

THE Political Librarian

EVERYLIBRARY ■ INSTITUTE

Volume 9 Issue 1



EveryLibrary
Institute

The Political Librarian

ISSN 2471-3155

The Political Librarian is published biannually by the EveryLibrary Institute NFP, a public and tax policy non-profit for libraries. The Political Librarian is dedicated to expanding the discussion of, promoting research on, and helping to re-envision locally focused advocacy, policy, and funding issues for libraries.

ALLISON JENNINGS-ROCHE, MA, MLIS, Editor-in-Chief

MARTHA McGEHEE, MLIS, Editorial Support

TINA L. ANDREWS, MLIS, Copyediting

KATIE O'HARA, Layout

The EveryLibrary Institute would like to thank the Open Scholarship initiative at Washington University of St. Louis Libraries for hosting The Political Librarian. Previous issues are accessible via <http://thepoliticallibrarian.org>.

Correspondence: Please address all editorial correspondence to The Political Librarian's series editor, Allison Jennings-Roche, email: allisonjr@everylibrary.org. Any correspondence specific to EveryLibrary Institute and its work should be sent to executive director, John Chrastka, email: john.chrastka@everylibrary.org.

Permissions: Articles may be copied or otherwise reused without permission only to the extent permitted by Sections 107 and 108 of the US Copyright Law. Permission to copy or reproduce articles for private study, scholarship, research, classroom, or library is allowed under Fair Use.

The Political Librarian

Vol. 9.1

July 2026

CONTENTS

- Shaping a Collaborative Information Future i
Editor's Note
Allison Jennings-Roche
- Beyond Schools and Libraries: Trump Administration
Information Policies in Archives, Museums, and Galleries 1
Paul T. Jaeger, Jason R. Baron, and Diana Marsh
- Where Is 60 Years of Data, Information, and Knowledge
One Year After USAID Was Fed "Into the Wood Chipper"? 15
Tanya Torres and Zachary Baquet
- Ellen Starr Brinton: Archivist and Activist for Peace in
Time of War 30
Wendy E. Chmielewski
- Library Patron Privacy in the Age of Artificial Intelligence:
An Overview of Existing Law and Policy Recommendations 40
Lucie Daignault, Samuel Lim and Catherine Ferri
- The Politicization Antibody Effect: How Community-
Embedded Directors Can Neutralize Library Politicization 82
John Mack Freeman
- Not Defeated, or Attacks on Literacy Are Attacks on
Liberty: Identifying and Confronting the Political, Legal,
and Technological Changes Promoting and Sustaining the
Censorship Movement 94
Paul T. Jaeger

The Political Threats of Vanishing Culture and the Need to
Protect Our Future Memory
Michael Menna and Lila Bailey

106

Shaping a Collaborative Information Future

EDITOR'S NOTE

ALLISON JENNINGS-ROCHE

The latest issue of our journal brings together a wide range of perspectives and experiences that share creative and coalition-building frameworks and projects that will serve all librarians, information professionals, and memory workers as we navigate a season of profound transformation. By seeking articles to deeper alignment in practices, process, and ideological underpinnings, our call for papers was an attempt to meet the moment and provide hope (and strategy!) for all memory workers trying to meet the moment. We are thrilled to share the work of the authors in this issue who exceeded all expectations for the kind of work that will be inspiring and generative for all those facing multifaceted and complex challenges now and in the future.

The issue opens with the conversation between Paul Jaeger, Jason Baron, and Diana Marsh, *Beyond Schools and Libraries: Trump Administration Information Policies in Archives, Museums, and Galleries* which outlines the shared pressures libraries, archives, galleries, and museums are right now as well as suggestions for shared strategies. As if responding to Jason Baron's deep concern over the preservation of federal data, Tanya Torres and Zackary Baquet document the heroic data rescue and preservation efforts undertaken by wrongfully terminated USAID employees. Their article, *Where is 60 years of data, information, and knowledge one year after USAID was fed "into the wood chipper"?* comprehensively explains the theory, expertise, and human labor behind the quiet but coordinated efforts to protect vital data. Wendy Chmielewski's examination of the work and legacy of Ellen Starr Brinton reminds us of the importance of each heritage worker in times of crisis and times of peace. It can be hard to maintain

The white paper about Library Patron Privacy by Catherine Ferri, Lucie Daignault, and Samuel Lim provides an overview of existing law and policy in terms of library patron privacy and artificial intelligence. In order for libraries to maintain the trust of their communities, privacy protection is more important and more complex than ever in the age of AI. This piece is a nod to our future issue where we will dive in-depth into political and ethical concerns of emerging technology and libraries and heritage institutions.

In John Mack Freeman's *The Politicization Antibody Effect*, he discusses the importance of relationships, institutional knowledge and community connections, his research reaffirms the critical role that "deep community embeddedness" plays in smaller towns and libraries.

In Paul T. Jaeger's article *Not Defeated, or Attacks on Literacy are Attacks on Liberty: Identifying and Confronting the Political, Legal, and Technological Changes Promoting and Sustaining the Censorship Movement*, he provides a stirring call to action. He identifies the aims of the larger

political forces shaping and how those engaged in active censorship will not discriminate between types of education, knowledge, and memory institutions and as such makes a stirring case for increased collaboration across professional domains.

The Political Threats of Vanishing Culture and The Need to Protect Future Memory by Michael Menna and Lila Bailey offers all memory workers and our institutions the kind of practical but values-driven framework that will allow our shared work to not only meet the moment, but to evolve and thrive well into the future. In closing the issue with this piece, we hope that our readers will be inspired and heartened by organizations like The Internet Archive that are working tirelessly to protect and empower memory and information professionals.

Each article and whitepaper within this issue offers the reader an opportunity to envision what a collaborative information future might look like in reality. The tools, projects, frameworks, and perspectives we are able to foreground in this issue are of critical importance as libraries, heritage, and memory institutions navigate polycrisis and sweeping social change.

Beyond Schools and Libraries: Trump Administration Information Policies in Archives, Museums, and Galleries

PAUL T. JAEGER, JASON R. BARON, AND DIANA MARSH

ABSTRACT

This article presents reflections, in a discussion format, on the information policy issues currently impacting cultural heritage, education, memory, and knowledge institutions. While librarians have naturally focused primarily on the most widespread impacts of the second Trump administration's information policies, which have targeted libraries and schools, the types of institutions being affected are much broader. Placing an emphasis on archives, museums, and galleries, this dialogue illuminates the unique challenges to these institutions, as well as the parallel challenges faced by other institutions, such as libraries. Professional education, advocacy, and communication with the public are explored as core strategies that can be used by archives and museums in response to the current political climate.

Paul Jaeger

Steve Bannon, one of Donald Trump's key advisers earlier in his political career, has been a longtime advocate for a strategy he calls "flooding the zone" (Jaeger 2026). By this, he is employing a sports metaphor to indicate the political value of saying and doing so many things that your opponents are unable to coherently respond to your activities, or perhaps even be able to intuit the large-scale goals behind them. You keep your political opponents perpetually distracted and belatedly responding to only a portion of government actions.

The second Trump administration has thus far employed this strategy with great impact on cultural heritage, memory, knowledge, and educational institutions (Jaeger 2025a). These activities have included the defunding of independent public media, the encouragement of book bans in libraries and schools, the removal of an untold number of government web pages and online resources, the closure of government agencies that supported information institutions, the dictation of school curricula and museum exhibition content, the firing of government watchdogs, the elimination of research into areas that the administration devalues, the assertion of control over independent arts organizations, and the elimination of many federal library positions and other jobs related to the collection, oversight, analysis, and accuracy of information, among much else. In each case, the effects of government actions have dramatic consequences, and yet, the sheer number of these actions tends to obscure more far-reaching and impactful ones.

One way of understanding the goals underlying these actions is rooted in raw power—gaining control of infrastructures of knowledge, memory, education, and cultural heritage to keep certain types of information out of the discourse (Jaeger et al. 2023). Throughout history, a great many states have taken this approach to limit information about different religious or political systems or about populations the government wishes to oppress. Whether described as capture, corruption, or colonization of these infrastructures, this kind of control is prevalent throughout human history and is a core feature of the information policies of the second Trump administration in the US.

However, there is a much more significant way to view the major goals underlying these actions—the ways in which the control of the infrastructures can be deployed to remodel society to meet the objectives of the government (Jaeger 2025b). Many of the historical states that have invested in bulk suppression and censorship have never sought to utilize this second approach, having been content to just be rid of information they did not like. However, other states have taken control of cultural heritage, memory, knowledge, and educational infrastructures to simultaneously suppress information they do not want in discourse and replace that with disinformation to accomplish state objectives.

Russia's Vladimir Putin has, perhaps better than any other contemporary state leader, mastered the corruption of cultural heritage, memory, knowledge, and educational infrastructures to achieve state ends (Jaeger 2026). Prior to his invasion of Ukraine to try to forcibly fold that independent nation-state into Russia, Putin utilized state control over information infrastructures to block Ukrainian information sources and perspectives; promulgate detailed false narratives about the Ukrainian government, people, and elected officials; and alter educational curricula to make Ukraine a lost part of Russia. As Putin has stated repeatedly, "Wars are won by teachers" (Ilyushina 2024).

While the world is currently awash in nationalist governments that have grasped varying degrees of control over cultural heritage, memory, knowledge, and educational infrastructures, the Trump administration has been especially active in trying to both assert control over these infrastructures and utilize the infrastructures to accomplish major political goals (Jaeger 2025b, 2026). When the relationships between the separate policies are examined, these goals can become more evident.

Upon taking the job of the Director of the Institute of Museum and Library Services (IMLS) in 2025, Keith Sonderling stated, "We will revitalize IMLS and restore focus on patriotism, ensuring we preserve our country's core values, promote American exceptionalism, and cultivate love of country in future generations" (Institute of Museum and Library Services 2025a). None of these goals match the statutory obligations of IMLS as it was created by Congress,¹ but they aptly summarize the desire of the Trump administration to create a new narrative of American history focused on "patriotism," "exceptionalism," and "love of country." These terms also convey undertones of who is welcome in the country.

Consider how the following actions taken by the Trump administration simultaneously impact separate entities and work toward this much larger purpose of recrafting the history

¹ The language in the statutes establishing and funding IMLS, including the Library Services and Technology Act (Pub. L. 104–208, 1996), enumerates responsibilities such as promoting improvements, facilitating access, encouraging resource sharing, supporting public service and educational roles, encouraging leadership and innovation, conserving America's heritage, serving the public, and analyzing the impact of museum and library services. Demonstrating patriotism, exceptionalism, and love of country are not among these myriad responsibilities.

of the United States to match the preferred vision of the administration and indicate who is welcome in the US by the administration (Jaeger 2026):

- Asserting White House control over the curriculum of schools run by the federal government, removing negative aspects of American history
- Requiring federal government museums to get White House approval of exhibition content and plans for future exhibitions, for the same reasons
- Creating banned books lists for federal government libraries, eliminating works depicting the perspectives of marginalized populations
- Encouraging groups of citizens to seek bans on books in local schools and libraries, further eliminating works depicting the perspectives of marginalized populations
- Firing many federal government librarians and other employees with specific areas of expertise and in positions related to information access, accuracy, collection, oversight, and analysis, reducing the ability to internally monitor the information created and disseminated by the government
- Ending federal government funding for public media, which historically has acted as a watchdog over government activities
- Canceling funding and positions related to increasing the inclusiveness of American society and institutions

Many of these policies are simultaneously creating a government-approved version of American history while also further marginalizing many already marginalized populations (Curliss et al. 2025; Padrón et al. 2025; Ryan et al. 2026). The second Trump administration is vigorously using control of these infrastructures to try to remodel American society.

Jason Baron

I agree with everything you say, Paul. If we turn specifically to the archival domain, the troubling pattern and practice you have noted applies in spades. The concerted attempt by the second Trump administration to weaken the National Archives and Records Administration (NARA) and disrespect records laws is not incidental; I view it as central to the broader project of the present administration in attempting to reshape and distort public memory while limiting government accountability.

The removal of Dr. Colleen Shogan as archivist of the United States is a critical example. US archivists by statute are to be appointed on a nonpartisan basis, based on their professional qualifications relevant to serving in the position.² Dr. Shogan more than fulfilled those requirements, but, from all appearances, was summarily removed three weeks into President Trump's second term due to his personal animus toward NARA's actions in formally requesting the return of all presidential records from his residence in Mar-a-Lago to the legal custody of the archivist (Baron 2025). The special irony here is that Dr. Shogan played no part in the above events—she was appointed by President Biden well after NARA's retrieval of those records. Her firing, coupled with the appointment of Secretary of State Marco Rubio to be acting archivist, essentially in his spare time, signaled a contemptuous shift toward political control over what has historically been an independent steward of the nation's history. Those

² The Federal Records Act states that “The Archivist shall be appointed without regard to political affiliations and solely on the basis of professional qualifications required to perform the duties and responsibilities of the office of Archivist.” 44 U.S.C. § 2103(a).

combined actions arguably sent a chilling message to the nonpartisan NARA career staff about the risks of adhering to professional and legal standards when they conflict with political priorities.

Leadership instability at NARA directly affects the enforcement of the Federal Records Act. Indeed, Acting Archivist Rubio, along with numerous other high-level officials at the White House, the Department of Defense, and elsewhere, were all participants in “Signalgate,” the use of the Signal ephemeral messaging platform to discuss real-time matters of war with a journalist mistakenly included in the communication channel (Goldberg 2025). Not unexpectedly, given who was involved, there is no public record of NARA opening any type of investigation of how Signal communications are preserved as federal records at the State Department or elsewhere, which NARA normally would have undertaken in past administrations in accordance with its own internal policies. Nor, for that matter, is there any indication that the leadership of NARA has directed staff to follow up on the reported destruction of classified records at the US Agency for International Development (Wong 2025). When the archivist’s authority to undertake this type of oversight ends up being unused and undermined, agencies have less incentive to comply with records retention and preservation mandates. The result is the potential for gaps in the historical record.

So too, as Paul alluded to, during the past year we have seen an administration systematically taking actions that serve to cripple the public’s right to know what our government is up to through requests filed under the Freedom of Information Act. The firing of experienced FOIA personnel—including the head of the Justice Department’s Office of Information Policy, responsible for FOIA guidance to all federal agencies—as well as the downsizing and consolidation of FOIA offices across agencies, have only served to exacerbate systemic bottlenecks in agency processing of FOIA requests. FOIA processing depends on institutional knowledge—knowing where records reside, how they are organized, and what exemptions apply. When you remove that expertise and decrease agency FOIA budgets, you weaken the public’s right to hold the government accountable.

As stated so well by Chioma Chukwu, executive director of the nonpartisan public interest group American Oversight, this administration’s “ongoing efforts to undermine FOIA isn’t just about evading oversight—it’s a deliberate effort to dismantle the very systems that uphold public accountability” (Lupkin 2025; Newhouse 2025).

Last, but certainly not least, is an April 2026 legal opinion emanating from the Trump Justice Department’s Office of Legal Counsel (OLC), which found the Presidential Records Act (PRA) to be “unconstitutional” (US Department of Justice, Office of Legal Counsel 2026). In OLC’s view, in enacting the PRA in 1978, Congress failed to pay heed to principles of separation of powers by encroaching on a president’s sole authority to determine how his records should be managed and preserved. The PRA, enacted in the wake of Watergate, has resulted in billions of pages of White House records from the Reagan administration to the current day being owned by the American people, rather than being the personal property of a former president. In taking this position, DOJ has retroactively blessed the prior transfer of records to Mar-A-Lago; the memo also foreshadows a much greater outrage at the end of this administration when President Trump inevitably decides to transfer some or all White House records into his personal custody, rather than turning them over to the legal custody of the archivist of the US, as the PRA requires. The matter is currently in litigation, but my crystal ball is a bit cloudy on the ultimate fate of the PRA in the courts. Let’s hope that government transparency and accountability win the day.

Taken together—the weakening of NARA leadership, the uninvestigated destruction of agency records, the erosion of FOIA capacity, and the assault on presidential recordkeeping—we are witnessing a sustained, systemic attack on the federal recordkeeping infrastructure. That breakdown has cascading effects. Without reliable records, accountability mechanisms falter. Congressional oversight, judicial review, investigative journalism, and our rights as members of civil society all depend on the existence and accessibility of the government's records. When agency records are incomplete, inaccessible, or untrustworthy, those mechanisms cannot function effectively.

The recent nomination of Bradford Wilson to be the next archivist provides an opportunity for public advocacy in the form of reminding senior officials in this administration of the importance of adhering to the government's recordkeeping and access laws. Most prominently, the next archivist of the United States should have as their highest priority the reinforcement of NARA's institutional independence. The next presidential transition will take place soon enough—on January 20, 2029. We should all do everything we can to ensure our voices are heard in lobbying the archivist to stay actively involved in ensuring that White House records of the second Trump administration are properly preserved, either under the PRA (as the courts decide) or by other means. This will, no doubt, prove to be a supreme test of leadership, and we all should remain vigilant in watching, organizing, and speaking out.

Diana Marsh

I want to echo Jason's point about the importance of archival institutions (and one might read further, many other keepers of American memory) being nonpartisan, and want to take a slightly different angle on the crisis of the current environment for the GLAM community (galleries, libraries, archives, and museums) and a range of related cultural heritage fields.

As Paul notes, the last year and a half has seen unprecedented changes in the landscape for information, public memory, and heritage institutions. And the crisis I see has as much to do with public awareness of these fields and their importance as the changes themselves. For the field, this moment has exposed a major failure in communication—in explaining why the public should care about these institutions—amid the noise of a flooded zone or an overloaded information landscape. So I want to look at each of their core functions, considering the following three definitions and noting perhaps why everyone should care. I then reflect on what action our fields ought to take to correct our own record.

"A library is a collection of resources in a variety of formats that is (1) organized by information professionals or other experts who (2) provide convenient physical, digital, bibliographic, or intellectual access and (3) offer targeted services and programs (4) with the mission of educating, informing, or entertaining a variety of audiences (5) and the goal of stimulating individual learning and advancing society as a whole." - ALA Resource Guide, definition of a library (American Library Association 2025)

"A museum is a not-for-profit, permanent institution in the service of society that researches, collects, conserves, interprets, and exhibits tangible and intangible heritage. Open to the public, accessible, and inclusive, museums foster diversity and sustainability. They operate and communicate ethically, professionally, and with the participation of communities, offering varied experi-

ences for education, enjoyment, reflection, and knowledge sharing.” - ICOM definition of a museum, 2022 (International Council of Museums 2022)

“Archives record decisions, actions, and memories. Archives are a unique and irreplaceable heritage passed from one generation to another. Archives are managed from creation to preserve their value and meaning. They are authoritative sources of information underpinning accountable and transparent administrative actions. They play an essential role in the development of societies by safeguarding and contributing to individual and community memory. Open access to archives enriches our knowledge of human society, promotes democracy, protects citizens' rights, and enhances the quality of life.” - Universal Declaration on Archives (International Council on Archives n.d.)

Collection and preservation: Institutions like the Smithsonian have worked hard to combat the stereotype of collecting as either a wealthy gentleman's pastime or an exercise in national hoarding. To be sure, collections storage facilities have their aura—whether in *The Night at the Museum* franchise, *The Da Vinci Code*, or *National Treasure*.³ But I think it is hard to describe to a broad public that collecting—across some 125,000 libraries (American Library Association 2026), 25,000 archives (Repository Data 2018), 30,000 museums (Institute of Museum and Library Services 2025b)—dictates what we as a nation keep and preserve. The totality of what is collected, say, in a given year across all of those institutions, is the sliver (Harris 2002) of available information that will exist for future human inquiry. On shorter time horizons, as Jason notes, that sliver is what the American people can leverage in service of democratic processes and government accountability. On longer time horizons, whether you are a future historian, or say, a future entomologist, what is collected and documented (in objects or artifacts, photographs, audiovisual recordings, and digital and physical documents) and then preserved and kept actively is likely to be *it*. These institutions often aspire to permanence, or keeping collections in perpetuity, and that commitment is vital. As many hundreds of years of human history have shown, what is not carefully kept deteriorates, gets lost, and is discarded. Anyone who has tried to open an old hard drive lately will know that digital documents exacerbate these risks. And, in the AI era, the “real thing” may become more important as evidence than ever before.

Organization, digitization, and access: There is a genuine debate about whether one can ever really “discover” something in an archive, museum, or rare book library (Fischer 2012; Papaioannou 2012). That's because when an object (or 1,000 boxes of papers, or millions of e-records) comes into a collection, professionals in collections management, registration, records management, informatics, archival processing, and a range of other roles, depending on the organization, work hard to not just put it into safe, UV-free, temperature- and humidity-controlled storage (in an acid-free box, a foam-lined drawer, or a cloth-covered shelf), but give the collection an identifier so both staff and the public can locate and access it. This process, broadly called cataloging across the GLAM and heritage sectors, allows documents, objects, and even monuments and historical markers to be found by both people and computers. There is increasing pressure for libraries and other GLAM organizations, in fact,

³ For more on other archival imaginings, see Buckley 2008.

to hand over this “good,” “structured,” data to AI developers, as the race to find more and better training data for models accelerates. In museums, archives, and other collections of unique or rare items, this process aims to make collections findable to a broad public, not just to the Indiana Joneses who happen to gain access to the vault. In libraries, particularly public libraries, where each published item may be one of thousands or millions of copies, both back-end and front-end systems have been designed for anyone to be able to find and check out an item. That is all made possible by unified cataloging standards so that the same book may be tracked across thousands of libraries. But in the “Amazoogle” world, users expect not just catalog records, but fully digitized surrogate items, to be available, and especially in museums and archives, only a tiny portion of collections are imaged (as of today only 3.78% of estimated 12,247,035,237 of our national records are online, National Archives and Records Administration, 2026).

Research and public education: The collection of primary sources and information resources, and their subsequent access for users, facilitates all kinds of inquiry. Some GLAM institutions are themselves research institutions, and expert staff within them have the research enterprise—gaining truly new knowledge about the world—in their job descriptions. But most make secondary research (drawing on secondary, published sources to gain a broad understanding of a topic) or primary research (drawing on primary sources, asking new questions, and gaining new knowledge) possible. GLAM institutions also have a mission to interpret or communicate with the public, most obviously through exhibitions and websites, but also through school programs, public talks, tours, social media accounts, catalog and book publications, and even formal instruction—all with the goal of gaining and sharing knowledge in a way that is vetted and expert-driven. Museums, in particular, are among *the* most trusted information institutions. The most recent study on trust and museums showed that museums are second only to friends and family as trusted sources of information. In the top two reasons as to why they are so trusted, the study shows that it’s because a) they are considered “fact-based” and b) because they are thought to hold original or “authentic objects” (American Alliance of Museums 2021).

As I’ve argued elsewhere (Marsh 2019), amid the accelerating pace of information, GLAM institutions bring together the world’s experts—not just on a given topic, but on education, informal learning, and public writing—to convey information in exhibit texts, websites, online catalog records, and an array of other outlets. That process is essentially one of compromise—and that slow process can be crucial to maintaining public trust.

As I discussed with Colleen Shogan in a recent public dialogue (2026), these institutions and the collections they hold cannot be “neutral” (Jimerson, 2006)—they are the result of particular contexts and power dynamics of their time. But they can rise above the whims of any particular partisan political environment. And we as professionals have a responsibility to convey the centrality of core principles—collecting and preserving the historical record, providing access to information, and fostering democratic education—to the public and to our government officials.

Thus far, many of these core values, and much of the work in GLAMs, are invisible to the public. Worse, despite increased literature on the “convergence” of heritage organizations (See Given and McTavish 2010; Lesk 2016), GLAM and heritage fields are often talking in siloed circles and, in fact, emphasizing their uniqueness rather than their shared qualities and goals.

Among them, libraries and museums seem to have the greatest traction in public discourse, by virtue of their public and very visible roles. Archives, only recently having made

moves to invite wider publics into reading rooms and with few public exhibit spaces, lag furthest behind. Moreover, not many heritage professionals are proactive in public awareness, and neither are new professionals coming up in these fields gaining any training in how to be engaged professionals. So what should we do about that?

First, I hope that the various GLAM and heritage fields can come together more coherently to tackle problems of visibility—or new policy—collectively. We also need to be smarter about GLAM advocacy, understanding what actual levers can be pulled or pushed in Congress and with the wider public to improve the resource environment. Second, being in a large program that trains information professionals, we need to make a concerted effort to educate our students in public awareness and advocacy. We also need to train them in existing law and policy, and in their history, so they understand the ramifications of the proposed change and which battles are worth fighting.

Jason Baron

Diana, you (and many of us) are asking, almost on a daily basis now: “What should we do about [fill in the blank for the latest attack on GLAM institutions]?” The part of your answer that most strongly resonates with me is being “smarter about GLAM advocacy.” This isn’t too surprising, given that I spent forty years as a practicing lawyer before becoming a full-time academic.

Take the matter of disappearing government web pages and datasets. Starting from the beginning of the second Trump administration, thousands of federal web pages and datasets have been taken down (Singer 2025). Many of these deletions have been pursuant to a series of executive orders rejecting any mention of DEI (diversity, equity, and inclusion) programs (See, e.g., Environmental Data and Governance Initiative 2025b). But in addition, large quantities of pages containing information on health, climate change, environmental justice, and other forms of government statistics simply no longer exist on government websites (See, e.g., Environmental Data and Governance Initiative 2025a; National Security Archive 2025; Qin 2026).

Lawsuits have been one means of fighting back. For example, in litigation brought against Robert F. Kennedy Jr.’s Department of Health and Human Services by the Washington State Nurses Association and other health associations, plaintiffs demanded the restoration of deleted public health information databases related to “LGBTQ health, gender and reproductive health, vaccine guidance, mpox treatment, pregnancy risk, opioid use disorder, HIV/AIDS research and the NIH HIV Risk Reduction Tool, and data from clinical trials and more” (Alder 2025). HHS ended up agreeing to a settlement, restoring specific databases identified by plaintiffs at the outset of the litigation (Washington State Medical Association 2025)—albeit on the condition that a disclaimer be displayed stating, “This page does not reflect reality and therefore this Administration and this Department reject it” (Centers for Medicare & Medicaid Services, n.d.).

Another way of supporting memory institutions is to proactively ensure that records and data do not disappear. In the face of the threat of datasets being taken down by the incoming second Trump administration, heroic archival efforts to preserve data were made (and are still being made) by coalitions of librarians, open-data activists, climate researchers, public health researchers, software volunteers, and digital historians. One such group, known as the Data Rescue Project, is a grassroots volunteer community dedicated to “rapid response efforts for at-risk public data” (2025). Numerous additional efforts have sprouted up, including by the

National Security Archive (2025), the Harvard Law School Library Innovation Lab (2025), and many other organizations and self-forming groups.

Randall Jimerson (2009), longtime advocate for archivists being activists, would certainly approve of all of these concerted efforts. Each of us has a role to play in helping to preserve the documentary record of past and present government decisions and actions. I urge readers to enter into their own conversations with colleagues, with the intent to become more active both inside their own organizations and in external collaborations with interested parties in an effort to ensure greater government accountability and transparency. That, in my mind, is “what we should do.”

Paul Jaeger

As Diana has so aptly explained, cultural heritage, memory, knowledge, and educational institutions—along with the related professions and professional organizations—have failed to sufficiently educate the public about the importance of these issues. As a result, as both Diana and Jason have made reference to, most members of the public may not completely understand the full implications of destroying physical government records, removing public information from government websites, rewriting official historical narratives, altering museum displays, or eliminating government oversight positions. There are also, as noted earlier, so many changes to governance happening that it can be hard even for politically savvy members of the public to keep up with them all, which reiterates the need for institutions, professionals, and professional organizations to be more committed to public education.

Unfortunately, no small part of the problem is that the archivists, museum professionals, librarians, and other information professionals who work at these institutions and comprise these professional organizations have overwhelmingly not been prepared by their own educational programs with the advocacy, education, law, and policy knowledge so necessary now. Sonia Durney (2023; 2025) has introduced the idea of a library advocacy gap (LAG). In identifying the scope of this LAG, Durney has found that only six of the graduate programs educating future archivists, museum professionals, and librarians regularly offer policy and law courses, while only two regularly offer advocacy courses. These courses are not required, just simply available.

The accreditation standards for programs that educate archivists, museum professionals, and librarians nod to the importance of these areas of knowledge, yet have no specific requirements for specific content or number of course hours to be devoted to the topics. In many cases, the entire exposure of a student to any of these topics might be limited to a lecture or discussion in one meeting of an introductory course. As a result, many students who want to become experts in these topics will be thwarted by their own graduate programs (Jaeger et al. 2015). Continuing education programs in the field have thus far been unable to fill in these perilous educational gaps.

Even in times of political stability, these educational gaps have significant negative impacts on archivists, museum professionals, and librarians, as well as the cultural heritage, memory, knowledge, and educational institutions in which they work. These professions and institutions have a long history of being ill-prepared to explain their contributions, and as a result, advocacy efforts reflexively revert to value assertion rather than value demonstration (Jaeger et al. 2011; Jaeger et al. 2013). Simply put, they do not have the preparation to explain to members of the public what the institutions contribute and why these contributions are important. They have also not been effectively prepared to engage in political and policy

processes impacting the institutions, often lacking even an introductory grounding in the language and mechanics of policy and politics (Jaeger and Sarin 2016). This failing has been noted with alarm by a small number of authors for decades, seemingly about once a generation (Jaeger et al. 2014). The inadequate preparation for engaging with regular political environments and policy problems becomes staggeringly detrimental in an environment when the policy and political processes turn hostile to cultural heritage, memory, knowledge, and educational institutions. Times like now. The ongoing examples Jason has raised demonstrate the massive impact of these educational gaps.

On top of these gaps in vital knowledge due to holes in education programs, these professions have also been saddled with the self-defeating concept of professional neutrality preached by professional organizations (Jaeger 2025c; Jaeger and Jennings-Roche 2025). This notion of neutrality is based on the principle that cultural heritage, memory, knowledge, and educational institutions, as they are there to serve entire communities, should not be tied to a particular viewpoint in the collections or supporting of a particular politician. Unfortunately, this has spiraled into a belief among many archivists, museum professionals, and librarians that they should not advocate on behalf of their institutions or openly defend their institutions from attacks.

Neutrality is impossible in a practical sense. No person, institution, text, or program is neutral. Attempts at neutrality serve only to reinforce existing power structures and suppress the voices of the already marginalized, as can be seen in the current tidal wave of book bans (Jaeger et al. 2023). Unfortunately, this self-defeating but widely held view of neutrality has matured into acquiescence in many places to the political capture of the institutions by a vast, well-financed, and closely coordinated national censorship movement (Jaeger 2026).

Ignoring politics is never a wise strategy, even for institutions that strive to be nonpartisan and welcoming to as broad a range of individuals and communities as possible. Yet, the creation of a library, an archive, or a museum is inherently a very loud, very public assertion of the centrality of access, literacy, and education to democratic governance. In this current political environment, cultural heritage, education, memory, and knowledge institutions truly cannot pretend that the situation will improve without their taking initiative to better articulate their importance, demonstrate their value, and encourage support, while also taking more initiative to advocate on their own behalf. The goal of being nonpartisan means not campaigning for a particular candidate. It does not mean supine acquiescence and feigned helplessness as the institutions—and what they stand for—are undermined and eroded. For those who work in cultural heritage, education, memory, and knowledge, and for those who understand their centrality to a healthy democracy, we cannot afford to be innocent if we wish these institutions to survive as guarantors of public access, education, and accountability.

As cultural heritage, memory, knowledge, and educational institutions navigate this extremely challenging political environment, rethinking the ways of setting professional standards, the approaches to crafting messages for the public, and the core topics of education for current and future information professionals are avenues to better prepare future professionals. In the shorter term, however, there is a pressing need to greatly expand—and coordinate across the field—communication with members of the public about the immediate impacts and long-range consequences of public records and government information disappearing or being rewritten. Institutions designed to preserve, protect, and provide access to information are currently facing many negative political impacts, due in no small part to their own failures to communicate, which is an irony that cannot be permitted to continue.

References

- Alder, Steve. 2025. "HHS Agrees to Settlement Requiring the Restoration of Deleted Health Data and Websites." *The HIPAA Journal*, September 10. <https://www.hipaajournal.com/hhs-settlement-lawsuit-restore-critical-health-information-federal-websites/>.
- American Alliance of Museums. 2021. "Museums and Trust 2021." September 30. <https://www.aam-us.org/2021/09/30/museums-and-trust-2021/>.
- American Library Association. 2025. "Definition of a Library: General Definition." Last modified February 20. <https://libguides.ala.org/library-definition>.
- American Library Association. 2026. "Library Statistics and Figures: Number of Libraries in the United States." Last modified April 24. <https://libguides.ala.org/c.php?g=751692&p=9132142>.
- Baron, Jason R. 2025. "Trump Fired the Archivist of the United States." *Washington Monthly*, March 5. <https://washingtonmonthly.com/2025/03/05/trump-fired-the-archivist-of-the-united-states/>.
- Buckley, Karen. 2008. "'The Truth Is in the Red Files': An Overview of Archives in Popular Culture." *Archivaria* 66 (December): 95–123. <https://www.archivaria.ca/index.php/archivaria/article/view/13187>.
- Centers for Medicare & Medicaid Services. n.d. "Data Tools." Accessed June 9, 2026. <https://www.cms.gov/data-tools>.
- Curliss, Lydia, Qadira Locke, and Paul T. Jaeger. 2025. "'Heritage Is More Than a Job': Implications of Project 2025 on the Future of Libraries, Archives, and Museums." *The Political Librarian*, Special Issue, 8 (1): 31–38. <https://doi.org/10.7936/pollib.9012>.
- Data Rescue Project. 2025. "About Data Rescue Project." Last modified February 10. <https://www.datarescueproject.org/about-data-rescue-project/>.
- Durney, Sonya M. 2023. "The Library Advocacy Gap: Increasing Librarians' Political Self-Efficacy." *The Political Librarian* 6 (1): 34–57. <https://doi.org/10.7936/pollib.8771>.
- Durney, Sonya M. 2025. "The Urgent Need for Political Literacy in LIS Education." *The Political Librarian*, Special Issue, 8 (1): 15–19. <https://doi.org/10.7936/pollib.9004>.
- Environmental Data and Governance Initiative. 2025a. "EPA Removes Information About Agency and Environmental History." December 18. <https://envirodatagov.org/epa-removes-information-about-agency-and-environmental-history/>.
- Environmental Data and Governance Initiative. 2025b. "Trump Targets DEI Pages at the EPA." February 12. <https://envirodatagov.org/trump-targets-dei-pages-at-the-epa/>.
- Fischer, Suzanne. 2012. "Nota Bene: If You Discover Something in an Archive, It's Not a Discovery." *The Atlantic*, June 19. <http://www.theatlantic.com/technology/archive/2012/06/nota-bene-if-you-discover-something-in-an-archive-its-not-a-discovery/258538/>.
- Given Lisa M., and Lianne McTavish. 2010. "What's Old Is New Again: The Reconvergence of Libraries, Archives, and Museums in the Digital Age." *The Library Quarterly* 80 (1): 7–32. <https://doi.org/10.1086/648461>.
- Goldberg, Jeffrey. 2025. "The Trump Administration Accidentally Texted Me Its War Plans." *The Atlantic*, March 24. <https://www.theatlantic.com/politics/archive/2025/03/trump-administration-accidentally-texted-me-its-war-plans/682151/>.
- Harris, Verne. 2002. "The Archival Sliver: Power, Memory, and Archives in South Africa." *Archival Science*, 2: 63–86. <https://doi.org/10.1007/BF02435631>.
- Harvard Library Innovation Lab. 2025. "Preserving Public U.S. Federal Data." January 30. <https://lil.law.harvard.edu/blog/2025/01/30/preserving-public-u-s-federal-data/>.

- Ilyushina, Mary. 2024. "To Please Putin, Universities Purge Liberals and Embrace Patriots." *The Washington Post*, May 7. <https://www.washingtonpost.com/world/2024/05/07/russia-universities-education-putin-overhaul/>.
- Institute of Museum and Library Services. 2025a. "Keith E. Sonderling Sworn in as Acting Director of Institute of Museum and Library Services." March 20. <https://www.imls.gov/news/keith-e-sonderling-sworn-acting-director-institute-museum-and-library-services>.
- Institute of Museum and Library Services. 2025b. *Museum Data File Documentation and User Guide*. https://www.imls.gov/sites/default/files/museum_data_file_documentation_and_users_guide.pdf.
- International Council of Museums. 2022. "Museum Definition." <https://icom.museum/en/resources/standards-guidelines/museum-definition/>.
- International Council on Archives. n.d. "What Are Archives?" Accessed June 9, 2026. <https://www.ica.org/discover-archives/what-are-archives/>.
- Jaeger, Paul T. 2025a. "The Immortality of Hatred and Revenge: The Interconnections of Censorship, Disinformation, and Cultural Erasure in the Book Bans Targeting Marginalized Populations." *The Library Quarterly* 95 (1): 4–41. <https://doi.org/10.1086/733171>.
- Jaeger, Paul T. 2025b. "State-Approved Information: Nationalist Political Approaches to Controlling Knowledge Infrastructures." *Verfassungsblog*, December 19. <https://verfassungsblog.de/controlling-knowledge-infrastructures/>.
- Jaeger, Paul T. 2025c. "We Are Not Helpless: Some Lessons for Libraries, Archives, and Museums from a Lifetime of Researching Policy, Political, and Legal Processes." *The Political Librarian*, Special Issue, 8 (1): 186–94. <https://doi.org/10.7936/pollib.9040>.
- Jaeger, Paul T. 2026. *Book Bans, Disinformation, and Cultural Erasure: The Censorship Movement in Libraries, Schools, and Society*. Bloomsbury.
- Jaeger, Paul T., John Carlo Bertot, Christie M. Kodama, Sarah M. Katz, and Elizabeth J. DeCoster. 2011. "Describing and Measuring the Value of Public Libraries: The Growth of the Internet and the Evolution of Library Value." *First Monday* 16 (11). <https://firstmonday.org/ojs/index.php/fm/article/view/3765/3074>.
- Jaeger, Paul T., Ursula Gorham, John Carlo Bertot, and Lindsay C. Sarin. 2014. *Public Libraries, Public Policies, and Political Processes: Serving and Transforming Communities in Times of Economic and Political Constraint*. Rowman and Littlefield.
- Jaeger, Paul T., Ursula Gorham, Lindsay C. Sarin, and John Carlo Bertot. 2013. "Democracy, Neutrality, and Value Demonstration in the Age of Austerity." *The Library Quarterly* 83 (4): 368–82. <https://doi.org/10.1086/671910>.
- Jaeger, Paul T., Ursula Gorham, Natalie Greene Taylor, and John Carlo Bertot. 2015. "Teaching Information Policy in the Digital Age: Issues, Strategies, and Innovation." *Journal of Education for Library and Information Science* 56 (3): 175–89. <https://www.proquest.com/openview/5d2b9d278877d337ba57b8b3e8ff31e5/1?pq-origsite=gscholar&cbl=34491>.
- Jaeger, Paul T., and Allison Jennings-Roche. 2025. "Clarifying Intellectual Freedom, Neutrality, and Professional Expertise to Better Defend Libraries from Book Bans, Disinformation, and Defunding." *The Political Librarian*, Special Issue, 8 (1): 89–96. <https://doi.org/10.7936/pollib.9032>.
- Jaeger, Paul T., Allison Jennings-Roche, Natalie Greene Taylor, Ursula Gorham, Olivia J. Hodge, and Karen Kettlich. 2023. "The Urge to Censor: Raw Power, Social Control, and the Criminalization of Librarianship." *The Political Librarian* 6 (1): 1–20. <https://doi.org/10.7936/pollib.8711>.

- Jaeger, Paul T., and Lindsay C. Sarin. 2016. "All Librarianship Is Political: Educate Accordingly." *The Political Librarian* 2 (1): 17–27. <https://openscholarship.wustl.edu/pollib/vol2/iss1/8>.
- Jimerson, Randall C. 2006. "Embracing the power of archives." *The American Archivist* 69, no. 1: 19–32.
- Jimerson, Randall C. 2009. *Archives Power: Memory, Accountability, and Social Justice*. American Library Association.
- Lesk, Michael. 2016. "The Convergence of Curation." In *Handbook of Science and Technology Convergence*, edited by William Sims Bainbridge and Mihail C. Roco, 95–112. Springer.
- Lupkin, Sydney. 2025. "After Promising Transparency, RFK Guts Public Records Teams at HHS." NPR, April 3. <https://www.npr.org/sections/shots-health-news/2025/04/03/g-s1-57888/hhs-fda-rfk-foia-public-records>.
- Marsh, Diana E. 2019 *Extinct Monsters to Deep Time: Conflict, Compromise, and the Making of Smithsonian's Fossil Halls*. Oxford, NY: Berghahn.
- National Archives and Records Administration. 2026. "Record Group Explorer." June 2026. <https://www.archives.gov/findingaid/record-group-explorer>.
- National Security Archive. 2025. "Disappearing Data: Trump Administration Removing Climate Information from Government Websites." Briefing Book 885, February 6. <https://nsarchive.gwu.edu/briefing-book/climate-change-transparency-project-foia/2025-02-06/disappearing-data-trump>.
- Newhouse, Sean Michael. 2025. "Democratic Oversight Leader Warns Against Staff Cuts to Agency FOIA Offices." *Government Executive*, March 20. <https://www.govexec.com/oversight/2025/03/democratic-oversight-leader-warns-against-staff-cuts-agency-foia-offices/403938/>.
- Padrón, Ron, Paul T. Jaeger, Nedelina Tchangalova, et al. 2025. "Call Us Cassandra: A Marginalized Community's Absolute Displeasure at Having Been Right (Again)." *Including Disability* 5: 1–15. <https://ojs.scholarsportal.info/ontariotechu/index.php/id/article/view/339>.
- Papaioannou, Helena Iles. 2012. "Actually, Yes, It Is a Discovery If You Find Something in an Archive That No One Knew Was There." *The Atlantic*, June 21. <http://www.theatlantic.com/technology/archive/2012/06/actually-yes-it-is-a-discovery-if-you-find-something-in-an-archive-that-no-one-knew-was-there/258812/>.
- Qin, Amy. 2026. "The Trump Administration is Deleting Government Data. From Infant Deaths to Hunger, Here Are Five Ways It's Hurting Americans." *The Guardian*, May 6. <https://www.theguardian.com/us-news/ng-interactive/2026/may/07/trump-administration-deleting-data>.
- Repository Data. 2018. "Completing RePo Data." Accessed June 9, 2026. <https://repositorydata.wordpress.com/>.
- Ryan, Alyssa M., Elizabeth A. Pineo, Paul T. Jaeger, and Stephanie J. Cork. 2026. "Malice as Modernization: Twenty-First Century Eugenics, AI, Project 2025, and Disability." *First Monday* 31 (2). <https://firstmonday.org/ojs/index.php/fm/article/view/14729/12151>.
- Shogan, Colleen. 2026. "Dean's Lecture Series: A Conversation with Dr. Colleen Shogan, 11th Archivist of the United States." Lecture and interview by Diana Marsh and Victoria Van Hyning February 20. Posted February 24, 2026, by UMD INFO College. YouTube, 1:20:01. https://youtu.be/dSa5TwOiHSc?si=dgl6eJ_OdlbGrOMq.

- Singer, Ethan. 2025. "Thousands of U.S. Government Web Pages Have Been Taken Down Since Friday." *The New York Times*, February 2. <https://www.nytimes.com/2025/02/02/upshot/trump-government-websites-missing-pages.html>.
- US Department of Justice, Office of Legal Counsel. 2026. *Constitutionality of the Presidential Records Act*. <https://www.justice.gov/olc/media/1434131/dl>.
- Washington State Medical Association. 2025. "HHS Agrees to Restore Deleted Public Health Data in Win for Washington's Patients and Physicians." September 5. https://www.wsma.org/Shared_Content/News/advocacy-report/2025/september-5/hhs-agrees-to-restore-deleted-public-health-data-in-win-for-washingtons-patients-and-physicians.
- Wong, Edward. 2025. "U.S.A.I.D. Official Orders Employees to Shred or Burn Classified and Personnel Records." *The New York Times*, March 11. <https://www.nytimes.com/2025/03/11/us/politics/usaid-shred-burn-documents.html>.

About the Authors

Paul T. Jaeger, PhD, JD, MLS., MEd, is a Professor, Distinguished Scholar-Teacher, and Co-Director of the Doctor of Information Science (DInfSci) program in the College of Information at the University of Maryland. He is the author of more than 220 articles and book chapters and more than 20 books. His newest book—*Book Bans, Disinformation, and Cultural Erasure: The Censorship Movement in Libraries, Schools, and Society*—will be published in 2026 by Bloomsbury.

Jason R. Baron, JD, is a Professor of the Practice and founding member of the Center for Archival Futures in the College of Information at the University of Maryland. He previously served as a trial attorney and senior counsel at the Department of Justice, and as director of litigation at the National Archives and Records Administration. Mr. Baron is the recipient of the international Emmett Leahy Award for his career contributions in the field of records and information management.

Diana E. Marsh, PhD, is an Associate Professor of Archives and Digital Curation in the College of Information Studies and an affiliate faculty member in the Department of Anthropology at the University of Maryland. Her research asks how new technologies and decolonizing movements are changing the ways heritage institutions share information with communities and the public. Her work draws on qualitative and ethnographic methods to better understand the discovery and use of archival collections—particularly for the communities represented in them. She explores what might drive the organizational change needed to increase public and community access to collections and provide more ethical models of stewardship in colonial repositories.

Where Is 60 Years of Data, Information, and Knowledge One Year After USAID Was Fed “Into the Wood Chipper”?

TANYA TORRES AND ZACHARY BAQUET

ABSTRACT

When the United States Agency for International Development (USAID) was dismantled in early 2025, groups and individuals mobilized to rescue information resources created by staff and partners. The patchwork of federal laws, policies, and guidance, combined with a lack of compliance enforcement, meant that preservation of the agency’s legacy through official channels was in question. The USAID Knowledge Rescue effort, along with partner organizations and other volunteers, has formed a decentralized network to preserve and provide public access to over sixty years’ worth of the agency’s data, information, and knowledge.

This article provides a snapshot of the progress and challenges faced by those involved in rescuing USAID’s information. The USAID Knowledge Rescue effort has captured over 274,000 materials, made 136,000 available to the public, and is building a digital repository to ensure public access. Other organizations and individuals have mirrored websites and rescued data and information resources that are now hosted on a variety of different online sites. Unsurprisingly, former USAID partners played a key role in rescuing information resources and providing continued access. The current political climate in the US and USAID’s experience during 2025 suggest that federal agencies and organizations would benefit from having a knowledge “living will” or legacy plan to ensure the preservation of data, information, and knowledge—these would include inventories and contingency plans with the aim of ensuring public information continues to be accessible and is preserved.

ACKNOWLEDGEMENTS

The authors would like to thank all former United States Agency for International Development (USAID) staff and partners around the world for their contributions over the past sixty years toward ending extreme global poverty and enabling resilient, democratic societies to realize their potential.

Introduction

It’s been over a year since the US Agency for International Development (USAID), the largest bilateral funding agency for humanitarian and development aid worldwide, was

fed “into the wood chipper” by Elon Musk and the Department of Government Efficiency (DOGE) in early 2025 during the second Trump administration (Morse and Ellison 2025). A July 2025 study in *The Lancet* estimated that USAID programs had saved more than ninety million lives over the past two decades, and that if the Trump administration’s current cuts continue through 2030, fourteen million people who might otherwise have lived could die (Cavalcanti et al. 2025).

Despite USAID’s annual budget being less than 1 percent of the overall federal budget, the agency provided sixty years’ worth of data, information, and knowledge, funded by US taxpayer dollars, influencing US foreign assistance policy and shaping economic and social development and humanitarian assistance worldwide. While changes in political priorities are expected during presidential transitions, the Trump administration and DOGE sought to erase USAID’s work by taking official websites offline, removing and preventing access to information, and even attempting to destroy official records, drawing congressional attention (Peters and Shaheen 2025).

The USAID ecosystem, including its knowledge ecosystem, functioned through a vast array of partners, consisting largely of contractors and grantees who both created and maintained much of USAID’s knowledge. In addition, USAID’s extensive network of partners (contractors and grantees around the world who contribute to and use USAID knowledge) experienced significant job losses and organizational closures during this period. Once it became clear that Congress and the courts would not prevent USAID from being dismantled¹ and that most US-based employees would lose their jobs as of July 1, 2025, staff and the broader concerned community began organizing official and volunteer efforts to preserve agency knowledge, information, data, and official records. Over two thousand potential volunteers (including former staff, contractors, grantees, partners, and others) formed the USAID Knowledge Rescue effort to save the research, data, photos, and collective expertise accumulated over sixty years of the agency’s work.

Recognizing the urgent need to collect, preserve, and share these resources, the group worked with the USAID Alumni Association and the Aid Transition Alliance to establish a catalog and resource repository. As of April 2026, this effort has collected 274,845 resources and conducted 194 interviews and focus group discussions with former staff to preserve tacit knowledge (USAID Knowledge Rescue, n.d.).

This article provides an update on the USAID Knowledge Rescue effort and the status (as of April 2026) of the data, information, and knowledge that existed on USAID public websites when the agency was dismantled, while acknowledging that the websites represent a small subset of the information created by staff and partners, which includes official government records, reports, documents, and information residing on internal websites.

Literature Review

US Federal Public Information Access and Archives Laws, Policies, and Their Implementation

Traditionally, the US government has relied on a variety of means to ensure access to and preserve public information, most notably through the legally required mandates

¹ This occurred despite Congress’s establishment, authorization, and reauthorization of USAID as an ongoing US government entity in the Foreign Assistance Act of 1961.

of the Federal Records Act (FRA), implemented by the National Archives and Records Administration (NARA); the Government Publishing Office (GPO), and the Open Government Act, which gave rise to whole-of-government websites like Data.gov; and individual agency websites.

Starting in 1951, the US government enacted the FRA to govern the collection, retention, and preservation of federal agency records (44 U.S.C. Chapters 21, 29, 31, and 33). The definition of records in the FRA was amended in the Presidential and Federal Records Act Amendments of 2014 (Section 3301) to remove references to physical media and accommodate digital information. The FRA and subsequent amendments govern the maintenance and disposition of federal records, and the records control schedule process specifies the preservation value and the length of time records are to be preserved (FRA: 44 U.S.C. 2111, 2904, 2905, 3102, and Chapter 33). Each federal agency is responsible for creating a records schedule in consultation with NARA, which provides disposition authority for the records covered by the schedule and information on the archiving and destruction of records (Stuessy and Knoedl 2026). Under normal circumstances, physical and digital official records would be sent to NARA for preservation and disposition in accordance with the official agency records schedule.

The Evidence Act (H.R. 4174 – Foundations for Evidence-Based Policymaking Act of 2018) comprises three parts that address evidence capacity, open data (the Open Data Act), and data confidentiality. The first part (evidence capacity) requires each agency to create evidence-building plans to identify and address relevant policy questions and to establish a chief evaluation officer within each agency to continually assess the evidentiary process. As part of the implementation of the Evidence Act, USAID and other agencies developed annual learning agendas, which helped focus evaluation and learning activities across the agency and identify the data and approaches needed to provide critical evidence to inform policy priorities.

Government-wide websites like Data.gov were implemented as a statutory requirement of the Open Government Data Act (2018) as part of the Evidence Act, which requires federal agencies to publish their information online as open data, using machine-readable formats and metadata in the Data.gov catalog. Data.gov hosts over four hundred thousand datasets and works with federal agencies to implement the law (Data.gov, n.d.). The third part of the Evidence Act reauthorized the Confidential Information Protection and Statistical Efficiency Act (CIPSEA), which protects the confidentiality of information acquired from the public for statistical purposes and allows designated statistical agencies to exchange business data for statistical purposes only.

While there are US laws, policies, and NARA guidance in place to address the preservation and access of federal records, there is no enforcement capacity to ensure compliance by individual agencies. As a result, when federal websites are taken down and people lose access to public information, there is little recourse. The lack of enforcement and compliance with archival requirements by federal agencies, and distrust of official federal efforts to maintain access and preserve data and information, led to an increasing number of information and data “rescue” efforts during the first and second Trump administrations.

Distrust Gives Rise to Knowledge, Information, and Data Rescue Efforts

In the last decade, numerous grassroots rescue efforts have sought to preserve US government data and knowledge resources to address concerns about data integrity. In 2016, the term “guerrilla archiving” was used to describe the work of the Data Refuge Project and the

Environmental Data and Governance Initiative (EDGI), a volunteer group formed to save climate and environmental data from websites that were threatened during the first Trump administration (Janz 2018). Initial explorations of their work describe how they evolved from having groups of activists saving data to creating infrastructure for community stewardship of data (Walker et al. 2018), and reframing their decentralized data rescue efforts as removing information from institutional control and creating “spaces for community dialogue and wider public awareness of the vulnerabilities of contentious scientific work” (Paris et al. 2017, 4).

While their initial efforts focused on saving threatened datasets, in 2018, they began working on a broader project, Data Together, focused on the infrastructure required for community stewardship of data (Walker et al. 2018). Data Together’s work was based on environmental data justice and the “post-custodial stewardship” paradigm, in which noninstitutional repositories assume an archiving role (Abrams 2017; Kelleher 2017).

A variety of nongovernmental organizations are involved in hosting infrastructure and tools for rescued data. The End of Term Web Archive (n.d.), hosted by the Internet Archive in collaboration with other organizations and government partners, collects, preserves, and makes accessible US government websites at the end of presidential administrations and makes those pages available through the Wayback Machine (Internet Archive, n.d.). More complex websites from numerous federal agencies at the end of the Biden administration and the beginning of the Trump administration were rescued and are now hosted on the Webrecorder US Government Web Archive (govarchive.us), including those of the Environmental Protection Agency (EPA), USAID, Federal Emergency Management Agency (FEMA), Centers for Disease Control (CDC), Climate.gov, etc. (Webrecorder, n.d.). Attempts to capture dynamic Tableau-driven data sites (e.g., aidscape.usaid.gov) were unsuccessful because the archiving technologies were unable to capture the sites’ underlying databases. Webrecorder’s success in replicating the USAID site lies in its user interface and its ability to package all the necessary files into a single “playable” archive.

More recently, and building on the work of the 2017 Data Refuge Project and EDGI, the Data Rescue Project has been bringing together a community of data librarians, researchers, volunteers, and organizations to crowdsource the preservation of US federal government data since it began disappearing in early 2025. The Data Rescue Project volunteers work to identify, preserve, curate, and maintain public access by collaborating with organizations like the Inter-University Consortium for Political and Social Research (ICPSR) to save vulnerable datasets in DataLumos, a trusted repository, as part of a coalition of data organizations including the International Association for Social Science Information Service & Technology (IASSIST), Research Data Access & Preservation (RDAP), and the Data Curation Network (Guldalian 2025). In a separate effort to preserve government records and ensure access to public information, the Library Innovation Lab at Harvard Law School created the Data.gov Archive, a complete archive of the more than 311,000 federal public datasets linked by Data.gov and harvested during 2024 and 2025 (Library Innovation Lab at Harvard Law School 2025).

The destruction of USAID’s knowledge, the takedown of agency websites, and the elimination of access to online public information resources have been framed as “a possible epistemicide—or destruction of knowledge systems” (Cummins et al. 2025, 1). Randall Jimerson (2007, 264), past president of the Society of American Archivists, discussed how “oppressive regimes try to impose selective amnesia on society” by destroying records and manipulating the public’s historical memory. He argued that archives and archivists play a

critical role in holding institutional and government leaders accountable and protecting the rights of all citizens.

As such, these data and knowledge rescue efforts can be seen as attempts to preserve the historical record when the federal government fails to preserve public goods and our collective memory. When the official means of preserving access to public information is no longer trusted, librarians, volunteers, and activists will mobilize to rescue and steward resources (Rothfritz 2026; Jacolbe 2026).

The Challenge and USAID Knowledge Rescue's Results (as of April 2026)

This article provides an update as of April 2026 on the data, information, and knowledge that were available on USAID public websites at the time the agency was dismantled. This includes the work of the USAID Knowledge Rescue effort, as well as other groups and individuals who have taken the initiative to preserve and provide access to these formerly public goods. While the public information available on USAID's websites is significant, it bears repeating that it represents only a small subset of the information created by staff and partners, including official government records, reports, documents, and information on internal websites. It remains unclear to what extent USAID's information will be utilized to inform US foreign assistance going forward or preserved via official government channels.

How the USAID Knowledge Rescue Came to Be

The USAID Knowledge Rescue effort began in early 2025 as USAID's shutdown ramped up and knowledge resources began disappearing from public access. On February 27, 2025, KM4Dev, an international knowledge management community of practice, hosted a knowledge café to discuss issues around organizational knowledge loss. As partners were told to stop activities (January 2025) and USAID staff were placed on administrative leave (February 2025), many began working to preserve USAID knowledge. The nucleus of USAID Knowledge Rescue—a small group with long-term, high-level experience leading knowledge, learning, and evidence efforts at USAID and in the knowledge management for development community—met in late March. They emailed knowledge management professionals inside and outside the agency to learn what others were doing. Their determined goal is to identify and partner with an existing distributed or federated archive, or to build a new one, involving several knowledge repositories of different types and in different locations, all housing as much USAID-related rescued knowledge as possible. As next steps, the group created a private LinkedIn group to bring together potential volunteers and share progress on rescue efforts. To facilitate knowledge collection, they formed two teams: one for tacit knowledge and one for explicit knowledge capture.

To capture tacit knowledge, they began conducting key informant interviews and focus group discussions to document the professional experiences of USAID colleagues and partners. While somewhat tailored to the individual or group, the interviews touch on some of the following:

- Could you describe an example of a USAID intervention that you worked on that you believe had a significant positive impact?
- What factors do you think contributed most to the success or failure of the USAID programs that you worked on?

- Were there any major breakthroughs or innovations that resulted from programs or initiatives you were involved in? If so, what were they and what accounts for them?
- What are five things you would want your successor to know (to avoid, or to build on, or . . .)?
- If you could implement three changes to improve USAID's effectiveness, what would they be?

Interviews are anonymized and synthesized to find patterns in experiences that can inform current and future development activities. Individual interviews are made publicly available only if and when interviewees give their approval.

For explicit knowledge, already in documentary or visual form, the team developed a Google Form that described the group's purpose, explained the types of resources they wanted to capture, and gave participants a way to share the knowledge products they had. They focused on collecting information about USAID's programs, operations, and research studies intended for public use. This included formerly publicly available documents containing the following:

- Nonclassified, nonsensitive but unclassified (SBU)/non-Controlled Unclassified Information (CUI), non-Personally Identifiable Information (PII) that was previously publicly available—particularly mission retrospectives/histories and Monitoring, Evaluation, and Learning (MEL) data with PII removed, including material used or created by partners
- Addresses for USAID country mission landing pages on platforms like YouTube, Medium, Exposure, or similar, if they were used; and the mission Facebook archive (instructions: <https://tinyurl.com/kr-facebook-instructions>)
- The mission Flickr archive (instructions: <https://tinyurl.com/kr-flickr-instructions>)
- Reports, research findings, market or feasibility studies, and any other documents or related data coming out of sectoral/project implementation offices/partners that were not restricted but had not yet been uploaded to the Development Experience Clearinghouse (DEC) or Development Data Library (DDL)
- Reports, studies, and analyses outlining programs carried out over the life of USAID's involvement in the country or region

As of April 2026, What Has the USAID Knowledge Rescue Achieved?

USAID Knowledge Rescue's work is now cosponsored by the USAID Alumni Association and the Aid Transition Alliance. Over the past year, the group has captured 274,845 items for preservation. This includes materials from the Development Experience Clearinghouse (DEC), USAID Flickr accounts, and resources from former USAID staff and partners. Currently, these materials are available to the public via a Google spreadsheet. The materials captured include approximately 143,000 DEC documents downloaded through its Application Programming Interface (API) in July 2024. The USAID Knowledge Rescue continues to work on the best ways to organize these resources and make them available to the public.

The USAID knowledge ecosystem was decentralized (perhaps more so than any other US government agency). There were a variety of sites, from those specific to a particular

contract or grant to decades-old, globally recognized platforms such as the Famine Early Warning Systems Network (FEWS NET), Demographic and Health Surveys (DHS), and USAID Learning Lab, which many practitioners relied on to support international development. Some of these sites covered topics such as agriculture and food security, climate change, and market systems that USAID technical bureaus supported.²

These sites facilitated knowledge exchange by enabling USAID technical staff and partners to share guidance and insights on sector-specific topics. They were used by development practitioners worldwide, well beyond the USAID and partner community. Most of the sectoral websites went down by the end of January, when stop-work orders took effect. Much of the USAID knowledge ecosystem was managed and maintained by contractors and grantees.

Some sites disappeared altogether, and only their prior versions from before February 2025 can be found on the Wayback Machine. Others have transformed and evolved into new platforms that host former USAID content—for example, content from the USAID DRGLinks site transitioned to a new one called DRGHub. The rescue of these sectoral sites depended on the complexity of the site and on access to the backend. In some cases, groups were able to take ownership of the content and transition it to another site; in others, the sites could not be rescued.

Sites for grants associated with US universities took various paths. Since much of the research funding was in the form of grants, universities had greater flexibility in maintaining their sites and did not have to take them down due to the stop-work order. While their USAID funding ended, some kept their sites online, though without new content, such as the Feed the Future Innovation Lab for Horticulture, thereby maintaining access to materials created under the research grant. Others transformed into new initiatives, such as the Soybean Innovation Lab, formerly the USAID-funded Feed the Future Innovation Lab for Soybean Value Chains.

Other Initiatives to Rescue USAID Data, Information, and Knowledge

USAID's Public Websites

In addition to the main USAID website, which provided information on the organization and its work, the agency maintained several additional websites and managed interagency websites that served sectoral or program-specific needs. For the purpose of this article, we focus on what happened to a core set of websites from the USAID ecosystem. These are examples of original sites preserved in the End of Term Web Archive, sites rescued and maintained by partners or individuals, and, to the extent possible, provide links to where the rescued information is available. The websites include:

- USAID.gov
- Development Experience Clearinghouse (DEC)
- Development Data Library (DDL)
- Sector-Based Websites
 - Food Security and Nutrition (FSN) Network
 - DRGLinks to DRGHub

² Examples of former USAID technical sites can be found in the page footer of a rescued site on the Wayback Machine: <https://web.archive.org/web/2025010321304/https://www.climatelinks.org/#uls-partner-container>.

USAID.gov

The original USAID website was taken down by DOGE on February 1, 2025, and contained information about the agency's work in 112 countries and regions, as well as programs, results, data, and information about the organization and staffing. USAID.gov reappeared online on February 5, 2025, with a message stating, "On Friday, February 7, 2025, at 11:59 p.m. (EST), all USAID direct hire personnel will be placed on administrative leave globally." On February 23, 2025, a notification of administrative leave was posted to USAID.gov and remains in place today (US Agency for International Development, n.d.)

Much of the information from the USAID's main website was rescued through the Internet Archive's End of Term Web Archive and is available on the Wayback Machine, and a copy of the website from January 16, 2025, is also available on the Webrecorder US Government Web Archive at <https://usaid.govarchive.us/>.

Development Experience Clearinghouse (DEC)

USAID established the Development Experience Clearinghouse (DEC) in 1975 as a repository for materials such as annual reports, evaluations, strategy documents, and oral histories from former Foreign Service Officers that documented the agency's work. When taken offline in January 2025, it provided access to "over 250,000 technical and programmatic materials" (per old system documentation) from sixty years of international development implementation. An exact number is difficult to determine since the DEC housed publicly available materials, SBU/sensitive materials behind the USAID firewall, and hardcopy materials that had not been digitized. The DEC had an application programming interface (API) that allowed users to download the publicly accessible materials. Some users downloaded the contents of the DEC to experiment with applying AI approaches to extract learning from this knowledge base, and perhaps some did so as acts of guerrilla archiving.

With these API-accessed copies of the DEC, a number of DEC replicas appeared not long after the site went offline. Their creators intended these replacements to restore public access to the DEC materials. With the launch of DECfinder, Azra Nurkic, CEO and cofounder of I4DI, noted "how easily development knowledge can slip away. As institutional and political priorities change, the public repositories that once grounded our work often get overlooked—or quietly disappear" (Kacapor 2025). Another site, called DEC Document Search, claims to hold over 230,000 documents from the former repository (USAID DEC Archive, n.d.). It is unclear who manages this latter site. In both cases, unlike the original DEC, users need to create an account to access the materials. This makes it impossible for search engines (like Google) to index the content of the sites and makes it challenging to share or embed links to materials from these databases in other documents or websites, as a user could do with persistent uniform resource locators (PURLs) provided by the DEC. So, while the public again has access to much of the material, it has become more challenging to share it with others.

Development Data Library (DDL)

Many of USAID's datasets were available through the USAID Development Data Library (DDL), which was originally developed by DevTech. DevTech was tasked with integrating all of the agency's data products and services in coordination with the Bureau for Management and Chief Information Officer (M/CIO) (DevTech Systems, Inc., n.d.). In *The Integrity of Public Access to Federal Data: Evaluating Disruptions to Open Government Data, 2025–*

2026, Christopher Steven Marcum (2026) provides a detailed analysis of the DDL and what happened in the aftermath of the 2025 DOGE cuts. According to his analysis, the public lost access to the 2,027 data assets on the DDL site on/about January 31, 2025. The lack of an orderly administrative process to preserve the agency's data assets is apparent in the analysis, which highlights issues with the DDL API connection with Data.gov that resulted in ghost datasets in the Federal Data Catalog. It remains unclear to what extent any of the USAID data assets will be archived with NARA. It is ironic that the DDL—established barely a decade ago as part of a new US Open Data policy requiring research partners to make their data public and accessible—ultimately ensured that this data would no longer be public or accessible when the DDL was taken down.

Some data assets were captured by data preservation, rescue, and archiving efforts. Marcum's analysis highlights the preservation of the Demographic and Health Surveys (DHS), which collected longitudinal health and population data in developing countries. The dataset remains available through the contractor website, which has secured project funding for the next three years. ICPSR also rescued several education-related datasets and preserved them on datalumos.org. Additionally, Marcum points to the archiving work conducted by the Library Innovation Lab at Harvard Law School in 2024–2025 to rescue the remaining publicly accessible data held by USAID on Data.gov. This effort resulted in the preservation of 2,028 datasets, which are now available for viewing and downloading on the lab's website (Library Innovation Lab at Harvard Law School 2025).

However, making datasets publicly available is not the focus of the USAID Knowledge Rescue effort, as it requires somewhat different skills and expertise, especially around privacy and redaction of social science data, than those currently possessed by the group. Those who collected the data own it, and the US government has an unlimited-use license to the data. The ideal situation is for the data owners to post it to one of the platforms mentioned above. USAID Knowledge Rescue looks for opportunities to help other groups, especially those with experience handling datasets, identify the most promising pathways to rescue and archive available USAID-funded data.

Sector-Based Websites

Some sector-based websites, such as the Famine Early Warning Systems Network (FEWS NET) and the Food Security and Nutrition (FSN) Network, were taken offline in early 2025 when all foreign assistance funding was frozen by the Trump administration. After several months, funding was restored by the US Department of State. While these sites were offline and with little indication of when, or if, funding might be restored, irreparable damage was done to the working relationships and trust built with partner governments, organizations, and beneficiaries worldwide who relied on these sites to access valuable information. FEWS had been relied on by NGOs, the UN, and governments worldwide as a key element in decisions regarding the timing and nature of providing emergency food assistance.

Food Security and Nutrition (FSN) Network

The Food Security and Nutrition (FSN) Network was a community of practice for food security and nutrition implementers, researchers, and donors worldwide, established in 2010 under the auspices of the Technical and Operational Performance Support (TOPS) Program, funded by the USAID Office of Food for Peace (FFP). The FSN Network was funded through a series of cooperative agreements, most recently by USAID's Bureau for

Humanitarian Assistance (BHA), until USAID's demise in 2025. The network enabled its members to exchange knowledge, collaborate, and learn while shaping agendas, influencing donor priorities, and building consensus on promising practices.

The FSN Network website served as a knowledge hub, featuring an extensive library of tools, guides, and capacity-strengthening materials, as well as proceedings from large-scale knowledge-sharing events and stakeholder consultations. Thanks to the efforts of Save the Children, the website has come back online after being shut down in 2025 and is now funded through cooperative agreements with the US Department of State, ensuring that decades of investment in resources remain accessible to strengthen capacity and improve the performance of food security and nutrition programs.

DRGLinks to DRGHub

DRGLinks was an external online platform developed under USAID's Bureau for Democracy, Human Rights, and Governance, completed in September 2023 and officially launched in November 2023. Managed under a contract with Cloudburst Group, the platform curated high-quality technical resources and evidence in a single accessible location—including technical guides, evidence reviews, e-learning courses, and recordings of learning events—for use by USAID staff, implementing partners, academics, and practitioners across the DRG field. DRGLinks also complemented USAID's DRG Learning, Evidence, and Analysis Platform (LEAP), which hosted country-level data portraits, indicator inventories, and evidence maps to support evidence-based program design.

When USAID was dismantled in early 2025, the Cloudburst contract sustaining DRGLinks was canceled, with Cloudburst continuing to cover some maintenance costs as part of its closeout obligations before the platform went offline in spring 2025. Drawing on this preservation work, DRGHub (drghub.org) was launched in August 2025 as an independent successor platform, gradually expanding its content over time. DRGHub is currently funded and maintained by an individual and serves as a global resource that consolidates evidence, technical practice, insights, and learning to support democratic practice worldwide (DRGHub, n.d.).

These examples—FEWS NET, the FSN Network, and DRG Links—are just three of many knowledge websites closed down in early 2025 across all sectors relevant to development and humanitarian assistance.

Reuse and the Future of USAID Knowledge

As illustrated in the preceding sections, a significant amount of USAID's data, information, and knowledge has been rescued and made accessible through various websites and portals. In addition to rescuing information, other recent initiatives have leveraged access to USAID information and technology in innovative ways. An article from the Stanford Innovation Lab highlights the work of DevelopMetrics, a social enterprise that created the Development Evidence Large Learning Model (DELLM). This domain-specific AI system was trained to read, classify, and connect development evidence at scale and was run on sixty years' worth of evaluation reports in USAID's DEC (Moore 2025).

Using a precise taxonomy of how development work is described in practice and a human-coded dataset to develop an aggregated spreadsheet of interventions, outcomes, a confidence score, and metadata related to each evaluation, DevelopMetrics refined the data through a series of prompts to reveal patterns and the five most frequent lessons—essentially

functioning as an AI “institutional memory” to surface valuable nuggets of knowledge and examples from thousands of pages of USAID evaluations. As Moore (2025) suggests, preserving what USAID has learned over its long history is particularly important given the agency’s demise in 2025.

Given the current administration’s hostility toward USAID, a number of the agency’s former partners have removed or de-emphasized agency branding, program names, and language to avoid scrutiny/targeting, complicating online searches for data, information, and knowledge formerly funded by USAID. Anyone attempting to access USAID information now struggles through broken links to and from the agency’s original websites and the loss of original metadata. It will be interesting to see how these dynamics affect the business models of former partners and others who hold USAID knowledge, information, or data that the public no longer has access to.

A year after USAID was dismantled, the resulting ecosystem of rescued data, information, and knowledge is complicated. While it is gratifying to see so many initiatives that value USAID information enough to dedicate resources to preserve and provide access to it, there are advantages and disadvantages to having information in so many places. By having a fragmented information ecosystem, it becomes difficult, if not impossible, to take down. By the same token, having information preserved by many different organizations makes it challenging to maintain an accurate map of its location, establish consistent standards for access and metadata, and measure resource usage and impact. This new information landscape provides an opportunity to see how different organizations and individuals innovate to meet stakeholders’ needs.

Conclusion/Call to Action

As stated in the introduction, this article provides an update as of April 2026 on the data, information, and knowledge available on USAID public websites at the time the agency was dismantled and where some of these resources can now be found online. While there are federal policies and guidelines to ensure effective management, accountability, and the preservation of public information, there is no enforcement capacity for compliance. Like many other organizations, USAID lacked a complete inventory of its websites, data, and knowledge resources. As a result, there is no way to determine the full extent of the information lost when the agency was dismantled.

The work of the USAID Knowledge Rescue effort and other groups initially focused on preventing loss by mirroring websites and by volunteers saving resources. As part of the larger information stewardship community in the US, we have the opportunity to learn from others who have gone down this road before. Because of the work of the End of Term Web Archive, the Internet Archive, WebRecorder’s US Government Web Archive, ICPSR, DataLumos, the Data.gov Archive, and others, there now exists an ecosystem of preservation infrastructure, tools, and expertise that other knowledge rescue efforts can tap into.

For many rescue efforts, the next steps include ensuring access through curation and metadata improvements, using analytics to identify valuable resources, and demonstrating usage and impact. This is often the key to sustainability as it allows rescue efforts to attract the funding needed to continue. Members of the information stewardship community have generously shared their experiences and expertise with volunteers from the USAID Knowledge Rescue effort and have offered support in the months ahead.

While this article focused on the publicly available information on USAID's websites, it represents only a small subset of the information created by staff and partners, including official government records, reports, documents, and information on internal websites. There are many lessons from USAID's recent experience, and no doubt there is more to learn in our future. In terms of practical lessons learned for other federal agencies and organizations, we would recommend the following:

1. Maintain an accurate inventory of all public datasets, websites, and information resources, and update it annually. Ideally, this inventory would be publicly accessible online and be part of a transparent accountability process in line with the spirit of the Evidence Act.
2. To the extent possible, collaborate with partners and other organizations to maintain access and preserve public information. Many USAID resources were rescued by partners.
3. Even though no enforcement capacity exists for federal archiving, work with staff and partners to ensure that all official records are sent to NARA in accordance with the agency's records schedule.

The shuttering of USAID, the Corporation for Public Broadcasting, and others makes it clear that organizations are not permanent, and the knowledge they generate is fragile. When an organization ends, time moves quickly. The careful, deliberate work of identifying and preserving decades-old institutional knowledge can get crowded out by the immediate pressures of winding down in weeks or months. Staff need to have thoughtful conversations about what to do with knowledge assets before the crisis arrives in order to be effective stewards.

We argue that every organization should have a knowledge "living will" or legacy plan. When planning for knowledge continuity, most organizations tend to focus on two areas: maintaining records and administrative documentation as ongoing practices, and protecting access to critical information during short-term disruptions. Both are necessary. Records management frameworks are mature, often legally grounded, and reasonably well understood. Organizational continuity planning, while uneven in practice, at least exists as a recognized practice with established guidance. A third component, largely absent from organizational planning, is the deliberate preparation for the transfer, preservation, and long-term stewardship of an organization's generated knowledge in the event that the organization itself ceases to exist.

The distinction matters because records management, however thorough, was never designed to do this work. An annual grant or contract report documents what was spent and, broadly, what was done. It does not capture what the organization learned, what approaches failed quietly before a successful one was found, what relationships sustained the work, or what the staff understood about their field that existed nowhere in writing. That knowledge, both tacit and explicit, provides context and nuance and is what is most at risk when organizations close and what successor organizations, peer institutions, and the communities they serve should have access to.

Archivists, librarians, and knowledge management specialists are the practitioners left navigating organizational endings on the ground, often without a plan and with dwindling resources. That experience, frustrating as it is, confers both standing and credibility. The field has conceptual tools such as triage frameworks, appraisal methodologies, and digital preservation standards that organizational leaders rarely possess. What has been missing is the application of those tools to this specific and underserved problem: not disaster recovery,

not routine records management, but the deliberate planning for what an organization leaves behind.

Existing frameworks offer partial guidance. Continuity of operations planning, digital preservation handbooks, and archival appraisal literature each address a piece of the problem. That gap is an invitation for organizations to develop a knowledge “living will” or legacy plan. Library and information science (LIS) and knowledge management professionals working with organizational leaders are the right people to develop these “living wills,” and the need could not be more urgent. The organizations that have closed and continue to close around us right now deserve a plan. The ones still operating have time to make one.

Given the current political climate, the ongoing dismantling of federal agencies, and the threat of the loss of public information across the government, it is prudent to be prepared and to have risk mitigation plans in place to ensure public information is preserved. The work of the USAID Knowledge Rescue effort and others is still evolving and may one day contribute to the postcustodial rebuilding and preservation of the agency’s legacy.

One additional step that organizations and individuals can take to preserve US government information is to endorse and sign the Preservation of Government Information: An Information Stewardship Call to Action, which aims to build a community of government information practitioners around a set of agreed principles and action items to preserve public information and build a distributed Digital Preservation Infrastructure (DPI) (Jacobs and Jacobs 2026).

This update on the USAID data, information, and knowledge rescue efforts since early 2025 reflects a range of emotions: appreciation for the resources that have been saved, deep gratitude for the collaboration and support from the information stewardship community, and also a desire to share our experiences with other federal staff to prevent this from happening to other agencies and organizations.

Bibliography

- Abrams, Stephen. 2017. “Curation Is Not a Place: Post-Custodial Stewardship for a Do-It-Yourself World.” CDL Staff Publications. UC Office of the President: California Digital Library, December 8. <https://escholarship.org/uc/item/0wd3f1x4>.
- Cavalcanti, Daniella Medeiros, Lucas de Oliveira Ferreira de Sales, Andrea Ferreira da Silva, et al. 2025. “Evaluating the Impact of Two Decades of USAID Interventions and Projecting the Effects of Defunding on Mortality up to 2030: A Retrospective Impact Evaluation and Forecasting Analysis.” *The Lancet* 406 (10500): 283–94. [https://doi.org/10.1016/S0140-6736\(25\)01186-9](https://doi.org/10.1016/S0140-6736(25)01186-9).
- Cummings, Sarah, Nancy White, and Bruce Boyes. 2025. “USAID and the New Burning of the Books in Digital and Ideological Epistemicide. A Call to Action.” *RealKM* (ACT, Australia), February 27. <https://realkm.com/2025/02/27/usaaid-and-the-new-burning-of-the-books-in-digital-and-ideological-epistemicide-a-call-to-action/>.
- Data.gov. n.d. “Data.gov: About Us.” Accessed April 26, 2026. <https://data.gov/about/>.
- DECfinder. n.d. “DECfinder: Your AI-Powered Partner in Maximizing Development Impact.” Accessed April 28, 2026. <https://decfinder.devme.ai/login-or-signup/>.
- DevTech Systems, Inc. n.d. “DevTech Projects Dashboard.” Accessed April 25, 2026. <https://devtechsys.com/projects-dashboard/>.
- DRGHub. n.d. “The DRGHub: Reimagining Democracy Support.” Accessed April 30, 2026. <https://www.drghub.org>.

- End of Term Web Archive. n.d. "End of Term Web Archive." Accessed April 22, 2026. <https://eotarchive.org/>.
- Guldalian, Andrea. 2025. "The Data Rescue Project: Preserving Government Data Is a Tech & Community Issue." *AALL Spectrum* 30 (2): 22–24. <https://research.ebsco.com/linkprocessor/plink?id=4f3b91c1-afe0-3ac6-9b34-3087b6dab14a>.
- Internet Archive. n.d. "Wayback Machine Home Page." Accessed June 1, 2026. <https://web.archive.org/>.
- Jacobs, James R., and Jim Jacobs. 2026. "Preservation of Government Information: A Call to Action." *Free Government Information*, March 12. <https://publicinformationtrust.org/>.
- Jacolbe, Jessica. 2026. "On Guerrilla Archives in the Disinformation Age." *The Conversationalist*, April 10. <https://conversationalist.org/2026/04/10/guerrilla-archives-activism-protest-history-preservation-politics-marion-stokes-media/>.
- Janz, Margaret M. 2018. "Maintaining Access to Public Data: Lessons from Data Refuge." LIS Scholarship Archive, March 5. <https://doi.org/10.31229/osf.io/yavzh>.
- Jimerson, Randall C. 2007. "Archives for All: Professional Responsibility and Social Justice." *The American Archivist* 70 (2): 252–81. https://cedar.wvu.edu/history_facpubs/66.
- Kacapor, Azra. 2025. "Announcing DECfinder: Preserving Development Knowledge for the Future." Institute for Development Impact, April 8. https://i4di.org/restoring_usaid_dec/.
- Kelleher, Christian. 2017. "Archives Without Archives: (Re)Locating and (Re)Defining the Archive Through Post-Custodial Praxis." *Journal of Critical Library and Information Studies* 1 (2). <https://doi.org/10.24242/jclis.v1i2.29>.
- Library Innovation Lab at Harvard Law School. 2025. "Announcing the Data.gov Archive." February 6. <https://lil.law.harvard.edu/blog/2025/02/06/announcing-data-gov-archive/>.
- Marcum, Christopher Steven. 2026. *The Integrity of Public Access to Federal Data: Evaluating Disruptions to Open Government Data, 2025–2026*. Zenodo, April 13. <https://doi.org/10.5281/ZENODO.19556076>.
- Moore, Lindsey. 2025. "When USAID Shut Down, Its Lessons Nearly Vanished. AI Helped Recover Them." *Stanford Social Innovation Review*, December 8. <https://ssir.org/articles/entry/ai-recovers-usaid-lessons>.
- Morse, Clara Ence, and Sarah Ellison. 2025. "How an Ex-State Department Official Fueled Elon Musk's Attack on USAID." *The Washington Post*, February 6. <https://www.washingtonpost.com/politics/2025/02/06/musk-doge-usaid/>.
- Paris, Britt S., Morgan Currie, and Joan Donovan. 2017. "Grand Intentions, Small Interventions: Climate Data Rescue as Counter-Data Action." *AoIR Selected Papers of Internet Research*, October 31. <https://spir.aoir.org/ojs/index.php/spir/article/view/10187>.
- Peters, Gary C., and Jeanne Shaheen. 2025. "Letter to Acting Administrator Rubio." March 21, 2025. <https://www.hsgac.senate.gov/wp-content/uploads/USAID-Records-Destruction.pdf>.
- Rothfritz, Laura. 2026. "Emergency Curation as Anticipatory Maintenance: Lessons from the 2016/2017 Data Rescue Movement." *Big Data & Society* 13 (1). <https://doi.org/10.1177/20539517261421482>.
- Stuessy, Meghan M., and Taylor R. Knoedl. 2026. *Availability of Federal Data: Policy Considerations for Disclosure, Preservation, and Governance*. Legislation No. R48889. Congressional Research Service. March 31. <https://www.congress.gov/crs-product/R48889>.
- US Agency for International Development. n.d. "USAID Home Page." Accessed April 30, 2026. <https://www.usaid.gov/>.

- USAID DEC Archive. n.d. "Preserving USAID's Legacy." DEC Document Search. Accessed April 28, 2026. <https://usaid.onl/>.
- USAID Knowledge Rescue. n.d. "USAID Knowledge Rescue Group Page." LinkedIn. Accessed November 20, 2025. <https://www.linkedin.com/groups/13183386/>.
- Walker, Dawn, Eric Nost, Aaron Lemelin, Rebecca Lave, and Lindsey Dillon. 2018. "Practicing Environmental Data Justice: From DataRescue to Data Together." *Geo: Geography and Environment* 5 (2). <https://doi.org/10.1002/geo2.61>.
- Webrecorder. n.d. "Webrecorder US Government Web Archive." Accessed April 5, 2026. <https://govarchive.us/>.

About the Authors

Tanya Torres is a former USAID Knowledge Management Team Lead, has earned a Master of Library Science (MLS) degree from the University of Maryland (UMD), and will be a doctoral student in UMD's Information Science Leadership and Community Engagement (D.Inf.Sci.) program, starting in fall 2026. She can be reached at ttorres@umd.edu.

Zachary Baquet is a USAID Strategy and Learning Advisor and Acting Division Chief for Analysis, Data, and Learning, and will be a student in UMD's College of Information's Master's in Library and Information Science (MLIS) program starting in fall 2026. He can be reached at zbaquet@gmail.com.

Ellen Starr Brinton: Archivist and Activist for Peace in Time of War

WENDY E. CHMIELEWSKI

ABSTRACT

Ellen Starr Brinton served as the first Curator of the Swarthmore College Peace Collection from 1935 to 1951. She combined her professional work establishing the special collections library and archives at Swarthmore College outside Philadelphia, collecting and preserving records of peace movements around the world dating from the seventeenth century onward. Brinton was successful in this endeavor due to her own background as a Quaker and her activism in the US peace movement from the 1920s onward. In the late 1930s Brinton traveled to Europe to attend international peace conferences and to rescue the records of peace organizations and the papers of peace activists already in danger of destruction by governments and from the spread of fascism across the continent. She was also involved in efforts to assist European peace activists themselves also in personal danger from their governments. Brinton's work in the first years of establishing the Peace Collection continues to the present, with staff retaining her original organizing principles for primary resources, and her mission to collect, preserve, and make accessible historical materials about the work of peace activists around the world.

In 1937, Ellen Starr Brinton, the curator of the Swarthmore College Peace Collection (SCPC), convinced her employers to send her to Europe for three months to attend two international peace conferences and to collect publications, local peace organization records, and peace activists' papers. This was no ordinary collecting trip. By the late 1930s, many were concerned with the rise of fascism in Nazi Germany and Italy. These regimes had already proven themselves antithetical to the concepts of peace and opposition to anti-militarism established by dedicated activists from the mid-nineteenth century onward. Several German peace activists had gone into exile in 1933 when Adolf Hitler rose to power. Many believed that the publications, records, and papers detailing decades of efforts opposing all wars were in danger of destruction as the influence of fascism spread across Europe. As an American, Brinton had more freedom to travel across the continent in 1937 and, with the approval of Swarthmore College, could offer a safe and secure home for peace materials at the newly established library outside Philadelphia.

Brinton was a multifaceted woman—archivist, activist, internationalist, historian, and world traveler—who played an important part in establishing the historical record of peace, social justice, and women's history. She integrated her professional life with her personal beliefs in peace and justice, collecting primary and secondary materials in danger of destruc-

tion from the spread of fascism and the Nazi regime. Brinton was also a long-term peace activist known and trusted by her fellow peace workers. In this essay, I explore the story of Ellen Starr Brinton—historian, librarian, and archivist—and how her political beliefs and experiences led her to take action to preserve crucial and important records.

It is also the story of the early years of the Swarthmore College Peace Collection, a special collections research library and archives dedicated to collecting, preserving, and making accessible materials on nongovernmental actions for peace worldwide. Swarthmore College is located about twelve miles southwest of Philadelphia. It was established as a coeducational, four-year institution in 1869 and was founded by a group affiliated with the Religious Society of Friends (Quakers). A basic tenet of Quakerism is opposition to war, and for some Quakers, this meant taking a public stance in working for peace. By the 1930s, Swarthmore was no longer officially tied to the Society of Friends, but many traditions, beliefs, and personal connections remained, including dedication to teaching about social justice and peace, as well as promoting internationalism and the global connections of all humanity.

Just a few months after it was announced that Jane Addams—cofounder of Hull House in Chicago and president of the Women's International League for Peace and Freedom (WILPF)—would be awarded the Nobel Peace Prize in 1931, she was invited to Swarthmore and given an honorary degree. Addams planted an oak tree that still stands on campus and bears her name. During the visit, Frank Aydelotte, president of the college, discussed his ideas with Addams about establishing a special library collection based on materials about internationalism and peace.¹ Aydelotte convinced Addams to send her own papers to Swarthmore. Because so much of her peace work was connected to WILPF, where she served as international president, they agreed those records would also be sent to the college, to be cared for in the new Jane Addams Peace Collection. This is one version of the genesis of what is known today as the Swarthmore College Peace Collection.²

Hiring Brinton as the first curator of the new library would ensure its success in those early years. She was one of the many professional women whose careers spanned the first half of the twentieth century. In the Peace Collection, three document boxes (about 1 1/4 linear feet) house some of Brinton's correspondence, diaries, and writings, mostly of a professional or semiprofessional nature. One has to read between the lines for any personal information. And yet, even this small collection reveals Brinton's great desire to combine her work in social activism and politics, her unique view of the historical importance of her contemporaries, her desire to save nineteenth- and twentieth-century records of the peace movement, and her devotion to a "second career," begun in her mid-forties, as an archivist and historian.

Born in 1886 in rural Chester County, Pennsylvania, Ellen Starr Brinton was the only girl among five brothers. Her middle-class parents owned a small farm specializing in fruit growing (Schoonover 1924, 506). The family was part of the Religious Society of Friends. Ellen herself followed this religious tradition, and that heritage was reflected in her lifelong

¹ Swarthmore had already established the Friends Historical Library, which housed records of well-known Quakers (such as Lucretia Mott), and records of Quaker religious bodies. As one of the historic peace churches, the Friends Library contained materials on peace efforts from the seventeenth century onward. The collection of peace materials Aydelotte imagined would be administered as a subsection of the Friends Library. Today, the Peace Collection is a separately administered library and archives with millions of documents, images, sound and visual records, centered on nongovernmental peace efforts around the world. It is unclear exactly when Addams agreed to send WILPF records and her own papers to Swarthmore. Letters dating to 1928–29 in the SCPC's own archives reveal that materials were already being sent to the college by that time.

² Over time, the collection was renamed as the vast resources housed there reach well beyond the WILPF and Jane Addams's own work to encompass many other organizations and activists.

commitment to social justice. Brinton was educated in Chester County at local private Quaker schools, and as an adult, she attended the University of Pennsylvania. She worked in a series of professional jobs—government employee, newspaper reporter, and national field secretary for WILPF—before becoming the first curator of the Peace Collection in the mid-1930s.³

During World War I, Brinton worked in the educational department of the Pennsylvania Food Administration (Howes 1939, 110). This work was likely a compromise for a woman raised in the tradition of the Quaker peace testimony and notions of community service. Jane Addams—one of the founders of the Woman's Peace Party in 1915 (later the US branch of WILPF)—made a similar compromise, working for the federal Food Administration once the United States entered the war.

Brinton's passion for history and the collection of historical documents developed during the war years and into the early 1920s. For ten years, she worked on publishing a genealogy of the Brinton family in her spare time. All the people involved with the creation of this publication acknowledged that Brinton had been the guiding force:

Ellen Starr Brinton . . . held the committee together, faithfully attended all meetings, and was always helpful in supplying any missing material for the book. [If] it had not been for the intelligent effort, loyalty, and personal sacrifice of Ellen Starr Brinton, this genealogy would probably never have been completed and published. (Schoonover 1924, 9)

Throughout the 1920s, Brinton pursued her other major interest: international politics. She worked as a reporter for newspapers in Philadelphia and traveled to Mexico, Cuba, Trinidad, and the Soviet Union. Her trips were not only for pleasure, but also for self-education and to further her knowledge of world affairs. Brinton published articles in progressive magazines about what she learned on those travels and spoke before civic and women's groups. Her correspondence with friends made during her journeys shows Brinton's grasp of the international scene and her concern with social justice. Brinton collected government-issued posters in the USSR, as well as a large hand-painted banner given to her by Soviet factory workers.⁴ In the 1930s, Brinton corresponded with Herminio Portell Vilá, a Cuban scholar and activist. They wrote about the failed revolution and subsequent repression in that country. Brinton questioned Vilá closely about his part in Cuban politics. In turn, Vilá often wrote of his exasperation with Brinton's hesitation to fully support the Cuban revolution. He accused her of "comfortable" North American prejudices, but Brinton held to her own beliefs. She wrote to him in 1935:

Will we not need to do something regarding the economic system under which your people and mine are suffering? The more I dig into this whole thing, I come to [the] conclusion the whole economic structure needs to be changed. But I am not ready to say it should come by revolution (that is, by violence) as I am firmly convinced

³ The position of curator at Swarthmore College remains in the British archival tradition of leading archivist or director of a subject collection of primary material. Brinton became the part-time curator sometime in 1935.

⁴ Brinton's collection of posters now forms part of the Peace Collection's Soviet Poster Collection, which dates from the 1920s to the mid-1930s.

it can be attained by education. (Brinton to Herminio Portell Vilá, January 19, 1935, Brinton Papers, box 1)

Despite Brinton's reluctance to believe in only one version of events in Cuba, she remained good friends with Vilá and his wife and wrote many letters of concern and support when he was imprisoned.

In 1929, the Women's International League for Peace and Freedom hired Brinton as its national field secretary, allowing her to combine her interests in and knowledge of international politics with her outgoing personality and drive. WILPF had been founded by internationalist-minded feminists during World War I. In 1915, led by Jane Addams—already known worldwide for her work at Hull House in Chicago and her peace politics—hundreds of women from belligerent and neutral countries met at The Hague in the Netherlands to discuss how they could work to bring about a negotiated settlement to the war. By the time Brinton joined WILPF's US national office in the late 1920s, the organization was well established with a legislative lobbying office in Washington, DC, and a satellite administrative office in Philadelphia. WILPF was internationally known for its support of women's issues and leadership in the widely supported peace movement. The movement had a great deal of national support throughout the US during the 1920s as the public reacted to the worldwide devastation caused by World War I and its aftermath. However, WILPF had gained a reputation for radicalism because of its international peace proposals, its support for the World Court and the League of Nations, and its call for the US to recognize the Soviet Union. Although Jane Addams won the Nobel Peace Prize in 1931, she was vilified in the US press and hounded by conservatives and members of veterans' groups.⁵ Becoming WILPF's field secretary was perfect for the politically active Brinton. As part of her work, Brinton attended a peace and anti-war rally with fellow members of the Pennsylvania branch of WILPF outside City Hall in Philadelphia in the mid-1930s.

By the early 1930s, Brinton was known to many of the Pennsylvania women already leading WILPF through progressive and Quaker circles in Philadelphia, and these networks were instrumental in securing her a new job at Swarthmore College. When Brinton was hired part-time by the college a few years later to establish the library collection, she found boxes of unsorted materials, no organization, no policy on what should be collected, and no money to expand the collection. With the retirement of the internationally minded Aydelotte and the hiring of John Nason as the college's new president, the Jane Addams Peace Collection lost some of its initial support and impetus. However, Brinton was encouraged by Nason to continue gathering new material for the collection.

Brinton did not have any formal training in library or archival work; however, she was intelligent, familiar with WILPF, deeply connected to the peace movement, and knowledgeable about international affairs. She was also extremely interested in the position and historical matters in general, and had phenomenal organizational abilities. Additionally, Brinton was a Quaker and a local woman, which made her well known to people at Swarthmore College,

⁵ More conservative women's organizations, such as the Daughters of the American Revolution (DAR) called for ousting Addams, which sparked a storm in the press among feminists and women activists. Although suffrage activist and politician Carrie Chapman Catt—long a colleague of Addams—challenged the DAR's decision, WILPF had been denied membership in the US peace organization Catt established after World War I, the National Council on the Cause and Cure of War (NCCCW). The council's membership was made up of women's organizations.

such as fellow Quakers Hannah Clothier Hull and Lucy Biddle Lewis, both serving on the college's board of managers and WILPF leaders.⁶

Brinton soon realized that she needed formal training and expert advice to succeed in establishing the Peace Collection. She asked the college to send her to a course in archival management offered by the National Archives in Washington, DC. In that course, Brinton learned the basics of arranging, processing, and preserving archival materials, as well as how to establish the foundation of an archive. When she returned to Swarthmore, Brinton concentrated on establishing a board of directors to help advise her. She was fortunate to gain the assistance of Ernst Posner, professor of archival administration and history at American University (Wikipedia, n.d.).⁷ While Posner gave invaluable advice on how to organize the ever-increasing amounts of material that arrived at Swarthmore, it was Devere Allen, peace activist and amateur historian, who guided Brinton through the early years and helped her collect some of the more valuable nineteenth-century materials now housed at Swarthmore. Allen, a well-known socialist and newspaper editor in the 1930s and 1940s, also wrote one of the first histories of the US peace movement. In this capacity, he was an invaluable friend, teacher, and supporter of Brinton.⁸

Although Brinton had guidance from members of her advisory council, her own interests in peace issues and their history shine clearly in those early years. Brinton had her own sure sense of historicism, which guided her collecting. By the time the first printed guide to the Peace Collection was published in 1947, only a dozen or so years after Brinton began collecting, over two hundred organizations and individuals involved in the peace movement had their papers deposited at Swarthmore. These included Jane Addams, Belva Lockwood, the Women's International League for Peace and Freedom, the Fellowship of Reconciliation, the War Resisters League, and the National Council for Prevention of War (Brinton 1947, *passim*). There were materials from over twenty-seven countries, a large portion of which Brinton had collected herself on trips abroad. She was especially interested in collecting materials related to the eighteenth-century Benjamin West painting depicting the treaty signing between William Penn and the Lenape Indians of Delaware and Pennsylvania. Brinton also collected stamps and postal covers about peace issues and the abolition of slavery.

Brinton's best instincts were directed to collecting the materials of her contemporaries and fellow peace workers, especially the women she knew personally or whose work she knew from various social justice movements around the world. It is not always easy to accurately judge the endurance or the lasting value of the work of one's contemporaries. Sometimes, the case was an easy one for Brinton to decide, as with the papers of Jane Addams. Addams died of intestinal cancer in 1935, before she could make final arrangements for all of her papers to be sent to Swarthmore. Brinton spent many years corresponding and taking trips to Illinois to convince Addams's family members to have all of Jane's papers housed at Swarthmore. Brinton recounted several of her trips through family barns and attics to recover

⁶ Hannah Clothier Hull, later the president of the US Section of WILPF, was also an alumna of Swarthmore and was married to William I. Hull, professor of history and religion. William Hull taught some of the first peace studies classes offered at Swarthmore. Hannah's wealthy Quaker family, the Clothiers, were also known for their financial support of the college. Lucy Biddle Lewis had served as the first president of the US Section of WILPF and lived near Swarthmore.

⁷ Posner was a refugee from Nazi Germany who had spent six weeks in a concentration camp before being released. In the 1940s Posner became an American citizen and would later serve as the president of the Society of American Archivists (1955–56).

⁸ Historian Merle Curti was also instrumental in assisting Brinton in the 1930s. He donated his own collection of materials on the history of the peace movement to the Peace Collection.

valuable Addams materials (Brinton, "Letter to Many Friends," December 5, 1949, and "1951 Midwest Trip" file, Brinton Papers, box 1). Other materials originally sent to the Library of Congress were later sent to the Peace Collection. It was only through her tireless efforts that the Addams papers exist in their present complete form at Swarthmore.

By the late 1930s, Brinton was concerned about the fate of peace activists and records in Europe. The records of the international branch of WILPF were located in Geneva, Switzerland, and while that country was neutral at the time, no one knew if it would be invaded by Germany in the future. WILPF leaders were aware of how many of their members in Germany had already disappeared into concentration camps or had been sent into exile. Feminists Lida Gustava Heymann and Anita Augspurg, leaders of the German branch of WILPF, had been in exile in Switzerland since 1933, when Adolf Hitler became chancellor of Germany. Head of the German Peace Society and Nobel Peace Prize winner Ludwig Quidde was also in exile in Switzerland. German peace activist and feminist supporter of birth control for women Helene Stoecker moved to Great Britain, then to Scandinavia in the early 1930s, and finally to the US by the early 1940s. Stoecker had support from influential US WILPF members.

As part of her 1937 trip to Europe, Brinton attended the War Resisters' International (WRI) conference in Denmark and the WILPF International Congress in Luhačovice, Czechoslovakia. She renewed contacts with international peace activists at those meetings and offered a safe haven for their papers and publications at Swarthmore. During this trip, Brinton rescued hundreds of peace documents from individuals and organizations, realizing that if these materials came under German control, they would disappear and their authors and owners might be imprisoned or worse. Brinton visited peace leaders in England before she traveled to the WRI conference and the WILPF Congress. During her stopover in Geneva, at the WILPF international office, Brinton arranged with Gertrud Baer, the international executive secretary, that all WILPF international records would be sent to Swarthmore. Several boxes arrived there in 1941, thus ensuring their survival.⁹ The international records contained information about women peace activists all over the world. This information could have posed a danger for those living in countries controlled by the Nazi regime or its supporters.

Brinton kept a journal of her 1937 trip filled with details of her journey and the places she went, but only in England did she list the names of the peace activists she visited. Most of the journal was written in the same ink, but some entries include additional paragraphs in pencil that were clearly added at a later date. The original entry for July 24 noted that Brinton attended the WRI Congress in Copenhagen. The later penciled note reads, "Did not dare make notes—[on] account [of] going through Germany again." (Brinton, Journal, July 24, 1937, Brinton Papers, box 3). Two days later, we learn that Brinton was in Berlin. While there, she met discretely with peace activists. The added penciled entry for July 26 reads, "Men and women who stayed until 11 p.m. told lots about Germany and Hitler 'treasonable,' but doors, walls, phone were safe!" (Brinton, Journal, July 26, 1937, Brinton Papers, box 3).

Brinton's fears about the conditions in Europe and the coming war were realistic. While in Germany, she tried to obtain the papers of Ludwig Quidde from the authorities. Quidde had left Germany quickly in fear for his life several years before, and he had asked Brinton to help find the papers he had to leave behind. Brinton described several trips to the Gestapo headquarters in Berlin and Munich on this quest. As an American citizen accompanied by a consul from the US embassy, Brinton apparently felt safe enough to try to track down this material (Brinton, Journal, July 19, 1937, and July 20, 1937, Brinton Papers,

⁹ Baer herself would leave Europe about the same time and spend the duration of the war in New York City.

box 3). However, she did note in her journal that she let “Mr. Llowcock” from the embassy do all the talking during their visits to the Gestapo.

Occasionally, Brinton was not entirely sure about her decisions on which materials to collect for the Peace Collection. In 1943, the archive had the opportunity to obtain the papers of German feminist, pacifist, and birth control advocate Helene Stoecker. Following Stoecker’s death that same year in New York City, her WILPF friends and colleagues wanted her papers at Swarthmore. Stoecker had been one of the supporters of the German peace movement in the 1920s, a founder of the German branch of War Resisters’ International, and had attended the founding WILPF meeting held after the First World War. Brinton was unsure whether to accept Stoecker’s papers due to her reputation for sexual relationships outside marriage. However, relying on her own sense of the historical value of the materials for the Peace Collection, Brinton accepted Stoecker’s papers. Today, scholars from all over the world interested in German feminism, especially the early birth control movement, consult the Stoecker collection.

Brinton had a deep belief that it was necessary to save peace activists as well as their papers from the ravages of war. She was a member of the US WILPF refugee committee, which had helped Helene Stoecker enter the country. In Brinton’s own collection of papers, there are two folders of correspondence containing about two hundred letters, some written on the thinnest of wartime paper. These letters document the desperate attempts Brinton made to rescue four women from Czechoslovakia in the late 1930s. At the WILPF International Congress in Luhačovice, Brinton met and became friends with Rosa Kulka, a local WILPF leader. Over the next four years, the two women corresponded, and Brinton did everything she could to help Rosa, her sister Julia, and their nieces Ella and Susie escape Czechoslovakia and reach the United States. Brinton wrote encouraging letter after letter, offering her own house outside Philadelphia as a haven for the women. Brinton called on her WILPF contacts, who worked tirelessly during the onset of the war to secure the admission of refugees to the United States, and she ultimately gained the support of Senator Henry Cabot Lodge Jr. for the Kulka case. It was no use. Wartime conditions, low US quotas for Jews and Eastern Europeans, and State Department bureaucracy foiled Brinton in her attempts to aid the women. At one point, Brinton was told that her Swarthmore salary was not considered high enough to provide an economic guarantee for four refugees. Julia and Rosa were most concerned about finding a sanctuary for their nieces. At first, their letters were hopeful, giving details about life that became more and more restricted for Jews and pacifists in Eastern Europe. Their later letters reflected their growing desperation as the Germans invaded their country and all hopes of escape seemed to vanish. By the beginning of 1941, Brinton’s letters went unanswered. She sent a Red Cross telegram, hoping her words would still get through to the women. The final letter in the correspondence folder, dated 1946, was sent to Brinton by Lola Hanousková, a relief worker in Czechoslovakia and a WILPF member. It was a reply to Brinton’s inquiry into the fate of the Kulka women:

The results of my investigation were sad: Rosa Kulka died in the Concentration Camp in Terezin. Julia Kulka and her niece Ella were moved from Terezin to Poland into the district of Lublin, and what that meant we know by now only to [sic] well. They have not returned. . . . It is all so dreadful. We have lost so many good friends, we miss them very much. (Lola Hanousková to Brinton, January 6, 1946, Brinton Papers, box 1)

We can only imagine how Brinton felt when she received this letter. She did not record her feelings about the loss of her friends; however, she did keep all the letters and one small, lovely photograph of Ella Kulka. Although Brinton was no longer officially a staff member of WILPF by the end of World War II, she had maintained her close connections with the organization and continued to assist in its important efforts to help thousands of refugees fleeing persecution in Europe. Brinton was well aware that the Kulka women were only one example of the ravages of that war, but we know of them and their story because she retained their letters for future generations to read.

During the war years, Brinton also wrote to another friend she had made on that 1937 trip, Benny Cederfeld of the Danish WILPF. In the letters to Cederfeld, Brinton revealed more personal information about her own weariness during the war. In 1945, she wrote that her favorite brother Robert had died after experiencing a breakdown in his mental health and then a short illness. She was further devastated that same year, writing to Cederfeld, “My best friend, a driver in a Friends’ Ambulance Unit, is buried in China” (Brinton to Benny Cederfeld, May 9, 1945, Brinton Papers, box 1).¹⁰ Brinton noted that these losses of her friends and family had left her feeling disoriented. Ever the collector of important materials, in the same letter, Brinton encouraged Cederfeld to resume sending Scandinavian peace materials to Swarthmore.

During her final years as curator of the Peace Collection, Brinton went on several trips in search of materials. Although she was close to retirement age by 1947, Brinton embarked on another three-month trip to Europe, which was still reeling from the war. This journey was undertaken once again to collect valuable materials for the Peace Collection and to reestablish ties with surviving peace activists. Brinton also kept a detailed journal on this trip, noting that she visited German WILPF leader Anita Augspurg in Switzerland, among other peace activists. Absent from this volume are the notes about fears of reprisals or the discovery of “treasonable” activities. We learn, with Brinton, the fate of Ludwig Quidde’s papers in Germany. His papers had been carefully stored by the Gestapo in Munich, only to be destroyed later in an allied bombing raid. Brinton was more successful in locating some nineteenth-century peace books and Jane Addams family papers on later trips through the Midwest, to Illinois and Ohio, in 1949 and 1951 (Brinton to Emily Picon, October 8, 1951, Brinton Papers, box 1).

With her retirement from the Peace Collection in 1951, Brinton did not turn away from the issues that had interested her for many years. She worked with Fellowship House, a community organization dedicated to racial equality and inclusion, near her home in Media, Pennsylvania.¹¹ Brinton continued to help smooth relations between the Peace Collection and Jane Addams’s descendants. She planned to write a biography of Addams, but that project was never undertaken. Brinton did complete short magazine articles and pieces for scholarly journals, and she published on topics ranging from Quaker meeting houses to a history of the Daughters of the Revolution (DAR). Brinton wrote four of the eight chapters of a history of the peace movement, *Dreamers of Dreams*, which was considered for publication by Harper’s.

¹⁰ The Friends’ Ambulance Unit was sponsored by the British Religious Society of Friends during World War I and World War II. About two hundred volunteers from around the world, including the US, worked with Chinese nationals to bring supplies to China and rebuild medical facilities, as part of the China Convoy. Most of the foreign men were conscientious objectors.

¹¹ Fellowship House is still in existence in 2026, and its mission includes civic engagement to empower the community while advancing equity and social justice (Media Fellowship House, n.d.).

The book was unfinished in 1954 when Brinton died of a heart attack suffered while she was gardening at her suburban Philadelphia home.

There are many reasons why we might examine Brinton's life. She was part of that first generation of women, born in the last quarter of the nineteenth century, who came of age and found the professions open to them at last. It was acceptable and economically possible for Brinton, a woman who never married and relied on her own resources, to live on the money she earned doing work she enjoyed. Brinton's generation benefited from the pioneering efforts of the previous generation in opening the doors of professional work for women—women such as Jane Addams, Dr. Alice Hamilton of the Harvard Medical School, and M. Carey Thomas, president of Bryn Mawr College, who struggled to pass on that legacy. We might look at the archival work Brinton performed in establishing the Peace Collection at Swarthmore College and in tracing her influence in founding the fundamental archival organizing principles that are still in use at that institution today. Subsequent curators, archivists, and staff of the Peace Collection, continuing Brinton's vision, never shied away from collecting, preserving, and making accessible a wide range of materials supporting the history of peace activism, social justice, and an alternative history to war. These include the records of such groups as Women Strike for Peace, an antinuclear and anti-war organization whose leaders were called before the House Un-American Activities Committee in the early 1960s; the records of the citizens who participated in the San Francisco to Moscow Peace Walk, which challenged the US government's Cold War rhetoric; the records of various anti-war organizations and activists during the Vietnam War; the records of groups that supported ending nuclear weapons; the records of the Fellowship of Reconciliation, which combined racial justice work with nonviolence and included activists such as Bayard Rustin and Martin Luther King Jr.; and many, many others.

Brinton would not recognize today's Peace Collection, now located in a newer building with many millions more documents than she had collected, and with digitized documents, photographs, posters, and even audio and visual materials instantaneously available to anyone around the world. She might wonder how the small staff manages to do all this work. Brinton would recognize the staff's dedication to organizing and providing access to these materials, and I like to think she would approve of the new collections and other materials that have been obtained in the seventy-five years since her retirement. Brinton's life work provides historical lessons on how a woman could combine peace activism, humanitarianism, and satisfying, absorbing professional work within an international circle of friends and activists, and on how that woman—through that life—could leave a lasting legacy for future generations.

References

- Brinton, Ellen Starr. Papers, 1895–1980. Swarthmore College Peace Collection, Document Group 051. <https://archives.tricolib.brynmawr.edu/repositories/8/resources/6958>.
- Brinton, Ellen Starr. 1947. *Guide to the Swarthmore College Peace Collection: A Memorial to Jane Addams*. Swarthmore College.
- Howes, Durward. 1939. *American Women: The Standard Biographical Dictionary of Notable Women*. American Publications, Inc.
- Media Fellowship House. n.d. Accessed June 16, 2026. <https://mediafellowshiphouse.org/>.
- Schoonover, Janetta Wright. 1924. *The Brinton Genealogy: A History of William Brinton Who Came from England to Chester County, Pennsylvania in 1684 and of His Descendants, with Some Records of the English Brintons*. MacCrellich & Quigley.

Wikipedia. n.d. “Ernst Posner.” Accessed June 16, 2026. https://en.wikipedia.org/wiki/Ernst_Posner.

About the Author

Wendy E. Chmielewski is a historian specializing in US women’s history and peace history. She is a professional descendant of Ellen Starr Brinton, having served as the George R. Cooley Curator of the Swarthmore College Peace Collection, 1988 through 2020. Dr. Chmielewski was awarded the Lifetime Achievement Award from the Peace History Society in 2019 and the Anna K. Nelson Prize for Archival Excellence from the Society of Historians of American Foreign Relations in 2023. Her most recent publication (2023) in peace history is a chapter on nineteenth century women peace activists published in the *Oxford Handbook of American and British Women Philosophers in the Nineteenth Century*. Chmielewski is a co-founder (with Dr. Jill Norgren) of the digital history project “Her Hat Was in the Ring.” Together they have written a book on the history of US women’s elective rights: *Her Hat Was in the Ring: How Women Won the Right to Run for Office in the United States* (NYU Press, 2026). Like Brinton, Chmielewski combines her professional work with ongoing political activism.

Library Patron Privacy in the Age of Artificial Intelligence: An Overview of Existing Law and Policy Recommendations

LUCIE DAIGNAULT, SAMUEL LIM AND CATHERINE FERRI

The following information is current as of December 2025.

Introduction

Public libraries are a source of trust for patrons. They serve as a space for building community and supporting patrons in their thirst for knowledge. They allow patrons to gather information about various topics without fear that their research and identities will be shared with outside parties, such as law enforcement. For patrons researching immigration, book bans, or other currently politically polarized topics, their trust in libraries and library services hinges, in part, on the assurance that their library records and identities are kept confidential.

In the context of artificial intelligence (“AI”), fear of the disclosure of research inquiries is especially potent. Current library privacy laws are insufficient to regulate the vastly developing digital landscape. They fail to afford patrons the necessary protections against data collectors. Without updates to patron privacy laws, patrons will suffer First and Fourth Amendment harms, and the relationship between libraries and patrons will deteriorate.

With the expansion of the internet, information that would ordinarily be protected under existing patron privacy laws can now be more easily accessed as a result of people’s online activity. These risks grow exponentially as patrons interact with artificial intelligence on library devices under the assumption that their inquiries about books and other library materials would be held to the same confidentiality standard as would these same interactions with a member of library staff. Although the confidentiality of online data will likely vary from state to state as patron privacy laws are revisited and revised, state legislators must clarify and expand the applicability of patron privacy laws to modern technology.

By failing to update patron privacy laws in accordance with modern technology, legislators risk damaging the relationship of trust that libraries have built with their patrons. State legislators have the responsibility to protect their constituents and the relationships they have with public institutions. By expanding protections and adapting patron privacy laws to the evolving world, legislators would only be reinforcing ideas and values that already exist. Similarly, companies who interact with libraries have a responsibility to update their privacy

policies to ensure that the data being shared with them is protected. By making the necessary updates and working in tandem, legislators, companies, and libraries can guarantee increased protection of patron privacy and affirm patron trust in the library system.

This Memorandum provides a detailed overview of all fifty states' patron privacy laws and their applicability, or lack thereof, in the context of rapidly developing AI technology.

Factual Background

What constitutes AI is complicated and constantly developing. The term "AI" generally refers to "computer systems that can perform complex tasks normally done by human-reasoning, decision making, creating, etc."¹ The most well-known form of AI, both generally and in the library context, is generative AI. Generative AI uses algorithms trained on a large data set including text, audio, or visual data.² Using that data, the algorithm then creates new text, image, or audio outputs based on user instruction.³ The program engages in what is known as 'machine learning': A computer 'trains' on large amounts of data in order to 'learn' how to act in future situations without additional programmer intervention.⁴ By processing large amounts of data, the computer system is subsequently able to 'figure out' what to do when it is prompted with something similar in the future by examining its data set.⁵ Its data set is constantly growing, and each output 'teaches' the model something new about what to do.⁶

In the context of public libraries, AI offers seemingly boundless opportunities. Libraries have already begun to incorporate AI into their daily operations.⁷ It can serve as a troubleshooting or brainstorming tool.⁸ The possibilities and uses range from "categorization and cataloguing, library management tasks like staffing and decision-making, library services like referencing and information service and information literacy."⁹ It also increases productivity for patrons: It can reformat papers, summarize sources, create spreadsheets, and even offer up its own list of sources or help workshop ideas.¹⁰ As a productivity tool for patrons and staffers alike, AI's efficiency cannot be understated.

Third-party vendors with whom libraries frequently contract are also incorporating AI into their business models. Most libraries offer access to digital services like e-books, literary databases, online news sources, and other online archives.¹¹ Most of these services have

¹ *What is Artificial Intelligence?*, NASA, <https://www.nasa.gov/what-is-artificial-intelligence/> (last visited Nov. 11, 2025).

² Susan Jenkins & Borui Zhang, *The role of AI in library services*, ELSEVIER (Feb. 7, 2024), <https://www.elsevier.com/connect/the-role-of-ai-in-library-services>.

³ *Id.* Language-based generative AI assists in summarizing, revising, translating, or developing new texts, while image or sound-based generative AI can be applied to create illustrations, data visualizations, or synthesized music. *Id.* Multi-modal generative AI algorithms use text to create images. *Id.*

⁴ Alec Peters, *Machine Manipulation: Why an AI Editor Does Not Serve First Amendment Values*, 95 U. COLO. L. REV. 307, 313 (2024).

⁵ Adam Zewe, *Explained: Generative AI*, MIT NEWS (Nov. 9, 2023), <https://news.mit.edu/2023/explained-generative-ai-1109>.

⁶ *Id.*

⁷ Emily Udell, *The World of AI*, AM. LIBRS. (Mar. 1, 2024), <https://americanlibrariesmagazine.org/2024/03/01/the-world-of-ai/>.

⁸ *Id.*

⁹ See Sanjay Kumar Jha, *Application of artificial intelligence in libraries and information centers services: prospects and challenges*, LIBR. HI TECH NEWS 1 (2023).

¹⁰ Interview with Gary Price (Oct. 31, 2025); Nick Tanzi, *How Can AI Be Used in Libraries?*, THE DIGI. LIBR. (Jan. 23, 2025).

¹¹ Interview with Gary Price (Oct. 31, 2025).

already or will soon incorporate some form of AI into their platforms.¹² These companies are using AI to process user data, better predict wait times, and even provide patrons with suggestions and recommendations for books and other media based on their previous activity.¹³ Because the AI model can make suggestions from a broader data set than a human can comprehend or synthesize, the incorporation of AI into these online services can assist librarians where they may lack specific knowledge or recommendations.

However, while AI might serve as a useful tool for libraries and their patrons, it may place libraries, library personnel, and patrons at risk. AI models have a tendency to reinforce and amplify biases in its data set.¹⁴ It may plagiarize or violate copyright law.¹⁵ It might give its user false information or sources and citations that do not exist.¹⁶ It can generate low-quality literature, lurking in libraries' digital catalogues, through which librarians must constantly sort.¹⁷ Some argue that AI has endangered—or even replaced—critical thought altogether.¹⁸

Perhaps most concerning are the privacy risks AI might create for libraries and their patrons. Currently, patron privacy relies on good behavior from companies, rather than good lawmaking from legislators. There is no federal privacy statute, and state patron privacy laws leave several gaps for accessing patron data through third parties. This leaves libraries vulnerable where they rely on a third-party vendor to assist with library services or operations. For example, libraries typically use third-party services for e-books, rather than operating their own.¹⁹ In the absence of meaningful changes to state privacy laws, libraries must rely on the vendors' privacy policies and hope that these third-party vendors do not disclose their patrons' confidential information.²⁰

However, most AI companies lack meaningful privacy protection²¹ and generally do not engage in any sort of data collection minimization.²² AI has become almost ubiquitous, even in the library context—it exists in things as mundane as Microsoft Office.²³ In order to function

¹² Matt Enis, *AI on the Horizon*, LIBR. J. (Aug. 5, 2024), <https://www.libraryjournal.com/story/ai-on-the-horizon>.

¹³ OverDrive, *Libby & Artificial Intelligence*, LIBBYAPP.COM (last visited Nov. 11, 2025), <https://about.libbyapp.com/policies/artificial-intelligence>.

¹⁴ Laura Crossett & Jeanie Rose Halperin, *Hoopla's Content Problem: Strange, Skewed Results Still Dominate Catalog*, LIBRARYFUTURES.NET (Aug. 12, 2024), <https://www.libraryfutures.net/post/hooplas-content-problem>; Emily Udell, *The World of AI*, AM. LIBRS. (Mar. 1, 2024), <https://americanlibrariesmagazine.org/2024/03/01/the-world-of-ai/>.

¹⁵ Crossett, *supra* note 14.

¹⁶ *Id.*

¹⁷ Emanuel Maiberg, *AI-Generated Slop is Already in Your Public Library*, 404 MEDIA (Feb. 4, 2025), <https://www.404media.co/email/7a1109dd-e6cd-46ac-be2f-a6d6461fc2ff/?ref=daily-stories-newsletter>.

¹⁸ Carrie Smith, *Information Literacy for the ChatGPT Age*, AM. LIBRS. (June 25, 2023), <https://americanlibrariesmagazine.org/blogs/the-scoop/information-literacy-chatgpt/>

¹⁹ Catherine E. Ferri, *Book Banning Goes Digital: Libraries Suspending Their E-Book Services and the Complications It Poses for First Amendment Doctrine*, 27 STAN. TECH. L. REV. 127, 145 (2024).

²⁰ See, e.g., OverDrive, *Privacy Statement*, LIBBYAPP.COM (last accessed Nov. 11, 2025), <https://about.libbyapp.com/policies/privacy-statement>.

²¹ See, e.g., OpenAI, *Privacy Policy*, OPENAI.COM, <https://openai.com/policies/row-privacy-policy/> (admitting that OpenAI will sell data to data brokers) (last visited Nov. 11, 2025).

²² *Data Minimization*, EPIC.ORG, <https://epic.org/issues/consumer-privacy/data-minimization/> (last visited Nov. 11, 2025). Indeed, engaging in data minimization is antithetical to the AI business model, which requires data retention in order to expand and improve the AI models. OpenAI, *How your data is used to improve model performance*, OPENAI, <https://help.openai.com/en/articles/5722486-how-your-data-is-used-to-improve-model-performance> (Nov. 1, 2025).

²³ Matt Enis, *Next Gen AI: Libraries Work with ChatGPT and Other Emerging AI Tools*, LIBR. J. (Jan. 8, 2024), <https://www.libraryjournal.com/story/next-gen-ai-libraries-work-with-chatgpt-and-other-emerging-tools>.

and continue to learn and grow, AI requires data. It gets that data in part from its users.²⁴ When users provide the model information in the form of prompts, the AI model incorporates that data back into its data set in order to respond more effectively to other users.²⁵ Without policy changes from either AI companies or states, there exists a real danger that incorporating AI into libraries will drastically reduce (if not totally destroy) patron privacy, and it will do so with the help of libraries' own staff and patrons.

Also contributing to a surge of concerns surrounding AI is a lack of AI literacy, both within communities and amongst library staffers. Library staff, unless they have a specific interest, generally lack the technological literacy to ethically interact with AI models.²⁶ There is no continuing education requirement, which means librarians may not receive adequate technological training during their education and lack the structure or incentive to augment their education later on. In situations where IT responsibilities fall to the librarians due to lack of staffing or funding, this gap in knowledge means that librarians do not know how to protect themselves or their patrons.²⁷

Without AI literacy, librarians in turn lack the capability to educate the public on ethical AI usage. In order to avoid unnecessary privacy risks, patrons need AI literacy training.²⁸ Broadly speaking, the population lacks a basic understanding of what AI is and how they should be using it.²⁹ When they do interact with these tools, they might not be aware of what they are doing or the full capabilities of the product.³⁰ They might accidentally trust false or misleading information created through AI hallucinations.³¹ Absent training, patrons risk their constitutional right to privacy by divulging sensitive or otherwise privileged information to a third-party AI vendor.

Making efforts to close this AI literacy gap might help improve libraries' public perception. Generally speaking, people rely less and less on libraries with each subsequent year.³² However, while in-person visits have continued to decline, there is an increase in attendance in library programming.³³ Moreover, libraries already serve as a hub for general digital literacy training.³⁴ This suggests that libraries that shift focus to developing programs to educate their community on AI specifically would be serving a growing community purpose.³⁵ Some

²⁴ See, e.g., OpenAI, *supra* note 21.

²⁵ *Id.*

²⁶ Interview with Gary Price (Oct. 31, 2025).

²⁷ Ashley Mowreader, *Report: Defining AI Literacy for Librarians*, INSIDE HIGHER ED (Feb. 10, 2025), <https://www.insidehighered.com/news/student-success/academic-life/2025/02/10/how-librarians-can-engage-generative-ai> ("[AI] literacy is critical both for professional development of library staff to integrate tools into library services as well as community engagement, empowering librarians to guide and educate others on how to interact with AI systems.").

²⁸ *Id.* (AI literacy is the "ability to understand, use, and think critically about AI technologies and their impact on society, ethics and everyday life").

²⁹ Zach Hrynowski *Heartland Gen Zers Feel Unprepared to Use AI at Work*, GALLUP (May 7, 2025), <https://news.gallup.com/poll/660302/heartland-gen-zers-feel-unprepared-work.aspx>.

³⁰ Interview with Gary Price (Oct. 31, 2025).

³¹ Emanuel Maiberg, *AI-Generated Slop is Already in Your Public Library*, 404 MEDIA (Feb. 4, 2025), <https://www.404media.co/email/7a1109dd-e6cd-46ac-be2f-a6d6461fc2ff/?ref=daily-stories-newsletter>.

³² *Use of Public Libraries*, AM. ACAD. OF ARTS & SCI, <https://www.amacad.org/humanities-indicators/public-life/use-public-libraries> (last visited Nov. 11, 2025).

³³ *Id.*

³⁴ *New Public Library Technology Survey report details digital equity roles*, AM. LIBR. ASSOC. (July 9, 2024), <https://www.ala.org/news/2024/07/new-public-library-technology-survey-report-details-digital-equity-roles>.

³⁵ *Id.*

library advocates argue that AI programming will help keep libraries relevant, which in turn will keep them funded and existing.³⁶

Libraries now find themselves in a unique (but not unfamiliar) position within their communities. They have the opportunity to serve as a demystifying force, a source of technological literacy for the public.³⁷ But embracing that new role cannot come at the expense of patron privacy. This Memorandum will serve as a comprehensive tool for advocating for meaningful change from state legislators, library-related vendors, and library personnel. It surveys all 50 states' and the District of Columbia's patron privacy protections, discusses the gaps in federal law that endanger patron privacy in the AI context, and concludes with several policy recommendations. In doing so, this Memorandum aims to allow libraries to survive, not flee, the AI boom.

Most States Have Enacted Library Privacy Laws To Protect Confidential Patron Information

Most states have a statute designed to protect library patron privacy and to ensure the confidentiality of library records. The following section is a comprehensive survey of all fifty states, as well as the District of Columbia, and their respective patron privacy laws. With the exception of Kentucky and Hawaii, each of these states protects library patron privacy through statutory law. In Kentucky, the Attorney General has memorialized guidance regarding the confidentiality of library patron records in two opinions.³⁸ Similarly, the State of Hawaii Office of Information Practices encapsulates Hawaii's patron privacy guidance in an opinion letter.³⁹ This section will outline the patron privacy laws currently enacted in Southern, Northeastern, Mid-Atlantic, Midwestern, Mountain, and Pacific states and the extent to which they are successful in achieving their purported goal.

What Information Is Considered Private?

Generally, under state privacy provisions, circulation and registration records are private information, and therefore confidential. While the exact definition of what constitutes a registration or circulation record may vary depending on the state, these terms are used to describe records pertaining to the lending of library books, documents, or other materials which can be traced to a specific library patron. Some state library privacy laws define confidential records in a way that protects a broader range of materials. In Tennessee, for example, confidential library records include "documents[s], record[s], or other method[s] of storing information retained by a library that identifi[y] a person as having requested or obtained specific materials from such library."⁴⁰ Other states apply very precise language in defining what materials are protected from disclosure. In Arkansas, confidential records are "documents or information in any format retained in a library that identifies a patron as having requested, used, or obtained specific materials, including, but not limited to, circulation of library books, materials, computer database searches, interlibrary loan transactions, reference queries, patent searches, requests for photocopies of library materials, title reserve

³⁶ Interview with Gary Price (Oct. 31, 2025).

³⁷ Matt Enis, *AI and the Public*, LIBR. J. (Nov. 11, 2024), <https://www.libraryjournal.com/story/ai-and-the-public>.

³⁸ See 81 Ky. Op. Att'y Gen. 159; see also 82 Ky. Op. Att'y Gen. 149.

³⁹ See generally OIP Op. Ltr. No. 90-30.

⁴⁰ Tenn. Code Ann. § 10-8-101 (2024).

requests, or the use of audiovisual materials, films, or records,” thereby specifically including computer use.⁴¹

How and When Can Private Information Be Disclosed?

States generally allow for the disclosure of confidential patron information in at least one of two ways.

First, states will often permit disclosure when a library patron gives the library written consent to disclose their own registration and circulation records. In states where the statute does not expressly permit disclosure to a minor patron’s parent or guardian, for example, libraries may require consent by the minor patron to give the parent or guardian permission to access information contained in the minor patron’s registration or circulation records.

Second, states generally permit disclosure to law enforcement or an attorney when the library is presented with either a court order, subpoena, or warrant. Several states also authorize the disclosure of a minor child’s confidential records to that child’s parents or guardians. Library disclosure, even inadvertently, of records pertaining to vulnerable populations like children and other marginalized communities, is of particular concern when evaluating the harms resulting from privacy violations. If third parties and law enforcement are allowed access to confidential information of any library patron, but especially of vulnerable populations, they can use this information for dangerous purposes, including placing queer or trans children in unaccepting families in danger or subjecting patrons of color to violent federal immigration enforcement.⁴² Patron privacy laws also generally permit disclosure for the purpose of research and planning. The use of artificial intelligence can increase efficiency in this area. Despite this, when evaluating the current effectiveness of their state library patron laws, state legislatures must consider how easily information can be reidentified if shared with an AI company. By taking consideration of advancing technology into account when revising and developing patron privacy laws, state legislatures can ensure greater protection of personal data.

The sections below discuss each state and their individual library patron privacy protections in greater detail, as well as case law interpreting these provisions.

Alabama

In **Alabama**, “registration and circulation records and information concerning the use of the public, public school, college and university libraries of [the] state” are confidential.⁴³ “Registration records” refer to “any information which a library requires a patron to provide in order to become eligible to borrow books and other materials.”⁴⁴ “Circulation records,” comparatively, include “all information which identifies the patrons utilizing particular books and any other library materials in any medium or format.”⁴⁵ Patron information is generally

⁴¹ Ark. Code Ann. § 13-2-701 (2024).

⁴² In Texas, a private company, Bookmarked, is using Senate Bill 13 (a book regulation law passed under the guise of protecting students from harmful content) to its advantage to market its business model as a company that “flag[s] potentially problematic material from thousands of titles and give parents direct insight into their children’s reading choices.” See Bayliss Wagner, *‘Antivirus for libraries’: How a Texas startup is capitalizing on school book bans*, EXPRESS NEWS (Nov. 17, 2025, 9:42AM), <https://www.expressnews.com/politics/article/texas-school-bookmarked-book-ban-software-21065847.php>.

⁴³ Ala. Code § 41-8-10 (2024).

⁴⁴ Ala. Code § 41-8-9 (2024).

⁴⁵ *Id.*

confidential, with exceptions for disclosure to “(a) the library which manages the records; (b) the state education department for a library under its jurisdiction when it is necessary to assure the proper operation of such library; or (c) the state Public Library Service for a library under its jurisdiction when it is necessary to assure the proper operations of such library.”⁴⁶ Alabama’s library privacy law further gives permission for parents of a minor child to inspect registration and circulation records related to their child.⁴⁷ Likewise, libraries may release or use statistics developed from de-identified registration and circulation records for the purposes of research and planning.⁴⁸

Libraries or library systems, in implementing their individual privacy policies, should deliberately consider what “research and planning” means in this context. A library may wish to disclose de-identified statistics about what books patrons are checking out to an artificial intelligence company for the purpose of using the company’s technology to plan what new books the library should buy for its catalogue. In doing so, the library may argue that it is abiding by the law. However, libraries should intentionally evaluate the implications of this type of information sharing, as de-identified data can be reidentified with the right tools.⁴⁹

In 2014, the Attorney General of Alabama issued an opinion in a child pornography case considering whether a library is permitted to produce patron registration records to law enforcement if library staff have knowledge of a patron committing a crime on library property.⁵⁰ The guidance set forth by the opinion turns on legislative intent: The Attorney General found that “the Legislature did not intend to restrict library personnel from using registration records to report patrons who commit specific criminal offenses on library property to law enforcement authorities. A contrary reading would leave the library with no recourse when faced with criminal conduct.”⁵¹ Because “child pornography websites can only be accessed after circumventing the web-filter restrictions placed on the web-browser by the library and violating the library’s internet-usage policy,” they should not be categorized as library materials protected as confidential circulation records under the state’s privacy statute.⁵² For patrons interpreting this opinion and determining whether their internet use is classified as library materials, this would mean that patrons must be aware of the library’s internet usage policy and the details within it.

Under Alabama guidance, a patron who has intentionally or unintentionally violated the library’s internet-usage policy opens their internet activity to access by law enforcement and other third parties to whom the library wishes to disclose. In the context of a potential suit involving generative artificial intelligence, this guidance suggests that if a patron were to use the AI model in an effort to seek or generate obscene content or information considered to be in violation of library policy, there is the possibility that if a third party were to request the information, the library would classify the records as non-confidential in consideration of the above Attorney General opinion. This also leaves open or unclear what would happen if law enforcement simply sought the records from the AI company absent some sort of abuse.

⁴⁶ Ala. Code § 41-8-10 (2024).

⁴⁷ *Id.*

⁴⁸ *Id.*

⁴⁹ Lea Kissner, *Deidentification versus anonymization* (June 18, 2019), <https://iapp.org/news/a/de-identification-vs-anonymization/>.

⁵⁰ 2014-092, Ala. Att’y Gen. Op. (2014) at *1.

⁵¹ *Id.* at *2.

⁵² *Id.*

Arizona

Arizona's patron privacy law is notable for including e-books.⁵³ Arizona does not allow disclosure of user records, including e-books, that “identifies a user of library services as requesting or obtaining specific materials or services or as otherwise using the library.”⁵⁴

Arizona provides four ways of disclosing records. First, records may be disclosed if they are necessary for the reasonable operation of the library.⁵⁵ Second, records may be disclosed on written consent of the user.⁵⁶ There is a question of whether such consent includes agreeing to terms by AI companies. Finally, records may be disclosed through court order or other law.⁵⁷ However, this protection may not be available for laws like the Patriot Act that do not go through the traditional judicial system.⁵⁸

Alaska

In **Alaska**, “the names, addresses, or other personal identifying information of people who have used materials made available to the public by a library shall be kept confidential.”⁵⁹ The section applies to all types of public libraries.⁶⁰ While Alaska protects personal information of patrons, the statute does not mention whether circulation records will be protected. The library records can be made available through court order.⁶¹ Parents or guardians can also access their child’s library records in public elementary or secondary school libraries.⁶²

Arkansas

In comparison to other state library privacy laws in the Southern region, **Arkansas's** definition of confidential information is very specific. Under the statute, “library records which contain names or other personally identifying details regarding the patrons of [the library] shall be confidential and shall not be disclosed except as permitted [under the statute].”⁶³ Confidential library records are “documents or information in any format retained in a library that identifies a patron as having requested, used, or obtained specific materials, including, but not limited to, circulation of library books, materials, computer database searches, interlibrary loan transactions, reference queries, patent searches, requests for photocopies of library materials, title reserved requests, or the use of audiovisual materials, films, or records.”⁶⁴

Because the text of the statute specifies that confidential library records must relate to the materials that a patron has “requested, used, or obtained” in the library, the term “computer database searches” would likely refer to online databases that allow patrons to look for

⁵³ Ariz. Rev. Stat. Ann. § 41-151.22 (2024).

⁵⁴ *Id.* at § 41-151.22(A).

⁵⁵ *Id.* at § 41-151.22(B)(1).

⁵⁶ *Id.* at § 41-151.22(B)(2).

⁵⁷ *Id.* at § 41-151.22(B)(3)-(4).

⁵⁸ See *PATRIOT Act*, ELEC. PRIV. INFO. CTR., <https://epic.org/issues/surveillance-oversight/patriot-act/> (last visited Nov. 20, 2025).

⁵⁹ Alaska Stat. § 40.25.140(a) (2024).

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² *Id.*

⁶³ Ark. Code Ann. § 13-2-703 (2024).

⁶⁴ *Id.* at § 13-2-701.

specific books or for librarians to checkout books on behalf of a patron. “Computer database searches,” therefore, would likely not refer to the use of any website by a patron or librarian, such as a non-library “owned” website, or non-library artificial intelligence platform, such as ChatGPT. An artificial intelligence program developed and operated by the library to assist patrons locate or checkout books, however, would likely fall under the definition of “computer database searches.” Alabama libraries who adhere to this guidance must conspicuously display their internet-usage policies so that patrons understand the potential consequences of their internet use and engagement with artificial intelligence technologies. Using specific language in the statute allows for greater privacy protection for library patrons. However, language concerning the use of artificial intelligence and other digital technologies must be included in the statute to ensure that patrons have clear guidance about what information is protected.

A library in Arkansas may disclose personally identifiable patron information to “(1) the patron; (2) any person with the informed, written consent of the patron; a law enforcement agency or civil court, under a search warrant; or (4) any person, including without limitation the patron, who has received an automated telephone notification or other electronic communication for overdue materials or reserve materials if the person making the request can verify the telephone number or email address to which the notice was sent.”⁶⁵ The statute also permits disclosure of confidential records to the parent or legal guardian of a patron who is a minor child.⁶⁶ As was the case in Alabama, libraries may release or use statistics developed from de-identified registration and circulation records for the purposes of research and planning.⁶⁷ Lawmakers must clarify what it means to release patron information for the purposes of “research and planning.” By intentionally revising patron privacy statutes, legislators can prevent exploitation of “research and planning” provisions and restrict widespread sharing of patron information with data brokers and artificial intelligence companies. Without clarification, libraries and librarians may be able to permissibly disclose otherwise confidential information to AI platforms.

Violators of statute are considered guilty of a misdemeanor and will be fined no more than two hundred dollars, punished by a jail sentence of no more than thirty days, or both, or punished by “a sentence of appropriate public service or education, or both.”⁶⁸ Arkansas is unique because it states that information obtained in violation of this law cannot be admitted as evidence in any trial or hearing.⁶⁹ This may motivate law enforcement to comply with the provisions and get an appropriate court order so that any evidence gathered is admissible in court.⁷⁰

California

California has a dedicated statute for library records.⁷¹ Unlike other states, California refers to library records as “patron use records.”⁷² The records include “[a]ny written or elec-

⁶⁵ *Id.* at § 13-2-704.

⁶⁶ *Id.*

⁶⁷ *Id.* at § 13-2-705.

⁶⁸ *Id.* at § 13-2-702.

⁶⁹ *Id.* at § 13-2-706.

⁷⁰ See James Huff, *Patron Confidentiality, Millennium Style*, 30(6) AM. LIBRS 86, 88 (1999), <https://www-jstor-org.gt-law.idm.oclc.org/stable/25637206?sid=primo&seq=2>.

⁷¹ Cal. Gov't Code § 7927.100, .105 (West 2024).

⁷² *Id.* at § 7927.105(a).

tronic record that is used to identify a library patron and is provided by the patron to become eligible to borrow or use books and other materials,”⁷³ including, but not limited to, “a patron’s name, address, telephone number, or email address.”⁷⁴ By including the phrase “not limited to,” California is prepared for a wide variety of records that can potentially be traced back to the patron when modern technology can reidentify a patron with limited data.⁷⁵ Patron use records also include a patron’s borrowing information or use of library information resources.⁷⁶ Again, California provides specific examples, which includes but is not limited to, “database search records, borrowing records, class records, and any other personally identifiable uses of library resources, information requests, or inquiries.”⁷⁷ “Information requests” is an interesting language, because it potentially covers use of third parties like AIs or search engines by patrons, preventing companies from using the third-party doctrine to access records.

Like other modern statutes, California ensures that its law covers electronic record or transaction of patron use records,⁷⁸ making sure that the statute is relevant in the digital age. By being comprehensive with its definition, the statute serves as a clear guide to patrons in showing what records are confidential. This ensures that third parties like AI companies do not take advantage of any blurred boundaries of the definition to access records that they do not have the right to. The section also makes it clear that patron use records do not include statistical reports of patron use or records of fines collected by a library.⁷⁹ This weakens patron privacy against AI companies because statistical reports can be traced back to individuals using modern technology.⁸⁰ Not applying confidentiality to fines also means that e-book vendors can potentially access records when dealing with their overdue materials.

Patron use records may be disclosed to a person acting within the scope of their duties for the administration of the library or if the person is authorized in writing by the patron.⁸¹ Records may also be disclosed via court order.⁸² California also has exceptions to records that are disclosable. Library circulation records kept for the purpose of identifying the borrower of items are not required to be disclosed, but this exception does not apply when it deals with “records of fines imposed on the borrowers.”⁸³

Colorado

Colorado prohibits disclosure of “any record or other information that identifies a person as having requested or obtained specific materials or service or as otherwise having used the library.”⁸⁴ Records may be disclosed under four instances. First, they may be disclosed when it is necessary for the reasonable operation of the library.⁸⁵ While the law does

⁷³ *Id.* at § 7927.105(a)(1).

⁷⁴ *Id.*

⁷⁵ See *De-Anonymization: What It is, How It Works, How it’s Used*, INVESTOPEDIA (Oct. 15, 2022), <https://www.investopedia.com/terms/d/deanonymization.asp>.

⁷⁶ Cal. Gov’t Code § 7927.105 at (a)(2) (West 2024).

⁷⁷ *Id.*

⁷⁸ Cal. Gov’t Code § 7927.105(a)(1)-(2) (West 2024).

⁷⁹ *Id.* at § 7927.105(b)(1)-(2).

⁸⁰ See *De-Anonymization*, *supra* note 5.

⁸¹ Cal. Gov’t Code § 7927.105(c)(1)-(2) (West 2024).

⁸² *Id.* at § 7927.105(c)(3).

⁸³ Cal. Gov’t Code § 7927.100(a)-(b) (West 2024).

⁸⁴ Colo. Rev. Stat. § 24-90-119(1) (2024).

⁸⁵ *Id.* at § 24-90-119(2)(a).

not specify what falls under “reasonable operation,” it is likely that this provision involves studying or evaluating circulation of materials like other states. Such activities are necessary in order to ensure libraries operate smoothly and serve patrons. However, there is a danger of third-party vendors using this exception, should a court consider them to be a part of the library ordinarily subjected to the patron privacy requirements. Next, records may also be disclosed upon written consent of the user.⁸⁶ Third-party vendors might solicit this consent, including it as a condition for agreeing to their terms of use.

Third, records may be disclosed through subpoena, court order, or where otherwise required by law.⁸⁷ Finally, a custodial parent or legal guardian may access the records of the minor.⁸⁸ The statute specifies that the access is done online, which means it is vulnerable to access by AI companies. The law discourages violation of disclosure requirements by clarifying that such violation by “any library official, employee, or volunteer” is a civil infraction that can be punished by a fine of not more than three hundred dollars.⁸⁹ The effect of the penalty is limited by the fact that it does not include third parties, such as law enforcement or AI companies. The fine may also be too small to act as a real deterrent.

The Colorado legislature has demonstrated hostility to expanding their understanding of what constitutes library records in the context of privacy. In *Brookhart v. Reaman*, the Colorado Court of Appeals held that the identity of a public library book challenger cannot be disclosed.⁹⁰ The court expanded “service” in the privacy law beyond patrons of the library to also include book challengers who sought to have books banned.⁹¹ Such expansion would bode well for protecting patron privacy in the context of third-party vendors, as it indicates that any record that is tangentially related to libraries might be grounds for protection and that Colorado courts are open to expanding their understanding of the library-patron relationship in the context of patron privacy.

However, after *Brookhart*, the Colorado legislature reversed the appellate court decision by amending the law to clarify that a written request for reconsideration of a library resource is not a protected library user record.⁹² Colorado’s reversal suggests that while courts might be open to a more liberal understanding of terminology, the legislature might be hostile to suggestions to amend or expand its patron privacy statute.

Connecticut

In **Connecticut**, library records that can be used to “identify any library user, or link any user to a library transaction, regardless of format, shall be kept confidential[.]”⁹³ As an example, Bloomfield Public Library specifies that patron email addresses and phone numbers are categorized as confidential records.⁹⁴ Libraries may disclose ordinarily confidential

⁸⁶ *Id.* at § 24-90-119(2)(b).

⁸⁷ *Id.*

⁸⁸ Colo. Rev. Stat. § 24-90-119(2)(d) (2024).

⁸⁹ *Id.* at § 24-90-119(3).

⁹⁰ *Brookhart v. Reaman*, 541 P.3d 624, 632 (Colo. App. 2023).

⁹¹ *Id.* at 631.

⁹² Colo. Rev. Stat. § 24-90-119(4) (2024).

⁹³ Conn. Gen. Stat. § 11-25(b)(1) (2024).

⁹⁴ *Privacy Policy*, BLOOMFIELD PUB. LIBR., https://bplct.org/wp-content/uploads/2023/05/doc_policy_privacypolicy2023-05-09.pdf (last visited Oct. 17, 2025).

records, however, to officers, employees, and agents of the library as needed to effectuate operation of the library.⁹⁵

Although “agent” is not defined, it is worth considering whether this term would include AI agents that have been adopted by libraries to facilitate efficiency in completing library tasks. Without clarifying what it means to be an agent of the library, libraries may be permitted to share confidential patron information with AI agents or bots and potentially the AI company at large. While the statute ensures the confidentiality of library records and related personally identifying information “regardless of format,”⁹⁶ libraries must recognize the vulnerability of the digital services they provide, as they may not be able to guarantee the same level of privacy with data transmitted over the internet as they would with physical records within the library.

Libraries and librarians may only release confidential patron information to third parties in accordance with a court order or with written consent from the library patron to whom the information pertains.⁹⁷ Connecticut libraries may publish or make publicly available “statistical reports regarding library registration and use of library materials,” as long as the reports do not contain personally identifiable information, although information can be reidentified with the use of AI.⁹⁸

Delaware

The provision discussing library patron privacy in **Delaware** is included in the section of the state’s code pertaining to Delaware’s Freedom of Information Act. Delaware code defines “public records” as “information of any kind, owned, made, used, retained, received, produced, composed, drafted or otherwise compiled or collected, by any public body, relating in any way to public business, or in any way of public interest, or in any way related to public purposes, regardless of the physical form or characteristic by which such information is stored, recorded or reproduced.”⁹⁹ Comparatively, non-public records include “any records of a public library which contain the identity of a user and the books, documents, films, recordings or other property of the library which a patron has used[.]”¹⁰⁰

While the definition of non-public records does not explicitly include the use of AI, presumptively, any records the library makes relating to a patron’s use of artificial intelligence or of a particular computer within the library would be considered confidential if that information was also linked with “the books, documents, recordings or other property of the library which a patron has used[.]”¹⁰¹ Concern about disclosure of patron use of AI is further mitigated if the library adopts a strict data minimization policy.

District of Columbia

In the **District of Columbia**, “[c]irculation records maintained by the public library in the District of Columbia which can be used to identify a library patron who has requested, used, or borrowed identified library materials from the public library and the specific material

⁹⁵ Conn. Gen. Stat. § 11-25(b)(1) (2024).

⁹⁶ Conn. Gen. Stat. § 11-25(b)(1) (2024).

⁹⁷ *Id.* at § 11-25(2).

⁹⁸ *Id.* at § 11-25(4).

⁹⁹ Del. Code Ann. tit. 29, § 10002(o) (2024).

¹⁰⁰ Del. Code Ann. tit. 29, § 10002(o)(12) (2024).

¹⁰¹ *Id.*

that patron has requested, used, or borrowed from the public library, shall be kept confidential, except that the records may be disclosed to officers, employees, and agents of the public library to the extent necessary for the proper operation of the public library.”¹⁰² Libraries may disclose such confidential records to officers, employees, and agents of the library to effectuate proper operation of the library.¹⁰³

Libraries may not disclose these records to a third party unless the patron gives written consent or the library is presented with a court order.¹⁰⁴ This provision, however, does not prohibit the library from “disclosing relevant information on a library patron to the Corporation Counsel of the District of Columbia or legal counsel retained to represent the public library in a civil action.”¹⁰⁵ The D.C. Public Library’s privacy policy contains a provision related to third-party security.¹⁰⁶ In this provision, the library articulates that it “ensures that its contracts, licenses, and off-site computer service arrangements reflect its policies and legal obligation concerning user privacy and confidentiality.”¹⁰⁷ Further, the library recognizes that “[s]ome library users may choose to use electronic communication services from the library [...] via e-mail,” however, the library has “limited ability to protect the privacy of this information once it is outside the library’s control.”¹⁰⁸ Finally, for patrons who choose to use the library’s wireless network, “[u]sers should be aware that data accessed and sent over the library’s wireless network is not encrypted.”¹⁰⁹

This policy reflects the general scope and power of the current state of library patron privacy laws: While libraries can effectively create and enforce protection of patron records within the brick-and-mortar establishment, they often lack the power to reach beyond and protect the information once it is in the hands of data brokers or other third parties. The information included in this policy, as written, is of particular concern in relation to the use of artificial intelligence. Because libraries often cannot control information once it has extended beyond library walls, if a patron shares information about their circulation records with an AI service or other third-party technology, the library no longer has control over this information, even though this information would normally be considered confidential if kept within a brick-and-mortar library facility.

Under the law, any affected patron may file a motion in the Superior Court of the District of Columbia to request that the records remain confidential.¹¹⁰ The statute provides additional protection to patrons by notifying affected individuals within two working days after receiving a court-issued subpoena.¹¹¹ Any officer, employee, or agent of the library who violates these provisions are guilty of a misdemeanor and shall be fined no more than three hundred dollars.¹¹² Patrons affected by a violation of the statute may bring a civil action against the violator for “actual damages or [two hundred fifty dollars], whichever is greater, reasonable attorneys’ fees, and court costs.”¹¹³

¹⁰² D.C. Code § 39-108(a) (2024).

¹⁰³ *Id.*

¹⁰⁴ *Id.* at § 39-108(b)(1).

¹⁰⁵ *Id.* at § 39-108(b)(3).

¹⁰⁶ See *Privacy and Confidentiality Policy*, D.C. PUB. LIBR. (May 28, 2008), <https://www.dclibrary.org/library-policies/privacy-and-confidentiality-policy>.

¹⁰⁷ *Id.*

¹⁰⁸ *Id.*

¹⁰⁹ *Id.*

¹¹⁰ D.C. Code § 39-108(b)(2) (2024).

¹¹¹ *Id.* at § 39-108(b)(4).

¹¹² *Id.* at § 39-108(d).

¹¹³ *Id.*

Florida

Florida law makes confidential “all registration and circulation records of every public record, except statistical reports of registration and circulation[.]”¹¹⁴ “Registration records” include “any information that a library requires a patron to provide in order to become eligible to borrow books and other materials,”¹¹⁵ whereas “circulation records” include “all information that identifies the patrons who borrow particular books and other materials.”¹¹⁶

Florida law permits disclosure of confidential library records specifically for “collecting fines or recovering overdue books, documents, films, or other items or materials owned or otherwise belonging to the library.” The statute permits disclosure of confidential library records to the library patron discussed in the records, the parent or guardian of a patron if the patron is less than sixteen years of age,¹¹⁷ an agency that collects fines for the library, municipal or county law enforcement officials, or judicial officials.¹¹⁸

While the language of the statute may seem initially satisfactory, it is important to consider the ways in which libraries are continuously integrating advancing technology with everyday tasks,¹¹⁹ especially when the Florida statute permits disclosure to an agency that collects fines for the library.¹²⁰ The growing use of AI for mundane tasks is particularly of concern with the development of agentic AI. Agentic AI, or “machine learning models that mimic human decision-making to solve problems in real time,” involves the use of “an artificial intelligence system [to] accomplish a specific goal with limited supervision.”¹²¹ If the library were to contract with an artificial intelligence company to use an AI agent that can assist with collecting fines or recovering overdue materials, the statute likely would permit disclosure of confidential records to that AI agent. If libraries choose to use AI in this manner and increase library efficiency, they should stringently evaluate potential vendors and, with proper contracting and guidance under legislation, ensure the AI agent is classified as a part of the library staff, and thereby a covered entity of patron privacy laws.

In 2010, the United States District Court for the Middle District of Florida addressed a request for access to library patron records arising out of a complaint alleging negligence in a motor vehicle accident.¹²² Defendants argued that, as part of discovery, they should be able to access the list of books the plaintiff’s family checked out from the library that pertain to brain injuries.¹²³ The plaintiff sought a protective order to quash subpoenas requesting such library

¹¹⁴ Fla. Stat. § 257.261(1) (2025).

¹¹⁵ *Id.* at § 257.261(2).

¹¹⁶ *Id.*

¹¹⁷ One method of patron age verification is at the time of library card registration. Alachua County Library District, as an example, requires a current photo ID when a prospective patron is registering for a library card. Prospective patrons under the age of eighteen “must be accompanied by a legal guardian as the Responsible Party.” *Get a Card*, ALACHUA CNTY. LIBR. DIST., <https://www.aclib.us/cards> (last visited Nov. 3, 2025).

¹¹⁸ Fla. Stat. § 257.261(3)(b) (2025). The statute offers carveouts for minors, in which case the library must release the information of the minor’s guardian to collection agencies and law enforcement, rather than release the minor’s information.

¹¹⁹ See e.g., Clarivate, *AI’s Role in the Future of Library Services*, LIBR. J. (May 2, 2025), <https://www.libraryjournal.com/story/ais-role-in-the-future-of-library-services-250501>.

¹²⁰ Fla. Stat. § 257.261(3)(b) (2025).

¹²¹ Cole Stryker, *What is agentic AI?*, IBM, <https://www.ibm.com/think/topics/agentic-ai> (last visited Nov. 5, 2025).

¹²² See *Riley v. Roberts Brothers Coach Leasing Co., Inc.*, Case No. 6:09-cv-2147-Orl-35DAB, 2010 WL 11626740, at *1 (M.D. Fla. Dec. 8, 2010).

¹²³ See *id.* at *2.

records.¹²⁴ The court, in granting the protective order, found that while the order did not call for privileged information, it “goes too far afield,” seeing as the plaintiff’s family would “not be able to provide expert testimony, and it [was] sufficient for impeachment purposes that they have researched the subject of brain injuries.”¹²⁵ Although this case is over a decade old, the overall principle regarding a request for extremely broad information from a library likely holds true, as permitting such requests would allow individuals to have access to a flood of information that is not explicitly related to the litigation at hand.

Georgia

Georgia’s library patron privacy law is unique because it is part of the state’s rules of evidence. In addition to creating a requirement for libraries and librarians to keep patron information confidential, the placement of this law in the code of evidence brings into question whether library records are considered privileged, in the same way that there is attorney-client privilege and spousal privilege (among other privileges) in the context of court testimony. Privileges protect certain relationships and communication within those relationships from disclosure in legal proceedings.¹²⁶ They facilitate trust within those relationships and hope to foster open communication.¹²⁷ While it is unclear why the Georgia legislature chose to include this law in the code of evidence, it is likely, based on the language used in the text, that part of the intent of writing these provisions was to have protections for library patrons similar to that of other states.

Georgia’s statute generally classifies as confidential “circulation and similar records of a library” that allow for patron identification.¹²⁸ It may be necessary for libraries and librarians to consider the scope of how similar a record must be to be classified as a “circulation [or] similar record” under the statute.¹²⁹ By identifying where the line lies, libraries can have clarity on whether a “similar record” would include a transcript of a patron conversing with an AI chatbot about what books to check out or of a librarian conversing with an AI chatbot about what books to suggest to a patron based on their past circulation history. The breadth of this provision is determinative of whether libraries and librarians can argue if certain records produced in the library can be classified as confidential records.

A Georgia library may disclose confidential patron information to “members of the library staff in the ordinary course of business,” with written consent from the patron or from the patron’s parent or guardian if the patron is a minor, or when presented with an appropriate court order or subpoena.¹³⁰ Disclosure does not “destroy the confidential nature of that material, except for the purpose for which an authorized disclosure is made.”¹³¹ Third-

¹²⁴ See *id.*

¹²⁵ *Id.* at *3.

¹²⁶ “The Third Party Doctrine asserts individuals typically have no reasonable expectation of privacy in information voluntarily provided to third parties.” *What Does Privilege Mean in a Court of Law?*, LEGALCLARITY (Aug. 23, 2025), <https://legalclarity.org/what-does-privilege-mean-in-a-court-of-law/>.

¹²⁷ See *id.*

¹²⁸ Ga. Code Ann. § 24-12-30(a) (2024).

¹²⁹ *Id.*

¹³⁰ *Id.*

¹³¹ Ga. Code Ann. § 24-12-30(b) (2024).

party disclosure, under the third-party doctrine, would likely be considered an “authorized disclosure.”¹³²

Hawaii

Hawaii is the only state other than Kentucky¹³³ that does not have a specific statute which prohibits public access to public library circulation records.¹³⁴ The Office of Information Practices (OIP) administers the Uniform Information Practices Act (UIPA),¹³⁵ which is the public records law of the state.¹³⁶ OIP answered in an opinion whether patron circulation reports must be disclosed to the public.¹³⁷ While OIP opinions provide guidance on the UIPA, the opinions have no legally binding or precedential value.¹³⁸ Because the UIPA does not require agencies to disclose “[g]overnment records, which, if disclosed, would constitute a clearly unwarranted invasion of personal privacy”¹³⁹ and “individuals have a significant privacy interest in information, such as Library circulation records, which reveals their thoughts, associations, or beliefs,” the OIP concluded that an individual’s privacy interest in library circulation records was not outweighed by the public interest in disclosure.¹⁴⁰ Using a balancing test from the UIPA,¹⁴¹ OIP found that “generally, the public disclosure of library circulation records would constitute a clearly unwarranted invasion of personal privacy.”¹⁴² Regarding library fines, however, the OIP concluded that under the same test the disclosure of fine amounts was not an invasion of personal privacy.¹⁴³ Other than the UIPA, the OIP relied on a similar persuasive opinion from the Kentucky Attorney General to make its decision.¹⁴⁴

Hawaii has a disadvantage of not codifying protection of library records in its statute. While the OIP was able to use its administrative authority to protect library circulation records against disclosure, the lack of statute means that the opinion can be easily overturned if the agency comes to a different decision in the future. The opinion also only protects library circulation records, which have to do with the patron’s right to receive information. It does not explicitly mention prohibiting the disclosure of personal information, which would protect the patron’s right to privacy. However, the OIP will likely protect personal information, because public interest in disclosure of personal information does not outweigh patron privacy. Due to its flexibility, the opinion has the potential to prevent improper disclosure to law

¹³² See *What Is the Third Party Doctrine for Privacy?*, LEGALCLARITY (Aug. 24, 2025), <https://legalclarity.org/what-is-the-third-party-doctrine-for-privacy/>.

¹³³ See *State Privacy Laws Regarding Library Records*, AM. LIBR. ASS’N (Nov. 2021), <https://www.ala.org/advocacy/privacy/statelaws>.

¹³⁴ Public Access to Library Patron Circulation and Fine Records, OIP Op. Ltr. No. 90-30 1, 1 (Oct. 23, 1990).

¹³⁵ *Home*, HAWAII.GOV, <https://oip.hawaii.gov/> (last visited Nov. 20, 2025).

¹³⁶ *UIPA*, HAWAII.GOV, <https://oip.hawaii.gov/laws-rules-opinions/uipa/> (last visited Nov. 20, 2025).

¹³⁷ See OIP Op. Ltr. No. 90-30 at 1.

¹³⁸ See *OPINIONS*, HAWAII.GOV, <https://oip.hawaii.gov/laws-rules-opinions/opinions/> (last accessed Nov. 20, 2025).

¹³⁹ Haw. Rev. Stat. § 92F-13(1) (Supp. 1989).

¹⁴⁰ OIP Op. Ltr. No. 90-30 at 2.

¹⁴¹ Haw. Rev. Stat. § 92F-14(a) (2024) (“Disclosure of a government record shall not constitute a clearly unwarranted invasion of personal privacy if the public interest in disclosure outweighs the privacy interest of the individual.”).

¹⁴² Public Access to Library Patron Circulation and Fine Records, OIP Op. Ltr. No. 90-30 1, 2 (Oct. 23, 1990).

¹⁴³ *Id.*

¹⁴⁴ *Id.* at 9 (“[T]he Kentucky Attorney General found that ‘the individual’s privacy right as to what he borrows from a public library (books, motion picture film, periodicals and any other matter) is overwhelming.’”).

enforcement or AI companies, but the lack of statute or case law means that this is difficult to predict.

Idaho

Idaho does not dedicate a statute specific to library records.¹⁴⁵ Instead, it lists library records alongside other records that are exempt from disclosure.¹⁴⁶ While not specifying what type of materials are considered library records, the law prohibits disclosure of records that, “when examined alone or when examined with other public records, would reveal the identity of the library patron checking out, requesting, or using an item from a library.”¹⁴⁷ Because the section does not indicate who the law applies to, an argument can be made that third-party companies, such as AI companies, face similar confidentiality requirements as libraries. The statutory language is also not clear when disclosure is allowed. Exemption from disclosure may mean that libraries cannot be required to disclose information but still have the discretion to do so if needed.¹⁴⁸

Illinois

Under **Illinois’s** Library Records Confidentiality Act,¹⁴⁹ registration and circulation records of a library are confidential information.¹⁵⁰ Registration records include “any information a library requires a person to provide in order for that person to become eligible to borrow books and other materials.”¹⁵¹ Circulation records include “all information identifying the individual borrowing particular books or materials.”¹⁵²

Patron records may be disclosed under a court order¹⁵³ or where “it is impractical to secure a court order as a result of an emergency.”¹⁵⁴ The obtainable information is limited to “identifying a suspect, witness, or victim of a crime.”¹⁵⁵ It may not include registration or circulation records that would indicate “materials borrowed, resources reviewed, or services used at the library.”¹⁵⁶ A library may request the requesting officer to sign a form acknowledging the receipt of the information,¹⁵⁷ ensuring that the officer does not collect information without notifying the library. A library may also seek subsequent judicial review to assess whether the officer has complied with the requirements,¹⁵⁸ ensuring that a court can review the request even absent a court order.

Even though measures are in place to protect patron records from unnecessary disclosure, there are several vulnerabilities. First, the statute does not prevent a library from dis-

¹⁴⁵ Idaho Code § 74-108 (2024).

¹⁴⁶ *Id.*

¹⁴⁷ *Id.* at § 74-108(4).

¹⁴⁸ *See id.*

¹⁴⁹ 75 Ill. Comp. Stat. 70/2 (2024).

¹⁵⁰ 75 Ill. Comp. Stat. 70/1(a) (2024).

¹⁵¹ *Id.* at 70/1(c)(ii).

¹⁵² *Id.* at 70/1(c)(iii).

¹⁵³ *Id.* at 70/1(a)(1).

¹⁵⁴ *Id.* at 70/1(a)(2). This situation arises where there is an imminent danger of physical harm and a court order would take too much time.

¹⁵⁵ 75 Ill. Comp. Stat. 70/1(a)(2) (2024).

¹⁵⁶ *Id.*

¹⁵⁷ *Id.*

¹⁵⁸ *Id.*

closing “reasonable statistical reports regarding library registration and book circulation.”¹⁵⁹ Even though the statute makes it clear that “no individual is identified therein,”¹⁶⁰ modern technology, including AI, makes it easy to de-anonymize the information.¹⁶¹ Next, because a library providing information to a law enforcement under the second option is not a privacy violation or a breach of confidentiality,¹⁶² there is no private cause of action for patrons who wish to challenge such disclosure. This means that a patron whose privacy right was violated may not have a remedy if the library refuses to pursue action. It also means patrons lack any recourse where a library vendor might disclose confidential information. Finally, the statute has not been tested in courts. Without courts defining the terms “impractical,” “emergency,” and “imminent danger” in the context of libraries, officers who do not want to or who are unable to secure a warrant may abuse the ambiguities. Because courts can only review the officer’s request if a library seeks judicial review, it would be too late to protect confidential information that has already been disclosed. These gaps also incentivize law enforcement to seek confidential information from library vendors, who currently lack an affirmative obligation to protect patron information.

Indiana

Indiana does not have a library-specific confidentiality statute. Instead, it includes patron records in a list of records public agencies may not disclose absent a court order or federal statute.¹⁶³ The statute does not define library records beyond records “which can be used to identify any library patron.”¹⁶⁴ Absent a clear definition or guidance from Indiana courts, law enforcement or third parties who possess patron information (including AI companies) may argue that the information therein could not reasonably be not used to identify a patron.¹⁶⁵

Iowa

Like Indiana, **Iowa** lists library records along other confidential public records.¹⁶⁶ Library records are “the records of a library which, by themselves or when examined with other public records, would reveal the identity of the library patron checking out or requesting an item or information from the library.”¹⁶⁷ Patron records may be disclosed pursuant to a court order “by the lawful custodian of the records, or by another person duly authorized to release such information.”¹⁶⁸ The library records may be released to law enforcement “pursuant to an investigation of a particular person or organization suspected of committing a known crime”¹⁶⁹ after a judicial determination that a “rational connection” exists between

¹⁵⁹ *Id.* at 70/1(b).

¹⁶⁰ *Id.*

¹⁶¹ See *De-Anonymization: What It is, How It Works, How it's Used*, INVESTOPEDIA (Oct. 15, 2022), <https://www.investopedia.com/terms/d/deanonymization.asp>.

¹⁶² 75 Ill. Comp. Stat. 70/1(b-5) (2024).

¹⁶³ Ind. Code § 5-14-3-4 (2024).

¹⁶⁴ *Id.* at § 5-14-3-4(b)(16)(A).

¹⁶⁵ *Id.* at § 5-14-3-4(a)-(b).

¹⁶⁶ Iowa Code § 22.7 (2024).

¹⁶⁷ *Id.* at § 22.7(13).

¹⁶⁸ Iowa Code § 22.7 (2024).

¹⁶⁹ *Id.* at § 22.7(13).

the requested information and a legitimate end.¹⁷⁰ The need for the information also has to be cogent and compelling.¹⁷¹

Even though there are protections against law enforcement for library records, the records may still be vulnerable to collection by AI companies.¹⁷² Library records may be disclosed “by another person duly authorized to release such information,”¹⁷³ which includes patrons themselves. This means that library records will be vulnerable to disclosure when the patron releases confidential information—either intentionally or unintentionally—to third parties like AI companies. This is essentially a codification of federal third-party doctrine, which finds that patrons do not maintain a reasonable expectation of privacy when they disclose otherwise confidential information to a third party.

Kansas

Kansas does not have a statute specific to library confidentiality.¹⁷⁴ Library patron and circulation records are listed along other public records as records that, unless required by law, a public agency cannot be required to disclose.¹⁷⁵ Like Indiana, Kansas does not specifically define library records,¹⁷⁶ but protects information that “pertain[s] to identifiable individuals.”¹⁷⁷ However, there is no additional statutory detail or relevant case law detailing what records pertain to identifiable individuals.

The lack of guiding language renders Kansas’s statute open to abuse. It is unclear, for example, what precisely the legislature considered to be identifying information and whether that extends to research inquiries. Moreover, it is difficult to know whether patrons who use a service offered through a third-party vendor enjoy the same protections, particularly as it pertains to information beyond things like names or dates of birth.

Kentucky

Kentucky is one of two states that does not have a privacy statute related to library records. Instead, the state’s privacy considerations are captured in Attorney General opinions. In these opinions, the Attorney General of Kentucky recognizes the public interest in protecting patron privacy records,¹⁷⁸ although these opinions are persuasive rather than legally binding.¹⁷⁹ Despite this, public officials in Kentucky are expected to follow Attorney General opinions, and they may be cited in all Kentucky courts.¹⁸⁰

Libraries may refuse to disclose circulation records or “what [a patron] borrows from a public library (books, motion picture film, periodicals and any other matter)[.]”¹⁸¹ While

¹⁷⁰ *Id.*

¹⁷¹ *Id.*

¹⁷² See Will Knight, *Generative AI Is Making Companies Even More Thirsty for Your Data*, WIRED (Aug. 10, 2023), <https://www.wired.com/story/fast-forward-generative-ai-companies-thirsty-for-your-data/>.

¹⁷³ Iowa Code § 22.7 (2024).

¹⁷⁴ Kan. Stat. Ann. § 45-221 (2024).

¹⁷⁵ *Id.* at § 45-221(a).

¹⁷⁶ *Id.* at § 45-221(a)(23).

¹⁷⁷ *Id.*

¹⁷⁸ See 81 Ky. Op. Att’y Gen. 159.

¹⁷⁹ See *Opinions of the Attorney General*, Ky.gov, <https://www.ag.ky.gov/Resources/Opinions/Pages/default.aspx> (last visited Oct. 10, 2025).

¹⁸⁰ *Id.*

¹⁸¹ See 81 Ky. Op. Att’y Gen. 159.

libraries may choose to leave the records open for inspection, the Attorney General notes that keeping such records confidential would support the public interest of supporting privacy rights.¹⁸² Because the basis for library patron privacy in Kentucky is enshrined in an Attorney General opinion that lacks the full force of law, there is neither mandatory disclosure of records nor is there any penalty if a library chooses to leave records open for public inspection.¹⁸³

While it appears that following the Attorney General opinions are generally recommended and expected, it is worthwhile to consider if the introduction of artificial intelligence and the complexities surrounding advancing technology would encourage fewer libraries to adhere to the historical trend of compliance. Libraries may decide that to accommodate the increased use of advancing technology for data analytics or other related purposes, it would be easier to establish upfront that they do not follow the Attorney General's recommendations pertaining to patron privacy. Since there is no penalty in Kentucky for libraries who choose to leave patron records open for public inspection, libraries and the Kentucky legislature might sacrifice patron privacy for hypothetical increased efficiency. Furthermore, as the role of AI expands in state economies and state governments continuously face the question of innovation versus regulation, the Attorney General may evaluate whether its previous stance on library patron privacy serves as hindrance to the evolution of technology.

Louisiana

Under **Louisiana's** library patron privacy law, confidential information includes "records of any library [...] indicating which of its documents or other materials, regardless of format, have been loaned to or used by any identifiable individual or group of individuals[.]"¹⁸⁴

Disclosure of confidential patron information is permitted in four ways under the statute: (1) to the parent or custodian of a minor child, (2) to "persons acting within the scope of their duties in the administration of the library," (3) to persons who were given written consent by the patron to access their records, or (4) by court order.¹⁸⁵ Consent in this case means "authorized in writing by the individual or group of individuals."¹⁸⁶ Section 13(D)(2) of the statute further allows libraries and librarians to disclose information including, but not limited to, "electronic data files, security surveillance video tapes, or other records or materials which may constitute evidence which would assist law enforcement officers in identifying the individual or group of individuals who may have committed criminal activity in the library."¹⁸⁷

Libraries should pay special attention to this provision in the context of artificial intelligence, specifically involving AI chatbots. If a patron is chatting with an AI chatbot on a library computer terminal, for example, to inquire about committing a criminal activity, and if a library chooses to store the data or transcripts from the conversations, they may be susceptible to permitted disclosure under the statute. In this regard, it is important for libraries to evaluate their data minimization practices.

In a nonbinding opinion, the Attorney General of Louisiana determined that "complaints about internet usage on public internet terminals are generally subject to release pur-

¹⁸² *Id.*

¹⁸³ *Id.*

¹⁸⁴ R.S. 44:13(A).

¹⁸⁵ *Id.*

¹⁸⁶ R.S. 44:13(A).

¹⁸⁷ R.S. 44:13(D)(2).

suant to the Public Records Act” and are not protected as confidential patron information under Louisiana’s library patron privacy law.¹⁸⁸ Requested information is generally considered to be public record unless it falls under the statute as exemption. An example of exempted records includes information maintained for the purpose of registration.¹⁸⁹ If the requested records identify the user of the library material, the information must be deleted from the records before they are released. Interactions with artificial intelligence, including discussions with AI chatbots, therefore, would likely be considered public record unless the information connects a user with requested library materials.¹⁹⁰

Maine

Under **Maine’s** library patron privacy law, a library record is confidential if it contains “(A) [a] library patron’s personally identifying information, including but not limited to the library patron’s name, address, phone number and e-mail address; or (B) [i]nformation that identifies a library patron as having requested, obtained or used books or other materials in any medium at the library or provided by the library.”¹⁹¹ Such confidential records may only be released with written consent from the patron; to officers, employees, volunteers, and agents of the library as needed to fulfill library administrative purposes; or at the presentation of a court order.¹⁹² Although not defined in the statute, “library administrative purposes” may include common library administrative tasks, such as charging fines for overdue materials or for handling issues related to patron misuse of books.¹⁹³ For example, Northeast Harbor Library writes in its privacy policy that “staff members are not authorized to discuss library records with anyone other than the cardholder” and that their privacy policy extends to “any individuals or organizations that are working with the library on any event or project[.]”¹⁹⁴ The use of artificial intelligence may ease the administrative burden of these tasks. In doing so, however, libraries must consider the bounds with which the information can be transmitted beyond the discrete disclosure to the artificial intelligence bot or service through stringent vendor evaluation practices.

Libraries in Maine may also release “aggregated and statistical information pertaining to library patronage, circulation activities and use of any service or consultation the library provides” without risking the release of any personally identifiable information.¹⁹⁵ It is worth noting, however, that at least for wireless users, Northeast Harbor Library specifies in its policy that “[their] network does not protect [a patron’s] machine from viruses or third party eaves-dropping.”¹⁹⁶ This disclaimer calls into question the sufficiency of Maine’s patron privacy law to protect patrons against vulnerabilities over the internet and, potentially, artificial intelligence.

¹⁸⁸ La. Op. Att’y Gen. No. 98-496, (1999).

¹⁸⁹ *Id.*

¹⁹⁰ *Id.*

¹⁹¹ Me. Rev. Stat. Ann. tit. 27, § 121(1) (2024).

¹⁹² *Id.* at § 121(2).

¹⁹³ *Circulation*, COLL. OF S. IDAHO, <https://csi.pressbooks.pub/lis/chapter/circulation/> (last visited Nov. 3, 2025).

¹⁹⁴ *Policies*, NE. HARBOR LIBR., <https://nehlibrary.org/policies/#privacy> (last visited Oct. 17, 2025).

¹⁹⁵ Me. Rev. Stat. Ann. tit. 27, § 121(3) (2024).

¹⁹⁶ *Policies*, NE. HARBOR LIBR., <https://nehlibrary.org/policies/#privacy> (last visited Oct. 17, 2025).

Maryland

Maryland's patron privacy protections are located in two sections: the Education Code¹⁹⁷ and the Public Information Act.¹⁹⁸ Under the Public Information Act, a custodian, defined as the (1) official custodian, or “an officer or employee of the State or of a political subdivision who is responsible for keeping a public record, whether or not the officer or employee has physical custody and control of the public record,” or (2) “any other authorized individual who has physical custody and control of a public record,”¹⁹⁹ shall “prohibit inspection, use, or disclosure of a circulation record of a public library or any other item, collection, or grouping of information about an individual that (1) is maintained by a library; (2) contains an individual’s name or the identifying number, symbol, or other identifying particular assigned to the individual; and (3) identifies the use a patron makes of that library’s materials, services, or facilities.”²⁰⁰ Disclosure, however, is permitted “in connection with the library’s ordinary business” and “for the purposes for which the record was created.”²⁰¹

Maryland’s Education Code further protects privacy of library patron records. “Public, school, college, or university” libraries located in Maryland are subject to the provisions of this law.²⁰² The Maryland Education Code prohibits libraries from “inspect[ing], us[ing], or grouping [...] information about an individual that: (1) [i]s maintained by the library; (2) [c]ontains an individual’s name or the identifying number, symbol, or other identifying particular assigned to the individual; and (3) [i]dentifies the use a patron makes of that library’s materials, services, or facilities.”²⁰³ Disclosure is permitted only “(1) [i]f necessary for the reasonable operation of the library; (2) [o]n written consent of the individual; or (3) [b]y subpoena or court order.”²⁰⁴

While the combination of two statutes guarantees some level of increased strength for library patron privacy, this strength does not necessarily extend to patron use of the internet or of online services provided by third parties, such as chatbots, even when on library grounds. As previously discussed, libraries do not often have control over information that ordinarily would be classified as confidential once it has moved beyond the physical library and onto the internet. In recognizing this, libraries sometimes will have notices or policies on their websites to notify patrons of the scope of the library’s protective power. Montgomery County Public Library, as an example, has an internet use policy separate from their privacy and confidentiality policy. This policy places much of the onus on the library patron to secure their internet use. The policy reads that “[t]he library is not responsible for the privacy of information you transfer over [the library’s] network, and “[the patron is] responsible for ensuring that [the patron’s] computer has security protection against viruses and other malware.”²⁰⁵ Similarly, the Prince George’s County Memorial Library System, in their guidelines for wireless access, asserts that “[t]he Library is not responsible for customer files, disks, and email accounts or for the security or privacy of online communications,” and “the Library is

¹⁹⁷ See generally Md. Code Ann., Educ. § 23-108 (West 2023).

¹⁹⁸ See generally Md. Code Ann., Gen. Provisions § 4-308 (West 2021).

¹⁹⁹ *Id.* at § 4-308(d).

²⁰⁰ *Id.* at § 4-308(a).

²⁰¹ *Id.* at § 4-308(3)(b).

²⁰² Md. Code Ann., Educ. § 23-108(a) (West 2023).

²⁰³ *Id.*

²⁰⁴ *Id.* at § 23-108(b).

²⁰⁵ *Computer, Internet, and Wireless Use Policies*, MONTGOMERY CNTY. PUB. LIBRS., <https://www.montgomerycountymd.gov/library/policies/computers.html> (last visited Oct. 19, 2025).

not responsible for viruses, malicious code or any other outcome resulting from customer Internet activity.”²⁰⁶ Both counties additionally declare that library staff is unable to provide patrons with technical assistance.²⁰⁷

Massachusetts

Massachusetts library patron privacy law recognizes as confidential the “part of the records of a public library which reveals the identity and intellectual pursuits of a person using such a library[.]”²⁰⁸ For example, Agawam Library considers “circulation and registration records identifying the names, addresses and telephone number of library patrons, as well as the materials borrowed or accessed electronically,” as non-public records.²⁰⁹ Comparatively, Boston Public Library notes that “[c]onfidentiality extends to information sought or received, and materials consulted, borrowed, and includes database search records, reference interviews, circulation records, interlibrary loan transactions, registration records, and all other personally identifiable uses of library materials, facilities, or services.”²¹⁰ Library authorities may “disclose or exchange information relating to library users for the purposes of interlibrary cooperation and coordination, including but not limited to, the purposes of facilitating the sharing of resources among library jurisdictions[.]”²¹¹ While interlibrary information sharing is a useful strategy to expand library services and access to information, libraries and librarians must take appropriate precautions to ensure that the manner in which this information is shared is secure.

Although libraries may share such information for inter-library cooperation (within certain parameters), if the method by which the information is not secure, the library risks unintentionally exposing confidential information. If libraries transmit this information through vulnerable third-party sites or unsecure systems, they may risk exposing confidential patron information beyond permitted parties to other parties such as data brokers. As written, most library patron privacy laws do not cover what third parties and vendors do with the information they acquire beyond what is in their contract with the library or library system.

Michigan

Michigan’s patron privacy statute contains six sections and is one of the most detailed library privacy laws in the United States.²¹² Last amended in 2021, the statute is modern by including the definitions of “computer” and “Internet.”²¹³ Additionally, Michigan makes it clear what records fall under “library record.”²¹⁴ A library record is “a document, record, or other method of storing information retained by a library that contains information that per-

²⁰⁶ *Public Computers & WiFi Access*, PRINCE GEORGE’S CNTY. MEM’L LIBR. SYS., <https://www.pgcmlls.info/416> (last visited Oct. 19, 2025).

²⁰⁷ *Id.*; *Computer, Internet, and Wireless Use Policies*, MONTGOMERY CNTY. PUB. LIBRS., <https://www.montgomerycountymd.gov/library/policies/computers.html> (last visited Oct. 19, 2025).

²⁰⁸ Mass. Gen. Laws ch. 78, § 7 (2025).

²⁰⁹ *Privacy Policy*, AGAWAM PUB. LIBR., <https://www.agawamlibrary.org/about-2/policies/> (last visited Oct. 25, 2025).

²¹⁰ *Privacy Policy*, AGAWAM PUB. LIBR., <https://www.agawamlibrary.org/about-2/policies/> (last visited Oct. 25, 2025).

²¹¹ Mass. Gen. Laws ch. 78, § 7 (2025).

²¹² Mich. Comp. Laws §§ 397.601-606 (2024).

²¹³ Mich. Comp. Laws § 397.602(a), (h) (2024).

²¹⁴ *Id.* at § 397.602(k).

sonally identifies a library patron, including the patron's name, address, or telephone number, or that identifies a person as having requested or obtained specific materials from a library.”²¹⁵ The statute also includes circulation records as a subset of library record,²¹⁶ acknowledging that specific materials requested or obtained by a patron can be identifiable information.

Library records do not include nonidentifying material that is retained for the purpose of studying or evaluating the circulation of library materials in general.²¹⁷ While the drafters may have included this exception to allow libraries to analyze and organize its collection, the exception could be a potential weakness in terms of protecting privacy. With advances in technology, it is easier to de-anonymize such nonidentifying material.²¹⁸ Second, library record does not include recorded video surveillance images made solely for security purposes.²¹⁹ By clarifying that surveillance images do not include images that identify a patron as requesting or obtaining “specific services, materials, or information resources” from a library,²²⁰ the statute balances security against patron privacy.

Section 3 involves the minutiae of disclosure. A library record cannot be disclosed through the Freedom of Information Act (FOIA),²²¹ which provides the public with access to public records of public bodies.²²² A library, which includes its employees or agents, cannot release a library record without the written consent from the person liable for “payment for or return of the materials identified in that library record.”²²³

Library records may be released by court order as long as the library is given notice and an opportunity to be heard on the request.²²⁴ A library may appear and be represented by counsel for such hearing.²²⁵ A library or an employee or agent of the library may also disclose library records if it has to do with the delinquent account or interlibrary loans.²²⁶ The library may only provide information that is necessary to “seek the return of overdue or stolen materials or to collect fines”²²⁷ or to conduct interlibrary loans.²²⁸ While the section protects library records, it does not prevent an employee or agent from “providing a sworn statement or testimony to a law enforcement officer based solely on the personal knowledge.”²²⁹ Such statement or testimony has to be limited to “a crime alleged to have occurred at the library.”²³⁰

Unlike other states, Michigan is proactive in defending patron privacy. Section 3 defines an agent of the library as “any other person who is lawfully performing services on behalf of a library under a written contract.”²³¹ This means that e-book vendors who are under contract with the library will not be able to disclose the records. Specifying that only

²¹⁵ *Id.*

²¹⁶ *See id.*

²¹⁷ *Id.* at § 397.602(k)(i).

²¹⁸ *See De-Anonymization: What It is, How It Works, How it's Used*, INVESTOPEDIA (Oct. 15, 2022), <https://www.investopedia.com/terms/d/deanonymization.asp>.

²¹⁹ Mich. Comp. Laws § 397.602(k)(ii) (2024).

²²⁰ *Id.*

²²¹ Mich. Comp. Laws § 397.603(1) (2024).

²²² *See Michigan's Freedom of Information Act (FOIA)*, MICH. DEP'T OF HEALTH & HUM. SERVS., <https://www.michigan.gov/mdhhs/bottom-nav-links/foia/michigans-freedom-of-information-act-foia>.

²²³ Mich. Comp. Laws § 397.603(2) (2024).

²²⁴ *Id.* at § 397.603(2)(a).

²²⁵ *Id.* at § 397.603(4).

²²⁶ Mich. Comp. Laws § 397.603(5)(a)-(b) (2024).

²²⁷ *Id.* at § 397.603(5)(a).

²²⁸ *Id.* at § 397.603(5)(b).

²²⁹ *Id.* at § 397.603(6).

²³⁰ *Id.*

²³¹ Mich. Comp. Laws § 397.603(7) (2024).

“a library or an employee or agent of a library” can disclose library records without a court order or written consent²³² also prevents AI companies from releasing library records that they collected. Finally, Michigan shows that it is proactive by enshrining the right of librarians to determine the selection and use of library materials in Section 5.²³³ This section goes to the heart of why there have recently been attempts to access library records, to police and censor what kind of library materials are available.²³⁴

Minnesota

While **Minnesota** has a statute dedicated to library records, the statute is short in length.²³⁵ Minnesota refers to library records as “library data.”²³⁶ Library data links a patron’s name with “materials requested or borrowed by the patron” or with “a specific subject about which the patron has requested information or materials.”²³⁷ The data also includes information that is provided to create a library card.²³⁸

Minnesota allows a family member or other person who resides with the patron to pick up reserved materials.²³⁹ To maintain confidentiality, a patron may request that reserved materials be released only to the patron.²⁴⁰ However, the fact that this is an opt-in feature (rather than an opt-out) means that it is less than perfect in protecting privacy, as some patrons may not be aware of the feature, leading to their borrowing preferences being revealed to the public.

Library data may be disclosed for library purposes or through court order.²⁴¹ However, Minnesota does not provide detail on what a library purpose entails, making the data vulnerable to disclosure by library vendors. By providing library books and materials, e-book vendors may argue that they are fulfilling a library purpose, leading them to justify disclosure as being necessary for their operations. Because e-book vendors are increasingly adopting AI tools,²⁴² this may lead to e-book vendors disclosing the data to AI companies.

Mississippi

Under **Mississippi** law, confidential library records include records containing information related to the “identity of the user, relative to the user’s use of books or other materials at the library.”²⁴³ Disclosure requires written consent by the user or a court order.²⁴⁴ The statute is not intended to prohibit or hinder libraries or businesses operating jointly with the library from disclosing information in order to collect overdue books, films, documents, or other materials that belong to the library, nor is it intended to prohibit or hinder libraries from

²³² *Id.* at § 397.603(5).

²³³ Mich. Comp. Laws § 397.605 (2024).

²³⁴ See Elizabeth A. Harris & Alexandra Alter, *Book Bans Are Rising Sharply in Public Libraries*, N.Y. TIMES (Sept. 21, 2023), <https://www.nytimes.com/2023/09/21/books/book-ban-rise-libraries.html>.

²³⁵ Minn. Stat. § 13.40 (2024).

²³⁶ *Id.* at § 13.40(2).

²³⁷ *Id.* at § 13.40(2)(1).

²³⁸ *Id.* at § 13.40(2)(2).

²³⁹ *Id.* at § 13.40(2)(2)(b).

²⁴⁰ *Id.*

²⁴¹ Minn. Stat. § 13.40(2) (2024).

²⁴² See *Libby & Artificial Intelligence*, LIBBY (Aug. 14, 2025), <https://about.libbyapp.com/policies/artificial-intelligence>.

²⁴³ Miss. Code Ann. § 39-3-365 (2024).

²⁴⁴ *Id.*

collecting fines on these overdue materials.²⁴⁵ Moreover, statistics developed from de-identified registration and circulation records may also be released or used by a library for the purposes of research and planning.²⁴⁶

As discussed previously, Mississippi libraries should consider the ways in which artificial intelligence can be or already is incorporated in completing ordinary library tasks, such as collecting fines and analyzing de-identified statistics. The Mississippi legislature should consider closing potential loopholes to provide boundaries for keeping confidential patron information within the library.

Missouri

Missouri is one of the few states that has updated its library privacy law to reflect advancing technology.²⁴⁷ However while Missouri law takes the time to define “digital resource or material” and “e-book,”²⁴⁸ the law does not expand beyond these definitions as it pertains to regulating library records.²⁴⁹ A library record is “any document, record, or other method of storing information retained, received or generated by a library that identifies a person or persons as having requested, used, or borrowed library material, and all other records identifying the names of library users.”²⁵⁰ Like Michigan, Missouri does not include nonidentifying material that may be retained for “studying or evaluating the circulation of library material in general.”²⁵¹ The law unfortunately does not define what counts under non-identifying material, meaning that a wide variety of records may be disclosed as long as the identifying feature is removed.²⁵²

In addition to prohibiting disclosure by the library or its employees and agents, Missouri specifically prevents a third party contracted by a library to maintain library records from disclosing library record, notwithstanding any other law to the contrary.²⁵³ The exception for any other law means that library records are not protected from laws like the Patriot Act, which required disclosure for non-library purposes.²⁵⁴ As a result, library records are protected against library vendors who may be careless with the confidential information. E-book vendors will be unable to rely on third-party doctrine to justify disclosure of library records. As mentioned in the summary, most state laws have failed to include a provision prohibiting disclosure by third parties.

Library records may be disclosed under two methods. First, the person identified in that record, or the patron, may provide consent through written request.²⁵⁵ The law allows

²⁴⁵ *Id.* at § 39-3-369.

²⁴⁶ *Id.* at § 39-3-367.

²⁴⁷ Mo. Rev. Stat. § 182.815 (2024).

²⁴⁸ *Id.* at § 182.815(1), (2).

²⁴⁹ Mo. Rev. Stat. § 182.817 (2024).

²⁵⁰ Mo. Rev. Stat. § 182.815(5) (2024).

²⁵¹ *Id.*

²⁵² A material being “nonidentifying” also does not mean that it is impossible for patrons to be identified. Modern technology allows nonidentifying material to be traced back to the patron. See *De-Anonymization: What It is, How It Works, How it's Used*, INVESTOPEDIA (Oct. 15, 2022), <https://www.investopedia.com/terms/d/deanonymization.asp>. Libraries have to face the harsh reality of balancing between collection development and patron privacy.

²⁵³ Mo. Rev. Stat. § 182.817(1) (2024).

²⁵⁴ See Deborah Walters, *15 Years of Fear: The ALA and the Patriot Act*, AM. LIBR. ASS'N ARCHIVES (Oct. 7, 2024), <https://www.library.illinois.edu/ala/2024/10/07/15-years-of-fear-ala-patriot-act/>.

²⁵⁵ Mo. Rev. Stat. § 182.817 (1)(1) (2024).

the library to determine what procedures and forms are followed for this method.²⁵⁶ It is important that libraries protect patron privacy by setting clear policies for patrons to follow. Otherwise, AI companies may argue that patrons provided consent when they agreed to their terms. Second, library records may be disclosed through a court order when disclosure is necessary to “protect the public safety or to prosecute a crime.”²⁵⁷ Failing to define “public safety” or limit “crime” to a library setting means that the law can potentially be abused by law enforcement when requesting information.

Finally, Missouri is noteworthy for providing a private right of action.²⁵⁸ The patron may file a written complaint to the office of the attorney general within 180 days of the alleged violation.²⁵⁹ Missouri also allows a patron to take private civil action to recover damages.²⁶⁰ By allowing patrons to pursue lawsuits without needing the attorney general’s approval, the statute provides additional incentive for library, employee, agent, or third party to protect privacy.

Montana

Like Michigan, the **Montana** Library Records Confidentiality Act is fairly comprehensive.²⁶¹ Library records are “any document, record, or any other method of storing information retained, received, or generated by a library that identifies a person as having requested, used, or borrowed library material or other records identifying the names or other personal identifiers of library users.”²⁶² Library records do not include nonidentifying material that may be used to study or evaluate the circulation of library materials in general.²⁶³ This provision may be a weakness for protecting library records, because AI companies can use advanced methods to de-anonymize the data, connecting the information to individuals.²⁶⁴ This weakness also exists when library records can be disclosed as “reasonable statistical reports regarding library registration and book circulation,” even though the statute requires that no individual is identifiable.²⁶⁵

Library records may be disclosed under three scenarios. First, the patron may provide a written request.²⁶⁶ It is important that the library provides clear guidelines on how to provide consent to prevent AI companies from taking advantage of the provision and access library records because there was “consent.” Next, library records may be disclosed following a court order from a competent jurisdiction.²⁶⁷ The law places limitations by requiring that the disclosure “clearly exceed the demand for individual privacy.”²⁶⁸ Finally, Montana allows records to be disclosed “to the extent necessary to return overdue or stolen materials or col-

²⁵⁶ *Id.*

²⁵⁷ *Id.* at § 182.817(1)(2) (2024).

²⁵⁸ Mo. Rev. Stat. § 182.817(2) (2024).

²⁵⁹ *Id.*

²⁶⁰ *Id.*

²⁶¹ Mont. Code Ann. §§ 22-1-1101 to 1103, 1111 (2024).

²⁶² Mont. Code Ann. § 22-1-1102(2) (2024).

²⁶³ *Id.*

²⁶⁴ See *De-Anonymization: What It is, How It Works, How it's Used*, INVESTOPEDIA (Oct. 15, 2022), <https://www.investopedia.com/terms/d/deanonymization.asp>.

²⁶⁵ Mont. Code Ann. § 22-1-1103(2) (2024).

²⁶⁶ Mont. Code Ann. § 22-1-1103(1)(a) (2024).

²⁶⁷ *Id.* at § 22-1-1103(1)(b).

²⁶⁸ *Id.*

lect fines.”²⁶⁹ The statute does not indicate who the records can be disclosed to, but based on other state laws the disclosure may be to the collection agency.

Montana strengthens its privacy law by including penalties for violators.²⁷⁰ The penalties are not limited to just libraries but covers “any person,”²⁷¹ meaning that AI companies are also included. The patron who had his information improperly disclosed may bring a civil action for actual damages or one hundred dollars, whichever is greater.²⁷² Reasonable attorney fees and the costs of lawsuit may also be awarded to the winning party.²⁷³ While the purpose of the section is to discourage violation of confidentiality, the low amount means that it may not be effective in deterring large AI companies.

Nebraska

Nebraska does not have a statute specifically dedicated to library records and instead lists them amongst other records that may be withheld from the public.²⁷⁴ Library records are records “kept by a publicly funded library which, when examined with or without other records, reveal the identity of any library patron using the library’s materials or services.”²⁷⁵ Library records are confidential unless otherwise publicly disclosed in an open court, open administrative proceeding, or open meeting.²⁷⁶ They may also be disclosed by a public entity pursuant to its duties.²⁷⁷ Otherwise, it is at the discretion of the lawful custodian of the records to withhold the records from the public.²⁷⁸

Nevada

Nevada has a library privacy law that is only a paragraph.²⁷⁹ Library records are any records “of a public library or other library which contain the identity of a user” and the “books, documents, films, recordings or other property of the library which were used.”²⁸⁰ A court may issue an order when the disclosure of the records is necessary to “protect the public safety or to prosecute a crime.”²⁸¹

New Hampshire

In **New Hampshire**, confidential library records include records that “contain the names or other personal identifying information regarding the users of public or other than public libraries,” including but not limited to “library, information system, and archival records related to the circulation and use of library materials or services, including records

²⁶⁹ *Id.* at § 22-1-1103(3).

²⁷⁰ Mont. Code Ann. § 22-1-1111 (2024).

²⁷¹ *Id.*

²⁷² *Id.*

²⁷³ *Id.*

²⁷⁴ Neb. Rev. Stat. § 84-712.05 (2024).

²⁷⁵ *Id.* at § 84-712.05(13).

²⁷⁶ Neb. Rev. Stat. § 84-712.05 (2024).

²⁷⁷ *Id.*

²⁷⁸ *Id.*

²⁷⁹ Nev. Rev. Stat. § 239.013 (2024).

²⁸⁰ *Id.*

²⁸¹ *Id.*

or materials that have been viewed or stored in electronic form.”²⁸² Libraries or librarians may disclose these records as needed for the successful operation of the library, with consent by the patron, or in response to the presentation of a subpoena, court order, or where otherwise required by statute.²⁸³ New Hampshire further prohibits disclosure of library records by exempting it from the provisions in its chapter pertaining to public access to government records.²⁸⁴ This provision, however, shall not be construed “to prohibit any library from releasing statistical information and other data regarding the circulation or use of library materials provided,” as long as the identities of library patrons are protected.²⁸⁵ With the rapidly evolving capabilities of AI, by making de-identified patron data available, libraries may still risk re-identification and harmful use of this data by individuals with access to advanced AI and potentially even law enforcement.

Recently, Governor Kelly Ayotte signed a law granting parents access to all of their minor child’s records, thereby reducing the level of confidentiality that New Hampshire patron privacy laws once provided.²⁸⁶ According to State Representative Mike Drago who sponsored the bill, the implementation of this law is “about ensuring parents have control over what is appropriate for their children to be reading.”²⁸⁷ Not only does this align with the recent growth of book banning, but it also has the likelihood of affecting the trust minor patrons have in their local libraries. Some Democrats raise concerns that there is no part of the law that contains mechanisms for identifying the requesting adult as the child’s parent.²⁸⁸ This law will go into effect January 1, 2026.²⁸⁹

While the identity of specific patrons must remain confidential when disclosing statistical information to the general public, libraries should consider the exact requirements for what it means for information to be de-identified, especially when the statute does not place parameters on who or what is classified as the general public. For example, if a user incorporates the statistical information into a prompt and enters it into ChatGPT, the statistics may nonetheless give the algorithm enough information to identify specific patrons, thereby exposing the information to third parties who are not regulated under the statute. In a separate statute, library records are exempted from public access to government records, thereby increasing library patron confidentiality.²⁹⁰

New Jersey

In **New Jersey**, library records are defined as “any document or record, however maintained, the primary purpose of which is to provide for control of the circulation or other public use of library materials.”²⁹¹ These records, which “contain the names or other personally identifying details regarding the users of libraries[,] are confidential and shall not be

²⁸² N.H. Rev. Stat. Ann. § 201-D:11(I) (2024).

²⁸³ *Id.* at § 201-D:11(II).

²⁸⁴ See N.H. Rev. Stat. Ann. § 91-A:5(IV) (2017).

²⁸⁵ *Id.* at § 201-D:11(III).

²⁸⁶ See 2025 NH HB273 (enacted).

²⁸⁷ William Skipworth, *New law to make New Hampshire library records available to parents*, N.H. BULL. (Aug. 4, 2025), <https://newhampshirebulletin.com/briefs/new-law-to-make-new-hampshire-library-records-available-to-parents/>.

²⁸⁸ *Id.*

²⁸⁹ N.H. Rev. Stat. Ann. § 201-D:11 (2026).

²⁹⁰ N.H. Rev. Stat. Ann. § 91-A:5(IV) (2024).

²⁹¹ N.J. Rev. Stat. § 18A:73-43.1(b) (2024).

disclosed[.]”²⁹² Libraries may not disclose these confidential records unless they are “necessary for the proper operation of the library,” the patron requests disclosure of their records, or the library is presented with a subpoena or court order.²⁹³ Without identifying the scope of disclosure “necessary for the proper operation” of the library, libraries and librarians may be able to disclose confidential patron information to artificial intelligence companies and other third-party services that are becoming integral for mundane library tasks. Contrary to some other states in this region that explicitly include a provision regarding parental or guardian access to their minor child’s records, parents or guardians may only have access to a minor child’s records if that minor child requests that their records are shared.²⁹⁴ This gives children ownership over their own records and facilitates trust in the library.

New Mexico

New Mexico aims to “preserve the intellectual freedom” guaranteed by its constitution by providing privacy for users of the public libraries with respect to the materials that they wish to use.²⁹⁵ New Mexico protects “patron record[s]”²⁹⁶ instead of library records like other states. Patron records include “any document, record or other method of storing information retained by a library that identifies, or when combined with other available information identifies, a person as a patron of the library or that indicates use or request of materials from the library.”²⁹⁷ Patron record is a broad term that “includes patron registration information and circulation information that identifies specific patrons.”²⁹⁸ Such a broad definition ensures that all aspects of patron information are protected from disclosure to third parties like AI companies.

Patron records may only be released upon written consent of the patron or upon court order issued to the library.²⁹⁹ It is important that the libraries clarify what is considered written consent to ensure that information is not disclosed to third parties such as AI companies. It is unfortunate that the statute or case law does not clarify when a court order can be issued. This makes it easier for law enforcement to request information. When records are disclosed, New Mexico provides a way for the library to be involved by allowing it to be represented by counsel at any hearing on disclosure.³⁰⁰ There are additional exceptions to prohibition on disclosure. First, the prohibition does not apply to overdue notices.³⁰¹ This weakens patron privacy by potentially allowing e-book vendors to access records when dealing with their own overdue materials. Unlike other states, the legal guardian may access patron records for minors or legally incapacitated persons only in the context of school libraries.³⁰² This exception does not apply to public libraries. New Mexico also implements civil liability against any person who violates the law.³⁰³ The broad target means that third parties such as AI companies

²⁹² N.J. Rev. Stat. § 18A:73-43.2 (2024).

²⁹³ *Id.*

²⁹⁴ *Id.*

²⁹⁵ N.M. Stat. Ann. § 18-9-2 (2024).

²⁹⁶ § 18-9-3.

²⁹⁷ *Id.* at § 18-9-3(B).

²⁹⁸ *Id.*

²⁹⁹ N.M. Stat. Ann. § 18-9-4 (2024).

³⁰⁰ *Id.*

³⁰¹ N.M. Stat. Ann. § 18-9-5 (2024).

³⁰² *Id.*

³⁰³ N.M. Stat. Ann. § 18-9-6 (2024).

are included. Unlike other states, the penalty also has a bite by having no limit to the amount of damages and costs of the action determined by the court.³⁰⁴ This ensures that third parties are more careful when dealing with patron records.

New York

In **New York**, library patron privacy law is codified amongst the state's evidence law. Library records must be kept confidential if they contain the names or other personally identifiable information of library patrons.³⁰⁵ These records include, but are not limited to "records related to the circulation of library materials, computer database searches, interlibrary loan transactions, reference queries, requests for photocopies of library materials, title reserve requests, or the use of audio-visual materials, films or records[.]"³⁰⁶ Libraries may not disclose confidential library records unless necessary for the "proper operation" of the library or at the presentation of a subpoena, court order, or where otherwise required by statute.³⁰⁷

Without a concrete definition as to what it means for disclosure to be necessary for the "proper operation" of the library, libraries and librarians may be able to disclose confidential patron information to artificial intelligence services that are being integrated into day-to-day library tasks. While libraries make reasonable efforts to ensure protection of patron privacy by having contracts and licenses with other parties reflect the library's privacy standards, there is always a limit to the protection the library can provide, particularly in relation to services that do not have strong privacy protections.³⁰⁸ If libraries are able to sufficiently negotiate patron-centered contracts with specific AI companies or facilitate the design of an internal AI resource, they may be able to mitigate potential privacy concerns.

In 1997, the Supreme Court³⁰⁹ in Saratoga County, New York, considered a matter in which the petitioner contended that a group of its employees used a library feature through the Southern Adirondack Library System ("SALS") that allowed them to use the internet for personal purposes on their work computers, an activity that is specifically prohibited by the company.³¹⁰ The petitioner then made its request under the Freedom of Information Law to SALS for the identification numbers issued by SALS to the petitioner's employees to access their online library service.³¹¹ This request was denied on the basis that this information was considered confidential under the state's library patron privacy law.³¹² The court agreed and

³⁰⁴ *Id.*

³⁰⁵ N.Y. C.P.L.R. 4509 (McKinney 2025).

³⁰⁶ *Id.* The New York Public Library, which serves as the public library system for the New York City area, collects patron information in three ways: "(1) [d]irectly from [the patron], (2) [f]rom automatically collected network logs, and (3) [t]hrough cookies." *The New York Public Library Privacy Policy*, N.Y. PUB. LIBR. (Sept. 2021), <https://www.nypl.org/help/about-nypl/legal-notices/privacy-policy>. The New York Public Library website further specifies that there are other parties, such as third-party vendors and websites, outside of the library's circulation system where "[a patron's] information would be retained or deleted under different guidelines." *Id.*

³⁰⁷ N.Y. C.P.L.R. 4509 (McKinney 2025).

³⁰⁸ *The New York Public Library Privacy Policy*, N.Y. PUB. LIBR. (Sept. 2021), <https://www.nypl.org/help/about-nypl/legal-notices/privacy-policy>.

³⁰⁹ The Supreme Court in Saratoga County, New York is a trial level court. See *Structure of the Courts*, NYCourts.gov, <https://ww2.nycourts.gov/courts/10jd/suffolk/structure.shtml> (last visited Nov. 5, 2025).

³¹⁰ See *Quad/Graphics, Inc. v. Southern Adirondack Library System*, 664 N.Y.S.2d 225, 226 (Sup. Ct. 1997).

³¹¹ *Id.*

³¹² *Id.*

determined that if it were to allow disclosure of this information to the petitioner, there would be a risk of opening a door to similar requests being made.³¹³

An example of a similar request that could arise may include cases in which a parent seeks to learn what their child was viewing.³¹⁴ This case suggests that patron privacy extends to digital services associated with the library and that permitting what appears to be narrow access to confidential patron information may actually be a slippery slope to granting broader access to even more personal information. Under the logic of this holding, patron interactions with an AI system operated by and for the use by the patrons of a New York library system as part of a library service are more likely to be considered private, similar to the determination by the court that the use of the library feature through Southern Adirondack Library System by petitioner employees was private.

North Carolina

In **North Carolina**, libraries may not disclose library records that identify “a person as having requested or obtained specific materials, information, or services, or as otherwise having used the library.”³¹⁵ “Library records” are any “document, record, or other method of storing information retained by a library that identifies a person as having requested or obtained specific information or materials from a library” and excludes nonidentifying materials “that may be retained for the purpose of studying or evaluating circulation of library materials in general” from protection.³¹⁶ In considering the evolving breadth and growing importance of digital technology in the library space, the implications of this provision depend on the data minimization policies that a library has in place. However, under the statute, if a library stores on a server, for example, information pertaining to a patron’s use of a computer or interaction with certain websites, such as ChatGPT, this information may nonetheless be considered confidential if it “identifies a person as having requested or obtained specific information or materials from a library.”³¹⁷

The statute permits the disclosure of confidential patron information “(1) when necessary for the reasonable operation of the library; (2) upon written consent of the user; or (3) pursuant to subpoena, court order, or where otherwise required by law.”³¹⁸

North Dakota

North Dakota does not specify what types of materials fall under library records.³¹⁹ A library record is “any record maintained or received by a library receiving public funds, which provides a library patron’s name or information sufficient to identify a patron together with the subject about which the patron requested information.”³²⁰ Such information is considered

³¹³ *Id.*

³¹⁴ *Id.*

³¹⁵ N.C. Gen. Stat. § 125-18(2) (2024).

³¹⁶ N.C. Gen. Stat. § 125-19(a) (2024).

³¹⁷ *Id.*

³¹⁸ *Id.* at § 125-19(b).

³¹⁹ N.D. Cent. Code § 40-38-12 (2024).

³²⁰ *Id.*

private and not part of the public records disclosure requirements.³²¹ Library records may be disclosed through a court order or a subpoena.³²²

Ohio

Ohio is one of the few states with a detailed law on library privacy.³²³ A library record includes information that (a) is necessary to use library services or borrow materials, (b) “identifies an individual as having requested or obtained specific materials or materials on a particular subject,” and (c) is provided by an individual to assist a librarian in answering “a specific question or provide information on a particular subject.”³²⁴ Library record does not include information that is nonidentifying and retained for the purpose of studying or evaluating the use of a library.³²⁵

Ohio also takes care to distinguish “patron information” from library record.³²⁶ The statute recognizes the difference between the information a patron seeks and the information that identifies the patron as an individual. However, the line between the two is blurry. Patron information is “personally identifiable information about an individual who has used any library service or borrowed any library materials.”³²⁷ Patron information is relevant where a library has to document improper use of the internet at the library and does not include the age or gender of the patron.³²⁸

Ohio allows disclosure if the record or information pertaining to a minor is requested by the parent, guardian, or custodian³²⁹ or generally where there is a subpoena, search warrant, or other court order.³³⁰ Library record or patron information may also be released upon the request or with the consent of the patron.³³¹ Without further detail on what request or consent looks like, AI companies may argue that a patron has agreed to disclose their confidential information by agreeing to their terms. Finally, library records may be released for administrative library purposes.³³² This includes establishment of a system to manage the records, assistance in transfer of records from one system to another, compilation of statistical data on library use, and collection of fines and penalties.³³³ While a library must do its best to ensure that the records are only used for library purposes, there is a danger that the records, which includes identifying information, are unwittingly disclosed to AI companies if security is not great.

Oklahoma

In **Oklahoma**, records in a library are confidential when they indicate “which of its documents or other materials, regardless of format, have been loaned to or used by an iden-

³²¹ *Id.*

³²² N.D. Cent. Code § 40-38-12 (2024).

³²³ Ohio Rev. Code Ann. § 149.432 (West 2024).

³²⁴ *Id.* at § 149.432(A)(2)(a)-(c).

³²⁵ *Id.* at § 149.432(A)(2).

³²⁶ Ohio Rev. Code Ann. § 149.432(A)(3) (West 2024).

³²⁷ *Id.*

³²⁸ Ohio Rev. Code Ann. § 149.432(B)(5) (West 2024).

³²⁹ Ohio Rev. Code Ann. § 149.432(B)(1) (West 2024).

³³⁰ *Id.* at § 149.432(B)(2)(a).

³³¹ *Id.* at § 149.432(B)(3).

³³² Ohio Rev. Code Ann. § 149.432(B)(4) (West 2024).

³³³ *Id.*

tifiable individual or group.”³³⁴ Registration information “includes any information required of a minor in order to become eligible to borrow books, utilize library services, and other materials.”³³⁵ Records of minor patrons are protected separately in the statute.

Under this law, library patrons may disclose confidential patron information to “(1) persons acting within the scope of their duties in the administration of the library; (2) persons authorized to inspect such records, in writing, by the individual or group; or (3) by order of a court of law.”³³⁶ The same permissions for disclosure are applicable when the patron is a minor.³³⁷ Additionally, libraries or librarians must immediately report to appropriate law enforcement any suspicious requests for the records of minors if the library or librarian is led to believe these requests are indicative of criminal intent.³³⁸ The Oklahoma Attorney General found in a nonbinding opinion that the privacy statute fulfills its legislative purpose by holding confidential registries showing which computers have been assigned to identifiable individuals. Libraries may not disclose these registries without a court order (or one of the other disclosure exceptions in section 1-105(A)), even if an individual is using the computer for an illegal purpose.³³⁹ Libraries, if protecting computer use registries,³⁴⁰ as consistent with the Attorney General opinion, and deleting data related to the patron’s exact use of the computer once the patron logs out, can broaden the scope of the protections they can afford to patrons. These protections likely would not extend to the information that has been inadvertently transmitted to third parties by the patron’s use of the websites or programs themselves.

Oregon

Oregon mentions library records among other public records that are exempt from disclosure.³⁴¹ Library records include “circulation records, showing use of specific library material by a named person,” “the name of a library patron together with the address or telephone number of the patron,” and “the electronic mail address of a patron.”³⁴² Unlike other states, Oregon does not use the word “identifiable” when referring to library records. By not using the word “identifiable,” Oregon may limit what records are protected under the statute, because the current law only includes explicit mention of personal information by either name, address, telephone number, or email address.³⁴³ When only limited data is needed to reidentify a patron,³⁴⁴ it is better to have a broader definition. Third parties may also sell or otherwise disclose library records with the argument that the statute is very clear in what limited information is protected.

³³⁴ Okla. Stat. tit. 65, § 1-105(A) (2024).

³³⁵ *Id.* at § 1-105(C).

³³⁶ *Id.* at § 1-105(A).

³³⁷ *Id.* at § 1-105(C).

³³⁸ *Id.* at § 1-105(D).

³³⁹ Okla. Op. Att’y Gen. No. 05-19 (2005).

³⁴⁰ Computer use registries are registries that document which patrons are using a particular computer terminal and when. See generally Library Privacy Guidelines for Public Access Computers and Networks, ALA, <https://www.ala.org/advocacy/privacy/guidelines/public-access-computer> (last visited Nov. 9, 2025).

³⁴¹ Or. Rev. Stat. § 192.355 (2023).

³⁴² *Id.* at § 192.355(23)(a)-(c).

³⁴³ *Id.*

³⁴⁴ See *De-Anonymization: What It is, How It Works, How it’s Used*, INVESTOPEDIA (Oct. 15, 2022), <https://www.investopedia.com/terms/d/deanonymization.asp>.

Pennsylvania

Under **Pennsylvania** law, records relating to the “circulation of library materials and contain[ing] the names or other personally identifying information of the users of the materials shall be confidential and may not be made available to anyone except by a court order in a criminal proceeding[.]”³⁴⁵ The Helen Kate Furness Free Library in Wallingford, Pennsylvania, includes “patron records, circulation records, patron requests for information, materials on hold or requested through interlibrary loan, program registrations, wireless access and computer use records, and any record that can be used to identify, directly or indirectly, any library user, or link any user to a library transaction” in its definition of confidential records.³⁴⁶ This policy notably protects computer use although it is unclear as to whether this protection extends to information transmitted to third parties, such as data brokers and companies such as OpenAI or Microsoft. By narrowing access to these records only in circumstances where there is a court order as part of a criminal proceeding, Pennsylvania heavily restricts the opportunities in which the records are accessible and prevents access in civil cases. Such limitations indicate the legislative intent to protect library patron privacy outside of an active criminal case. Because of this, it may be found to be more permissible for libraries and librarians to share information with law enforcement who request patron-related information in connection with a criminal case.

Rhode Island

Rhode Island’s patron library privacy law is located within Rhode Island’s criminal code.³⁴⁷ Violations of the library patron privacy statute are a misdemeanor.³⁴⁸ Anyone who violates this provision, including firms, individuals, or corporations, will be fined no more than one thousand dollars per violation, by imprisonment of no more than six months, or both.³⁴⁹ Any individual who has been harmed because of a violation of these provisions may bring a civil action against the violator for damages, reasonable attorneys’ fees, and court costs.³⁵⁰ Despite this, the potential fines and imprisonment may not be enough to deter data brokers or large companies.

Library records that “by themselves or when examined with other public records, would reveal the identity of the library user requesting, checking out, or using any library materials” are defined as non-public records.³⁵¹ While patron interactions with artificial intelligence in the library by themselves may not be classified as non-public records, affected patrons in a litigation may be able to argue that *in connection* with other public records, as

³⁴⁵ 24 Pa. Cons. Stat. § 9375 (2024).

³⁴⁶ *Patron Privacy & Confidentiality Policy*, THE HELEN KATE FURNESS FREE LIBR. (July 2024), <https://www.hkflibrary.org/wp-content/uploads/2024/09/Patron-Privacy-Confidentiality-Policy-1.pdf>.

³⁴⁷ *See generally* 11 R.I. Gen. Laws § 11-18-32 (2024).

³⁴⁸ 11 R.I. Gen. Laws § 11-18-32(c) (2024). In Rhode Island, it is unlawful for “any person to reveal, transmit, publish, or disseminate in any manner, any records which would identify the names and addresses of individuals, with the titles or nature of video films, records, cassettes, or the like, which they purchased, leased, rented, or borrowed, from libraries [...] whether or not the identities and listings are kept in a remote computing service or electronic storage or the disclosure is made through or by a remote computing service.” *Id.* at § 11-18-32(a) (2024). Records related to confidential transactions will only be released through a written waiver. *Id.* at § 11-18-32(b).

³⁴⁹ *Id.* at § 11-18-32(c).

³⁵⁰ *Id.* at § 11-18-32(d).

³⁵¹ 38 R.I. Gen. Laws § 38-2-2(4) (2024).

stated within the statute, the data from the interaction with AI may reveal the identity of “the library user requesting, checking out, or using any library materials” and, thereby, should be considered non-public records.³⁵² By classifying library records as non-public records, the statute further restricts public access through a Freedom of Information Act request.

South Carolina

In **South Carolina**, personally identifiable records related to circulation records, or “all information which identifies the patrons borrowing particular books and other materials” and registration records, or “any information which a library requires a patron to provide in order to become eligible to borrow books and other materials,” are confidential.³⁵³ Such confidential information does not include “nonidentifying administrative and statistical reports of registration and circulation.”³⁵⁴

Libraries may not disclose confidential patron records “except to persons acting within the scope of their duties in the administration of the library or library system or persons authorized by the library patron to inspect his records, or in accordance with proper judicial order upon a finding that the disclosure of the records is necessary to protect public safety, to prosecute a crime, or upon showing of good cause before the presiding Judge in a civil matter.”³⁵⁵ Libraries should evaluate their policies concerning data minimization. If South Carolina libraries have such policies, they can minimize the potential effect that this provision may have on law enforcement going to libraries to request patron conversations with AI chatbots or internet search queries.

Any person who is convicted of violating Section 60-40-10 will be fined no more than five hundred dollars or imprisoned for no more than thirty days for a first offense, no more than one thousand dollars or imprisoned for no more than sixty days for a second offense, and fined no more than two thousand dollars or imprisoned for no more than ninety days for the third or any subsequent offense.³⁵⁶

South Dakota

Like its northern counterpart, **South Dakota** has a short library privacy law.³⁵⁷ South Dakota requires that all public library records containing “personally identifiable information” remain confidential.³⁵⁸ The statute defines personally identifiable as “any information a library maintains that would identify a patron.”³⁵⁹ Courts have yet to provide case law on the statute, so it is unclear how its minimal language would hold up in a scenario involving a third-party AI company.

South Dakota allows disclosure if there is a court order or request from the parent of a minor under 18.³⁶⁰ Library officers or employees maintaining a check out system do not

³⁵² *Id.*

³⁵³ S.C. Code Ann. § 60-4-20 (1985).

³⁵⁴ *Id.* at § 60-4-10.

³⁵⁵ *Id.*

³⁵⁶ *Id.* at § 60-4-30.

³⁵⁷ S.D. Codified Laws § 14-2-51 (2024).

³⁵⁸ *Id.*

³⁵⁹ *Id.*

³⁶⁰ *Id.*

violate the section.³⁶¹ The statute does not include language pertaining to third-party contractors, suggesting the legislature either did not consider third parties or intended to allow records in the possession of third parties to be subject to disclosure. South Dakota's law thus presents a significant danger to patron privacy when involving a third party absent amendment or guidance from courts.

Tennessee

Under **Tennessee** law, confidential library records are “document[s], record[s], or other method[s] of storing information retained by a library that identify[ly] a person as having requested or obtained specific information or materials from such library.”³⁶² Libraries or librarians may disclose confidential library records with consent from the library patron, in response to a court order, or when being used “to seek reimbursement for or return of lost, stolen, misplaced or otherwise overdue library materials.”³⁶³

In a nonbinding 1988 Tennessee Attorney General opinion, the Attorney General found that the circulation procedure in which library patrons must sign a card that is put in the book after it is returned is a form of disclosure prohibited under the statute.³⁶⁴ By examining the card, anyone could discover who has requested or obtained information from that specific book. As a result, this information qualifies as a protected library record.³⁶⁵

Since this Attorney General opinion, there have been significant developments in technology, most recently in the sector of artificial intelligence. Several states have adapted their patron privacy laws to include computer use registries as part of confidential records.³⁶⁶ While computer use registries can generally be interpreted as a confidential record under existing state patron privacy laws, states should consider including explicit language pertaining to computer use to ensure utmost patron protection.

Texas

In **Texas**, a record that “identifies or serves to identify a person who requested, obtained, or used a library material or service” is confidential and is excepted from the requirements of the state’s “Right of Access to Certain Information” section unless it is disclosed (1) because “the library or library system determines that disclosure is reasonably necessary for the operation of the library or library system and the record is not confidential under other state or federal law;”³⁶⁷ (2) under Section 552.023, which pertains to the special right of access of confidential information by an authorized representative;³⁶⁸ or (3) to law enforcement or a prosecutor at the presentation of a court order or subpoena.³⁶⁹ The statute provides a specific procedure for what law enforcement or a prosecutor must show a district court in order to obtain a subpoena. This information includes “(A) disclosure of the record is necessary to protect public safety; or (B) the record is evidence of an offense or constitutes

³⁶¹ *Id.*

³⁶² Tenn. Code Ann. § 10-8-101(2) (2024).

³⁶³ Tenn. Code Ann. § 10-8-101(b) (2024).

³⁶⁴ Tenn. Op. Atty. Gen. No. 88-203.

³⁶⁵ *Id.*

³⁶⁶ See e.g., Okla. Op. Att’y Gen. No. 05-19 (2005).

³⁶⁷ Tex. Gov’t Code Ann. § 552.124 (2011).

³⁶⁸ See Tex. Gov’t Code Ann. § 552.023 (2011).

³⁶⁹ Tex. Gov’t Code Ann. § 552.124 (2011).

evidence that a particular person committed an offense.”³⁷⁰ Instituting a specific procedure places additional restrictions on law enforcement and prosecutors for obtaining a subpoena and gives additional assurances to patrons about the confidentiality of their information. As is generally the case with provisions with an explicit procedure for obtaining a judicial record, libraries should evaluate their policies concerning data minimization. In doing so, libraries can mitigate extremely broad law enforcement access to libraries to patron interactions with artificial intelligence or internet search queries.

A nonbinding 2024 Texas Attorney General open letter ruling notes that “only names, addresses, and other information specifically identifying library patrons may be withheld under [the section of the Texas Code pertaining to the confidentiality of library records.]”³⁷¹ Patron interaction with AI and other newly developed technologies may also classify as “information specifically identifying library patrons.” Despite this, however, this information is not always within library control. This is particularly true if the technology with which the patron is engaging is provided by an unregulated third party, such as an AI company. Texas, notably, is one of four states that have signed state AI governance legislation.³⁷²

Utah

In **Utah**, library records are “records of publicly funded libraries that when examined alone or with other records identify a patron.”³⁷³ Utah provides multiple ways to access library records. As a private record,³⁷⁴ a library record may be disclosed upon request by the patron, the parent or legal guardian of an unemancipated minor, the legal guardian of a legally incapacitated individual, any other individual with a power of attorney or notarized release from the patron.³⁷⁵ Additionally, library records can be accessed through court order or legislative subpoena.³⁷⁶ The law requires the court to limit disclosure of records in order to protect privacy interests.³⁷⁷ The interests favoring access must be greater than or equal to the interests favoring privacy.³⁷⁸ These specific requirements for court order ensure law enforcement does not abuse their request for information. Legislative subpoena is a special concern in the current political climate where libraries have become a partisan battleground. Legislators may infringe upon patron privacy by requiring disclosure of library records to advance their own political agenda. Before releasing library records, Utah requires the governmental entity to obtain evidence of the requester’s identity.³⁷⁹ Such a requirement ensures that records are only released when given direct permission by the patron. Unlike other states, Utah also allows library records to be disclosed for research purposes if the research cannot reasonably be accomplished without disclosure and the value of the research is greater than or equal to privacy.³⁸⁰

³⁷⁰ Tex. Gov’t Code Ann. § 552.124(3) (2011).

³⁷¹ Texas Attorney General Open Records Letter Ruling, OR2024-24268 (July 12, 2024).

³⁷² David Botero & Cobun Zweifel-Keegan, *US State AI Governance Legislation Tracker*, IAPP25 (Oct. 6, 2025), <https://iapp.org/resources/article/us-state-ai-governance-legislation-tracker/#state-ai-governance-law-map>.

³⁷³ *Id.* at § 63G-2-302(1)(c).

³⁷⁴ *Id.* at § 63G-2-302(1).

³⁷⁵ *Id.* at § 63G-2-202(1)(a)(i)-(iv)(B).

³⁷⁶ *Id.* at § 63G-2-202(1)(a)(v)(A)-(B).

³⁷⁷ Utah Code Ann. § 63G-2-202(7)(c) (West 2024).

³⁷⁸ *See id.* at § 63G-2-202(7)(d).

³⁷⁹ *Id.* at § 63G-2-202(6).

³⁸⁰ *Id.* at § 63G-2-202(8)(a)(i), (ii)(B).

Vermont

In **Vermont**, a library patron's registration and transaction records are confidential.³⁸¹ Within the statute, "registration records" are "library records that contain information a library patron must provide in order to be eligible for borrowing privileges at the library."³⁸² Similarly, "transaction records" are "library records that contain names or other personal identifying information that discloses an individual's activities within a library, including the materials that have been viewed in print or electronic form, research questions posed, materials in any format that the patron has requested through interlibrary loan or has borrowed, or any other library service or consultation that the person has requested."³⁸³

If Vermont libraries record and maintain data pertaining to patron interaction with AI, either on library computer terminals or on personal devices linked to library Wi-Fi, parties in a litigation may argue that this documentation, if it contains personal identifying information, classifies as "transaction records." Despite this, however, this provision is not broad enough to restrict the private AI companies from further disclosing this information, unless otherwise negotiated in a contract between the company and the library.

Statistical records "pertaining to the patronage, circulation activities, and use of any service or consultation the library provides" are not considered to be confidential information for which disclosure is prohibited, unless they contain the names of patrons or other personally identifiable information.³⁸⁴ Library officers, employees, and volunteers are not permitted to disclose confidential information unless authorized by other provisions of law or (1) with written permission of the library patron, (2) to officers, employees, volunteers, and agents of the library as necessary for the operation of the library, (3) in response to the presentation of a judicial order or warrant, (4) to parents or guardians of patrons under twelve years of age, or (5) to the parents or guardians of a student, "in accordance with the federal Family Education Rights and Privacy Act, by the library at the school the student attends."³⁸⁵ Notably, Vermont gives aggrieved patrons a private right of action. Under the statute, any library patron whose confidential patron information has been disclosed, unless permitted under the statute, may bring a civil action against the library that disclosed the records.³⁸⁶ This opportunity gives patrons a role in the enforcement of their privacy rights.

Virginia

Virginia lacks a dedicated library patron privacy statute. Instead, patron protections are included in a title of the Virginia Code pertaining to the administration of government. Under this statute, "information contained in library records that can be used to identify (i) both (a) any library patron who has borrowed or accessed material or resources from a library and (b) the material or resources such patron borrowed or accessed or (ii) any library patron under 18 years of age" must be redacted from public records.³⁸⁷ In interpreting the statute as written, it is likely to the library and library system's benefit to have data minimization policies in order to prevent having this information from patron interaction with digital services,

³⁸¹ Vt. Stat. Ann. tit. 22, § 172(a) (2025).

³⁸² Vt. Stat. Ann. tit. 22, § 171(2) (2025).

³⁸³ Vt. Stat. Ann. tit. 22, § 171(3) (2025).

³⁸⁴ Vt. Stat. Ann. tit. 22, § 172(c) (2025).

³⁸⁵ Vt. Stat. Ann. tit. 22, § 172(b) (2025).

³⁸⁶ Vt. Stat. Ann. tit. 22, § 173 (2025).

³⁸⁷ Va. Code Ann. § 2.2-3705.7(3) (2025).

such as artificial intelligence programs, in the first instance. Access to a minor child's records "shall not be denied to the parent, including a noncustodial parent, or guardian of such library patron."³⁸⁸ The express inclusion of a parent's access to a minor child's records may influence a minor child's trust in the library and may dissuade them from checking out books they otherwise would.

Washington

Washington exempts disclosure of library records if the primary purpose of the record is "to maintain control of library materials, or to gain access to information," and the record "discloses or could be used to disclose the identity of a library user."³⁸⁹ Washington is unusual in that it acknowledges that some library records may have a different purpose than above and thus may not be covered by the statute. Washington also does not specify how law enforcement can access the records, making it difficult to determine when law enforcement have stepped out of line. In *State v. Hilton*, the court ruled that the statute "does not create a privilege, let alone a privilege exempt from judicial process," relying on *Brown* from Iowa.³⁹⁰ This shows that disclosure of library records is not prohibited when it involves judicial process. Relying on the Constitution, *Hilton* court found that subpoena allows the disclosure of library records.³⁹¹

West Virginia

In **West Virginia**, "[c]irculation and similar records of any public library in this state which identify the user of library materials are not public records but shall be confidential and may not be disclosed[.]"³⁹² Libraries may disclose confidential records to library staff "in the ordinary course of business." Library staff includes "paid employees and unpaid volunteers upon completing a written confidentiality agreement which shall prevent disclosure of circulation records, personal information, and similar records of any public library except to the extent allowed under [the statute] and obtaining written permission from the library director of the library system wherein he or she will be working."³⁹³ It is unclear whether this provision extends to individuals or services contracted to work with the library, such as if a library contracts with a specific service to provide a vetted artificial intelligence program to their patrons. If this type of disclosure is permitted, the requirement of a written confidentiality agreement may help mitigate privacy concerns. This statute also permits disclosure with written consent from the affected patron or written consent from a minor patron's parent or guardian or when presented with a court order or subpoena.³⁹⁴ Disclosure, whether authorized or unauthorized, does not destroy the confidentiality of the record.³⁹⁵

³⁸⁸ *Id.*

³⁸⁹ Wash. Rev. Code § 42.56.310 (2024).

³⁹⁰ *State v. Hilton*, 261 P.3d 683, 694 (Wash. Ct. App. 2011) (citing *Brown v. Johnston*).

³⁹¹ *Id.*

³⁹² W. Va. Code § 29-1-8c(j)(1) (2024).

³⁹³ *Id.* at § 29-1-8c(j)(1)(A).

³⁹⁴ *Id.* at § 29-1-8c(j)(1)(B)-(C).

³⁹⁵ *Id.* at § 29-1-8c(j)(2).

Wisconsin

Wisconsin provides extensive detail on what constitutes a library record and how it can be disclosed.³⁹⁶ Library records of a public library system may not be disclosed if it indicates “the identity of any individual who borrows or uses the library’s documents or other materials, resources, or services.”³⁹⁷ Including resources and services suggests that third-party vendors’ services might fall under the patron protection statute. However, the statute does not affirmatively include third-party contractors or vendors. In Wisconsin, a library may disclose records in response to a court order, where a person is acting within the scope of their duties in the administration of the library system, or where the person is authorized by the patron to inspect such records.³⁹⁸ Custodial parents or guardians may also access “all library records relating to the use of the library’s documents or other materials, resources, or services,”³⁹⁹ potentially infringing on the child’s right to receive information.

Libraries may also disclose the patron’s identity to another library for interlibrary loans.⁴⁰⁰ Such an exception may give access to third parties if the libraries rely on AI companies or other third-party vendors to conduct interlibrary loans. Like other states, Wisconsin has a way for law enforcement to bypass court order if it involves criminal conduct.⁴⁰¹ However, this access is limited to conduct alleged to have occurred at a public library, and the library may only disclose records pertinent to the conduct produced by a surveillance device.⁴⁰² A library may also disclose records from a surveillance device if it requests the assistance of a law enforcement officer.⁴⁰³

Finally, a library may provide information about delinquent accounts or the number and type of overdue materials.⁴⁰⁴ This information is limited to the name, contact information, and the amount owed.⁴⁰⁵ Unlike other states with similar laws on delinquent accounts, Wisconsin may report this information not only to a collection agency but also to law enforcement, but only if the value of the delinquent account is at least fifty dollars.⁴⁰⁶

Wyoming

Wyoming has one of the simplest library privacy laws, listing library records among other public records that the custodian may deny the right of inspection, unless provided by law.⁴⁰⁷ The statute does not define what is considered “library patron transaction” and “registration records,”⁴⁰⁸ making it difficult to determine what is protected by the privacy law. Vague language provides an opening for third parties to access patron records without worrying about violating the statute. Unlike other states, Wyoming does not require that the information has to be identifiable to the patron and does not include court order as a way to

³⁹⁶ Wis. Stat. § 43.30 (2024).

³⁹⁷ *Id.* at § 43.30(1)(m).

³⁹⁸ *Id.*

³⁹⁹ Wis. Stat. § 43.30(4) (2024).

⁴⁰⁰ *Id.* at § 43.30(2)-(3).

⁴⁰¹ *Id.* at § 43.30(5)(a).

⁴⁰² *Id.*

⁴⁰³ *Id.* at § 43.30(5)(b).

⁴⁰⁴ *Id.* at § 43.30(6)(a)(1)-(2).

⁴⁰⁵ Wis. Stat. § 43.30(6)(b) (2024).

⁴⁰⁶ *Id.* at § 43.30(6)(c)(2).

⁴⁰⁷ Wyo. Stat. Ann. § 16-4-203 (2024).

⁴⁰⁸ *Id.* at § 16-4-203(d)(ix).

allow disclosure. Instead, disclosure is allowed when it is required for administration of the library or requested by a custodial parent or guardian of his minor child.⁴⁰⁹ Not including court order means that it is easier for libraries to check abuse by law enforcement, because libraries can decide on their own, without relying on courts, whether to disclose records. This discretion can be a disadvantage if there are laws such as the Patriot Act, which allowed law enforcement to access the records without due process.⁴¹⁰

Conclusion

Artificial intelligence has brought many benefits to libraries and their patrons, from increasing productivity to improving services. However, AI has also revealed how existing privacy laws are vulnerable to access by law enforcement and third parties. Forty-eight states protect patron confidentiality through statutes, with most requiring a court order for disclosure. While these statutes have been adequate before the digital age, advancing technology means that they are no longer up to task when facing AI and third-party doctrine. The practicality and convenience of AI means that it is increasingly ubiquitous in our lives and that it is harder to remove ourselves from its influence. Libraries have not been an exception to this rule, with AI changing not only how libraries operate but transforming where their privacy laws stand. This Memorandum is a starting point for organizations who are zealous about helping libraries be proactive against the new challenges, allowing libraries to not only survive but thrive in the AI boom.

A formatted, state-by-state version of this paper is available at https://www.everylibraryinstitute.org/state_level_library_patron_privacy_laws_ai

About the Authors

Samuel Lim is a Juris Doctor graduate of Georgetown University Law Center. He was a member of the Georgetown Communications and Technology Law Clinic. As a former librarian, he is interested in the impact of artificial intelligence on libraries. He majored in political science at Yale University.

Luciette (“Lucie”) Daignault, JD (she/her) is a recent graduate of Georgetown University Law School. She was a student attorney with the Communications & Technology Law Clinic at Georgetown Law during the Fall of 2025. Her research interests include data privacy, particularly on the statewide level, and the 4th Amendment.

Catherine Ferri, JD (she/her) is a Staff Attorney and Clinical Teaching Fellow in the Georgetown Communications and Technology Law Clinic. She graduated from Colgate University in 2020 with a BA in English and Spanish Literature and the University of Colorado Law School in 2024 with a JD. Her research interests include the right to information, the censorship of public institutions, intellectual privacy and freedom, and the intersection of technology law and the First Amendment.

⁴⁰⁹ *Id.*

⁴¹⁰ See Deborah Walters, *15 Years of Fear: The ALA and the Patriot Act*, AM. LIBR. ASS’N ARCHIVES (Oct. 7, 2024), <https://www.library.illinois.edu/ala/2024/10/07/15-years-of-fear-ala-patriot-act/>.

The Politicization Antibody Effect: How Community-Embedded Directors Can Neutralize Library Politicization

JOHN MACK FREEMAN

ABSTRACT

National debates over book challenges and culture war politics often frame rural and conservative communities as particularly likely sites of conflict with public libraries. Drawing on constructivist grounded theory interviews with public library directors in the state of Georgia, this article identifies a counterintuitive pattern: In some of these counties, directors report relatively few formal challenges or overt politicization. The article argues that, under specific conditions, these directors function as a “politicization antibody” for their communities: specifically, when a director is deeply embedded in a service area of roughly forty thousand residents or fewer. In those settings, long-standing personal relationships with influential stakeholders can quietly resolve conflicts before they escalate into public controversies. This informal protection has benefits for directors’ job embeddedness and retention, but it also depends heavily on local political alignment and long tenure. Further, it can encourage self-silencing and boundary blurring as directors adapt to the expectations of their political environment. The article contrasts these cases with communities where the antibody effect is absent, including rural systems led by nonlocal or newly appointed directors and larger urban or suburban systems where the number of stakeholders makes this kind of personal mediation infeasible. It concludes by outlining implications for local governance, state-level support, and library advocacy organizations and policy networks that view quiet communities as evidence of safety or stability.

Introduction

Public libraries have become increasingly visible sites of political conflict in the United States, serving as targets of local culture war ire while also experiencing threats to federal funding sources (American Library Association 2026; Benitez et al. 2025; Jensen n.d.; Trump 2025). National reporting and advocacy narratives often frame rural and politically conservative communities as especially vulnerable to organized challenges and legislative interventions. Demographically, many Georgia counties fit that profile: small populations, conservative electorates, and close fiscal ties between county government and the public library. Yet not all such communities experience the same degree of overt conflict. Some appear to remain comparatively calm, reporting few formal challenges and limited public controversy around library services.

This article examines that apparent calm as a substantive phenomenon rather than as an absence of politicization. Drawing on a qualitative grounded theory study of public library directors in Georgia, the analysis identifies a pattern in which some directors in small communities function as a “politicization antibody.” Under particular conditions, these directors’ deep community embeddedness and strong identification with the director role allow them to intercept, deflect, or quietly resolve conflicts before they become public disputes. At the same time, this buffering role is contingent. It depends on local context, scale, and time, and it imposes costs on the individuals who perform it.

The analysis proceeds in three steps. First, it introduces the concept of the politicization antibody and describes the forms of community and role embeddedness through which it operates, situating these findings in relation to job embeddedness theory. Second, it considers cases where the antibody fails to emerge, including rural communities with new or nonlocal directors and larger systems where politicization cannot be mediated through personal relationships alone. Third, it discusses implications for directors, boards and appointing authorities, state libraries and systems, and advocacy organizations, with attention to boundary work, succession, and the limits of relying on individual embeddedness as the primary defense against politicization. The goal is not to idealize quiet communities for their lack of overt politicization; rather, it is to make visible the governance work and personal strain that often underlie an apparent absence of conflict.

Drawing on these cases, the article contributes to debates on public sector politicization by (1) conceptualizing the ‘politicization antibody’ as a form of community and role embeddedness; (2) specifying the scale and tenure conditions under which this buffering role emerges; and (3) tracing the governance implications for boards, state agencies, and advocacy organizations that currently depend on embedded directors as informal stabilizers.

Literature Review

Research on politicization¹ in public administration has shown that misalignment between political leaders and career administrators can increase pressure on managers and raise turnover intent. Politicization operates both through the broader political environment and through internal organizational dynamics, reshaping expectations of what counts as competent performance and the implications that has for who stays and who turns over (Ali 2018; Lewis 2003). In local government, relatively small groups of actors (elected officials, organized interest groups, or mobilized users) can exert outsized influence on department heads through targeted scrutiny, media attention, and board-level pressure, even when formal structures remain unchanged. Turnover and retention among public managers thus reflect not only individual preferences but also how their roles are embedded in local political and governance arrangements. This maps closely onto how public library boards and directors experience political pressure.

Within library and information science, recent work and advocacy reports have documented a sharp rise in challenges to library materials and programs, particularly those related to LGBTQ+ users, race, and diversity initiatives. National groups have supplied templates, talking points, and model policies that make it easier to translate broad culture war narratives into specific demands on local boards and administrators (American Library Association

¹ For this study, politicization is defined as volatility introduced into an organization through rapid shifts in regulation, funding, or oversight that stem from changes sought by political leaders that ultimately seek to place the administrative functions of government at the direct control of political elements (Limbocker et al. 2022).

2026; Benitez et al. 2025; Jensen n.d.; Meehan et al. 2023). These challenges frequently target the technocratic dimensions of library work (e.g., collection development policies, reconsideration procedures, and codes of conduct) as much as individual titles. Yet much of this literature focuses on sites of visible conflict: systems experiencing waves of challenges or high-profile legislative interventions. Communities that, on paper, appear vulnerable to politicization but report few formal challenges are often treated as low-risk, with less attention to the informal governance work that may sustain that quiet or to the emotional and political costs borne by directors in doing so.

Many library directors have a low propensity for turnover, and their embeddedness in the role can be a defining factor in their retention. Job embeddedness theory and related turnover research offer tools for understanding why public employees, including library directors, stay within or leave politicized environments. Job embeddedness emphasizes links, fit, and sacrifice as key pull-to-stay forces that tie individuals to organizations and communities (Mitchell et al. 2001). More recent emotional labor scholarship underscores that managers in politicized settings also perform substantial relational and affective work that is rarely captured in formal job descriptions but can contribute to both embeddedness and strain (Gabriel et al. 2023). What remains underexplored, however, is how these forms of community and role embeddedness may function not only as retention mechanisms but also as informal buffers against politicization in communities that otherwise appear demographically at risk. This article addresses that gap by examining how long-tenured, locally rooted directors in small Georgia counties operate as a “politicization antibody” and what opportunities and vulnerabilities accompany that role for local governance and policy design.

Study Context and Methods

This study was originally conducted as doctoral research through Valdosta State University in a dissertation entitled “Retention in Increasingly Politicized Bureaucracies: A Study of Public Library Directors in the State of Georgia.” This was a constructivist grounded theory exploration of individuals employed as public library directors in Georgia between 2016 and 2023. Interviews were conducted between July and November 2024 (with approval from the Valdosta State University IRB) with a semistructured set of questions related to tenure in position, professional history, and views on current public library politicization. All seventy-eight individuals who had been public library directors in the state of Georgia during this period were invited to be interviewed; thirteen interviews were ultimately conducted using a maximum-variation approach that captured a range of geography, system size, and reported levels of politicization.

All interviews were transcribed and anonymized, with each participant receiving a gender-neutral pseudonym. Interviews were coded using an iterative, constant comparison approach consistent with constructivist grounded theory, with particular attention to themes related to politicization, community relationships, and turnover intent (Charmaz 2014). Coding proceeded until theoretical saturation was achieved and no substantially new themes were emerging around politicization, retention, and community relationships; the politicization antibody pattern discussed here was one of several categories generated through that process. While the principal focus of the study was on retention and turnover of public library directors, a corollary finding emerged regarding how some small communities experienced no library politicization despite demographics and political leanings implying that the alternative would be true.

Findings

Antibody Effect

The interviews indicated the existence of a **politicization antibody effect** (hereafter “antibody”). The antibody refers to a pattern in which a long-tenured, community-embedded public library director acts as an informal buffer between the library and its political environment. Through dense local relationships and accumulated trust, these directors intercept, deflect, or quietly resolve potential conflicts before they become visible challenges or public controversies.

The study suggests that the antibody is contingent rather than universal. It was most evident where two conditions aligned: (1) a relatively small service population (below approximately forty thousand individuals) with a limited and knowable set of influential stakeholders (community embeddedness), and (2) a director who was either locally rooted or had accrued at least five years of tenure with low turnover intent² (role embeddedness). In those settings, directors could build and maintain dense relational networks and draw on accumulated trust to address emerging concerns informally. Where either condition was absent, directors described greater exposure to politicization pressures and less ability to intervene in conflicts before they became public.

Community Embeddedness

Community embeddedness in this context refers to an individual’s connectedness and attachment to the social web of their local community as it relates to the concept of relational embeddedness (Gulati and Gargiulo 1999). Directors described a pattern of dense, overlapping relationships in which the library director is firmly embedded in the local social fabric. They see residents at religious gatherings, school events, civic meetings, and local businesses; they participate in festivals and fundraisers; they are known as neighbors and volunteers as much as administrators. For these directors, strong ties and the relative absence of public controversy translated into feeling valued and integral to local civic life. They were sought out for advice by county officials, invited into local planning efforts, and publicly thanked for the library’s contributions. One director in a small county described routine, informal interactions with local officials:

They're friends, you know what I mean, or they have become friends. I'll go up to the county court, I mean, up the county offices. “Hey, [name], how you doing? Come on back.” You know that kind of thing. The mayor brings his . . . or he doesn't as much as he used to, but he used to bring his kids in once a week to the library to check out books. (C. Frost, interview with author, July 29, 2024)

These kinds of interactions not only signal personal familiarity but also provide routine, low-pressure opportunities to surface concerns and resolve minor issues before they escalate.

² Turnover intent is a self-reported measure of the “conscious and deliberate willfulness to leave the organization” (Matz et al. 2014, 234) or one’s current role within a measured time frame (typically 6–24 months), or a measure of the probability of leaving within that period (Sousa-Poza and Henneberger 2004, 116; Tett and Meyer 1993).

In places like this, residents and officials often view controversy as something that happens elsewhere. They are aware of national debates but see their own community as insulated because they personally know the local players. That perception, combined with long-standing relationships, can blunt the urge to escalate concerns into formal complaints.

Role Embeddedness

Longer tenure begets longer tenure; directors who have been in their jobs for a long time are more likely to have lower turnover intent and to remain in their current roles. These individuals have role embeddedness: a strong personal identification with the position itself, layered onto connections with the specific employer and community context. Over time, directors come to see the role as an extension of their own identity and professional narrative, as who they are as much as what they do. As one interview subject put it, “This is my mission in life, and that’s to help others” (R. Blake, interview with author, October 9, 2024). Additionally, familiarity with local procedures, long-refined routines, and accumulated tacit knowledge make the day-to-day work easier to navigate, reducing cognitive strain and uncertainty and making the position feel comparatively manageable, even under challenging external conditions. Changing positions would require rebuilding this ease from the ground up: learning new systems, norms, and relationships, and accepting a temporary loss of competence and status while doing so. Directors described this potential disruption as a significant personal cost, involving not only the practical burdens of job transition but also the loss of a role in which they feel competent, recognized, and at home.

Relationship to Job Embeddedness Theory

Job embeddedness theory (JET) offers a way to connect the low-conflict environments described by some directors with their decisions to remain in positions where they function as politicization antibodies. Rather than focusing solely on individual attitudes such as satisfaction, JET emphasizes how links, fit, and perceived sacrifices tie workers to their organizations and communities (Mitchell et al. 2001). Although JET was developed primarily to explain individual voluntary turnover in organizational settings, its components are useful for understanding how directors weigh staying or leaving in politicized governance environments and what that choice implies for ongoing organizational responses to politicization.

In the cases examined here, community embeddedness maps onto dense local links and a strong sense of fit with the community, while role embeddedness reflects the perceived sacrifice associated with leaving a position that has become central to one’s professional identity. This suggests that embeddedness in politicized environments is not simply a background condition that reduces turnover. In low-conflict, high-trust communities, community and role embeddedness reinforce each other, fostering a sense of being valued that supports long tenure. Where those ties are weak, contested, or overshadowed by hostile local politics, directors are more likely to treat their positions as precarious and to consider exit as a rational response to sustained or anticipated conflict, as the contrasting cases in the next section illustrate.

When Antibodies Fail

The dynamics described above were not present in all communities in the study. Examining cases where the politicization antibody failed to form is essential both for analytic

balance and for clarifying the conditions under which community embeddedness can and cannot buffer public libraries from politicization.

The antibody is not dependent on community characteristics alone. Several directors worked in counties that closely resembled the small communities described earlier: low populations, conservative electorates, and close formal ties between county governance and the library. However, these directors were either relatively new to their positions, not local to the area, or both. They had not yet developed dense relational networks with local power brokers, and they lacked the accumulated history that underpins the perception of being “one of us.” In these settings, the informal pathways that allowed embedded directors to address concerns quietly were largely absent, and conflicts were thus more likely to appear in the formal arena. Complaints were more likely to surface directly in board meetings or through formal channels, and directors reported feeling exposed when controversies arose because they did not yet know which allies they could rely on or how far their informal influence extended.

Alternatively, urban and suburban directors faced a different constraint. Some had substantial tenure or local roots, but the scale and complexity of their environments made intensive personal mediation infeasible. Larger jurisdictions encompassed multiple municipalities, school systems, and community organizations, alongside a wider range of organized interest groups. Directors in these systems could cultivate strong relationships with some stakeholders, but they could not realistically maintain close ties with all significant actors. Politicization pressures were more likely to emerge through public campaigns, media coverage, or coordinated social media efforts that could not be defused through a phone call or hallway conversation. Even when directors were well embedded in particular neighborhoods or networks, that embeddedness did not translate into a systemwide antibody effect.

Across these contrasting cases, the findings reinforce that the antibody depends on both scale and time: a small, knowable stakeholder environment and a director with sufficient tenure to build deep relational capital. New or nonlocal directors have not yet built the ties that could function as an antibody, and urban or suburban directors, regardless of tenure, operate at a scale where those ties cannot encompass the full stakeholder environment. In these contexts, politicization is more likely to manifest as visible conflict (e.g., public challenges, board meeting confrontations), and directors report higher levels of stress and a greater orientation toward potential exit.

Discussion

Boundaries and Self-Silencing

Taken together, these findings suggest that the same embeddedness that enables directors to function as politicization antibodies also imposes specific forms of boundary work and self-silencing. While community and role embeddedness provide significant advantages, they also create pressures and potential costs. Directors must constantly navigate a dual role as both community members and professional leaders. Their personal beliefs may not align with the dominant political or religious views of their community, yet they are expected to manage the library in ways that fit local norms and expectations.

Some directors described consciously setting aside their own views in order to operate effectively within their political environment. One director noted that the local political climate is a key factor in deciding where to work:

I look more at what is happening in my local politics. Who is elected? What are their beliefs? Because I have seen that all it takes is one change there for your entire outlook, your beliefs, and your visions to be challenged. It is our local politics who appoint our library board members. And when that's good, that's good, but when challenges arise there that can be an incredibly stressful and . . . life-changing moment. (B. Humphrey, interview with author, October 15, 2024)

In these environments, directors often feel responsible for maintaining equilibrium between local power holders and the broader professional standards of librarianship. That boundary work can include quiet self-censorship, strategic framing of issues, or deliberate avoidance of certain public statements, all in service of preserving overall support for the library. This balancing act is a form of emotional labor that can have consequences for both work effectiveness and personal health (Gabriel et al. 2023). The same relationships that cushion against overt politicization can also make it difficult for directors to voice dissent or push for changes that they believe are professionally necessary but locally unpopular.

Recognizing the politicization antibody as a distinct pattern also has implications for how directors understand and narrate their own work. Naming the role (being able to say, in effect, “I am functioning as an antibody, and this has costs”) can make invisible labor more legible within local governance conversations and professional networks. It can also provide a basis for boundary-setting and succession planning. Directors who see themselves in this description can begin to ask what supports they require to continue in the role sustainably and what will happen to the library when they retire or leave. Framing these questions explicitly may help shift expectations away from individual sacrifice as the primary defense against politicization and toward more shared, structural forms of support.

It is also important to note that low-conflict communities do not necessarily mean the library has achieved equity for all potential users. In relatively homogeneous communities where directors and key stakeholders share similar social backgrounds and political orientations, embeddedness may dampen overt conflict by leaving some users’ concerns unheard or by discouraging dissent from staff who do not share local norms, particularly those from marginalized communities (e.g., LGBTQ+ teens, racial or ethnic minorities, or recent immigrants). This article focuses on directors’ perspectives; future research that incorporates staff and user voices is needed to assess how the benefits and burdens of the antibody are distributed.

Embeddedness can therefore be seen as both protective and constraining. It supports the library’s stability and shields staff and users from some direct conflict, but it can also place significant emotional and political strain on directors who must continually reconcile their personal and professional commitments with the expectations of local leaders and community members.

Boards and Appointing Authorities

Routine governance decisions (e.g., replacing a director, restructuring a board, altering appointment patterns) can have unanticipated effects on the library's vulnerability to politicization. A board or local authority that moves quickly to refresh leadership at the director or board level may inadvertently remove or weaken the very antibody that has kept controversy at bay.

These dynamics pose a difficult question for boards and appointing authorities: Should they explicitly value deep local embeddedness when hiring and evaluating directors, or does that reliance create its own risks? On one hand, the findings suggest that local roots and long tenure can equip directors with the relationships and tacit knowledge needed to manage conflict effectively and maintain broad-based support for the library. On the other hand, overreliance on a single, highly embedded individual can create a governance vulnerability.

The evolving nature of library boards intensifies this dilemma. Historically, many local boards operated in low-conflict environments, focusing on budgets, facilities, and basic service oversight. Appointments could be made with limited attention to ideological alignment or capacity to navigate politicized disputes. As libraries have become more visible in wider culture war conflicts, board roles have shifted. Trustees are now expected to respond to challenges, interpret legal guidance, and make decisions that carry symbolic and political weight. Based on the patterns observed in this study, appointing authorities who continue to treat board seats as largely apolitical or honorary positions may be unprepared for the governance demands that accompany politicization.

Elected officials face a similar tension. Public libraries typically represent a very small share of local budgets, and it can be tempting for officials to treat them as low-salience policy arenas. The findings suggest that such approaches can be shortsighted. Decisions about director appointments, board membership, and public positioning on library issues can either reinforce existing informal antibodies or dismantle them. A more nuanced understanding from elected officials would recognize both the limited fiscal footprint of libraries and their sometimes disproportionate role in local cultural life.

For boards and appointing authorities, the practical implication is to treat embeddedness as a factor to be recognized and managed, not just celebrated or ignored. This may include deliberate succession planning for highly embedded directors, attention to how board appointment practices affect the library's informal conflict-management capacity, and explicit discussion of the trade-offs involved in prioritizing local rootedness versus bringing in external candidates. It further implies the need for more structured support of newer directors as they build community embeddedness. Governance training that frames politicization as a shared responsibility of boards and elected officials would better align local practice with the evolving political environment.

State Libraries

The politicization antibody also has implications for the work of state libraries. State-level actors are well positioned to develop monitoring, support, and research strategies that are sensitive to local context while still identifying patterns that warrant attention.

From a monitoring and early-warning perspective, state libraries can treat "quiet" and "noisy" counties as signals to be interpreted rather than as simple performance indicators. Low numbers of formal challenges may reflect an effective politicization antibody, but they may also reflect underreporting, informal pressure, or local norms that discourage formal

complaint processes. Conversely, a sudden spike in challenges or director turnover may indicate the erosion of an existing antibody or the introduction of new political actors or issues. Rather than imposing uniform thresholds, state libraries can use a combination of indicators to identify libraries where targeted support might be warranted. Crucially, this monitoring should be informed by local knowledge gathered from regional consultants and system directors.

New or nonlocal directors in small counties may benefit from help building the kinds of relationships that underpin community embeddedness: introductions to county officials, guidance on local political calendars and decision points, and opportunities to learn from peers in similarly situated jurisdictions. Directors in larger urban or suburban systems, by contrast, may need tools for managing politicization at scale where no single individual can function as an antibody for the entire system. State libraries can also provide confidential spaces for directors to discuss boundary work and self-silencing, including the limits of these strategies and when it is appropriate to seek state-level support or intervention. Such efforts are more likely to be effective if they explicitly acknowledge the unevenness of politicization across a state: Some directors will be acting as antibodies in relatively low-conflict environments; others will be working in settings where conflict is overt and continuous; still others may be in transition between the two.

In sum, the role of state libraries is not to attempt replication of the antibody at a larger scale. Rather, it is to recognize where local antibodies are operating; where they are absent or fragile; and how support, training, and research can be aligned with the specific configurations of community and role embeddedness present in different parts of the state.

Advocacy Organizations, National and Local

The politicization antibody has implications beyond local governance for how advocacy organizations and professional networks conceptualize and support nonpoliticized communities. At the national level, advocacy groups can recognize that long-tenured, locally embedded directors in small counties often function as active buffers, not simply as administrators in low-risk environments. In addition to high-visibility campaigns in crisis settings, these organizations can offer low-profile support to antibody directors who deliberately keep conflict off the public stage: confidential strategy consultations, sample talking points for quiet conversations with officials, and legal or policy guidance that can be deployed informally. Centering anonymized antibody narratives alongside more dramatic conflict cases in reports and trainings can also help external stakeholders understand that an absence of formal challenges may reflect sustained, invisible work rather than a genuine absence of politicization.

State-level organizations can use their broader vantage point to scale these insights to different local configurations. Data on director tenure, local origin, challenge patterns, and turnover can be used to anticipate the loss or erosion of antibodies (e.g., pending retirements in libraries with long-tenured directors) and to prioritize transition support and trustee education in those settings.

Finally, individual staff and local allies play a role in making the antibody effect more sustainable. Within libraries, staff can help spread the buffering function by cultivating relationships with users, educators, community leaders, and civic organizations, so that the capacity to defuse emerging conflicts is not located solely in the director's person. Staff and local partners can also act as an early warning system when embedded directors appear strained, face sustained pressure, or signal an intention to leave, quietly surfacing concerns to system

leaders or state-level contacts. In doing so, they help ensure that support and planning occur before a local politicization antibody fails entirely.

Limitations and Future Research

This study has several limitations that shape the scope of its claims. First, the findings are based on a qualitative design focused on a single US state. The interview-based approach was appropriate for identifying and describing the antibody as an emergent pattern, but it does not support strong causal claims or statistical generalization about all public libraries. State-specific factors may influence how community and role embeddedness operate and how politicization pressures manifest. The antibody described here should therefore be understood as analytically suggestive rather than universally representative.

Second, the communities in which the antibody effect was most visible tended to be small, with relatively homogeneous staff and long employee tenures. These characteristics are themselves part of the embeddedness story, but they also limit the diversity of perspectives captured in the data. Directors in such settings often supervise staff who share similar social backgrounds, political orientations, or long-standing community ties. Larger and more heterogeneous systems, with more frequent staff turnover and more varied internal views, may experience politicization and embeddedness dynamics differently. The present study centers the perspective of directors; it does not systematically include staff-level or user perspectives on how these dynamics are experienced throughout the organization. Accordingly, the governance and policy recommendations offered here should be read as grounded in the specific patterns observed in Georgia rather than as universal prescriptions.

Future research could extend this work in several ways. A multistate qualitative study of public library directors, including both small and large systems across different regions, would help assess whether the antibody appears under similar conditions elsewhere in the United States or whether it is tightly bound to specific institutional and political contexts. Comparative designs that pair interview data with basic descriptive statistics on director tenure, local origin, staff composition, and challenge activity could deepen understanding of how embeddedness, politicization, and turnover interact over time. Finally, incorporating staff and trustee perspectives would illuminate how the burdens and benefits of the antibody effect are distributed within organizations and governance structures, informing more realistic policy and governance designs for libraries under political pressure.

Conclusion

This study has argued that in some small, politically conservative communities, long-tenured and locally embedded public library directors function as a politicization antibody. Where community embeddedness and role embeddedness intersect in specific ways, directors draw on dense local ties and strong identification with their positions to manage potential conflicts informally. Concerns that might escalate into formal challenges elsewhere are instead addressed through conversations with community leaders and longtime users. In these settings, embeddedness stabilizes leadership, protects staff and users from some of the most acute forms of politicization, and contributes to directors' decisions to remain in their roles.

At the same time, the antibody is neither universal nor costless. It depends on both scale and time. New or nonlocal directors in small counties lack the relational capital that

underpins the antibody. Directors in urban and suburban systems cannot feasibly maintain the breadth of personal relationships that would be required to mediate conflict at the system level. Even where the antibody is present, it relies on boundary work and self-silencing that can strain directors' well-being and narrow the perceived options available to them. Embeddedness is thus protective and constraining. It shields libraries from visible politicization while increasing the emotional and political burdens borne by individual directors.

These dynamics have implications for how governance and professional networks respond to politicization. For boards and appointing authorities, embeddedness should be treated as a factor to be managed rather than as an unqualified asset. Succession planning for highly embedded directors, trustee education on politicization, and more deliberate support for new leaders in small counties can help avoid abrupt losses of local antibodies. State libraries and systems can use their broader vantage point to monitor where antibodies are operating or eroding, and to tailor training and technical assistance to different local configurations rather than assuming a single best practice model. Advocacy organizations at the state and national levels can recognize antibody directors as active buffers, offer low-profile support for their work, and help prepare communities for leadership transitions in places where a single individual has long played this role.

Finally, naming the politicization antibody offers directors and their allies a way to describe and interrogate work that is often invisible. It provides language for acknowledging that keeping the peace in a politicized environment is not simply a matter of personal style but rather a form of governance that draws on and reshapes community and role embeddedness. Recognizing this pattern opens space for more realistic expectations about what individual directors can sustain and for broader, shared approaches to supporting public libraries under political pressure. Further research across additional states and organizational contexts can test the boundaries of the antibody effect and explore how its benefits and burdens are distributed within library organizations and their governing structures.

References

- Ali, Susannah B. 2018. "Is All Turnover Intent the Same? Exploring Future Job Preference and Environmental Considerations." *Public Management Review* 20 (12): 1768–89. <https://doi.org/10.1080/14719037.2017.1417464>.
- American Library Association. 2026. "Censorship by the Numbers: Banned Books Data." Accessed May 8, 2026. <https://www.ala.org/advocacy/bbooks/book-ban-data>.
- Benitez, Laura, Madison Markham, and Kasey Meehan. 2025. *The Bills Igniting Book Bans: Evolving State Legislative Efforts to Censor Public School Libraries*. PEN America, December 18. <https://pen.org/report/the-bills-igniting-book-bans/>.
- Charmaz, Kathy. 2014. *Constructing Grounded Theory*. 2nd ed. SAGE.
- Gabriel, Allison S., James M. Diefendorff, and Alicia A. Grandey. 2023. "The Acceleration of Emotional Labor Research: Navigating the Past and Steering Toward the Future." *Personnel Psychology* 76 (2): 511–45. <https://doi.org/10.1111/peps.12576>.
- Jensen, Kelly. n.d. Author profile. Book Riot. Accessed May 8, 2026. <https://bookriot.com/author/kellyjensen/>.
- Lewis, David E. 2003. *Presidents and the Politics of Agency Design: Political Insulation in the United States Government Bureaucracy, 1946–1997*. Stanford University Press.

- Limbocker, Scott, Mark D. Richardson, and Jennifer L. Selin. 2022. "The Politicization Conversation: A Call to Better Define and Measure the Concept." *Presidential Studies Quarterly* 52 (1): 10–37. <https://doi.org/10.1111/psq.12767>.
- Matz, Adam K., Youngki Woo, and Bitna Kim. 2014. "A Meta-Analysis of the Correlates of Turnover Intent in Criminal Justice Organizations: Does Agency Type Matter?" *Journal of Criminal Justice* 42 (3): 233–43. <https://doi.org/10.1016/j.jcrimjus.2014.02.004>.
- Meehan, Kasey, Jonathan Friedman, Sabrina Baêta, and Tasslyn Magnusson. 2023. *School Book Bans: The Mounting Pressure to Censor*. PEN America, September 1. <https://pen.org/report/book-bans-pressure-to-censor/>.
- Mitchell, Terence R., Brooks C. Holtom, Thomas W. Lee, Chris J. Sablinski, and Miriam Erez. 2001. "Why People Stay: Using Job Embeddedness to Predict Voluntary Turnover." *Academy of Management Journal* 44 (6): 1102–21. <https://doi.org/10.5465/3069391>.
- Sousa-Poza, Alfonso, and Fred Henneberger. 2004. "Analyzing Job Mobility with Job Turnover Intentions: An International Comparative Study." *Journal of Economic Issues* 38 (1), 113–37. <https://doi.org/10.1080/00213624.2004.11506667>.
- Tett, Robert P., and John P. Meyer. 1993. "Job Satisfaction, Organizational Commitment, Turnover Intention, and Turnover: Path Analyses Based on Meta-Analytic Findings." *Personnel Psychology* 46 (2): 259–93. <https://doi.org/10.1111/j.1744-6570.1993.tb00874.x>.
- Trump, Donald J. 2025. "Continuing the Reduction of the Federal Bureaucracy" (Executive Order 14238). *Federal Register*, March 20. <https://www.federalregister.gov/documents/2025/03/20/2025-04868/continuing-the-reduction-of-the-federal-bureaucracy>.

About the Author

John Mack Freeman, DPA, MLIS (he/him) is the assistant dean for interdisciplinary initiatives, director of Clough Undergraduate Learning Commons, and head of public services librarian at the Georgia Institute of Technology. He was the 2026 president of the Georgia First Amendment Foundation and the 2024 president of the Georgia Library Association. His research interests include the politicization of US libraries, service improvements in high volume libraries, intellectual freedom, and open government.

Not Defeated, or Attacks on Literacy Are Attacks on Liberty: Identifying and Confronting the Political, Legal, and Technological Changes Promoting and Sustaining the Censorship Movement

PAUL T. JAEGER

ABSTRACT

As the energized, closely coordinated, and politically empowered censorship movement continues to grind across the United States, education, knowledge, memory, and cultural heritage institutions are confronting different challenges from it. Public libraries face book bans; schools have their curricula altered; museum exhibits are censored; public media is defunded. A series of legal, political, and technological changes has increased the power of this censorship movement. While the parallel attacks on education, knowledge, memory, and cultural heritage institutions focus on different functions of these institutions, they are unified by goals of erasing the representation of marginalized populations and undermining the literacy of the general population. This article attempts to identify and explore unities within the facets and actions of the censorship movement as a means to better understand their goals and tactics, as well as ways to respond effectively.

Introduction

Given the swift and wide-ranging successes of the censorship movement currently reshaping the contents of library collections and events, museum content, gallery exhibitions, school curricula, public media, and government websites, it can seem as if it appeared from nowhere during the pandemic to relentlessly consume the presence and representations of marginalized populations across the US. However, an interrelated series of technological, legal, and political changes has enhanced the ferocity and the scope of the movement.

This movement is focused on eliminating representations and perspectives of certain populations, as well as the institutions that provide access to these representations and perspectives (Jaeger 2026). The movement does not care one iota what the institution calls itself. Education, knowledge, memory, and cultural heritage institutions all share significant commonalities in their missions. In the current political context, libraries, museums, schools, archives, public media, and galleries are practically indistinguishable to those working to

censor and erase cultures. Their differences in the materials they provide access to and the educational activities they offer are irrelevant to those who seek to holistically prevent access and education.

The marginalized populations being targeted include Black, Indigenous, and people of color (BIPOC); lesbian, gay, bisexual, transgender, queer, intersex, asexual, and beyond (LGBTQIA+); disabled; immigrant; and Jewish populations (Jaeger 2025a; Jaeger et al. 2023a; Jaeger et al. 2023b; Padrón et al. 2025). The censorship movement wishes to rob those who are marginalized of their voices and their ability to participate in society, with the goal of ensuring that these perspectives are driven from the general culture. The changes that have expanded the inclusion and rights of marginalized populations are viewed by the Trump administration and the censorship movement as having robbed them of their rightful dominance over culture (Stanley 2018, 2024).

Simultaneously targeting education, knowledge, memory, and cultural heritage institutions at local, state, and national levels has thus far proven a distressingly effective method for achieving their goals of widespread censorship. While BIPOC and LGBTQIA+ communities have thus far faced the most prominent efforts, the movement seeks to erase all the groups they fear and prevent others from learning about them as well. Ultimately, they seek to make marginalized populations—even the largest marginalized populations—disappear while trying to ensure that people do not even realize that any population has been erased (Jaeger 2026). Thus far, public libraries and public schools have received the greatest amount of attention from the censorship movement. What is happening to these libraries and schools will continue to spread inexorably to all these other kinds of education, knowledge, memory, and cultural heritage institutions if the censorship movement continues unabated.

All these institutions, from the Public Broadcasting System (PBS) and the Smithsonian at the national level to the smallest local public libraries and public schools, are equally vulnerable to being targeted by the censorship movement. Recognizing the commonalities in the threats to all education, knowledge, memory, and cultural heritage institutions has the potential to help these institutions work collectively to craft responses and narratives and to close the menacing, gaping vulnerabilities they face from these movements.

Under Many Pressures

Pinpointing a single specific starting point for such a large movement is likely impossible, but the series of changes that coalesced to create unprecedented pressures on education, knowledge, memory, and cultural heritage institutions can be explored in related categories. It is also important to note that these specific legal, political, and technological changes have occurred within a general environment that has been far more receptive to and supportive of disinformation and far more resistant to the idea of education and authority (Jaeger 2025a, 2025b, 2026). The upsets of the pandemic and the proliferation of medical disinformation—often propagated by the first Trump administration—have exacerbated the impacts of these legal, policy, and technological changes. When the sitting vice president of the United States asserts that “universities are the enemy” (Svrluga et al. 2024, A6), it is much easier to use the forces of law and politics to drastically alter school curricula, library collections, museum exhibitions, and public media programming.

a. Social Media and the Presence of Marginalized Populations

One of the largest drivers of the censorship movement is the increase in the availability and accessibility of materials representing marginalized populations. The recent explosion of censorship is, ironically enough, heavily fueled by the efforts of publishers to create more books that represent the lives and stories of marginalized communities that have long been underrepresented in publishing (Nyby and Ellis 2023). As libraries have increased their collections of works by LGBTQIA+ and BIPOC authors to better serve their patrons and to better represent their communities, the likelihood of censors encountering books about marginalized populations has skyrocketed (Ishizuka 2018; Jefferson and Dziedzic-Elliot 2023; Knox 2026).

The presence of books representing the lives of marginalized populations in library collections makes not only the books themselves but also the library as an institution inevitable targets for those promoting cultural erasure (Engström et al. 2024; Knox 2026). Public schools also began to change their curricula in reaction to the Black Lives Matter (BLM) movement to teach a more inclusive version of US culture and history, which provided another avenue by which the lives of marginalized populations were brought to the attention of those who fear them, particularly during the period of pandemic-induced homeschooling, when many parents witnessed the learning experiences of their children.

The need to better represent populations previously neglected by publishers was also reflected in changes to curricula at all levels of education and in the stories told through museum displays and collections. These activities have been packaged by censors under the meaningless catchall term of diversity, equity, and inclusion (DEI). By demonizing the idea of DEI, the censors can justify erasing the populations whose presence has been increasing in public contexts. At the federal level, the second Trump administration has used fear of DEI to alter the programming of the Kennedy Center for the Arts in 2025, dissolve the President's Commission on the Arts and Humanities, eviscerate the National Endowment for the Arts (NEA) and the National Endowment for the Humanities (NEH), sideline the Commission on Fine Arts, and require White House approval of guidelines, plans for future work, and content of current exhibitions at the Smithsonian Institution museums (Kennicott 2025a, C1–3; Kennicott 2025b, E1, E7–8; Kingsberry 2025, E2–3; Smee 2025, E1, E16–18). The second Trump administration has not only tried to purge government agencies of what it calls DEI programs and the people involved in them, but has also promised to create a restitution fund for people claiming to have been harmed by DEI programs (Bendavid and Wootson 2025, A1, A8).

The increased presence of books, exhibitions, and lessons from marginalized perspectives and representing marginalized lives in library collections, museums, and school curricula has also occurred in conjunction with social media making the lives and activities of marginalized populations far more visible and well known to others. In 2022, former President Barack Obama explained this growing anger at people with different beliefs: “Forty years ago, if you were a conservative in rural Texas, you weren’t necessarily offended by what was going on in San Francisco’s Castro District, because you didn’t know what was going on” (quoted in McQuade 2025, 8). Now, being able to instantly view the experiences of previously marginalized populations through social media makes those lives “a direct affront to their traditions, their belief systems, their place in society” to people who had never previously thought about the experiences of marginalized people (quoted in McQuade 2025, 8).

This ability to encounter marginalized lives and experiences through social media plays no small part in the legislative efforts in many places to limit social media use by minors. Nationalist politicians have turned this greater awareness of marginalized lives into a very successful fear-based narrative to justify their statements and policies. BIPOC, LGBTQIA+, immigrants, non-Christians, and disabled people are thus turned into “an existential threat” whose goal is “to deny America as a Christian nation, deprecate America as a White nation” (Muirhead and Rosenblum 2019).

b. Astroturfing, Censorship Scripts, and Online Erasure Academies

Recent revolutions in technology have also made it possible for astroturf organizations to create limitless fake grassroots movements in communities across the nation. Most of the current censorship actions are taken by organized groups, primarily formed since 2021, that exist to use social media to spread claims about what should be censored and connect those calls for censorship to local and state legislators (Friedman 2022; Weber 2023). These groups are established to falsely appear to be local organizations, a tactic known as “astroturfing” in contrast to a true grassroots movement (Stewart 2025). Rather than a group of community residents organically joining together in the classic grassroots sense, astroturf organizations are leadership-driven national groups using faux grassroots aesthetics to prompt individuals to participate in preplanned, coordinated actions. No Left Turn in Education, Parents Defending Education, and, most successfully, Moms for Liberty, are astroturf organizations that have driven the censorship movement (Bader 2021; Stewart 2025; Stroshane 2022). Moms for Liberty officially claims to have been founded by three typical concerned mothers. However, all were politically connected and active before starting the group; one of those everyday mothers is married to the former chair of the Republican Party of Florida (Knowles and Natanson 2023; Stewart 2025).

The enormous expansion of censorship in recent years has been built through these astroturf organizations. The ALA notes that before the rise of the current censorship movement, “the vast majority of challenges to library books and resources were brought by a single parent who sought to remove or restrict access to a book their child was reading” (2026, par. 5). Now, the calls for censorship are “evidence of a well-organized movement, the goals of which include removing books about race, history, gender identity, sexuality, and reproductive health from America’s public and school libraries” (American Library Association 2026, par. 5). Another innovation driven by the astroturf organizations has been moving the focus of censorship efforts from a single book to an entire set of books. By 2022, 90 percent of censorship efforts included multiple books, and 40 percent included more than one hundred books (McArdle 2023). As a result of such organizations and the trainings, PEN America summarizes that this censorship movement “seeks to impose restrictions on all students and families based on the preferences of a few parents or community members” and “is an organized effort by advocacy groups and state politicians with the ultimate intention of limiting access to certain stories, perspectives, and information” (Meehan et al. 2023, par. 1).

Since 2020, the censorship movement has developed a sophisticated playbook for local discussions of books. The move to censor materials in a school or library often begins with irate speakers at public meetings or hearings of the public library board of trustees or the school board (Friedman 2022). Using signs or props—such as a quote from a book out of context on a sign or an enlarged image from the book itself—targeted titles are included in a larger set of angry accusations against specific marginalized populations and the institution

that supports them. Pro-censorship speakers delegitimize the expertise of teachers, librarians, and the public school as an institution, while also arguing that the BIPOC or LGBTQIA+ perspectives represent a danger to children (Bowman and Spiering 2026). A dramatic reading of a small passage from the book, entirely out of context and designed to give the wrong impression, usually completes the performance (Jennings-Roche 2023).

The lines of attack and talking points are often provided by the astroturf organizations (Stewart 2025). Those advocating for censorship are guided to hold public protests in front of the school or library, encourage local media to provide news coverage of the protests, and push the narrative of the threats posed by the book on social media platforms and on local websites.

Not only do these astroturf organizations provide a preexisting framework to plug outrage into, but censors can also take online training courses to be more effective super-censors (Stewart 2025). Some enthusiastic censors pledge to use what they learn from these training courses to challenge at least one book a week; even being publicly proved wrong about the content of a book does not deter further attempts to have books banned (Natanson 2022; Natanson 2023). While these tactics have primarily been used in the context of libraries and schools thus far, there is no reason to expect they will not be translated into similar attacks on institutions like museums and galleries.

c. Supreme Court Decisions and Project 2025

Another set of changes that are greatly assisting the censorship movement are the massive alterations of law and policy resulting from recent Supreme Court decisions and the Project 2025 policy blueprint. The most relevant legal changes fueling the censorship movement begin with the Supreme Court's 2010 decision in *Citizens United v. Federal Election Commission*. The holding removed all limitations on campaign contributions, claiming that spending money was a form of freedom of expression.

The result has given the wealthy infinite ability to try to sway elections. Elon Musk—the world's richest man and owner of SpaceX, Tesla, and X, among other things—spent about \$300 million of his own money toward supporting Trump's reelection campaign (Schouten et al. 2024). Musk genuinely seems to agree with Trump on most issues, but he was also likely ensuring that extremely lucrative contracts held by his companies with the federal government would continue. Simultaneously, the billionaire owners of major technology companies curtailed fact-checking activities in their corporations and donated many millions of dollars to Trump's reelection campaign and inaugural fund, including the leaders of Amazon, Meta, and OpenAI (Folkenflik 2025; Mullin 2025; Passantino 2024; Isaac and Schleifer 2025; Slisco 2024). Even the astroturf groups that are so central to censorship and erasure at the local level are funded primarily by the billionaire families that own several major American corporate entities (Stewart 2025).

Along with allowing a small number of the hyperwealthy elite to underwrite the censorship movement, the Supreme Court also handed them a permission slip for their censoring and erasing. By ending affirmative action in higher education admissions in its 2023 decision, *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*, the Supreme Court gave legal backing to the campaign to end anything that could be labeled DEI. By the end of the 2023–2024 academic year, more than fifty major public colleges and universities had discontinued hundreds of race-conscious scholarships worth tens of millions of dollars due

to efforts by state legislatures or Attorneys General in states like Iowa, Missouri, Ohio, and Wisconsin (Johnson 2024).

The battle plan for censorship and erasure, known as Project 2025 (Heritage Foundation 2024), builds a huge number of policy changes on these Supreme Court holdings. The second Trump administration implemented scores of Project 2025 recommendations, many of which were designed to gain control over government information and knowledge infrastructures, to dramatically reshape what information is available and who it represents, and to wholly eliminate programs and agencies, like the Institute of Museum and Library Services (IMLS), that promote access to information (Curliss et al. 2025; Jaeger 2025b). Since taking office in January 2025, the second Trump administration has made seismic reductions to the independence and accuracy of government information and knowledge infrastructures to eliminate representations of and protections for marginalized populations.

Many of the policies specifically punish already vulnerable communities by eliminating health care, housing, and other core aspects of the social safety net (Ryan et al. 2026). Not only does it promote the banning of any terms related to civil rights and applying any civil rights protections, but Project 2025 also ties marginalized populations and the federal programs that serve them directly to fraud, waste, and abuse that need to be eliminated. Two examples of this are instituting a lifetime cap on benefits from Medicaid and eliminating federal oversight over the educational rights of disabled students, both of which would significantly harm disabled Americans (Doherty 2025; Ives-Rublee and Doherty 2024; Murphy 2024; Turner 2025). As disability policy expert Casey Doherty has so perfectly observed of Project 2025, “The cruelty is the point” (2025, 1).

The confluent strands of these legal and policy changes are neatly encapsulated in President Trump’s order for widespread censorship of materials in Department of Defense school libraries, the schools on military bases that serve children of military personnel and are the only schools the executive branch has direct control over (Cochran 2025; *New York Times* 2025). The executive order censored materials available in the school libraries and classrooms and banned many topics from lessons, activities, and organizations. The school libraries were closed while the books were reviewed for compliance, and those deemed non-compliant were removed. The banned books list issued by the Department of Defense for these libraries overwhelmingly focused on LGBTQIA+ and BIPOC populations, as well as using intentionally nebulous terms such as “gender ideology” and “discriminatory equity ideology” against biographies, books about identity, books about puberty, and even psychology books (EveryLibrary 2025a).

d. Access and Literacy

This censorship movement is not only working to limit access to materials, but also to limit the long-term ability to understand materials. Project 2025 recommends sending teachers and librarians to jail, as well as forcing them to be registered as sex offenders, if banned books are found in their libraries or classrooms. Since 2021, many US states have passed laws that put them well down this path, creating legal jeopardy for librarians and teachers simply because a book on a state or local banned book list is present in a school or library (Jaeger 2025a; Jaeger et al. 2023a; Jaeger et al. 2023b). These laws are intentionally written so vaguely that anyone working at a library could be held legally accountable for a banned book discovered on site, even if patrons cannot access it. These laws can include jail sentences of up to ten years and fines of up to \$10,000 *per book*, harsher penalties than many

violent crimes. While they have not yet been actively extended to other kinds of institutions, they could readily be applied to museums, galleries, or archives.

In 2025, scores of bills were introduced in state legislatures across the US that threaten library professionals with incarceration (EveryLibrary 2025b). Laws such as these have not been part of previous censorship movements in the US, and they demonstrate how emboldened those seeking to censor and erase marginalized populations have become (Jaeger 2025a). The symbolic and practical power of these laws criminalizing librarianship cannot be overstated, as jailing librarians is historically an action taken by dictators as they consolidate power (Kalder 2018; Vaidhyanathan 2004).

In July 2025, at the behest of President Trump, Congress took back public media funding that had already been approved. The Republicans in Congress who voted to take away this previously approved funding justified these actions with claims that public media did not really represent America, was too liberal, or served no purpose. All these claims were taken directly from Trump's Executive Order "Ending Taxpayer Subsidization of Biased Media," which orders the end of federal support for the Public Broadcasting System (PBS) and National Public Radio (NPR) (2025). None admitted that—despite PBS being one of the most trusted institutions in the US for decades—the far-right has long distrusted PBS and NPR for their focus on public education (Bennet 1987; Croteau et al. 1996; Hoynes 2002; Phillips 2007; White 1994; Zansberg 1994).

Since the debut of *Sesame Street* in 1970, PBS has built a huge range of programs that teach general literacy to children, along with introducing specific literacies like science and math. For adults, PBS works to continually expand knowledge of politics, law, and history, as well as lifelong literacies in areas of constant change such as science and technology. Along with removing access to materials about marginalized populations from schools, libraries, and museums, the evisceration of public media, if successful, would take away a key resource through which people not only learn but also learn to ask questions. Courts are limiting these attempts to defund public media, but the intent to limit access, education, and literacy is unmistakable (Kunzelman 2026; Noyer 2026).

As democracies depend on an educated population, the parallel focus on materials in collections, curricula in schools, and education through public media is a coordinated attack on literacy. And since a literate population is essential to democracy, attacking literacy is attacking liberty (Jaeger and Taylor 2021).

Conclusion: Not Defeated

In response to threats to its federal funding, PBS adopted the new slogan "Defunded, Not Defeated." That attitude is admirable and could be of great use to libraries, schools, museums, archives, and other entities targeted by censorship, as well as the populations subject to erasure. Tell those who seek to erase you that you refuse to be erased.

While they are experiencing different types and levels of impact thus far, all education, knowledge, memory, and cultural heritage institutions in the US are threatened by the energized and aggressive censorship movement. With its focus on removing the representations of marginalized populations and reducing overall literacy, the censorship movement is not going to leave any institution alone simply because it is not called a library or a school. All these institutions, however, can share insights into the threats they face and learn from the experiences and responses of other institutions that are currently being targeted.

There is terror in knowing the extent of the movement and how it operates, but there can be power in such knowledge for the institutions that the movement is targeting as well. The success of this movement has been greatly enhanced by major changes in law, politics, and technology. However, being attentive to the ways in which the movement is advocating for and deploying such changes will be vital in tracking its efforts, responding to its impacts, and seeking alterations to law, policy, and technology that support the institutions rather than the censorship movement. As those seeking to censor and erase marginalized populations have shown that all types of education, knowledge, memory, and cultural heritage institutions are within their sights, coordinating responses and building collective awareness are in the best interests of all these institutions.

References

- American Library Association. 2026. "Censorship by the Numbers: Banned Books Data." Accessed May 21, 2026. <https://www.ala.org/bbooks/censorship-numbers>.
- Bader, Eleanor J. 2021. "Right-Wingers Are Taking Over Library Boards to Remove Books on Racism." *Truthout*, July 13. <https://truthout.org/articles/right-wingers-are-taking-over-library-boards-to-remove-books-on-racism/>.
- Bendavid, Naftali, and Cleve R. Wootson Jr. 2025. "Trump's Fierce Attacks on DEI Reflect Age-Old GOP Obsession." *The Washington Post*, February 2.
- Bennett, James R. 1987. "The Public Broadcasting System: A Bibliography of Criticism." *Journal of Popular Film and Television* 15 (2): 85–92. <https://doi.org/10.1080/01956051.1987.9944088>.
- Bowman, Rhys Dreeszen, and Jenna Spiering. 2026. "Contesting Queer Books: Analyzing the Discourses in Public Comment Sections at School Board Meetings." *The Library Quarterly* 96 (1): 12–31. <https://doi.org/10.1086/738387>.
- Citizens United v. Federal Election Commission*. 2010. 558 US 310.
- Cochran, Lexi Lonas. 2025. "Military Schools Offer Test Case for Trump Education Reforms." *The Hill*, April 13. <https://thehill.com/homenews/education/5244886-military-academies-trump-education-dei-book-bans-hegseth-transgender-athletes/>.
- Croteau, David, William Hoynes, and Kevin M. Carragee. 1996. "The Political Diversity of Public Television: Polysemy, the Public Sphere, and the Conservative Critique of PBS." *Journalism and Communication Monographs* 157. <https://search.proquest.com/openview/887a6eba01657dc1e033994b5d198f52/1?pq-origsite=gscholar&cbl=1818570>.
- Curliss, Lydia, Qadira Locke, and Paul T. Jaeger. 2025. "'Heritage Is More than a Job': Implications of Project 2025 on the Future of Libraries, Archives, and Museums." *The Political Librarian*, Special Issue, 8 (1): 31–38. <https://doi.org/10.7936/pollib.9012>.
- Doherty, Casey. 2025. "'The Cruelty Is the Point': Disability Communities on Reddit React to Project 2025 Policies." *Including Disability* 5: 1–31. <https://ojs.scholarsportal.info/ontariotechu/index.php/id/article/view/334/288>.
- Engström, Lisa, Hanna Carlsson, and Fredrik Hannell. 2024. "Drag Story Hour at Public Libraries: The Reading Child and the Construction of Fear and Othering in Swedish Cultural Policy Debate." *Journal of Documentation* 80 (7): 226–45. <https://doi.org/10.1108/JD-02-2024-0026>.
- EveryLibrary 2025a. "The 596 Books Banned by the Department of Defense." July 22. <https://www.everylibrary.org/596dod>.

- EveryLibrary. 2025b. *Codifying Censorship or Reclaiming Rights: The State-by-State 2025 Legislative Landscape for Libraries*. July 13. https://www.everylibrary.org/state_by_state_2025_legislative_landscape_report.
- Folkenflik, David. 2024. "Over 200,000 Subscribers Flee *Washington Post* After Bezos Blocks Harris Endorsement." NPR, October 29. <https://www.npr.org/2024/10/28/nx-s1-5168416/washington-post-bezos-endorsement-president-cancellations-resignations>.
- Friedman, Jonathan. 2022. *Banned in the USA: The Growing Movement to Censor Books in Schools*. PEN America, September 19. <https://pen.org/report/banned-usa-growing-movement-to-censor-books-in-schools/>.
- Heritage Foundation. 2024. "Project 2025: Presidential Transition Project." *Mandate for Leadership*. Accessed May 22, 2026. <https://www.mandateforleadership.org/>.
- Hoynes, William. 2002. "Political Discourse and the 'New PBS.'" *Harvard International Journal of Press/Politics* 7 (4): 34–56. <https://doi.org/10.1177/108118002236349>.
- Isaac, Mike, and Theodore Schliefer. 2025. "Meta to End Fact-Checking Program amid Shift Ahead of Trump Term." *The New York Times*, January 7. <https://www.nytimes.com/2025/01/07/technology/meta-fact-checking-facebook.html>.
- Ishizuka, Kathy. 2018. "Can Diverse Books Save Us? In a Divided World, Librarians Are on a Mission." *School Library Journal*, October 21. <https://www.slj.com/story/can-diverse-books-save-us>.
- Ives-Ruble, Mia, and Casey Doherty. 2024. "The Top 5 Ways Project 2025 Would Hurt Disabled People." Center for American Progress, October 28. <https://www.americanprogress.org/article/the-top-5-ways-project-2025-would-hurt-disabled-people>.
- Jaeger, Paul T. 2025a. "The Immortality of Hatred and Revenge: The Interconnections of Censorship, Disinformation, and Cultural Erasure in the Book Bans Targeting Marginalized Populations." *The Library Quarterly* 95 (1): 4–41. <https://doi.org/10.1086/733171>.
- Jaeger, Paul T. 2025b. "State-Approved Information: Nationalist Political Approaches to Controlling Knowledge Infrastructures." *Verfassungsblog*, December 19. <https://verfassungsblog.de/controlling-knowledge-infrastructures/>.
- Jaeger, Paul T. 2026. *Book Bans, Disinformation, and Cultural Erasure: The Censorship Movement in Libraries, Schools, and Society*. Bloomsbury.
- Jaeger, Paul T., Allison Jennings-Roche, and Olivia J. Hodge. 2023. "Criminalizing Librarianship: State Legislatures Creating Legal Jeopardies for Librarians." *Journal of Intellectual Freedom & Privacy* 8 (1): 17–25. <https://journals.ala.org/index.php/jifp/article/view/7869/11343>.
- Jaeger, Paul T., Allison Jennings-Roche, Natalie Greene Taylor, Ursula Gorham, Olivia J. Hodge, and Karen Kettlich. 2023a. "The Urge to Censor: Raw Power, Social Control, and the Criminalization of Librarianship." *The Political Librarian* 6 (1): 1–20. <https://doi.org/10.7936/pollib.8711>.
- Jaeger, Paul T., Ron Padrón, Kelly M. Hoffman, Nedelina Tchangalova, Stephanie J. Cork, and Alex Peterson. 2023b. "Fighting for Disability Rights Amidst the 'War on Everything Good.'" *Including Disability* 3: 1–15. <https://ojs.scholarsportal.info/ontariotechu/index.php/id/article/view/253/153>.
- Jaeger, Paul T., and Natalie Greene Taylor. 2021. "Arsenals of Lifelong Information Literacy: Educating Users to Navigate Political and Current Events Information in World of Ever-Evolving Misinformation." *The Library Quarterly* 91 (1): 19–31. <https://doi.org/10.1086/711632>.

- Jefferson, Rebecca Cecilia, and Ewa Dziedzic-Elliot. 2023. "Not Doing It: Avoidance and Sex-Related Materials in Libraries." *The Political Librarian* 6 (2): 39–56. <https://doi.org/10.7936/pollib.8812>.
- Jennings-Roche, Allison. 2023. "Delegitimizing Censorship: Contending with the Rhetoric of an Anti-Democratic Movement." *The Political Librarian*, 6 (1): 21–33. <https://doi.org/10.7936/pollib.8747>.
- Johnson, Logan. 2024. "How the Supreme Court's Ruling on Affirmative Action is Impacting Race-Conscious Scholarships." AccessLex Institute, October 30. <https://www.accesslex.org/news-tools-and-resources/how-supreme-courts-ruling-affirmative-action-impacting-race-conscious>.
- Kalder, Daniel. 2018. *The Infernal Library: On Dictators, the Books They Wrote, and Other Catastrophes of Literacy*. Henry Holt.
- Kennicott, Philip. 2025a. "Under Trump, Can the Curtain Close on the Kennedy Center?" *The Washington Post*, February 15.
- Kennicott, Philip. 2025b. "The Trump Administration Started with the Smithsonian but It Surely Won't End There." *The Washington Post*, October 26.
- Kingsberry, Janay. 2025. "Long Before Trump, Nixon Looked to Shift the Narrative at Smithsonian." *The Washington Post*, October 26.
- Knowles, Hannah, and Hannah Natanson. 2023. "Moms For Liberty Didn't Exist 3 Years Ago. Now It's a GOP Kingmaker." *The Washington Post*, June 30. <https://www.washingtonpost.com/education/2023/06/30/moms-for-liberty-republican-candidates-president/>.
- Knox, Emily J. M. 2026. *Book Banning in 21st-Century America*. 2nd ed. Bloomsbury.
- Kunzelman, Michael. 2026. "Judge Blocks Trump's Executive Order to End Federal Funding for PBS and NPR." *PBS News*, March 31. <https://www.pbs.org/newshour/nation/judge-blocks-trumps-executive-order-to-end-federal-funding-for-pbs-and-npr>.
- McArdle, Elaine. 2023. "Book Bans and the Librarians Who Won't Be Hushed." *Harvard Ed.*, November 6. <https://www.gse.harvard.edu/ideas/ed-magazine/23/11/book-bans-and-librarians-who-wont-be-hushed>.
- McQuade, Barbara. 2025. *Attack from Within: How Disinformation Is Sabotaging America*. Updated paperback ed. Seven Stories.
- Meehan, Kasey, Jonathan Friedman, Tasslyn Magnusson, and Sabrina Baëta. 2023. *Banned in the USA: State Laws Supercharge Book Suppression in Schools*. PEN America, April 20. <https://pen.org/report/banned-in-the-usa-state-laws-supercharge-book-suppression-in-schools/>.
- Mervosh, Sarah. 2025. "ACLU Sues Defense Department Schools Over Book Bans." *The New York Times*, April 15. <https://www.nytimes.com/2025/04/15/us/aclu-sues-defense-department-schools-over-book-bans.html>.
- Muirhead, Russell, and Nancy L. Rosenblum. 2019. *A Lot of People Are Saying: The New Conspiracism and the Assault on Democracy*. Princeton University Press.
- Mullin, Benjamin. 2025. "Washington Post Cartoonist Quits After Jeff Bezos Cartoon Is Killed." *The New York Times*, January 5. <https://www.nytimes.com/2025/01/03/business/media/washington-post-cartoonist-quits-after-jeff-bezos-cartoon-is-killed.html>.
- Murphy, Natasha. 2024. "Project 2025 Medicaid Lifetime Cap Proposal Threatens Health Care Coverage for up to 18.5 Million Americans." Center for American Progress, June 20. <https://www.americanprogress.org/article/project-2025-medicaid-lifetime-cap-proposal-threatens-health-care-coverage-for-up-to-18-5-million-americans/>.

- Natanson, Hannah. 2022. "A Mom Wrongly Said the Book Showed Pornography. School Libraries Banned It." *The Washington Post*, December 22. <https://www.washingtonpost.com/education/2022/12/22/lawn-boy-book-ban-pedophilia/>.
- Natanson, Hannah. 2023. "She Challenges One School Book a Week. She Says She'll Never Stop." *The Washington Post*, September 28. <https://www.washingtonpost.com/education/2023/09/28/virginia-frequent-school-book-challenger-spotsylvania/>.
- Nover, Scott. 2026. "Judge Rules Trump Order Eliminating NPR, PBS Funding Is Unconstitutional." *The Washington Post*, March 31. <https://www.washingtonpost.com/business/2026/03/31/trump-npr-pbs-funding-unconstitutional/>.
- Nyby, Michael J., and Richard H. Ellis. 2024. "A Confluence of Trends in Library Censorship." *The Political Librarian* 7 (2). <https://doi.org/10.7936/pollib.8918>.
- Padrón, Ron, Paul T. Jaeger, Nadelina Tchangalova, et al. 2025. "Call Us Cassandra: A Marginalized Community's Absolute Displeasure at Having Been Right (Again)." *Including Disability* 5: 1–15. <https://ojs.scholarsportal.info/ontariotechu/index.php/id/article/view/339/276>.
- Passantino, Jon. 2024. "Two More *Los Angeles Times* Editorial Board Members Resign amid Turmoil over Blocked Harris Endorsement." CNN, October 25. <https://www.cnn.com/2024/10/25/media/los-angeles-times-editors-resign-harris-endorsement>.
- Phillips, Jonathan M. 2007. "Freedom by Design: Objective Analysis and the Constitutional Status of Public Broadcasting." *University of Pennsylvania Law Review* 155 (4): 991–1020. <https://repository.law.upenn.edu/Documents/Detail/freedom-by-design-objective-analysis-and-the-constitutional-status-of-public-broadcasting/154141>.
- Ryan, Alyssa, Elizabeth A. Pineo, Paul T. Jaeger, and Stephanie J. Cork. 2026. "Malice as Modernization: Twenty-First Century Eugenics, AI, Project 2025, and Disability." *First Monday* 31 (2). <https://doi.org/10.5210/fm.v31i2.14729>.
- Schouten, Fredreka, David Wright, and Alex Leeds Matthews. 2024. "Musk Spent at Least a Quarter-Billion Dollars to Help Elect Donald Trump, New Filings Show." CNN, December 6. <https://www.cnn.com/2024/12/05/politics/elon-musk-trump-campaign-finance-filings/index.html>.
- Slisco, Aila. 2024. "List of Tech Companies that Donated to Trump's Inaugural Fund." *Newsweek*, December 13. <https://www.newsweek.com/donald-trump-fund-elon-musk-jeff-bezos-openai-2000682>.
- Smee, Sebastian. 2025. "Push to Cover Up Painful Truths About Nation's Past Is Not Going to Make Our Democracy Stronger." *The Washington Post*, October 26.
- Stanley, Jason. 2018. *How Fascism Works: The Politics of Us and Them*. Random House.
- Stanley, Jason. 2024. *Erasing History: How Fascists Rewrite the Past to Control the Future*. Atria.
- Stewart, Katherine. 2025. *Money, Lies, and God: Inside the Movement to Destroy American Democracy*. Bloomsbury.
- Stroshane, Eric. 2021. "For the Record." *Journal of Intellectual Freedom and Privacy* 6 (3): 19–21. <https://doi.org/10.5860/jifp.v6i3.7741>.
- Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*. 2023. 600 US. https://www.supremecourt.gov/opinions/22pdf/20-1199_hgdj.pdf.
- Svrluga, Susan, Laura Meckler, and Hannah Natanson. 2024. "Colleges Scramble to Shield Programs from GOP Hostility." *The Washington Post*, December 10.
- Trump, Donald J. 2025. "Ending Taxpayer Subsidization of Biased Media" (Executive Order 14290). *Federal Register*, May 7. <https://www.federalregister.gov/documents/2025/05/07/2025-08133/ending-taxpayer-subsidization-of-biased-media>.

- Turner, Cory. 2025. "Amid Shutdown, Trump Administration Guts Department Overseeing Special Education." NPR. <https://www.npr.org/2025/10/13/nx-s1-5572489/trump-special-education-department-funding-layoffs-disabilities>.
- Vaidhyanathan, Siva. 2004. *The Anarchist in the Library: How the Clash Between Freedom and Control Is Hacking the Real World and Crashing the System*. Basic.
- Weber, Mark. 2023. "Libraries Under Attack." *Against The Current* 225. <https://againstthecurrent.org/atc225/libraries-under-attack/>.
- White, Howard A. 1994. "Fine Tuning the Federal Government's Role in Public Broadcasting." *Federal Communications Law Journal* 46 (3): 491–519. <https://www.repository.law.indiana.edu/fclj/vol46/iss3/4/>.
- Zansberg, Steven D. 1994. "'Objectivity and Balance' in Public Broadcasting: Unwise, Unworkable, and Unconstitutional." *Yale Law & Policy Review* 12 (1): 184–230. <https://www.jstor.org/stable/40239420>.

About the Author

Paul T. Jaeger, PhD, JD, MLS, MEd, is a Professor, Distinguished Scholar-Teacher, and Co-Director of the Doctor of Information Science (DInfSci) program in the College of Information at the University of Maryland. He is the author of more than 220 articles and book chapters and more than 20 books. His newest book—*Book Bans, Disinformation, and Cultural Erasure: The Censorship Movement in Libraries, Schools, and Society*—will be published in 2026 by Bloomsbury.

The Political Threats of Vanishing Culture and the Need to Protect Our Future Memory

MICHAEL MENNA AND LILA BAILEY

ABSTRACT

Written from the perspective of the Internet Archive and the Our Future Memory movement, this article repeats an urgent call for four digital rights that would allow libraries, archives, museums, and other cultural heritage organizations (“memory institutions”) to uphold their shared public service mission of preserving history and providing access to information. The ongoing transition from physical media sales to digital licensing markets has unleashed a new wave of archival ephemerality, which endangers these memory institutions’ core operations and threatens to plunge society into a digital dark age. This article presents this phenomenon of “vanishing culture” as a first-order political crisis by surveying several social contexts wherein that crisis hinders people’s ability to educate themselves and freely participate in public life. To fortify our shared knowledge against that epistemic threat, the article reintroduces the background and substance of the Statement on Digital Rights for Protecting Memory Institutions Online (2024), which came to inspire the Our Future Memory campaign’s growing global coalition. That framework asserts that memory institutions must have practical options and legal protections to undertake four basic practices with digital materials that they were previously allowed to do with physical ones: (1) collection, (2) preservation, (3) access, and (4) collaboration. In lieu of a formal conclusion, the article ends with a call to action, asking memory institutions to sign the Statement, join the movement, and work together to protect their critical role in the digital age.

1. Introduction

We are living through a troubling paradox: Digital technologies have enabled the production and distribution of more information than ever, yet access to that information is increasingly fragmented and fragile. These technologies *should* permit us to engage and learn from all the digital content at our fingertips. Instead, many of the basic rights we grew accustomed to in the physical world are now being overtaken by aggressive market tactics that do not reflect the public-interest values the law was meant to protect. If copyright, privacy, and other regulatory frameworks were designed to balance the interests of creators and users

with the public's need to access and contribute to the wealth of human knowledge, then our increasingly digital information economy has thrown that balance out of whack.¹

In this new media environment, publishers and other content providers have unprecedented power to control knowledge and culture with technical restrictions and exclusionary licensing terms. Governments also have an easier time censoring what people can see by scrubbing their websites and pressuring commercial platforms to do the same. These sudden changes will feel familiar to anyone who has logged onto a streaming service or social media app to find a movie or news story suddenly missing. But for libraries, archives, museums, and other cultural heritage organizations ("memory institutions"), it poses an existential risk to their core public service mission of preserving culture and protecting history. When these organizations can no longer collect and provide access to digital materials, members of the public cannot place their trust in a stable record—which affects their ability to confidently participate in democratic discourse.

We write this paper from our perspective at the Internet Archive, a nonprofit research library that specializes in web archiving, digitization, and the preservation of media in all forms. We feel the harms from these shifts firsthand and hear many of the same complaints from our partner memory institutions around the world. That shared frustration with today's digital landscape has given rise to an emerging consensus among libraries, archives, museums, and their allies, calling for better legal protections and practical options to continue their services and preserve cultural memory in today's information age.

This two-part paper (1) presents the looming threat of "vanishing culture" as a first-order political crisis, and (2) discusses the key role that libraries and other memory institutions can play in meeting that crisis.² In the first part, we examine the underlying causes of vanishing culture and trace its ripple effects along several different facets of modern life: (a) educational resources, (b) journalistic integrity, (c) civic engagement, (d) religious study, and (e) environmental policy. In the second part, we reintroduce a framework of four rights that would ensure memory institutions' ability to work together to collect, preserve, and provide access to digital materials. This framework rests on the simple proposition that memory institutions should be allowed to do the same things in the digital world that they've historically done in the physical world. It originated in the 2024 statement titled *Four Digital Rights for Protecting Memory Institutions Online*³ before it became a global rallying cry for the Our Future Memory movement and its growing list of library, archive, and museum signatories.⁴

Together, these memory institutions are striving to combat the political causes and effects of vanishing culture by speaking with one voice to the importance of memory work in an age of digital ephemerality. That is why we call on all memory institutions, large and small, to sign onto the Statement and join the movement. Individuals and communities need memory institutions to educate themselves and freely participate in civic life, and every time a content provider lets critical information disappear online, it offers further proof that today's

¹ Both copyright and privacy legislation in the United States and Europe have foregrounded the need for balance, i.e., between "the rights of creators, and the needs of users" (from the House Report No. 94-1476 on the 1976 Copyright Act) and between "the protection of natural persons" and "free movement of personal data" (from the European Union General Data Protection Regulation) (see U.S. Congress 1976; European Union 2016).

² We use the term "vanishing culture" from the title of the Internet Archive's inaugural report on the same subject. That report broadly defined culture as "any publicly disseminated human creation," in its attempt to identify the many analog and digital materials now falling into obscurity and oblivion (Messarra et al. 2026, 5n6).

³ See Part 3 for an overview of the Statement's origin story and global reception (Archivo Nacional Aruba 2024).

⁴ Throughout this article, we denote signatories to the Digital Rights Statement and members of the Our Future Memory coalition with the symbol (♾) (Our Future Memory, n.d.-c.).

digital markets alone do not constitute a viable alternative. If things do not change soon, we risk sleepwalking into a future where both memory institutions and the public they serve will become passive consumers, rather than active stewards of human knowledge.

2. Vanishing Culture: A First-Order Political Crisis

Over the last few decades, the accidental and intentional loss of information has metastasized into an urgent and ongoing crisis of vanishing culture.⁵ Knowledge preservation has never been perfect across generations, and many have written about intentional efforts to burn libraries and bomb archives to obliterate cultural legacies and assert political control.⁶ Nowadays, though, this sort of erasure has become an integrated feature of our digital information infrastructure. As more of the public record circulates only in data packets, many have raised the alarm that we are teetering on the brink of a digital dark age.⁷

Last century, it was necessary for creators and their distributors (e.g., publishers, record labels) to sell their work in books, newspapers, records, and other material goods.⁸ People who owned physical media knew it would remain available for future use because they could touch, feel, and keep the objects they had bought. Even better, they could trust librarians and archivists' expertise in acquiring and preserving special materials even when they no longer had commercial value. Now, the shift from physical sales to digital licensing models has complicated the question of what will survive and remain available for years to come. Even more concerning, it has cast into doubt whether the people who pay to enjoy something and work to keep it safe will get to decide.

Today's consumers know the frustrations of "disappearing content" all too well,⁹ but the vanishing culture crisis is so much bigger than paying high prices for the unreliable offerings of a streaming service.¹⁰ It represents a first-order threat to the project of historical preservation and, consequently, the intellectual freedoms and democratic participation that depend on it.¹¹ As computer networks become the default means of disseminating knowledge,

⁵ The Internet Archive (<https://www.archive.org>) is working to document the "ongoing" nature of this crisis by embarking on a series of *Vanishing Culture* reports. The second volume, edited by Ashia Aubrey, Chris Freeland, and Michael Menna, is set to release in 2027.

⁶ Rebecca Knuth (2003, 19–48) develops a theoretical framework and analyzes several modern case studies for this phenomenon in her book *Libricide: The Regime-Sponsored Destruction of Books and Libraries in the Twentieth Century*. But this tradition of cultural devastation goes way back, as one can gather from the "List of Destroyed Libraries" on Wikipedia (2026b).

⁷ Public commentators are turning again to this "dark age" language, which was used decades earlier by archival specialists to characterize the epistemic threats of digital ephemerality. James Bridle (2019, chap. 7, paras. 18–26) describes a technocratically engineered "New Dark Age," wherein "we cannot know our own history, nor understand what we are truly capable of," thanks in great part to state agencies' ability to manipulate records behind closed doors. But in a more positive historical account of web-preservation efforts at the turn of the millennium, Ian Milligan (2024, chap. 2) also tells how memory professionals mobilized around the concept of a "digital dark age" to develop systems that could preserve fragile communications transmitted online (see also Kuny 1997).

⁸ For a book-length discussion of this transition, see Perzanowski and Schultz (2016).

⁹ Mark Lemley (2021, 1257–68) introduced the term "disappearing content" to explain media markets' gradual shift away from the "buy-and-keep arrangements" attendant to physical sales and digital downloads.

¹⁰ Several online commentators have begun identifying and critiquing growing costs of "streamflation" (see, e.g., Lawler 2024).

¹¹ Nancy Kranich (2020, 131) offers a thorough explanation why "Democracy is a hollow concept without unfettered access to information," citing Thomas Jefferson to support the proposition that "An informed citizenry is at the heart of a dynamic democracy" (141).

it is growing harder—not easier—to account for everything that is deleted or obscured from public view. If, in 2009, tech reporters saw the remote deletion of George Orwell's *1984* from Kindle devices as a scandalous irony, with Amazon playing the part of the dystopian novel's conspiratorial censor, the Ministry of Truth, then the costs of digital ephemerality and erasure have become an accepted fact of twenty-first-century life (Stone 2009).

Of course, none of this is to say that those engaged in the production and dissemination of knowledge should not get to exercise any control or receive adequate compensation for their work. There would be little for memory institutions to do, after all, were it not for these creators' and distributors' contributions. Our point is simply that the customary freedoms we once took for granted have fallen by the wayside in a digital marketplace that pushes content and monetizes attention by restricting consumers' ability to own and cultivate an enduring relationship to the media they pay for. In lieu of selling books and other physical items to eager buyers, many of today's digital publishers have become "data cartels," looking to gather personal information, analyze behavior, and sell what they collect to governments, insurers, employers, landlords, and anyone else willing to pay.¹²

The overall effect is that we are lurching toward something like a peep-show knowledge economy, whose social and political downsides fly in the face of the internet's potential to democratize access. Decades ago, we were led to believe that digital technologies and networked communications would allow anyone and everyone to learn from the aggregate of human knowledge, and we must not lose sight of that promise, even as we come to realize that more information every day is getting published only to disappear into a digital black hole.¹³ It would be well beyond the scope of this article—and an inherently impossible undertaking—to fully document every instance, cause, and effect of vanishing culture. Still, we group several recent and scary trends in an effort to itemize some of the most salient societal impacts. On their face, topical issues in education, religion, and climate change may look entirely distinct, but here we gather five examples to draw out a conceptually coherent surface area for policy intervention. In truth, each and every one of the following urgent concerns subsists, at least in part, on the vanishing culture crisis.

a. Library Holdings and Educational Resources

Can libraries sustainably service students and patrons when forced to rent their collections?

Libraries have historically been a bulwark against the disappearance of culture and remain to this day a go-to resource for textbooks, how-to manuals, and all sorts of useful and educational information. In the traditional sense, a library was "a building with books," where librarians would purchase titles of interest and relevance to patrons, then keep those items on the shelves for as long as would serve that community.¹⁴ In building out these collections, libraries developed their own policies about who could access books and for how long—without the publisher having any say in the matter. Unfortunately, this is no longer the case in the digital age.

¹² For a book-length treatment of this new business model, see Lamdan (2022).

¹³ Wikimedia (♻️) cofounder Jimmy Wales offered a tidy encapsulation of this techno-optimistic outlook when his "Vision Statement" for that organization asked people to "Imagine a world in which every single person on the planet is given free access to the sum of all human knowledge" (Wikipedia 2026c).

¹⁴ Scott Douglas (2008, 165) reminds us that, even when libraries functioned primarily as storage and lending centers for books, they became a popular resource and cultural touchstone thanks in great part to those who offered and received these services. "People made the library," he writes. "Without them, all the sacredness was gone. It was *just* a building with books." Emphasis added.

E-book lending works differently from physical lending, and as we are seeing in other media markets, publishers and e-book platforms have shifted their focus away from permanent sales and toward temporary licensing arrangements.¹⁵ This development has squeezed many libraries into the vulnerable (and increasingly familiar) position of a content subscriber, forced to rent rather than own their collections. As a result, publishers and their commercial vendors are the ones who get to decide which books are available, who can access them, and when.

One recent example illustrates the threat of this licensing model to the long-term availability of educational resources. In 2022, the textbook publisher Wiley withdrew 1,300 e-books from a large multidisciplinary collection for which George Washington University had paid a subscription fee.¹⁶ That business decision took effect without any advance notice, right before the start of fall-term classes, leaving students and professors across the institution scrambling in a way that would never have happened if the university had been permitted to own and lend copies of those same books. We risk more incidents like this one if things continue the way they're headed and libraries have to allocate more resources to temporary access that is designed to expire.

b. News Preservation and Journalistic Integrity

What happens when the first draft of history is never saved?

Though news professionals have referred to their work as “the first rough draft of history,” publishers typically left it to others to collect and keep their output safe.¹⁷ By purchasing and preserving stories in their original state, libraries and archives stepped in to make sure that future generations would be able to make sense of the past on its own terms. Even when one day's hot news became butcher paper the next, these memory institutions were allowed—and often encouraged—to preserve that ephemeral “first draft” for posterity.¹⁸ The process was simple, even if it involved complex technologies: Buy what went into print circulation and, where necessary, convert those bulky copies into more compact formats like microfilm and microfiche.¹⁹

Still, the transition to digital news publishing has thrown a wrench into the gears of this system. It's not just that online articles can now be stealth-edited.²⁰ It's that entire swaths of content can go dark when a media outlet pulls materials from its website²¹ or goes out

¹⁵ Dave Hansen, Yuanxiao Xu, and Rachael Samberg (2025) at the Authors Alliance (aa) give an exhaustive description of this phenomenon of “contractual override” in their article of the same title.

¹⁶ For coverage of this debacle, see D'Agostino (2022).

¹⁷ Though not the first to arrive at this language, the “rough first draft” characterization was popularized by Philip Graham, when he delivered the following remark to *Newsweek* correspondents in 1963: “Let us today drudge on about our inescapably impossible task of providing every week a first rough draft of a history that will never be completed about a world we can never really understand” (Ratcliffe 2016).

¹⁸ One prominent example of this understanding is the collaboration between the National Endowment for the Humanities and the Library of Congress on the National Digital Newspaper Program “to develop an internet-based, searchable database of U.S. newspapers with descriptive information” (Library of Congress 2025).

¹⁹ For a fuller account of this history, discussing the early challenges of having to preserve bulky and fragile newspapers, see Mills (1981).

²⁰ Even reputable news outlets have been caught committing and quietly amending embarrassing mistakes, as many came to learn in 2023, when *The New York Times* surreptitiously deleted “Death” from its published “List of Ways You Can Still Cancel Your Federal Student Loan Debt.” See the fact-check from TruthOrFiction.com (LaCapria 2023).

²¹ This is what happened to MTVnews.com, when its parent company Paramount Global pulled thousands of articles and interviews without warning (see Spangler 2024).

of business.²² In a world where more national and local news sources are available only in digital form, libraries and archives cannot resort to their traditional means of purchasing and preserving stable copies. Instead, they must work proactively to collect online materials before any sudden changes or deletions occur.²³ Though some news organizations have, thankfully, worked to collaborate with memory institutions and improve long-term access to their reporting,²⁴ others have taken an adversarial position to these sorts of preservation efforts (see Deck and Tameez 2026).²⁵ This hostility obstructs memory institutions and threatens them with legal exposure just for undertaking the public service of archiving the news.

The upshot of this paradigm shift is that society's relationship to news media as a "first rough draft" is changing—and frustrating journalism's purpose of promoting public awareness and accountability. If publishers alone get to decide what stories survive, the stable record now housed in archival repositories will gradually turn into a private subscription service subject to ongoing edits.²⁶ That is a chilling prospect and compounding cause for concern when we consider our low-trust information environment and the effects of echo chambers, filter bubbles, and other forms of algorithmic overdetermination in delivering news media to increasingly biased and polarized audiences. If verification has been put forth as one tried-and-true means of combating misinformation, then it stands to reason that things will only get more overwhelming and contentious when even the savviest news consumers cannot access and confidently check the source, date, and other contextual clues surrounding something they see online.²⁷

c. Movement Archives and Civic Engagement

Will change still look achievable when history is reconstructed entirely by those in charge?

In the last century, activist movements tended to promulgate off-screen and off the airwaves in pamphlets, zines, and other DIY formats. Now, the popularity of political engagement and activism online raises long-term questions for the many grassroots campaigns that benefit from the internet's powers in message amplification. It all goes back to an urgent point Gil-Scott Heron (1970) was making when he wrote his famous spoken-word poem, "The Revolution Will Not Be Televised." In a world where the powers that be operate dominant systems of communication, the brave few trying to change the world must seek alternative means to build real community and preserve its legacy. Otherwise, resistance movements that try to hold governments, corporations, and other powerful actors accountable risk exposing themselves to punishment and erasure on today's megaplatforms.

²² This is what happened to Gawker.com after Hulk Hogan sued Gawker Media Group for invasion of privacy and forced the company to file for bankruptcy (see Chappell 2016).

²³ For a description of this race to preserve, see Kahle and Bailey (2024).

²⁴ The Texas Digital Newspaper Program and its contributions to the Portal to Texas History offer an excellent example of successful newspaper-library collaboration (see University of North Texas Libraries, n.d.; see also "The Portal to Texas History," <https://texashistory.unt.edu/>).

²⁵ For instance, some news publishers decided to limit the Internet Archive's access to their websites out of a stated concern that AI companies would train their models on that material.

²⁶ While it is true that some well-resourced publications do offer paid subscriptions for archival access (e.g., *The New York Times*, *The New Yorker*, and *Publisher's Weekly*), those services offer little guarantee that their databases are complete or unedited. What's more, library access to these databases comes with the same expensive and restrictive licensing terms that we see with e-book licensing agreements.

²⁷ In their rigorous overview of eighty-one scientific papers from across the world, Anastasia Kozyreva and colleagues named "lateral reading and verification strategies" as one of nine proven methods for combating misinformation (see Kozyreva et al. 2024, 1044).

For one, as challenging as it's been to collect and preserve the posters, handouts, and other materials that brought about women's suffrage, Black civil rights, and other key social reforms, even those fragile materials have far greater durability than the hashtagged tweets and comment threads that can be silently altered or deleted at any moment. The prospect of "under-the-radar censorship" may sound like the work of Orwell's Ministry of Truth, but it's a recurring theme in human history now rearing its head in today's age of digital ephemerality.²⁸ Last year, Google undertook an overnight campaign to delete hundreds of YouTube videos pertaining to alleged human rights abuses in Palestine (Mazurov and Valdez 2025). According to public reports, Google did so at the behest of the United States government's efforts to enforce sanctions of the International Criminal Court (ICC) and other cooperative efforts to investigate war crimes.²⁹ That is just one conspicuous example of online services undertaking censorship in the name of compliance.

Even worse, it's impossible to learn from what's been lost, since YouTube, TikTok, and other platforms do not keep lists of everything they've deleted from people's feeds. That is why vanishing culture poses an existential threat not only to public awareness, but to the very tradition of participatory democracy. Reform movements thrive on the rich history of people trying (and sometimes failing) to bring about change, so whether or not you want Gil-Scott Heron's type of "revolution," these media effects concern just about anyone who thinks society could be better and that everyday people should have a say in the direction of its improvement. The Student Nonviolent Coordinating Committee (SNCC) offers a perfect case study: Though that interracial, nationwide coalition dissolved in 1970, the SNCC Legacy Project (SLP) emerged to "preserve and extend" its struggle for racial equality by digitizing its records for a new generation (SNCC Legacy Project, n.d.). If that effort helps us see the archive's value in shaping future democratic participation, it also begs the question of what could happen were we to lose all reliable documentation of movements past.

d. Communities of Faith and Religious Study

Can digital technologies help sustain faith without exploiting the faithful?

Bibles and other religious texts would seem like the ones *least* likely to disappear, given their astounding proliferation in material formats across the globe.³⁰ Still, that does not mean their sacred contents cannot be taken in by the ebbs and flows of digital ephemerality, or that their very ubiquity does not make them a target for other sorts of information manipulation. If anything, the unique connection that worshippers have to these written works offers a clear window into the ways that vanishing culture controls and exploits people's choices, as it destabilizes the record upon which they must base those choices. It's one thing for TV watchers and podcast listeners to accept the feedback loop between data collection, advertising, and

²⁸ For a full video explainer on recent instances of "under-the-radar censorship," see Lorenz (2026).

²⁹ It is worth clarifying that the International Emergency Economic Powers Act that the Trump administration cited as authority for its ICC sanctions expressly limits the president's power to prohibit the flow of "informational materials" from other countries—"regardless of format or medium of transmission" (see Mazurov and Valdez 2025; International Emergency Economic Powers Act 1994).

³⁰ The Guinness World Records (n.d.) website names the Christian Bible as the "best-selling book of all time." But more fundamentally, the material proliferation and endurance of sacred texts owes to their "iconic function" in religious practice. "*Scriptures are icons*," James W. Watts (2008, 137) writes. "They are not just texts to be interpreted and performed. They are material objects that convey religious significance by their production, display, and ritual manipulation."

algorithmic preferencing on their streaming apps.³¹ It's another when that business model comes for the chapters and verses people use to cultivate their relationship to faith—which is one of the most personal, private relationships they will ever have.

Too many of the most popular religious spaces online tend to exploit individuals by purporting to support their worship. Look no further than the advent of Bible apps like the King James Bible Study app or the YouVersion Bible, which have both racked up millions of downloads.³² Though these services provide instantaneous, worldwide access to scripture in thousands of different languages, they have also been called “data devils” for their business model of collecting and selling personal information (see Hodge 2019).³³ Unlike the paper Bibles you can find in a church, library, or hotel drawer, these apps can and do spy on their readers. What's more, they use the data they collect to influence what users can and cannot see through the selection and presentation of different passages. Rather than prioritize spiritual discernment, these recommendation engines use pattern recognition and predictive modeling to maximize engagement.³⁴ A single service may present different perspectives of scripture at different times, and without the ability to compare across apps or even within updated versions of the same app, one simply has to believe these platforms when they say that “the differences in the verses do not alter any core doctrines” (YouVersion, n.d.).

None of this is to say that digital and networked technologies cannot be a great boon to believers in an age of declining religious participation,³⁵ as they allow people to connect and share in the unprecedented distribution of theological texts.³⁶ Really, it's to emphasize that those benefits depend upon digital intermediaries handling devotional materials with the same care and respect that allowed those materials to accrue meaning as manuscripts and printed books. Many librarians and archivists understand this weighty responsibility, and thanks to their careful efforts, religious scholars of different faiths can now consult a growing digital catalog of canonical and instructional texts online. Their work photographing aging, at-risk manuscripts³⁷ and curating open repositories of high-quality theological scholarship³⁸ is a testament to the potential of preserving and providing digital access to religious thought and history. But it's also an indictment of other outfits' systematic efforts to capitalize on devotion, muddy the waters, and compromise adherents' ability to worship in good faith.

³¹ Messarra (2026, 14–15) touches on this “datafication of cultural consumption” (and cites several authorities supporting it) in his individual contribution to *Vanishing Culture* (see also Chester and Montgomery 2024; Lamdan 2022).

³² On the Google Play Store, the King James Bible Study app had more than ten million downloads as of April 2026. YouVersion had more than one hundred million.

³³ Tim Hutchings (2017, 210) noted that YouVersion's 100 percent free status depended upon its identification and utilization by publishers “as an opportunity to promote their products.”

³⁴ These powers of algorithmic preferencing are brought further to light by the rush to incorporate chatbot and other AI features into these services (see Jackson 2025). More than a decade earlier, Nir Eyal (2013) had already identified YouVersion as “a case study in how technology can change behavior when it couples the principles of consumer psychology with the latest in analytics.”

³⁵ Pew Research found in a recent study that the global population of religiously unaffiliated persons rose by nearly a percentage point (Hackett et al. 2025).

³⁶ For a comprehensive survey of scholarly approaches to various religions' interactions with digital technologies, see Campbell and Cheong (2024).

³⁷ The Hill Museum & Manuscript Library (HMML, n.d.) (ἱμ) has worked for more than sixty years to photograph aging religious manuscripts from all faiths, with special attention to at-risk collections in Iraq, Ukraine, Gaza, and other war zones.

³⁸ The Open Access Digital Theological Library (n.d.) offers a cataloged collection of high-quality materials from institutional repositories, scholarly societies, and stable public domain collections.

e. Scientific Records and Environmental Policy

How can we hope to track and mitigate ecological shifts without a stable record?

Climate change doesn't happen overnight: It's gradual and all but impossible to detect without sophisticated approaches to robust evidence and trustworthy information. That is why "cumulative data" need to accumulate—which is to say, persist in time. It's not just that we can better observe the effects of industrialism on natural landscapes by looking at old paintings and photographs.³⁹ It's that the very foundation of experimental and observational science rests on recorded findings, not forgotten ones.

The stakes of this high school lesson are now being thrown into stark relief, as we bear witness to the United States government's systematic efforts to scrub tax-funded environmental assessments from the web.⁴⁰ These peer-reviewed national reports are of immense help to state and local administrators, particularly since the most recent study came with an interactive atlas of county- and community-specific data. Though physical copies of past reports are still stored in the library of the National Oceanic and Atmospheric Administration, the federal government essentially implemented an access embargo on officials, advocates, and scientists working to build and research climate-conscious policy. Harvard climate scientist John Holdren called it a "demolition of science infrastructure"—not just by redirecting funds or firing professionals, but through the leveraging of digital controls (Borenstein 2025).

In a world where *-gate* has become a familiar suffix, it's no secret that officials sometimes hide or destroy records to misrepresent state action.⁴¹ Still, the context of climate change brings to life how the short-term effects of information manipulation are only compounded by the long-term effects on the education of a public that might otherwise push for better policy. National, state, and local officials will certainly have less to go on when preparing communities for a warming world. But even worse, curious citizens are now being stymied in their individual efforts to research and understand the differential impact of a global phenomenon that is as hard to fathom as it is to detect. Just a few months ago, the EPA removed the user-friendly environmental justice mapping and screening tool, EJScreen, replacing its infographics and tutorials with an error message: "Sorry, but this web page does not exist."⁴² That sort of misleading disavowal isn't new for many climate-change denialists, but here, it's being delivered in the simple language of a technical restriction.⁴³ As a single example, it paints a vivid picture of how vanishing culture can fuel the collective amnesia that, historically, has clouded environmental awareness and kept people from asking more of their elected officials.

³⁹ In one recent study, Hana Skokanová and her coauthors selected, localized, and analyzed 112 landscape paintings from Moravia and eastern Bohemia between 1728 to 1976—not only to demonstrate these artworks' accurate depiction of the local ecology, but to trace the effects of "afforestation of less fertile soils" and "spread of built-up areas" in the second half of the twentieth century (Skokanová et al. 2021, 122).

⁴⁰ For coverage of these takedowns, see Borenstein (2025).

⁴¹ In 1989, long before its usage in "Monicagate," "Bridgegate," and "Beergate," the *Oxford English Dictionary* defined *-gate* as a "terminal element denoting an actual or alleged scandal (*and usually an attempted cover-up*), in some way comparable with the Watergate scandal of 1972." Emphasis added.

⁴² The Environmental Data & Governance Initiative (2025) covered this development in its online article "EPA Removes EJScreen from its Website."

⁴³ Wikipedia's (2026a) nearly twenty-year-old page on "Climate Change Denial" offers a history and taxonomy of efforts to downplay the effects of global warming, from public commentary about cold weather to systematic efforts to dispute and obstruct scientific research.

3. Memory Institutions' Key Role in Meeting the Vanishing Culture Crisis

If the examples above manifest some of the most acute symptoms of today's vanishing culture crisis, then the cure must begin with an acknowledgment and recommitment to the memory institutions that exist to prevent it. We selected these different areas of concern to illustrate that vanishing culture is not just one thing. It is a systemic as well as an epistemic threat, affecting countless communities through all sorts of media technologies. That does not mean vanishing culture is an inevitable byproduct of technological progress. To the contrary, it is a policy choice—one that, together, we can change.

Historically, memory institutions coevolved with the producers of human knowledge and cultural expression. Just as scholars, artists, and other creators must rely on previous advancements to inspire and support their work, memory institutions would have nothing to preserve were it not for these bright minds' productive industry. This reciprocal relationship can work beautifully, where dedicated professionals are able to responsibly collect and preserve the materials that bring special value to their communities, and where members of the public are able to browse and contribute to secure repositories. That said, it has never been perfect. Every library, archive, and museum must make tough choices in deciding what to leave and what to keep, even where outside forces like fires, floods, and war do not put their holdings at risk. Moreover, like all institutions, memory institutions have internalized social biases that sometimes prevent them from building representative collections and making them freely and equally accessible to every member of the public. In confronting these difficulties and improving their services, memory workers have developed a unique appreciation for the fragility and profound importance of a stable, dependable record. That is why they were among the first to see the dangers of vanishing culture in our digital information environment—and why we must look to their well-honed methods to ensure that our cultural heritage does not disappear.

Indeed, after decades of research and advocacy on this topic,⁴⁴ memory institutions and their allies are beginning to coalesce around a simple statement of principle: *If we want to preserve the cultural output and historical record of our increasingly digital world, then we must allow these organizations the same rights and responsibilities online that they previously held offline* (Our Future Memory, n.d.-d.). This most recent statement of the problem had its beginnings in 2022, when the Internet Archive convened and distilled the feedback of librarians, lawyers, and technologists into an articulation of library practices as basic rights, called *Securing Digital Rights for Libraries* (Bailey and Menna 2022). When presented with a draft of that report at the Library Leaders Forum in San Francisco, Peter Scholing of the Biblioteca Nacional Aruba saw its promise for the at-risk archives of his island nation. He wanted to collaborate on making an even broader statement encompassing *all* memory institutions, their distinct collections, and their diverse approaches to the project of preservation. The result was the Statement on Digital Rights for Protecting Memory Institutions Online, which Aruba became the first country to endorse in April 2024 (Adams).⁴⁵ After that, once organizations around the world

⁴⁴ As early as the 1990s, papers about preservation issues posed by “restrictive intellectual property and licensing regimes” were being presented at the General Conference for the International Federation of Library Associations and Institutions (IFLA) (see Kuny 1997, 3). In the United States, the American Library Association (2025) (ALA) had already adopted an interpretation of its Library Bill of Rights focused specifically on digital access and security issues. That interpretation has since been amended four times, in 2005, 2009, 2019, and 2025.

⁴⁵ The authors of this article were behind the drafting of that Statement.

began independently signing their own versions of the Statement, Internet Archive Europe⁴⁶ launched the Our Future Memory campaign as a way to give memory institutions and their allies a rhetorical framework and community network to advocate and implement these four rights (Our Future Memory, n.d.-a.):

1. **TO COLLECT MATERIALS IN DIGITAL FORM**, whether through digitization of physical collections, or through purchase on the open market or by other legal means;
2. **TO PRESERVE DIGITAL MATERIALS**, and where necessary repair, back up, or reformat them, to ensure their long-term existence and availability;
3. **TO PROVIDE CONTROLLED ACCESS TO DIGITAL MATERIALS** for advanced research techniques and to meet patrons where they are—online; and
4. **TO COOPERATE WITH OTHER MEMORY INSTITUTIONS**, by sharing or transferring digital collections, so as to aid preservation and access (Our Future Memory, n.d.-d.).

These rights shouldn't be controversial. If anything, their familiarity ought to signal that traditional principles can help guide our path forward in today's treacherous information environment. That is how Stephen Wyber (2025) of the International Federation of Library Associations and Institutions (IFLA) put it when he explained his organization's reasons for joining the coalition and signing onto the Statement: "What struck us about the Our Future Memory campaign is, firstly, that it looked obvious, but then that realization that it is necessary to state the obvious, to point out that some of these old guarantees, some of the things that we used to take for granted, we can't anymore." It is precisely because these four rights are both "obvious" and at grave risk that so many different kinds of memory institutions see themselves, their work, and the survival of that work in the Statement.

Critically, this alignment arises primarily from memory institutions' sense of duty, not their self-interest, or even their justifiable fears about the unprecedented challenges wrought by the digital age. Memory institutions are, to a degree, defined by their pursuit of a public service mission, not a profit margin. That orientation is what allows them to play their critical part in our information ecosystem and preserve niche, culturally specific materials irrespective of commercial viability. It is also what has motivated Our Future Memory signatories to stand up for the moral imperative behind their practices. That is how Hannah Whelan from the After Violence Project laid it out when she characterized the Statement's four rights as a "critical condition" for that organization: "The communities we work with, namely people impacted by police brutality, mass incarceration, and the death penalty, deserve archives that can collect thoughtfully, preserve carefully, and share their stories without interference" (Menna 2026).

In what remains of this paper, we spell out why each of these four rights—collection, preservation, access, and collaboration—is absolutely necessary to mitigate the vanishing culture crisis and restore a healthy information environment.

⁴⁶ Internet Archive Europe is an independent research library based in the Netherlands. Though a separate legal entity from Internet Archive United States and Internet Archive Canada, it works together with these mission-aligned organizations in support of the Our Future Memory campaign. See <https://www.internetarchive.eu/>.

Collection

To steward information responsibly, memory institutions must be able to select, acquire, and exercise discretionary control over their materials. Those practices were a given in the age of physical distribution, when the act of *buying* a book typically meant *owning* that object and, as a result, deciding what to do with it. Still, that given came under pressure in the digital age once libraries had to adopt integrated collections strategies to better service their patrons and tap into the wealth of online materials.⁴⁷ If, early on, the prospect of a perfectly networked infrastructure had some wondering whether collection development might become obsolete, today it takes only one web search to know that the internet is far from a well-indexed catalog—and that there are still great benefits to letting specialists select, itemize, and curate helpful information for their respective communities.⁴⁸ That work requires building and managing reliable digital collections, which in many cases is becoming harder for memory institutions to do.

Above, we discussed how libraries are being strong-armed into temporary licensing agreements, which keep them from developing the collections they need to perform their most basic functions.⁴⁹ Some providers prevent libraries from filtering out unwanted content by only offering bundled packages,⁵⁰ whereas others prohibit digital access altogether.⁵¹ These restrictions also loom large for archives and museums, now that many pertinent cultural objects are moving from attics and basements to proprietary platform servers.⁵² Essentially, by wrenching control over what resides in the custody of memory institutions, content providers make themselves the sole arbiters of how materials are documented, where they are stored, and when they can be retrieved and displayed. In this respect, collection is both the starting point for all memory work and an essential prerequisite for the other three rights.

Preservation

The core function and most familiar feature of memory institutions is that they preserve knowledge and culture for coming generations. The entire project of history depends on this process, which means that it depends on the ability to keep and transmit information across time.

⁴⁷ The “Collections Grid,” developed by Lorcan Dempsey and Eric Childress, offers one illustration of how libraries have adapted to this complexity. For an overview of that heuristic, see Dempsey et al. (2014, 16–17).

⁴⁸ John Kennedy (2006, 8–9) offered a prescient and eloquent takedown of this “utopian” vision in his short, book-length overview, *Collection Management: A Concise Introduction*:

[I]t is useful to consider for a moment what those who see no future for collection management in an internet-dominated environment are in fact predicting. It is not merely a world without paper-based books and journals. . . . In this world there is no need in any institution to download materials and hold them for reasons of reliability or convenience in local networks, an activity which would create a digital collection and require the selection skills of collection managers, and some policy or methodology for periodically ‘weeding’ the caches of downloaded material.

⁴⁹ Juliya Ziskina (2023) at Library Futures (📖) gave an overview of this problem—and suggested several pathways to meet it—in her policy paper *Toward a New Access Paradigm: Digital Ownership for Libraries and the Public* (see also Hansen et al. 2025, 705–20).

⁵⁰ Librarians were complaining about the inability to pick and choose materials from Hoopla even before a wave of low-quality AI slop arrived on the platform (see Woodcock 2022; see also Maiberg 2025).

⁵¹ This is the business strategy that Amazon adopted at the beginning of this decade (see Statt 2021).

⁵² For example, archivists, technologists, and other professionals at the Strong National Museum of Play describe how console games are often walled off by digital rights management (DRM) access controls, how web-browser games are not always downloadable, and how many of today’s “digital-born games require online services and servers in the form of developer-run servers or cloud-based services (e.g., Google services, Facebook)” (Bensch et al. 2023, 27).

To the layperson, preservation may look like a static act of storage—say, a warehouse full of dusty books and paintings—but that wasn’t true even before the advent of digital technologies. Many ancient Greek texts only survive thanks to the diligent labor of medieval scribes, who copied and translated those works from fragile papyrus to durable vellum manuscripts.⁵³ That process of preserving by reformatting is of even greater importance in our era of accelerating media turnover. Today, memory institutions must be able to continually transfer aging data into new containers, lest we lose troves of knowledge to “bit rot” and other kinds of information degradation.⁵⁴ By the same token, if these institutions are unable to digitize and extend the life of fragile artifacts, then rare manuscripts, vinyl records, VHS tapes, and other obsolescing media will wither away in time. Memory professionals have specialized in these and other modes of active, constant conservation, which is why we must trust their expertise if we want to stem the tide of vanishing culture.

Access

If the laborious work of preservation allows aging information to survive, then why undertake that process for an object no one can behold? The value of any memory institution’s materials can only be realized when people are actually able to experience their contents, whether by seeing or hearing a record from the past or by playing a retro video game. For this reason, data scientists follow the tenets of information retrieval, which teach the design of systems to store *and* deliver information in a manner calculated to meet individuals’ “information needs.”⁵⁵ Memory institutions understand this principle well, even if they must grant and limit access in accordance with the nature of their collections and the public they serve. Some might follow the “free to all” model of a lending library, allowing people to borrow books on and off the premises.⁵⁶ Others might follow the “look but don’t touch” model of a typical art museum, trying to keep irreplaceable treasures safe and secure.⁵⁷ Access policies must be tailored to the specific demands of a collection and its users, and it’s precisely because memory institutions have proven methods to meet a wide range of possibilities that they must be allowed to confront the difficulties and sensitivities of handling digital knowledge according to *their* standards—not the terms of service thrust upon them by a commercial platform.

Collaboration

No single memory institution can preserve the entirety of human culture, and the ability to pool resources and coordinate workflows has long been foundational to library, archive, and museum functionalities. Interlibrary lending was so critical to twentieth-century information stewardship that Congress encoded it into the 1976 Copyright Act (see § 108(d), (e),

⁵³ The staple scholarly account of this generational process can be found in *Scribes and Scholars: A Guide to the Transmission of Greek and Latin Literature* (Reynolds and Wilson 1991).

⁵⁴ Trevor Owens (2018, 14) retheorizes this active and ongoing practice of “conservation”—and explains why “digital media should be understood as part of a *continual process of remediation*”—in his now essential book. Emphasis added.

⁵⁵ See, e.g., Bernard J. Jansen and Soo Young Rieh’s (2010, 1517) streamlined rearticulation of the canonical definition by C.J. van Rijsbergen (1979): “*information retrieval* is finding material of an unstructured nature that satisfies an information need from within large collections.”

⁵⁶ The motto, “free to all,” is carved above the center doorway of the Boston Public Library (n.d.), which claims to be the first free municipal library in the United States and “the first public library to lend its books.”

⁵⁷ Scholars like Constance Classen (2007, 899) have researched how early museums did not always prohibit the handling of their items—and how, for some, “notions of civility evidently included being allowed to handle museum pieces, even small items stored away in the doors.” Her article proceeds to elaborate on how early curators balanced this demand with the need to secure and preserve valuable and delicate items.

(g)), and for many museums looking to repair transgressions of the past, cross-border cooperation is what is currently enabling the secure return and restitution of cultural property.⁵⁸

If anything, digital technologies have only increased the need for coordination in the structuring, cataloging, and processing of collections. That is why standards-setting efforts like the Open Archival Information System and the Dublin Core Metadata Initiative (DCMI) have stressed the promise of interoperability—not just conformity—in the development of best practices to ensure reliable service (see Consultative Committee for Space Data Systems 2024, sec. 6).⁵⁹ Unfortunately, commercial content distributors have different priorities, which can obstruct or outright deny opportunities for memory institutions to collaborate. For example, while OverDrive has allowed some collective bargaining with library consortia in the e-book licensing space, it limits many libraries' ability to share the access they've bought⁶⁰ or disclose the terms of their agreements.⁶¹ More than an operational frustration, these efforts to silo information are anathema to memory institutions' long history of working together to improve their operations and serve the public.⁶²

4. In Lieu of a Conclusion, a Call to Action

If, as we have come to learn, the dangers of vanishing culture extend well beyond our computer screens and into political reality, then these four digital rights do more than protect the basic functions of memory institutions. Really, they offer a coherent defense of those institutions' shared mission and special functions in a changing world, where that critical, time-honored work is under greater threat than ever before. As guardians and stewards of cultural heritage and scientific knowledge, memory institutions ensure that the historical record remains reliably available to the public. They do this by working collaboratively to collect, preserve, and make information accessible where and when people need it. That is not the way that commercial content producers and distributors operate—even if platform technologies have endowed those entities with new power to pursue higher profit margins by dictating what people can see, where they can see it, and for how long.

Thankfully, memory institutions are not sitting idly on the sidelines and watching this nightmare scenario unfold. True to their collaborative ethos, they are demonstrating that a collective voice is a stronger voice, as they join the Our Future Memory coalition in support of the Statement on Digital Rights. Libraries, archives, and museums of all shapes and sizes

⁵⁸ Ernesto Ottone, Assistant Director-General for Culture at UNESCO (2024), explained the need for ongoing communication and bilateral cooperation at a 2023 roundtable. "Return and restitution are not the end of a process," he remarked, "but the beginning of a relationship based on broader, forward-looking cooperation."

⁵⁹ See also the DCMI's explanation of its initial motivations to achieve "rough interoperability across languages and disciplines through a core of shared semantics" (Dublin Core, n.d.).

⁶⁰ Some organizations, like the Boston Library Consortium (2025; see also 2024a, 2024b) (↗), are working to adopt, normalize, and periodically update "Resource Sharing Policies" for their own interlibrary lending and delivery services—including with "digital assets."

⁶¹ In a wonderful example of resource sharing, the Scholarly Publishing and Academic Resources Coalition (SPARC, n.d.) (↗) hosts a repository of contracts that libraries and consortia have reached with large publishers. Other materials on the website offer guidance on how to counteract confidentiality clauses and nondisclosure agreements.

⁶² Indeed, collaboration among memory institutions can extend well beyond day-to-day functions and into the realm of advocacy and fundraising. On this point, the Association of Research Libraries (↗) published a helpful article by Guy Berthiaume (2020, 6), reflecting on his service as librarian and archivist of Canada and emphasizing how a series of summits in the second half of the last decade equipped galleries, libraries, archives, and museums (GLAMs) with "a narrative for the entire sector" and "a study of the value" that these memory institutions provide the public.

are encouraged to sign the Statement because we are most vulnerable when we stand alone.⁶³ Together, our voices can speak with greater authority to policymakers, rightsholders, and funders, making it harder for legal and technical restrictions to marginalize our role. If we do not move fast, we risk falling backward into a dark age of forgetting, where the never-ending flow of new content forces us to lose sight of the cumulative history of human knowledge—and the essential workers that kept it safe.

Works Cited

- Adams, Caralee. 2024. "Aruba Becomes First Country to Endorse Statement Protecting Digital Rights of Memory Institutions." *Internet Archive Blogs*, April 9. <https://blog.archive.org/2024/04/09/aruba-becomes-first-country-to-endorse-statement-protecting-digital-rights-of-memory-institutions/>.
- American Library Association. 2025. "Access to Digital Resources and Services: An Interpretation of the Library Bill of Rights." Amended May 29. <https://www.ala.org/advocacy/intfreedom/librarybill/interpretations/digital>.
- Archivo Nacional Aruba. 2024. "Digital Rights Statement Signed by the National Archives of Aruba." Internet Archive, April 9. <https://archive.org/details/digital-rights-statement-signed-by-the-national-archives-of-aruba/page/n1/mode/1up>.
- Bailey, Lila, and Michael Menna. 2022. *Securing Digital Rights for Libraries: Towards an Affirmative Policy Agenda for a Better Internet*. Movement for a Better Internet Research Paper. Internet Archive, December 1. <https://archive.org/details/bailey-menna-securing-digital-rights-for-libraries/page/22/mode/2up>.
- Bensch, Chris, JP Dyson, Racquel Gonzales, and Jeremy Saucier, eds. 2023. *Digital Preservation Handbook*. Rev. 3rd ed. The Strong National Museum of Play. <https://www.museumofplay.org/app/uploads/2021/06/04.-Digital-Preservation-Handbook-2023-External.pdf>.
- Berthiaume, Guy. 2020. "If You Want to Go Far, Go Together: The Collaboration Among the GLAM Community in Canada (2016–2019)." *Research Library Issues*, no. 300: 6–17. <https://doi.org/10.29242/RLI.300.2>.
- Borenstein, Seth. 2025. "Major Climate Change Reports Are Removed from U.S. Websites." *PBS News*, July 1. Associated Press. <https://www.pbs.org/newshour/science/major-climate-change-reports-are-removed-from-u-s-websites>.
- Boston Library Consortium. 2024a. *E-Book ILL Roadmaps: Charting Pathways for Broader Adoption of E-Book Interlibrary Loan*. BLC E-Book Sharing Working Group Report. June. <https://drive.google.com/file/d/1AYW8ujpty3z8R1eO6e-F9xIU41nRbb3M/view?hsCtaAttrib=168761900091>.
- Boston Library Consortium. 2024b. *ReShare CDL: Software & Workflows for Consortial CDL for ILL*. CDL Working Group Report. October. <https://drive.google.com/file/d/1eGsOi-62B4Rq22bmuEXPdQbqw-ijJQ9R/view?hsCtaAttrib=180356615236>.
- Boston Library Consortium. 2025. *BLC Resource Sharing Policies & Best Practices*. Last modified October. <https://drive.google.com/file/d/1rp35eOyiVkP9x6U1ELA04yOrXO8Vrs-D/view>.

⁶³ The instructions for downloading and returning the Statement can be found at the Our Future Memory (n.d.-b.) website. It is a statement of principle with no legal or financial commitment, and after your signed form is verified, your institution's name will be added to the webpage's "Signatories List."

- Boston Public Library. n.d. "About the BPL." Accessed June 24, 2026. <https://www.bpl.org/about-the-bpl/>.
- Bridle, James. 2019. *New Dark Age: Technology and the End of the Future*. Verso.
- Campbell, Heidi A., and Pauline Hope Cheong, eds. 2024. *The Oxford Handbook of Digital Religion*. Oxford University Press.
- Chappell, Bill. 2016. "Gawker Files For Bankruptcy as It Faces \$140 Million Court Penalty." NPR, June 10. <https://www.npr.org/sections/thetwo-way/2016/06/10/481565188/gawker-files-for-bankruptcy-it-faces-140-million-court-penalty>.
- Chester, Jeff, and Kathryn C. Montgomery. 2024. *How TV Watches Us: Commercial Surveillance in the Streaming Era*. Center for Digital Democracy. <https://democraticmedia.org/reports/how-tv-watches-us-commercial-surveillance-in-the-streaming-era>.
- Classen, Constance. 2007. "Museum Manners: The Sensory Life of the Early Museum." *Journal of Social History* 40 (4): 895–914. <https://www.jstor.org/stable/25096398>.
- Consultative Committee for Space Data Systems. 2024. *Reference Model for an Open Archival Information System*. Recommended Practice, CCSDS 650.0-M-3. Version 3. https://ccsds.org/wp-content/uploads/gravity_forms/5-448e85c647331d9cbaf66c096458bdd5/2025/01/650x0m3.pdf.
- Copyright Act of 1976, 17 U.S.C. § 108(d), (e), (g) (2018).
- D'Agostino, Susan. 2022. "Publisher Blocks Access to E-Books; Students and Professors Scramble." *Inside Higher Ed*, September 27. <https://www.insidehighered.com/news/2022/09/28/publisher-blocks-access-ebooks-students-faculty-scramble>.
- Deck, Andrew, and Hanaa' Tameez. 2026. "News Publishers Limit Internet Archive Access Due to AI Scraping Concerns." *Nieman Lab*, January 28. <https://www.niemanlab.org/2026/01/news-publishers-limit-internet-archive-access-due-to-ai-scraping-concerns/>.
- Digital Theological Library. n.d. "About." Accessed June 29, 2026. <https://libguides.thedtl.org/oadt/about>.
- Douglas, Scott. 2008. *Quiet, Please: Dispatches from a Public Librarian*. Da Capo.
- Dublin Core. n.d. "Metadata Basics." Accessed June 25, 2026. <https://www.dublincore.org/resources/metadata-basics/>.
- Environmental Data & Governance Initiative. 2025. "EPA Removes EJSscreen from Its Website." February 12. <https://envirodatagov.org/epa-removes-ejscreen-from-its-website/>.
- European Union. 2016. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the Protection of Natural Persons with Regard to the Processing of Personal Data and on the Free Movement of Such Data, and Repealing Directive 95/46/EC (General Data Protection Regulation), *Official Journal of the European Union* L 119, May 4. <https://eur-lex.europa.eu/eli/reg/2016/679/oj>.
- Eyal, Nir. 2013. "The App of God." *The Atlantic*, July 24. <https://www.theatlantic.com/technology/archive/2013/07/the-app-of-god/278006/>.
- Freeland, Chris. 2025. "IFLA Signs Statement Supporting Digital Rights of Memory Institutions." *Internet Archive Blogs*, July 30. <https://blog.archive.org/2025/07/30/ifla-signs-statement-supporting-digital-rights-of-memory-institutions/>.
- Guinness World Records. n.d. "Best-Selling Book." Accessed June 29, 2026. <https://www.guinnessworldrecords.com/world-records/best-selling-book-of-non-fiction#:~:text=The%20best%2Dselling%20book%20of%20all%20time%20is%20the%20Christian%20Bible>.
- Hackett, Conrad, Marcin Stonawski, Yunping Tong, Stephanie Kramer, Anne Shi, and Dalia Fahmy. 2025. "How the Global Religious Landscape Changed from 2010 to 2020."

- Pew Research Center, June 9. <https://www.pewresearch.org/religion/2025/06/09/how-the-global-religious-landscape-changed-from-2010-to-2020/#changes-within-countries>.
- Hansen, Dave, Yuanxiao Xu, and Rachael Samberg. 2025. "Contractual Override: How Private Contracts Undermine the Goals of the Copyright Act for Libraries and Researchers, and What We Can Do About It." *Journal of the Copyright Society U.S.A.* 72 (3). <https://dx.doi.org/10.2139/ssrn.5393510>.
- Heron, Gil-Scott. 1970. "Introduction/The Revolution Will Not Be Televised." On *Small Talk at 125th and Lenox*. Flying Dutchman Records. Vinyl LP.
- HMML. n.d. "History." Accessed June 24, 2026. <https://hmml.org/about/history/>.
- Hodge, Rae. 2019. "Religious Apps with Sinful Permissions Requests Are More Common than You Think." *CNET*, October 3. <https://www.cnet.com/tech/services-and-software/why-so-many-android-christian-apps-have-unholy-privacy-policies/>.
- Hutchings, Tim. 2017. "Design and the Digital Bible: Persuasive Technology and Religious Reading." *Journal of Contemporary Religion* 32 (2): 205–19. <https://doi.org/10.1080/13537903.2017.1298903>.
- International Emergency Economic Powers Act. 50 U.S.C. § 1702(b)(3) (1994).
- Jackson, Lauren. 2025. "Finding God in the App Store." *The New York Times*, September 14. <https://www.nytimes.com/2025/09/14/us/chatbot-god.html>.
- Jansen, Bernard J., and Soo Young Rieh. 2010. "The Seventeen Theoretical Constructs of Information Searching and Information Retrieval." *Journal of the American Society for Information Science and Technology* 61 (8): 1517–34. <https://doi.org/10.1002/asi.21358>.
- Kahle, Brewster, and Lila Bailey. 2024. "Archiving History in Real Time: Newspaper Collections at the Internet Archive." *The American Historical Review* 129 (1): 169–73. <https://doi.org/10.1093/ahr/rhad528>.
- Kennedy, John. 2006. *Collection Management: A Concise Introduction*. Centre for Information Studies.
- Knuth, Rebecca. 2003. *Libricide: The Regime-Sponsored Destruction of Books and Libraries in the Twentieth Century*. Praeger.
- Kozyreva, Anastasia, Philipp Lorenz-Spreen, Stefan M. Herzog, et al. 2024. "Toolbox of Individual-Level Interventions Against Online Misinformation." *Nature Human Behavior* 8: 1044–52. <https://doi.org/10.1038/s41562-024-01881-0>.
- Kranich, Nancy. 2020. "Libraries and Democracy Revisited." *The Library Quarterly* 90 (2): 121–53. <https://doi.org/10.1086/707670>.
- Kuny, Terry. 1997. "A Digital Dark Ages? Challenges in the Preservation of Electronic Information." Paper presented at the 63rd IFLA Council and General Conference, Copenhagen, Denmark, September 4. Internet Archive. <https://archive.org/details/63kuny1>.
- LaCapria, Kim. 2023. "The New York Times' 'Ways You Can Still Cancel' Student Loan Debt." TruthOrFiction.com, June 30. <https://www.truthorfiction.com/the-new-york-times-ways-you-can-still-cancel-student-loan-debt/>.
- Lamdan, Sarah. 2022. *Data Cartels: The Companies That Control and Monopolize Our Information*. Stanford University Press.
- Lawler, Kelly. 2024. "Here's Why All Your Streaming Services Cost a Small Fortune Now." *USA Today*, last modified September 30. <https://www.usatoday.com/story/entertainment/tv/2024/08/14/why-tv-streaming-prices-are-so-high/74734387007/>.

- Lemley, Mark. 2021. "Disappearing Content." *Boston University Law Review* 101 (4): 1255–88. <https://www.proquest.com/docview/2581886022?sourcetype=Scholarly%20Journals>.
- Library of Congress. 2025. "National Digital Newspaper Program." Last modified August 21. <https://www.loc.gov/ndnp/>.
- Lorcan Dempsey, Constance Malpas, and Brian Lavoie. 2014. "Collection Directions: Some Reflections on the Future of Library Collections and Collecting." *portal: Libraries and the Academy* 14 (3): 393–423. <https://doi.org/10.1353/pla.2014.0013>.
- Lorenz, Taylor. 2026. "The Internet Is Being Deleted (And You Haven't Noticed)." Posted March 20, 2026, by Taylor Lorenz. YouTube, 47:21. <https://www.youtube.com/watch?v=hMiVZoFtH6s>.
- Maiberg, Emanuel. 2025. "AI-Generated Slop Is Already in Your Public Library." *404 Media*, February 4. <https://www.404media.co/ai-generated-slop-is-already-in-your-public-library-3/>.
- Mazurov, Nikita, and Jonah Valdez. 2025. "YouTube Quietly Erased More than 700 Videos Documenting Israeli Human Rights Violations." *The Intercept*, November 4. <https://theintercept.com/2025/11/04/youtube-google-israel-palestine-human-rights-censorship/>.
- Menna, Michael. 2026. "Digital Preservationists at the After Violence Project and HMML Lend Their Voices to the Our Future Memory Campaign." *Internet Archive Blogs*, April 10. <https://blog.archive.org/2026/04/10/digital-preservationists-at-the-after-violence-project-and-hmml-lend-their-voices-to-the-our-future-memory-campaign/>.
- Messarra, Luca, Chris Freeland, and Juliya Ziskina, eds. 2026. *Vanishing Culture: A Report on Our Fragile Cultural Record*. Internet Archive Press.
- Milligan, Ian. 2024. *Averting the Digital Dark Age: How Archivists, Librarians, and Technologists Built the Web a Memory*. Johns Hopkins University Press.
- Mills, T. F. 1981. "Preserving Yesterday's News for Today's Historian: A Brief History of Newspaper Preservation, Bibliography, and Indexing." *The Journal of Library History* 16 (3): 467–87. <https://www.jstor.org/stable/25541211>.
- Our Future Memory. n.d.-a. "About." Accessed June 24, 2026. <https://ourfuturememory.org/#about>.
- Our Future Memory. n.d.-b. "Full Statement." Accessed June 24, 2026. <https://ourfuturememory.org/full-statement/>.
- Our Future Memory. n.d.-c. "Signatories List." Accessed June 25, 2026. <https://ourfuturememory.org/#signatories>.
- Our Future Memory. n.d.-d. Statement on Digital Rights for Protecting Memory Institutions Online. Accessed June 25, 2026. <https://ourfuturememory.org/full-statement/>.
- Owens, Trevor. 2018. *The Theory and Craft of Digital Preservation*. Johns Hopkins University Press.
- Oxford English Dictionary*. 1989. 2nd ed. Oxford University Press.
- Perzanowski, Aaron, and Jason Schultz. 2016. *The End of Ownership: Personal Property in the Digital Economy*. MIT Press.
- Ratcliffe, Susan, ed. 2016. *Oxford Essential Quotations*. 6th ed. Oxford University Press. <https://www.oxfordreference.com/display/10.1093/acref/9780191866692.001.0001/q-oro-ed6-00012301?rsk=QPxFdF&result=1>.
- Reynolds, L. D., and N. G. Wilson. 1991. *Scribes and Scholars: A Guide to the Transmission of Greek and Latin Literature*. Oxford University Press.

- Skokanová, Hana, Tomáš Slach, and Marek Havlíček, et al. 2021. "Landscape Painting in the Research of Landscape Changes." *Journal of Landscape Ecology* 14 (3): 110–27. <https://doi.org/10.2478/jlecol-2021-0019>.
- SNCC Legacy Project. n.d. "Mission Statement." Accessed June 26, 2026. <https://sncclegacyproject.org/about/mission-statement/>.
- Spangler, Todd. 2024. "MTV News Website Goes Dark, Archives Pulled Offline." *Variety*, June 24. <https://variety.com/2024/digital/news/mtv-news-website-archives-pulled-offline-1236047163/>.
- SPARC. n.d. "Contracts Library." Accessed June 24, 2026. <https://sparcopen.org/our-work/big-deal-knowledge-base/contracts-library/>.
- Statt, Nick. 2021. "Amazon Withholds Its Ebooks from Libraries Because It Prefers You Pay Instead." *The Verge*, March 10. <https://www.theverge.com/2021/3/10/22323434/amazon-publishing-library-lending-access-refuse-overdrive-libby>.
- Stone, Brad. 2009. "Amazon Erases Orwell Books from Kindle." *The New York Times*, July 17. <http://www.nytimes.com/2009/07/18/technology/companies/18amazon.html>.
- UNESCO. 2024. "UNESCO's Action to Promote New Forms of Agreement and Cooperation for the Return and Restitution of Cultural Property." Last modified March 22. <https://www.unesco.org/en/fight-illicit-trafficking/agreement-and-cooperation-return-and-restitution>.
- University of North Texas Libraries. n.d. "Texas Digital Newspaper Program." Accessed June 26, 2026. <https://library.unt.edu/services/texas-digital-newspaper-program/#about-tdnp>.
- U.S. Congress. House. Committee on the Judiciary. 1976. *Copyright Law Revision*. 94th Cong., 2d sess., H.R. Rep. No. 94-1476, 74, 78.
- Van Rijsbergen, C. J. 1979. *Information Retrieval*. 2nd ed. Butterworths.
- Watts, James W. 2008. "The Three Dimensions of Scriptures." *Postscripts: The Journal of Sacred Texts, Cultural Histories, and Contemporary Contexts* 2 (2–3): 135–59. <https://doi.org/10.1558/post.v2i2.135>.
- Wikipedia. 2026a. "Climate Change Denial." Last modified April 19. https://en.wikipedia.org/wiki/Climate_change_denial.
- Wikipedia. 2026b. "List of Destroyed Libraries." Last modified June 16. https://en.wikipedia.org/wiki/List_of_destroyed_libraries.
- Wikipedia. 2026c. "Wikipedia: Prime Objective." Last modified June 16. https://en.wikipedia.org/wiki/Wikipedia:Prime_objective.
- Woodcock, Claire. 2022. "Ebook Services Are Bringing Unhinged Conspiracy Books into Public Libraries." *Vice*, April 20. <https://www.vice.com/en/article/ebook-services-are-bringing-unhinged-conspiracy-books-into-public-libraries/>.
- Wyber, Stephen. 2025. "Presentation at Library Leaders Forum Virtual Webinar." Internet Archive, October 16. <https://archive.org/details/library-leaders-forum-2025>.
- YouVersion. n.d. "Why Different Bibles Include Different Verses." *YouVersion* (blog). Accessed June 25, 2026. <https://blog.youversion.com/why-different-bibles-include-different-verses/#:~:text=Contrary%20to%20some%20recent%20rumors,we%20make%20available%20via%20YouVersion>.
- Ziskina, Juliya. 2023. *Toward a New Access Paradigm: Digital Ownership for Libraries and the Public*. Library Futures Policy Paper. February 14. <https://www.libraryfutures.net/post/digital-ownership-for-libraries-and-the-public/>.

Authors

Michael Menna is an outgoing Law and Policy Specialist at the Internet Archive and incoming Visiting Faculty Fellow at the University of Michigan Law School. He received both his PhD and JD from Stanford, after which he clerked for Judge M. Margaret McKeown on the Ninth Circuit Court of Appeals. His academic writing is either published or forthcoming in *The Journal of Intellectual Property Law*, *English Literary History*, *Early Theatre*, *PMLA*, and *Shakespeare Studies*.

Lila Bailey is Senior Policy Counsel at the Internet Archive. A seasoned attorney and copyright expert, she leads the library's policy work.

Submissions

We seek submissions from both researchers and practitioners, that fall into one of three submission categories:

- Opinions/First Drafts – Editorial in nature; the first draft of an idea or argument.
- White Papers – Longer form discussions that may include research.
- Peer Reviewed – Long form articles that include original research and arguments, and are submitted for review by our Editorial Board and/or external reviewers.

Submission Guidelines

Who Can Write for The Political Librarian?

We want to bring in a variety of perspectives to the journal and do not limit our contributors to just those working in the field of library and information science. We seek submissions from researchers, practitioners, community members, or others dedicated to furthering the discussion, promoting research, and helping to re-envision tax policy and public policy on the extremely local level.

Submission Categories

- Opinions/First Draft – Editorial in nature; the first draft of an idea or argument (1000-2000 words).
- White Papers – Longer form discussions that may include research (2000-5000 words).
- Peer Reviewed – Long form articles that include original research and arguments, and are submitted for peer-review by our Editorial Board and invited reviewers. (2000-12,000 words).

Article Proposals

If you want to propose an article for The Political Librarian, please submit the following:

1. Article abstract: a paragraph of no more than 250 words. Be sure to include what category of article that you're writing.
2. Attach resume/CV or a link to an online version.
3. Writing sample: this can be a fully completed article, blog post, essay, etc. Our goal is to see your style and ability not judge where the writing comes from.

Completed Works

Completed submissions should include:

1. Article abstract: a paragraph of no more than 250 words. Be sure to include what category of article that you're writing.
2. Attach resume/CV or a link to an online version.
3. Full text of the submission.

If you are interested in submitting a work to our journal, please download our complete submission guidelines and style guide, at: <https://journals.library.wustl.edu/pollib/article/id/8830/>