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**Working Paper # 007: Examining Intersections between  
Open Government and Nonprofit Advocacy: Theoretical and  
Empirical Perspectives about an Emerging Relationship**

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**Examining Intersections between Open Government and Nonprofit Advocacy: Theoretical  
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# **Examining Intersections between Open Government and Nonprofit Advocacy: Theoretical and Empirical Perspectives about an Emerging Relationship**

## **Abstract**

The creation of open and transparent government has long been a goal of reformers, students of democratic institutions and progressives of all stripes. The argument is that a transparent government is more stable, better functioning and enjoys a higher level of support (Justice, McNutt. & Smith, 2011). The International movement toward open government is a major force in public management (Lathrop & Ruma, 2010).

While many in the nonprofit sector would support open government (and have actively advocated for it), the function that is most affected is nonprofit advocacy. Advocates can directly benefit from open government. Information is the lifeblood of nonprofit advocacy and much of the information that advocates require is the target of open government programs (see Berry & Arons, 2002; Libby, 2011; Bass, Arons, Guinane & Carter, 2007). This paper will explore the relationship between nonprofit advocacy and policy making and the movement toward open government. We will develop a theoretical model that describes the relationship between the sector in general and nonprofit advocacy in specific, on the one hand, and open government efforts on the other. We will illustrate the model with empirical findings from a recent study of the use of transparency data by advocates in a single state. In this research we surveyed the population on nonprofits that employed a legislative advocate. The study dealt with the use of information by advocates and the utility of open government/transparency resources for improving the quality of advocacy.

Open government is an important force in the future of the nonprofit sector. We hope to promote a dialog in the study of this emerging force from the lens of the nonprofit sector

## **Examining Intersections between Open Government and Nonprofit Advocacy: Theoretical and Empirical Perspectives about an Emerging Relationship.**

Successful nonprofit advocacy is built on a ready supply of accurate information which is critical for effective lobbying, strategic fundraising, get out the vote campaigns and so forth (Berry, 1972; Berry & Arons, 2002; Libby, 2011; Bass, Arons, Guinane & Carter, 2007). Much of this information comes from private sources and original research but some of it comes from government. The census, reports from governmental statistical organizations, research from the Governmental Accountability Office and the Congressional Budget Offices are frequently used to support policy agendas of nonprofit organizations. The advent of new sources of federal and state information released under open government efforts (Lathrop & Ruma, 2010) can be boon to advocacy efforts if advocates are aware of it and can use it in the way provided.

This study will be an examination of the use of information released under transparency efforts (Fiscal, Programmatic and Decisional) by nonprofit advocacy organizations. We will look at awareness of these resources, use in the advocacy process, drawbacks and future data needs. This research will be useful in evaluating transparency efforts, clarifying the relationship between government information and the advocacy process and offering deeper insights about the use of information in the advocacy process. The following research questions will guide the study:

- 1) Are nonprofit advocates aware of the resources available via state and federal transparency efforts?

- 2) How is transparency information used Identify the Uses of transparency resources by nonprofit advocates in conducting their advocacy activities:
- 3) What are the barriers to awareness and use of government transparency data?
- 4) What are the data gaps where new transparency resources might be needed?

## **Review of the Literature**

There are several bodies of literature that can be useful to place the present study in context. The first, of course, is the knowledge base on nonprofit advocacy and the larger literature on nonprofit government relations. Second, there is the research base on open government and transparency. Third, there is the complimentary research base on the implementation of e-government and governmental technology. Each of these literatures will be considered in turn.

**Nonprofit Advocacy:** The growing literature on nonprofit advocacy presents a form of nonprofit practice that is both central to the nonprofit sector's function and controversial at the level of nonprofit practice. Nonprofit advocacy is often considered central to the sector's function to address social wrongs and promote the good society. It is also important because of its capacity to protect the sector and its programs from hostile policy activity. The nonprofit sector has always considered itself a champion of a better society and the advocate for those who are poor, oppressed and disenfranchised (Solomon, 1999; Bremner, 1989). Nonprofit advocates have pushed for progressive reforms in a variety of arenas and a wide variety of issues.

On balance, there are many in the nonprofit sector that eschew advocacy, consider it unprofessional or even illegal and refuse to engage in it. Part of this is based on misunderstanding of the tax laws or fear of retribution, but, at the end of the day, many nonprofits do not advocate (Berry & Arons, 2002; Bass, Arons, Guinane & Carter, 2007).

Those organizations that do lobby and do advocate use a variety of information sources. While much of this is essentially library research, many advocacy organizations conduct their own original research. The information developed from all of these sources supports lobbying, public education, community organizing, political donations and even electoral work. In many cases, traditional advocacy practice is powered by this information. Lobbying, for example, depends on the information that lawmakers need. Most lawmakers are generalists who must address a range of issues that go far beyond what they are experts about. While many have staff (although this varies in state legislatures) to advise them, lobbyist provide an important source of information. Research studies form the basis for much of that information. At the same time, interest group research can provide the basis for public awareness and education campaigns.

While there are certainly exceptions, nonprofits that advocate for policy change need a ready supply of solid and unbiased information. This makes many of these organizations dependent on information. Those that cannot afford to develop their own information rely on publically available information.

The Government collects a wide variety of information about social conditions. These include information on population, economic activity, air and water pollution, poverty,

disease incidence and prevalence, educational achievement and so forth. This information is frequently important in identifying problems and documenting the need for policy change. In addition, there is information about the conduct of government affairs. Some of this is day to day functioning of government agencies, but other information often involves the nature of decision making. Much of this information is confidential and advocates who need access to it must find ways to force it from those who keep it secret. Freedom of Information Act requests and lawsuits are among the techniques that advocates use.

Things are changing. Some of the information that advocates have hungered for is now available freely because of open government efforts. Much of this information is available online. This might seem to be a revolution that changes everything.

Open Government and Transparency: The movement toward open government has picked up momentum in recent years but has long been a goal of progressive government reformers. The idea that citizens should have access to government information is important in theories of democracy and political participation. This is a worldwide movement that predated the Internet.

The growth of technology has accelerated by technology. Many technology enhanced products and programs have replaced difficult to use traditional techniques. An important part of this movement is Transparency 2.0, an effort to make checkbook level available to every citizen via the Internet. This moves past traditional provision of budgets and other expenditure data.

At the same time, there have been substantial developments in the news linking technology to transparency and privacy. Two such examples are the revelations about NSA surveillance and the emergence of groups like Wikileaks. These issues cast additional attention on government transparency (Benkler, 2012).

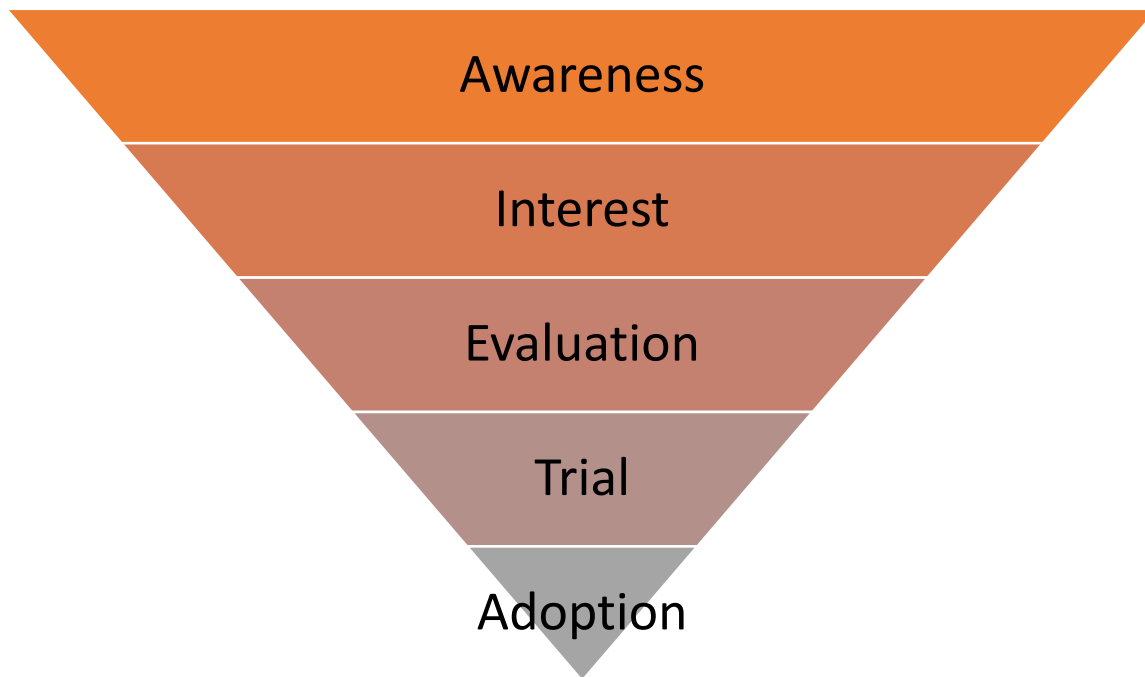
While there are exceptions, most online transparency efforts involve e-government. This makes the performance of e-government critical to the success of online transparency.

**E-Government:** The development of electronic government or e-government is a worldwide movement. Technology has revolutionized the way that government information is provided and how services are delivered (West, 2005). Layne and Lee (2001) argue that e-government will finally result in transformation of government. On balance, there is evidence of high failure rates of e-government efforts (Heeks, 2003). At least some e-government enthusiasts follow the argument that creating a capacity is sufficient to assure use and application. This is rarely the case and research on social change establishes that other factors, in addition to the technical success of the intervention, are needed.

**Theoretical Framework:** Diffusion of Innovation Theory (Rogers, 2003) provides the primary theoretical framework for this study. Rogers work documents the many factors that influence the adoption of an innovation. In this particular context, Rogers (2003) stages of the adoption of an innovation provide a useful tool to understand how an innovation (such as a transparency resource) is adopted by users (such as nonprofit advocates. In Rogers' (2003) approach, users progress through a series of stages from awareness to adoption: Awareness, Interest, Evaluation, Trial and Adoption.



**Figure 1: Rogers Stages of Adoption.**



Each innovation proceeds through each step in order. Obviously, fewer and fewer innovations make it to the later stages. We would expect that far more would be aware of a transparency resource than would actually try to use it. We would also expect that, over time, the number of users would grow. Since these resources are in their infancy, many if not most would be at the awareness stage.

### **Methodology**

This is a cross sectional survey of nonprofit organizations, engaged in advocacy, in a northeastern state. Subjects (n=106) are nonprofit organizations (exclusive of trade and labor organizations, universities and hospitals) with a physical presence in the state who

have a representative registered to lobby with the Delaware State Public Integrity Commission. Registration is required for lobbying in the State of Delaware:

**DEL CODE § 5832 : Delaware Code - Section 5832: REGISTRATION OF LOBBYISTS  
WITH THE STATE PUBLIC INTEGRITY COMMISSION**

(a) Every lobbyist shall register with the Commission in a lobbyist docket and file, at that time, the authorization from the lobbyist's employer as required by § 5833 of this title. A person who qualifies as a lobbyist in accordance with § 5831(a)(5)a. or b. of this title shall register prior to performing any acts as a lobbyist. A person who qualifies as a lobbyist in accordance with § 5831(a)(5)c. of this title must register within 5 days after so qualifying, if not already registered as a lobbyist

The Commission publishes the registration results and the list of registrant organizations was used as a sampling frame. Lobbyists are tied to particular organizations on the list. As is true in many states, lobbyists often work for multiple organizations.

Two caveats are in order. First, not all lobbyists are compensated employees of their respective organizations. Some are volunteers, including board members and so forth. Second, it isn't at all clear that the employing organization need to be incorporated.

This sampling frame was developed in order to insure that the organizations used were actually engaged in advocacy of some sort. While many organizations claim to be advocates, those who employ a lobbyist would appear to be more seriously engaged.

Searches on the Internet were used to identify the organizational respondent and the relevant E-Mail address. Data collection was accomplished via a Survey of Legislative/advocacy Directors using an Internet survey. The survey inquires about uses of data in nonprofit organizations, data sources, barriers to data use and so forth.

### **Results:**

The questionnaire was administered in the late summer of 2013 and multiple reminders were sent to nonresponders. Several organizations indicated that they did not have a lobbyist and at least one suggested that they were not a nonprofit. We received 53 usable responses for a response rate of 50%. Given today's typical low response rate (Peytchev, 2013) and the sensitive nature of the topic, this is a good result. There was some missing data. Our findings are organized in terms of policy research, resources and barriers.

### **Policy Research by Nonprofits**

We first asked about policy related research done by the nonprofits. The data can be found in Table 1. Respondents reported that almost two thirds (63.3%) conducted their own data collection. In addition, most either used research conducted by others or do their own research using data collected by others. A very small number of organizations reported doing no research.

**Table 1: Research Reported By Responding Organizations**

Type of Research	N	%
Do original research where you collect or compile raw data	33	63.3
Do original research using data collected or compiled by others (secondary data)	40	75.5
Use Research that is created by others who are related to your organization	44	83
Use Research that is created by others who are not related to your organization	40	75.5
Use other research methods	4	7.6
We don't engage in policy- or advocacy-related research	3	5.7

We next asked respondents to report the ways that they used research findings in conducting their advocacy activities. Table 2 provides the results. Almost all (88.7%) reported using research to understand an issue, followed by a slightly smaller number (84.9%) who used research to approach an elected official.

**Table 2: Reported Use of Research by Responding Nonprofit Organizations**

Research Utilization	N	%
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Identify an issue.	38	71.7
Understand an issue.	47	88.7
Create a fact sheet.	37	68.8
Brand the issue.	20	37.7
Map out possible supporters and detractors.	30	56.6
Form a coalition.	30	56.6
Organize a Community	21	39.6
Develop educational materials.	35	66
Launch a media campaign.	24	45.3
Approach elected officials	45	84.9
Approach nonelected Officials	38	71.7
Support Litigation	12	22.66
Monitor progress on the issue	41	77.4
Other	4	7.5

### Use of Information from Transparency Programs

We next asked respondents to report their use of various federal transparency resources. Each respondent was given a range of possibilities derived from Diffusion of Innovation theory. Most of these efforts are of recent vintage, some a response to the American Recovery and Reinvestment Act of 2009 (PL 111-5). The US Government Resources are presented in Table 3:

**Table 3: US Federal Government Transparency Efforts**

1. Recovery.Gov
2. ARRA Agency Resources
3. Data.Gov
4. TARP Tracker
5. USA Spending

These efforts are all available online and all Americans with technology access have the ability to examine what they have available. The states also have their own transparency resources, which vary from state to state. The Delaware resources are presented in Table 4.

**Table 4: State of Delaware Transparency Efforts**

<ol style="list-style-type: none"> <li>1. Delaware Online Checkbook Site</li> <li>2. Delaware Employee Credit Card Site</li> <li>3. Ideas Delaware</li> <li>4. Contact the Governor</li> <li>5. Legislative Information Hub</li> <li>6. Submit Your Suggestions for Cost Saving Resource</li> <li>7. Delaware Dept. of Transportation Economic Recovery Projects Resource</li> <li>8. Dept. of Natural Resources &amp; Environmental Control - Delaware Environmental Navigator</li> </ol>	<ol style="list-style-type: none"> <li>11. Delaware campaign finance &amp; lobbying disclosure</li> <li>12. Audit Reports</li> <li>13. Fraud Hotline</li> <li>14. Delaware Stimulus &amp; recovery tracking tools</li> <li>15. State Telephone Directory</li> <li>16. Consumer Protection</li> </ol>
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<p>9. Share Your Thoughts 10. Reality Check: Briefing on the Budget Challenges Resource</p>	
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Some of these resources are older, while others have developed in the past four years.

Awareness

For each program, we asked whether the respondent was aware that the resource was available. The results are presented in table 5. We divided the responses into 50% or greater unawareness and less than 50% unawareness.

**Table 5: Respondents reported Awareness of Federal and State Transparency Efforts**

<p><b>Projects with 50% or More Respondents Reporting That they were Unaware of the Resource</b></p>	<p><b>Projects with less than 50% Respondents Reporting That they were Unaware of the Resource</b></p>
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<ul style="list-style-type: none"> <li>• <i>Recovery.Gov</i> (64.2)</li> <li>• <i>Data.Gov</i> (56.0)</li> <li>• <i>USA Spending</i> (78.0)</li> <li>• Delaware Online Checkbook Site (52)</li> <li>• Ideas Delaware (68.8)</li> <li>• Submit Your Suggestions for Cost Saving Resource (60.8)</li> <li>• Share Your Thoughts (82)</li> <li>• Reality Check: Briefing on the Budget Challenges Resource (74)</li> </ul>	<ul style="list-style-type: none"> <li>• <i>ARRA Agency Resources</i> (37.7)</li> <li>• <i>TARP Tracker</i> (44.0)</li> <li>• Delaware Employee Credit Card Site (49)</li> <li>• Delaware Dept. of Transportation Economic Recovery Projects Resource (49)</li> <li>• Contact the Governor (16.7)</li> <li>• Legislative Information Hub (0)</li> <li>• Dept. of Natural Resources &amp; Environmental Control - Delaware Environmental Navigator (26)</li> <li>• Delaware campaign finance &amp; lobbying disclosure (6.1)</li> <li>• Audit Reports (31.9)</li> <li>• Fraud Hotline (36.7)</li> <li>• Delaware Stimulus &amp; recovery tracking tools (43)</li> <li>• State Telephone Directory (10.4)</li> <li>• Consumer Protection (14.6)</li> </ul>
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*Federal Programs are italicized*

Most of the respondents reported that they were unaware of most of the federal programs and a large number of state programs. Many of the programs that enjoyed higher levels of awareness were older efforts such as the state legislative hub. In general, the awareness levels for most programs were low.

Regular Utilization of Transparency Resources: Regular utilization represents adoption in Rogers (2003) approach. Table 6 presents the results, dichotomized by 20% or more vs Less than 20%. This lower standard was used because the framework predicts it will be lower.

**Table 6: Reported Regular Usage of Online Transparency Resources**



Projects with 20% or More Respondents Reporting That they Regularly Used the Resource	Projects with less than 20% Respondents Reporting That they Regularly Used the Resource
<ul style="list-style-type: none"> <li>• State Telephone Directory (27.1)</li> <li>• Delaware campaign finance &amp; lobbying disclosure (20.4)</li> <li>• Delaware State Assembly (66)</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Recovery.Gov</i> (0)</li> <li>• <i>Data.Gov</i> (0)</li> <li>• <i>USA Spending</i> (0)</li> <li>• <i>ARRA Agency Resources</i> (0)</li> <li>• <i>TARP Tracker</i> (0)</li> <li>• Delaware Employee Credit Card Site (5.7)</li> <li>• Delaware Dept. of Transportation Economic Recovery Projects Resource (2.1)</li> <li>• Contact the Governor (2.1)</li> <li>• Dept. of Natural Resources &amp; Environmental Control - Delaware Environmental Navigator (6.0)</li> <li>• Audit Reports (5.7)</li> <li>• Fraud Hotline (0)</li> <li>• Delaware Stimulus &amp; recovery tracking tools (43)</li> <li>• Delaware Online Checkbook Site (6)</li> <li>• Ideas Delaware (0)</li> <li>• Submit Your Suggestions for Cost Saving Resource (0)</li> <li>• Share Your Thoughts (0)</li> <li>• Reality Check: Briefing on the Budget Challenges Resource (0)</li> <li>• Consumer Protection (0)</li> </ul>

A very small number of resources were reported used by even 20% of the respondents.

These were state resources, the majority older resources. This suggests that widespread adoption had yet to occur.

**Barriers to Adoption**

Barriers can prevent a resource from being used. Table 7 reports the identified barriers to adoption.

Table 7: Reported Barriers to Adoption of Online Transparency Resources

<b>Barrier</b>	<b>N</b>	<b>%</b>
<b>Needed data or communication option is not available</b>	20	95.2%
<b>Needed Data or communication option might be available but I cannot locate it</b>	7	33.3%
<b>Needed Data or communication option is Available but requires a fee</b>	1	4.8%
<b>Needed Data or communication option is available but the format is difficult to work with</b>	1	4.8%
<b>Needed Data or communication option is available but the interface is hard to use</b>	1	4.8%
<b>Needed data or communication option is available but is incomplete</b>	3	14.3%
<b>Needed data or communication option is available but inaccurate or unreliable</b>	2	9.5%
<b>Needed data or communication option is available but not usable due to restrictions</b>	3	14.3%

Far and away the most common reported barrier is that the needed resource was not available. The second most common reason was that the respondent could not locate the resource. Other potential barriers were infrequently identified.

Data Gaps: In addition to the closed ended questions about transparency resources and advocacy activity, we asked for suggested future resources. Federal resources included Digital mapping services, Data/Reports/Hearing dates/Agenda/Decisions/Meeting minutes & recordings should be readily available, Deeper student, teacher and school data, personal financial disclosure reports of federal officials, Tracking environmental legislation, Up to date and simple to use organizational charts/trees and contact information and Consultant data. State needs included digital mapping services, expand General Assembly website function to include who legislator voted for what, when; supply notes/meeting minutes of committee hearings, how needs-based funding for children with

special needs is deployed by schools, accurate listing of public meetings, sites that list current information, agency budgets posted as raw data, data/reports/hearing dates/agenda/decisions/meeting minutes & recordings should be readily available always, making public knowledge of entrenched lobbyists and their effect/sway on elected officials, online database of state contracts, specific data on land acquisition including restrictive deed covenants, date of purchase, and allowable uses of land, posted calendars of appointed officials and what special interest groups they meet with on various issues. this administrative lobbying is extensive but behind closed doors in Delaware ,deeper student, teacher and school data, non profit as service providers in state or local government, state employee pension data, personal financial disclosure reports of state officials, tracking environmental legislation, regulations, legislation source disclosure for the general assembly similar to the New Castle county bill introduced to name any entity who author sponsored legislation, up to date and simple to use organizational charts/trees and contact information and more complete and current agency information, include timely posting of data such as contract proposals and awards that are stated to be in the public domain.

This substantial list reflects the wide variety of issues that Delaware nonprofit organizations advocate about. It reflects, at both levels, the need for more and easier to use data, on the one hand, and more information about decisions and decision makers on the other.

## **Discussion**

This is a study of the use of online transparency by nonprofits that advocate to alter public policy. Policy knowledge is critical to the success of advocacy efforts and this study improves our understanding of how that effort is conducted.

We find that these organizations make surprisingly extensive use of the research process in constructing their advocacy efforts. This is apparent in both the degree to which organizations reported conducting their own research but also in the extensive number of advocacy techniques that made use of that research.

While part of that research might involve transparency resources, our results suggest that many of the responding organizations was unaware of many of the potential resources and regularly used few of the resources that they were aware. Many of the resources that they did report using are older resources. This would be consistent with Rogers (2003) diffusion of innovation theory.

The principle barrier was that resources were not available with a second barrier that the resources were difficult to find. This is not surprising given the newness of transparency efforts. The long list of needed resources included new data (including geospatial data) and information about both decision makers and the content of decisions.

Transparency effort leaders should make efforts to promote awareness of existing resources and to identify what resources are needed. It is possible that outreach efforts could be mounted that would address both objectives.

These findings are largely consistent with diffusion of innovation theory. Adoption is certainly lower than awareness and older resources are more likely to be adopted than newer resources.

Additional research is needed in this emerging area if we are to make transparency work for the nonprofit sector. While this is research that is new to nonprofit studies and begins to fill a major gap in the government nonprofit relations literature, we need to examine a larger range of states and examine the research utilization process in more detail.

These findings need to be considered in terms of the study limitations. This is a small sized sample in one state. Survey research suffers from social desirability effect, misunderstood questions and a host of additional issues. This study is not immune to those limitations.

Transparency is important to the future of government and the nonprofit sector. Hopefully nonprofits and government can work together to help realize the future of open government.

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