

**The Changing Landscape of Digital Access:  
Public-Private Partnerships  
in US State and Territorial Archives**

by

**Adam Michael Kriesberg**

**A dissertation submitted in partial fulfillment  
of the requirements for the degree of  
Doctor of Philosophy  
(Information)  
in the University of Michigan  
2015**

**Doctoral Committee:**

**Professor Elizabeth Yakel, Chair  
Associate Professor Paul L. Conway  
Clinical Associate Professor David A. Wallace  
Professor Janet A. Weiss**

In memory of  
Rita Kriesberg (1920-2011)  
Lillian Laster (1927-2014)

## ACKNOWLEDGEMENTS

I feel incredibly humbled and privileged to express my gratitude to the people and organizations that have supported me and helped me get to this point in my academic career. Pursuing a PhD has been a dream of mine since childhood which has been nurtured and fostered by family, friends, and teachers. I am truly grateful to everyone that has helped me along this journey.

My advisor and dissertation committee chair Beth Yakel has been an amazing mentor during my time at Michigan. Thank you for taking a chance on me and accepting me into the doctoral program at UMSI, for teaching me how to be a researcher and scholar, and for always supporting my work even when I stumbled or missed a deadline. I would never have made it this far without you.

The other members of my committee have also been valued mentors. David Wallace's support from my earliest days in graduate school has been incredibly valuable, both in and outside of the classroom. Paul Conway's mentorship has helped me grow as both a teacher and scholar. Janet Weiss' contribution to this dissertation was essential; her guidance grounded my project in the realities of public policy and administration and helped make my research more broadly applicable.

I would be remiss if I did not thank the staff at the Council of State Archives for their willingness to partner with me and give me access to their membership for my data collection. Their support I am also thankful to Mark Harvey and David Carmichael for verifying that my

project made sense to state archivists, and for offering feedback on my ideas and research instruments.

I am thankful for the friends I've made here at UMSI who have been allies, colleagues, confidants, collaborators, and critics. To my office-mates this year, Rebecca Frank and Melissa Chalmers, a huge thank you for sharing your work space with me while I was in the depths of writing and endless editing. Thanks also for listening to my sometimes misguided ideas the second they came to my head, and for the last minute edits and spot checks of my work. You guys have saved me more than once and I hope to be able to return the favor.

My family and friends have supported me since my plan to come to graduate school was nothing more than a plan written in my fifth grade journal. For my parents, Robin and Barry, a special thanks is due for the love of learning they instilled in me. Thank you for filling my childhood bedroom with books, for taking me to museums, historic sites, national parks, and inspiring me to ask big questions. Thanks for supporting me on this journey and giving me the tools to pursue my dreams.

My girlfriend Stephanie has been an incredible partner on this journey. Thank you for helping me through the sometimes difficult marathon that is graduate school, for keeping me grounded, and for being there for me when it felt like no one else was. There's no one else I would rather have had by my side for this experience.

Finally, I would like to thank my research participants from the public and private sector who contributed data to my study. Truly, this dissertation would not be possible without your cooperation and willingness to share your experiences and thoughts. Thank you!

## TABLE OF CONTENTS

Dedication .....	ii
Acknowledgements .....	iii
List of Tables .....	viii
List of Figures .....	ix
List of Appendices .....	x
Abstract .....	xi
Chapter 1: Introduction .....	1
Theoretical Framework .....	1
Context .....	3
Motivation and Rationale .....	7
Research Questions .....	8
Significance and Contributions .....	10
Definitions .....	12
Outline of Dissertation .....	14
Chapter 2: Review of the Literature.....	17
An Overview of Public and Merit Goods: Concepts and Research .....	17
Public-Private Partnerships .....	22
The Privatization of Government Information.....	28
Archival and Library Literature on Privatization.....	34
A Brief Overview of State Archival Institutions Past and Present .....	44
Summary of Literature .....	50
Chapter 3 Research Design.....	52
Introduction .....	52
Population.....	55
Private Sector Interviews .....	57
Survey.....	58
Public Sector Interviews.....	66
Associated Documentation.....	68
Data Analysis .....	68

Limitations .....	72
Chapter 4: Motivations and Partnership Negotiation.....	74
Introduction .....	74
Context .....	75
Preconditions and Organizational Factors.....	82
Motivations for Engagement.....	92
Risk.....	100
Partnership Negotiation.....	103
Breaking the Norm: Archival Interaction with a Litigious Firm .....	115
In-house Digitization.....	120
Conclusion.....	128
Chapter 5: Partnerships After Contracts .....	131
Introduction .....	131
Partnership Work and Relationship Management.....	132
Partnerships with Smaller Firms? .....	139
Organizational Effects on Archives .....	141
Challenges .....	144
Archival Relationships within Government.....	148
Access.....	149
Conclusion.....	157
Chapter 6: Discussion and Implications .....	160
Public Archives as Public Goods .....	160
The Importance of Negotiation .....	165
Records Focus .....	166
Importance of Legislation and Policy Activity .....	168
Records Access and Provenance .....	171
A Still-Changing Landscape .....	173
Policy Recommendations.....	175
Future Work .....	176
Appendix 1: Private Sector Interview Instrument .....	179
Appendix 2: Public Sector Interview Instrument.....	180
Appendix 3: Survey Instrument .....	183
Appendix 4: Survey Recruitment Email.....	194
Appendix 5: Interview Data Analysis Codeset.....	196

References..... 199

## LIST OF TABLES

Table 3.1: Data Collection Overview.....	55
Table 3.2: Private Sector Organizations Interviewed for this Study.....	58
Table 3.3: Parameters Included in Survey Instrument.....	64
Table 4.1: State and Territorial A/RM Functions and Budgetary Reporting.....	85
Table 4.2: Crosstabulation of Public-Private Sector Engagement and Access in Archival Mission Statements.....	90
Table 4.3: One-Sample t-test of USPIRG Transparency Score by Private Sector Engagement.....	91

## LIST OF FIGURES

Figure 4.1: Engagement of US State and Territorial Archives with the Private Sector...	80
Figure 4.2: State and Territorial Engagement with the Private Sector for Digitization...	81
Figure 4.3: Placement of Archives and Records Management Programs in the United States and District of Columbia.....	83
Figure 4.4: Access in State and Territorial Archives Mission Statements.....	89
Figure 4.5: Archival Motivations for Pursuing Partnerships.....	97
Figure 4.6: Risk Sharing Perception.....	101
Figure 4.7: Perception of Negotiation.....	107
Figure 4.8: Types of Records Covered by Partnerships.....	108
Figure 4.9: Negotiation Perception by Issue.....	109
Figure 4.10: External Negotiation Resources.....	114
Figure 4.11: Records Available on State and Territorial Archives Websites.....	121
Figure 4.12: Records Digitized as Part of Public-Private Partnerships.....	122
Figure 5.1: Types of Work Covered in Public-Private Partnerships.....	132
Figure 5.2: Effects of Public-Private Partnerships on Access.....	153

## LIST OF APPENDICES

Appendix 1: Private Sector Interview Instrument.....	179
Appendix 2: Public Sector Interview Instrument.....	180
Appendix 3: Survey Instrument.....	183
Appendix 4: Survey Recruitment Email.....	194
Appendix 5: Interview Data Analysis Codeset.....	196

## ABSTRACT

This dissertation examines the network of public archives and private sector organizations engaged in the work of digitizing historical records. It focuses on the recent expansion of public-private partnerships involving US state and territorial archives and their effects on citizens' access to digitized materials. It seeks to understand the ways in which government archives engage with the private sector around digitization of records documenting birth, death, land ownership, and other events central to life in a democratic society.

I employ a theoretical framework combining ideas from archival studies, government information, public finance, and economics. I argue that archival materials are public goods as understood by economists and public policy scholars, and assert that this designation merits a new perspective on government archives. The dissertation project employs a mixed-methods research design, combining a survey, interviews, and document analysis to follow the trajectory of these partnerships, from the motivations of each group of organizations through contract negotiation, records selection, digitization work, challenges, and the implications for access to digitized government records.

My results demonstrate widespread engagement between state and territorial archives and private sector organizations. More than 75% of survey respondents reported that their organization engaged in public-private partnerships. These partnerships largely focus on genealogical records which contain information about individuals. This makes sense from a business standpoint but threatens to undermine the public goods designation which protects

government archives from market forces. I identify the negotiation period as a time when archivists have learned to leverage their unique holdings in order to advocate for their institutional interests. Through information sharing among government archives, they work to obtain the best contract terms on behalf of their holdings and users. I also highlight the impact of public records and freedom of information laws on the interactions between public archives and private firms.

This dissertation documents an information environment in transition. The number of partnerships has increased in recent years but research has not kept pace. This project is the first comprehensive study of public-private partnerships involving state and territorial archives in the US, and serves as a basis for future work.

## CHAPTER 1: INTRODUCTION

This dissertation examines the recent trend of public-private partnerships involving state and territorial archives in the United States and private sector organizations. Combining research on archival access, government archives, privatization of government information, and public-private partnerships with original research, I pose a new argument for access to public records in the 21st century combining the user-centered approach of archival research and the public-finance approach from economic theory. I trace the lifecycle of these public-private partnerships from the identification of potential partners to the conclusion of relationships. I also identify which external factors, such as state records laws and privatization policies, most affect these partnerships. I consider how these partnerships impact access to records and how different forms of partnership result in different outcomes for both archival institutions and users, generating new understandings of how digital access is changing in light of emergent relationships between archival institutions and the private sector.

### **THEORETICAL FRAMEWORK**

This dissertation focuses on the series of public-private partnerships between state and territorial archives in the United States and private sector organizations. Recent technological advances, coupled with a changing financial climate for libraries and archives in the public sector, have resulted in a new generation of partnerships focused on the digitization of records held in public institutions and the creation of products and services providing access to those records outside the archives. I argue that archival materials should be understood through a

public goods framework. My analysis of archival institutions through this framework broadens the scope of public policy and public goods research to government information, specifically archival records, combining these ideas to create a strong theoretical foundation supporting the idea that policy safeguards must exist to ensure that public information is not placed behind a perpetual paywall and inaccessible to citizens online.

The concepts of public and merit goods, explored further in the next chapter, explain how goods such as public education, healthcare, and, as I argue, public sector archives are maintained by governments using moral justifications and application of public finance theory. The basis of the moral justification is that there are certain common values in society and we as a society agree that there are certain elements needed to maintain our society such as education. The designation as a public or merit good can be difficult to secure because it requires politicians and policy makers to evaluate entire populations when deciding how to provide certain public services which display these properties (Murdock, 2011; Serageldin, 1999; Ver Eecke, 1998). Public goods form the foundation upon which the rest of society is built: this framework dictates the public provision of infrastructure, defense, education, healthcare, and archival and records management services. A more detailed justification for the provision of public sector archives, which I outline in Chapter 2, provides powerful tools for archivists and researchers in this space, giving them new ways to advocate for their work and its value to society. I argue that a deeper understanding of government archives as public goods benefits both communities; archivists gain new lenses through which to understand and justify their work, and public goods research (particularly the work focused on the place of cultural goods) gains another domain in which to apply its framework.

## CONTEXT

Public-private partnerships are an increasing part of governance in the United States; the rate at which these relationships continue to expand has outpaced the government's ability to reliably track them (Henry, 2001). Despite this increase in the number and scope of public-private partnerships, there is not a clear set of best practices for state and municipal governments to follow when seeking to initiate a project in partnership with the private sector (Holeywell, 2013). Lessons from the literature offer some insight into what makes a successful partnership (e.g. Kettl, 1993; Lordan, 2002), but challenges persist across government in maintaining medium to long term relationships with private organizations to provide public services (e.g. Forrer, Kee, Newcomer, & Boyer, 2010).

Public archives provide essential support for the foundations of democratic governance (Council of State Archivists, 2013a). As stewards of the records of government, they enhance transparency and accountability by providing access to evidence of policy decisions, legislation, the courts, and other areas of civic life (e.g. Cox & Wallace, 2002). Furthermore, they allow citizens to connect with their history and heritage through records which document important life events, including births, deaths, military service, and financial transactions (De Valinger, 1948). Citizens connect with their shared heritage by preserving records that contain information about nearly every person, such as birth, death, marriage and other transactional records, which support genealogy, local history, and evidence for social justice causes (e.g. Tucker, 2007; Valderhaug, 2011). In addition to these public-facing functions, public sector archives establish records management and archival guidelines and receive the records of government agencies according to a retention schedule (Norton, 2003; E. Posner, 1964). These records are preserved in the archives for the benefit of current and future government employees who may need to refer to

them. Through these functions, public sector archives in the United States provide valuable services to government and the public.

However, government archives do not receive the financial support to achieve their mission to its fullest extent. These organizations face a future in which their budgets are not likely to significantly increase (Council of State Archivists, 2013b; Society of American Archivists Council, 2003). Externally, they suffer from the high expectations of patrons who want increased digital access to archival records, and have mixed opinions about the ability to government to create useable digital systems in any public sector domain (e.g. J. A. Jacobs, 2009; Lee, 2011). In this environment, private organizations provide the possibility of working towards the archival mission while creating digitized copies of records and placing them on popular web portals which users already access.

Despite their aforementioned benefits, government archives face a number of challenges in today's public sector financial environment. As many state and territorial governments have reduced their budgets in recent years, archives have cut staff, reduced hours, and limited the activities in which they can engage (Council of State Archivists, 2013a). This shift in expectations affects a number of archival functions but perhaps most acutely expectations for access (R. J. Cox, 1998; R. J. Cox & Archives Students, 2007; Theimer, 2011; Yakel, 2006), at a time when funding for public archives services is shrinking. A recent example from the Georgia illustrates the precarious position of many state archives.

Founded in 1918, the Georgia Archives had long been under the jurisdiction of the Secretary of State's office, weathering a series of budget cuts over decades of operation within state government. As a relatively small agency, the archives continued its work until 2012, when

Secretary of State Brian Kemp announced that the archives' budget was once again going to be reduced, this time with drastic effect (Minchew, 2013). The number of staff would drop to just three employees and the archives would be open to the public only by appointment, making Georgia the only state archives without regular public hours. This story garnered national attention (Diamond, 2013; Severson, 2012) and galvanized an advocacy coalition to save the archives. Eventually, these supporters were able to convince the governor to take notice and transfer control of the archives to the state university system, preserving the essential functions of this government institution and ensuring that it would remain open to the public. This transfer of the archives from a government agency to an educational unit was not done to better align with a merit goods mindset, but rather shows how, in Georgia, a funding crisis necessitated archives supporters to articulate the merit goods mindset in order to keep the state archives operational.

This example illustrates the current stakes for government archives across the United States. As detailed by three leading organizations of professional archivists, issues relating to staffing, funding, and digitization remain among the most pressing issues facing the archival community. The Society of American Archivists (SAA) has expressed concern over funding issues in state archives dating back more than a decade. In 2003, the SAA Council issued a statement on state archival funding in which it highlighted how budget cuts in these agencies affect records access because they have “an immediate impact on the level of services being provided by the archives and makes records less accessible to the public” (Society of American Archivists Council, 2003). The National Association of Government Archives and Records Administrators (NAGARA) has generated a guidelines document for governments seeking to establish archives and records management programs with limited financial resources,

acknowledging the impact of funding on these programs (Tuin, 2012). Finally, a recent Council of State Archivists (CoSA) report indicated that electronic records/digital preservation, funding, and staffing were the three most important issues for state and territorial archives to address in the coming years (Council of State Archivists, 2013b, p. 26).

In a predominantly paper environment, the primary way archives provided access to their materials was through the reading room, a physical space. During the middle decades of the twentieth century, the archival community changed its culture of access and considered how to reduce some of the structural biases to access faced by users (Danielson, 1989). While working towards solutions which provide more access to more citizens, archivists did not have much competition with regard to the provision of access. Microfilming created copies of some records groups but it was still necessary for a user to travel to an archives, library, or other physical facility, such as a Genealogical Society of Utah reading room, to look at archival materials. Today, many archival users increasingly seek access to records online. These institutions have long used reading room visits to evaluate themselves; with more users seeking to move online they need to design new metrics to capture this use (Duff et al., 2010). Furthermore, fewer visits to the reading room is an apparent justification for reducing the number of hours the archives remain open to the public. Finally, archives are not able to digitize as much material as they would like to with reduced staff, thereby exacerbating the challenge of meeting user desire for more digitized content (Council of State Archivists, 2013).

Recent partnerships with private organizations display a strong focus on the digitization of genealogical records. These relationships are one way state and territorial archives can accomplish their institutional goals while acknowledging their financial realities. Through

public-private partnerships, archives can make their records more widely available and obtain digitized copies with minimal financial investment. In turn, private organizations obtain the rights to add new records to their online products and make them more attractive to potential users. While some relationships have existed for decades which focused on microfilming, the recent trend of partnerships has eclipsed earlier arrangements primarily in the scope of work included in contracts. While partnerships in the past converted paper records to microfilm, these relationships have recently expanded to include the creation of sophisticated access systems under the umbrella of private sector activities, affecting the relationship between user and record on a fundamental level.

This dissertation explores the dynamics of these recent partnerships. It considers how these organizations come together to achieve mutually beneficial goals. Drawing upon evidence from both public and private sector sources, it weaves a narrative about public-private partnerships and the ways in which these relationships affect archival access. While both archivists and their partners feel that their collaborative projects have increased access for users, larger questions about the role of government archives and how the responsibility of the public sector to fulfill its mandate to provide access to information remain. This dissertation aims to uncover the new access landscape for public archival materials and consider the benefits and potential negative aspects of public-private partnerships involving state and territorial archives.

## **MOTIVATION AND RATIONALE**

I began this research with an interest in the ongoing relationships between public sector archives and private sector firms in the United States. Through the early phases of mining the literature and considering a research design, I was struck by the lack of basic information about

the interaction of archives and the private sector below the federal government level. While the contracts involving the National Archives and Records Administration, Library of Congress, and Smithsonian Institution were well-documented (Benson, 2008; Kalfatovic, Kapsalis, Spiess, Van Camp, & Edson, 2008; Springer et al., 2008; Trescott, 2006), the extent of partnerships on the state and local levels was largely unknown. This lack of knowledge about the public-private partnerships involving state and territorial archives was a driving force behind the decision to focus on this population for my dissertation study. While a comprehensive examination of local and municipal archives was not feasible for this project, I have been able to collect data which broadly reflects the relationships between state and territorial archives and the private sector.

This study is primarily motivated by the emergence of partnerships between public sector archives and private sector organizations. These relationships are expanding in scope and they call for a re-examination of archival access in digital contexts. As partnerships have increased, research has not kept pace. While there are some extant case studies, no empirical work has attempted to examine this trend and consider its implications. This study fills a gap in the literature and demonstrates the importance of these public-private partnerships by connecting them to larger issues in the archival research community, specifically questions about the nature of access in online contexts.

## **RESEARCH QUESTIONS**

A theoretical framework that situates archives as public goods and a desire to understand the current state of engagement between public archives and private sector organizations drive this dissertation. This framework provides a justification for the public financing of government archives and influences analysis which examines the ways in which archives and private firms

interact. If, as I argue, we view archival records as public goods, then the government has a responsibility to these records which affects the structure of the relationships they pursue outside of government. In pursuit of new knowledge about public-private partnerships involving state and territorial archives in the United States, the following questions animate the study:

- Under what conditions do public-private partnerships emerge and persist between archival institutions and private sector organizations?
- How are public-private partnerships involving the digitization of cultural materials affecting access to content from state archival institutions in the United States?

The first question focuses on the mechanics of the relationships between public archives and private companies. What motivates each group of organizations to come together around the digitization of certain archival records? How do these groups negotiate and formalize their relationships in contracts? What are the workflows they use to complete partnership digitization projects? How do representatives from the public and private sector assess the value of these public-private partnerships? The answers to these questions emerged from the data I collected through a survey, interviews, and analysis documents including contracts and strategic plans. The results of my dissertation follow the partnership lifecycle from the identification of potential partners through the conclusion of relationships.

The second research question moves beyond the relationship between the public and private sector, using data collected from to consider how these public-private partnerships affect citizen access to public records through digital portals. While partnership digitization increases access in a number of ways, the long-term implications of this arrangement represent a structural

shift in the place and function of public sector archives in the United States. These institutions have been entrusted with public records dating back centuries and are legally obligated to provide access as broadly as possible. This trust reflects an implicit public goods perspective for archival materials. While these institutions see partnerships as a way to fulfill their mission in a time of financial and organizational constraints, the shift towards access being provided through private sector systems fundamentally alters the relationship between citizen and digitized record, with unknown implications.

Together, these research questions provide a comprehensive picture of public-private partnerships in US state and territorial archives. The results of this dissertation provide an empirical look into this trend, which has especially emerged in the last decade. The landscape of public-private partnerships continues to change, resulting in the need for research in this area to continue into the future.

## **SIGNIFICANCE AND CONTRIBUTIONS**

This dissertation forges new ground through its application of theoretical concepts from public finance theory, public-private partnerships and government information research to a population of public sector archival institutions. Public sector archival institutions are undergoing a period of major change. They have seen their budgets reduced since the financial collapse of 2008, limiting the number of staff, the level of services that can be provided, and the hours they can be open to the public (Council of State Archivists, 2013b). Simultaneously, digitization through partnerships with private sector organizations has increased. This project uncovers the details of these partnerships, from their motivations to their effects.

Both the research and practice communities are among the intended audiences for this research. This research makes an impact in the archival studies field through its focus on a relatively new trend impacting government archives in the United States. It advances the conversation on archival access and considers what access means for digitized archival records. This work also makes contributions to the literature on public-private partnerships, government information, and public/merit goods by expanding the scope of these fields to include government archives as a viable site of research. Archives are useful institutions to study through these lenses because they fulfill multiple roles inside and outside of government. In addition to managing and preserving records for other government organization, public sector archives maintain accountability and transparency in government by providing access to public records. Furthermore, they allow citizens to connect with and experience firsthand their cultural heritage through the preservation of records which reflect individuals as well as additional materials which document important cultural events. The results of this project lay the foundation for additional research in this area, and give new perspectives to archivists and policymakers about the dynamics of public-private partnerships which involve the digitization of archival materials.

The increase in public-private partnerships involving government-sponsored cultural heritage institutions presents a research opportunity; the implementation and effects of these partnerships have not been sufficiently documented and incorporated into broader research themes related to access in government archives, privatization, and government information. This project contributes to the aforementioned communities primarily by broadening the knowledge base in the archival research community about public-private partnerships and by extending research about public management and partnerships to an emergent type of contract which is present at the federal, state, and local levels in the United States.

## DEFINITIONS

Before moving on, I provide a few brief definitions to ensure consistency of meaning across the rest of this dissertation:

- Cultural institution/cultural heritage institution
- Public goods vs. “the public good/interest”
- Common pool resources and merit goods
- Public sector, private sector

The terms cultural institution and cultural heritage institution are used interchangeably in this study. While these can be nebulous terms, referring to a variety of different types of institutions, I take Bishoff and Allen’s definition that cultural heritage institutions are “libraries, museums, historical societies, and archives” (Bishoff & Allen, 2004). These institutions can be publicly or privately operated; in future examples I specify the public/private nature of the institutions as needed.

In economics, the term “public good” can be applied to a range of tangible and intangible goods that satisfy two main conditions. First, they are non-excludable, meaning that it is not feasible to prevent nonpayers from benefitting from them. Second, they are non-rivalrous, meaning that any individual’s consumption of the good does not exclude others (Cowen, 2008). A classic example of a public good is a lighthouse, clearly non-excludable and non-rivalrous. While I discuss whether certain cultural materials, such as archival records, constitute public goods, this term should not be confused with the concept of “the public good,” a term meant to signify actions or positions taken in the name of widespread societal benefits (R. J. Cox & Wallace, 2002). As described by Jan-Erik Lane, the idea of a “public interest,” on behalf of

which the public sector operates, is inherently problematic; it implies a “constant tension between the individualistic connotation of ‘interest’ and the holistic connotation of ‘public’” (Lane, 1995, p. 7). A more in-depth discussion of public goods and government information follows later in this chapter.

In addition to public goods, it will be useful to define two closely related concepts. First, common pool resources are similar to public goods, but exhibit rivalrous properties. An example of a common pool resource is a public road: while non-excludable, the existence of traffic on the road is evidence of rivalry over the resource (Kallhoff, 2011). Second, merit goods are those goods that are “considered so meritorious that their satisfaction is provided for through the public budget, above and beyond what is provided for by private buyers” (Musgrave, 1959, p. 13). These goods may be excludable and/or rivalrous, but are generally agreed upon to be important enough that the government should provide them. Examples of merit goods include government-supported arts and educational activities (Lane, 1995). Common pool resources and merit goods are important to this study because they may provide alternate justifications for steps taken by cultural heritage institutions to fulfill their missions. However, these concepts can also be problematic and lead to more difficult questions. Who gets to decide what the criteria are for a merit good, public good, or common pool resource, and how is public funding provided in these cases? These questions will be explored in more depth later in the next chapter.

During this study I frequently refer to the public and private sectors. The public sector, as defined in the *Encyclopedia of Governance*, refers to “the portion of the economy composed of all levels of government and government-controlled enterprises” (Wegrich, 2007). By contrast, the private sector includes all other parts of the economy, including private companies. Some

cultural heritage institutions as I defined them above exist in the private sector, but may operate in the public interest as non-profit organizations.

## **OUTLINE OF DISSERTATION**

The rest of this dissertation follows in five additional chapters. In Chapter 2, I review the relevant literatures which form the framework for the data collection and analysis of the study. I begin by introducing the concepts of public and merit goods. I argue that public archives are public goods and that the government is justified in protecting these materials from market forces that would potentially decrease access. I then explain public-private partnerships, a policy tool used to facilitate the provision of a number of formerly public services through private contractors. I connect this research to current archival work examining privatization and partnerships before introducing the population of study in this dissertation, state and territorial archives in the United States.

Chapter 3 introduces the methodology and research design for this project. I employed a mixed-method design, incorporating interviews with representatives from both the public and private sector, a survey of state and territorial archives, and documents which I obtained from interview participants as well as through searching the internet. These different forms of data allow me to triangulate evidence and generate insights at both the population and organizational level.

In Chapter 4, I present my results in the first of two parts. This chapter traces archival public-private partnerships from their early stages through the point at which the contract is finalized with the private organization and work begins. I incorporate interviews, survey data, and evidence from contracts to illustrate the motivations of public archives and their partners and

follow these institutions through the negotiation process. This is a critical stage for these partnerships and an opportunity for state archives to use their unique holdings as leverage to achieve outcomes with which they are more comfortable.

Chapter 5 picks up the lifecycle of public-private partnerships after contracts are finalized. I explain the workflows used by state and territorial archives along with their private sector partners to complete digitization projects and provide access to records online. While the overall perspective related through the data was positive, I discuss the challenges and issues encountered during the course of partnership work, and how the organizations involved worked through them. Finally, I discuss how digitized archival records become available for access and what impacts these access systems have on users. I conclude with a discussion of the reservations that archivists continue to hold regarding their partnerships with the private sector. While they reported satisfaction with the partnerships they have engaged in, they expressed concerns about what these partnerships may mean for their institutional sustainability and relationship with users in the future.

In Chapter 6, I return to the research questions which animate this dissertation and reflect on the implications of the results on conceptions of the role of public archives in society. These institutions, established in the public's name, have stewarded the material in their control for decades, if not centuries. The disruptive nature of digital technologies has changed the way people expect to access archival materials, but not the structure or funding models of these institutions. While public-private partnerships do increase access to records in the short term, these relationships raise questions about the sustainability of public sector archives. The ways in which archives are discussed around partnerships belies their true nature as merit goods. Finally,

I point out some additional implications of this dissertation and possible directions for further research.

## CHAPTER 2: REVIEW OF THE LITERATURE

In this literature review, I seek to explain the theoretical framework for an understanding of archival materials as public goods and contextualize my dissertation through an examination of similar work from multiple disciplines. I begin with a discussion of the relevant research that considers public and merit goods before moving on to public-private partnerships, the government information space and privatization within it, and perspectives from the archival and library literature on privatization before concluding with an overview of the history and current state of state archival institutions in the United States.

### **AN OVERVIEW OF PUBLIC AND MERIT GOODS: CONCEPTS AND RESEARCH**

Before thinking about the place of archival and library materials in discussions of public and merit goods, I unpack these related concepts and highlight some areas of research where it is being explored. The following discussion is meant to contextualize the later sections of this literature review specifically on archives, where I apply some broader ideas about public goods to the specific case of cultural heritage materials.

As defined above, public goods are non-rivalrous and non-excludable, meaning that preventing members of the community from using the good is not feasible and that one more person's use does not take away from anyone else's access to it. Another key characteristic of these types of goods is that the market does not provide adequate access to these goods if left to

its own devices. When the importance of a good dictates that its availability not be subject to market forces, the government steps in to ensure its existence (Head, 1966; Olson, 1971).

Mancur Olson's book *The Logic of Collective Action*, first published in 1965, established a theoretical foundation for understanding the mechanisms behind collective action and the provision of public goods in the twentieth century. A key component of his argument is that the organization of large groups for common aims is difficult, due to the "free rider" problem: people who do not contribute to but will consume a good. Our society's answer to this challenge is to provide public goods through coercion in the form of taxation. While this is not an ideal scenario in a market-driven economy, it is a necessary reality for public goods that would not be adequately available if left to market forces alone (Olson, 1971).

A number of researchers have built upon Olson and explored other aspects of public goods, including individual motivation and the possibility of predicting when collective action will result in the provision of a public good. Those interested in public goods find the assumption of self-interest in economic theory problematic. While the assumption of egoism or self-interest as a motivator for behavior is flawed, non-selfish behavior is difficult to model or predict (Sen, 1977; Sugden, 1984). On the other hand, altruism alone cannot explain why people voluntarily contribute to public goods (Andreoni, 1988). More recently, Elinor Ostrom has looked more broadly at collective action, seeking to identify social norms for public goods provision through analysis of published studies (Ostrom, 2000). She developed a model with key indicators for predicting the likelihood of collective action, such as size and heterogeneity of the population, ability of individuals to access information about past actions, and the degree to which people can exit or enter the population voluntarily (Ostrom, 2008).

These studies reflect the range of approaches for studying public goods, but they do not directly probe some of Olson's key conclusions as they pertain to public goods in the area of cultural heritage, specifically his claim that central authority is sometimes necessary to realize a public good. According to Olson, if a society deems these public goods (cultural resources) worthy of provision by electing lawmakers who pass protective legislation, then levying taxes to secure them is acceptable. Even though any given person in a society might not visit a particular historic site, use a library resource, or visit an archives, the majority prevails and collective action occurs. Furthermore, all members of a society benefit from the presences of cultural goods.

In *Theory of Public Finance*, Robert Musgrave introduced merit goods, a related concept to that of public goods. These two concepts are very closely aligned; Musgrave felt that some of the goods provided by the public sector did not fit into his conceptualization of public goods and the ways in which they use public monies to satisfy consumer wants (Musgrave, 1959). What about these goods, which use government financing and appear to ignore people's market choices through public policy? John Head later defined these merit goods as "those of which, due to imperfect knowledge, individuals would choose to consume too little" (Head, 1966, p. 3). This notion related to Olson's contention that government coercion may be required to provide a good outside of the market, for example through taxation. In a series of articles from the 1960s, John Head unpacked the concept of merit goods, beginning with Musgrave's definition. One of the most complicated characteristics of merit goods is that in addition to improper market allocation of these goods, individual preferences for a merit good are very difficult to measure (Head, 1966). This "preference distortion" makes formulation of public policy around merit goods challenging. How should the government allocate merit goods when it

cannot measure preferences? A later article by Head attempts to define some ways to incorporate merit goods theory into public policy. In particular, the “Ethical Approach” seeks to describe a system whereby merit goods are publicly distributed according to an agreed-upon ideal of a good society. However, this approach also falls short in cases where policy makers disagree on how this “good society” ought to look (Head, 1969). In the end, merit goods, while very similar to public goods, often are more difficult to incorporate into public policy. Because so many variables are difficult to measure, even canonical examples of merit goods, such as education and healthcare services, cannot be smoothly distributed via a public administration regime. The debates around these goods are political in nature, and the disagreements among policy-makers are not about whether or not the good should be provided, but about the specifics of implementing a program to provide them. This issue makes understanding merit goods difficult, because each society has a different idea of what falls into this category.

In practice, the provision of both public and merit goods is highly politicized. While a lighthouse can be understood as a “pure public good” and a government archives can be considered a “merit good,” they are both provided through the public sector. As John Donahue (1989) explained, decisions about how to provide and manage public goods often become entangled in politics, an assertion also made by John Head (1969) in reference to merit goods. These two concepts, while presented as separate in the literature, do not have as clear of a distinction in practice.

Furthermore, Angela Kallhoff and others have argued for a philosophical definition of some public goods as “identification goods” that serve to bind society together (Kallhoff, 2014, p. 644). Ismail Serageldin summarizes this viewpoint, writing “cultural identity and cultural

heritage appear very much as public goods that deserve public support” (Serageldin, 1999). He attempts to use economic measurement techniques to evaluate cultural heritage, and while he focuses on physical heritage, his argument can extend to archival records and digitized materials. He wants to move beyond a valuation of cultural heritage in terms of tourist interest and money, towards an intrinsic understanding of the value of cultural objects. Applied to archives, this idea would see archives evaluated on their own terms due to a public goods designation, rather than be totally subjected to market forces such as user interest (tourism in Serageldin’s case).

Wilfried Ver Eecke (2003) has taken issue with previous scholarship regarding merit goods. He argues that the concept of a merit good is much broader than initially defined by Musgrave, claiming that studies of “financing methods for worthwhile projects” (Ver Eecke, 1998, p. 144) can be understood through the lens of merit goods rather than remaining stuck in the public/private goods debate. Merit goods decisions require the breaking of preferences for some consumers; in the case of cultural and educational goods, Ver Eecke (1998) explains that moral judgments about populations as a whole drive their provision through merit justifications. This analysis is similar to Kallhoff’s (2014) description of secondary public goods, which she claims are those goods which are provided publicly due to their positive benefits for society as a whole.

The preceding discussion laid out research on both public and merit goods and considered how each of these terms reflect different understandings of what the role of the public sector is in modern society. I argue that archival records and government information should be included in a comprehensive understanding of each term. As Ver Eecke (1998) explains in his description of public, private and merit goods, every good contains certain characteristics which

reflect each of these three concepts. He claims that these are “ideal concepts” and not often discretely observed in the real world. Thus, while archives display strong public and merit goods characteristics, they do not represent “pure” examples of either concept. Debates over the inclusion of cultural goods in definitions of public goods date back to Adam Smith (Murdock, 2011). I also draw upon Kallhoff’s (2011, 2014) framing of the role of the public sector in democratic society. Her definition of public goods expands to include goods like healthcare and cultural organizations, because of their inherent value to society and the difficulty of leaving the provision of these goods entirely to the private sector. Therefore, moving forward I refer to archival materials as public goods and argue for their inclusion in the concept.

In the following section, I discuss public-private partnerships, one policy tool that is sometimes used by governments to administer goods and services, including public and merit goods. As I alluded to earlier, Head (1969) pointed out how politicized the process is in society around the administration of these types of resources. While a community may agree that various goods are important and worthy of support, deep political divisions arise when discussing how to provide goods and sustain resources in which everyone has a stake.

## **PUBLIC-PRIVATE PARTNERSHIPS**

Thinking about public goods is useful for governments deciding when to provide a given good outside of the market and for scholars studying ideas related to market failure and government intervention. However, policy makers must move beyond more abstract concepts and use the tools at their disposal to forge partnerships inside and outside of government to fulfill their goals. Across all levels of government, legislators and bureaucrats employ a variety of methods to do their work. One such method is the public-private partnership (PPP), defined by

the Organization for Economic Co-operation and Development (OECD) as “long term contractual arrangements between the government and a private partner whereby the latter delivers and funds public services using a capital asset, sharing the associated risks” (OECD, 2012).

Multiple academic communities ranging from economics to public management conduct research on public-private partnerships. In a recent study, Marta Marsilio and colleagues used bibliometrics to explore the range and scope of research in this area. The authors found that public-private partnership research is dispersed, appearing in a range of disciplinary journals with only a few works cited more than a handful of times, and with most authors only publishing one or two articles on the subject (Marsilio, Cappellaro, & Cuccurullo, 2011). Some of this diffusion is due to the content-specific and case-based nature of some PPP research. If a given study examines partnerships involving healthcare, or environmental management, it will often appear in the literature from that field, rather than contributing back to an easily identifiable literature on PPPs.

The most highly cited book in Marsilio et al.’s paper was Emanuel Savas’ (2000) *Privatization and Public-Private Partnerships*. Savas is a strong proponent of privatization (Vales & Vales, 2005), and his book is laid out as a guide for best practices in establishing a privatization program. Similarly, Peter Schaeffer and Scott Loveridge identify the forms that public-private partnerships take, concluding that with the proper regulatory environment partnerships can succeed. They explain that if the incentive structure brings equal partners from the public and private sectors together, appropriately divides risks, and assumes the right form given the case, public and private sectors can collaborate (Schaeffer & Loveridge, 2002). In the

proposed problem space of the present study, another useful body of literature for understanding public-private partnerships comes from the public policy and management communities, as well as organizational studies. Research in these areas focuses on the complexities of implementing public-private partnerships and the factors contributing to success or failure of a given initiative.

Donald Kettl presents a thorough overview of the issues surrounding public-private partnerships in *Sharing Power: Public Governance and Private Markets* (1993). One primary critical lens he uses is the idea that when the government is the “buyer” soliciting goods or services from the private sector through contracts, market imperfections abound due to the size of the government relative to other buyers. To counteract this, he stresses the importance of oversight, contract negotiation and management by public sector employees. Without strong bureaucrats acting in the public interest, vendors can operate outside of their contracts and misuse their privileged positions. In a later piece, he points out that indirect forms of government, such as public-private partnerships, are expanding faster than our understanding of them. The government itself struggles to keep track of the number and scope of contracting and partnership work that is in process at any given time (Henry, 2001). In order to manage these new forms of government, researchers and practitioners must work harder to understand and adapt to a changing public sector environment (Kettl, 2002). An example of the effects of this expansion directly on archives is laid out by Frederik Rosén. He explains the recordkeeping challenges posed by private firms performing public functions, noting “there are no regulatory bodies for private sector contracts, and it is equally unclear how records are retained on subcontracted work... Whether any paperwork survives from such contracting will depend on the contractual parties” (Rosén, 2008). The issue of private contractor records are one of a myriad of

challenges facing public employees whose work involves interaction with private sector organizations.

As a form of indirect government, public sector organizations use public-private partnerships to deliver public goods and services (Salamon, 2002). These new tools require new management techniques and accountability frameworks to ensure that private sector contractors meet their obligations to the citizenry. As opposed to a simple contract, an essential facet of a public-private partnership is the ability for both the government and private organization to maintain accountability in the delivery of public services. This is a particularly difficult task given that so much about each partnership is case specific (Forrer et al., 2010). Because the public and private sectors have different goals, financial and moral accountability need to be strictly monitored and managed in the public interest (Dickinson, 2009; Lordan, 2002; P. L. Posner, 2002).

#### *ORGANIZATIONAL STUDIES AND AGENCY THEORY*

Public-private partnerships are ultimately relationships between organizations. The fields of institutional and organizational studies stress the degree to which institutions, such as corporations and governments, shape individual action (W. R. Scott, 1994). Traditionally, the public sector has operated within a hierarchical structure; the emergent organizational trend is characterized by networks and actors operating within a more complex environment (Kettl, 2002). State archives largely operate from the top-down, but have experimented with different organizational structures in attempts to overcome the challenges of traditional public sector organizations (Hefner, 1988).

Frank Dobbin and colleagues' discussion of federal contractor hiring processes highlights the intersection of public management and organizational culture. The government wanted to change practice at contractor organizations so they expanded oversight of firms' compliance with equal opportunity employment policies. This action by the government resulted in increased diversity among contractor employees (Dobbin, Sutton, Meyer, & Scott, 1994). Organizational studies also inform broader understandings of relationship building between institutions (Bergquist, 1995), as well as an appreciation of how collaboration occurs in the public sector (Bardach, 1998).

The concept of principal-agent relationships from economics speaks directly to the interactions between public sector archives and the private sector organizations on which this dissertation focuses. A principal-agent problem is a situation in which one individual or group (the principal) enters into a contract with another individual or group (the agent) to conduct some work. The "problem" arises when the agent makes decisions that run contrary to what the principal would choose. In cases such as this, Michael Jensen and William Meckling claim that "it is generally impossible for the principal or the agent at zero cost to ensure that the agent will make optimal decisions from the principal's viewpoint" (Jensen & Meckling, 1976, p. 308). However, regulations, incentives and good contract writing can help mitigate the problem by allowing both parties to address potential issues before work begins. Kathleen Eisenhardt similarly contends that outcome-focused contracts and the ability for principals to view agents' behavior during the course of a project decrease the ability of agents to act in their interests and against the intention of the principal (Eisenhardt, 1989).

In the focal set of relationships in this study each party has divergent goals. State and territorial archives are mandated by law to preserve and provide access to public records and other materials of cultural significance, while the private sector firms are motivated to provide access to records in a convenient manner which increased their market share to an identified user group and to make a profit. Organizational theory and the issues raised in the principal-agent literature are important to this study because the potential for significant principal-agent problems exists in an environment where principal and agent goals differ, particularly with respect to business models and ideas about profit. In this dissertation, the private sector has business and profit-driven goals while the public sector's goals focus on government accountability and citizen access. While the literature primarily speaks to the private sector and relationships within a single corporation, the idea of using exterior mechanisms to influence an organizational relationship mirrors the lessons enumerated by Kettl (1993) earlier, such as the importance of strong oversight and the value of effective relationship management by the government agency engaged with the private sector. Contracts and relationship management are key to both ensuring the success of public-private partnerships and to mitigating principal-agent problems.

Some research on public-private partnerships is not political in nature and seeks to understand organizations, policies, or specific cases (Rosenau, 2000). Other authors take an explicitly political stance in their approach to these partnerships, which they see as either a natural move towards a more efficient government (Savas, 2000), or as an attack on the welfare state (Linder, 1999). Stephen Linder argues that public-private partnerships are tools employed by conservative political forces to remove the social safety net, one of the backbones of 20<sup>th</sup> century American society. In the following section, I explore the privatization of government

information in more depth and confront the politics of public-private partnerships. Government employees as well as external researchers feel that the changes in public sector information services over the past decades have had a negative impact on society, reducing the public's access to vital information about themselves and their government.

## **THE PRIVATIZATION OF GOVERNMENT INFORMATION**

In this section, I discuss government information privatization efforts to further contextualize my dissertation project. The privatization and partnership literature that speaks to information services and libraries mostly focuses on the federal government. However, this literature is still relevant as it focuses on how public sector information services are affected by changing political and financial environments.

The Office of Management and Budget (OMB) Circular A-76 (2003) is an important document representing overall federal privatization policy. Initially published in 1966 but updated multiple times, this directive instructs every agency in the federal government to evaluate its commercial activities and decide which of these to seek competition and entry into the market via public-private partnerships (Grasso, 2007). It cites public interest in efficiency as a motivation for the policy, and is built on an implicit assumption that competition and markets are the best way to provide these commercial activities (Office of Management and Budget, 2003). A number of government information researchers and policy analysts view OMB Circular A-76 as a key legal foundation for privatization advocates and as a factor in case studies ranging from the Defense Department (Donahue, 1989; Grasso, 2007) to government information services (Eisenbeis, 1988).

## *HISTORICIZATION*

The increasingly widespread adoption of computers in the second half of the 20<sup>th</sup> century changed the ways in which society created and interacted with information, playing a disruptive role and forcing organizations to adapt or be left behind (Castells, 2000). In the public sector, the dramatic increase in the amount of information created and held by governments beginning in the mid-20th century led to increased concerns about preservation and access to public data; the creation of records management regimes in the National Archives was once response (Schellenberg, 1996) and the emergence of Freedom of Information laws guaranteeing more access to government information (Burkert, 2004) was another. The situation around cultural materials illustrates an essential conflict for public sector information: in an era of tightening budgets “the question is then which government expenditure shall be reduced, how important the provision of cultural identity is to compared to other infrastructural tasks of the state” (Hanappi-Egger, 2004, p. 249). In addition to cultural identity, government records preserve the rights of the citizenry to ensure a democratic government (Council of State Archivists, 2013a). In many government organizations in the United States, years of underfunding has driven government organizations to the point that they need private support to continue fulfilling their missions (White, 2007).

During the Reagan era in the United States (and the simultaneous Thatcher era in the United Kingdom), the federal government adopted a privatization agenda and began advocating for the transfer of many public sector functions to the private sector. President Reagan’s plan to decrease the size of government through privatization did not focus on information organizations at first, but later decisions elicited strong reactions across the government information community. In a speech to information professionals, Ellen Detlefsen (1984) outlined the major

questions of the privatization conversation. She defined four categories with which to analyze the polarities of information: social, economic, political, and technological; through them she discusses potential impacts of privatization, including effects on information haves and have-nots. Other researchers presented arguments for and against privatization in different circumstances. Calvin Kent (1989) raised a key point by adding a level of nuance to the debate over whether information resources are public goods. After outlining the case for and against privatization, he suggests that these resources should be considered merit goods. He goes on to explain that as merit goods, they are not pure public goods in the economic theory sense, but they are provided at lower levels than needed by the market. In the case of government information, their provision by the public sector should be considered differently than if they did not belong in the merit goods category (Kent, 1989). Nancy Andes did not take a balanced approach in her presentation of Reagan-era privatization policies but rather expressed her political views on the impacts of privatization on government information services. She conducted a thorough analysis of an Office of Management and Budget Circular A-130, a document outlining the information policy for federal agencies, calling attention to what she saw as the problematic aspects for users of government information. She claimed that while privatization might increase access to well-known resources, in the long run the information user would be harmed due to the obfuscation of potentially useful information (Andes, 1988). Notably, the preceding three authors all published on the privatization of government information in the same journal, *Government Publications Review*. This journal was a key hub for this conversation during the 1980s, bringing together researchers from a range of disciplines to engage in debate about policies that were having tangible effects on the government information landscape.

One of the most contentious debates over government information services of this era was the debate over the privatization of the National Technical Information Service (NTIS) during the Reagan administration. A core role of the NTIS as defined in the agency's mission is to "promote American innovation and economic growth by collecting and disseminating scientific, technical and engineering information to the public and industry" (U.S. Department of Commerce, 2013); these activities were accomplished in part through charging fees to users in exchange for information products and services. In the early 1980s, the federal government challenged the ability of the agency to perform this function in a cost-effective manner. A series of commissions and reports examined whether the private sector could hold and distribute government-sponsored technical information. The findings with regards to government efficiency and cost savings were disputed and directly opposed by the Association of Research Libraries (Eisenbeis, 1988). A U.S. Department of Commerce analysis estimated that privatization would ultimately cost, not save money. Additionally, there were copyright concerns when privatizing government information, stemming from the fact that government documents cannot be copyrighted and are in the public domain (Wood, 1988). Ultimately, privatization of the NTIS was not pursued, leading Kathleen Eisenbeis to characterize the episode as "a skirmish in the privatization wars" (Eisenbeis, 1988). Today, the NTIS operates under the authority of the National Technical Information Act of 1988, which allows for the possibility of public-private partnerships but prevents the cancellation or privatization of the service without congressional action (National Technical Information Service, 2015).

### *CURRENT PERSPECTIVES*

The government information community is now actively engaged in research on users, partnerships, access, policy guidelines and system design for public information resources

(Brown, 2011; Jaeger & Bertot, 2010; Kaufman & Ubois, 2007; Trifunovic, 2013; Uhler, 2003).

While some of these efforts speak directly to the concerns of the cultural heritage community, they reflect the wider scope of this research area. At the broadest level, The United Nations Educational, Scientific and Cultural Organization (UNESCO) is engaged in research and agenda-setting for government information access internationally. Paul Uhler drafted guidelines on how governments might approach information policies. A key operating assumption is the fact that “the taxpayer has already paid for the production of the information. One can legitimately assert that the moral rights in that information reside with the citizens that paid for it, and not the state entity that produced it on behalf of the citizens” (Uhler, 2003, p. 16). With this in mind, a government information policy should be informed by this idea. Recent advocacy documents from the Association of Research Libraries and the Council of State Archivists reinforce this assumption, and recommend that library and archives employees negotiate contracts with the private sector with this in mind (Association of Research Libraries, 2010; Council of State Archivists Task Force on Online Content Providers, 2007).

Another example is the Federal Depository Library Program (FDLP). In the United States, the FDLP is one of the primary ways in which the general public in the United States obtains access to federal information. A network of “academic, state, public, and law libraries” (Schonfeld & Housewright, 2009) that maintains, preserves, and disseminates federal government publications in partnership with the Government Printing Office (GPO), FDLP has been greatly affected by the rise of digitized and born-digital records. Although providing access to this information is in principle easier in a digital environment, in practice access systems have become fragmented. According to a recent report by ITHAKA S+R, some of the most desirable material produced by the GPO is only accessible through subscription services, such as

LexisNexis (Schonfeld & Housewright, 2009). However, a lack of reliable user data has hampered efforts to understand the landscape of access and plan how to respond to these challenges (Jaeger, Bertot, & Shuler, 2010). A few user studies, such as that performed by Christopher Brown (Brown, 2011), have helped uncover patterns in access to federal information and inform future work to ensure ongoing access to FDLP materials.

The problems that have emerged throughout the FDLP are emblematic of the challenges inherent in building a sustainable model for preserving and providing access to government information in the digital age. In the analog environment, the long-term preservation and in-person access to material from the Government Printing Office was managed through FDLP member libraries (J. A. Jacobs, Jacobs, & Yeo, 2005). However, digital technologies have made it far easier for government agencies to simply post their materials online through individual web portals, breaking the traditional model and leaving the system incomplete. Furthermore, the GPO's most recent strategic plan mentions digital preservation only on an extremely high level, focusing instead on customer and access-focused activities (Government Printing Office, 2012). This work is still left to the FDLP, which still faces challenges to obtaining the content it is mandated to preserve (Shuler, Jaeger, & Bertot, 2010). Faced with a situation in which FDLP libraries were dropping out of the program, others banded together to create a new digital preservation system called LOCKSS-USDOCS. This, system, built with the philosophy of "Lots of Copies Keep Stuff Safe" (LOCKSS), is a distributed digital preservation network that enables FDLP libraries to combine their resources and collectively ensure that federal government information will be available into the future (J. R. Jacobs & Reich, 2010). While not really a public-private partnership in the sense that FDLP members are largely non-profit and public universities, the challenges facing the system represent difficult questions about government

information access in digital environments. How can agencies like the GPO fulfill their missions to provide access as broadly as possible while simultaneously achieving financial solvency? Through collaboration, they have forged new ground and a novel digital preservation strategy emerged.

Research on government information and efforts to privatize these resources encompasses different political and cultural perspectives. In the United States, the legacy of OMB Circular A-76 and marketization policies dating to the 1980s continue to affect the landscape by which citizens access government information. Furthermore, the case of the FDLP demonstrates that digital technologies can disrupt a stable partnership network. In the next section, I consider the reactions of archival and library communities to privatization.

#### **ARCHIVAL AND LIBRARY LITERATURE ON PRIVATIZATION**

The archival and library literature on privatization and public-private partnerships demonstrates that these institutions, their employees, and scholars have considered the relationship between libraries and archives and the private sector since the early decades of the 20<sup>th</sup> century. Privatization policies across government have triggered a more critical examination of how this trend was affecting cultural institutions. Some have argued that archives must adapt the way they operate and think about their collections to respond to these changes across the government (K. Baker, 1997; B. Smith, 1988; Whittick, 1990). More recently, in his SAA Presidential address, Peter Hirtle called for archives to re-assess how they view their holdings and consider the ways in which they leverage the materials under their control (Hirtle, 2003).

## *HISTORICIZATION*

The current wave of public-private partnerships is not the first such trend which has affected libraries and archives in the past few decades. Dating back to the 1960s, articles in the pages of *American Archivist* speculated about the effects on archival usage if manuscripts were published. Would publication increase awareness of overlooked materials, or devalue unique documents (H. Cox, 1969)? What might institutions gain in the pursuit of their missions through these activities? Publication efforts have increased, with organizations including the National Historical Publications and Records Commission (NHPRC) continue to support these projects (“About NHPRC,” 2013). However, these programs have not been free of controversy. Given their limited resources, some feel that NHPRC priorities should support preservation work rather than publication and documentary editing projects (R. J. Cox, 1997; Rosenzweig, 2003).

Predating even this early debate over records publication in the archival community, questions around microfilming technologies in archives and libraries arose with the emergence of microformats in the early 20<sup>th</sup> century. A symposium held in 1936 included representatives from a number of university libraries and special collections departments discussing the range of available vendors selling microphotography equipment. Additional conversations around imaging standards for microfilm indicate that each vendor’s products had their own standards in this era, and that no common conventions yet existed (Raney, 1936). Some companies founded during this time still exist today, such as University Microfilms International, which has since been purchased by ProQuest and subsequently spun out into a third company called NA Publishing, but remains a leader in commercial microfilming, digitization, and sales (Martin, 2007; Massey, 2012).

Efforts to microfilm library and archival materials are not without controversy. While some have viewed them as a necessary part of a broad preservation strategy for at-risk materials (Martin, 2007) or as a way to distribute large amounts of data (Campanellie, 1987), others, such as Nicholson Baker, see the microfilming projects as attempts to destroy original paper materials despite open questions about long-term stability of film media (N. Baker, 2001). Baker, a writer, views preservation of original paper materials as an essential part of the mission of libraries; to him, a book represents more than the sum of all information contained within it and microfilming is not adequate justification for destroying paper.

These debates highlight the trajectory of commercial involvement with libraries and archives. The emergence of partnerships with digitization companies involving genealogically-focused records is the latest instance of a longer negotiation about the place and role of libraries and archives. Should they seek revenue by publishing manuscript materials? Should commercial microfilm vendors be held to a common standard to increase usability across formats? During these discussions, the archive and library looked to peer institutions, professional organizations, and granting agencies for answers to these difficult questions.

#### *CURRENT VIEWS IN THE FIELD ON PRIVATIZATION*

The body of literature in the archives, library, museum and related fields addressing privatization and public-private partnerships has grown in recent years. Peter Hirtle's (2003) SAA Presidential address urged archives to expand their revenue streams responsibly and thoughtfully, focusing on areas where they can add value. If archives are merely viewed as assets, he argues, then institutions will lose sight of their core missions: to preserve and provide access to records. While revenue generation can play a role in sustainability for archives, Hirtle

believes that a shift too far in this direction would not benefit the archival profession in the long run. Similarly, Max Evans (2007) discusses the potential for third-party vendors to add value to records, but makes clear that archival institutions must manage these relationships to ensure that they do not alienate users, and that they should ensure that third-party digitization is held to the best practice standards of the profession. Noah Lenstra (2010) argues more broadly that the long-running efforts of local history groups to preserve and provide access to cultural heritage information is being undermined by corporate entities who seek to commodify and monetize archival resources.

Recent partnerships between public cultural institutions and private companies have included success as well as controversy. When the Smithsonian Institution announced their plans to engage in a semi-exclusive partnership with Showtime to found the Smithsonian Channel, they ran into trouble with Congress over the semi-exclusive nature of their contract and the lack of transparency surrounding the negotiation process (House Administration Committee, 2006; Trescott, 2006). Similarly, the National Archives and Records Administration's (NARA) recent partnerships with The Generations Network (now officially known as Ancestry.com Inc.), among others, has yielded concern from archivists and open government advocates (Benson, 2008; J. Jacobs, 2008; National Archives and Records Administration, 2008). An example of success, although within the context of a more limited project, is the Flickr Commons project, involving Flickr and a number of cultural institutions. This project plays into the strengths of each partner in order to deliver high-quality digital cultural content to users (Bray et al., 2011; Kalfatovic et al., 2008; Springer et al., 2008). Additional partnerships from outside the United States further demonstrate the opportunities and potential challenges of public-private partnerships involving archives and libraries (Kaiser, 2012; Limb, 2005; Pickover, 2008; Trifunovic, 2013).

The literature also contains a number of innovative approaches to privatization and the funding environment for archives. One interesting notion centers around the idea that genealogists should be archivists' closest allies in the ongoing negotiations for funding (McKay, 2002). Long viewed as less important users of collections (Redmann, 1993), genealogists remain one of the largest user groups for archives. They have organized and advocated on their own in the past, operating through societies, such as the Federation of Genealogical Societies, to “actively monitor the creation and preservation of, as well as access to, all records with a genealogical content, and take appropriate measures to ensure record viability” (Esterly, 1997). This author, Robert Esterly, focused on the question of how changes to the census might affect genealogical work, but this deep level of engagement and potential for political advocacy is just what Aprille McKay described above. She outlined campaigns where genealogists sought increased access to records, and demonstrated how they can benefit archival institutions as well through volunteer labor and word-of-mouth outreach.

Overall, recent privatization in cultural institutions has elicited mixed reactions. While the possibilities remain for partnerships between the private sector and archives, many in the field have questions about the long-term effects of these agreements and the motivations of private firms (Benson, 2008; Lenstra, 2010). To counteract these forces, some feel a close affiliation between archival institutions and users will allow for effective advocacy and awareness of the how various policies affect records creation, preservation, and access (McKay, 2002).

## *RESEARCH ON THE CURRENT GENERATION OF PUBLIC PRIVATE PARTNERSHIPS*

The current generation of public-private partnerships involving archives, libraries, and museums has not been widely studied in the academic literature. As part of larger efforts to conduct research and provide feedback to the library and archives communities, a number of reports from consulting-type organizations have explored public-private partnerships at varying levels. These studies are presented below; I contend that they have not done a sufficient job exploring this space, and leave a gap worthy of additional research. My dissertation speaks directly to this gap. These studies do not explain their methods well, obscure their sampling frames, analysis techniques, and rationales behind methodological choices. However, despite these limitations they provide insight into current efforts to look beyond individual cases and understand the scope of public-private partnerships in cultural institutions.

A 2007 OCLC Research study by Peter Kaufman and Jeff Ubois offers the most direct view into the intersection between cultural institutions and corporations, particularly Google. The authors provide recommendations for cultural heritage institutions thinking about entering into an agreement with a company like Google or Ancestry.com by analyzing the text of those agreements which they were able to obtain. They stress that libraries should enter into negotiations with confidence, with the knowledge that potential corporate partners “may not recognize that cultural institutions themselves represent cumulatively billions of dollars of investment, based on the values of their assets and decades (if not centuries) of collecting, curating, and preserving copies of these works” (Kaufman & Ubois, 2007). They point to language in agreements around time limits on exclusive access, non-disclosure agreements, deliverables, and opt-out clauses as areas to consider at the beginning of a partnership. If cultural institutions are going to continue in these partnerships, the authors argue, they can learn from

early vagaries and mistakes in contract language and develop better, fairer agreements that allow for the added value of corporate resources while honoring their missions (Kaufman & Ubois, 2007).

The Library of Congress, recognizing the potential value of business-oriented analysis, began identifying organizational risks before the impact of digital technology was fully understood. Because of the high level of trust placed on the library and its assets, a joint report published by the Library of Congress and the Council on Library and Information Resources (CLIR) report identified “failing to make the collections available to users in a timely and appropriate fashion” as a major risk for cultural heritage organizations seeking to develop and manage collections (Price and Smith, 2000, p.5). Although not directly invoked, this risk implicitly references the coming digital revolution. If, in the Library's analysis, this risk is realized, the staff should develop new strategies for providing access to collections. A more recent CLIR report examined the degree to which libraries and archives engaged in business-style management and planning practices. The authors suggested that cultural institutions “generally find it unacceptable to sell or otherwise profit from their digital or physical resources,” and that they “have concerns about making services available free of charge, and, conversely, about charging for anything” (Bishoff & Allen, 2004, p. 13). The suggestions that emerge align with Massachusetts State Archivist Kathryn Hammond Baker's recommendations from seven years earlier, urging cultural institutions to learn techniques from the business world that advance their mission, such as using a “market research” approach to studying users. While not suggesting that public cultural institutions actually privatize, Bishoff and Allen, suggested that adopting a business-like mindset would help them remain relevant in a competitive environment. Kaufman echoed this sentiment in 2005 by saying “There is a growing recognition

that libraries and museums and archives are the equivalent of unexplored gas and oil fields when it comes to content that might be discovered, converted, repurposed, and marketed” (Kaufman, 2005, p. 3). His analysis of the landscape of partnerships resulted in largely similar conclusions to the other reports on this topic, including calls for institutions to think about their decisions to engage in markets and to know the law as it relates to partnerships. At a recent conference panel during which similar issues emerged, the question of compromise came up with regards to entering into markets and negotiating agreements with the private sector. A panelist remarked that libraries and archives held the unique information desired by private partners, but seemingly did not negotiate with this in mind (Erway, Farley, Halbert, Hastings, & Sandler, 2007).

Libraries and archival institutions have a diverse set of missions, offer varying types of services, and receive funding from a range of public and private sources (Zorich, 2003); still, many do not have plans for long-term sustainability of their core programs and services. Survey participants in 2003 noted that achieving a balance between funder and organizational priorities was difficult to maintain across a portfolio of initiatives. This challenge related to different business models has been identified elsewhere, alongside other challenges around the process of digitization, metadata issues, and intellectual property questions. Nancy Maron, Kirby Smith, and Mathew Loy highlighted twelve digital projects, noting the value of hybrid sustainability models for long-term success, some of which involved different contractual arrangements under the rubric of public private partnerships. The diverse funding models identified included subscription-based models, licensing programs, and focusing on developing unique content as a method for drawing online traffic (Maron, Smith, & Loy, 2009).

Research in Canada follows the same trend as in the United States, focusing mainly on non-profit driven research and case studies. Wall (2003) conducted an exploratory survey of Canadian cultural institutions which revealed a shift towards a business mindset among respondents. While survey respondents indicated that a majority of their funding came from governmental sources, they were actively investigating other funding models, including user fees, related product sales, promotional partnerships, and licensing of digital content (Wall, 2003). While most Canadian cultural institutions had not yet engaged in commercial partnerships, the rising cost of ongoing digitization initiatives has put them in a financial position where they need to explore other options besides the government to ensure long-term sustainability. The Canadian National Archives and Canadian Broadcasting Corporation (CBC) have experimented with new uses of archival materials, partnering to produce a multi-part documentary on Canadian History. Through greater exposure, the archives hoped to increase its visibility with the Canadian public and use the documentary as a springboard towards other ventures (MacDonald, 2001).

Additional research on privatization of libraries and other public sector information is largely comprised of case studies, including some international examples of public-private partnerships. Mary Anne Kennan and colleagues (2005) described the partnership between ProQuest and an Australian university involving the digitization of theses (an extension of similar work done by ProQuest in the United States). In Serbia, another partnership resulted in the creation of a digital repository thanks to a third-party digitization effort, a local library and local TV station (Trifunovic, 2013). Finally, in the Hartley Library at the University of Southampton, UK, the digitization team partnered with ProQuest and then JSTOR in a series of partnerships designed to ensure long-term access to collections while allowing library staff to

focus on digitization and conservation work (K. K. Smith, 2009). However, two years on from these initial partnerships the funding environment for digitization in university libraries in the UK changed and the digitization unit was forced to re-evaluate their priorities for scanning and sustainability of their digitized resources. As for the University of Southampton partnerships, a 2011 Ithaka S&R case study explained:

These deals have also forced Southampton to give up some control over this content, and the future will tell whether the other parties to these agreements will continue to provide access to these valuable resources if their commercial imperatives and missions should change. (Loy, 2011, p. 4)

The unit saved costs and ensured that their digitized content would reach a wide audience through these partnerships, but a new financial environment led to questions about sustainability of these collections. Once the exclusivity period ended on the initial contracts, the unit will be free to seek other ways of providing access to these collections, provided they can secure funding to host them over the long term.

While each of these cases provides an interesting view into digitization partnerships, they do not form a clear picture of how public-private partnerships affect cultural institutions. Much of the available information on these partnerships, and the institutions engaged in them, exists either in the grey literature of reports and commissions, or in the published literature as case studies. In the next chapter, I outline a proposed study of state and territorial archival institutions in the United States that will provide a more comprehensive overview of one group of archival institutions and their level of partnership with the private sector. Before that, I provide some context and background on state and territorial archives.

## **A BRIEF OVERVIEW OF STATE ARCHIVAL INSTITUTIONS PAST AND PRESENT**

The focus of my dissertation are the 50 state archives in the United States, plus the archives of Washington, DC and the 5 inhabited territories: Puerto Rico, Guam, American Samoa, Northern Marianas, and the US Virgin Islands. These organizations range in location, age, size, and scope of mission, while remaining a logically coherent set, making them an ideal sample group for a project of this type. Additionally, state archives have a rich shared history, and face similar challenges in light of recent trends in public finance and digital preservation.

The first state to establish a formal government archives was Alabama, which passed legislation in 1901 creating a Department of Archives and History (Owen, 1904). Although officially established to broadly collect and preserve records of the state, the motivations for its foundation are complicated, having been described by Randall Jimerson as “decidedly partisan” (Jimerson, 2009, p. 94), indicating that political agendas of the day including the goal of standardizing the pension system for Confederate veterans and implementing voting restrictions based on race spurred the creation of the archives. A bulletin issued by the first director of the archives provides more insight into its foundation. Of particular interest to the state when establishing the archives was the potential for the new institution to “[gather] data concerning Alabama soldiers in the war between the States.” (Owen, 1904, p. 4). Furthermore, the records collected by the archives were incomplete in other ways. Patricia Galloway, writing about Mississippi (the second state to create an archives), observed that “the archival foundations laid... focused on some materials and ignored others, and no holistic record of the past was preserved” (Galloway, 2006, p. 83). The decades following the foundation of these earliest state archives saw the establishment of the Society of American Archivists (SAA) and the National

Archives in Washington, DC. Founded in 1936, SAA fostered the public archives tradition from its earliest days with a strong focus on state archival programs.

Throughout the first half of the 20th century, state archives were established across the country to help governments process and utilize the increasingly vast amount of information being produced by the public sector. During this time, archival scholars, historians, and others publishing on the emergent institutions worked to build awareness of how public archives should operate and what their intended audience should be. In most cases, archivists intended for the user community to be limited to so-called “responsible persons of serious purpose” (Gates, 1938, p. 140), but others including Leon De Valinger recognized that archival records, especially municipal and county records, represented a considerable opportunity to use archival holdings as a way to connect with users and advocate for more funding to care for and maintain the growing volume of material under the control of state archives (De Valinger, 1948). For her part, Margaret Cross Norton saw state archives as an integral part of state government operation and archivists as public servants and records custodians (Norton, 2003). However, despite her efforts to raise the profile of archivists within government organizational charts, Henry Eddy still felt that they still faced a perception problem after the conclusion of the Second World War (Eddy, 1948).

At the society’s second annual meeting, President Albert Ray Newsome laid out a vision for information sharing and nationwide consistency in the wave of new state archives laws which were being written at the time. In his presidential address, he challenged the society to develop “a model state system of archival legislation based on successful experience and designed to solve the basic archival problems that are common to the states” (Newsome, 1939, p. 16). The

next year saw the publication of a sample State Public Records Act in *The American Archivist*. While this sample legislation was not adopted verbatim by state legislatures, it contains influential language around key archival themes and functions, including access. The law states “Except as otherwise expressly provided by law, he [the archivist] shall permit all public records in his custody to be inspected, examined, abstracted or copied at reasonable times and under his supervision and regulation by any person” (“The Proposed Uniform State Public Records Act,” 1940, p. 110).

As more states formed archives and passed public records laws, archivists became increasingly interested in understanding the themes in practice across the country. The pages of *The American Archivist* were soon replete with articles reporting on state archival legislation (Bryan, 1956) and the activities taking place in state archives (Taylor, 1959). However, some skeptics wondered how effective these new institutions were if no one noticed the work they did (Radoff, 1954). Some archives continued to languish in favor of historic commissions that predated the official state archives (Easterby, 1952), while others attempted to serve both internal (government) and external (citizen) users while not satisfying either group’s needs (Crittenden, 1945; Patterson, 1963). Dolores Renze (1960), onetime president of SAA, called on state archivists to make themselves leaders within their respective governments and to continually look for opportunities to collect relevant records.

Into this debate over the state of state archives stepped Ernst Posner, a German immigrant, leader of the then emergent archives profession, and a vocal advocate for public archives (Ross, 1981). As President of the SAA, his annual address from 1956 was particularly notable for his analysis of the emerging trends in the field. In the address, Posner emphasized the

evidential nature of the archival record that ultimately brought the two nascent camps in the field together: the more civil servant, archives administration group, and the special collections group (E. Posner, 1957).<sup>1</sup> He went on to stress the need for more work in defining the characteristics of American archivists, including further study of the records management trend which he saw emerge during his career. One of Posner's recommendations in his SAA presidential address involved the state archives. He urged, "We badly need a study of the American State archives, their origin, present status, functions and problems"(E. Posner, 1957, p. 11). No one took up this challenge however, and it was left to Posner himself to complete this project. Published in 1964 as *American State Archives*, Posner's survey of each state's archival practices remains impressive. Following a description of the general trajectory of archival institutions in America, each state's archival organization, or lack thereof, is discussed in depth.

Of particular importance to Posner was the emerging field of records management. He sought to understand "whether records management responsibility should be vested in the archival agency or whether it would better be discharged by a department of finance, or, where such an agency existed, a department of administration" (E. Posner, 1964, p. 32). The Association of Records Managers and Administrators (ARMA) had been established in 1955 (ARMA International, 2013), and its mission was not reflected across every state's organizational landscape. Posner tried to organize the book such that interested readers could compare their primary state of interest with other states archives programs. This monumental work was a building block for state archival programs.

---

<sup>1</sup> This happened during a time of broader change for the archives profession, as the records managers had established their own organization in 1955 (ARMA International, 2013).

Another assessment of state archival records, funded by the National Historical Publications and Records Commission, was conducted in the early 1980s. Each state conducted an analysis of the archival institutions in that state. A synthetic analysis of these individual reports was published by the NHPRC as “Documenting America: Assessing the Condition of Historical Records in the States.” The overall tone of this national evaluation was one of great concern. State archives were described as trapped in a cycle of poverty and lacking strong legal foundations to carry on their work. Some collections were not available to the public at the time of this project because of budget shortfalls and inadequate staff available for processing, arrangement and description (Weber, 1983).

George Bain conducted a study of US state public records laws in the early 1980s. The study found that only 29 states directly referenced access in their records laws, and that “the majority of states can stand improvement in their law, some in a radical fashion” (Bain, 1983, p. 173). Through a content analysis approach which identified 18 themes present in records legislation, the study concluded that while state records legislation had evolved since the creation of SAA’s model law, it still did not reflect the most current archival perspectives on public records and access.

The most complete longitudinal data on archival programs at the state level over the past few decades has been collected by the Council of State Archivists (CoSA). Formally established in the 1980s, the organization regularly surveys its member states to assess the archival and records management programs across the United States. A series of reports from the 1990s provide an update on earlier surveys, as well as more detailed budget information. As early as 1993, budget cuts were affecting state archives, resulting in staff reductions and program

shrinkage. The 1993 report also describes efforts to generate revenue by state institutions and presents brief remarks on privatization programs in Rhode Island and South Carolina (Walch, 1993, p. 87). Privatization is only mentioned once in the 1996 report (Walch, 1996, p. 32). These accounts contain little information beyond description of states engaged in or considering various privatization programs, but nevertheless indicate the existence of privatization across state archives in the 1990s. A 1997 reflection on the trajectory of state archives similarly mentions privatization in passing, along with a number of other initiatives employed by states to raise revenues (Walch, 1997).

CoSA engaged in a series of smaller-scale data collection projects until the publication of a large report entitled “The State of State Records” in 2007. Containing data from financial years 2004 and 2006, the report does not directly address public-private partnerships, but its findings nevertheless highlight some of the data’s key lessons. Specifically, state archival agencies do not have the resources to carry out their missions, and are not able to keep up with certain tasks such as ongoing digitization. Given these (and other) challenges, the panel made a number of suggestions, including increased efforts to reach out to new user communities and creating closer ties between all information resources in a given state (Council of State Archivists, 2007a).

The most recent “State of State Records” report was published on CoSA’s website in June 2013. Notably, the associated survey instrument for this project asked state archivists to report whether their agency has vendor agreements with companies, such as Ancestry.com, FamilySearch.org, or other organizations. The data indicate that a majority of states have some of their records available on a third-party website (Council of State Archivists, 2013b). The addition of this question to CoSA’s instrument represents a growing awareness of the role of

third-party vendors and other private organizations in the function of state archival institutions. However, this one data point elicits more questions than it provides answers. What is the nature of the 29 reported agreements (Council of State Archivists, 2013b)? While CoSA's 2007 "Statement on Digital Access Partnerships" provides some context for how state archivists may have approached vendor negotiations (Council of State Archivists Task Force on Online Content Providers, 2007), there is little available data on outcomes of these agreements.

### **SUMMARY OF LITERATURE**

In the preceding chapter, I have endeavored to present the literature that provides the context, framework, and motivations for my dissertation project. Beginning with a discussion of public and merit goods, I argued that material in public archival institutions could be considered a public good, and managed as such. I then introduced public-private partnerships and unpacked their characteristics, the arguments for and against them, and the complexities of implementing successful partnerships. Transitioning from a more theoretical to a practical space, I highlighted key examples of government information programs geared towards preservation and access before discussing the impact of public-private partnerships and other privatization policies on the government information environment. I then shifted the discussion of privatization to archives and libraries, examining how members of these communities have viewed this trend, and some key examples. Finally, I provided an overview of state archives in the United States, as these organizations are the target population in my proposed study. These institutions face a number of serious challenges to their ability to fulfill their legal mandates, priming them for engagement in partnership with the private sector. Given their history of microfilm projects in collaboration with private companies, they are more willing to work with these organizations again to digitize some of their holdings.

Through this literature review, I identified a research gap around the current generation of public-private partnerships involving archives and private sector organizations. Most of what we know about this trend is drawn from case studies or larger projects with limited explanation of their methods. This dissertation directly speaks to this gap through a mixed-method social science research design which I introduce in the next chapter.

## CHAPTER 3 RESEARCH DESIGN

### INTRODUCTION

The literature review in the previous chapter outlined a series of concepts that explain the context of public-private partnerships involving state and territorial archives. I argued that while there is some awareness in the archival community of these partnerships and their effects, little empirical research has been conducted to date examining this phenomenon. Aside from case studies, general reports of partnership activities and surveys which touch on many aspects of the operation of state archives, no projects sought to document and understand archival public-private partnerships in a comprehensive way. With this in mind, I set out to study the relationship between US state and territorial archives and the private sector. In this chapter, I explain the research design used to explore these partnerships. The research questions which motivate this study are:

- Under what conditions do public-private partnerships emerge and persist between archival institutions and private sector organizations?
- How are public-private partnerships involving the digitization of cultural materials affecting access to content from state archival institutions in the United States?

While I introduced relevant case studies of specific partnerships and general reports about partnerships and best practices in the literature review, I argued that comprehensive research on

the incentives, structures, and evaluation of public-private partnerships in the United States are lacking. This dissertation provides this comprehensive analysis of public-private partnerships involving a group of archival institutions in the United States. Using the population of 50 states, 5 territories and the District of Columbia, I seek to understand the state of state archives regarding their private and non-profit partnerships. To probe the problem space identified by the research questions, I utilize a mixed-methods research design. The three primary methods of data collection were interviews with two groups of participants, a survey (original and historic data compiled from other sources), and associated documentation including contracts and strategic plans. In analyzing these data I employed qualitative and quantitative techniques including open coding, descriptive and inferential statistics, and content analysis.

This project combines qualitative and quantitative research methods to provide multiple perspectives from which to examine its phenomenon of interest. As such, it is a mixed methods study as defined by Johnson et al., where approaches from different research traditions are employed “for the broad purposes of breadth and depth of understanding and corroboration” (R. B. Johnson, Onwuegbuzie, & Turner, 2007, p. 123). Recent growth of mixed methods research has mitigated the perceived epistemological divide between qualitative and quantitative work (Bergman, 2008). Furthermore, mixed methods studies are particularly suited to complex environments involving multiple issues and actors, leading to greater reliability and validity in these contexts (Morse & Niehaus, 2009).

The specific design used in this study is similar to Creswell’s “sequential explanatory strategy” (Creswell, 2009, p. 211), with each data collection activity building upon the one before it in service of the same larger goal. This approach allowed me to achieve sufficient

breadth given the target population, while also leaving room to investigate specific topics in depth as they appeared during the course of data collection. First, I conducted a series of semi-structured interviews with employees from private sector companies engaged in partnership with archives. Second, I conducted a survey of state and territorial archives. Preliminary results and feedback from reusing earlier survey data informed the third phase of data collection: semi-structured interviews.

The order in which data collection proceeded facilitated the development of the project and built upon previous activities. The initial set of interviews with private sector representatives was intended to gather some initial data from the group that I originally thought was likely to be most difficult with which to negotiate participation. However the level of participation by private sector interviewees helped me verify that I was using correct terminology and understanding the major issues in the space before administering the survey, which in turn needed to be distributed before interviews with public sector archivists. This second set of interviews built upon preliminary results from the survey and private sector interviews and informed interviewee recruitment activities based on which states and territories indicated that they were or were not engaged in partnership with the private sector, respectively. During the interviews with archivists, I solicited contracts and other documents including strategic plans which I used to compare with interview data. The contracts in particular proved useful for seeing how different negotiations were inscribed in legally binding language.

The full scope of data collection activities for this project are outlined in Table 3.1 below, including supplemental data to be gathered from outside sources and state archival websites and relevant documents obtained from state archivists.

Table 3.1 – Data Collection Overview

<b>Data Source</b>	<b>Population size</b>	<b>n</b>
Statistical information collected from state and territorial archives	56 (50 states plus Washington, DC and 5 territories)	39
Historical and supplementary variables for survey analysis	56 (50 states plus Washington, DC and 5 territories)	56
Variables generated via analysis of state and territorial archival websites	56 (50 states plus Washington, DC and 5 territories)	56
Interviews with archivists and other relevant employees (e.g. lawyers) at state archives	56	16
Interviews with employees of private partner organizations (e.g. Ancestry.com, Footnote, ProQuest)	10	7
Additional documents from sample institutions, press releases, contracts, etc.	66	11 (3 private sector, 8 public sector)

## POPULATION

The population I investigate in this dissertation is the network of public and private sector organizations engaged in partnerships around the digitization of public archival records. In terms of private organizations, at the outset of this project I was aware of the largest companies operating in this space, such as Ancestry.com, FamilySearch, and ProQuest. These companies engage in partnerships with archives, digitize materials, provide access, and sometimes offer preservation and cloud storage. During the course of data collection and my initial efforts in contacting these organizations, I learned of a number of additional businesses providing some or all of the same services as the most well-known companies. In total, I identified 19 private sector organizations. Some of these organizations are now owned by the large players in the space, yielding a total of 10 companies, three of which own additional smaller brands. Ultimately, I was

able to interview 7 representatives from 6 of these firms. A full list of the private sector organizations I interviewed can be found in Table 3.2.

The public sector institutions under study in this project are the 50 state archives in the United States, plus the Washington DC and 5 inhabited US territorial archives (Guam, American Samoa, the Northern Marianas Islands, Puerto Rico, and the US Virgin Islands). This group of institutions is ideal for this project for several reasons. First, they are an appropriately sized group of organizations in which some members were engaged in the types of partnerships in which I was interested. Second, the states and territories operate in diverse organizational and policy environments which affect the ways in which archives and the rest of state government interact, subsequently affecting their engagement in public-private partnerships for digitization. Public records and freedom of information laws vary across states, structuring the ways in which archives are able to interact with the private sector, enabling some interactions while inhibiting others.

From a practical standpoint, preliminary conversations with the leadership of the main professional organization of US state archivists, the Council of State Archivists (CoSA) and directly with state archivists suggested that there was enough variation in the population such that I would be able to capture information about institutions that are both engaged and not currently engaged in partnerships. Additionally, these exploratory conversations revealed that state archives generally have not signed non-disclosure agreements (NDAs) with private partners and that archivists would be free to speak with me about their experiences. Although I ultimately included a question about NDAs on the survey, I did not anticipate this being an impediment to

data collection. This proved to be correct, as I was only turned down by one archivist when I solicited a contracts during the course of interviews.

### **PRIVATE SECTOR INTERVIEWS**

The first data collection activity was a series of interviews with representatives and employees of private sector companies that are in partnership with public organizations. I identified 19 brands operating in the online genealogy and records environment, owned by 10 companies. I contacted 11 of these brands (I discovered that 4 organizations I contacted were owned by larger companies) and interviewed seven representatives from six companies. The names of these companies are listed below, in Table 3.2. They ranged from international enterprises that host content (Ancestry.com and History Inc/ The History Channel) to digitization vendors (iArchives and Reveal Digital). This round of interviews took place before the other data collection activities because preliminary findings from private-sector participants were incorporated into the final survey instrument, the public sector interview protocol, and interview code list.

Recruitment of participants from the private sector took place through direct contact via email. In cases where I had a personal connection at the organization I used that person to gain entrée to the most appropriate person to interview. If I could not identify a suitable employee to contact, I initially sent an introductory email to the press or media relations department where possible. I followed up as needed to establish contact and schedule interviews.

Data collected from the private sector yielded data that speaks to both of my research questions, as well as help finalize the instruments for subsequent data collection activities. Through a more specific understanding of the private sector perspective, I began to understand

the indicators for the emergence and persistence of partnerships. Additionally, these interviews speak to the perspectives of the private sector on access to digital records, a concept at the core of my second research question. By asking about business models, restrictions, and access systems, I was able to make direct comparisons with the answers by employees in public sector archives to similar questions.

Table 3.2 – Private Sector Organizations Interviewed for this study

<b>Company Name</b>	<b>Website</b>	<b>Type of Organization</b>
Ancestry.com	Ancestry.com	For-profit, genealogy
FamilySearch International	FamilySearch.org	Non-profit, genealogy
ProQuest	proquest.com	For-profit, digital publishing
Reveal Digital	Revealdigital.com	For-profit, digital publishing
Gale Cengage	gale.cengage.com	For-profit, digital publishing
Findmypast	Findmypast.com	For-profit, genealogy

## **SURVEY**

In the second phase of data collection I drew statistical data from several sources: 1) an original survey I developed on public-private partnerships, 2) demographic data on state archives from the Council of State Archivists, “The State of State Records: A Status Report on State Archives and Records Management Programs in the United States,” (2007b), 3) data from state archives websites, and 4) other state data potentially impacting public-private partnerships, such as the US Public Interest Research Group’s Transparency Scores for state government’s online access to government spending data.

### *SURVEY OF STATE ARCHIVES*

The survey instrument in Appendix 3 was distributed to every organization in the target population (n= 56). I selected this method for data collection due to the size of the population

and the statistical analysis I anticipated performing on the data (descriptive statistics and inferential tests e.g. Chi-square analysis). The structured data I collected through the survey is ideal for investigating the primary indicators of archives engaged in public-private partnerships. Furthermore, no similar datasets on public-private partnerships and state archives currently exists; the data collected as part of this project are a baseline for future work in this area. During exploratory work completed while preparing the research instruments, I spoke with the leadership and members of the leading professional organization of state archivists (CoSA) regarding their interest in my project and the insight they hoped to gain from its findings. This interest from my target population meant that potential respondents would be motivated to provide accurate and thoughtful responses to survey questions, mitigating some of the major reliability threats surrounding data collected using this method (Bernard, 2000).

### *SURVEY DEVELOPMENT*

The survey instrument was largely custom developed as there were limited examples of similar studies from which to draw.<sup>2</sup> I used the instrument development process of Converse and Presser (1986) as a guide when writing and ordering questions, paying close attention to language choices and expected analyses. After the initial question identifying the respondent's state and job title, they were filtered into one of three categories. If a respondent's institution has never engaged with the private sector, they were asked a shorter series of questions and directed to the end of the survey. For those institutions that had engaged in partnership with the private

---

<sup>2</sup> The COSA reports discussed in the Literature Review include survey instruments in most cases. See Appendix at [http://www.statearchivists.org/reports/2012\\_CoSA\\_ARM\\_Survey\\_Report\\_07-30-2013\\_Narrative\\_final\\_draft.pdf](http://www.statearchivists.org/reports/2012_CoSA_ARM_Survey_Report_07-30-2013_Narrative_final_draft.pdf).

sector, responses were filtered based on the status of the partnership. Responses describing active and past partnerships were filtered separately, but each group of respondents was asked the same questions to facilitate data analysis.

The survey instrument built on the emergent themes from the literature and explicitly addressed topics that relate to this project's research questions. For example, the questions on negotiation and risk were informed by the findings of Kettl (1993), Schaeffer & Loveridge (2002), and Dickinson (2009) who stress the difficulties of achieving public goals through private sector actions. It also reflected the work of professional societies such as CoSA and the Association of Research Libraries (ARL) by asking respondents about their use of partnership negotiation resources developed by these organizations. The survey data therefore was able to speak to the effectiveness of these groups in sharing this information about public-private partnerships involving libraries and archives. These questions address the first research question, while other survey items asking respondents their views on the changes in access resulting from public-private partnerships contributed to the second research question. A more complete list of survey concepts and corresponding literature appears in Table 3.3 below.

Upon the creation of the draft instrument, I called on expert reviewers to examine my survey instrument and comment on its content before wider distribution to the target population. This step ensured that my instrument had content validity (Bernard, 2000), understood as the degree to which its items "reflect the content universe" (Boudreau, Gefen, & Straub, 2001, p. 5) it was designed to measure. In addition to former state archivists, I worked with the leadership team of CoSA to validate that the terminology and types of questions I wanted to ask would make sense to their membership. I additionally consulted with two other experts; one former and

one current state archivist. These experts were familiar with the subject matter of my project and in a position to comment on my instrument's appropriateness before distribution to the target population (Groves, 2009). Based on their recommendations, I made additional changes to finalize the wording and question order of the instrument.

### *SURVEY DEPLOYMENT*

The survey distribution made use of the email listserv of the target population's professional association. I worked with representatives from the Council of State Archivists (CoSA) to review my instrument and write an introductory email to be sent to CoSA members. This email (Appendix 4) contained a link to Qualtrics,<sup>3</sup> an online survey administration platform where respondents were presented with the survey instrument. The survey was deployed on April 16, 2014 to state and territorial archivists on the CoSA email listserv. I sent follow-up messages one and two weeks after the first email in an effort to maximize response rate. I additionally sent two additional reminders to non-responding states in the months following initial distribution to yield more responses from the population.

In addition to the surveys collected via email, I collected data on paper copies of the survey at the state archives in which I conducted in-person interviews if they had not previously responded. This technique maximized the response rate and helped ensure the validity of the data, because participants in interviews were likely to have their experiences with partnerships fresh in mind after the interview. They were willing to fill out the survey to provide some more structured data after semi-structured interview conversation.

---

<sup>3</sup> <http://www.qualtrics.com/>

Ultimately, I received responses from 39 states and territories out of the 56 that composed my population, representing a 69.6% response rate. In addition to this, I have data on the entire population for 12 variables from the CoSA historical data and outside sources, which I discuss below.

### *CoSA HISTORICAL DATA*

In addition to the survey instrument, I incorporated four variables from data collected by CoSA dating back to the 1980s. From the most recent CoSA report (Council of State Archivists, 2013b) as well as older reports (Council of State Archivists, 2007b). I constructed additional variables to include in survey analysis. All of the following information was contained within recent CoSA reports, although I did some re-coding as necessary. The first variable was the date of foundation for each archives: in some cases this date ranges widely across institutional publications; I used the CoSA data to standardize and verify this variable. Second, I constructed a variable to summarize the organizational structure of the archives. In some states, the archives are completely independent, in others records management and archives are unified, and in others still these functions fall under the jurisdiction of a state library. Third, I coded for the presence of in-house digitization and web presence (CoSA has asked about this in their surveys for at least 15 years) to compare against my own work investigating institutional websites. This variable was used in conjunction with original survey items to understand how institutions in my target population provided access to records online, a component necessary for me to answer my second research question. Finally, I created a variable related to the funding trajectory for archives in each state and territory. Through examining the most recent data plus older reports from the 1990s and 80s, I was able to construct a variable that allowed me to incorporate

information about funding levels over time into the survey model. Additionally, this data was compared to information about funding levels discussed during interviews.

The CoSA data contains other variables that were of interest but contained various issues which prevented their use. For example, CoSA collects data on staffing levels at state archives, but this data is unreliable because it depends on individual organizational assessments of staff responsibilities. Each archives assesses the status of full-time and part-time employees differently, and some institutions work closely with employees of state historical societies who are not reflected on government employee lists. Data on the volume of electronic records is similarly difficult to use for analysis due to differing definitions of size and scope for these records across states.

#### *STATE ARCHIVAL WEBSITES*

I constructed two variables based on my own analysis of state and territorial archival websites. I examined each institutional website and looked for two pieces of information: an overview of the types of digital records available on the institutional website (i.e. genealogical records, property records, documents/manuscripts, photographs, A/V material), and the mission statement for the organization. The assessment of digitized materials available through state archival portals contributes to operationalization of “access” and the second research question for this project. For this variable I identified what types of records state archives have made available online and compared this to the types of records covered in digitization partnerships.

For each mission statement that I found online, I coded for the existence of an explicit access mandate for each state. The goal of this variable was to perform an analysis examining whether states without an access mandate in their mission statements were more likely to engage

in partnerships than states whose missions mentioned access. A preliminary assumption for this variable was that institutions without reference to broad public access in their mission statements would be more likely to engage in public-private partnerships, as their organizational culture may not be oriented towards access. These institutions may have fewer resources devoted to access and outreach services and therefore more inclination to partner with the private sector.

Table 3.3 – Parameters Included in Survey Instrument

<b>Survey Concept</b>	<b>Data Collection</b>	<b>Rationale and Citation from Literature</b>
<b>State</b>	Survey	Basic descriptive
<b>Job title of respondent</b>	Survey	Basic descriptive
<b>Presence of partnerships</b>	Survey	Basic categorical variable to establish a single, clear metric for if the institution has engaged or is engaged in partnerships.
<b>Past partnerships</b>	Survey	For historical comparison
<b>Date of partnership foundation</b>	Survey	For comparison across respondents
<b>Nature of partnerships</b>	Survey	What organizations? Corporate or non-profit
<b>Motivations for engagement</b>	Survey	e.g. Hanappi-Egger, 2004; White, 2007
<b>Types of work covered in partnership</b>	Survey	Scanning, storage, access
<b>Length of partnership</b>	Survey	Used 5 years, length of NARA/Ancestry.com partnership as guide
<b>Presence of non-disclosure agreements</b>	Survey	Dickinson, 2009; Lordan, 2002; P. L. Posner, 2002
<b>Views on access effects from PPPs</b>	Survey	e.g. Baker, 1997; Lenstra, 2010
<b>Use of negotiating resources</b>	Survey	Do institutions use available resources? E.g. Kettl, 1993
<b>Satisfaction with agreement</b>	Survey	Quantifying perception of success
<b>Views on risk</b>	Survey	e.g. Schaeffer & Loveridge, 2002
<b>Date of institution foundation</b>	Historical data	Basic descriptive
<b>Organizational structure (i.e. under library)</b>	Historical data	Org structure may make some institutions more likely than others to engage in partnerships.

<b>jurisdiction, other department)</b>		
<b>Language in mission statement</b>	Institutional websites	What are the specific terms used by state archives around “access” and “preservation”
<b>Types of records available online (i.e. genealogical records, property records, documents/manuscripts, photographs, A/V material)</b>	Historical data, institutional websites	Sampling of digitized records, how they might complement or exist separately from partnership scanning activities.

*ADDITIONAL DATA SOURCES FOR SURVEY VARIABLES*

In addition to the variables collected from the survey, the CoSA historical data, and the variables I derived from institutional websites, I identified an additional variable to be included in data analysis. This variable is the transparency score calculated by the US Public Interest Research Group (US PIRG) on online access to government spending data (Davis & Baxandall, 2014). This variable is a proxy for good governance at the state level as well as a measure of a state’s ability to provide services online. Also, since state archives exist, in part, to provide accountability in government, this measure is appropriate to assess whether there is a statistical relationship between transparent governance and archival engagement with the private sector.

Between the survey itself and data gathered from outside sources, I compiled a dataset composed of variables on topics ranging from the availability of records on an organizational website, the funding trajectory of the institution, and the presence of partnerships (both current and past) between the institution and private or non-profit organizations. A more complete list can be found in Table 3.3 above.

## **PUBLIC SECTOR INTERVIEWS**

I recruited interviewees from state archival agencies using a purposive sampling approach, after balancing organizational and geographic variables. While I worked to engage with states and territories from across the country, additional attention was paid to other variables which I felt were important to a state's position with regards to the private sector. I sought out interviews with state and territorial archives that are engaged in current partnerships, that have engaged in the past, and that have never engaged in a partnership with a private company. Additionally, I used organizational factors including the location of the archives within the larger government hierarchy when selecting states and territories to contact. This strategy of recruiting participants from institutions with differing organizational characteristics allowed me to make more direct comparisons between interview and survey data, as both reflect the population of state and territorial archives from which they were collected.

A semi-structured questionnaire (Appendix 2) served as my guide during these sessions, ensuring that I covered all topics of interest. The interview instrument was modified from the private sector interviews to reflect the different role of government archives in partnerships, and to target some additional information specifically about archives such as the funding outlook and ongoing internal digitization projects. In a study such as this where I only expected to conduct one interview per participant, a semi-structured format allowed for sufficient flexibility with enough structure to yield a consistent dataset (Bernard, 2000). My goal was to interview 15-25 archivists to achieve data saturation (Glaser & Strauss, 1967) and collected a dataset containing enough information to analyze and compare with the results of the survey.

My initial approach was to contact the State or Territorial Archivist in a given jurisdiction, but I used that person to help identify the employees engaged in negotiation or management of contracts with private sector organizations. These interviews served to generate deeper, more specific data about a smaller set of states, including information on:

- Internal conversations that took place before the partnerships were finalized
- Contract negotiations
- Information-sharing between organizations and the role of professional societies such as SAA, CoSA, and NAGARA
- How partnerships work in practice and relationship management
- State policy directives that affect partnerships
- Re-negotiating contracts and the end of partnerships
- The effects of partnerships on access to records
- How archivists view the trend of these partnerships in relation to their work and missions of their organizations.

Archival employees discussions of the external and internal factors contributing to their institution's engagement (or not) in a public-private partnership led to a deeper understanding of how partnerships begin and persist under these conditions. Additionally, by asking participants directly about access to records, I collected another source of data to compare to private sector interviews and survey data when considering the ways in which these partnerships affect access to digital records.

In total, I contacted 25 institutions and conducted interviews with representatives from 16 state and territorial archives during the period from May-September 2014. Of these interviews, 11 were conducted over the phone, one via Skype, and four in person at archival institutions.

#### **ASSOCIATED DOCUMENTATION**

As part of the interview protocol, I solicited documents and other related materials from interview participants. Overall, I obtained some supplementary materials from 8 out of 16 states, representing 50% of public sector interview participants. These items were tracked alongside interview participants in an Excel spreadsheet to document their collection and storage location. To protect legal documents and other materials containing possibly personally identifiable information, these materials were stored on a secure University of Michigan School of Information server.

The documents gathered during this phase of data collection primarily consisted of either contracts with private companies or strategic planning documents which covered the full scope of archival activities, including the existence or potential of public-private partnerships. Other documents obtained included a guide for state agencies regarding compliance with the state open records law and a letter informing municipal records managers about an upcoming partnership project. As explained in the following section, these contracts and other documents were incorporated into analysis and examined for the same themes as the interviews.

#### **DATA ANALYSIS**

The data collection activities yielded three main types of data: quantitative data from the survey and additional data sources described above, qualitative data in the form of interviews from both public and private sector participants, and associated documentation gathered from

participants during interviews. I address each in turn and describe different techniques employed to analyze and make sense of these different types of information.

### *SURVEY ANALYSIS*

The survey of US state archives and additional variables resulted in a dataset suitable for quantitative analysis. The variables described in Table 3.3 above are both nominal and ordinal in nature, allowing for a range of analysis techniques.

I began by conducting descriptive analysis for each variable in the dataset. Some of these were Likert scales, others categorical and still others were open-ended response questions. In addition to descriptive statistics, I employed a range of data visualization techniques including creating histograms, tables, pie charts, and mapping to explore the data and the landscape of public-private partnerships revealed in my data. I provide the results of these analyses and visualization strategies in the next two chapters along with results of interview and documentary data.

I explored the viability of creating a logistic regression model to predict whether or not a state is likely to engage in a partnership with the private sector. In the model, the dependent variable was a categorical “yes/no” asking whether or not the state has an active partnership, and the independent variables were the other variables to be collected in the study, particularly the inclusion of access in archival mission statements, budget for archival activities, the degree to which archivists felt they negotiated with private partners, and the prevalence of a past partnership. This analysis took place with guidance from the steps laid out by Hosmer and Lemeshow (1989).

Ultimately, the logistic model was not feasible with the data I collected. This was driven in large part by the sample size. While my response rate was over 50% of the population under study, my sample size ratio was less than the 10:1 recommended in the literature (Peng, Lee, & Ingersoll, 2002) and my  $n < 50$ , the minimum recommended  $n$  for logistic analysis. Despite my inability to perform logistic regression, other statistical tests remained feasible with the data I was able to collect. In the next chapter, I explain and contextualize the statistical analyses I performed on the survey data, including t-tests, Chi square analysis, and cross-tabulations.

### *INTERVIEW DATA ANALYSIS*

Textual data from all interviews conducted for this project was transcribed and loaded into the software package NVivo for analysis. NVivo is designed to facilitate qualitative data analysis of unstructured and text-based information (QSR International, 2014). Following the preparation of the data inside the software, I developed a list of codes to guide my analysis. These codes were based on some preliminary survey data analysis but also were informed by notes from the early interviews with both public and private sector participants as well as broader project themes. The code set can be found in Appendix 5.

Following the development of the code set, I enlisted the help of a second coder to test the reliability and consistency with which I was applying the codes. After a series of paired coding of the same transcripts, we reached a score of 0.76 using Scott's Pi, a reliability measure for textual data analysis (W. A. Scott, 1955). The purpose of this exercise was to provide an assurance of reliability to my subsequent analysis. Because I created the data collection instrument, developed the codeset, and performed much of the data analysis myself, completing

the inter-rater reliability process with a second coder demonstrates that my analysis scheme is comprehensible to another researcher and therefore valid for my continued use.

The coding technique used to analyze these interviews was similar to the one described by Miles and Huberman (1994). I began with an initial list of codes at the outset of my analysis, but approached the data with an open mind and added codes as needed, depending on how new themes emerged from the data during analysis. This is not a grounded theory approach; I acknowledge and embrace the preexisting ideas I brought to this stage of the research process. The preliminary survey data analysis conducted before interview analysis affected both the development of the interview protocols used in both sets of interviews as well as the codes developed in the analysis phase. These instruments were influenced by my ideas about this project and the literature I read before beginning data collection, and subsequently influenced my analysis and findings generate out of the data.

### *DOCUMENT ANALYSIS*

Documents, such as contracts and strategic plans, were solicited during both sets of interviews. In total, I was able to obtain corporate materials for 3 out of 10 private companies (30%) and 8 out of 16 states in which I conducted interviews (50%). These materials were examined using an approach similar to those such as the directed content analysis technique described by Hsieh and Shannon (2005). Using this strategy, I analyzed documentary data in conjunction with my other interview data to build towards the same conclusions. Beginning with the codeset and emergent themes from the interviews, I strove to ensure that analysis of documents spoke to the same concepts as audio data, while allowing new themes to emerge from language in these documents that may have affected conclusions drawn from other data sources.

## LIMITATIONS

As with any research design of this scale, the project I present in this dissertation is not without its limitations. Notably, my focus on state archival institutions leaves out multiple other types of institutions that are engaged in partnerships with the private sector. Chief among these institutions is the National Archives, arguably the most influential archives in the country. NARA has engaged in multiple partnerships and it is a vital piece of this puzzle, but including it in the present research design was not feasible. Similarly, this study excludes private, non-profit libraries such as the Independent Research Libraries Association (“IRLA,” 2012) and university archives. These organizations are also engaged in partnerships such as those involved in the Google Books Library Project. However, the organizational frameworks governing these other institutions were too different from state archives to be included in the present study. Finally, the focus on organizations prevents me from looking at public-private partnerships and access from a user perspective. Ultimately, user-centered research focusing on public-private partnerships and their access implications will be necessary in order to construct a full picture of the effects of these relationships. If archives are to remain a destination for researchers to access information, we need to know how they access it, what they look for, and what they think about changes in the access landscape brought on by partnerships. In order to produce data of the highest possible quality for my chosen population in this dissertation, I employed experts to review my data collection instruments and verify that they had sufficient content validity, the degree to which they were appropriate to measure their intended concepts (Bernard, 2000).

An additional limitation of this project became clear during data collection, and stems from the organization of state and territorial governments themselves. The scope for data collection in the public sector was limited to public archives, but during the course of interviews

with state and territorial archivists I learned that partnerships involving public records are not limited to archives. State health agencies, courts, public schools, and other government agencies enter into their own partnerships with private companies, including but not limited to those I became familiar with through my research. While I am able to speak to the existence of these partnerships based on my conversations with archivists, they represent a potentially important area for future research. An additional class of partnerships which were out of scope for this project is those between public and university archives. These relationships can share many of the same features as those between archives and private companies but generally do not result in the same effects on access as those involving private companies, and they remained out of scope for the study.

From a research design standpoint, a mixed-methods design is well-suited to this type of problem space but also has its limitations. Because I am not engaging very deeply with one or two cases, I cannot richly describe every aspect of the decision making and management process around one of these partnerships. However, as described earlier, this choice was deliberate and the focus on a larger sample of institutions across the United States explicitly addresses a gap in research on access to archival materials. Mixed methods research combines data with different limitations, using triangulation and comparison to forge stronger conclusions about the situation under investigation (e.g. R. B. Johnson et al., 2007). While my chosen method sacrifices some in its depth of specific sites, my intent is to make a meaningful contribution to the research community by more comprehensive doing work that has not been conducted to date.

## CHAPTER 4: MOTIVATIONS AND PARTNERSHIP

### NEGOTIATION

#### INTRODUCTION

In this chapter, I chart the network of relationships between state and territorial archives and private sector organizations. Each of these groups comes together with different motivations and organizational characteristics, but finds ways to partner and digitize records for online access. As I explained in the previous chapter, the data from which I draw in presenting these results were collected via surveys, interviews, and in the form of documents solicited from research participants as well as collected via institutional websites. I begin this chapter with an overview of the public and private sector organizations at the center of this project before moving on to trace the arc of public-private partnerships from the motivations through negotiation and the finalization of a contract. I also discuss internal digitization projects undertaken by public sector archives and address why some institutions choose not to partner with the private sector. In the following chapter I address the management of active partnerships and conclusion of projects. I end with a discussion of the effects these partnerships have on access to records.

Throughout this analysis and discussion of my results, I will use abbreviations to refer to different portions of my data. I will not refer to interview participants by name or institution, but rather with a unique abbreviation indicating their interview number. These numbers are divided

into two groups. Private sector interview participants are indicated by the abbreviation PRI before their interview number, while public sector participants are indicated by PUB.

Overall, the results paint a nuanced picture of public-private partnerships involving state and territorial archives. Overlapping contextual factors, such as the organizational structure of state governments and years of experience in managing public-private partnerships affect the outlook of each group of stakeholders in this network. While government archivists may not have realized the implications of these relationships initially, many are now well-informed. Through their professional networks, state archivists share information about companies operating in the space, discuss contracts, and develop negotiating tactics while maintaining a discussion about the wider implications of these partnerships on archival access. Over time, they have learned to negotiate effectively with the private sector and work more effectively on behalf of their holdings and users.

## **CONTEXT**

The two groups of organizations from which I collected data for this study represent the full spectrum of organizational players involved in public archival digitization partnerships. From the private sector, I spoke with seven representatives from six firms, including both for-profit and non-profit organizations which are involved in this space. From the public sector, I draw my quantitative data surveys and historical, publicly-available data representing the 50 US states, the District of Columbia, and the 5 major territories (Puerto Rico, Guam, Northern Mariana Islands, US Virgin Islands, and American Samoa). In interviews with the public sector, I spoke with representatives from 16 state and territorial archival institutions. After providing a brief overview of each of these communities, I discuss their organizational structure, motivations

for engaging in digitization partnerships, and the negotiation process leading up to the point when a contract is signed and digitization work begins.

### *AN INTRODUCTION TO THE PRIVATE SECTOR*

In this study, the firms representing the private sector vary in a number of interesting ways. Some of these organizations are new to partnerships, while some trace relationships with archives back nearly a century, engaging in other types of activities prior to the advent of digitization. Ancestry.com and FamilySearch are the most prominent companies in terms of the number of partnerships they have signed with state and territorial archives, but other firms have engaged across the landscape of cultural heritage institutions to digitize historical records.

Ancestry.com was founded on 1983 and has emerged as the major player in the online genealogy space (Ancestry.com LLC, 2014a). Ancestry.com was initially founded as a genealogy publishing company before the internet revolutionized the industry. After initial efforts to sell their books and guides online proved successful, the company expanded their online presence throughout the 1990s and early 2000s, building Ancestry.com into a robust genealogy and family history platform where users could search for genealogical information and collaborate on family trees, amongst other functionality (D. Johnson, 2010). Formerly a publicly-traded company, it was acquired by private equity firm Permira in 2012 (Ancestry.com, 2012). The company has aggressively moved to expand its network and activities, acquiring smaller genealogy brands, such as Genealogy.com, Find A Grave and Familytreemaker.com, and sponsoring the NBC television series *Who Do You Think You Are?* (D. Johnson, 2010). According to its own estimates, Ancestry.com maintains a network with over 2.7 million paid subscribers across its properties and a combined database of 14 billion historical records

(Ancestry.com LLC, 2014a). Their indexing and metadata creation process is not public but has been ongoing in some form since at least 2000 (Ancestry.com LLC, 2014b). This detailed metadata, combined with a well-designed interface, enables Ancestry to offer a more integrated and user-friendly product than what state archives individually provide.

FamilySearch, originally known as the Genealogical Society of Utah, is a non-profit funded by The Church of Jesus Christ of Latter-day Saints that has been involved with genealogy since 1894. It is the second major organization in this area. Their website, FamilySearch.org, is one of the most popular genealogy sites on the internet and offers records free to users (FamilySearch, 2014). The modern organization FamilySearch traces its origins to the Genealogical Society of Utah, founded in 1894 as a separate organization from the Church of Jesus Christ of Latter-Day Saints (Mormon Church). It began microfilming genealogical records in 1939 and formally became a part of the church in 1944 (“Genealogical Society: A century of steady growth and development,” 1994). Today, FamilySearch is one of the largest genealogy communities online, providing access to a database containing 3 billion names and utilizing a network of volunteer transcribers to create indexes for newly digitized materials (FamilySearch, 2014). Their interface is explicitly designed with genealogical users in mind to facilitate this type of interaction with their records holdings.

Findmypast is a UK based genealogy company, founded in 1965 and owned by Scottish Publisher DC Thomson (Findmypast, 2015a). The company’s first digital project, an initiative called “1837 Online,” which focused on English and Welsh birth, death, and marriage records, began in 2001 and went live on the internet in 2003 (Findmypast, 2015a). Today, the company owns a series of related websites such as censusrecords.com and 1911census.co.uk and hosts

over 850 million records dating to the 13<sup>th</sup> century on its main site. It boasts a subscriber base of 18 million users around the world (Findmypast, 2015b).

ProQuest is an information services company with a focus on academic/library publishing and digital content. The company traces its origins to film equipment firms as well as microfilm publishers in the early 1900s (ProQuest LLC, 2015a) but today hosts a number of products and databases used by a range of students, scholars, and librarians. Today, ProQuest's content collection includes 6 billion digital pages and materials dating to the 16<sup>th</sup> century (ProQuest LLC, 2015b). The primary areas of partnership between ProQuest and state archives are around newspapers and historical manuscript collections.

The Gale division of Cengage Learning is a publishing company of educational materials. Founded in 1954, the company has expanded from reference books to a focus on periodicals and other academic and educational products (Schroeder, 2014). Today, the company hosts dozens of Gale Digital Collections on its site (Gale Cengage Learning, 2015) and counts many university libraries as its clients. Similar to ProQuest, Gale Cengage partners with state archives around manuscript collections and newspapers.

Reveal Digital is a digital publishing company that uses a unique model to fund digital collection development. It was founded in 2012 and focuses on developing periodical collections through source institutions. While not currently engaged in a partnership with a state archives, their philosophy of working towards open access policies for digitization projects would potentially appeal to a government institution.

In addition to these large companies, state and territorial archives described a set of smaller organizations they partner with for smaller-scale projects. These organizations include local universities, a company acting as corporate sponsor for digitization work, or a non-profit with an interest in the holdings of as archives. The inclusion of these smaller firms underscores the diversity and variety of third parties engaged with state and territorial archives. The landscape of private firms is highly dynamic and these companies change names, acquire each other, and sometimes collaborate on projects. Within the past few years, a variety of genealogy websites such as Fold3.com, iArchives.com, Mocavo.com, and MyFamily.com have been acquired by Ancestry and other companies. Specific cases where a company sought a partnership with a state archives and later changed organizational structure will be discussed in the following chapter. Table 3.2 above provides an overview of the private companies I spoke to and collected data from as part of this study.

### *AN INTRODUCTION TO THE PUBLIC SECTOR*

While the public sector archives might appear more homogeneous than their private sector partners, these institutions vary in a number of important ways. Some trace their origins back to colonial-era historical societies, but many cite their founding date in the 20th century<sup>4</sup>.

The level of engagement with the private sector among state and territorial archives is quite high. Of the 39 respondents to survey questions asking whether their organizations were

---

<sup>4</sup> The data collected by CoSA further complicates the foundational dates of state and territorial archives by listing multiple dates for some institutions, including the 18<sup>th</sup> or 19<sup>th</sup> century founding of the historical society as well as the date of the establishment of formal state archives.



36,  $p = 0.355$ ), indicating that the two variables must be considered independent with no statistically significant relationship. The results from my survey are visible in chart form in figure 4.2 below.

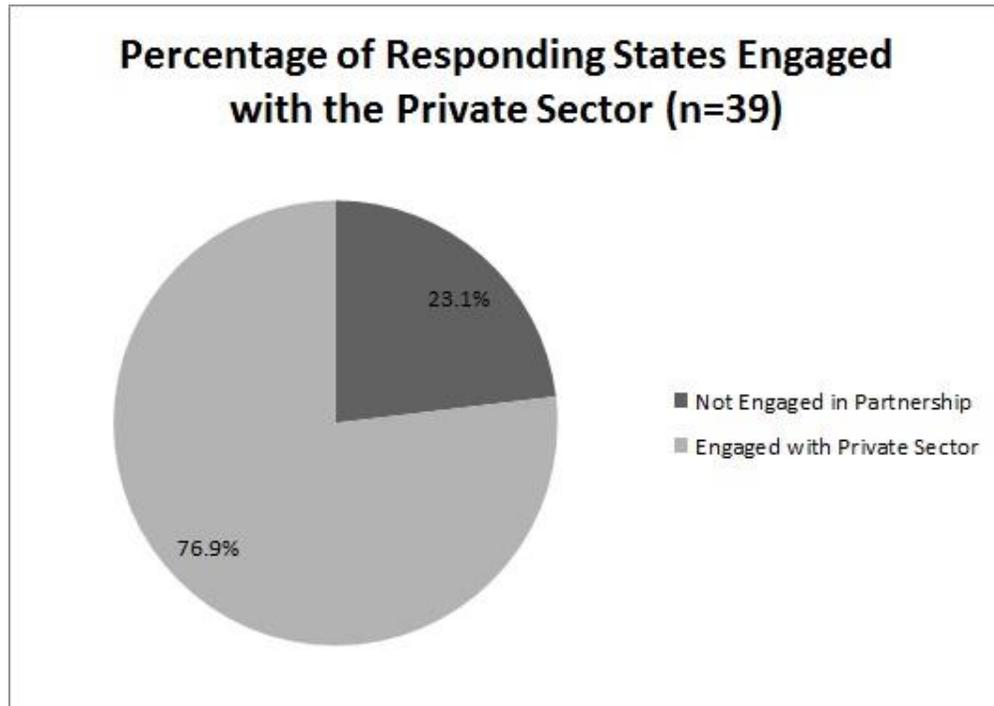


Figure 4.2: State and territorial engagement with the private sector for digitization

Despite a lack of statistical significance, the difference in these two variables is notable in the qualitative sense. More states and territories are engaged with the private sector in 2014 than only two years earlier, in 2012. I asked respondents to list the year in which they signed their most recent agreement speaks to this apparent recent increase in partnerships. Of the 22 responses to this question, 13 (59%) indicated that this most recent agreement was signed in either 2013 or 2014, with a further two (9%) states reporting that they were still negotiating the terms of their contract. These data suggest that this network of state and territorial archives and the private sector is dynamic and continuing to evolve. In the following section, I continue to

explore the engagement between public archives and the private sector beginning with an examination of some of the structural and other external factors of each of these groups which either enables their ability to engage in partnerships.

## **PRECONDITIONS AND ORGANIZATIONAL FACTORS**

State and territorial archives operate in a highly diverse environment. They exist in different places in state and territorial government organizational hierarchies, receive varying levels of funding from a range of sources, are staffed at a range of levels, and draw upon mission statements that prioritize certain activities over others. Furthermore, state governments as a whole vary along a range of factors: at the end of this section I specifically address the relationship between transparency in government reporting at the state level and private sector archival engagement.

### *ORGANIZATIONAL HIERARCHY*

The Council of State Archivists regularly surveys their members to track this diversity and monitor their member institutions. Results from their 2012 member survey provide a comprehensive window into these archives. Figure 4.3 below shows where archives and records management programs are located within state government as well as where these functions are separated and combined. Most (15) of the combined Archives and Records Management (A/RM) programs are located within Secretary of State offices or state libraries, while archives only programs reside more often within a state historical society (itself a form of public-private partnership). Records management functions, when separated from archives, frequently reside in Administration, General Services, or Information Technology agencies.

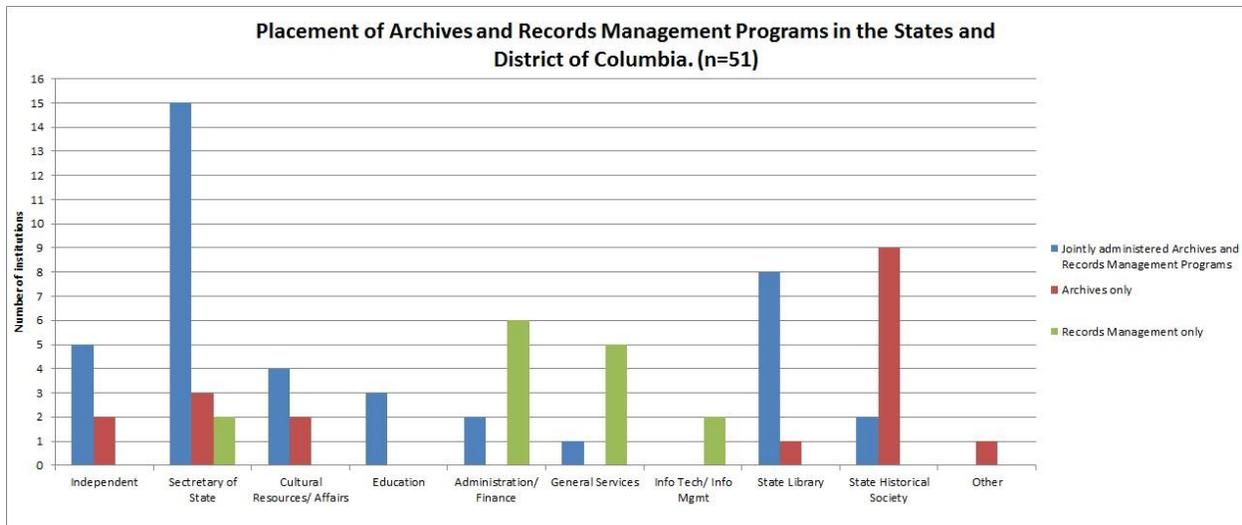


Figure 4.3: Placement of Archives and Records Management Programs in the United States and District of Columbia. Table C (Council of State Archivists, 2013b).

State and territorial archives hold a variety of historical records and other materials, both by legal mandate and through acquisition efforts within the scope of their collection policies. While the exact contents vary from state to state, they typically include such types of records as state censuses, health department records, marriages, real estate transaction records, newspapers, photographs, historical manuscripts, and the records of government (i.e. legislative and judicial records). While all of these materials have been deemed worthy of preservation in the archives through the acquisition and appraisal processes, they do not all have the same commercial value and appeal to private sector organizations. Genealogical companies are mostly interested in records which reflect individuals, such as censuses, birth, death and marriage records, and military records. Newspapers and periodicals as well as historic manuscripts are also of interest to larger academic publishing companies. In general, the records of government and photographs are not the subject of public-private partnerships. Records selection in partnerships is further discussed later in this chapter.

Archives in different organizational positions with respect to state government may have different characteristics and have historically moved from one part of government to another. A recent example is the state of Georgia archives discussed in the introduction, Diamond (2013) illustrates the impermanence of the organizational structure of state government and the fragile position of some public sector archives in the move of the Georgia Archives from the Secretary of State's office, to the State University System where it currently resides (Diamond, 2013; Minchew, 2013). Another recent example from Michigan saw the state archives, which had been a part of the Michigan Department of History, Arts and Libraries, transferred to the jurisdiction of the Department of Natural Resources in 2009 (Welch, 2009). The possible differences between an archives being managed alongside other cultural institutions or within a Secretary of State's office which has other government accountability functions are not difficult to imagine. The archives' positioning in the same department as the state library and museums makes coordination and organized advocacy easier by placing people and resources in the same location. Residing in an organizational unit with no other cultural institutions (although the Department of Natural Resources manages parks and some historic sites) could make advocating for funding and other resources more difficult, but it facilitates more independence and strategic thinking on the part of the archives.

#### *FUNDING AND ORGANIZATIONAL RESPONSIBILITIES*

Functionally, not all state and territorial archives have the same responsibilities within state government. Drawing from Council of State Archivists (CoSA) data in which archival institutions reported on various aspects of their organizations, 40 (71.4%) states and territories combine archival and records management (hereafter referred to as A/RM) responsibilities for budgetary and staff reporting, while 13 (23.2%) report these functions separately. A further 3

(5.4%) reported only archival functions without discussion of any connections to records management. Finally, the amount of money allocated to each of these agencies ranges widely.

For a more detailed overview of state and territorial archives, see Table 4.1 below.

Table 4.1: State and territorial A/RM Functions and budgetary reporting. Data excerpted from Table 1.1 (Council of State Archivists, 2013c, pp. 2–5) and (U.S. Census Bureau, 2010).

<b>State/ territory</b>	<b>Function</b>	<b>Budget</b>	<b>Population</b>	<b>A/RM Spending per capita</b>
Alabama	A/RM	\$5,275,067	4,779,736	\$1.10
Alaska	A/RM	\$1,155,300	710,231	\$1.63
Arizona	ARM	\$1,656,000	6,392,017	\$0.26
Arkansas	A	\$1,954,544	2,915,918	\$0.67
California	A (RM separate)	\$2,609,000	37,253,956	\$0.07
Colorado	A/RM	\$614,947	5,029,196	\$0.12
Connecticut	A/RM	\$1,731,111	3,574,097	\$0.48
Delaware	A/RM	\$2,148,413	897,934	\$2.39
District of Columbia	A/RM	\$1,200,000	601,723	\$1.99
Florida	A/RM	\$2,102,657	18,801,310	\$0.11
Georgia	A/RM	\$5,000,000	9,687,653	\$0.52
Hawaii	A/RM	\$780,000	1,360,301	\$0.57
Idaho	A (RM separate)	\$888,126	1,567,582	\$0.57
Illinois	A/RM	\$333,500	12,830,632	\$0.03
Indiana	A/RM	\$1,804,593	6,483,802	\$0.28
Iowa	A/RM	\$402,349	3,046,355	\$0.13
Kansas	A/RM	\$1,963,498	2,853,118	\$0.69
Kentucky	A/RM	\$4,738,902	4,339,367	\$1.09
Louisiana	A/RM	Not reported	4,533,372	NA
Maine	A/RM	\$933,813	1,328,361	\$0.70
Maryland	A (RM separate)	\$8,989,000	5,773,552	\$1.56
Massachusetts	A/RM	\$800,000	6,547,629	\$0.12
Michigan	A (RM separate)	\$850,000	9,883,640	\$0.09
Minnesota	A	Not reported	5,303,925	NA
Mississippi	A/RM	\$4,099,988	2,967,297	\$1.38

<b>State/ territory</b>	<b>Function</b>	<b>Budget</b>	<b>Population</b>	<b>A/RM Spending per capita</b>
<b>Missouri</b>	A/RM	\$2,535,227	5,988,927	\$0.42
<b>Montana</b>	A (RM separate)	\$455,613	989,415	\$0.46
<b>Nebraska</b>	A (RM separate)	\$1,066,193	1,826,341	\$0.58
<b>Nevada</b>	A/RM	\$1,127,847	2,700,551	\$0.42
<b>New Hampshire</b>	A/RM	\$438,120	1,316,470	\$0.33
<b>New Jersey</b>	A/RM	\$5,088,709	8,791,894	\$0.58
<b>New Mexico</b>	A/RM	\$2,455,300	2,059,179	\$1.19
<b>New York</b>	A/RM	\$7,346,754	19,378,102	\$0.38
<b>North Carolina</b>	A/RM	\$5,138,864	9,535,483	\$0.54
<b>North Dakota</b>	A (RM separate)	\$850,903	672,591	\$1.27
<b>Ohio</b>	A (RM separate)	\$550,468	11,536,504	\$0.05
<b>Oklahoma</b>	A/RM	\$641,921	3,751,351	\$0.17
<b>Oregon</b>	A/RM	\$3,323,523	3,831,074	\$0.87
<b>Pennsylvania</b>	A/RM	\$2,465,710	12,702,379	\$0.19
<b>Rhode Island</b>	A/RM	\$1,442,203	1,052,567	\$1.37
<b>South Carolina</b>	A/RM	\$1,634,330	4,625,364	\$0.35
<b>South Dakota</b>	A (RM separate)	\$515,147	814,180	\$0.63
<b>Tennessee</b>	A (RM separate)	\$3,057,905	6,346,105	\$0.48
<b>Texas</b>	A (RM separate)	\$2,114,283	25,145,561	\$0.08
<b>Utah</b>	A/RM	\$2,363,921	2,763,885	\$0.86
<b>Vermont</b>	A/RM	\$1,567,810	625,741	\$2.51
<b>Virginia</b>	A/RM	\$4,063,214	8,001,024	\$0.51
<b>Washington</b>	A/RM	\$9,016,663	6,724,540	\$1.34
<b>West Virginia</b>	A (RM separate)	\$2,686,151	1,852,994	\$1.45
<b>Wisconsin</b>	A (RM separate)	\$390,000	5,686,986	\$0.07
<b>Wyoming</b>	A/RM	\$2,700,000	563,626	\$4.79
<b>American Samoa</b>	A/RM	Not reported	55,519	NA
<b>Guam</b>	A	\$408,418	159,358	\$2.56
<b>Northern Mariana Islands</b>	A/RM	Not reported	53,883	NA
<b>Puerto Rico</b>	A/RM	\$1,007,800	3,725,789	\$0.27
<b>Virgin Islands</b>	A/RM	\$0	106,405	\$0.00

The budgetary data above is drawn from self-reports of state archivists (Council of State Archivists, 2013c) and may not include all sources of funding available to state archives including money raised by affiliated non-profits, such as state historical societies, or monies from grants, internal foundations, and other revenue. However, despite these ambiguities in financial reporting, these data show that a number of states and territories are making substantial investments in their archival and records management programs. A majority of states (62.5%) reported budgets of over \$1,000,000 for archives and/or records management, while only 12.5% reported budgets of less than \$500,000. Washington State, Maryland, and New York reported the highest archives budgets, each of more than \$7,000,000. On a per-capita basis, Wyoming, Guam, Vermont, and Delaware each spend over \$2.00 per citizen<sup>5</sup> a year on archival activities. Two thirds of states and territories (n=37) spend less than \$1.00 a year per capita on archival functions. Budgets for state archives, historically representing a miniscule percentage of state budgets, have fallen as well. While the total amount spent by states on archives and records management rose by 30% between 1994-2006, this amount then fell by 54% between 2006-2010 (Council of State Archivists, 2013c).

### *EMPLOYMENT LEVELS*

CoSA also tracks the number of full-time employees and budgetary information for state and territorial archives. The 2012 survey reported that between 2006 and 2012, the overall number of full-time equivalents (FTEs) working in state archives fell by 18% (Council of State Archivists, 2013b, p. Table D). Within this general decrease, electronic records positions did see

---

<sup>5</sup> These figures may skew towards smaller states due to the fixed costs associated with maintaining physical storage of archival materials and personnel costs.

a positive trend in hiring, but records management, preservation, and local government records positions all saw employment levels reduced by 20% or more. Data collected by CoSA suggest that this staff reduction “is a direct result of the major budget cuts” endured by state and territorial archives, and that the remaining employees “at risk of being both discouraged and overworked” (Council of State Archivists, 2013b, pp. 13–14). Given this picture of employment in public sector archival institutions, the ability for archives to partner with the private sector to achieve some of their goals around digitization makes sense. Their staffing levels and budgets are down, while their mission, which I discuss in detail in the next section, remains the same.

### *MISSION STATEMENTS*

An additional possible factor which could influence a state archives' engagement with the private sector is the institution's mandate and mission statement. What do state and territorial archives define as the central aspects of their work and how do they express these in mission statements? Do they mention providing access to records as one of their central jobs? To investigate the degree to which state and territorial archives mention access in their mission statements, I examined each institution's website and coded whether or not the mission statement explicitly mentioned access. Of the 51 statements which were available online, 37 (72.5%) did mention access. The results of this analysis are visible in Figure 4.4.

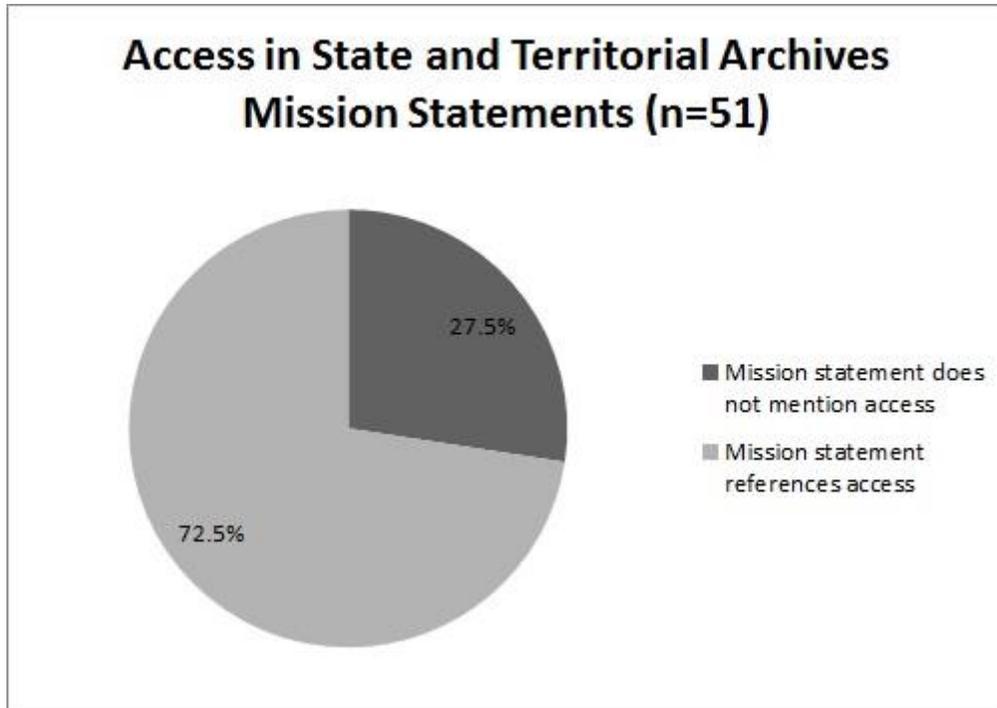


Figure 4.4: Access in State and Territorial Archives Mission Statements

I compared the relationship between the presence of access in the mission statement and engagement with the private sector in Table 4.2. As Table 4.2 and Figure 4.4 demonstrate, nearly three quarters of institutions for which there was a publicly accessible mission statement included a reference to access as one of the archives' missions. A crosstab of this variable with the “Engaged” variable, which represents whether state archives are engaged with the private sector shows that for more than half (55.6%) of valid cases, archival mission statements explicitly mention access and the institution is engaged with the private sector. This finding runs somewhat contrary to what I expected; I thought more institutions that view access as a core component of their mission would not be engaged in public-private partnerships because this orientation towards access would manifest itself in the form of substantial internal digitization initiatives and more outreach activities. While this is not the case, interview data from state

archival employees shows that the manner in which different states interpret their mission with regard to access is not consistent. Some states view their goal as providing access as openly as possible, while other institutions adopt a stricter definition of access, often focusing on their own citizens before considering how to provide access to the public at large.

Table 4.2: Crosstabulation of Public-Private sector Engagement and Access in archival mission statements

Engaged * Mission_Access Crosstabulation				
		Access in mission statement		Total
		Does not mention access in mission statement	Mentions access in mission statement	
Engaged with private sector	No	4	5	9
	Yes	7	20	27
Total		11	25	36

#### *TRANSPARENCY IN GOVERNMENT*

Additional factors beyond the scope of state and territorial archives also may enable or otherwise signal that a particular state is better equipped to engage in partnership with the private sector. The US Public Interest Research Group (USPIRG) has developed a metric for evaluating online spending transparency among the 50 states which I interpret as a proxy for good governance. This metric measures, on a scale from 1-100, how good each state is at providing online access to government spending data (Davis & Baxandall, 2014, p. 5). In the analysis in Table 4.3 below, I conduct a one-sample t-test. This test measures whether, for a particular variable, the mean of a given sample differs significantly from the mean of the population. I initially thought that states which have engaged with the private sector would have higher transparency scores than those which have not established relationships between the state archives and a private firm. This assumption follows from Kettl's (1993, 2002) assertion that

strong oversight and management are essential for effective public-private partnerships. Publishing state government spending data online could be an indication that a given state is well-equipped to manage an external relationship because it has control of its internal spending and has shared this information publicly.

The results of this analysis are visible below. The population mean transparency score is 76.26, the mean score for archives engaged with the private sector is 75.26 (Std. deviation=16.16, Std. Error Mean = 2.90), and the mean score for archives that are not engaged with the private sector is 73.10 (Std. deviation =17.97, Std. Error Mean = 8.03).

Table 4.3: One-Sample t-test of USPIRG Transparency Score by Private Sector Engagement

	One-Sample Test (test value = 76.26)					
	t	df	Sig. (2-tailed)	Mean Difference	95% Confidence Interval of the Difference	
					Lower	Upper
USPIRG_Engaged	-0.345	30	0.732	-1.00	-6.93	4.93
USPIRG_Not_Engaged	-0.393	4	0.714	-3.16	-25.47	19.15

This analysis compared the mean for each group of archives to the population mean score for transparency in reporting government spending. The low t values and significance above  $p=0.05$  indicates that neither of these sample means differs significantly from the population mean. With both sample means being lower than the population mean, this leads to the conclusion that there is no statistically discernable pattern in the relationship between the spending transparency for those states engaged in partnerships and those not engaged with the private sector.

## MOTIVATIONS FOR ENGAGEMENT

Fundamental differences emerge from the data around the motivations for engaging in digitization partnerships by public and private sector organizations. While government archivists and private sector employees recognize the goals of the other group, divergent motivations threaten to derail negotiations and prevent partnerships from forming. When public and private entities sit down together to negotiate a potential digitization agreement, their respective perspectives are informed by organizational histories, current realities, and goals which seek to accomplish different things. However, mutual recognition of the other side's perspective has allowed partnerships to move forward. Private sector interview participants were in agreement about the primary motivations for seeking a partnership with an archival institution, whether it be public or private. Simply put, the private sector organizations are in search of content. When asked to describe his organization's motivations for seeking out a partnership, private sector participant PRI01 replied “we’re very content-driven” and private sector participant PRI02 added, “our decision is based on content”. Other participants explained that they conduct market and needs assessments with their intended users in the scholarly, genealogical, and other communities to ensure that any project they initiate with an archival partner results in a product that meets a business need for the organization. As private sector participant PRI04 said “I don’t like to publish something unless I know it's meeting a need. It’s a waste of my time and everybody’s”. He went on to describe in more detail how his organization decides what digitization projects to undertake, explaining “when I look at a publishing opportunity, of course, I have to look at it through a commercial lens” (PRI04). While this organization's goals include providing meaningful online resources for scholars and educators, this quote emphasizes that they ultimately decide which records to digitize based on market analysis.

Representatives from the private sector know that archival institutions are often the only sources for the materials they seek to fulfill their business goals. For this reason, they talk about their partnerships in terms of how both parties feel that they are getting something of value.

Archives are generally the resource that holds the stories of the past, contained in the records they have, that we are trying to help our users tell... Because of that, it is very valuable for us to work with these public institutions to bring resources to bear that they usually don't have, in order to be able to let family historians discover and unlock these stories. (PRI06)

In the above quote, PRI06 sees his organization bringing two primary things to a partnership: financial and human resources. With the diminishing funding available to public archives, private companies can offer digitization and access services for records which would otherwise continue to live only in paper or on microfilm reels. In some cases a known collection is the reason for beginning a conversation with an archives or library; in other situations the conversation begins around genres of materials. PRI04's organization works with a variety of materials, such as published books, academic journals, reference materials, and manuscript collections. He observed that "every kind of content set comes with its own challenges and opportunities" (PRI04). For the genealogy-focused organizations in this space, the record types of greatest interest are those which contain information about births, deaths, marriages, military service, census data, and other material which would be of interest to family historians. Reflecting on the records which his archives digitized in partnership with a private firm, PUB11 indicated that these types of genealogical records were sought after by the partner company, "they did some land records as well. They did some [military] records. Anything that pertained to genealogists, for the most part".

Other companies with a more diverse range of digital offerings both seek out partnerships and solicit requests from archives and libraries. As PRI05 explained, “Typically what we do is we work with the scholarly community to identify collections that may be of interest. Sometimes the archive or museum will come to us and say ‘We think this would be a great project of scholarly interest’ but we go out, engage the marketplace and try to understand what we think the demand is going to be”. Her company is open to proposals but still uses market research to identify potentially relevant collections. This approach was also displayed by PRI07's organization, a company whose focus is on genealogical records. He related “We've had several small organizations in the US that have come to us and said ‘Hey, can you do our 10,000 obituary indexes?’ And we're usually perfectly happy to make those arrangements”. In this quote, PRI07 illustrates his company's position on potential partnerships. If the records are relevant to their organizational goals, firms will entertain projects they propose or ones brought to them by cultural institutions. While content and specific types of records are the motivations for many digitization partnerships, other factors play a role. While discussing the differences in partnering with institutions around the world, PRI05 described the potential policy incentives for different archives, acknowledging that “Certain places are more open to a partnership... Whether they're more apt to partner with the private sector versus being more protective of their content, and this might be outside the United States”. PRI06 also spoke about the combination of incentives and factors his company for engaging in partnerships with archival institutions:

The interest in family history has been the key to the synergistic relationship that has preserved and made accessible valuable historical records, helped individuals discover and share the story of their past, and grown a large and prosperous genealogical company in [Company]. (PRI06)

FamilySearch was a notable exception to the other firms and had different motivations. Being a non-profit associated with the Church of Jesus Christ of Latter Day Saints (the Mormon Church) means that they do not have to think strictly about bringing digital products to market when seeking out partnerships. PRI02 expressed this sentiment when comparing FamilySearch to other companies.

What separates us from other companies is, we're a nonprofit...we're not a commercial institution in that sense. And what we seek to get is basically driven by the needs of our church members and where they have their ancestry and finding records that help uniquely identify individuals historically...so that's what drives us. We're not being driven by a commercial market. (PRI02)

The above quote places FamilySearch in a decidedly different camp than Ancestry.com or ProQuest by foregrounding the importance of records that would primarily be of interest to Mormon Church members. Buoyed by the widespread growth of genealogy in the United States by Mormons and non-Mormons alike, FamilySearch has been able to remain true to their religious background while reaching an emergent international audience of potential users.

While this motivation grants the organization more flexibility in some ways, it also can pose new challenges with some institutions that are not comfortable with its religious mission. Interview participants from FamilySearch described how a partnership can be over before it begins due to the Mormon associations of the organization. The following quote illustrates how the manifestation of unease over the religiously motivated activity within the Mormon Church of conducting genealogical research, in part, to facilitate what PRI03 termed “proxy ordinance work”. Also called proxy baptism, this is the process by which deceased ancestors of existing members are baptized into the church, a religious rite which is predicated on reliable genealogical information.

Some governments and some religions that we work with for a variety of reasons, mostly political, or historical, or religious, do mind. It's uncomfortable to enough of a degree to them that we don't interact, even if they like our business model. So that is probably where we have our biggest challenges. (PRI03)

This example highlights the uniqueness of FamilySearch in this landscape. While they can offer archives an excellent business deal in that they do not seek to profit financially from partnerships, the religious affiliation of the organization has, at times, prevented relationships from forming. Representatives from other religions and non-affiliated institutions have criticized this work and sought to limit it only to those with direct relationships with church members (Ravitz, 2012). FamilySearch provides genealogical services to non-Mormon visitors to their site, but the existence of proxy baptism remains an issue for some potential partners. These issues do not affect the other private sector organizations in this study because they are not motivated by religious work but rather by a business plan that includes archival records as part of a strategy to build marketable digital products.

Similar to the private sector interview participants, state and territorial archivists also largely agreed about their motivations for entering into public-private partnerships. The archivists related a desire to increase access to their collections as a primary motivation for initiating digitization partnerships. For the survey question, “What were your institution's motivations for pursuing this partnership?” 42.9% of responses indicated a desire to increase access to collections; 41.0% indicated a desire to increase digitization capacity beyond what was capable within their institution, while only 12.2% of responses indicated that financial pressure motivated their engagement with the private sector. Figure 4.5 presents the full set of responses to this question. Respondents were able to provide more than one response to this question,

indicating that while other factors may also play a role, many states are thinking about access when entering into partnerships.

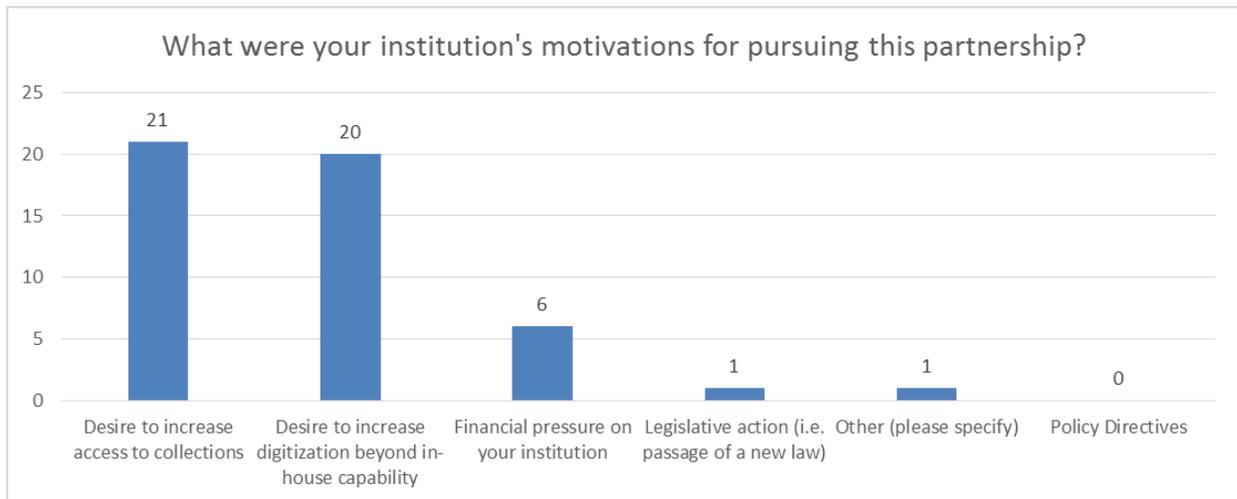


Figure 4.5: Archival Motivations for Pursuing Partnerships

In interviews, archivists echoed their survey responses, often referencing access when discussing institutional motivations for partnerships. As PUB05 explained, there was “No legislative or policy-directed impetus to do this. It was purely an access, a desire to provide better access to the materials”. PUB02 added a financial motivation while agreeing about the minimal importance of legislative action, “We weren't thinking about the [legislature] or anything like that. We were thinking about our users and dollars.” PUB12 also agreed, noting “our prime motivation is to be able to provide access to more collection materials and digital forms than we would ever be able to on our own dime and with our own technical resources”. PUB12 expands the access motivation to include his recognition that his archives does not have the institutional capacity to digitize records at the level possible through a partnership with a private sector company.

The idea that public-private partnerships offer archives the ability to digitize records at a scale which they could not achieve on their own came up throughout interviews with representatives from both sectors. Ten state archival employees mentioned institutional capacity in their discussion of digitization through partnerships. This concept includes the fact that state archives do not often possess the hardware required to scan large volumes of records, but also that they lack the human resources to create metadata comparable to the private sector. PUB03 expanded on this concept when discussing the most recent agreement her archives finalized.

The reason we even considered that partnership is that the kind of work they were proposing to do was work that we simply do not have the resources to do, because of the enormity of the work. And name indexing records is not something that we have the resources, in any way shape or form to do. Although we know there was great demand. (PUB03)

The “name indexing” mentioned by this participant refers to the ability for private companies to create fully searchable databases of records. For example, on Ancestry.com's portal, one can search by surname and immediately see results that link directly to records where the name is mentioned. This level of retrieval takes significant human effort, transcribing the hand-written contents of historical records. PUB03 understood that her institution was not in a position to create this type of indexing while the potential partner was offering to do it without being paid. For this reason, her archives entered into negotiations with the company in question.

The state or territorial archives is not always the custodian of records that may be of interest to private companies. In some cases vital records (i.e. birth and death records), or those pertaining to land ownership, still reside in the custody of the creating agency: state departments of health or deed registry offices. In at least three cases state archives were drawn into partnership negotiations because they were initiated by another government agency with a

private partner. Two of these cases involved the Department of Health in each respective state. PUB14 described her state's process of establishing the archives as the primary agency to manage all records digitization.

The Department of Health was in the process of negotiating with them for vital records...we took over the contract and created an umbrella agreement. So we've had that in place since 2008 and it gets renewed. And then underneath that umbrella contract, there are parameters to do individual projects. So that means that not only for the state archives but any state agency or local government that might want to enter into a contract with [company] actually has to come through the state archives and be a part of the umbrella contract. (PUB14)

Here, PUB14 notes she was not initially approached by the private company, although her archives ultimately signed the agreement. Her motivation was to manage an existing relationship and ensure that all partnered digitization work in the state was being managed consistently. This situation again reflects the public-private partnership literature, particularly Kettl (1993, 2002) who stresses consistency across the public sector as a management strategy to ensure PPP success.

In PUB09's case, a partnership was already ongoing when his institution was approached by the Registers of Wills. He explained "when [company] finished up with...things that were still within the registers' custody, then they came to us, and we're more or less allowing [them] to complete what has been a long effort" (PUB09). While this state entered into their partnership ambivalently, they were willing to negotiate with a firm that had already come to an agreement with another state agency.

The motivations of the public and private sectors for engaging in public-private partnerships to digitize archival records are not the same. The private companies come to the table with their focus on certain types of records or specific records groups that fit into their

business models. Motivations of state archives are even more diffuse; while some states recognize the opportunity to increase their capacity to digitize records, others begin negotiations after they have been initiated by other state agencies, in order to ensure the future of records over which they will ultimately have custody. With these motivations in mind, archives and private companies come together to negotiate the specific terms of their relationships.

## **RISK**

In addition to the various points of negotiation between the private sector and their various archival partners, both parties acknowledged certain risks and the importance of sharing risks. I asked state archivists how they felt the risk was shared between their archives and private partner organizations. The mean response to this question, presented as a Likert-scale with one extreme representing all risk being borne by the archives (1) and the other indicated all risk being borne by the private sector partner (5), was 4. State and territorial archivists perceived their partnerships as shifting most of the risk onto the private companies with whom they are partnered. The full results are displayed in Figure 4.6.

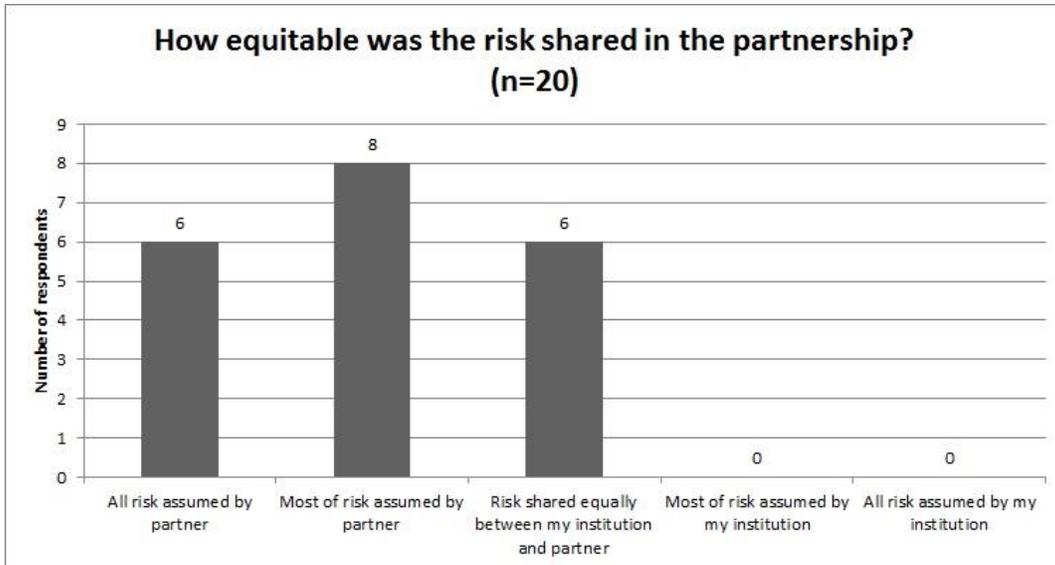


Figure 4.6: Risk Sharing Perception

Interview data provided some more insight into the perceived risks of these partnerships and how these risks were dealt with at the negotiation stage. Archivists mentioned the potential to damage original paper materials while digitizing them as the primary risk. While this could be mitigated by working from microfilm, this format was not always available and the possibility of damaging paper records persisted. PUB01 pointed out this risk as a primary concern, noting “you could destroy the records in the process of scanning them. That would not be good”. At PUB11’s institution, some materials were too fragile to leave the archives and be scanned at an offsite location. He explained “we had them do Civil War muster rolls here which were too fragile to leave the building”. PUB08 found an effective strategy to mitigate this risk of physical damage was a guarantee that the private partner would replace materials damaged<sup>6</sup> during scanning. She

---

<sup>6</sup> The materials in question in this case were microfilm and PUB08 knew there were other copies in existence, plus the paper originals.

described her thought process, “there were some risks there, but certainly, they offered... [to] replace anything that would be damaged”.

Besides the physical risks to collections, archivists discussed a number of additional risks they considered when beginning partnerships. PUB05 identified two of these risks in his discussion of how his archives approached their partnership:

I guess to an extent they're taking financial risk because they're doing indexing work that obviously costs money. And it's all tied up in their business model of more content, more subscribers. From our standpoint, I guess I see the risk as... One of the risks is a poor product 'cause it's not... It is common knowledge that they use offshore indexers. (PUB05)

For the first risk, the archivist shows awareness of a different motivations and incentives. Despite the stipulations laid out in contracts, PUB05 considered the risk that these divergent incentives could negatively affect the partnership. This awareness indicates that PUB05 implicitly understands the fundamental principal-agent problem (Eisenhardt, 1989; Jensen & Meckling, 1976), introduced in the literature review, that lies at the heart of these relationships. Public and private organizations in this environment have different goals, but transparency and oversight can mitigate this potential challenge. The other articulated risk, related to the quality of indexing and metadata created by private companies during these partnerships, came up more than once in interviews. Offshore indexers are employees working outside the United States who may not have native English-language skills, leading to the potential for errors in transcribing genealogical records that might contain idiosyncratic spellings. This is a tradeoff implicit in these partnerships. While the private sector can digitize and create item-level metadata for vast quantities of records, the quality of these indexes is not as high as it would be if done more carefully.

Despite these risks, or perhaps because archivists feel that these risks are shouldered more by their private partners, state and territorial archivists generally felt comfortable continuing negotiations with private sector companies and reaching agreements to digitize their records. These results align with and expand the literature which asserts that thorough oversight makes both parties in a public-private partnership more satisfied (e.g. Kettl, 1993; Schaeffer & Loveridge, 2002). Archivists perceive that the risks and incentives are aligned enough such that a partnership advisable for the public sector. While they are ultimately motivated by different goals, government archives and their private partners accept these differences and move forward in establishing their relationships. In the next section, I discuss this negotiation process undertaken between private firms and archives as they move toward finalized contracts.

## **PARTNERSHIP NEGOTIATION**

This study suggests that the negotiation process for public archives and the private sector is the most critical stage of the public-private partnerships lifecycle. During this process, the terms of the digitization project are established. Furthermore, the parameters of a potentially long-term relationship are laid out. States and private companies decide which records to digitize, workflows, preservation, access restrictions, and other issues before signing a contract which formalizes their relationship. In this section, I unpack this process, showing how the negotiations proceed and what each party cares most about in this process. As PRI07 explained, private companies are looking to engage with archives that hold multiple record series of interest. He described this strategy, noting “if we're going to set up on scanning (in an archives) we want to be there for a while”. Startup costs associated with partnerships are large, and private firms want to know before they commit to a relationship that there are enough records located in a given archives to justify their efforts. While an exception can be made for highly sought after

materials, this sentiment reflected a wider desire by the larger private firms to ensure that their financial investments were sound. Private firms recognized that archival familiarity with legal contracts and negotiations was not uniform. In addition to the public institutions which are the focus of the present study, these firms work with all types of archives, libraries, and museums that hold collections of interest. For PRI07, understanding the perspective of the archive or library meant the difference between making a deal or not. He explained “especially with some of these smaller cultural institutions, it can really throw our negotiations the wrong way when you bring in a lawyer right off the bat or even when you present them with an agreement that's full of legal language. So we generally do an open presentation and then we'll develop a term sheet...” (PRI07). This type of planning demonstrates the experience of private organizations in dealing with libraries and archives. These companies have learned from past relationships that initiating negotiations with too much contract languages is risky and does not lead to successful partnerships.

PRI01 has a lot of experience working with libraries and has worked at more than one company in this sector. He described varying experiences of working with cultural institutions in a slightly more cynical manner, observing “there are business-savvy libraries who have a better understanding of the value of their content and strike hard bargains because of that” (PRI01). PUB03 is an example of such an archivist. When her institution was approached by a private firm in search of a partnership, she outlined the terms she required in order to establish the relationship:

[W]e went through and we made a list of what we believed to be our genealogically richest resources... we set down our conditions and they went away and thought about it and they came back to us and said, ‘Here is what we'll do.’ And we said, ‘We have no money to digitize it and we have no money to index it.’ So, we can provide no dollars

towards this and they came back and said, ‘Okay.’ And we did a contractual agreement. (PUB03)

In each of the preceding examples, private sector firms demonstrated their ability to interpret the position of a potential digitization partner. The first pair of quotes displayed a private company willing to walk archives through the process in order to establish a good relationship, while the second pair remarked that only some institutions understand the true business value of their materials and negotiate with this in mind. In the third quote, PUB03 illustrated PRI01’s observation is as an archivist willing aggressively negotiate for terms with a potential private sector partner.

PRI05 acknowledged the challenge of partnering with archives and libraries that want digitized materials to enter open access models sooner than in the past. In the quote below, she articulates the principal-agent challenge outlined by Jensen and Meckling (1976) that, given the business and public service goals of public archives and private companies, clear agreements are necessary to ensure that agents (private firms) do not act against the will of the principal (state and territorial archives). In the past, negotiations resulted in contracts with longer periods of exclusivity for private companies to provide access to digitized collections. More recently, archives and libraries have been pushing for shorter exclusivity periods but her company still has business needs to meet when engaging in digitization partnerships.

We do negotiate on that [open access] pretty heavily. It varies, on a lot of different things on what that timeframe is, based on several different criteria. So I can't say that there's an average at this point. I think it used to be out more like 10, 15 years and the community is saying it needs to be less and less. So we're working to figure out ways that we can make that timeframe work for everyone. (PRI05)

From the perspective of state and territorial archives, their savvy in negotiating with private partners has improved in the years since they first began negotiating contracts. PUB11

explained how the state archival community engaged in dialogue about how best to handle the negotiation process.

[E]arly on in our negotiations with Ancestry, that was a heavy topic... We were all at a CoSA meeting, Council of State Archivists meeting down in Georgia. It was a really big topic there... At that point, I think Georgia and New York were kinda the first two with Ancestry and they already kinda of gone through the trial and errors. And we started talking about it and they gave us some advice at that point on, what things we should be looking for in our agreements, and what things to stay away from. (PUB11)

In the above quote, PUB11 explains how the experiences of some of the initial states around partnership negotiation influenced the ways in which subsequent states engaged with the private sector. Through conversations at professional meetings, archivists shared information on how to negotiate a digitization contract with a private firm. Both the interviews and survey data demonstrate that state and territorial archival employees talk to each other often, and that these conversations have helped individual institutions in their ongoing negotiation with private sector firms. Furthermore, the survey results reflected that states and territorial archivists are now comfortable with their interactions with the private sector. I asked respondents to indicate the degree to which they felt their institution negotiated with their private sector partner. As shown in Figure 4.7, 71.4% of respondents to this question reported that they felt their negotiations with their most recent partner were conducted on equal terms as organizations.



Figure 4.7: Perception of Negotiation

Representatives from the private sector also reported overall positive feelings about their negotiations with cultural heritage organizations, including state and territorial archives. PRI06, a representative of one of the larger private firms, noted that the process is highly individualized and attuned to the specifics of each partnership situation. While this response is formal, it indicates that the negotiation process can take a long time and include many stakeholders from an archives or library.

Because agreements differ in type, format, time period, and record holder, and each institution has varying goals and objectives and is subject to differing laws, regulations, and group or individual opinions about how records should be treated, personal assessments and negotiations are very important. With these considerations in mind, contact is made with a record repository of interest, and a presentation and assessment are made, and the process continues for months or years, until terms are acceptable for both sides, and incorporated into a formal agreement. The negotiations can include IT, product, and legal personnel on both sides, in addition to the Ancestry acquisition team and record custodian. (PRI06)

The negotiation process involves two organizations, but ultimately focuses on only a subset of records housed within an archives. Remembering the motivations of the private sector,

the records series targeted as part of these partnerships are those with a business value for the private firm. Survey respondents were asked to list the types of records which were targeted as part of public-private partnerships. Figure 4.8 displays the results of this question.

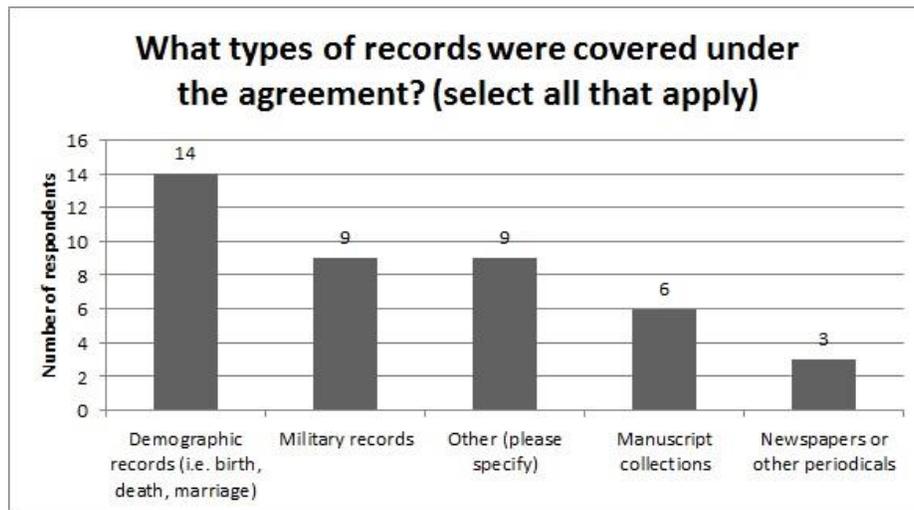


Figure 4.8: Types of Records Covered by Partnerships

As shown above, most records digitized under partnership agreements are those typically associated with genealogy: demographic record groups and military records. In the “Other” category, the most common responses mentioned were probate court and land records, which also contain information on individuals and families. These findings align with the types of records actually enumerated in the contracts obtained during data collection. Often found in appendices or addenda, the records listed for digitization under contracts includes such records groups as “Birth Indexes 1908-1929” (DOC01), “Civil War Border Claims” (DOC03), “Naturalization Books, 1796-1850” (DOC05), and “Land Records, 1677-1947” (DOC05). Many of these collections already exist in microfilm or some digital format, but were not necessarily accessible online before the agreement.

Survey respondents were asked the degree to which they felt their institution dictated negotiations for a range of items. For each item, they characterized the negotiation on a 5 point Likert scale, with 5 indicating that the respondent thought their institution dictated the terms entirely. The results of this question are displayed in Figure 4.9 below. All of the survey items have mean scores above 2.5, which indicates that respondents felt that they dictated the overall terms more than their private sector partners on their most recent contract. The items receiving the highest scores were ownership and custody over use and preservation files, followed by digitization standards. Metadata standards received the lowest mean score at 2.6.



Figure 4.9: Negotiation Perception by Issue

Interview data supports these survey results. State archivists talked about the negotiation process and often mentioned custody and ownership issues over digitized files. For PUB08, the lessons learned by other institutions prepared her to advocate against an embargo period proposed by Ancestry.

[T]he early agreements that repositories made with Ancestry that there was an embargo period before the repository would either get the digital images or be able to use them. And we said, 'Absolutely... We would not accept on embargo of any kind.' And Ancestry said, 'Okay.' (PUB08)

The embargo described above covered both custody and use of digital files. PUB08 was able to hold firm to her position and gain a concession from her negotiating partner. Archivists' experiences with FamilySearch follow similar trajectories. In PUB09's institution, his team led the negotiations, "We did sit down with the FamilySearch people and tell them how it was gonna be". PUB12 also negotiated specifically to decrease this embargo period and ensure his institution's rights to disseminate the material.

I know there were times when we tried to negotiate [the embargo period] down from some higher number to something like three years...also what our residual rights would be after the embargo period...the material would be available to us in digital form to use on our website at the end of the embargo period but I think that there may have been other provisions, you know, the ability to engage in any e-commerce with these materials or the ability to disseminate them on the wide internet as opposed to through our domain addresses. (PUB12)

The three-year embargo was often mentioned to me throughout data collection. Private sector representatives referenced their need to recover their investments in digitization and access provision, and archivists tended to understand these needs. This perspective was articulated by PRI02, who explained the embargo period in terms of an average number of years necessitated by his firm's investment in the work, after which point archives have the right to use the material freely.

Because we have to recoup our investment, we'd like an embargo period of three years where we make them available exclusive on our site, paid access... you're to not to make them available to the public until that three years is up and then you can make them available to the public after that. (PRI02)

PUB12 knew that his institution would gain additional rights to the digitized material after the embargo period but not specifically what those rights were. Language that appeared in

multiple contracts speaks directly to these residual rights. The key clause reads “In the event that [State archives] chooses to post the Licensed Materials online following the Exclusive Period, [Company] is no longer obligated to provide free access to the Licensed Materials on-site, at the state archive” (DOC03; DOC05). Here, the question of how states can provide access to digitized materials after the embargo period is made clear. By placing them online, the state or territorial archives places itself in competition with its private sector partner. In this case, the partner reserves the right to deny free all access to its services to reading room patrons, one of the key benefits given to archives as part of these relationships. The threat of removing this access would be a disincentive to states considering whether to publish digitized material after the embargo period, particularly since states cannot build the robust access system offered by the vendor.

Additional interview evidence suggests that archival patrons take advantage of free reading room access to services, such as Ancestry.com. PUB11 explained that as part of his agreement with Ancestry.com “they gave us free access to [the site] for every single computer out here in the search room.” Furthermore, as PRI07 explained, genealogists and other archival users have information needs which they want to satisfy. They do not care if the piece of information about their relative comes from their home state or somewhere else. He explained “genealogists are not just after records [from] a government repository only or for-profit [sites].” (PRI07). Here, the implication is that users want access to the materials of interest to them. They do not necessarily care if their home state archives has some material available online for free to anyone if this limits their ability to access a much larger body of material on Ancestry.com of a similar service.

The contracts analyzed in this project fall into two categories: those based on the private sector template (n=2) and those based on the public sector vendor template (n=1). Some negotiations encountered a challenge when a private firm provides a copy of this boilerplate digitization contract. The language in these documents reflects the work of private sector legal counsel and is meant to be as broadly applicable as possible. However, this language may be incompatible with the law in a given state and require revision. In particular, PUB13 “most of the boilerplate language says that the contract is governed by the applicable laws of the state where the corporation's headquartered. Again, we just can't agree to that. [Our] state law says every contract has to be governed by [state] law. And I don't remember, in recent years anyway, anyone objecting to that” (PUB13). This issue is visible in contract language as well, in such clauses as the following, taken from a different state archives than the one at which PUB13 works.

To the extent that [state] law allows, for three years following the conclusion of the contract, [Company] created indexes may not be distributed or resold by [State Department of Culture and Education] to any company or institution for any purpose, and are solely for use of individual patrons. (DOC04)

These contracts between state and territorial archives and the private sector are the manifestations of the negotiation processes articulated in the interviews. These documents lay out the basic terms of the relationship, enumerate the records to be digitized, and include additional legal clauses. For example, contracts can specify the formats in which a given state will receive copies of metadata files, using language like “All transferred information will be delivered as a XML or delimited file so that it can be imported into the State Archives and State Library databases” (DOC04). They can also contain the broad language granting private firms the rights to continue to use digitized material into the future, without regard to format or time.

“The Society may reproduce, distribute, transmit, display, use and permit the use of Digital Records, for nonprofit purposes, via any technology and in any medium now known or later developed (“Use Rights”)” (DOC05).

The above clauses from contracts between public sector archives and private sector organizations commodify archival materials into a series of discrete units. Scanned images, metadata, and the right to provide access to digitized material are all handled separately from each other; this process has the potential to alienate aspects of the record from the whole *fonds*. This has implications for archival practice but also takes on a new meaning, given an understanding of archives as public goods (Kallhoff, 2014). With this status, archives deserve public support. While there may be aspects of archival work which could be privatized (Serageldin, 1999), this process needs to occur with public goals as the first priority. Contract language and interview data from archivists demonstrate that while some negotiations respect the public goods nature of government archives, the responsibility to advocate for agreement terms which reflect a public goods mentality falls on state and territorial archivists.

Principal agent theory is highly visible in discussions of contracts and negotiation between the public and private sectors. These two groups of organizations have divergent aims and each is incentivized to work for its best possible outcome. State and territorial archives view their holdings as public goods and seek to ensure their stability and persistence over the long term, while private sector organizations have short-term business goals which involve the continuation of relationships with archival institutions. Private firms do not benefit when state and territorial archives talking to each other about specific contract terms, as this could lead to a situation where a concession made in one contract becomes an expected component of

subsequent agreements. However, as I explained earlier, archivists have in fact used CoSA as a way to share information and work towards better outcomes for all archives in these negotiations. One way in which they have disseminated this information is by creating a guideline document for archivists to consult when negotiating with the private sector (Council of State Archivists Task Force on Online Content Providers, 2007). In the survey, respondents were asked if they had consulted this document, or a similar one created by the Association for Research Libraries (ARL) (Association of Research Libraries, 2010). The results of this question can be seen in Figure 4.10.

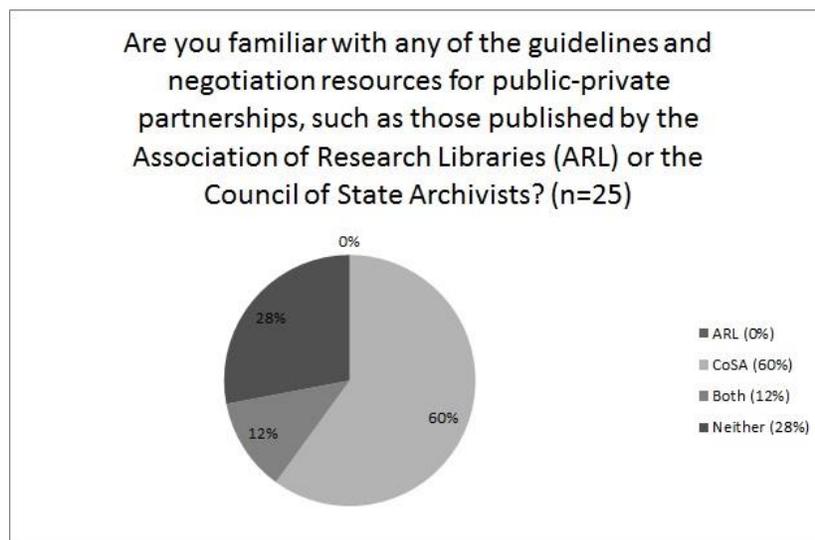


Figure 4.10: External Negotiation Resources

More than half of respondents reported consulting the CoSA guideline document, while a further 12% indicated that they had consulted both ARL and CoSA materials. No one reported only using the ARL, reflecting the population under study and its close affiliation with CoSA as an organization beyond just these public-private partnerships.

However, despite this apparent widespread information sharing, not every state negotiates with the idea that they can get a better deal than other archives. PUB01 typified this perspective, simply stating “They're not gonna give you a better deal than they would to Alabama or Arkansas or Alaska” (PUB01). My evidence shows that this is not the case. PUB14 reported that, thanks to her knowledge of efforts by New York State to secure the creation of a state landing page for its citizens to access digitized records for free, she was able to negotiate beyond what was initially offered by Ancestry.com. She explained “I think they were actually the first state page...they had plowed through some things” (PUB14). This example demonstrates that, with knowledge being shared across institutions through organizations like CoSA, state and territorial archives can in fact achieve better outcomes than the deal offered to Alabama, Arkansas, and Alaska.

#### **BREAKING THE NORM: ARCHIVAL INTERACTION WITH A LITIGIOUS FIRM**

State archivists demonstrated their increasing confidence in negotiating in the case of HeritageCo (a pseudonym). This company approached a number of state archivists regarding the digitization of public records but was largely unsuccessful due to the company’s approach and tone in the initial communication with archival institutions. Through this example, state archival employees revealed and emphasized the importance of the unspoken rules of digitization partnerships, such as understanding the legal environment of a given archives and of beginning communication on a positive, rather than adversarial, note. Without establishing trust and comfort early on, private companies can find it hard to partner with state archives, as HeritageCo discovered.

HeritageCo's primary tactic was to contact state archives and make broad requests for large volumes of digitized records, even if the records in question did not exist in digital form. PUB10 recounted the initial communication with HeritageCo, recalling “they were stating that under a FOIA request, they were requesting all of our births, deaths, and marriages. They wanted them digital, and they wanted them pretty much now” (PUB10). PUB11 received a similar request, with HeritageCo asking for “every single version of a public record here in [state]” (PUB11).

The state archivists perceived HeritageCo as overly litigious. PUB08 indicated that “they contacted us as they did most other states in a really threatening way” (PUB08). The company contacted (nearly) every state asking for public records, but threatened legal action and invoked freedom of information (FOIA) laws before giving the states a chance to respond. As PUB05 explained “that was just the wrong approach.” Not expecting such an aggressive request, state archivists used the CoSA listserv to discuss HeritageCo’s requests and share ideas for how to respond. Through these backchannel discussions, state archivists realized that HeritageCo was using a single approach in their letter to each state, despite large differences in state records laws that affected the ways in which the states responded. Discussions on the CoSA email listserv helped the states quickly organize and create a coordinated response to HeritageCo. PUB03 explained that through conversations with other CoSA members, she realized that “they threatened every state, every one of us got a letter saying that they were going to FOIL [Freedom of Information Law] us and if we did not immediately turn over the records they would sue us. What a way to win friends and influence people!” (PUB03). PUB10 remembered that “it was discussed on many of the SAA and CoSA boards. There were several emails because a lot of states were being contacted” (PUB10). PUB05 also echoed this, noting “I don't think...those

companies would have any idea that all 50 states are on there sharing information. I think it's pretty unique. Part of that is because there's just one state archivist per state, so it makes it pretty simple" (PUB05). In this series of interactions with HeritageCo, state archivists used their networks to share information and discuss the requests they received. Through these communications, they gained a broader perspective on the situation and were able to formulate both collective and individual responses.

The type of request made by HeritageCo violates many of the unspoken rules governing the relationships between state and territorial archives and the private sector. Chief among these is the fact that both groups of organizations recognize the power and leverage that they have with respect to the other. While the private sector has substantial financial resources and the ability to quickly deploy access systems to attract users, the archives hold unique records that often cannot be obtained via other means if negotiations break down. HeritageCo wasted their opportunity to engage positively with many state archives and as a result ensured that they would not be accommodated in any partnerships with these institutions. Their blanket records request signaled to archivists that they were hoping to intimidate government into giving them public data regardless of state law. PUB13 saw through this facade and his archives did not respond to HeritageCo.

It was kind of like a fishing expedition. They also had no track record at all. If it had been [a different company] we might have at least talked to them to see if we could reach a common ground, but these people just came out of nowhere asking for the moon and we didn't think it was worthwhile following up. (PUB13)

In PUB06's state, the Public Record law stipulates that the archives is only obligated to provide access to records in formats which are readily available at the time of the request (i.e. digitized rather than microfilmed or analog records). She responded only once to HeritageCo and

did not hear from them again because “a lot of the things that they wanted from us...we did not have in a digital format yet. So, I'm under no obligation by our State Records Law to provide something in a format that I don't have readily available” (PUB06). Based on a thorough knowledge of her state’s records law, PUB06 knew that she did not have to fear legal action when she replied to HeritageCo. PUB08 also drew upon her knowledge of her state's records law to deny HeritageCo’s request. She explained that “it was such a broad request...there's language [in the state records law] that says if a request would create an undue burden on the agency to comply, then...the request can be turned down” (PUB08). Since HeritageCo asked for every digitized record in a single package, PUB08 denied the request and was confident that her interpretation of the public records act supported her decision.

For PUB02, HeritageCo’s initial request was met with confusion. He interpreted their request as a demand and recalled thinking at the time “I don’t see how we cannot do this” (PUB02). As a result, he did extra work to provide database exports and other files to comply with the request. However, when faced with more requests from HeritageCo he asked the state’s attorney to look at the state records law and determine what constituted compliance with HeritageCo’s request. The attorney updated the archivists, explaining “if you've got it online, it's available. You don't have to do anything else. You don't have to export it. You don't have to do all this other stuff” (PUB02). When PUB02 related this to HeritageCo, they complained that they would have to retrieve one record at a time through online access systems. To this, PUB02 simply said “Our [legal] responsibility is to make the records available, and that's what we've done” (PUB02).

The example of HeritageCo underscores the importance of long-term relationship building in this series of public-private partnerships. While some new companies have been able to gain market share, the space is still dominated by older organizations that have more established relationships with archives and libraries. A new company that does not start off on a positive trajectory can quickly lose the goodwill of public archivists, many of whom are already engaged in other partnerships and cannot justify beginning another one with a confrontational private sector counterpart. The abrasive nature of HeritageCo's communications with state archives revealed their larger ignorance of social convention and knowledge in dealing with these institutions. PUB15 explained this viewpoint, saying “I think the assumption was that [records] don't cost anything digitally” (PUB15). HeritageCo learned that digitized archival records do have costs associated with them, and that public records/ freedom of information laws are not a license to request large volumes of records in formats not maintained by public archives.

State archival interactions with HeritageCo also highlight the value of state archivists' knowledge of their local records laws. Interacting with HeritageCo forced some states to re-evaluate their understanding of the law and articulate their obligations to fulfill requests from the public. Reflecting on the entire interaction with HeritageCo, PUB02 summarized his archives' views on the state's public records law as “our interpretation changes, and I'm sure that it will change again in the future” (PUB02). Similarly, PUB10 made it clear that the state archives leadership “[is] very aware of the laws that are in [state]” (PUB10). Here, state archivists showed that they maintain current knowledge of relevant records laws so that they can fulfill their obligations to citizens seeking access to records. In the case of HeritageCo, this knowledge, combined with a negative reaction to the perceived aggressive requests of the company, lead the

CoSA community to close themselves off and limit partnerships with this company. The strength of this community and the information shared among members gave them the tools they needed to handle this situation.

### **IN-HOUSE DIGITIZATION**

One of the primary motivations for state and territorial archives to engage with the private sector is a lack of institutional capacity for these institutions to digitize their own records at scale. However, this does not mean that these archives are not doing any in-house digitization. An analysis of state and territorial archives websites examined the types of digitized records available to users. Of the 56 institutions in the population of state and territorial archives, 84% (47) provided access to some records on their websites. I visited each of these sites and coded the available materials into 5 categories: Demographic Materials, Military Records, Newspapers, Manuscript Collections, and Other records (e.g. photographs, audiovisual materials). Most archives' online holdings fell into the "Other" category, as historical photographs and audiovisual collections seemed to be popular candidates for digitization and promotion on institutional websites. However, 27 states do provide access to digitized manuscripts. Furthermore, 25 and 23 institutions host demographic and military materials on their sites, respectively; these types of records are highly sought after by genealogists. While these results are suggestive of the in-house digitization work being done by state and territorial archives, they may not reflect the actual efforts of public archival employees. Some of the records on archival sites may have been digitized under old contracts or by external volunteers. The full results of this analysis are in Figure 4.11.

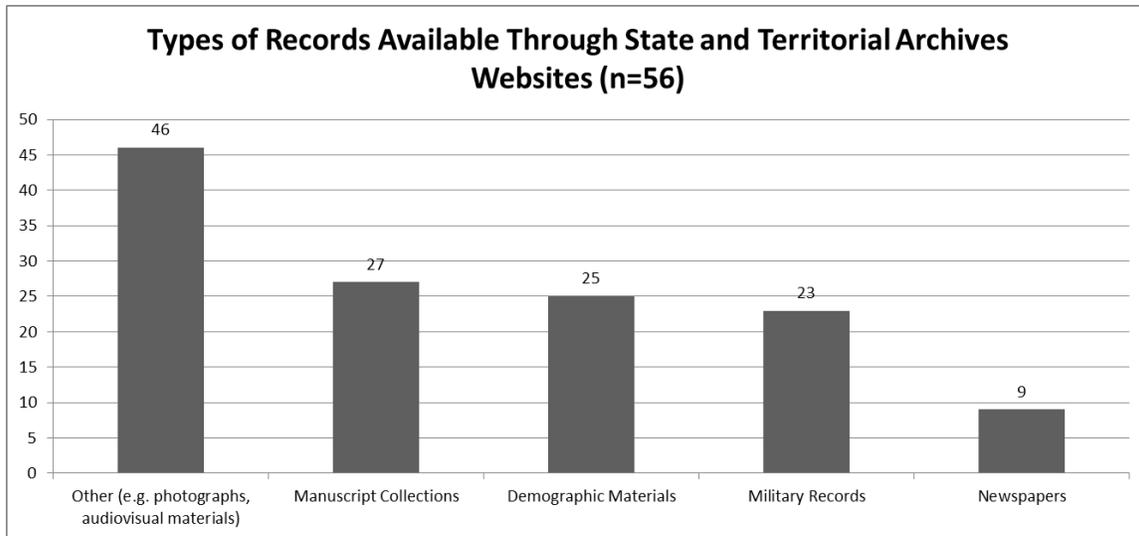


Figure 4.11: Records Available on State and Territorial Archives Websites

The results above about publicly-provided access and types of materials can be compared to the types of records which are the focus of partnerships between archives and the private sector. Survey respondents were asked to indicate the types of records which were digitized under their partnership agreements. These records primarily consisted of demographic and military materials, which corresponds to the priorities outlined by private sector firms in these projects. This is interesting given the fact that my analysis showed that states and territories also provide access to these materials on their own sites. Interview data show that many archives maintain their own internal digitization projects which may also focus on genealogically-oriented materials. The full survey results for the records which were the focus of partnerships are shown in Figure 4.12.

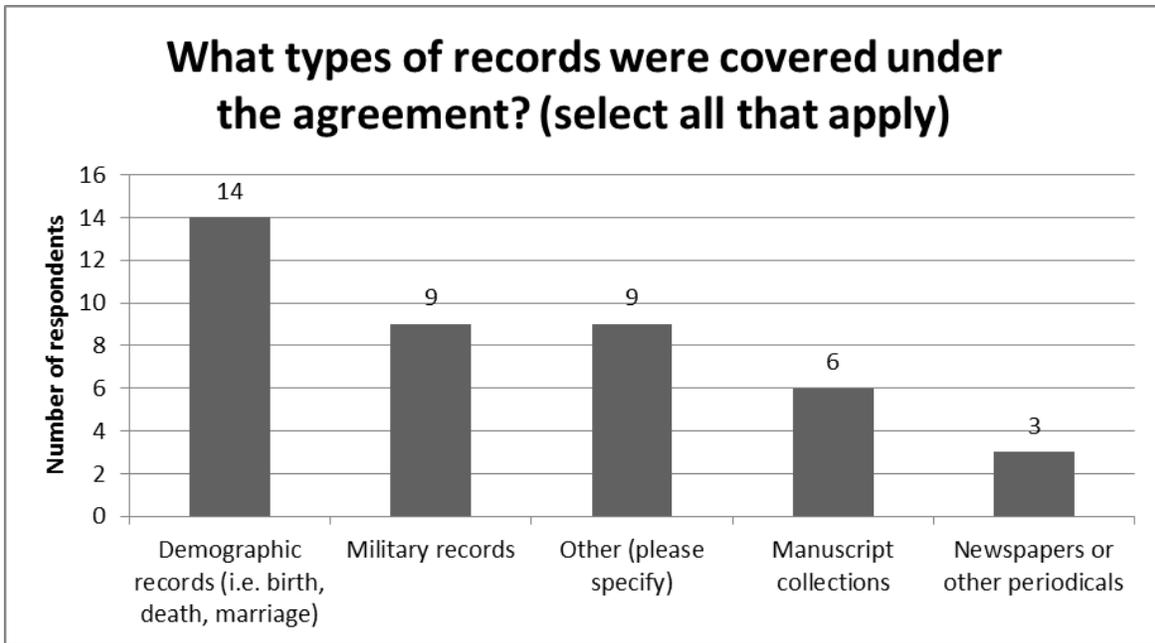


Figure 4.12: Records Digitized as Part of Public-Private Partnerships

This comparison shows that archives and the private sector are digitizing some similar materials. While this might lead to conflict, archivists explained to me how they manage internal archival digitization projects alongside partnership work.

**Selection**

The identification of records for in-house digitization is important for a number of reasons. Archivists pay close attention to the materials they select for these internal projects and consider how various types of material complement each other. As PUB06 related, “We do a couple of different things. As I said, we tend to work subject-focused” (PUB06). PUB08 similarly explained, “We have to be very selective on what we can digitize and be able to store” (PUB08). By this, she means that not only does her archives have to select records for digitization based on perceived user interest and the possibility of that a vendor may want to

digitize these for free in the future, but she also has to be attentive to her institution's capacity to support large digital access systems and continue digital preservation practices into the future. At PUB04's institution, this planning process is formalized. He related, "we just have a committee that would meet once a month to kinda go over what the priorities are" (PUB04). This regular prioritization ensures that any internal digitization work aligns with past and future efforts. With these issues in mind, archivists seek to identify and scan records groups that they feel will interest users but not overlap with what they anticipate digitizing through partnership in the future. PUB02 described this judgment process:

FamilySearch is basically doing...anything that had anything to do with genealogy...our in-house stuff focuses more on photos and other types of records, for instance the minutes, ordinances and resolutions from cities and counties...governing bodies... So, we don't bother doing any land, probates, birth, death, marriage, divorce. We don't do any of that stuff 'cause we know that FamilySearch will get to it if they haven't done it yet. (PUB02)

This sentiment was expressed by multiple other archivists in interviews. PUB05 explained that his internal digitization work was chosen not to conflict with or duplicate the work of Ancestry.com and other partners, saying "What we're focusing on, we're trying not to duplicate but those Ancestry and FamilySearch are really specific about they want. So one of the high use items [that] we're working on right now are prisoner records" (PUB05). These prisoner records could interest multiple potential user groups and are standardized in format, increasing their attractiveness for a digitization initiative. Similarly, PUB11 cited maps as one type of record on which his institution's digitization projects focused. These records could be of interest to local historians, genealogists, and other potential user groups.

We had some scanners and things, and we'd done some limited stuff, especially like some of the maps which wouldn't appeal for the Ancestry, for instance, but a lot of our patrons want to see a local district map from [county] or even the next county over. (PUB11)

When discussing their internal digitization strategies, archivists also expressed concerns that piecemeal digitization could alienate single records from their contexts within larger collections. As PUB16 said, “we try to focus on collections, not individual items, what I call ‘bits and pieces.’ We try to maintain those archival collections and not just parts of collections or certain items that would be of interest to folks” (PUB16). Here, PUB16 expressed his deep understanding of archival concepts, such as *respect des fonds*, and demonstrated his ongoing commitment to faithfully representing archival materials online.

Some archives’ place within the state or territorial government hierarchy strongly influenced their in-house digitization. For PUB10, her archives’ location under the jurisdiction of the state library drove the internal digitization work. She explained, “Well, we’ve been doing a lot of digitization. We are fortunate in the sense that, again, our state library, we have a very strong state library, and they believe in a lot of digital access”. In PUB03’s archives, located in the state Department of Education, the parent organization also affects internal digitization priorities.

We digitize those records that are priorities for us in terms of key constituents who seek online access to information, and probably one of the primary ones we have is teachers. We sit in a state education department... So we have a fairly long history of digitizing things that can be used by teachers in the classroom. (PUB03)

Another paradigm employed by state and territorial archivists was to digitize certain records groups in conjunction with other initiatives. PUB10 explained “we put a lot of our World War II documents [online] to coincide with our exhibit that we have up now out in the lobby”. Other archivists outlined plans for future digitization work in anticipation of some significant historical milestone. In PUB06’s case, one such project centered on World War I records which

were being digitized in time for the centennial anniversary of the United States' entry into the war. She described this as a large-scale, ongoing effort.

We do have a few in-house projects that are larger. We're working on providing metadata for our World War I discharge cards, of all the soldiers from [state]. So, but, then the goal there is to have that ready by 2017, around the time that we're gonna celebrate the 100-year anniversary of the United States entering the war. (PUB06)

The range of internal digitization projects reflects the diversity of the state and territorial archives community. Many of these institutions have maintained long-term digitization projects while continuing to partner with the private sector. Furthermore, they did not view these initiatives as directly in competition, but rather as opportunities to digitize and provide access to as much material as possible. However, this selection process whereby some records are digitized internally while others are left for private partners represents an existential challenge for government archives. Archival materials are at risk of being commodified (Andes, 1988). In this situation, archivists do not set their own digitization priorities but are beholden to the priorities of a private company. This threatens the sanctity of the appraisal process, through which archivists determine what records to bring into the custody of the archives (Pearce-Moses, 2005a). If these decisions are left to be determined by the business needs of private companies, it potentially destabilizes the archival workflow and could have implications beyond these public-private partnerships. For example, records which have little commercial value may be left undigitized until the archives has the financial means to undertake this work. Sometimes, as in the case of a recently digitized series of Texas Senate Recordings (Rinker, 2015), these projects can generate interest and impact highly-used records which are not the focus of public-private partnerships. When the partnership negotiation process and business needs of private companies

supersede archival appraisal and selection for digitization, the public goods status of government archival material begins to erode.

Furthermore, the involvement of the private sector in selection decisions for digitization undermines archives' status as public goods. These materials are managed by the state because our society agrees that they should be maintained as non-excludable and non-rivalrous. While this designation is imperfect and access barriers exist for materials in public archives, the involvement of the private sector and their business model driving the selection of certain records for digitization and inclusion in paid access system represents something deeper than a simple disagreement over the terms of a contract. This tension represents an unspoken conversation about the status of archives as public goods. As public goods, these materials are designated for public sector management, but due to the funding challenges facing state and territorial archives, they have to give up some amount of control over the digitization of their materials in service of their stated goal of ensuring that records are located where people can see and use them.

### **Process**

The internal digitization process at state and territorial archives follows the same basic workflow as the process for records digitized under partnerships, but is usually performed on a smaller scale. Often, a few staff are assigned to digitization and metadata work for these ongoing projects, as was the case in PUB03's archives. She explained, "We have, usually, two people who digitize and then we have staff who do the metadata... But we cannot move anywhere like the speed we can with a project like Ancestry...". This is another example of an archivist drawing a distinction based on scale and capacity between the public and private sector. While PUB03's archives can maintain a modest digitization shop, she acknowledges that it does not

compare to the work of Ancestry.com on many levels. PUB13 made use of his access to a student workforce to support digitization. He focused on the number of staff involved in internal projects, saying “We have a fairly modest digitizing operation. We have four permanent staff and about 20 part-time students”.

PUB09 explained more about the process he follows at his archives for internal digitization projects. He said, “What we've done for many years, is when we target a record series for scanning, we'll make an attempt first to capture imagery off microfilm, if it exists, because it's just much faster and more efficient”. This process reflects the practice of some private partners because it seeks to protect records where possible and speed up scanning because capturing digital images from a microfilm roll is a much quicker process than imaging original documents. This efficiency frees up staff time for more digitization work and prevents unnecessary wear on fragile paper records, although it does not always result in the highest quality scans (Joseph, 2014).

### **Non-Partnered Archives and Scanning**

For archives that are not engaged with the private sector, this type of in-house scanning was the only ongoing work that yields digitized materials for the archives. All of the archivists that I interviewed from states and territories not in partnerships were managing ongoing internal digitization projects. Overall, the approach taken by these archives was best summarized by PUB16, who said “what we are looking at are materials, collections that would be of most value to the types of researchers that come to the archives”. Given that there was not a third-party working to digitize and provide access to records from this archives, institutional priorities focused on collections that were in demand by users and would likely see high levels of use in a digital environment. This approach was broadly shared across state and territorial archives.

Institutions with limited resources for digitization sought to provide access to materials desired by users. PUB15 explained this rationale, “right now what we do, things that we digitize, we digitize selectively for access. And it's been something that we've done for a long time, [our digitization] is really pushed by public use and demand”. The articulation of this priority echoed that of institutions that are engaged in partnerships; however, without the additional financial and technical resources of the private sector non-engaged archives must be even more selective in their scanning. Scarce resources must be used wisely, and spent on collections which will directly benefit the most users.

While PUB07's institution, located in a US Commonwealth, is too small to contain the types of collections that are of greatest interest to the private sector, he reported seeking out grants from the federal government and other sources to fund digitization work. He explained “we get technical assistance grants from time to time, and about one year ago, I think about a year and a half ago, we got one specifically for digitizing newspapers” (PUB07). Here the internal digitization efforts and grant seeking focus on a specific type of material, this time newspapers. Overall, non-engaged archives share similar priorities for internal digitization with partnered institutions.

## **CONCLUSION**

In this chapter, I introduced the two groups of organizations under study in this project, providing an overview of state and territorial engagement with the private sector. I then discussed the various structural factors affecting each of these groups, considering how these might create environments in which a particular state is more likely to engage with the private sector than another. I moved on to discuss the sometimes divergent motivations of each group

and the perception of risk that these organizations bring to the table. Finally, I explained how archives and private sector organizations negotiate, what issues are most important to them, and how these negotiations are inscribed in contract language.

Nearly every state and territorial archives is a potential candidate for a public-private partnership. They all contain unique materials, which is the primary motivator for the private sector to pursue partnerships. While statistical tests of different predicting variables proved inconclusive, my survey data demonstrates that a majority of state and territories have relationships with the private sector. The funding and organizational outlook for public sector archives is not good; therefore, they view partnerships as a way to digitize records when they do not have the financial resources or institutional capacity to do so. Given that so many archives are engaged with the private sector, and that the community is relatively small, they have effectively shared information and negotiated the best agreements they could by emphasizing the singular nature of their collections. The case of HeritageCo demonstrates that while all archives are appealing the eyes of the public sector, not all potential private partners are good candidates from the perspective of state and territorial archivists. This community implicitly understands the value and importance of the materials they manage, and want only to partner with reputable organizations which demonstrate competency and good faith in negotiations.

These findings largely align with the literature I introduced in Chapter 2. In their explanations of their motivations for engaging with the private sector, archivists noted the importance of increasing access to their collections. This reflects the shift towards more open and inclusive access to archival materials (Danielson, 1989). However, unlike in the government information community, archivists did not feel that policy or legislative incentives drove their

engagement with the private sector (Eisenbeis, 1988; Grasso, 2007). Both archivists and private partners recognize their differing goals (Dickinson, 2009; Schaeffer & Loveridge, 2002) but continue to work towards partnerships with which they are both comfortable. In their negotiations, archivists recognize the unique value of their holdings and have learned how to be smarter “buyers” of private sector services (Kettl, 1993).

An understanding of public archives as public goods affects interpretation of the funding challenges and lack of institutional capacity for state and territorial archives which motivate their engagement with the private sector. These materials are public goods (e.g. Kallhoff, 2011, 2014; Murdock, 2011; Serageldin, 1999; Ver Eecke, 1998) and a tension between this theoretical designation and the organizational realities of public sector archival work today lie just beneath the surface in the data. If archives have less funding to conduct their work, they are more likely to consider a public-private partnership despite the fact that these relationships force archivists to give up some amount of control over their holdings.

Despite the divergent motivations, legal climates, and challenges in negotiating contracts, when a state or territorial archives begins talking to a potential private sector partner they are often able to reach an agreement. Once the contract is signed, the real work begins. In the next chapter I outline how ongoing work is managed during these partnerships and the challenges that archives have encountered. I then talk about institutions who are either not engaged with the private sector or those which have ended relationships with one of the major private firms before discussing how these partnerships effect access to archival information.

## CHAPTER 5: PARTNERSHIPS AFTER CONTRACTS

### INTRODUCTION

Once a contract is signed, the work of digitizing records begins. This process can be as varied as the types of records being scanned and indexed and may take place at the archives or offsite at a private facility. In this chapter, I pick up where the last chapter left off: the point at which public-private partnerships are formalized in a legally binding contract approved by both a state or territorial archives and its private sector partner. The chapter begins with a description of the ways in which public and private sector representatives manage ongoing partnership work, from digitization to the creation of metadata. I then describe how the proliferation and effects of partnerships change the ways in which state and territorial archives plan for their future and consider how to fulfill their missions. I then present data showing how and why partnerships end. Finally, I tackle the issue of access and consider how public-private partnerships have changed (and will continue to change) the access landscape for public sector archives.

State and territorial archivists often mentioned access as a primary motivation for entering into public-private partnerships. With the work completed and records available through third-party websites, they still largely felt that partnerships increased access to their collections. Despite the challenges and their expressed concerns about the long-term implications of these partnerships, the community believes that the positives currently outweigh the negatives.

## PARTNERSHIP WORK AND RELATIONSHIP MANAGEMENT

Contracts formalize the work that takes place, in archives and offsite, for months or years after they are signed. The archivists and private employees I spoke with related their experiences managing public-private partnerships and how the daily activities involved in digitizing and providing access to historical records unfold. Results from the survey of state and territorial archivists can be seen in Figure 5.1. A majority of partnerships cover scanning, metadata creation and access provision, but the metadata step is most often omitted.

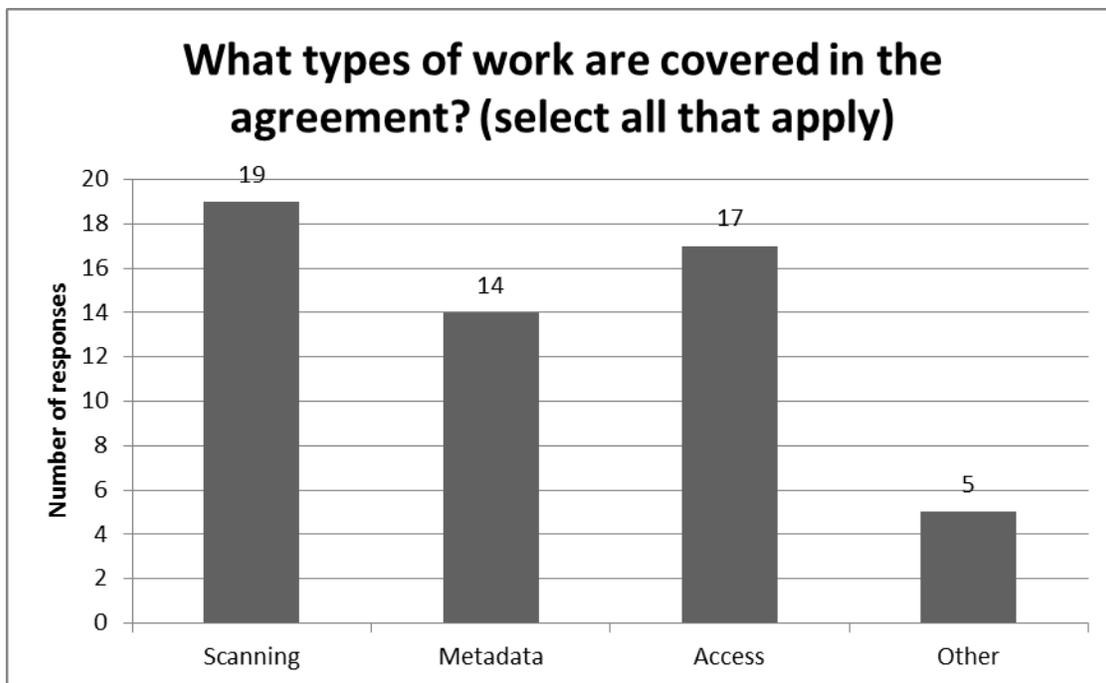


Figure 5.1: Types of Work Covered in Public-Private Partnerships

As I discussed in the last chapter, archivists saw the fragility of their physical records as one of the biggest risks of engaging in partnerships. Archivists perceived that the employees of the private firms do not necessarily have adequate training in document handling and they could put records in danger, especially when transported offsite for scanning. PRI04 made it clear that

his organization took this risk very seriously and planned workflows to ensure the integrity of paper materials.

When we work with an archive, we warrant that we will handle the materials in a particular way. Where there is conservation that's needed, we warrant and guarantee that it will be done in a particular way. And we set up the studio to do this work and we make sure that we adhere to it. It's a matter of really, integrity. (PRI04)

The process in PUB06's institution resonates with that described by PRI04. She detailed the way in which representatives from FamilySearch access and work with archival materials. Even though they have an agreement outlining their operations, they still must comply with the institution's policies.

If FamilySearch has either paid staff or volunteers on-site, they're gonna comply with our access policies. We will physically bring them the records, and they're in a supervised location, that kind of thing. And they're gonna comply with any of our standard staff handling rules. (PUB06)

Archives took other measures to protect their collections. At PUB10's archives, the records scanned by the private partner had already been microfilmed and were scanned from those existing microfilm copies, thereby sparing the originals from unnecessary use. She described this arrangement, making it clear that "Ancestry was strictly a microfilming project. They scanned from our microfilm that we had already created" (PUB10). Still, some materials are so delicate that they cannot be moved out of the archives for scanning, and yet are valuable enough that they spark discussion for potential partnerships. This was the case at PUB11's institution, where a recent partnership included the digitization of Civil War records. He insisted that this work take place onsite and consented to manage third-party employees for the entire eighteen month project. These steps helped ensure that everyone at the archives was comfortable and willing to embrace the partnership project and align with the "digitization for preservation"

community which ascribes value in scanning as a tool to ensure long-term preservation of delicate materials (Astle & Muir, 2002; Conway, 2010).

And then doing our Veterans Burial Cards, which was really fragile and our Civil War muster rolls, that was 18 months here. That worked out real well as well. Their time was kind of accounted for by me, but they obviously reported to someone else at Ancestry. But that worked out real well, too. It made us feel a lot more comfortable. (PUB11)

Depending on the terms of the contract, onsite scanning can be done by private sector employees, volunteers, or archival employees. The use of onsite volunteers characterizes the approach of FamilySearch, who utilizes members of the Mormon Church as a portion of their volunteer team to scan records at institutions across the country. This was the case at PUB01's archives. He explained "we have scanners here, people who are scanning records for FamilySearch" when recounting the work process for this relationship. This also reflects the work in PUB10's institution. She described the process: "we have work space downstairs that they have their cameras set up...we bring them the records each day, and then at the end of the day, we could put back in the vault". Through these workflows, archivists maintain physical control of their collections while allowing private partners to conduct ongoing digitization projects.

Another approach to the work of digitization under partnership agreements is for the private firm to provide technical support but to use human resources from archival institutions. PRI02 summarized this relationship style, saying "they are providing the manpower to run the cameras and we're providing the hardware and software that enables us to digitize those records". In this arrangement, the private firm is able to save on costs by utilizing archival employees and volunteers, while the archives saves in turn by using its human resources instead of making capital investments.

When records did leave the archives for digitization by a private partner, archivists took extra precautions to ensure their safety. PUB08 insisted "paper records had to be done on-site" while PUB10 explained how microfilms are prepared for shipment to an offsite location for scanning.

We ship the film to [partner], the microfilm. So, our imaging shop supervisor would take a couple of boxes at a time to be sent to our offsite vendor to be duplicated...they were then shipped to [partner]. (PUB10)

Private sector companies have a business interest in completing partnership projects in a timely fashion and sticking to the schedule outlined in the agreements with an archives. PRI05 described how regular meetings of the management team helps projects stay on track.

So it's a project team that's made up of their staff, our staff and then most of these projects will have a steering committee and so within the project teams, they're continuing on a weekly basis and then we get reports coming back and then if things are falling behind. (PRI05)

PUB13 provided a public sector perspective on workflow in partnership projects. Below, he explains the process for beginning a project, identifying and shipping microfilms for offsite scanning, and managing the process from the archival perspective.

Most often what has happened is that somebody at a certain level like me in their organization and I say, "Okay. We're done, we'll go ahead with it." They delegate it to a project manager and we delegate it to the librarian or archivist responsible for the material. Now, it's almost always, 80-90% of these things have been from microfilm, so that means the head of our microfilm lab becomes the person who implements the agreement. And on their end, their project manager says, "I've been through your online catalogue, I want these 800 reels." And the microfilm lab manager actually pulls the negatives and makes sure they get shipped or we make positives to send to them or whatever and keeps track of where everything is through the process and then everything gets back to us. (PUB13)

Both sets of organizations are focused on keeping track of the work taking place during a digitization project. The archives needs to ensure that materials are not damaged, misplaced, or

otherwise treated in a way which undermines the archives' legal mandates to preserve them, while the private partner needs to adhere to the contract, meet their legal obligations around records handling, and maintain the completeness of materials so as to turn archival materials into complete digital products. Through strong, joint management practices, partnership work can move forward.

Additional work processes occur after the initial digitization of historical records, whether it happens offsite or at the archives. At PRI06's company, one of the first steps was a quality audit to ensure that digital files meet the standards agreed to in the contract. He explained "There is a very strict process of auditing the records for accuracy and quality, and this is done to a required threshold, or the batches of records are redone until that threshold is met." After passing this audit, item-level metadata was created for the digitized records. PRI06's company referred to this process as indexing and pointed out that it took place both by hand and through automated methods, as needed. "Once images are processed and audited, each record is indexed by hand in the case of manuscripts or hand written documents, or through patented technologies in OCR (optical character recognition) in the case of type-written documents".

In her explanation of the metadata creation process, PRI05 focused on the work required to produce a commercial-quality digitized newspaper collection. She related, "When we get the scans back depending on what the process is, there's indexing of the materials in our historic newspaper projects is actually work that's done where they actually zone [out] articles" (PRI05). Here, the term "zone out" refers to the activity of human workers cropping digital images from the large page scan of the newspaper, creating individual digital objects for each article. This

process is time-consuming but necessary in order to provide consistent access to a historical newspaper that can be accessed via a basic search tool.

Not all archivists are convinced that the metadata created by private sector firms is accurate enough to warrant engaging in a partnership. PUB15, whose archives is not engaged with the private sector but who has had conversations with multiple companies, explained his skepticism of the methods used by these companies to create the detailed metadata that facilitates access in their products. He does not trust the quality of the transcription work, and is not satisfied with the corrections made after the records are available online.

I've never been satisfied with their degree of indexing, they've never really shown me that they can actually get it right. And I think that that's something really needed to have a local [expertise] in order to do because they basically work with pull-down menus in foreign countries and look for things that look similar without any knowledge of the area and the family names in a particular area. And so, I always care about that, I said, "Can you fix this [expletive]? Can I go find this?" And they said they don't. They don't go back. And I don't care how many images, how many records you have, if you can't find it, you don't have it. (PUB15)

PUB10 expressed similar concerns about the metadata created by private partners after scanning records from her state. In this case, she was given a special login by the partner to go into the system and correct metadata errors as needed. She then hired a temporary employee who devoted some time to identifying these errors in digitized records.

The transcription errors were something that we were concerned with, so [partner] has given me a login that as errors are brought to our attention, either ones that we catch or ones that other researchers catch, that I can go in and correct...currently, I have a young lady who's working on a special project that deals with some of the [state] death records. She has sent me at least six emails with probably 30 or 40 corrections each...And as I verify them, I'm going in and I'm changing them. (PUB10)

PUB03 also distrusted the privately-generated metadata for her state's digitized records. She sought assurances from her institution's partner firms about the quality of work and the ability for users to find the records they needed.

It has to meet certain quality standards, quality standard we expect of our own staff. So, we will want to do the data checks on it and we will want to quality control to make sure you are doing a decent enough job. We don't want willy-nilly volunteer indexing, we want to know that is indexed correctly and properly and that [people] are gonna find what they need. (PUB03)

Despite these guarantees and the quality control measures in place, her staff discovered an error upon accessing their records on the third-party access system. The name of the state capital city, where the state archives are located, was misspelled. This issue was fixed and the archives continued its relationship with the firm in question.

Through public-private partnerships, the digitization and creation of metadata for state and territorial archival material takes a number of forms. Private companies mitigate archivists' concerns over the physical well-being of their collections by scanning from microfilm when possible and by conducting work on-site when original records are too delicate to travel. While some archivists remain uncomfortable with the work of private partners, specifically around metadata, most remain committed to finding solutions to make partnerships work. The diversity of workflows and processes across archives is a testament to how far private firms are willing to go in order to gain access to archival materials of interest. However, the partnerships described here involving the large companies are not the only relationships maintained by archives with third parties. In the next section, I introduce another set of partnerships maintained by state and territorial archives with smaller private institutions. These relationships are similar in many ways

to those with larger organizations, but often focus more narrowly on specific materials and allow for more flexibility for the archives.

### **PARTNERSHIPS WITH SMALLER FIRMS?**

In addition to the partnerships with the major private organizations in this space, state and territorial archives described a series of smaller partnerships. These might be with a local university, a company acting as corporate sponsor for digitization work, or non-profit with an interest in the holdings of a given archival institution. The work undertaken as part of these partnerships often focuses on a more narrow set of records, or has a larger goal beyond basic digitization and online access. For PUB03, her institution's location in a former colony means that she holds lots of old records which are of interest to a variety of potential users. A partnership with a research institute enabled the digitization of these records, which are now available on the archives' site.

We have a relationship with...something called the [Research Institute] which is a research group...to study our [state] heritage...They paid for the digitization of a significant number of our early [state] colonial records. And those are up on our website. (PUB03)

Similarly, at PUB04's archives, a foundation with an interest in colonial records from his state has funded a series of digitization projects. Over a period of years, the archives and foundation have built a solid relationship. The archives expects to receive foundation support each year and plans their digitization priorities to align with the foundation's mission. Below, PUB04 explains the basic outline of the arrangement.

It's [the Foundation] that's focusing on genealogical research for records that basically have names of people, earliest settlers of [state]. And, that time period that we're scanning has increased, and currently we're working on a set of records....They're interested in giving away money every year. They work closely with us. (PUB04)

Some archives have used their institutional position to creatively forge smaller partnerships with local groups around certain types of materials. In PUB12's state, that material is local newspapers for which the archives is accepting and creating a timetable for providing access to the public. While this is not strictly a digitization partnership, it does represent the range of relationships entered into by state and territorial archivists in order to increase access to digital materials that users seek.

With newspapers we're trying to acquire the currently produced digital newspaper editions from all or most of the daily and weekly publishers in [state], that's 300 some independent publishers. There is no fee for service involved but we sort of need the diplomatic and political help of the [State] Newspaper Association to promote our project with their member publishers and then we depend on the member publishers to actually transfer files to us on a regular basis and work with the system we have to ingest all these things. There are a lot of questions about access, rights, intellectual property that are gradually being worked out with the newspaper association... (PUB12)

State and territorial archives also use their position to partner with local universities for mutually beneficial projects. For example, PUB06 conducted a joint digitization initiative with her state's flagship public university focusing on map collections. Through their partnership on this project, they were able to reduce duplication of effort and create the best possible collection for use online.

We've done a big project with [state university] by which we've looked at both of our map collections. Both of us have really extensive historical map collections. And where we have the same map, we only scan the better copy. And we've created a joint online map collection of a bunch of historical maps in [state]...it tends to be subject-related, and we like to kind of plan those out. (PUB06)

These more limited or targeted partnerships, undertaken by state and territorial archivists with groups other than the large commercial organizations which dominate the space, underscore the diversity and broad perspective taken by archivists to digitization and digital access. If they are able to negotiate contracts with the large firms, then they move forward with these

partnerships, but they also remain open to any project which they feel will result in increased access to their collections.

### **ORGANIZATIONAL EFFECTS ON ARCHIVES**

Public-private partnerships are not only changing how state and territorial archives digitize and provide access to their digital materials, but also how these institutions engage in strategic planning and consider their upcoming initiatives. As PUB01 aptly summarized, “It [the trend towards digitization partnerships] has totally changed our outlook and direction”. While not every archives conducts regular strategic planning, those that do reported taking partnerships into consideration. In particular, the existence of partnerships affected their selection of materials for in-house digitization and their funding priorities for the future. When calculating estimates for digitization and online access, they took partnerships into account.

For archives that are part of larger organizations, the strategic planning that did occur did not specifically target archival functions or public-private partnerships. As PUB13 explained below, his archives is located within a larger state historical society that conducts both public and non-profit activities. The archives team is small and did not do strategic planning of its own.

The historical society as a whole, which includes a dozen living history museums, and a great historical society museum, and a publishing company, and historic preservation has a strategic plan. There is no subset of that. That is a strategic plan for the library archives division. The challenges in front of us are obvious to all of us, and we have not engaged in a formal strategic planning process for several years. (PUB13)

While this strategy worked for PUB13 operating as a small part of a larger historical society, other states reported more formal planning processes. In PUB03's archives, strategic planning was a regular part of the calendar as a function of state government. The archives’

satisfaction with their partnerships to date has led them to formalize the role of these relationships in their planning documents.

We always do strategic planning...partnerships, relationships are part of how we perceive [the] next several years at least being possible...one of the ways we continue to move things forward is either by grant projects or other kinds of relationships where we partner with people or work collaboratively with people to get work done. (PUB03)

Similarly, for PUB10 the success of public-private partnerships has led to their inclusion in strategic plans in her institution. She explained how the archives planned to use their internal collection management system in conjunction with records digitized through partnerships to promote greater access to their collections. "It was put in there that we were gonna make more records available online, and it was by utilizing Ancestry and FamilySearch and through CONTENTdm. So that was actually a part of how much we were going to [provide] access to the records worldwide." (PUB10)

At some archives, strategic planning must take a backseat to the political realities for institutions located within larger government organizations. In PUB08's state, upcoming elections and the potential for new leadership in the Secretary of State's office which oversees the archives meant that planning could not look very far into the future. Despite some positive partnerships, the archives was not sure of its funding future or what other priorities a new administration might have.

We have not, but I can't stay that, that won't be the case in the future...We have a new administration coming in in January. So for right now, everything is just kind of, is maintenance...Because, I don't know what direction the new administration will wanna go. (PUB08)

The state and territorial archives that are not engaged in public-private partnerships still conducted strategic planning to remain forward-thinking regarding the priorities and financial

future of these institutions. As PUB07 explained, “We do quite a bit of strategic planning, but again it's largely around seeking grant funding sources”. While his archives (located in a US territory) is small and does not have the many of the types of materials most often desired by prospective private partners, he still makes a point of planning and considering the range of funding options available.

Evidence of strategic planning that takes the effects of public-private partnerships into account demonstrates the effects these relationships have had on state and territorial archives. These institutions repeatedly need to make difficult decisions when it comes to digitization. On the one hand, they have been established as government agencies with a public goods-based mandate to preserve archival records regardless of market forces. While the investment in these institutions is local, their benefits extend beyond a single state, as the network of state and territorial archives form a powerful public information environment (Serageldin, 1999). However, the current financial climate has placed them in a position where they are not able to disregard the private sector and must engage in partnerships in order to digitize records at scale. This reality has not been fully articulated across the government archival community, but it has widespread implications. Are archives fulfilling their missions when they cannot provide their own access to holdings online, in accordance with the emergent expectations of users? As archives are more able to articulate both the benefits and threats of partnerships and their expectations for the future, they will continue to be more aware of changes in their relationship with the private sector and be able to respond to issues that may arise by consulting their planning documents. In this dynamic digitization environment, strategic planning can help archives remain focused on their institutional goals and effectively plan for the future.

## CHALLENGES

While public and private sector participants expressed mostly positive feedback on their recent partnerships, they did not discount the challenges that they faced at different stages of these relationships. Archivists described challenges that ranged from the existential to the practical. PUB04 lamented that “when we worked with the other organizations in the past, where it's all their people, so we have very little control”. PUB05 described an issue that arose in his institution’s first project with a private company. He explained, “in the first agreement, they had watermarked all the images. And so that almost scuttled the whole agreement ‘cause we went back and had them redo it without watermarks...we weren't even aware that they did that, and part of that was just a learning process for us”. In this situation, he learned to make future contracts explicit around watermarking and has not encountered this issue since.

As I explained in the last chapter, private companies do a lot of vetting and internal analysis before entering into any partnership with an archives or library. As such, once they commit to moving a relationship forward they want to begin work as soon as possible. PRI04 expressed this view in his discussion of one challenge he experienced on multiple projects. He explained, “the one [challenge] that comes up the most is speed. I like to move really fast, it's a commercial publishing house. When we have an idea, we want to hit the market with it fast, pure and simple” (PRI04). In his experience, archival institutions can take longer than he likes to review and finalize contracts, therefore affecting the ability of his company to develop their intended information product. The perspective of PUB12 speaks to the archival viewpoint on this challenge. He related that his organization has needed to remain committed to their values and ideas about partnerships and has sought to engage in partnerships that allow them to remain true to these ideals. As he explained, his institution does not consider the time it takes to finalize an

agreement into account; rather, the archives tries to keep its principles in mind despite the implication that some potential agreements would pull them away from their goals.

In the case with [company], we have to be very clear about what the values are and the benefits are for us in these partnerships and make sure that we're not opening ourselves... Getting dragged in a direction that we don't wanna go or ending up on the bad end of something that really doesn't contribute to our values and doesn't provide us any significant benefit. (PUB12)

PUB02 worked through legislative and process challenges with this private partners. As he related, a project to digitize probate records resulted in the private firm working with material they were not legally allowed to possess. His institution had to develop a system to identify restricted records and put a process in place to ensure that the private firm did not store the information on their servers or add it to their access system.

Specifically in probate records, there's a lot of guardianships and other things that... Insanity, stuff like that which is we can't disclose in the state. So we work with them to make sure that they don't capture that information, and if they do, that they send it upon request back to us and delete it. (PUB02)

Access challenges affected PUB06's institution, but in a different way than PUB02. She described how her archives has learned to work with patrons coming to the archives seeking paper copies of digitized records they saw on third party websites. A lack of metadata and provenance information in these commercial systems can make locating particular records difficult. PUB06 has had to teach users that the link between private systems and the state archives is not always direct.

We get that occasionally, if people come in and they say, "Oh, I saw this on FamilySearch." Or "I saw this on Ancestry. You've got this record." Well, that might not be a real quick easy lead to that particular record, if they wanna see it. There might be a little bit of a dearth of metadata there, to help me quickly put my hands on it. So it is a little bit of an education for people. (PUB06)

Despite this challenge, she maintained her belief that putting records online through a private sector system increases access overall. Her staff teach the particularly interested patrons more about the digitization and partnership project, while the institution as a whole benefits from the digitization of records to which the archives could not otherwise provide online access.

I would rather see the content available to people and have us educate them on the different ways to get there, than have it not available, because we're not resourced to do these big, huge digitization projects. (PUB06)

One of the most in-depth examples of a challenge came from PUB13. His organization, which has partnered with multiple private firms, recounted an issue he dealt with on one of the first projects he worked on with a partner company. The project encountered numerous obstacles and the two organizations did not part on good terms.

This is one of the first one, might've been 2001 or 2002, something like that. The agreement was, they could use hundreds of reels of our newspaper microfilm and add it to their multi-state newspaper product. They also agreed in the contract to create a website that would be branded to look like ours with just [state] newspapers we had provided that had the same search functionality. And they also agreed to give us copies of all the TIFFs that they scanned from the film. So the project went on, the shipping of microfilm back and forth went on probably for nine months or a year. Some of the film did not come back, some of the film came back damaged. We were not happy. Our microfilm crew even went over, drove out of state to meet with these people and try to rectify that. Then when it was all done, they put up the website, which was not branded to look like us, did not have the functionality of their site, and they refused to work on it to bring it up to the standards they had agreed upon. We then said, "You know, you're not living up to the contract." They said, "Well, I think we should consider this contract ended." And they sent us a bunch of remote, a bunch of hard drives with files on them and we put them away, and a couple of years later we got them out and they weren't TIFFs at all, they were JPEGs and they were useless for our purposes, they were too small. (PUB13)

In this situation, PUB13 and his archives were stuck in a difficult situation. They worked to fix the initial process issue regarding the care of their microfilms but continued to feel that their private partner was not upholding their end of the contract. After terminating the

relationship, they discovered a distressing file format issue that will limit their ability to preserve and provide access to the digitized records in the future. Given the option to partner with other organizations, they have since chosen not to sign a new contract with this particular firm.

These instances of archives and their private partners facing challenges demonstrate how well-intentioned organizations can encounter roadblocks during the course of a relationship. Some described challenges were minor while others extended to nearly the full scope of partnership activities. Others were more existential, such as the challenge described by PUB12 of articulating his archives' organizational values to a private company. This example highlights the implicit understanding of archival records as public goods which was shared broadly by archivists in interviews. When PUB12 is talking about the goals and values of his archives, he is talking about the public faith that he will preserve and provide access to these records which were originally created with public resources for public purposes. He is not completely opposed to partnering with private companies, but needs to ensure that any agreement respects the legally-mandated mission of the archives to act as the steward for public records and to consider the preservation of these records long into the future.

While the challenges related here can serve to balance the largely positive perspectives of both public and private sector organizations, they do not indicate broad ineffectiveness of these partnerships from their participants' perspectives. Rather, they further highlight the importance of planning and open communication between parties with multiple relationships to records: archivists, private partners, and users. Continued conversations involving these groups can mitigate challenges by setting expectations and keeping everyone up to date on progress and access for records.

## ARCHIVAL RELATIONSHIPS WITHIN GOVERNMENT

While the daily work of government archivists and the responsibilities of managing their repositories mirrors that of archival professionals in other settings, the position of archivists as government employees also places them in broader conversations with lawmakers and other government employees around records, privacy, and information access. In particular, a number of state and territorial archivists explained situations in which they stepped in and inserted themselves into conversations about partnerships that were underway between other government agencies and private sector firms.

For PUB14, her archives' engagement with the private sector arose when she learned of negotiations underway between her state's Health Department and a private firm. As she described, she joined the conversation and ensured that the legal recordkeeping mandates of her agency would be upheld in the contract. In the end, the contract was signed with her archives' input, and the incident was an important moment for PUB14, as she learned that she needed to participate in the negotiation process when other state agencies seek out partnerships with the private sector.

Well, for [company], [The Department of] Health was already talking with them. So...it was trying to control what the outcome of that discussion was. Originally, Health was looking for them to get a free ride for scanning and an index, and weren't really looking out for the larger public records objectives that needed to be met as part of that process. (PUB14)

State archivists understand themselves as both archivists and government employees. They have seemingly taken to heart the lessons of public archives scholars of the past who called on the community to inject themselves into all aspects of government and become indispensable (Crittenden, 1945; Eddy, 1948; Renze, 1960). Armed with knowledge about their jurisdiction's legal recordkeeping frameworks, they forge relationships with other agencies and seek to ensure

that they play a lead role in negotiating all public-private partnerships involving records digitization across their government.

## **ACCESS**

Through the process of partnership negotiation, selection of records, digitization, and the creation of metadata, state archivists maintained their focus on the ultimate goal of increasing access to their collections. They seek to use public-private partnerships in ways that can maximize the number of potential users who can view digitized records, while maintaining as much control over their future use as possible. PUB01 summed up this tension with a comment about the copyright status of the archival material that is the focus of partnerships, saying “the public records are not copyright-able...So it's all about access” (PUB01). While laws vary by state, this is a useful heuristic to keep in mind when considering the access systems for these public archival records. Although the individual archives may retain ultimate control and ownership over the original record, the access system which users encounter will greatly affect how they interact with records. Because the private sector employs teams of user experience and product designers, they are able to build functional systems which attract users. Archivists view this access situation in different ways.

PUB03 made the case for viewing partnerships as an access success. She describes the increase in users of digitized materials from her archives and explains how her institution captures these users from a third-party access system for reporting and publicity purposes.

So what it lets us do is push our information out in the most astonishing ways, and in ways we have always... I mean we are really getting high use. This is high use for an archive to say “I get 80,000 hits a day.” And when the stuff first came up, when the first censuses came up, we were getting 200,000 a day. That's just... And they were unique visits, so that's a lot of people and it continues to stay high. And that's just really, really

high-level use for an archive just to be able to claim and so that's why we continue the relationship with them. (PUB03)

At PUB03's institution, online visitors who access digitized materials via internal and partnership websites all constitute users of archival materials. PUB09 expressed a similar thought about partnerships and public access to records, explaining that he assesses potential partnerships against the statutory purpose of the state archives.

I viewed this as an opportunity...with the exclusive goal of fulfilling what is our mandate, and that is the care and preservation of the record and providing the public access to it. And that's what, I think, we need to keep our eye on and measure everything, every relationship against that. (PUB09)

Not all archivists can use access metrics from third-party sites as part of their regular reporting. PUB16, whose archives is not engaged with the private sector but who has had discussions with at least one firm, explained that he could not use Ancestry's usage numbers to justify his own budget requests because these metrics did not reflect an increase in access based on work conducted by government archival employees. This concern over a reduction in state funding was one reason why his institution has not reached an agreement with a private company.

Yeah, and Ancestry, I think, has worked with State Archives to deal with that. And I know when I talked to them in negotiations before, there would be a way where we could get their usage numbers to help us, but in the budgetary world that we live in, we have to show that people are using or benefiting by the materials that we're putting out there, and using the materials in the archives. And when we duplicate this stuff and people go to other websites, we lose the numbers. I hate to say it, but it boils down to numbers a lot of times. (PUB16)

Some private sector firms have taken a more open approach to the development of their access systems. PRI07's company built Application Programming Interfaces (APIs) into their site which allow other developers to access some data and functionality from their site for use in other projects. He explained, "We might do work through our marketing department to make

sure, we build different APIs, now and again, to help developers who want to build products or add on to what we have created”. This organization seeks to place itself at the center of a growing web of digital sites and resources which will ultimately all benefit from the existence of APIs and other ways to aggregate data. While some sites boast vast holdings, gathering all digitized archival records under the control of one company is still only a distant possibility. Allowing others to use and build upon existing systems could increase the overall level of access to these digitized records.

Another technique employed to increase overall access to digitized materials is specific to Ancestry.com. Some states negotiated for the creation of state pages on Ancestry servers. These landing pages provide a means for state residents to access digitized material without paying Ancestry’s subscription fees. Archivists viewed these landing pages as essential to their fulfillment of their mission to provide access to records *to citizens of their state*. While broader access to the public was one key goal, the provision of constituent access in the institution’s home state was considered critical for partnership success. PUB10 was one of three archivists who described how the access to these pages worked.

Part of our MOU for Ancestry at the time, our state archivist was Russ McCabe, and the key to this going through was that Delaware citizens were gonna have free access to this information if we were going to go through with it. So in order for that to happen, Ancestry actually created what’s called the Delaware page. (PUB10)

Ultimately, a majority of the state and territorial archivists I spoke with felt that public-private partnerships increase access and are worth the effort. PUB14 encapsulated this sentiment, relating her thought that “more people have access than who we could ever provide access to”. Despite her occasional frustrations and long-term misgivings, she is comfortable continuing her

current partnerships because she values the increased number of potential users who can access and interact with her archives' materials.

### *EFFECTS ON ACCESS*

Representatives from the private sector as well as state and territorial archivists both expressed their opinions about the future of access and how public-private partnerships will continue to figure in the digitization plans for many archives. While private sector employees related a positive outlook, archivists' answers reveal some of the more deep-seated concerns they hold about partnerships and what these partnerships signal about the sustainability of public archival institutions in a difficult financial climate for state and territorial governments. From uncertainty over long-term control of access to the corporate stability of private partners and the prospects for physical visitors to archival repositories, state and territorial archivists had a number of concerns about how their records would continue to remain accessible into the future. Still, survey results (Figure 5.2) demonstrate that archivists perceive increases in access as a result of their public-private partnerships.

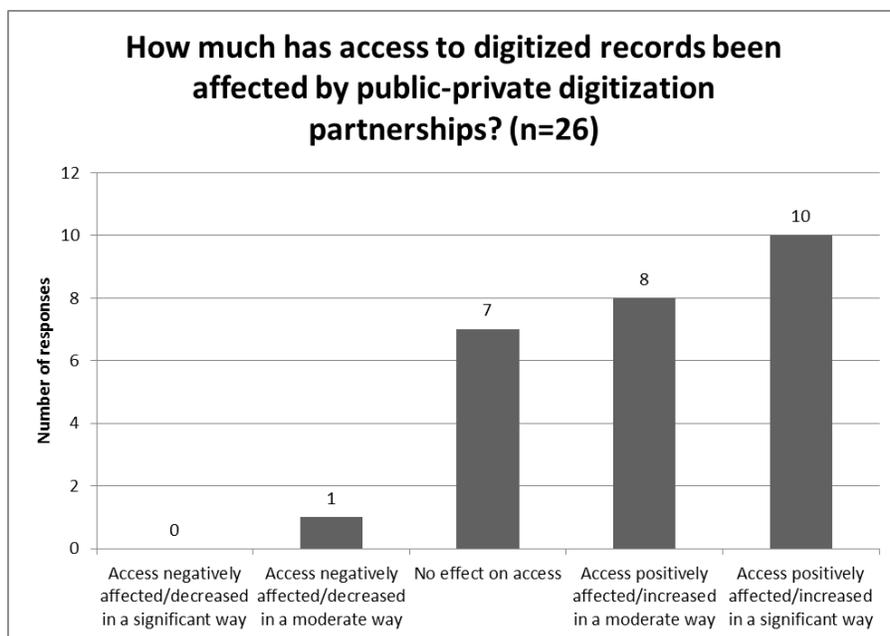


Figure 5.2: Effects of Public-Private Partnerships on Access

The private sector sees opportunity moving forward with public-private partnerships. PRI05 described her colleagues’ feelings, saying “it’s pretty exciting time just from a standpoint that there is so much interest in making this material available digitally”. Her organization feels that public demand for digital access to historical materials will lead to additional partnerships, yielding financial success as well as increased access for users. However, PUB08 expressed a different opinion on the interest shown by the private sector in archival records. She pointed out that only certain types of records are being digitized as part of these partnerships, and the foci of the major private companies does not align with her state archives’ strongest holdings.

Their interest is certainly in genealogical records but the [State] Archives has relatively little in genealogy records....our greatest strength is state agency records and legislative records. So, I don't know of a partner out there that would have a great interest in digitizing those types of records. (PUB08)

Fear of losing control of records was shared by multiple archivists. PUB01 related, “so my opinion, digitization is here. It's happening, it's going on all the time. The question is how do

you make sure it's done right and make sure that you don't, by digitizing everything, put yourself off in the sidelines?" He did not want to compromise his institution's standing by allowing a private company to control the access portal for some highly visible records groups.

At PUB06's institution, her state's public records law limits her ability to control archival materials. She explained, "In our state, that because of our Public Records Law, we just have to give away the whole shop. You ask for it, we've got it in that format, we can give it to you". While this might seem like a startling situation, PUB06 has learned to use the law to her advantage when negotiating with potential partners. Anyone seeking to do business in her state knows that the files they create may one day be requested by a different firm or individual, and the archives will fulfill the request if it is within the parameters of the law. This transparency has not put a damper on partnerships in PUB06's state, but rather has resulted in a series of engagements with multiple private organizations.

PRI06 expressed a very positive perspective on the work his company has done for increasing public access to records. He points out that the partnerships his organization has been involved in have put people in contact with records they otherwise would not have had the opportunity to use.

There is no question that our relationships have opened up (and preserved) millions, even billions of records that otherwise would have been locked up in original books or microfilm that was available to the public, but not truly accessible. Now virtually anyone from anywhere can access and view records relevant to their family history, in an easy to find, convenient manner. It has opened up a whole new world of archival records to the general public. (PRI06)

PUB04's perspective on the benefits of public-private partnerships was more nuanced. He acknowledged the benefits but drew attention to a number of possible negative consequences.

He feared that relinquishing some control of records in the short term would lead to further disenfranchisement in the long term. He also pointed out the difficult knowledge that records digitized under partnerships may end up behind a pay wall, placing them out of reach for some who may not be able to afford a subscription.

I think the states will continue to rely on them [partnerships] out of necessity, because they don't have the funding to do it themselves. I'm very hesitant about proceeding with them. Because, one, it's good if the records are available for use by the public, that's good, that's what we want. But, the same time, if they are getting out of our hands, we lose control of them, we no longer have complete rights to them. Also concerns of... if the private vendor is then using these records to make money... especially, if they're requiring a subscription to get access of records, then we're not helping the public in any way. (PUB04)

These concerns were echoed by PUB07, who expressed reservations about paying for online access. He said, “if that material was moved 100% behind the pay wall, then I think there'd be any number of issues associated with that”. PUB14 added that she did not believe that some of these private companies were going to be around forever. She explained that her archives added language to the contract in question “to the extent that if [company] goes out of business, or if they change some process of that, that basically the [state] can demand a complete duplicate at all times”. The tension between tangible benefits and long-term concerns over public records access surfaces through these discussions of perpetual paywalls and the long-term stability of these private companies. While archivists could see the benefits and necessities of public-private partnerships as the only way to conduct digitization at scale, the possibility of these records existing in a subscription-based service forever made them uncomfortable. Although their efforts during the negotiation phase resulted in the inclusion of protections for future unrestricted use of digitized materials, many unanswered questions remain due to the

relative recency of these agreements. Only time will tell if state and territorial archives are able to build their own access systems and provide free access to their digitized records.

PUB09 voiced a different kind of concern over the possible negative aspects of an increased reliance on third-party access systems. As he related below, his worry stems from the fact that records sometimes change, due to legal or administrative action. If these changes are not propagated out to private access systems, they will quickly become inaccurate and alienate users who discover information that is out-of-date or not trustworthy.

You would think a land record, a deed, that's pretty safe. But we actually had an expungement of a land record a couple years ago. I'd never heard of such a thing, but got a court order to get rid of this land record, and it was fraudulent or something. It was recorded. Well, if somebody downloaded it [from a private access system], they still have it. (PUB09)

Some of the language used by the private sector about the future of partnerships with state and territorial archives reveals the deeper perspective these organizations have regarding their place in this space. PRI06 explained “in the United States it has become viewed as much more common, accepted, and beneficial to public entities in being able to meet goals and objectives with decreasing resources”. In this quote, PRI06 expresses his understanding that the financial difficulties of governments means that they cannot afford to move away from a partnership model for funding records digitization. Without the private sector, the work would proceed far slower.

PUB05 went even further, pinpointing the most expensive part of the process, “the issue is always going to be the cost of indexing... and that's where, it's going to be hard for people to get away from those partnerships. If they want to provide access to materials in that fashion”. In order for users to interact with digitized records in meaningful ways, the records necessitate the

creation of item-level metadata. He feels that the prohibitive cost of this work in particular will force state and territorial archives to continue to rely on partnerships to digitize and provide access to historical records. PUB10 agreed with this sentiment and expressed her disappointment with the fact that her archives had not been given the metadata along with the scanned images from the partner company. She explained, “One of the things we're not too happy with as we cooperate with these projects, is that they give us digital images, but they don't give us the indexing to it. It's not really useful to us”.

The example above again highlights the mismatch between archival ideals in the public sector and reality. Funding from state and territorial governments will not facilitate metadata generation for the volume of records in archival institutions.

## **CONCLUSION**

In this chapter, I have examined the lifecycle of public-private partnerships from the point at which state and territorial archives sign contracts with private sector firms and begin digitization work. I explained how partnership work takes place and what steps archives and private companies take to protect original materials. While state and territorial archivists related a number of challenges and frustrations, they felt that, overall, access to their collections has increased as a result of their partnerships with private sector organizations. I concluded the chapter by exploring effects on access engendered by these partnerships and the concerns expressed by archivists about the long-term consequences of their relationships with the private sector.

The issues which emerged from the data in this chapter speak to the core issues in this dissertation. The challenges archives face during partnership work emerge from the

misalignment of goals between public archives and private companies (Dickinson, 2009; Jensen & Meckling, 1976; Lordan, 2002; P. L. Posner, 2002). While government archives use legal mandates and mission statements to guide their work in the public trust, their private partners are motivated primarily by business models which rely on the delivery of archival content to consumers. These sets of organizations must work to continually remain on the same page and rely on their contract as a literal guide to the work they complete in partnership. The effects on access described by participants build upon the theoretical foundation of this dissertation which argues that archival materials, like other goods which preserve cultural heritage, are public goods (Kallhoff, 2011, 2014; Serageldin, 1999). While archivists feel that they are able to increase access through public-private partnerships, they do not articulate the implications of this trend. As public goods, state and territorial archives have historically benefited from significant investment in physical space to preserve records and in personnel to staff the archives. However, the state has not re-committed to the preservation of these goods as they make the transition from analog to digital, which leaves government archives in a precarious position. If public archives have limited financial resources and are only able to provide meaningful access to their records via third party systems, their status as goods which are protected from the market by public sector support begins to erode (Ver Eecke, 1998).

During these phases of partnership work, archival institutions do not have as much of an ability to alter or change things they are not happy with in a private partner than during earlier stages such as negotiation. Once the contract is signed, both parties are bound to uphold the arrangement. When private companies (deliberately or otherwise) stray from the procedure outlines in the contract, archivists are forced to push back and protect their interests.

In the next chapter, I move beyond the logistics of partnerships and the effects these models have on access to records to consider what the existence of these relationships says about state and territorial government, public archives, and the societal commitment to recordkeeping as a tool to protect citizens. If, as I argued earlier, public archives can be considered public goods, then the pervasiveness of public-private partnerships in this community demands further consideration.

## CHAPTER 6: DISCUSSION AND IMPLICATIONS

In the previous two chapters, I have charted the path of public-private partnerships involving state and territorial archives in the United States. I explained how these partnerships initiated, how partners come together to negotiate different issues around records digitization and access, and considered the effects of these partnerships on archival access. In this final chapter, I consider some of the implications of the public-private partnership and access landscape for state and territorial archives, and return to the theoretical framework from chapter two to unite the concept of public goods with my results on the state of public sector archival access. The major findings of this study are:

- Understanding archives as public goods
- The importance of negotiation in establishing successful partnerships
- Records selection in partnerships and the implications for appraisal
- The role of legislation and policy in structuring and impacting archives' interactions with the private sector
- Alienation of digitized records from their archival homes and loss of provenance information for users

### **PUBLIC ARCHIVES AS PUBLIC GOODS**

In my review of the literature, I argued that public archival materials should be considered public goods, along with other goods, such as infrastructure, national defense, public

education and healthcare. Through this theoretical framework I seek to combine archival and public/merit goods concepts to generate a new understanding of public sector archives. Archival records and government information fit well into definitions of both public and merit goods definition outlined by Musgrave (1959), Ver Eecke (1998, 2007), Kallhoff (2011, 2014) and others. The language of public goods provides a powerful framework to discuss the role and responsibility of government archives in the United States. This conceptualization and rationale for government archival work that is grounded in the theories of public finance and economics provides a powerful argument for public funding for archives and connects government archives to other public goods activity in society, such as education, infrastructure, and healthcare.

Why has the federal government and every state government established and maintained archival and records management programs, some for longer than a century? Archivists have traditionally understood the answer to this question to lie in the essential value and benefit of historical records and the accountability of government; the rhetoric of merit goods allows for a different perspective on the work of public sector recordkeeping. Public and merit goods, which are the goods that are broadly considered worthy of public sector provision (Musgrave, 1959), speak directly to the implicit justifications for government archival work. If archives are public goods, then the reason they are maintained is because our society has determined that they should exist at a certain level, and that this level should be maintained regardless of market forces (Head, 1969). They facilitate transparency and accountability for government, document the lives of citizens, and help government operate more smoothly by housing and preserving archival records from every agency in one location.

Government archives have existed de facto for decades as public goods without major issues. Even the Declaration of Independence points out the value of public records for the functioning of the state. One of the items in the declaration's list of grievances reads "He [King George III] has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures" (US, 1776). Here, the Founders of the United States pointed to the separation of the work of governance from the records of government as evidence of injustice. More recently, the proliferation of public records and freedom of information laws at the federal and state levels re-state, in legal terms, the government's commitment in principle to providing broad access to the public record (National Freedom of Information Coalition, 2012).

Through much of the 20<sup>th</sup> century, funding for government archives in the United States was mostly adequate. This period saw the expansion of the archival workforce and the construction of a series of archival storage facilities to house and enable access by both citizens and government employees (e.g. E. Posner, 1964). This support by government for archives and records management reflected a public goods mindset for archival materials. Funding archival work is an implicit endorsement of the position that government records which have long-term value deserve to be preserved and maintained, regardless of market forces which may or may not value archival materials at any given time. For decades, these organizations functioned based upon this assumption.

Public sector archives today exist in two worlds. Paper records largely remain as public goods, available in reading rooms across the country with minimal access restrictions. Digitized records, on the other hand, function today essentially as private sector (commercial) goods. What

was once a body of government records in each state, a public good, has been reconceived as a private good. Through partnerships, a majority of digitization work that takes place is driven by market forces and the business needs of private sector firms. This reality has implications for multiple concepts central to archival theory. If archives must seek private partners for a majority of their digitization work moving forward, what are the effects on those records which are not sought after by third parties? These records have been accessioned into the archives but languish in paper form and away from the eyes of online users, far less accessible than their digitized peers. This situation also affects our understanding of the appraisal process. Might an archivist avoid retaining potentially valuable records series because they know it the records are not of interest to a private party and they do not think digitization will occur? While this seems unlikely today, if the trajectory of diminishing funding at state and territorial archives continues, it could push archivists to begin asking these types of questions during the accessioning and appraisal processes.

Currently, state and territorial archives pursue partnerships with the private sector to digitize records which would otherwise take years or decades to scan. Due to financial pressure and a lack of support from state governments, they leverage their holdings and formalize relationships with companies to digitize and index government archival materials. As they explained in interviews and through survey responses, these public-private partnerships provide short term benefits to archives and users, but over the long term they may limit archives' ability to continue their independent work. After all the commercially viable records are digitized, where will state and territorial archives turn for support? The private sector has the luxury of moving on from government archives in service of its business interests, but public sector institutions still have legally-mandated missions to fulfill. If state legislatures become

accustomed to public-private partnerships as the main funding model for archival digitization, they may be reluctant to allocate money for this work in the future.

While public-private partnerships have increased archival access for users seeking certain types of records, the future of this work is uncertain. The private sector firms operating in this space have been involved in a number of mergers and acquisitions over the past few years. As they continue to evolve as organizations, they have expanded their products to include new services, such as DNA testing, that do not rely solely on archival materials as a product base. The future business needs of these organizations may or may not include archives, and as such represent an existential unknown for public sector institutions that do not have the institutional capacity to digitize their own materials at scale.

Archival materials are more than commodities that can be leveraged on the market. They are greater than the sum of their parts and, when maintained in the public interest, serve as a foundation for American democratic society. They provide evidence of the lives of individual citizens and document the history of our country from multiple perspectives. The current generation of public-private partnerships focus mostly on genealogical records, whose users (genealogists) have been long viewed as less important to archives than historians and government patrons (Redmann, 1993). However, opening the door to private sector engagement could lead state and territorial archives down an unsustainable path. Through interaction with the market, archival records could become viewed as simply equal to their economic value, which represents a significant shift from the publicly-oriented way in which these materials have traditionally been managed. The continued commodification of archival materials will ultimately

be a loss for society, as we give up full control of our cultural heritage and allow private companies to increasingly provide access to archival records.

Advances in technology have altered the relationship between users and government archival materials. However, public sector financial support for archival functions has not kept pace with changing expectations for online access. As public goods, archival materials have been determined worthy of public sector support, even if that support means breaking consumer preferences and going against what the market would provide. The demands of digitization, digital preservation, and digital access call for a renewed commitment by policymakers to the project of public sector archival administration in the United States. The investments of the early to mid-20<sup>th</sup> century were vital in guaranteeing the preservation of records in the states and territories but the current trend towards access provision through private systems threatens to alienate archival materials from the governments which created them and the citizens who depend on them as instruments of government accountability and bridges to connect with shared cultural heritage and family experience.

### **THE IMPORTANCE OF NEGOTIATION**

My results demonstrated that state and territorial archivists have learned how to negotiate with private sector organizations in order to ensure that they are comfortable with the contracts they sign for digitization projects. Through their ongoing conversations with each other, these archivists have developed a strategy which unites them and yields more positive outcomes for their records and users. After an initial period which saw contracts signed with some difficulty in negotiation and more errors during work process, both groups of organizations remained committed to working together and making the terms of these relationships more equal.

Furthermore, over half of survey respondents indicated that they consulted a guideline document during their negotiations with a private firm, suggesting that they take the negotiation process seriously and use the tools at their disposal to prepare for this process.

The negotiation process highlights the principal-agent problem that archivists must face in their goal to act as effective custodians of government information. They do not share the profit-driven motives of their prospective private partners (Dickinson, 2009), an issue which manifests itself in issues, such as the embargo period and use of third-party generated metadata. Both parties in negotiation need to recognize the structure of the other and seek middle ground which allows both public and private organizations to benefit from public-private partnerships.

Ultimately, state and territorial archivists view their negotiations with the private sector as successful. Over 70% of survey respondents reported feeling that their negotiations with their most recent partner were conducted between organizations on equal terms. Despite past challenges, these archivists feel today that negotiations are conducted in good faith and that they get enough of what they want to be satisfied.

## **RECORDS FOCUS**

The access landscape for digitized archival records is shifting to a place where popular materials with genealogical significance are available through private sector access systems and other digitized materials are available through public sector access systems. This situation represents the fracturing of archival access and the creation of new access barriers for some potential users. Data from interviews, the survey, and contracts all identify similar types of records as the primary focus for partnerships; namely, those types of records with genealogical value such as those documenting birth, death, marriage, and military service. In addition, state

and territorial archivists described partnerships to digitize healthcare-related records, newspapers, and real estate records; other types of records with possible market value. However, other records are left in paper form for digitization by individual archives, leaving them less accessible and in danger of becoming invisible due to a lack of funding for digitization work.

Archivists mentioned photographs, manuscripts, and records for educational uses as some of the priorities in their internal digitization work. These materials do not have the same market appeal as large series of birth records which potentially document many thousands of people and could immediately benefit genealogists, family historians, or other researchers seeking information about individuals from the past. The records which do remain completely under archivists' purview retain their status as merit goods as I discussed earlier. However, the evolution of this situation threatens to further destabilize state and territorial archives because they only have so many records groups which are suitable for third party digitization partnerships.

Once the commercially sought-after records are scanned and available online, the appeal for private companies to continue partnerships diminishes significantly, leaving archives with less control over their records and fewer resources to manage them effectively. The commodification of a subset of public archival records therefore threatens the remaining materials, which lose out in a market-driven competition for resources. As public goods, it is the role of the state (in this case, state and territorial archivists) to manage archival records and seek to preserve and provide access to them. Private sector organizations have goals which sometimes overlap with this public goods mission but which privilege certain categories of archival information. This misalignment of incentives and discussion of which records have commercial

value could be partially addressed through contract terms which might stipulate additional digitization selected by the archives, not the private partner. However, this has not been a widely-adopted tactic.

The situation which has resulted from the increase in public-private partnerships involving public archives in the US is one in which archivists only set the digitization priorities for some of the records in their custody. In some ways, digitization selection mirrors the appraisal process in that the selection of records for digitization influences what is accessible online by users who cannot visit the archives in person. As users across the internet continue to adopt a viewpoint where they expect to be able to access any information they desire electronically, the records which continue to live in archival stacks across the country will cease to exist in the minds of potential users. Beyond the citizens seeking to engage with their cultural heritage or conduct family history research, the records which are affected by this changing selection process include those government records which are preserved by archives for accountability purposes, and whose primary users are government employees, scholars and journalists. For these users,

#### **IMPORTANCE OF LEGISLATION AND POLICY ACTIVITY**

While this dissertation sought to examine archival public-private partnerships and their effects on access to digitized records, the open coding analysis technique which I applied to my interview data allowed for additional themes to emerge from the data. One such emergent finding which has implications for this partnership environment is the importance of public records and privacy laws on how government archives can interact with the private sector. In

interviews, participants from both the public and private sector remarked how laws could enable or inhibit partnerships from forming.

In some states, public records laws required archives to treat all requests for records the same, whether they came from Ancestry.com or an individual citizen conducting a local history project. If the records in question are available and fulfilling the request would not place too much of a burden on the archives, they are legally obligated to comply; if reproduction or the creation of copies is required, the archives are only allowed to price this work at cost and cannot make money from this transaction. This situation manifested itself in situations where private firms sought records on microfilm for digitization. If a given archives has this public records law framework, private companies are not obligated to work with archives and sign contracts that included benefits for archives but in some cases these firms did, going above and beyond the law in order to establish trust and forge a successful partnership. Private sector representatives talked about this as part of their organizational commitments to public service and archival preservation. They recognize that archives are the places where the materials of interest to them reside, and understand that treating these institutions well is likely to benefit them in the long run. Archivists will be more willing to work with private partners whom they think treat them with respect. Archivists indeed view this as a welcome gesture of goodwill and expressed their willingness to work with private companies that they perceive as treating them well. The example of HeritageCo demonstrates how the state and territorial archival community can inhibit access for private firms which they do not perceive as committed to working with archives and creating mutually beneficial relationships.

In addition to public records laws, privacy protection laws also affect archival work in state and territorial governments. The issue of privacy and archival access has been examined previously in the literature (Robbin, 1986; Schwarz, 2005); my study also speaks to the tensions felt by both archivists and private sector firms around privacy and access. State legislatures have passed a series of laws protecting privacy and limiting access to some types of records (birth, death, healthcare records) for varying periods of time. In these states, neither the archives nor the private sector provide access to these materials, even if they want to negotiate a partnership to include access services. Some of these records are of interest to genealogists, who seek out information they desire wherever it may be located (Esterly, 1997). For this reason, private sector firms are interested in obtaining the rights to distribute as many of these records as possible.

Archivists demonstrated that knowledge of these laws and ability to interpret them during initial conversations and negotiations with potential partners. While it might seem as though this skill is an essential part of government archival responsibility, participants suggested that, in their earliest contracts, they did not make as much use of their state and territorial laws as they perhaps could have. One manifestation of poor communication in a partnership was the situation where a private partner company inadvertently scanned records which were protected by privacy laws due to the misidentification of records series for digitization. After this mistake was discovered, the records in question needed to be manually removed from third-party servers and appropriately identified for future digitization according to the parameters set out in the law.

While the ability of state and territorial archivists to make use of records and privacy laws is impressive, these laws can have unintended consequences on archival functions.

Unfunded legislative mandates can create incentives for archives to engage in partnerships rather than plan for internal digitization over longer periods of time, while privacy laws can restrict the ability for archives who wish to partner with the private sector from doing so.

## **RECORDS ACCESS AND PROVENANCE**

Both public sector archivists and private sector employees feel that their partnerships around the digitization of historical records are good for archives and users. Representatives from both of these groups agree that they increase access because many more people can discover and use these records when they are hosted on third-party systems than if they were to remain in analog form in archival stacks. Despite some issues, frustrations, and reservations, public archivists remain committed to public-private partnerships and feel that they are in positions to negotiate beneficial agreements. The clauses that appear in contracts between private firms and public archives grant these institutions latitude in what they will be allowed to do with these records in the future. But a number of open questions persist about these relationships and their effects on the public archival landscape.

State and territorial archivists, as well as their private sector counterparts, preemptively responded to some of the criticism that could be directed at these public-private partnerships. One argument in support of partnerships was the fact that, without these arrangements, there would be minimal digitization of archival materials occurring. With archives' budgets either contracting or remaining flat, the financial means of the private sector enable significant digitization of archival records. Furthermore, participants rightly identified the fact that the largest costs of these projects is not the initial scanning. Rather, the creation of item-level

metadata (referred to as “indexing” by many participants) and continued digital preservation represent the more significant financial commitment.

An additional topic which was addressed during interviews regarded the longer term implications of providing access to public records by private means. Archivists questioned how citizen perspectives on their institutions would change as access paradigms continued their shift towards commercial systems. One state archivist (PUB11) printed informational flyers to explain to patrons about the ongoing partnership work and what types of access they could expect once digitization was complete. Others suggested that the use metrics available through some third-party access systems would not be adequate for their internal reporting purposes, because their governments would only grant their funding requests based on use of systems maintained by the archives themselves.

The emergence of the internet changed expectations for users seeking to access government archival records. Increasingly, they expect to view records online (e.g. Craig, 1998). While under the old model, archivists had the time to develop inclusive access systems that worked for paper records, they do not have the same luxury for digitized materials due to the need for more active approaches to preserve and maintain digital information (e.g. Lavoie & Dempsey, 2004). Multiple private sector firms understand the demand for these records and have developed subscription models and other mechanisms for building a business on the idea of charging for access to a federated portal of digitized archival records. These firms represent the market forces that are increasingly affecting government archival materials. The digitization performed by these firms is the result of a de facto reappraisal process where the desires of the private sector drive digitization priority, rather than a strategy developed by archivists.

When I began this research, I did not anticipate the important implications of this project related to the possible alienation of archival records from their home institutions and the design of access systems that hide provenance. At the end of this study, larger questions about provenance and the alienation of archival records still remain unanswered. Archivists understand provenance to refer to the creator of a record, and view the maintenance of provenance information as fundamental to archival work (Pearce-Moses, 2005b). On third party access systems, archival principles of arrangement and description take a back seat to usability and interface design. The archival origin of a given record may be obscured in the interface, or it may not even be available to the user without additional navigation from the record in question. This development raises serious concerns for the ongoing use of these records in private systems. If users do not understand where the records they are using originated, they may no longer associate archives with these types of materials and instead come to view them as part of private portals. This alienation of public records from public archives would ultimately harm users, as engaging with materials in ways not intended by private systems is unpredictable. To maintain transparency and accountability in government, all users of public archives should know the institutions which created the records they access.

### **A STILL-CHANGING LANDSCAPE**

This dissertation presented a view of state and territorial archives as well as their private sector partners. It represents a moment in time for an environment that continues to see the private sector undergo significant shifts, with multiple companies being bought and sold while others enter the marketplace as new players. This uncertainty could lead to greater consolidation of the companies engaged with state and territorial archives, but could also see some of these organizations cease to exist.

Ancestry.com is still the largest for-profit firm in the private sector genealogical records space. They own a number of related brands which they have acquired in recent years, including Archives.com, Fold3, Newspapers.com, and Find A Grave (Ancestry.com, 2015). Ancestry has itself been the target of corporate acquisitions, most recently being purchased by the European firm Permira for \$1.6 billion in 2012 (Ancestry.com, 2012; Hall, 2012). This corporate volatility suggests that the private sector is very interested in the business opportunities present through public-private partnerships, such as those studied during this dissertation, but also means that some of these companies may not exist or could be under new ownership when current contracts expire. At least one archivist explicitly mentioned this possibility during an interview, indicating that she negotiated for the inclusion of a clause that provided a mechanism for her archives to receive a copy of all digitized materials and associated files if the partner firm ceased to exist.

FamilySearch is currently the largest nonprofit organization in this sector, having been active in this space for over 100 years in its earlier form as the Genealogical Society of Utah. Some archives have been partnered with FamilySearch on microfilming projects dating back decades, and the organization is viewed as a major force in the genealogical community. While there are no indications that the mission or focus of this organization is likely to change in the near future, FamilySearch is continuing to seek out new venues for their large collection of records and other digitized content. In 2014, they signed an agreement with Online Computer and Library Center (OCLC) to make their records discoverable in WorldCat, OCLC's global shared library catalog (Murphy, 2014). This development suggests that FamilySearch's activities may become more integrated with traditional library practices, and could increase their interactions with public sector archives if this affiliation is viewed positively. Overall, this level of change in the private sector is enough to grab the attention of state and territorial archivists. In

the future, the companies currently engaged with public sector archives in the US may not exist; for this reason, it is important for archives to ensure that adequate language is present in contracts to protect their records in private sector custody in the event of an acquisition or other event.

## **POLICY RECOMMENDATIONS**

The results of this dissertation speak directly to the challenges facing state and territorial archives today. As I have argued, these institutions see the value in information sharing and feel that they are able to negotiate more effectively when they coordinate and know the parameters of their peer institutions' contracts. A number of the professional organizations in this space, including the Council of State Archivists, have developed guidelines for members who are considering or are in the process of negotiating agreements with private partners. While these are valuable and useful tools, my findings stress the importance for archival institutions of remembering the uniqueness of their collections and understanding that negotiations may take longer than expected. Beyond some of the specifics of existing guidelines, my data also suggest that archivists should seek to build support for their work and role within state government. The private sector may not always be interested in archival materials but support from within government will be essential to the future of these institutions.

Beyond state and territorial archives, these findings and broad guidelines apply to other institutions that may partner with private companies such as Ancestry.com or ProQuest. For example, academic or public libraries that hold unique records or collections should keep this in mind when faced with financial challenges and the prospect of partnership digitization. Furthermore, these communities should use their professional societies and networks to share

information about what is working and things to look out for in negotiation and partnership work. As my dissertation demonstrates, when institutions communicate and collaborate, all member organizations report satisfaction with contracts. Other groups of cultural heritage institutions could learn from this and leverage their networks to improve their relationships with private companies.

## **FUTURE WORK**

One of the motivations for this dissertation was the lack of existing empirical research on public-private partnerships involving archives. This project has accomplished this goal and provided a comprehensive look at the state of public-private partnerships between state and territorial archives and the private sector. The results are exciting but more work is needed in order to better understand this complex access landscape. In particular, one possible future project would be the administration of the instruments from this dissertation on a local government population, such as all municipal archives in a state. Municipal archives and local recordkeeping came up multiple times during interviews with both public and private sector participants, but no comprehensive study has examined the access situation and prevalence of public-private partnerships in these small, local archives. A project of this type would directly address the limitation of the present study that its results do not reflect the full range of public-private partnerships present across the archival landscape today. The research instruments (interview protocols, survey) developed for this dissertation could be useful tools for investigating additional unstudied populations of archives in the future. Another study which would address a limitation of this project would be a more in-depth case study of one or two institutions engaged in a public-private partnership. The ability to deeply engage with one example of an archives and private company coming together would provide a richer picture of

how the process unfolds in real time, rather than relying more on recollections of participants, as I did in interviews and through the survey.

An emergent finding from this project was the importance of public records laws as tools for state and territorial archivists to martial in their interactions with private sector organizations. A national in-depth study of public records laws was out of scope for this dissertation, but this project was the goal of Bain's (1983) content analysis study of US state archival laws. His work was helpful as I sought to understand the essential components of records legislation, but it is now more than 30 years old. It is time for a follow-up study which examines these laws across the country and considers their possible effects on archival activities, ranging from records retention to public-private partnerships.

Another possibility for future research focuses on the users of third party access systems, such as the portal offered by Ancestry.com. In the past, archival access systems have used *respect des fonds* and provenance as their organizing principles, and through tools such as finding aids have allowed users to gain access to collections with a distinctly archival perspective. The new systems being built online by private sector companies are built on a completely different design philosophy. Portals like Ancestry.com and FamilySearch, place the genealogical user first, making it easy to search across records series by name and place. This presents a potential challenge for historians or other researchers who seek to use private sector archival portals for uses other than those intended by their designers. An interesting research project could focus on these unintended users of online archives portals, examine their workflows and information seeking techniques, as well as their understanding of the sources of those records.

This dissertation took shape in its present form because it explored an under-examined trend affecting archives in the United States. It has been successful in the sense that it yielded data speaking to its intended subject, and exciting because it has opened up additional avenues of research which will continue to increase knowledge about digitization, public sector archives, and archival access in the digital age. It made the case for understanding government archives as public goods, and applied this framework to the recent trend of public-private partnerships in US states and territories. Results point to widespread engagement between government archives and private sector organizations. As these partnerships continue to increase in number, the public goods approach to government archival materials becomes more important. Using this framework, which recognizes the intrinsic and widespread value of public archives, as a tool in negotiation and advocacy can help archivists maintain their holdings into the future, beyond the length of any public-private partnership. By recognizing and addressing the sometimes divergent goals of public archives and their private partners, these two groups of organizations can try to work to their mutual benefit in the short term while not compromising the integrity of state and territorial archival holdings, an important public good.

## APPENDIX 1: PRIVATE SECTOR INTERVIEW INSTRUMENT

1. What is the name of your company?
  - a. Please briefly explain your company's business model, and how PPPs fit in to the strategic plan.
2. Is your institution currently engaged in a partnership with a public organization on a digitization project?
  - a. What about other types of projects?
3. What types of work have been covered by partnerships or other agreements?
  - a. Microfilm
  - b. Scanning/digitization
  - c. Indexing
  - d. Other functions?
4. Describe the process of negotiation for digitization projects.
  - a. What are the characteristics of an archival institution that make it a good candidate for a digitization partnership?
5. Do you feel your negotiations with the public sector organization were/are equitable?
6. What types of records do your initiatives focus on?
  - a. Birth/death, Census, genealogical, marriage, religious, military, newspapers?
7. How are the records digitized by your organization made available online?
  - a. Proprietary access system?
  - b. Source institutional website?
  - c. Consortium site (i.e. Online Archive of California, ArchiveGrid)
8. Is access one of the topics covered in your agreements with public institutions?
  - a. Do you seek access restrictions on digitized records under a partnership (for cost recovery purposes, etc)?
9. What are your organizations motivations for engaging in public-private partnerships?
  - a. Policy incentives
  - b. Market-based incentives?
  - c. Other
10. Who is responsible for the management of active public-private partnerships at your organization?
  - a. How do you ensure that both parties are adhering to the agreement?
11. Overall, are you satisfied with your/your company's experience partnering with the public sector for digitization projects?
12. What is your opinion on the recent trend of public-private partnerships involving archival institutions, for digitization projects?
  - a. How do you think that your partnerships with public sector archives affect the ability for citizens to access digital records?

## APPENDIX 2: PUBLIC SECTOR INTERVIEW INSTRUMENT

*Begin by asking everyone:*

1. In what state archives do you currently work?
2. What is your job title?
3. Is your institution currently engaged in a partnership with a private firm for digitization services?
  - a. What about other types of projects? Are you contracted with vendors in other areas of operation?
4. Has your institution engaged in partnerships in the past? Are you currently in negotiations but not under contract?
5. In what year(s) did you sign the agreement(s)?
6. What organizations had your institution engaged with in any of the ways outlined above?
  - a. Ancestry.com
  - b. FamilySearch
  - c. ProQuest
  - d. Others?
7. What are the lengths of these partnership(s)?

*If participant institution has engaged with the private sector:*

8. What were your institutions motivations for pursuing a partnership?
  - a. Desire to increase access to collections
  - b. Legislative action (i.e. a new law)
  - c. Policy directives
  - d. Desire to increase digitization beyond in-house capability
  - e. Financial pressure
  - f. Other?
9. What types of work have been covered by partnerships or other agreements?
  - a. Scanning
  - b. Metadata
  - c. Online access
  - d. Other functions?

10. Describe the process of negotiation with vendors for digitization projects.
  - a. Did you speak with colleagues at other institutions?
  - b. Are you aware of guidelines for negotiation such as those released by ARL and CoSA?

*Ask for contracts or negotiating documents.*

11. Do you feel your negotiations with the private organization were equitable?
12. What terms did you negotiate with the partner organization, and how would you characterize these negotiations?
  - a. Access systems for digitized records
  - b. Access restrictions
  - c. Digitization standards (e.g., image resolution)
  - d. Digitization workflow (e.g., quality review, document handling, etc.)
  - e. Metadata standards
  - f. Pricing
  - g. Ownership or custody over use files
  - h. Ownership or custody over preservation/master files
  - i. Other (please specify)
13. How do you feel that risk is shared between you and your partner company? What steps have been taken to mitigate risk?
14. Who is responsible for the management of active public-private partnerships at your institution?
  - a. How do you ensure that private companies are adhering to the agreement?
  - b. Is the management plan revisited during the course of the contract?
15. Did your partnership with the private sector affect your ability to provide access in the ways you had before the agreement was signed?
  - a. Are you prevented from manipulating/working with materials covered by private sector contracts?
  - b. How long were/are the access restrictions (if any) in place?
16. How satisfied are you with your partnership(s)?
  - a. Would you recommend that other state archives partner with the same companies?
17. Is your organization engaged in any in-house digitization projects?
  - a. What types of records do these initiatives focus on?
18. What are the access systems in place at your institution?
  - a. Organizational website?
  - b. Consortium site (i.e. Online Archive of California, ArchiveGrid)

*If participant institution HAS NOT engaged with private sector:*

19. Has your institution ever been approached by a private sector firm for a partnership involving digitization?
20. Has your organization engaged in strategic planning that acknowledges the trend of public-private partnerships, even if you are not engaged in them?
  - a. *Ask for copies of strategic planning documents if they speak to these issues*

*End with questions for all participants:*

21. Do you consider your organization to be in a downward, stable, or increasing funding trajectory?
  - a. How do you feel that has impacted the organization around such activities as hiring, short and long term decision-making, strategic planning, grant applications, etc?
22. What is your opinion on the recent trend of public-private partnerships involving archival institutions, for digitization projects?
23. Do you feel that federal or state policies on privatization or negotiation with private companies (i.e. OMB A-76) have an effect on your institution?
  - a. If so, what is that effect?

*Make sure to ask for any relevant documents that came up during the interview (i.e. contracts, strategic plans, and negotiations) if you have not done so already.*

24. Do you have any final comments or questions?

## APPENDIX 3: SURVEY INSTRUMENT

### The Changing Landscape of Digital Access: Public-Private Partnerships and Cultural Heritage

Thank you for your interest in this research project. This page introduces the project and asks for your consent to participate.

*Description of research:* You are invited to be a part of a study exploring public-private partnerships between archival institutions and private companies. We are interested in how partnerships emerge and persist, and how they change the ways in which users obtain access to historical records. This survey will take approximately 15 minutes to complete.

*Confidentiality:* Although there are plans to publish research results, you will not be personally identified in any reports on this study, although your agency may be named. Data from the study will be kept in a secure location. According to my university's Institutional Review Board (IRB), your participation in this study involves no more than minimal risks or discomforts.

*Consent:* Interviewees will get no direct benefits from this research. Your participation in this study is voluntary. Subsequent to your consent, you may refuse to answer specific questions, withdraw from the study at any time, or ask that information be removed from our data set.

If you have questions about this research contact Adam Kriesberg, Doctoral Candidate, University of Michigan, School of Information, 3339C North Quad, 105 S. State Street, Ann Arbor, MI 48109, akriesbe@umich.edu. The University of Michigan Institutional Review Board Health Sciences and Behavioral Sciences has determined that this study is not within the scope of IRB oversight. If you have any questions about your rights as a research participant, please contact the University of Michigan Institutional Review Board Health Sciences and Behavioral Sciences, (734) 936-0933, 540 E. Liberty St., Suite 202 Ann Arbor, MI 48104-2210, irbhsbs@umich.edu. By continuing forward and beginning the survey you will indicate your consent to participate in the study.

In this first set of questions, we ask about your institution's engagement with the private sector.

In which state or territorial archives do you currently work?

What is your job title? \_\_\_\_\_

Has your institution ever engaged in discussions with a private-sector firm regarding a digitization partnership?

- No (1)
- Yes (If so, how recently?) (2) \_\_\_\_\_

Please indicate all the private sector organizations with which your institution has had discussions about a partnership for digitization. (Select all that apply)

- Ancestry.com (1)
- FamilySearch (2)
- ProQuest (3)
- Other (please list all other organizations) (4) \_\_\_\_\_
- None (5)

Did your institution enter into a partnership with any of these companies? (Select all that apply)

- Ancestry.com (1)
- FamilySearch (2)
- ProQuest (3)
- Other (please list all other companies) (4) \_\_\_\_\_
- None (5)

Is at least one of these partnerships active or have the terms ended?

- Active (1)
- Term ended (2)

For this set of questions, please refer to your institution's most recent agreement with a private sector organization.

Your institution's most current agreement is with:

- Ancestry.com (1)
- FamilySearch (2)
- ProQuest (3)
- Other (please specify) (4) \_\_\_\_\_

In what year did your institution sign this agreement? \_\_\_\_\_

What were your institution's motivations for pursuing this partnership? (select all that apply)

- Desire to increase access to collections (1)
- Legislative action (i.e. passage of a new law) (2)
- Policy directives (6)
- Desire to increase digitization beyond in-house capability (3)
- Financial pressure on your institution (4)
- Other (please specify) (5) \_\_\_\_\_

What is the length of the partnership?

- 4 years or less (1)
- 5 years (2)
- 6 or more years (3)
- Other (please specify) (4) \_\_\_\_\_

What types of work are covered in the agreement? (select all that apply)

- Scanning (1)
- Metadata (2)
- Online access (3)
- Other (please specify) (4) \_\_\_\_\_

What types of records are covered under the agreement? (select all that apply)

- Demographic records (i.e. birth, death, marriage) (1)
- Military records (2)
- Newspapers or other periodicals (3)
- Manuscript collections (4)
- Other (please specify) (5) \_\_\_\_\_

Did your institution sign a non-disclosure agreement during negotiations with this private-sector organization?

- Yes (1)
- No (2)

To what degree did you feel your institution negotiated with your private sector partner?

- Little or no negotiation (1)
- Some negotiation but on unequal terms (2)
- Negotiation with some degree of equity between organizations (3)
- Negotiation as two equal organizations (4)

For each of the following issues, please indicate the choice that most appropriately describes your negotiation with the partner organization:

	Partner entirely dictated terms (1)	Partner somewhat dictated terms (2)	Equal negotiations (3)	My institution somewhat dictated terms (4)	My institution entirely dictated terms (5)
Access systems for digitized records (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Access restrictions (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Digitization standards (e.g., image resolution) (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Digitization workflow (e.g., quality review, document handling, etc.) (9)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Metadata standards (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Pricing (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ownership or custody over use files (14)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ownership or custody over preservation/master files (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify) (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

How equitable was the risk shared in the partnership? (By risk, we mean uncertainties such as those arising from unexpected costs or scheduling issues, copyright concerns, or unclear management responsibilities)

- All risk assumed by partner (1)
- Most of risk assumed by partner (2)
- Risk shared equally between my institution and partner (3)
- Most of risk assumed by my institution (4)
- All risk assumed by my institution (5)

What was the most significant risk of entering into this partnership for your institution? \_

What steps has your institution taken to reduce the risks? \_\_\_\_\_

How satisfied are you with the partnership?

- Very Dissatisfied (1)
- Dissatisfied (2)
- Neither satisfied nor dissatisfied (3)
- Satisfied (4)
- Very Satisfied (5)

Would you enter into another partnership with the same private sector organization?

- Yes (1)
- No (If so, why not?) (2) \_\_\_\_\_

Would you recommend to other state archives that they enter into a partnership agreement with the same private sector partner?

- Yes (1)
- No (2)

Why or why not?

---Answer these questions if your organization is NOT CURRENTLY engaged in a partnership but has been in contract in the past -----

For this set of questions, please refer to your institution's most recently ended agreement with a private sector organization.

Your institution's most recent agreement was with:

- Ancestry.com (1)
- FamilySearch (2)
- ProQuest (3)
- Other (please list all other organizations) (4) \_\_\_\_\_

In what year did your institution sign this agreement?

\_\_\_\_\_

What were your institution's motivations for pursuing this partnership? (select all that apply)

- Desire to increase access to collections (1)
- Legislative action (i.e. passage of a new law) (2)
- Policy directives (6)
- Desire to increase digitization beyond in-house capability (3)
- Financial pressure on your institution (4)
- Other (please specify) (5) \_\_\_\_\_

What was the length of the partnership?

- 4 years or less (1)
- 5 years (2)
- 6 or more years (3)
- Other (please specify) (4) \_\_\_\_\_

What types of work were covered in the agreement? (select all that apply)

- Scanning (1)
- Metadata (2)
- Online access (3)
- Other (please specify) (4) \_\_\_\_\_

What types of records were covered under the agreement? (select all that apply)

- Demographic records (i.e. birth, death, marriage) (1)
- Military records (2)
- Newspapers or other periodicals (3)
- Manuscript collections (4)
- Other (please specify) (5) \_\_\_\_\_

Did your institution sign a non-disclosure agreement during negotiations with this private-sector organization?

- Yes (1)
- No (2)

To what degree did you feel your institution negotiated with your private sector partner?

- Little or no negotiation (1)
- Some negotiation but on unequal terms (2)
- Negotiation with some degree of equity between organizations (3)
- Negotiation as two equal organizations (4)

For each of the following issues, please indicate the choice that most appropriately describes your negotiation with the partner organization:

	Partner entirely dictated terms (1)	Partner somewhat dictated terms (2)	Equal negotiations (3)	My institution somewhat dictated terms (4)	My institution entirely dictated terms (5)
Access systems for digitized records (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Access restrictions (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Digitization standards (e.g., image resolution) (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Digitization workflow (e.g., quality review, document handling, etc.) (9)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Metadata standards (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Pricing (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ownership or custody over use files (14)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ownership or custody over preservation/master files (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify) (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

How equitable was the risk shared in the partnership? (By risk, we mean uncertainties such as those arising from unexpected costs or scheduling issues, copyright concerns, or unclear management responsibilities)

- All risk assumed by partner (1)
- Most of risk assumed by partner (2)
- Risk shared equally between my institution and partner (3)
- Most of risk assumed by my institution (4)
- All risk assumed by my institution (5)

What was the most significant risk in entering into this partnership for your institution?

What steps did your institution take to reduce the risks?

What is the most important reason that the partnership came to an end?

How satisfied were you with your partnership with this organization?

- Very Dissatisfied (1)
- Dissatisfied (2)
- Neither satisfied nor dissatisfied (3)
- Satisfied (4)
- Very Satisfied (5)

Would you enter into another partnership with the same private sector organization?

- Yes (1)
- No (If so, why not?) (2) \_\_\_\_\_

Would you recommend to other state archives that they enter into a partnership agreement with the same private sector partner?

- Yes (1)
- No (2)

Why or why not? \_\_\_\_\_

This final page of questions asks you to consider your attitude toward public-private partnerships and digitization in general (i.e. these questions are not about your specific institution).

How much has access to digitized records been affected by public-private digitization partnerships?

- Access negatively affected/decreased in a significant way (1)
- Access negatively affected/decreased in a moderate way (2)
- No effect on access (3)
- Access positively affected/increased in a moderate way (4)
- Access positively affected/increased in a significant way (5)

Are you familiar with any of the guidelines and negotiation resources for public-private partnerships, such as those published by the Association of Research Libraries (ARL) or the Council of State Archivists (CoSA)?

- ARL (1)
- COSA (2)
- Both (3)
- Neither (4)

When your institution has negotiated with private sector organizations what resources (people, organizations, guidelines) did you use?

---

Do you have any additional comments?

## APPENDIX 4: SURVEY RECRUITMENT EMAIL

Subject: University of Michigan Dissertation Survey: Public-Private Partnerships

Dear CoSA member,

My name is Adam Kriesberg, and I am a Doctoral Candidate at the University of Michigan School of Information. My dissertation focuses on public-private partnerships for digitization and access projects between state and territorial archival institutions, and private sector organizations. I am seeking to understand how these partnerships emerge and persist, and how they change the ways in which users access historical records.

You are receiving this email because I have partnered with the Council of State Archivists to conduct a survey of employees at state archives to assess the engagement of your institutions with the private sector. Your participation will contribute to a larger study which draws together data from this survey, historical data collected by CoSA in past years, and two sets of interviews: one with employees of private sector firms and one with state archival employees.

In the survey, we ask a series of questions regarding your organization's current and past partnerships with private sector firms on digitization projects. Archivists from every state are invited to participate regardless of their institution's level of engagement with the private sector. If you have received this invitation but are not the best person at your organization to answer it, please forward this email to the appropriate person. One response per state archival institution is appreciated.

Participation in the survey is voluntary. We request that you complete the survey by May 7, 2014 to facilitate our subsequent analysis. We expect the survey to take approximately 15 minutes to complete.

The survey is located at [URL].

If you have any questions, please do not hesitate to contact me at [akriesbe@umich.edu](mailto:akriesbe@umich.edu).

Thank you in advance for your time and consideration.

Best,

Adam Kriesberg

## APPENDIX 5: INTERVIEW DATA ANALYSIS CODESET

Code	Definition
<b>Access</b>	General code for access.
<b>Access: Alternate access models</b>	When participant mentions access models beyond institutional website or third party (i.e. Ancestry) access system.
<b>Access: Effects on access</b>	Use this when participants talk about how various projects and initiatives affect acces (positive or negative effects).
<b>Access: Open access</b>	For when participants explicitly mention open access to records, in a broad sense. Not limited to the official definition of Open Access
<b>Advocacy</b>	Use when participant talks about loca or natioanl advocacy effort by archives to raise awareness and the profile of their institutions.
<b>Business models</b>	Discussion of the different business models for archival digitization across public and private organizations. This can be used as an "other" category to capture arrangements such as archive affiliated foundations for a particular state or other smaller partnership-type relationships.
<b>Challenges</b>	Use when respondent discusses a particular challenge they encountered while engaging (or not) with partner organizations.
<b>Confidentiality/privacy</b>	Use in the context of access to records (i.e. timeframes for opening up birth/death records). How archives and partners deal with legal restrictions on access to certain records.
<b>Contracts</b>	Use when participants refer specifically to terms in a contract or agreement. Not necessarily a verbatim quote from a contract, can be part of a broader discussion that references contract terms.
<b>Digitization</b>	General code for digitization
<b>Digitization: External</b>	Use this code for records which are/were digitized under PPPs. Can include selection/choices of which records to digitize as part of a partnership. This code refers to where the funding for a digitization project comes from.
<b>Digitization: Internal</b>	Use to code for types of records which archives are digitizing in-house. Can include selection/choices of which records to digitize as part of a partnership. This code refers to where the funding for a digitization project comes from.

<b>Equity</b>	Discussions of fairness and equity in dealings between public archives and private companies. Could refer to one organization having leverage in negotiations.
<b>Errors</b>	Anytime a participant mentions errors in the digitization process. This could be general (i.e. "there are not too many errors") or specific (i.e. "one error/mistake that had major implications was..."). Errors may cover indexing, image quality, access restrictions, etc.
<b>Funding</b>	General code for funding.
<b>Funding: agencies</b>	Use when participants discuss funding for their institutions or peer archives, public/non-profit funding agencies, foundations, grants, etc.
<b>Funding: Revenue streams</b>	Discussion of ways in which archives can monetize records (i.e. royalties, duplication fees)
<b>History of partnerships</b>	Discussion of past partnerships, completed projects.
<b>History of partnerships: Lessons learned</b>	What an organization has learned over the years of engaging in PPPs.
<b>Identification of partner</b>	What companies/archives are looking for in a partner for digitization projects (org. factors, content, etc)
<b>Impact of digital technology</b>	Use for any discussion of the change brought about by digital technology.
<b>Implications</b>	Use when participants talk about the implications of PPPs on archives. This might include discussion of long-term ownership of records, potential pitfalls from partnerships, future challenges or opportunities.
<b>Information Sharing</b>	Participants (archivists) sharing information about partnerships among themselves, via email listserv, Basecamp site or other means.
<b>Institutional Capacity</b>	Use when participant talks about their organization/institution's ability or lack of capacity to accomplish a given goal. For example, an archives might not have the capacity to digitize records at the rate of a private firm.
<b>Legal Issues</b>	General code for discussion involving legal issues/lawyer involvement.
<b>Legal issues: Partnerships</b>	When participant mentions lawyers and or/legal issues in a partnership.
<b>Legislation</b>	Legislation affecting archives and/or the ability for archives to engage in PPPs.
<b>Metadata</b>	When participants discuss the creation of metadata during digitization projects.
<b>Microfilm</b>	When participant discusses microfilm projects (past or present).

<b>Motivations</b>	Use when respondent is listing or discussing their archives' motivation(s) for engaging with a partner.
<b>Negotiation</b>	Use when respondent is talking about negotiations with a potential partner.
<b>Partnerships in state government</b>	Use when participants talk about PPPs in other areas of state government (i.e. health organizations, vital records) and how that affects archival work, potentially around concerns over proprietary information systems and their challenges.
<b>Preservation</b>	General preservation code
<b>Preservation: Internal</b>	When participant talks about preservation issues related to internal digitization.
<b>Preservation: Third party</b>	When participant talks about preservation issues related to their partnerships
<b>Private Companies</b>	Names of private companies that have engaged with public archives. Include companies here that did not reach agreements with state archives if they are explicitly named.
<b>Records Discovery</b>	How hard or easy it might be for a user to find a given record (i.e. is a record more discoverable on Ancestry.com?). Use when a participant talks about how a user might search for a record.
<b>Relationship to government</b>	Use when participant talks about how the archives relates to the rest of state government (i.e. advocacy for funding, advising on electronic records policy)
<b>Risk</b>	Use for any discussion of risk (i.e. risk borne by archives or private company)
<b>Satisfaction</b>	Use when participants explain if they are satisfied with their partnerships.
<b>Scheduling/timeframes</b>	Discussions of project timeframes. Some contracts are time-bound while others focus on a specific project or records series with no specific timeline. Use also when timeframes come up as part of negotiations.
<b>Strategic Planning</b>	Use when participants talk about how they incorporate PPPs or thinking about digitization funding into strategic planning activities.
<b>Sustainability</b>	Primarily for use when archivists are talking about the sustainability of their institutions.

## REFERENCES

- About NHPRC. (2013). [US government website]. Retrieved from <http://www.archives.gov/nhprc/about/>
- Ancestry.com. (2012, December 28). *Permira Funds Complete Acquisition of Ancestry.com*. Press Release, New York and Provo, UT. Retrieved from <http://ir.ancestry.com/releasedetail.cfm?ReleaseID=730613>
- Ancestry.com. (2015). Properties. Retrieved January 2, 2015, from <http://corporate.ancestry.com/about-ancestry/company-info/properties/>
- Ancestry.com LLC. (2014a). About Ancestry. Retrieved from <http://corporate.ancestry.com/about-ancestry/>
- Ancestry.com LLC. (2014b). Company History. Retrieved from <http://corporate.ancestry.com/about-ancestry/company-info/company-history/>
- Andes, N. (1988). The commodification of government information: A summary and analysis of the Reagan administration's restrictions on federal information. *Government Publications Review*, 15(5), 451–461. doi:10.1016/0277-9390(88)90109-4
- Andreoni, J. (1988). Privately Provided Public Goods In A Large Economy - The Limits Of Altruism. *Journal of Public Economics*, 35, 57–73.
- ARMA International. (2013). All About ARMA International. Retrieved June 9, 2013, from <http://www.arma.org/r2/who-we-are>

- Association of Research Libraries. (2010, June). Principles to Guide Vendor/Publisher Relations in Large-Scale Digitization Projects of Special Collections Materials. Retrieved from [http://www.arl.org/storage/documents/publications/principles\\_large\\_scale\\_digitization.pdf](http://www.arl.org/storage/documents/publications/principles_large_scale_digitization.pdf)
- Astle, P. J., & Muir, A. (2002). Digitization and preservation in public libraries and archives. *Journal of Librarianship and Information Science*, 34(2), 67–79.  
doi:10.1177/096100060203400202
- Bain, G. (1983). State Archival Law: A Content Analysis. *American Archivist*, 46(2), 158–174.
- Baker, K. (1997). The business of government and the future of government archives. *American Archivist*, 60(2), 234–252.
- Baker, N. (2001). *Double Fold: libraries and the assault on paper* (1st ed). New York: Random House.
- Bardach, E. (1998). *Getting agencies to work together: the practice and theory of managerial craftsmanship*. Washington, D.C: Brookings Institution Press.
- Benson, E. E. (2008). The National Archives and Private Partnerships: A New Trend for the Digital Age? *DttP: Documents to the People*, 36(4), 29–32.
- Bergman, M. M. (Ed.). (2008). *Advances in mixed methods research: theories and applications*. Los Angeles ; London: SAGE.
- Bergquist, W. H. (1995). *Building strategic relationships: how to extend your organization's reach through partnerships, alliances, and joint ventures* (1st ed). San Francisco, Calif: Jossey-Bass Publishers.
- Bernard, H. R. (2000). *Social research methods: qualitative and quantitative approaches*. Thousand Oaks, Calif: Sage Publications.

- Bishoff, L., & Allen, N. (2004). *Business Planning for Cultural Heritage Institutions* (No. 124) (p. 64). Washington, D.C.: Council on Library and Information Resources. Retrieved from <http://www.clir.org/pubs/abstract/reports/pub124>
- Boudreau, M.-C., Gefen, D., & Straub, D. W. (2001). Validation in Information Systems Research: A State-of-the-Art Assessment. *MIS Quarterly*, 25(1), 1–16.
- Bray, P., Chan, S., Dalton, J., Dietrich, D., Kapsalis, E., Springer, M., & Zinkham, H. (2011). Rethinking Evaluation Metrics in Light of Flickr Commons. In J. Trant & D. Bearman (Eds.), *Museums and the Web 2011: Proceedings*. Philadelphia, PA USA: Toronto: Archives & Museum Informatics. Retrieved from [http://www.museumsandtheweb.com/mw2011/papers/rethinking\\_evaluation\\_metrics\\_in\\_light\\_of\\_flic](http://www.museumsandtheweb.com/mw2011/papers/rethinking_evaluation_metrics_in_light_of_flic)
- Brown, C. C. (2011). Knowing Where They Went: Six Years of Online Access Statistics via the Online Catalog for Federal Government Information. *College & Research Libraries*, 72(1), 43–61.
- Bryan, M. (1956). Recent State Archival Legislation. *American Archivist*, 19(1), 63–67.
- Burkert, H. (2004). The Mechanics of Public Sector Information. In H. Burkert & G. Aichholzer (Eds.), *Public Sector Information in the Digital Age* (pp. 3–22). Northampton, MA: Edward Elgar.
- Campanellie, J. E. (1987). Microfilming and Distribution of SEC Financial Data. *Microform & Imaging Review*, 16(4). doi:10.1515/mfir.1987.16.4.304
- Castells, M. (2000). *The rise of the network society* (2nd ed). Oxford ; Malden, Mass: Blackwell Publishers.

- Converse, J. M., & Presser, S. (1986). *Survey questions: handcrafting the standardized questionnaire*. Beverly Hills: Sage Publications.
- Conway, P. (2010). Preservation in the Age of Google: Digitization, Digital Preservation, and Dilemmas. *The Library Quarterly*, 80(1), 61–79. doi:10.1086/648463
- Council of State Archivists. (2007a). *Report of the Blue Ribbon Panel: a supplement to The State of State Records a status report on State Archives and Records Management Programs in the United States*. Council of State Archivists. Retrieved from <http://www.statearchivists.org/reports/2007-ARMreport>
- Council of State Archivists. (2007b). *The State of State Records: A Status Report on State Archives and Records Management Programs in the United States* (p. 186). Iowa City, IA: Council of State Archivists. Retrieved from <http://www.statearchivists.org/reports/2007-ARMreport/StateARMs-2006rpt-final.pdf>
- Council of State Archivists. (2013a). *The Importance of State Archives: Documenting Government, Promoting History, Securing Rights*. Council of State Archivists. Retrieved from <http://www.statearchivists.org/reports/Importance%20of%20State%20Archives.pdf>
- Council of State Archivists. (2013b). *The State of State Records 2013 Edition. Part 1: Overview and Commentary, plus Survey Forms*. Council of State Archivists. Retrieved from [http://www.statearchivists.org/reports/2012\\_CoSA\\_ARM\\_Survey\\_Report\\_07-30-2013\\_Narrative\\_final\\_draft.pdf](http://www.statearchivists.org/reports/2012_CoSA_ARM_Survey_Report_07-30-2013_Narrative_final_draft.pdf)
- Council of State Archivists. (2013c). *The State of State Records 2013 Edition. Part 2: Tables*. Council of State Archivists. Retrieved from [http://www.statearchivists.org/reports/2012\\_CoSA\\_ARM\\_Survey\\_Report\\_07-30-2013\\_Tables\\_final\\_draft.pdf](http://www.statearchivists.org/reports/2012_CoSA_ARM_Survey_Report_07-30-2013_Tables_final_draft.pdf)

- Council of State Archivists Task Force on Online Content Providers. (2007, April). Statement on Digital Access Partnerships. Retrieved from <http://www.statearchivists.org/issues/ocp/>
- Cowen, T. (2008). Public Goods. In *The Concise Encyclopedia of Economics*. Retrieved from <http://www.econlib.org/library/Enc/PublicGoods.html>
- Cox, H. (1969). Publication of Manuscripts: Devaluation or Enhancement? *American Archivist*, 32(1), 25–32.
- Cox, R. J. (1997). Messrs. Washington, Jefferson, and Gates: Quarrelling About the Preservation of the Documentary Heritage of the United States. *First Monday*, 2(8). Retrieved from <http://firstmonday.org/ojs/index.php/fm/article/view/543>
- Cox, R. J. (1998). Access in the digital information age and the archival mission: The United States. *Journal of the Society of Archivists*, 19(1), 25–40.  
doi:10.1080/00379819809514420
- Cox, R. J., & Archives Students, T. (2007). Machines in the archives: Technology and the coming transformation of archival reference. *First Monday*, 12(11). Retrieved from <http://firstmonday.org/htbin/cgiwrap/bin/ojs/index.php/fm/article/view/2029/1894>
- Cox, R. J., & Wallace, D. A. (Eds.). (2002). *Archives and the public good: accountability and records in modern society*. Westport, Conn: Quorum Books.
- Craig, B. (1998). Old Myths in New Clothes: Expectations of Archives Users. *Archivaria*, 45.  
Retrieved from <http://journals.sfu.ca/archivar/index.php/archivaria/article/view/12228/13251>
- Creswell, J. W. (2009). *Research design: qualitative, quantitative, and mixed method approaches*. Thousand Oaks, Calif.: Sage Publications.

- Crittenden, C. (1945). The State Archivist Looks to The Future. *American Archivist*, 8(3), 185–193.
- Danielson, E. S. (1989). The Ethics of Access. *The American Archivist*, 52(1), 52–62.  
doi:10.2307/40293312
- Davis, B., & Baxandall, P. (2014). *Following the Money 2014: How the 50 States Rate in Providing Online Access to Government Spending Data*. U.S. PIRG Education Fund.  
Retrieved from  
[http://uspirg.org/sites/pirg/files/reports/Following%20the%20Money%20vUS%20v2\\_0.pdf](http://uspirg.org/sites/pirg/files/reports/Following%20the%20Money%20vUS%20v2_0.pdf)
- Detlefsen, E. (1984). User costs: Information as a social good vs. information as a commodity. *Government Publications Review*, 11(5), 385–394. doi:10.1016/0277-9390(84)90053-0
- De Valinger, L. (1948). The Place of County Records in the State Archival System. *American Archivist*, 11(1), 37–41.
- Diamond, L. (2013, March 13). Georgia Archives transfer to University System one step closer. *Atlanta Journal Constitution*. Retrieved from <http://www.ajc.com/news/news/state-regional-govt-politics/georgia-archives-transfer-to-university-system-one/nWq56/>
- Dickinson, L. (2009). Public Values/Private Contract. In J. Freeman & M. Minow (Eds.), *Government by Contract: Outsourcing and American Democracy* (pp. 334–359). Cambridge, MA: Harvard University Press.
- Dobbin, F., Sutton, J. R., Meyer, J. W., & Scott, W. R. (1994). Equal Opportunity Law and the Construction of Internal Labor Markets. In W. R. Scott & J. W. Meyer (Eds.), *Institutional environments and organizations: structural complexity and individualism*. Thousand Oaks, Calif: SAGE Publications.

- Donahue, J. D. (1989). *The privatization decision: public ends, private means*. New York: Basic Books.
- Duff, W., Yakel, E., Tibbo, H., Cherry, J., McKay, A., Krause, M., & Sheffield, R. (2010). The Development, Testing, and Evaluation of the Archival Metrics Toolkits. *American Archivist*, 73(2), 569–599.
- Easterby, J. H. (1952). The Archives of South Carolina. *American Archivist*, 15(3), 241–247.
- Eddy, H. (1948). The Responsibility of the State Archivist to the Other Officers of His State Government. *American Archivist*, 11(1), 28–35.
- Eisenbeis, K. (1988). An NTIS case study: A skirmish in the privatization wars. *Government Publications Review*, 15(4), 355–369. doi:10.1016/0277-9390(88)90004-0
- Eisenhardt, K. M. (1989). Agency Theory: An Assessment and Review. *The Academy of Management Review*, 14(1), 57–74. doi:10.2307/258191
- Erway, R., Farley, L., Halbert, M., Hastings, J., & Sandler, M. (2007, November). *Public/Private Digitization Agreements: Analysis and Advice for Those Who Follow*. Presented at the DLF Fall Forum, Philadelphia, PA. Retrieved from <http://diglib.org/forums/fall2007/presentations/Erway.doc>
- Esterly, R. (1997). 21st Century Genealogy: Where Will The Records Be? *New Mexico Genealogist*, 13–17.
- Evans, M. (2007). Archives of the People, by the People, for the People. *American Archivist*, 70(2), 387–400.
- FamilySearch. (2014). About FamilySearch. Retrieved from <https://familysearch.org/about>
- Findmypast. (2015a). Company History. Retrieved February 16, 2015, from <http://www.findmypast.com/content/company-history>

- Findmypast. (2015b). Company Information. Retrieved February 16, 2015, from <http://www.findmypast.com/content/company-information>
- Forrer, J., Kee, J. E., Newcomer, K. E., & Boyer, E. (2010). Public-Private Partnerships and the Public Accountability Question. *Public Administration Review*, 70(3), 475–484.  
doi:10.1111/j.1540-6210.2010.02161.x
- Gale Cengage Learning. (2015). Gale Digital Collections Catalog. Retrieved February 17, 2015, from <http://www.cengage.com/search/showresults.do?N=197+4294903766>
- Galloway, P. (2006). Archives, Power, and History: Dunbar Rowland and the Beginning of the State Archives of Mississippi (1902-1936). *American Archivist*, 69(1), 79–116.
- Gates, C. (1938). The Administration of State Archives. *American Archivist*, 1(3), 130–141.
- Genealogical Society: A century of steady growth and development. (1994, November 26). *Church News: The Church of Jesus Christ of Latter-Day Saints*. Retrieved from <http://www.ldschurchnewsarchive.com/articles/24591/Genealogical-Society-A-century-of-steady-growth-and-development.html>
- Glaser, B. G., & Strauss, A. L. (1967). *The Discovery of Grounded Theory: Strategies for Qualitative Research*. New York: Aldine de Gruyter.
- Government Printing Office. (2012). *2013-2017 Strategic Plan*. Retrieved from [http://www.gpo.gov/pdfs/about/2013-2017\\_StrategicPlan.pdf](http://www.gpo.gov/pdfs/about/2013-2017_StrategicPlan.pdf)
- Grasso, V. B. (2007). *Defense Outsourcing: The OMB Circular A-76 Policy* (CRS Report for Congress No. RL30392). Congressional Research Service. Retrieved from <http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA435315>
- Groves, R. M. (Ed.). (2009). *Survey Methodology* (2nd ed). Hoboken, N.J: Wiley.

- Hall, A. (2012, October 22). Ancestry.com Acquired by Permira for \$1.6B -- Eyes Further Expansion Into Western Europe. Retrieved from <http://www.digitopoly.org/2013/09/27/digital-public-goods/>
- Hanappi-Egger, E. (2004). Public Broadcasting and Digital Media Archives: The Example of the Austrian Broadcasting Corporation. In H. Burkert & G. Aichholzer (Eds.), *Public Sector Information in the Digital Age* (pp. 3–22). Northampton, MA: Edward Elgar.
- Head, J. G. (1966). On merit goods. *FinanzArchiv/Public Finance Analysis*, 25(1), 1–29.
- Head, J. G. (1969). Merit Goods Revisited. *FinanzArchiv / Public Finance Analysis*, 28(2), 214–225. doi:10.2307/40910613
- Hefner, L. (1988). The Change Masters: Organizational Development in a State Archives. *American Archivist*, 51(4), 440–454.
- Henry, N. (2001). The Contracting Conundrum in the United States: Or, Do We Really Understand Privatization? In A. Farazmand (Ed.), *Privatization or public enterprise reform?: international case studies with implications for public management*. Westport, Conn: Greenwood Press.
- Hirtle, P. (2003, August 21). *Archives or Assets?*. SAA Presidential Address presented at the 67th annual meeting of the Society of American Archivists, Los Angeles, CA. Retrieved from <http://www.archivists.org/governance/presidential/hirtle.asp>
- Holeywell, R. (2013, February). Why Isn't the U.S. Better at Public-Private Partnerships? *Governing*. Retrieved from <http://www.governing.com/topics/finance/gov-public-private-partnerships-in-america.html>
- Hosmer, D. W., & Lemeshow, S. (1989). *Applied logistic regression*. New York: Wiley.

- House Administration Committee. Smithsonian Institution Operations, § House Administration Committee (2006). Washington, DC. Retrieved from <http://c-spanvideo.org/program/SmithsonianIn>
- Hsieh, H.-F., & Shannon, S. E. (2005). Three approaches to qualitative content analysis. *Qualitative Health Research, 15*(9), 1277–1288.
- Independent Research Libraries Association. (2012). [institutional]. Retrieved from <http://irla.lindahall.org/>
- Jacobs, J. (2008, April 5). The NARA/TGN contract as a bad precedent. Retrieved from <http://freegovinfo.info/node/1783>
- Jacobs, J. A. (2009, January 24). Why Are Federal Web Sites So Bad? Retrieved from <http://freegovinfo.info/node/2356>
- Jacobs, J. A., Jacobs, J. R., & Yeo, S. (2005). Government Information in the Digital Age: The Once and Future Federal Depository Library Program. *The Journal of Academic Librarianship, 31*(3), 198–208. doi:10.1016/j.acalib.2005.02.006
- Jacobs, J. R., & Reich, V. (2010). Preservation for all: LOCKSS-USDOCS and our digital future. *DttP: Documents to the People, 38*(3).
- Jaeger, P. T., & Bertot, J. C. (2010). Transparency and technological change: Ensuring equal and sustained public access to government information. *Government Information Quarterly, 27*(4), 371–376.
- Jaeger, P. T., Bertot, J. C., & Shuler, J. A. (2010). The Federal Depository Library Program (FDLP), Academic Libraries, and Access to Government Information. *The Journal of Academic Librarianship, 36*(6), 469–478. doi:10.1016/j.acalib.2010.08.002

- Jensen, M. C., & Meckling, W. H. (1976). Theory of the firm: Managerial behavior, agency costs and ownership structure. *Journal of Financial Economics*, 3(4), 305–360.  
doi:10.1016/0304-405X(76)90026-X
- Jimerson, R. C. (2009). *Archives Power: Memory, Accountability, and Social Justice*. Chicago: Society of American Archivists.
- Johnson, D. (Ed.). (2010). Ancestry.com Inc. In *International Directory of Company Histories* (Vol. 116). Detroit: St. James Press. Retrieved from  
[http://bi.galegroup.com/global/article/GALE%7CI2501314160/6ae6eea68a19b6efebc40299b110e4f3?u=lom\\_umichanna](http://bi.galegroup.com/global/article/GALE%7CI2501314160/6ae6eea68a19b6efebc40299b110e4f3?u=lom_umichanna)
- Johnson, R. B., Onwuegbuzie, A. J., & Turner, L. A. (2007). Toward a Definition of Mixed Methods Research. *Journal of Mixed Methods Research*, 1(2), 112–133.  
doi:10.1177/1558689806298224
- Joseph, L. E. (2014). Image Quality in University of Illinois Digital Geology Dissertations from ProQuest. *Issues in Science and Technology Librarianship*. Retrieved from  
<http://www.istl.org/14-summer/refereed5.html>
- Kaiser, M. (2012). Putting 600,000 Books Online: the Large-Scale Digitisation Partnership between the Austrian National Library and Google. *Liber Quarterly: The Journal of European Research Libraries*, 21(2), 213–225.
- Kalfatovic, M., Kapsalis, E., Spiess, K., Van Camp, A., & Edson, M. (2008). Smithsonian Team Flickr: a library, archives, and museums collaboration in web 2.0 space. *Archival Science*, 8(4), 267–277. doi:10.1007/s10502-009-9089-y
- Kallhoff, A. (2011). *Why democracy needs public goods*. Lanham, Md.: Lexington Books.

- Kallhoff, A. (2014). Why societies need public goods. *Critical Review of International Social and Political Philosophy*, 17(6), 635–651. doi:10.1080/13698230.2014.904539
- Kaufman, P. (2005). *Marketing Culture in the Digital Age: A Report on New Business Collaborations Between Libraries, Museums, Archives and Commercial Companies*. Ithaca Harbors, Inc. Intelligent Television. Retrieved from <http://msc.mellon.org/research-reports/MarketingCultureinDigitalAge-%20Ithaca.pdf/view>
- Kaufman, P., & Ubois, J. (2007). Good Terms - Improving Commercial-Noncommercial Partnerships for Mass Digitization. *D-Lib Magazine*, 13(11/12). Retrieved from [dlib.org/dlib/november07/kaufman/00kaufman.html](http://dlib.org/dlib/november07/kaufman/00kaufman.html)
- Kennan, M. A., Cargnelutti, T., Keyes, H., Jensen, P., & McLean, A. (2005). ADT ProQuest Collaboration: a case study of a Library/Vendor alliance. In *ETD2005: evolution through discovery*. Retrieved from [http://www.researchgate.net/publication/29454230\\_ADT\\_ProQuest\\_collaboration\\_\\_a\\_case\\_study\\_of\\_a\\_libraryvendor\\_alliance/file/79e4150ffb035be880.pdf](http://www.researchgate.net/publication/29454230_ADT_ProQuest_collaboration__a_case_study_of_a_libraryvendor_alliance/file/79e4150ffb035be880.pdf)
- Kent, C. A. (1989). The privatizing of government information: Economic considerations. *Government Publications Review*, 16(2), 113–132. doi:10.1016/0277-9390(89)90022-8
- Kettl, D. F. (1993). *Sharing power: public governance and private markets*. Washington, D.C: The Brookings Institution.
- Kettl, D. F. (2002). Managing Indirect Government. In L. M. Salamon & O. V. Elliott (Eds.), *The tools of government: a guide to the new governance* (pp. 490–510). Oxford ; New York: Oxford University Press.

- Lane, J.-E. (1995). *The public sector : concepts, models, and approaches* (2nd ed.). Newbury Park, CA: SAGE Publications.
- Lavoie, B., & Dempsey, L. (2004). Thirteen Ways of Looking at...Digital Preservation. *D-Lib Magazine*, 10(7/8). doi:10.1045/july2004-lavoie
- Lee, T. (2011, April 19). The Worst Government Website We've Ever Seen? Retrieved from <http://sunlightfoundation.com/blog/2011/04/19/worst-government-website-weve-ever-seen/>
- Lenstra, N. (2010). The History and Future of Local History Infrastructure: Open Access and Commodification of Local History in the United States and the Anglosphere. Presented at the COINFO 2010: 5th International Conference on Cooperation and Promotion of Information Resources in Science and Technology, Beijing, China: Institute of Scientific and Technical Information of China, Peking University. Retrieved from <https://www.ideals.illinois.edu/handle/2142/17434>
- Limb, P. (2005). The Digitization of Africa. *Africa Today*, 52(2), 3–19.
- Linder, S. H. (1999). Coming to Terms With the Public-Private Partnership: A Grammar of Multiple Meanings. *American Behavioral Scientist*, 43(1), 35–51.  
doi:10.1177/00027649921955146
- Lordan, J. J. (2002). Financial Accountability in Indirect Government. In L. M. Salamon & O. V. Elliott (Eds.), *The tools of government: a guide to the new governance* (pp. 511–522). Oxford ; New York: Oxford University Press.
- Loy, M. (2011). *University of Southampton Library Digitisation Unit: Reimagining the Value Proposition*. Ithaca S+R. Retrieved from

- [http://www.sr.ithaka.org/sites/default/files/reports/SCA\\_IthakaSR\\_CaseStudies\\_Southampton%20\\_2011.pdf](http://www.sr.ithaka.org/sites/default/files/reports/SCA_IthakaSR_CaseStudies_Southampton%20_2011.pdf)
- MacDonald, M. (2001). *The Past in Prime Time: Canadian History, the CBC/SRC, and the National Archives*. Library and Archives Canada. Retrieved from [http://epe.lac-bac.gc.ca/100/200/301/lac-bac/past\\_in\\_primettime-ef/www.lac-bac.gc.ca/04/0425\\_e.html](http://epe.lac-bac.gc.ca/100/200/301/lac-bac/past_in_primettime-ef/www.lac-bac.gc.ca/04/0425_e.html)
- Maron, N., Smith, K. K., & Loy, M. (2009). *Sustaining Digital Resources: An On-the-Ground View of Projects Today*. Ithaka S+R. Retrieved from [http://www.ithaka.org/ithaka-s-r/research/ithaka-case-studies-in-sustainability/report/SCA\\_Ithaka\\_SustainingDigitalResources\\_Report.pdf](http://www.ithaka.org/ithaka-s-r/research/ithaka-case-studies-in-sustainability/report/SCA_Ithaka_SustainingDigitalResources_Report.pdf)
- Marsilio, M., Cappellaro, G., & Cuccurullo, C. (2011). The Intellectual Structure Of Research Into PPPS: A bibliometric analysis. *Public Management Review*, 13(6), 763–782. doi:<http://dx.doi.org.proxy.lib.umich.edu/10.1080/14719037.2010.539112>
- Martin, S. (2007). EEBO, Microfilm, and Umberto Eco: Historical Lessons and Future Directions for Building Electronic Collections. *Microform & Imaging Review*, 36(4), 159–164. doi:10.1515/MFIR.2007.159
- Massey, T. (2012). *Microforms in a Digital World* (pp. 363–364). Against the Grain Press. doi:10.5703/1288284314767
- McKay, A. (2002). Genealogists and Records: Preservation, Advocacy, and Politics. *Archival Issues*, 27(1), 23–33.
- Miles, M. B., & Huberman, A. M. (1994). *Qualitative data analysis: an expanded sourcebook*. Thousand Oaks: Sage Publications. Retrieved from [http://hdl.handle.net/2027/\[u\]:mdp.39015050352072](http://hdl.handle.net/2027/[u]:mdp.39015050352072)

- Minchew, K. (2013). Lessons Learned While Saving the Georgia State Archives. *Provenance, Journal of the Society of Georgia Archivists*, 31(1), 16–21.
- Morse, J. M., & Niehaus, L. (2009). *Mixed method design*. Walnut Creek, California: Left Coast Press.
- Murdock, G. (2011). Political Economies as Moral Economies: Commodities, Gifts, and Public Goods. In J. Wasko, G. Murdock, & H. Sousa (Eds.), *The Handbook of Political Economy of Communications* (First Edition, pp. 13–40). Blackwell Publishing Ltd.  
Retrieved from  
[http://media.johnwiley.com.au/product\\_data/excerpt/04/14051888/1405188804-35.pdf](http://media.johnwiley.com.au/product_data/excerpt/04/14051888/1405188804-35.pdf)
- Murphy, B. (2014, March 4). *Genealogists can now find FamilySearch and WorldCat records through both online resources*. Press Release, Dublin, OH. Retrieved from  
<http://www.oclc.org/news/releases/2014/201410dublin.en.html>
- Musgrave, R. A. (1959). *The theory of public finance; a study in public economy*. New York: McGraw-Hill.
- National Archives and Records Administration. (2008, May 20). NARA-The Generations Network Digitization Agreement. National Archives and Records Administration.  
Retrieved from <http://www.archives.gov/digitization/pdf/tgn-agreement.pdf>
- National Freedom of Information Coalition. (2012). State FOI. Retrieved from  
<http://www.nfoic.org/state-foi>
- National Technical Information Service. (2015). About NTIS. Retrieved from  
<http://www.ntis.gov/about/>
- Newsome, A. (1939). Uniform State Archival Legislation. *American Archivist*, 2(1), 1–16.

- Norton, M. C. (2003). *Norton on Archives: The Writings of Margaret Cross Norton on Archival & Records Management*. (T. W. Mitchell, Ed.). Chicago, IL: Society of American Archivists.
- OECD. (2012). *Recommendation of the Council on Principles for Public Governance of Public-Private Partnerships*. OECD. Retrieved from <http://www.oecd.org/gov/budgeting/PPPnoSG.pdf>
- Office of Management and Budget. (2003, May 29). Circular No. A-76 Revised. Retrieved September 10, 2013, from [http://www.whitehouse.gov/omb/circulars\\_a076\\_a76\\_incl\\_tech\\_correction](http://www.whitehouse.gov/omb/circulars_a076_a76_incl_tech_correction)
- Olson, M. (1971). *The logic of collective action; public goods and the theory of groups*. Cambridge, Mass: Harvard University Press.
- Ostrom, E. (2000). Collective Action and the Evolution of Social Norms. *The Journal of Economic Perspectives*, 137–158.
- Ostrom, E. (2008). Collective Action and Local Development Processes. *Sociologica*, (3/2008). doi:10.2383/25950
- Owen, T. M. (1904). The Establishment, Organization Activities and Aspirations of the Department of Archives and History. *Bulletin*, 5. Retrieved from [http://hdl.handle.net/2027/\[u\]:mdp.39015035890303](http://hdl.handle.net/2027/[u]:mdp.39015035890303)
- Patterson, A. M. (1963). State Archival Agencies' Services to Other State Agencies. *American Archivist*, 26(3), 315–318.
- Pearce-Moses, R. (2005a). Appraisal. Retrieved from <http://www2.archivists.org/glossary/terms/a/appraisal>

- Pearce-Moses, R. (2005b). Provenance. Retrieved from <http://www2.archivists.org/glossary/terms/p/provenance>
- Peng, C.-Y. J., Lee, K. L., & Ingersoll, G. M. (2002). An Introduction to Logistic Regression Analysis and Reporting. *The Journal of Educational Research*, 96(1), 3–14.  
doi:10.1080/00220670209598786
- Pickover, M. (2008). The DISA Project. Packaging South African heritage as a continuing resource: content, access, ownership and ideology. *IFLA Journal*, 34(2), 192–197.  
doi:10.1177/0340035208092177
- Posner, E. (1957). What, Then, Is the American Archivist, This New Man? *American Archivist*, 20(1), 3–11.
- Posner, E. (1964). *American State Archives*. Chicago: University of Chicago Press.
- Posner, P. L. (2002). Accountability Challenges of Third-Party Government. In O. V. Elliott & L. M. Salamon (Eds.), *The tools of government: a guide to the new governance* (pp. 523–551). Oxford ; New York: Oxford University Press.
- ProQuest LLC. (2015a). History & Milestones. Retrieved from <http://www.proquest.com/about/history-milestones/>
- ProQuest LLC. (2015b). Who We Are. Retrieved February 17, 2015, from <http://www.proquest.com/about/who-we-are.html>
- QSR International. (2014). What is Qualitative Research? Retrieved September 18, 2014, from <http://www.qsrinternational.com/what-is-qualitative-research.aspx>
- Radoff, M. (1954). Reports of State Archivists. *American Archivist*, 17(4), 331–339.
- Raney, M. L. (1936). *Microphotography for Libraries*. Chicago, IL: American Library Association.

- Ravitz, J. (2012, March 9). Mormons crack down on proxy baptisms; whistleblower's access blocked [cnn.com]. Retrieved from <http://religion.blogs.cnn.com/2012/03/09/mormons-crack-down-on-proxy-baptisms-whistleblowers-access-blocked/>
- Redmann, G. (1993). Archivists and Genealogists: The Trend Toward Peaceful Coexistence. *Archival Issues*, 18(2), 121–132.
- Renze, D. (1960). The State Archivist—3-D Public Servant. *American Archivist*, 23(3), 271–275.
- Rinker, L. (2015, January 12). Texas State Archives to Provide Online Access to Texas Senate Recordings [Star Local]. Retrieved from [http://starlocalmedia.com/friscoenterprise/news/texas-state-archives-to-provide-online-access-to-texas-senate/article\\_c52e47da-9a87-11e4-802e-f3723388cf7c.html](http://starlocalmedia.com/friscoenterprise/news/texas-state-archives-to-provide-online-access-to-texas-senate/article_c52e47da-9a87-11e4-802e-f3723388cf7c.html)
- Robbin, A. (1986). State Archives and Issues of Personal Privacy: Policies and Practices. *American Archivist*, 49(2), 163–175.
- Rosenau, P. V. (2000). *Public-private policy partnerships*. Cambridge, Mass.: MIT Press.
- Rosén, F. (2008). Off the record: outsourcing security and state building to private firms and the question of record keeping, archives, and collective memory. *Archival Science*, 8(1), 1–14. doi:10.1007/s10502-008-9066-x
- Rosenzweig, R. (2003). Scarcity or abundance? Preserving the past in a digital era. *The American Historical Review*, 108(3), 735–762.
- Ross, R. A. (1981). Ernst Posner: The Bridge between the Old World and the New. *The American Archivist*, 44(4), 304–312.
- Salamon, L. M. (2002). The New Governance and the Tools of Public Action: An Introduction. In L. M. Salamon & O. V. Elliott (Eds.), *The tools of government: a guide to the new governance* (pp. 1–47). Oxford ; New York: Oxford University Press.

- Savas, E. S. (2000). *Privatization and public-private partnerships*. New York: Chatham House.
- Schaeffer, P. V., & Loveridge, S. (2002). Toward an Understanding of Types of Public-Private Cooperation. *Public Performance & Management Review*, 169–189.
- Schellenberg, T. R. (1996). *Modern archives: principles and techniques*. Chicago, Ill.: Society of American Archivists.
- Schonfeld, R. C., & Housewright, R. (2009). *Documents for a digital democracy: A model for the Federal Depository Library Program in the 21st Century*. ITHAKA S+R. Retrieved from <http://old.arl.org/bm~doc/documents-for-a-digital-democracy.pdf>
- Schroeder, A. (2014, August 25). Gale Research founder Frederick Ruffner dies at 88. *Crain's Detroit Business*. Retrieved from <http://www.crainsdetroit.com/article/20140819/NEWS/140819822/gale-research-founder-frederick-ruffner-dies-at-88>
- Schwarz, J. (2005). The Archivist's Balancing Act: Helping Researchers While Protecting Individual Privacy. In M. L. Behrnd-Klodt & P. J. Wosh (Eds.), *Privacy and Confidentiality Perspectives: Archivists and Archival Records* (pp. 82–92). Chicago, IL: Society of American Archivists.
- Scott, W. A. (1955). Reliability of content analysis: the case of nominal scale coding. *Public Opinion Quarterly*, 19, 321–325. doi:10.1086/266577
- Scott, W. R. (1994). *Institutional environments and organizations: structural complexity and individualism*. Thousand Oaks, Calif: SAGE Publications.
- Sen, A. K. (1977). Rational Fools: A Critique of the Behavioral Foundations of Economic Theory. *Philosophy & Public Affairs*, 6(4), 317–344.

- Serageldin, I. (1999). Cultural Heritage as Public Good: Economic Analysis Applied to Historic Cities. In I. Kaul, I. Grunberg, & M. Stern, *Global Public Goods*. Oxford University Press. Retrieved from <http://www.oxfordscholarship.com/view/10.1093/0195130529.001.0001/acprof-9780195130522>
- Severson, K. (2012, September 26). Budget Cuts to Hobble State Archives in Georgia. *The New York Times*. Retrieved from [http://www.nytimes.com/2012/09/27/us/budget-cuts-to-limit-public-access-to-georgia-archives.html?\\_r=0](http://www.nytimes.com/2012/09/27/us/budget-cuts-to-limit-public-access-to-georgia-archives.html?_r=0)
- Shuler, J. A., Jaeger, P. T., & Bertot, J. C. (2010). Implications of harmonizing the future of the federal depository library program within e-government principles and policies. *Government Information Quarterly*, 27(1), 9–16.
- Smith, B. (1988). Archives and Government Policy. *Journal of the Society of Archivists*, 9(5), 181–184. doi:10.1080/00379818809511605
- Smith, K. K. (2009). *BOPCRIS Digitisation Centre 2009: Experimentation with Sustainability and Partnerships for Library Digitisation Projects*. Ithaca S+R. Retrieved from <http://www.sr.ithaka.org/research-publications/bopcris-digitisation-centre-2009>
- Society of American Archivists Council. (2003). *Statement on the Importance of Supporting State Archival Programs*. Society of American Archivists.
- Springer, M., Dulabahn, B., Michel, P., Natanson, B., Reser, D., Woodward, D., & Zinkham, H. (2008). *For the Common Good: The Library of Congress Flickr Pilot Project*. Washington, DC: Library of Congress. Retrieved from [http://www.loc.gov/rr/print/flickr\\_report\\_final.pdf](http://www.loc.gov/rr/print/flickr_report_final.pdf)

- Sugden, R. (1984). Reciprocity: The Supply of Public Goods Through Voluntary Contributions. *The Economic Journal*, 94(376), 772. doi:10.2307/2232294
- Taylor, D. (1959). State Microfilming Programs. *American Archivist*, 22(1), 59–82.
- Theimer, K. (2011). What is the Meaning of Archives 2.0? *The American Archivist*, 74(1), 58–68.
- The Proposed Uniform State Public Records Act. (1940). *American Archivist*, 3(2), 107–130.
- Trescott, J. (2006, May 26). Smithsonian Hands Over TV Contract. *The Washington Post*. Retrieved from <http://www.washingtonpost.com/wp-dyn/content/article/2006/05/25/AR2006052502242.html>
- Trifunovic, B. (2013). The public-private partnership case study in digitization of audiovisual heritage. *OCLC Systems & Services: International Digital Library Perspectives*, 29(1), 30–36. doi:<http://dx.doi.org.proxy.lib.umich.edu/10.1108/10650751311294537>
- Tucker, S. (2007). Doors opening wider: library and archival services to family history. *Archivaria*, 62(62). Retrieved from <http://journals.sfu.ca/archivar/index.php/archivaria/article/viewArticle/12893>
- Tuin, S. (2012). *Managing Records with Limited Resources*. National Association of Government Archives and Records Administrators. Retrieved from [http://nagara.org/images/downloads/managing\\_records\\_with\\_limited\\_resources\\_\\_\\_2013.pdf](http://nagara.org/images/downloads/managing_records_with_limited_resources___2013.pdf)
- Uhlir, P. (2003). *Draft Policy Guidelines for the Development and Promotion of Public Domain Information* (p. 35). Paris: UNESCO. Retrieved from [http://www.unesco.org/ulis/cgi-bin/ulis.pl?catno=129725&set=5165DBA8\\_1\\_368&gp=1&lin=1&ll=1](http://www.unesco.org/ulis/cgi-bin/ulis.pl?catno=129725&set=5165DBA8_1_368&gp=1&lin=1&ll=1)

- US. (1776). Declaration of Independence. Retrieved from  
[http://www.archives.gov/exhibits/charters/declaration\\_transcript.html](http://www.archives.gov/exhibits/charters/declaration_transcript.html)
- U.S. Census Bureau. (2010). Resident Population Data. Retrieved from  
<http://www.census.gov/2010census/data/apportionment-dens-text.php>
- U.S. Department of Commerce. (2013). About NTIS [Government Website]. Retrieved from  
<http://www.ntis.gov/about/index.aspx>
- Valderhaug, G. (2011). Memory, justice and the public record. *Archival Science*, 11(1-2), 13–23.  
doi:10.1007/s10502-010-9110-5
- Vales, J., & Vales, K. A. (2005, December). The Father of Privatization and Competitive Sourcing. *HRO Today*, 4(10). Retrieved from  
<http://www.hrotoday.com/content/1139/father-privatization-and-competitive-sourcing>
- Ver Eecke, W. (1998). The concept of a “merit good” the ethical dimension in economic theory and the history of economic thought or the transformation of economics into socio-economics. *The Journal of Socio-Economics*, 27(1), 133–153. doi:10.1016/S1053-5357(99)80081-X
- Ver Eecke, W. (2003). Adam Smith and Musgrave’s concept of merit good. *The Journal of Socio-Economics*, 31(6), 701–720. doi:10.1016/S1053-5357(02)00144-0
- Ver Eecke, W. (Ed.). (2007). *An Anthology Regarding Merit Goods: The Unfinished Ethical Revolution in Economic Theory*. Purdue University Press.
- Walch, V. (1993). *Recognizing Leadership and Partnership: A Report on the Condition of Historical Records in the States and Efforts to Ensure Their Preservation and Use*. Council of State Historical Records Coordinators. Retrieved from  
<http://www.statearchivists.org/reports/1993rpt/1993survey.htm>

- Walch, V. (1996). *Maintaining State Records in an Era of Change: A National Challenge. A Report on State Archives and Records Management Programs 1996*. Council of State Archivists. Retrieved from <http://www.statearchivists.org/reports/1996rpt/1996survey.htm>
- Walch, V. (1997). State Archives in 1997: Diverse Conditions, Common Directions. *American Archivist*, 60(2), 132–151.
- Wall, G. (2003). Business model issues in the development of digital cultural content. *First Monday*, 8(5). Retrieved from <http://firstmonday.org/htbin/cgiwrap/bin/ojs/index.php/fm/article/view/1056/976>
- Weber, L. B. (1983). *Documenting America: Assessing the Condition of Historical Records in the States*. Albany, N.Y.: National Association of State Archives and Records Administrators in cooperation with the National Historical Publications and Records Commission.
- Wegrich, K. (2007). Public Sector. In *Encyclopedia of Governance*. Thousand Oaks, CA: SAGE Publications, Inc. Retrieved from <http://knowledge.sagepub.com/view/governance/n439.xml>
- Welch, S. B. (2009, July 13). Governor eliminates Michigan Dept. of History, Arts and Libraries. *Crain's Detroit Business*. Retrieved from <http://www.crainsdetroit.com/article/20090713/FREE/907139978>
- White, L. (2007). Public-Private Partnerships: Are They the Wave of the Future? Retrieved from <http://www.historians.org/perspectives/issues/2007/0703/0703nch1.cfm>
- Whittick, M. H. (1990). The family silver: Privatisation and the archivist. *Journal of the Society of Archivists*, 11(1-2), 1–9. doi:10.1080/00379819009511616

Wood, F. B. (1988). Proposals for privatization of the national technical information service: A viewpoint. *Government Publications Review*, 15(5), 403–409. doi:10.1016/0277-9390(88)90105-7

Yakel, E. (2006). Inviting the user into the virtual archives. *OCLC Systems & Services: International Digital Library Perspectives*, 22(3), 159–163.  
doi:10.1108/10650750610686207

Zorich, D. M. (2003). *A Survey of Digital Cultural Heritage Initiatives and Their Sustainability Concerns* (No. 118) (p. 53). Washington, DC: Council on Library and Information Resources. Retrieved from <http://www.clir.org/pubs/abstract//reports/pub118>