor had sketched a scenario in which National Public Radio programs, including WHY?Y's "Fresh Air," could be selling books via an 800 number with underwriting from at least one major bookstore chain.

Throughout the discussion several panelists alluded to a certain fly in the ointment involving Minnesota Public Broadcasting. It was left to David Unowsky, owner of St. Paul's Hungry Mind Bookstore, to broach the issue from the floor once the Q&A session began.

The Corporation for Public Broadcasting, he advised fellow booksellers, had recently given Minnesota Communi-

cations Group a grant of more than \$100,000 to — among other things — sell books presented on its shows directly to the public through an 800 number. In a letter published in the ABA's Book-selling This Week periodical, and at the session, Unowsky warned that the move threatened to blow up the relationship between booksellers and broadcasters as fast as an affair might blow up a marriage.

"Public radio is a very important part of our culture," he said, "but they shouldn't be booksellers and retailers. I'd like to ask you booksellers if you're going to feel quite as warm about public radio when each segment of every show that has an author on it also has an 800 number, urging listeners to call in rather than go to their bookstores."

Independent bookstores, he noted,

have been going out of business in record numbers because of the growing power of chains. Unowsky advised that he'd heard Borders, the national bookstore chain, would be the vendor for the Minnesota project. How did those present feel, he asked, "about public money going (to public radio) so that Borders can make profits selling books?"

While recognizing public-radio stations and shows are desperate for funds in the wake of government cutbacks, Unowsky warned the entree of radio stations into bookselling would mean "many of us who are on the edge will also go out of business."

"If you want to be our partners," he concluded, fashioning a combination warning and appeal to publishers and broadcasters present, "don't be our competitors."

St. Paul Pioneer Press
Sunday, June 30, 1996,
Page 1-E.

RETAIL

Wars between bookstores continue

The battle between independent bookstores and the chains continues, with ABA conventioners greeted with the news that the highly regarded, 15-year-old Shakespeare & Co. store in New York City has lost a three-year battle with a nearby Barnes & Noble superstore.

The 4,159 bookstores that make up the ABA's membership, most of which are independents, got further bad news when ABA released figures at the trade show revealing that independent bookstores saw their share of the U.S. adult trade market decrease to 19.5 percent in 1995, down from 21.4 percent in 1994 and 32.5 percent in 1991.

Over the same period, chain booksellers' market share rose to 26.2 percent in 1995, up from 24.6 percent in 1994 and 22.1 percent in 1991. The new figures show that adults purchased 200.7 million books at independents last year, 17.6 million fewer than in 1994, and 38 million fewer than in 1993. Meanwhile, consumers purchased 269.1 million books at chain stores in 1995, a 7.6 percent increase over the previous year.

— MARY ANN GROSSMANN

COUNCIL DOCUMENT # 48 attachment
Assigned by Council Resolutions
Committee
Member Initial

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