

Money, Priorities, and Stalemate: How Lobbying Affects Public Policy

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ABSTRACT

Based on a large-scale interview-based study of 98 randomly selected cases of lobbying in Washington from 1999 to 2003 (reported in Baumgartner et al. 2009), we found virtually no impact of money on outcomes. We believe that this counterintuitive finding derives from the huge business and corporate bias that permeates Washington and is already built into the policies of the status quo. Lobbying, it is important to remember, is generally about changing the status quo. The accumulated power of wealth, corporate organizational strength, and other factors keeping some actors out of Washington and giving others multiple and louder voices in the process is already reflected in the fabric of the status quo: they are “baked into the cake.” For reforms to have a significant impact, they should focus on who is at the table, not only on what they do once they are there. We found the biggest impact of money when we looked at the huge disjuncture between the concerns of the public and the activities of Washington lobbyists. Our findings represent a cautionary tale for those hoping that regulations on gifts or spending may generate a reversal in the distribution of power in Washington. Such regulations are genuinely needed and may have important effects, but we need to understand their expected limits as well.

MONEY, POWER, AND OUTCOMES

MANY WILL REGARD THE FINDINGS in our book *Lobbying and Policy Change: Who Wins, Who Loses, and Why* (Baumgartner et al. 2009) surprising. Across the random sample of policy disputes which we studied, money did not buy outcomes. The poorer side of the lobbying equation was equally likely to win as the richer side. Often, those protecting the status quo simply did nothing,

and those seeking change were unable to gain any attention because of the crush of demands on legislators’ time and attention: there simply was no space on the agenda for many sensible policy changes to be considered. We found a number of counterintuitive results in our study, and many of these have implications for what can reasonably be expected to follow from any effort to tighten campaign or lobbying finance regulations. To some extent, they represent a sobering assessment of the difficulty of designing regulatory changes that might alter the basic structures of power in Washington.

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THE WASHINGTON RESEARCH

Our project was based on a random sample of policy objectives of lobbying during the period from 1999 through 2002. The results are fully documented in *Lobbying and Policy Change* (Baumgartner et al. 2009), and at an associated website, where we

documented the substance of each of our cases: < <http://lobby.la.psu.edu> >. The gist of our approach was that we wanted to improve on previous studies by making sure we based our project on: 1) a large scale analysis of particular cases of lobbying, not interpretive generalizations about the governmental process in general; and 2) a random sample of issues, therefore including highly salient and conflictual ones as well as smaller-bore issues attracting little attention. Consequently, we cover the range of policy domains, not limited to any particular issue-area such as health care, transportation, or defense. In order to do this we adopted this methodological approach:

First, we drew a random sample of lobbyists based on the number of lobby disclosure reports they filed with the Congress in a recent time period. We weighted our sample by the number of reports. While not necessarily accurate to the *n*th decimal place, this method assured that we selected the most active lobbyists with higher probability than relatively inactive lobbyists.

Second, we asked the lobbyists to identify *the most recent* issue dealing with the federal government on which they had been active. Thus, if a huge lobbying frenzy was taking place and thousands of lobbyists were working on a particular issue, then this issue was highly likely to fall into our sample. On the other hand, we took the most recent issue the lobbyist had been working on, no matter what it was. The result is a random sample, not of public policies, not of policy changes, but of the *objects of lobbying activity* in Washington.

Third, we used snowball sampling techniques to interview leading organizations or individuals (inside and outside of government) that were also active on that issue. Our goal was to interview a leading group reflecting each perspective or point of view on the issue. In our terminology, each *issue* was made up of several competing *sides*, each of which might have a number of *major actors*. We sought interviews with a leading actor for each side in our project, and in all we conducted 315 interviews.

Fourth, we identified *every* major actor on each side. Using publicly available information including Federal Election Commission (FEC) reports, lobby disclosure reports, business directories, and a full search of newspaper and organizational websites, we gathered information about every major actor involved in each of our issues. In all we identified:

- 98 issues, ranging from high salience issues such as President Clinton's Permanent Normal Trade Relations with China to very narrow issues such as efforts to promote American production of recreational marine craft (e.g., yachts).
- 214 sides, typically just one side representing the protectors of the status quo and one seeking a policy change, but sometimes involving several efforts to achieve different outcomes. We defined a "side" as a group of actors seeking to achieve the same policy outcome. Note that we did *not* require members of a side to work together or to form a formal coalition. (Typically they did, but not always.)
- 2,221 major actors. About 60 percent of these actors were what are considered interest groups or outside lobbyists. These range from corporations to trade associations to citizen groups, etc. About 40 percent of our major players, however, were government officials themselves. We studied only "advocates" however, excluding any "neutral" government decision makers. That is, if the issue dealt with attempting to convince a committee chair to accept an amendment, we did not count the committee chair as an advocate; he or she would be a "neutral decision maker" in this case. We found very few such actors. Generally, lobbying "sides" were made up of mixtures of government and outside actors working closely together to achieve a shared policy goal.

With this empirical base, we then followed our issues through the end of the Congress when we did the initial interview, and for two additional years after that, through the end of the subsequent Congress. Our simple question was whether the policy change under consideration ever occurred. We found, overall, across the 98 issues that 58 cases showed no change; that 13 saw marginal changes; and that 27 cases saw significant policy change.

Knowing whether change had occurred, what the goals were of each side participating in the issue, which actors made up each side, and what material resources or government offices were controlled by each actor, it was then a very simple matter to correlate material resources with outcomes. This led to some surprises, which are the focus of the next sections.

MONEY DOES NOT BUY OUTCOMES

Stories in the news media often focus on large campaign contributions by interest groups—especially businesses and unions—and the even larger amounts spent on lobbying, especially by corporate interests. Table 1 shows that there is a great deal of accuracy to these reports. The table shows the interest groups that were identified in our interviews as having played a major role in one of our issues, and the average amount of political resources each type of group brought to bear on their political issues. The table examines three types of resources—the amount that the groups reported spending on lobbying during a six-month period, the amount of soft- and hard-money contributions from political action committees affiliated with the interest groups, and the number of former government officials (or “revolving door” lobbyists) who lobbied on behalf of each interest group. Lobbying spending and information about the former government officials comes from the federal Lobbying Disclosure Reports; information about campaign contributions comes from Federal Election Commission records.

Not surprisingly, businesses and their associated trade associations spent more, on average, than any other type of organization—more than \$1 million in a six-month period. Professional associations were close behind, but unions spent only about half that amount. Citizen groups, the most numerous type of organization in our study, on average spent

less than \$200,000 per six-month cycle.¹ The “other” groups—including governmental organizations, foundations, and institutions like universities and hospitals, on average spent the least (and in many cases were not required to register their spending at all, because they spent so little or because they were exempted because of their status as governmental organizations).

The reputation of unions as active spenders in the electoral realm is also well deserved. Unions spent far more than any other type of group on campaign contributions, totaling more than an average of \$4 million in the two-year election cycle preceding our study combined with the contributions in the first two years of our study. It is important to keep in mind, however, that there are far fewer unions active in Washington than there are businesses or trade associations, so the combined total of contributions from businesses would be much greater.² Businesses in our sample on average spent nearly \$1 million on campaign contributions during the four-year period, professional associations spent nearly \$900,000, and trade associations spent more than \$400,000. Citizen groups again were at the bottom of the financial list, spending on average less than \$200,000 in campaign funds. Many of the citizen groups and groups in the “other” category are prevented by law or organizational charter from donating to campaigns. For example, any citizen group with 501(c)(3) charitable status may not become involved in electoral politics (Berry and Arons 2003).

TABLE 1. AVERAGE RESOURCES BY GROUP TYPE

Type of group	Spending on lobbying	Spending on campaign contributions	Number of revolving door lobbyists	N
Businesses	\$1,051,985	\$965,132	.91	181
Trade associations	\$1,274,502	\$439,204	.56	275
Professional associations	\$973,333	\$884,844	.18	141
Unions	\$475,559	\$4,265,099	.14	77
Citizen groups	\$177,814	\$187,354	.24	329
All others	\$34,485	\$55,168	.07	241
All groups combined	\$628,632	\$662,042	.36	1,244

Note: Entries are mean resource levels for the interest groups that were identified in our study as having played a major role in one of our issues. Spending on lobbying is as reported during one six-month period in the organizations' federal Lobbying Disclosure Reports. Campaign contributions reflect all hard and soft money contributions reported from the organization in the two-year election cycles just before and during our study.

The (null) effects of money

The resource patterns shown by Table 1 closely match conventional assumptions about interest groups in Washington. Spending levels are high and occupational interests seem to predominate. But what is the result of all that spending? Studies of the effects of lobbying and political action

¹The Lobbying Disclosure Act originally required reporting every six months for all organizations spending more than \$20,000 on lobbying. The amended law requires reports every four months for organizations spending more than \$12,500.

²Unions actually make up only about two percent of all groups active in Washington (Baumgartner and Leech 2001). The count of 77 unions shown in Table 1 includes several unions who appear multiple times in our sample because they were named as major participants in more than one of our 98 issues. The AFL-CIO, for example, was named in ten of our issues.

committee (PAC) contributions by political scientists and economists have often turned up surprising results—this spending very often makes no difference (for summaries of this literature, see Baumgartner and Leech 1998; Smith 1996; for a meta-analysis confirming these findings, see Burstein and Linton 2002; for a recent study with similar findings, see McKay 2012). Many of the studies from the 1980s and 1990s tended to look at only one or a few issues at a time and were not easily comparable to each other because of differences in design. In addition, the studies generally looked at only one measure of an organization's resources—most often, campaign contributions. Could the reason why resources on average seemed to have little measurable effect on policy outcomes be because resources had not been adequately measured and enough issues had not been randomly selected? The *Lobbying and Policy Change* study set out to answer this question, using thirteen separate measures of interest group resources for all 1,244 interest groups identified as being major participants in our 98 randomly selected issues.

The most simple presentation—the correlations among five of our indicators of material resources and whether the organizations got the policy outcomes they wanted—is shown in Table 2. We look separately at whether each organization got what it wanted in the initial congressional session in which we studied the issue or in the congressional session immediately following, with success measured on a three-point scale that measured whether an organization had no success, partial success, or complete success. The results shown in Table 2 will disappoint those who assume that wealthy interests can walk into the Washington offices of our elected officials and get what they demand. Almost none of the correlations reach levels of conventional statistical significance, and those that are statistically significant are substantively very close to zero. An organization that scored high on our index of business resources (combining measures

of sales, net income, and number of employees) was very slightly more likely to have policy success, with only a 0.06 correlation.

It is important to remember, however, that politics aggregates individual organizations into “sides” that are for or against an issue, and those sides may represent a variety of different group types all working (together or separately) for the same goal. For example, one of our issues involved AIDS activism groups like the National Association of People with AIDS working hand-in-hand with pharmaceutical companies to get more funding for state-level programs that provide drugs for individuals with HIV/AIDS. In another case, Mexican-American citizen groups joined with huge telecommunications companies to try to get rid of an excise tax on long distance phone calls. If the well-resourced pharmaceutical and telecommunications interests were to succeed in those two cases, the under-financed citizen groups that also supported those issues would succeed as well.

Table 3 shows the correlations between resources and outcomes, but this time not for individual actors but for the aggregated “sides” which all seek the same outcomes. Now all of the individual-level measures of resources become statistically insignificant as businesses and citizen groups and other types of groups join together and aggregate their resources into heterogeneous sides. None of those relationships remain. What does, however, become statistically significant—although still at a quite modest level of correlation, below 0.2—is the number of governmental actors aligned with the side. These governmental allies are not just members of Congress who voted for or against an issue, but rather are governmental actors who were named in our interviews as being central participants on the issue. “Low-level governmental allies” include rank-and-file members of Congress; “mid-level allies” include committee and subcommittee leaders (chairs and ranking minority members and their staffs) and department-level political appointees and cabinet officials. “High-level

TABLE 2. MONEY AND POWER I: THE CORRELATION BETWEEN ADVOCATE RESOURCES AND OUTCOMES

<i>Correlation of resources with outcomes</i>	<i>PAC \$</i>	<i>Lobby spending</i>	<i>Revolving door lobbyists</i>	<i>Association assets</i>	<i>Members</i>	<i>Business assets</i>
Success in initial Congress	-.01	-.01	.04	-.02	-.04	.06*
Success in subsequent Congress	.01	.01	.06*	-.03	-.04*	.05*

N = 1,242.

**p* < .05. Cell entries are Spearman's rho coefficients.

PAC, political action committee.

TABLE 3. MONEY AND POWER II: THE CORRELATION BETWEEN SIDE RESOURCES AND OUTCOMES

<i>Correlation of resources with outcomes</i>	<i>PAC \$</i>	<i>Lobby spending</i>	<i>Revolving door lobbyists</i>	<i>Members</i>	<i>Association assets</i>	<i>Business assets</i>	<i>Low-level allies</i>	<i>Mid-level allies</i>	<i>High-level allies</i>
Success in initial Congress	-.04	.05	.09	.06	.10	.06	-.14*	.15*	.09
Success in subsequent Congress	.09	.07	.10	.01	.11	.10	-.06	.17*	.13

N = 191.

*p < .05. Cells reflect Spearman's rho correlation coefficients.

allies” include congressional party leadership and the White House. Having a lot of low-level allies actually showed a weak *negative* correlation with success in the first two years of the study. Mid-level governmental allies was somewhat correlated with better success in the first two years and in the final two years of our study. Having committee chairs and agency department heads in favor of your issue is advantageous.

The final step of our analyses, however, looks at what happens when two “sides” of an issue go head to head. This is the most important way to consider our data, because in the real world different issue areas attract different levels of overall resources. Lobbying on health issues and financial regulations tends to attract a lot of interest groups with a lot of money to spend on both sides of the issues. If the issue is civil liberties, however, spending on both sides is likely to be much lower, since the organizations involved are primarily nonprofit citizen groups. The question to consider is whether the side that has more resources is more likely to win if they have more resources than the other side has. Table 4 shows the results. It asks, for each type of material resources that might potentially matter to a lobbying group, whether the side with more of that resource won. The purely financial types of resources mattered little. Numbers ranged from 50 percent success for those with greater levels of campaign contributions to 53 percent success for those with greater business resources, and none of those percentages is statistically significant. Those with greater levels of the financial resources and those with lower levels of the financial resources achieve their policy goals an equal amount of the time.

The picture is somewhat different when we look at the top of Table 4 and see the difference made by having more governmental allies and having more former government officials lobbying on behalf of your side of the issue. Sides with more high-level government allies were successful nearly 80 percent

of the time, while sides with more mid-level government allies were successful 60 percent of the time, and those percentages are statistically different from mere chance. In addition, having more former government officials lobbying for your side led to success 63 percent of the time, a finding that should give us pause as these “revolving door” lobbyists are indeed a type of ally that money can buy.

A multivariate analysis of these issues reported in Baumgartner et al. (2009) further demonstrates the importance of allies and the attenuated role of resources. Looking separately at sides that sought to change the status quo policy and sides that sought to protect the status quo policy, we considered the role of presidential support or opposition, mid-level congressional support, and whether the side

TABLE 4. ISSUE OUTCOMES: THE RICHER DO NOT ALWAYS PREVAIL

<i>Type of resource</i>	<i>Percent of issues where the perspective with greater control of this resource gained its preferred outcome</i>	<i>Number of issues</i>
High-level government allies	78%*	23
Revolving door lobbyists	63%*	35
Midlevel government allies	60%*	48
Business financial resources	53% ns	34
Lobbying expenditures	52% ns	58
Association financial resources	50% ns	58
Membership	50% ns	58
Campaign contributions	50% ns	58

Note: Cell entries are the percent of issues in which perspective with the greatest amount of that type of resource achieved its policy goals. N varies because not every issue had multiple perspectives and in some issues, none of the perspectives used that type of resource. Cases are included in the table if *at least one* perspective controlled the resource. For example, there were 23 issues in which at least one of the perspectives had high-level government allies, and the perspective that had more of them got the outcome it wanted 78 percent of the time. Issues where no side had any high-level government allies are excluded.

*p < .05.

ns, not statistically significant.

had an advantage over the other side in terms of resources. As in the results presented in Table 4, mid-level and high-level governmental allies made a difference, for better or worse. If the president was identified as a major player in pushing a particular policy change, sides that wanted to preserve the existing policy were almost 60 percentage points less likely to succeed in doing so. If the president was actively working against a policy change, the probability of change dropped from a baseline of a 24 percent chance down to a mere 6 percent chance of success in changing the policy. Mid-level allies had a statistically significant effect in helping preserve the status quo, but no measurable effect for those organizations who were hoping to change policy. For both those protecting the status quo and those hoping to change it, having a comparative resource advantage over the other side did increase their likelihood of success—but only in the first two year period, not in the subsequent two years. This is likely the result of a change in presidential administration (from Clinton to George W. Bush) that turned some winners into losers and vice versa, but also suggests that the resource advantage for well-funded groups has strong political limits. Resources mattered more to those who were protecting the status quo, but it is important to note that in most of our cases, resources were fairly equally distributed. There were, however, 19 issues in our sample in which one side had a significant resource advantage (more than one standard deviation difference in our resource index, which combined all of our measures of resources into a single measure). There were twelve issues in which the side seeking policy change had the resource advantage, and policy change occurred in five of those issues, more than the .24 baseline probability of change. There were seven issues in our sample in which the side supporting the status quo had the advantage, and the status quo was preserved in all but one of those cases, a somewhat greater probability than the baseline probability: overall the status quo was preserved 76 percent of the time, compared to the 85 percent probability for those with a resource advantage.

Why Don't the Rich Always Win?

In general our findings show that monetary resources do not equal policy success and that the advantages that resources provide are more subtle and attenuated than conventional wisdom would

have us believe. There are two reasons for the limitations of money in the political process. First, sides are heterogeneous. And second, lobbying is about change, not establishing policy from a blank slate. Therefore, for any given lobbying episode, if we assume that “power” is already reflected in the status quo policy, then the question for government officials is whether that bias should be pushed further in favor of those already advantaged, or perhaps pulled slightly away from them. This section addresses both ideas in order.

Heterogeneous lobbying sides. If lobbyists, like wolves, work in packs, we need to know the structure of those packs. Do the wealthy ally only with the wealthy, or is it common for groups strong in one type of resource (say, membership) to work in concert with organizations that have greater amounts of some other resource (say, corporate sales, or hired lobbyists on staff). Table 5 shows the correlations, across 13 different indicators of control of material resources, between the amount of that resource controlled by any individual lobbying organization in our study and the *combined resources of all of that group's allies*. That is, if Group 1 is part of a side with three other groups (Groups 2, 3, and 4), the table shows the correlation between the resources of Group 1 and the sum of the resources controlled by Groups 2–4.

TABLE 5. CORRELATIONS AMONG INDIVIDUAL RESOURCES AND THOSE OF ALLIES

<i>Type of resource</i>	<i>Correlation between individual and allied resources</i>
Annual sales +	.26*
Annual income +	.24*
Number of employees +	.23*
Lobbying expenditures + ^	.17*
Revolving door lobbyists + ^	.13*
PAC contributions + ^	.22*
Membership size ^	.05
Organizational assets ^	.11*
Organizational income ^	.13*
Annual budget ^	.22*
Total staff size ^	.22*
Index of organizational resources ^	.15*
Index of business resources +	.31*

Note: The table shows the Pearson's correlation among each of 13 separate indicators of material resources controlled by each individual organization or corporation with the aggregated resources of the same type controlled by all other organizations in the same perspective.

N = 1,244 for all correlations.

**p* < .01.

+ measure available for corporations.

^ measure available for organizations.

Table 5 demonstrates one simple reason why we see a low correlation between the resources associated with individual lobbyists and their ability to get what they want in Washington: they do not lobby alone. Given that the highest correlation in Table 5 is 0.30, it is mathematically impossible to see any correlation higher than that between individual advocate resources and outcomes. That is, even if the wealthier side always won, the wealthier individual lobbying groups would not; the correlation could never rise higher than those listed in Table 5. Of course, we know from the previous tables that the wealthier side does not always win. But the figures in Table 5 lay out what may be some surprising mathematical facts; wealthy advocates cannot always come out on top, because lobbyist coalitions tend not to be homogeneous with respect to the material resources controlled by individual groups. As in the pharmaceutical and communications tax issues discussed above, politics makes strange bedfellows, and those strange alliances help equalize the resource levels brought to bear on most issues.

Change versus levels of public policy advantage. As important as the foregoing explanation of the puzzle of limited impact of material resources may be, it is not the most important reason. The more important reason by far is the simple truth that lobbying rarely involves creating a public policy out of whole cloth. Rather, it reflects the efforts of advocates inside and outside of government to deflect an existing public policy in one direction or another.

Assume for a moment that the existing state of public policy reflects the accumulated efforts of lobbyists and others to establish an advantage over many previous iterations of the policymaking process. For example, say through differential mobilization and access farmers have achieved preferential treatment of their interest as reflected in low tax rates for their property, subsidized training programs through agricultural extension programs, and government funded efforts to promote agricultural exports. Let us further assume that at some point in time an advocacy organization or public official seeks to draw back, or reduce, one of those preferential policies. Lobbyists on both sides will mobilize, but the policy itself would not have been enacted in previous years if there had not been support for it. Therefore we cannot assume that an attack on an established benefit will be successful.

What we are looking at now, however, is an effort to *change* a policy, not one to *establish* one.

If policy reflects power, then change in policy would reflect change in power. But change in power is quite different from power itself. For any given policy area, at any given time, it might be that the most powerful side loses a little power, or that it gains power. Of course it is possible that over time the differences between rich and poor only continue, progressively, to grow farther apart. In that case, we would expect to see the wealthy tending to win most of the time in their lobbying efforts. In the short term, however, it is more likely that *changes* in power are not significant. Therefore, it is not likely that one side or the other would *systematically* be on the winning side of the policy process. After all, if the wealthy side really needed or wanted a given policy benefit, why did they not achieve it 20 years ago?

So our main explanation for the lack of effects of resources on lobbying success is that lobbying success is not the same as policy success. Resources may well be related to policy success. Boeing sells lots of expensive material to the U.S. armed forces; this is a massive policy success. But in a given debate about whether to increase or decrease the degree of that benefit, from year to year, we cannot conclude that the ability of a group to achieve initial success will lead to continued improvement in its position. If they reached their equilibrium value in extracting goods from government, then changes from this equilibrium should be random, not systematic.

What are the implications of this? Our study emphasizes that we should consider resource advantages to be related to policy advantage. But lobbying is about changes in policy, and so logically it should be related to changes in lobbying resource advantage. As we will discuss below, it may also be related to the degree to which one might expect those currently advantaged to fight against reforms to the lobbying and campaign contribution regulatory system that might take away this advantage. We would not be interested in making changes if we did not expect that they would affect policy outcomes.

LOBBYING PRIORITIES VERSUS PUBLIC PRIORITIES

While policy change is an important bottom-line measure for evaluating the impact of organized

interests in national politics, it is not the only measure. For example, the policymaking process has important early stages when problems are defined and when issues attract the attention of government officials. Focusing solely on lawmaking or rulemaking tends to ignore other important stages of the policymaking process where interest groups can also exert influence (Theriault and Shafran 2013). Thus, while we find that lobbying resources at best modestly predict policy change, that is not the beginning nor the end of lobbying influence in Washington (see also Kimball et al. 2012).

Lobbying may have a stronger impact on the agenda-setting stage of the policy process, when government officials determine which issues merit significant attention and which issues can be safely ignored. Attention is a critical but limited resource in the policymaking process. Government officials have a limited amount of attention to devote to different policy problems. The problem with the bias in interest group representation in Washington is that it may determine which interests are “at the table,” as compared to those that are “on the menu” (Schlozman, Verba, and Brady 2012, vi). Lobbying may affect whose voices are amplified and whose voices are simply not heard when vying for the attention of government officials. Those not present in the Washington community cannot protect themselves when their concerns are being ignored or trampled.

It is difficult to design a research project to establish a comparison of the wants and values of the American public and those of the Washington lobbying community. However, our project, based on the 98 randomly selected issues, provided at least an opportunity to shed some light on this question. We classified each issue based on the same list of topics as used in the Policy Agendas Project (<www.policyagendas.org>), which gathers and makes available comprehensive datasets about U.S. federal government activity since 1947. This allows us to compare what might be called the “lobbying agenda” (that is, the set of issues of concern to lobbyists) with other agendas. For example, we measure the public agenda based on national surveys that asked “What is the most important issue facing the country today?” The Policy Agendas Project coded responses to that question from 15 national Gallup surveys conducted during our study period into the same topic areas, allowing us to compare the lobbying and public agendas.

Table 6 lays out the stark differences between the concerns of average Americans and Washington lobby groups. The table lists the top five policy areas mentioned by lobbyists with the top five mentioned by the public. Whereas members of the public report their greatest concern for crime, the state of the economy, the threat of war/terrorism, education, and health care, the lobbyists are active in the areas of health care, the environment, transportation, communication technologies, national security, and banking. Of the top areas of activity for the lobbyists, only one of these (health care) is a top concern among members of the public. And some topics that register with the public, such as civil rights, are completely absent from the lobbying agenda.

The gap between the priorities of lobbyists and the public is even greater than indicated by the comparison in Table 6. Much lobbying is devoted to issues that garner very little public interest or attention. For example, lobbying in the area of defense and national security focused almost exclusively on appropriations and procurement procedures for specific weapons, something the public cares little about. As another example, consider health care, an issue that is a top priority for the public and for lobbyists. When it comes to health care, the public, of course, is concerned with access, quality, and cost. However, health care lobbyists tend to be interested in less salient issues. More than one-third of the health issues in the lobbying agenda dealt with reimbursement rates for various medical professionals in the Medicare program or insurance coverage for particular treatments. It is certainly understandable that much lobbying occurs on relatively

TABLE 6. TOP LOBBYING PRIORITIES COMPARED TO TOP PUBLIC PRIORITIES, 1999–2002

<i>Top lobbying priorities</i>	<i>Top public priorities</i>
Health (21%)	Law, crime, and family policy (26%)
Environment (13%)	Macroeconomics and taxation (19%)
Transportation (8%)	Education (10%)
Science, technology, and communication (7%)	International affairs and foreign aid (10%)
Banking, finance, and commerce (7%)	Health (8%)
Defense and national security (7%)	

Note: The table displays the policy domains receiving the most lobbying attention and the domains most frequently mentioned as important by the public in Gallup polls during our study period.

esoteric items, such as reimbursement rates to teaching hospitals which also provide graduate medical education, that are of little concern to the general public. Therefore, it is important not to make too much of the simple comparison laid out in Table 6. Research shows that public attention tends to be focused on just a couple of policy priorities at a given time (Jones and Baumgartner 2005). There is no reason why lobbyists should be working only on those issues of greatest concern to the average citizen. Much of the stuff of government, after all, is not of much interest to the average American.

If the lobbying agenda bears little resemblance to the public agenda, which one more closely corresponds to other measures of government attention? Table 7 compares the lobbying agenda with the public agenda, as well as different measures of the congressional and presidential agendas, for the full range of topics. All data refer to values averaged for the 1999 to 2003 period when the fieldwork was conducted for the lobbying project. Table 7 indicates that the topics mentioned in the president's State of the Union address track closely to the public agenda but not the lobbying agenda. This is not a

surprise since major presidential speeches are fashioned for a public audience (Kernell 2007).

When we turn to congressional activity, however, we see little in common with the public agenda. The agenda, as measured by congressional hearings, is more closely correlated with the lobbying agenda than with the public agenda. This suggests that lobbying shifts government attention toward the needs of organized interests rather than the needs of the broader public. However, we urge caution in jumping to that conclusion. For example, Congress regularly holds hearings on routine oversight topics not currently considered the "most important problem" facing the country even by those committee members investigating them.

Nonetheless, the stark differences in interest between the public and the Washington lobbying community make clear that certain interests would benefit from at least having a seat at the table rather than just being on the menu. Consider that the greatest concern of the public in Table 6 is crime, followed by unemployment and the state of the economy. Very few lobbyists worked on crime, and certainly not from the perspective of those citizens who live in neighborhoods with the greatest

TABLE 7. THE LOBBYING AGENDA COMPARED TO OTHER AGENDAS, 1999–2002

<i>Policy Topic</i>	<i>Lobbying issues in sample</i>	<i>Congressional hearings^a (%)</i>	<i>Laws^a (%)</i>	<i>SOTU statements^a (%)</i>	<i>Public opinion^{a,b} (%)</i>
Health	21	9	3	9	8
Environment	13	5	4	3	2
Transportation	8	5	3	0	0
Science, technology, and communication	7	5	2	3	1
Banking, finance, and commerce	7	8	4	1	0
Defense and national security	7	7	6	5	5
Foreign trade	6	2	2	3	0
Energy	5	4	1	1	2
Law, crime, and family policy	5	6	5	8	26
Education	5	4	2	12	10
Government operations	3	12	19	1	6
Labor, employment, immigration	3	4	4	6	2
Macroeconomics and taxation	2	3	1	12	19
Social welfare	2	2	1	9	7
Community development and housing	2	1	1	1	0
Agriculture	1	3	2	1	0
International affairs and foreign aid	1	11	5	18	10
Civil rights	0	2	1	4	3
Public lands and interior affairs	0	8	32	2	0
Total <i>N</i>	98	5,926	764	1,113	

Note: The table displays the distribution of our 98 issues by topic area and gives comparable information from the Policy Agendas Project. For each column, cell entries indicate the percentage of observations that fall within the 19 topic areas listed in the rows. Data cover the period of the 106th and 107th Congresses.

^aCongressional, presidential, and public opinion data come from the Policy Agendas Project (<www.policyagendas.org>).

^bPublic opinion refers to the responses to the question: What is the most important problem facing the nation?
SOTU, State of the Union.

crime problems. And, search as we might, we found not a single lobbyist in our sample of 2,221 advocates busy in Washington over a four-year period whose main focus was fighting against unemployment. The plight of poor Americans, those without jobs, those falling behind on their mortgages, was completely absent from our sample and is virtually absent in the Washington lobbying community in general.

A PREFERENCE FOR THE STATUS QUO

So the status quo is persistent and enduring. Why is that? Why is policy change so unlikely? Under what circumstances is change more likely to happen, and why is it the case that when it does the change is often quite substantial?

Friction

Baumgartner and Jones (1993) use the theory of punctuated equilibrium to describe the policymaking process. According to this theory, long periods of policy stability or equilibrium can be disrupted or punctuated by large, dramatic shifts in policy. Across multiple issue areas and many years, their data show that incremental change is extremely common but that large-scale change, while less common, does indeed occur. The rare event is moderate change. Jones and Baumgartner (2005) also use the concept of friction to explain these patterns in the policy process. Imagine that the policy process involves pushing some object along a sticky surface: When the forces of friction are high, it is very hard to move the object even a little. Where pressures build up, no changes occur until the pressures are sufficient to overcome the “standing friction” (or the level of friction required to make the object move from a stationary position). When this threshold is passed, there may be a sudden jump as the object jerks to a new position. If the pressures continue, then it will keep moving, but the initial movement will be jerky even if the pressure was constant. Jones and Baumgartner reason that a friction model helps explain the *disproportionality* between inputs and outputs. Their model helps us see that the effect of constant political pressure can be almost zero until the pressure reaches a threshold. Once the threshold has been surpassed, the degree of movement can be disproportional to

the degree of pressure and large-scale change can occur. Later we consider the forces that lie behind those big shifts in policy as thresholds are surpassed. But first we consider the persistence that we observed across so many of our 98 policy issues, and outline some of the sources of friction that make the status quo so resilient.

Networks of experts

Surrounding each issue that we studied was a community of professionals who spend their careers immersed in the details of a given issue, day-in and day-out. These people have their opinions, of course, about what policies should be adopted and how serious the underlying problem is. But in our interviews what most struck us about these experts is their tremendous knowledge about the policy areas they work in. These people knew their issues. Moreover, they knew the arguments of their opponents. They knew the histories of the policies; the personalities of the original champions who created the policies in the first place; the justifications for and the problems with how the programs were originally structured; how these have evolved over time; and how similar policies have been tried (or not) in the states and in other countries. In short, they knew whatever there was to know about their issues.

Many of the advocates we interviewed had been working in the area where they are active for decades. And even if they had not, in each policy area there were people if not entire institutions that had been involved in the ins-and-outs of the policy for a very long time. While every respondent had their own particular arguments, of course, they also knew the arguments of the others, and they all were able to give a similar description of the general background of the issue, what it was about, the rationale for the existing policy, various arguments for and against possible revisions to the policy, who is affected, who supports and opposes it, and so on. Among people who spend their careers dealing with a given social problem or government policy, they all know pretty much the same things, and they all know a lot.

The shared knowledge of all these people provides structure, and this structure rests much more broadly than on only a given set of institutional designs; indeed, large parts of the structure associated with the policy process would remain even if institutional procedures changed, because they

relate to the shared knowledge and ongoing interactions that characterize a policy community. Single individuals typically do not have the ability to change the way an entire community of professionals looks at an issue. In response to arguments by one side that an issue is “really” about jobs and exports, others involved might respond, “No, it’s not about that; it’s an issue of national security.” Of course the outcome of the debate depends on who wins this war of rhetoric, but the battle is never one-sided, and all sides are armed with pretty much the same, and very complete, understanding of the issue.

Through this process of informational richness, and mutual checks and balances, we can understand the strong status-quo bias associated with most issues in Washington, but also how things occasionally shift dramatically. What new information would be sufficient to redefine the complex debates that surround most Washington policies? Do elections do it? New scientific studies? Cultural shifts? Venue-shopping? Slick public relations (PR) campaigns? Campaign contributions? Institutional rules? Leadership? Each of these has been proposed as the cause of important policy shifts, but we discovered that typically no single factor determines a dramatic policy change, and even in combination most of these are insufficient to overcome the extreme bias toward the status quo that we observe in our cases.

Scarcity of attention

In order to achieve their policy goals, organizational advocates seek to draw the attention of policymakers and to encourage their action on the organization’s behalf. Likewise, government decision makers who are interested in policy change try to enlist organizational allies to help them build support for the initiatives they seek. But getting others to pay attention to your cause is not an easy task. To be sure, there are issues that emerge onto the agenda of government very quickly in response to external events (state and federal emergency preparedness in response to Hurricane Katrina, for example). But most of the time, advocates compete for scarce space on the political agenda.

Like Congress, the media—whether print or broadcast—have a limited agenda (McCombs and Zhu 1995). Time and page constraints limit what becomes “the news.” Even with websites, news

organizations have only a limited number of reporters to assign to different issues. Organized interests typically have to prioritize issues based on the preferences of their members and supporters and their perceptions about what issues are most likely to be acted upon in a given political environment (e.g., Republicans generally avoid policy proposals that raise the operating costs of businesses). In the case of Congress and administrative agencies, policymakers must choose to allocate their time among the myriad different issues they are called upon to address (Hall and Wayman 1990; Hall 1996; Hall and Deardorff 2006). In other words, even if media, interests, and government have significant resources of time, staff, and money at their disposal, these resources are inadequate to the many demands that are or could potentially be placed upon them. All actors in Washington are faced with more issues they could spend time on than they have hours in the day.

This scarcity of attention has a big impact, particularly so for those seeking to change current policy. For these actors, the unwillingness, inability, or indifference of others to engage or consider an issue functions as a form of passive but nonetheless formidable obstacle to achieving their goals. In some circumstances, this lack of engagement may reflect a practical decision by an organized interest or decision maker to allocate their limited resources to only their highest issue priorities or to those issues they believe are most likely to gain some legislative or administrative traction. Consequently, if an advocate has difficulty engaging others and bringing together a coalition to press its demands, it may be difficult to get the attention and interest of those in government.

In other circumstances, the indifference may be rooted in a desire on the part of groups or decision makers to ignore those problems and matters of policy that would have adverse consequences for their preferences and interests if they did become part of the public agenda (Bachrach and Baratz 1962; Cobb and Ross 1997). As we explain below, supporters of the status quo often choose to do nothing when advocates challenge their interests; they conclude that the odds are in their favor that nothing will happen regardless of advocates’ efforts to seek change.

This indifference also may have pernicious effects, as when a lack of willingness to engage a problem serves to marginalize the concerns and interests of a particular segment of society. An

obvious example is the failure on the part of policymakers to deal effectively with proposals related to health care, housing, and income support for those with little to no political visibility. By ignoring such groups, decision makers, and organized interests can develop policy and allocate limited resources in ways that serve their interests (e.g., setting time limits on receiving income support, or devising plans for health care assistance that are rooted in employment or the filing of tax returns) without having to address complicated, longer term solutions and a politically unpopular use of resources. Even for those interests with significant mainstream support, it may be difficult to move on policies designed to serve a stigmatized set of individuals or groups. As one advocate supporting parity for mental health coverage explained, “you have to deal with the stigma that society assigns to mental illness...[J]ust when you’re reaching people, some poor mentally ill patient shoots up the White House. It’s not what a diabetic or cancer patient does when they get upset.”

Whatever the motivation for the unwillingness, inability, or indifference of others to consider an issue, our data show important differences in the tendency for sides challenging and defending the status quo to mention inattention from organized interests or government decision makers as a problem to their achieving their goals. Specifically, no more than six percent of sides supporting the status quo mention inattention from organized interests or government decision makers as a problem to their achieving their goals. This is to be expected since the objectives of those defending the status quo are probably best met when other advocates are *not* mobilized. Thus, defenders of the status quo are not trying to attract attention to the policy they hope will remain unchanged. Yet inattention can still pose a problem for status quo defenders, as when organizational and/or governmental allies are not sufficiently engaged to oppose the efforts of challengers, but in most circumstances, activity not inactivity is a problem for status quo defenders.

In contrast, inattention from members of Congress, members of the administration, and/or organized interests provides few if any benefits for sides challenging the status quo. Attention, most especially from those in government, is a prerequisite to achieving change. In this light, the patterns of active opposition and inattention cited by the advocates in our study are striking. Sides supporting the

status quo are almost certain to experience active opposition. Over 90 percent of these sides cite active opponents as impeding their ability to achieve their policy goals. In contrast, only 17 percent mention a lack of support or attention from government decision makers or groups as posing difficulties (see Baumgartner et al. 2009, Figure 4.1). Status quo challengers also are quite likely to mention active opposition as an obstacle to achieving their policy goals but unlike status quo supporters, a sizable proportion of those sides seeking change (26 percent) encounter no active opposition to their policy goals. Moreover, a third of those sides seeking change note that inattention or a lack of support from organized interests and government decision makers have adversely affected their chances for policy success.

Arguments and tactics

Arguments for change generally are harder to make than are arguments in favor of the status quo. Most importantly, those seeking to protect the status quo maintain numerous tactical advantages over those proposing changes. In this way the means of navigating the process of advocacy differ substantially for supporters and opponents of the status quo.

In the case of arguments, the most prominent theme we saw in our data was the tremendous advantage realized by those who seek to protect the status quo. Advocates actively attempting to push back a proposed policy change can go negative, cast doubts, focus on the uncertainty of the possible outcomes and the possible hidden or overt costs of the proposal, raise questions about the feasibility of proposals to change complicated policies, and attempt to focus discussion on the unintended consequences and cost overruns that may ensue if the carefully crafted status quo is changed. Often they also question whether government is, after all, the proper solution. This is an impressive complement of powerful arguments, readily available for most situations.

Challengers to the status quo in American politics are more positive in their arguments than their rivals; they focus on the possibilities of social or economic improvement that they expect from their proposals. But even these advocates do not entirely eschew negative arguments. It is typically insufficient for challengers to the status quo to say positive

things about their new policy; they must also point out the flaws in alternative approaches including the status quo.

Tactically speaking, status quo defenders tend to be less active, engaging in fewer activities, strategically holding resources back unless it becomes apparent that they are threatened with a realistic challenge. In addition, those few activities where defenders do show greater involvement are defensive ones, such as showing the results of research, with the goal of demonstrating how any changes to the status quo are fraught with uncertainty and peril. As we have already emphasized, defending the status quo is not a difficult lobbying problem compared to building support for a new policy proposal. But status quo challengers simply cannot sit back—they must be aggressive. In our study, we found that challengers make more direct contacts with policymakers and they engage in more conflict expanding strategies (e.g., mobilizing the general public, conducting public relations campaigns) designed to draw attention to the issues they care about. In contrast, advocates for the status quo can afford to engage in watchful waiting. Defenders of the status quo work much more quietly, maintaining close contacts with congressional and agency-level allies, distributing studies that justify a cautious approach, and generally keeping the lines of communications open. In general, the most striking difference between the two types of advocates is simply that the defenders of the status quo can often sit back and do very little. Yet change—especially big change—can indeed happen. Our study provides evidence of when and why that is likely to be the case.

ELECTIONS AND POLICY CHANGE

The election of 2000 disrupted the environment in which status quo defenders were operating during the time of our data collection.³ The change in partisan control of the presidency, along with the closely divided Senate and Republican-controlled House reduced some of the barriers for advocates who sought to challenge the policies that were implemented or in place during the Clinton years. The uncertain environment mobilized both camps—some sought to take advantage of opportunities to push through new proposals, and others, previously watching but not actively engaged in defending the status quo, mobilized to protect them-

selves. Defenders of the status quo could no longer confidently assume that inertia was working in their favor. And, at least to some extent, their concerns were justified. Although it was clear to all involved that most public policies would not change once President Bush took office, the arrival of the new president did indeed set in motion some major breaks from the status quo.

We considered the effect on policy of a shift in party control of the White House in several ways. First, we looked for cases of accelerated policy change after the 2000 elections. These cases involve issues where policy change was stymied under President Clinton but moved forward under President Bush. Second, we looked for cases of policy reversal, where a policy adopted under President Clinton was later reversed under President Bush. Third, we examined our issues for examples of a shifting policy agenda as a result of the 2000 election. These are mutually exclusive categories.

Consider first the situation whereby elections increase opportunities for policy change that did not exist under the previous elected leaders. We found that policy change involving seven issues in our sample accelerated after George W. Bush replaced Bill Clinton as president. All are cases where opposition from Democrats stymied policy change prior to the 2000 election. There were clear policy conflicts between President Clinton and the Republican-controlled Congress. Among the issues in our sample, at least four were vetoed by President Clinton during the 106th Congress (1999–2000). Once President Bush assumed office and the veto threat disappeared, policy change on many issues moved forward. One example of a policy that changed under President Bush after being stymied by President Clinton was repeal of the federal estate tax. In 2000, the Republican-controlled Congress passed legislation to repeal the estate tax, over the opposition of most Democrats. Nevertheless, Republicans were unable to override President Clinton's veto. In 2001 a newly elected President Bush, who campaigned on a pledge to lower taxes, signed legislation to phase out the estate tax.

³George W. Bush was elected president to succeed William Jefferson Clinton in 2000, about halfway through the period of our study. As a result, 58 of the issues in our study were identified during the 106th Congress, when Clinton was president, while 40 issues were identified during the 107th Congress and the Bush administration.

We also found three cases where President Bush reversed a policy change that had been enacted by President Clinton. One of these cases involved proposed ergonomics regulations designed to reduce workplace injuries. At the very end of the Clinton administration, the Occupational Safety and Health Administration (OSHA) proposed new regulations to force businesses to take steps to reduce the chance of injuries on the job. Organized labor, and many Democrats in Congress, strongly supported the new regulations and emphasized the benefits of improved workplace safety. Many business groups, and Republicans in Congress, opposed the proposed regulations because of the extra costs it would impose on employers. Recognizing the stakes in the election, trade groups worked hard to raise money for the Bush-Cheney ticket. The business lobbyists working against the ergonomics standards were rewarded. In 2001, the Republican-controlled Congress voted to repeal the regulations on largely party-line roll call votes. President Bush then signed the ergonomics legislation into law to complete the repeal.

We also examined other cases where the election of President Bush appeared to have changed the policy agenda in Washington. Two types of changes were apparent in the policy agenda: (1) cases that dropped off the agenda after President Bush was elected, and (2) cases that received no serious attention until after President Bush was elected. We counted five issues that received serious political attention under President Clinton but then effectively dropped off the political agenda (i.e., were no longer the subject of congressional hearings and did not reach the floor of at least one chamber of Congress after the 2000 election). One such issue involved a failed effort to change the way antitrust laws apply to physicians. In the 106th Congress the American Medical Association worked with Representative Tom Campbell (R-CA) on legislation to allow doctors to bargain collectively when negotiating fees and treatment issues with insurers. The issue has partisan undertones. Democratic administrations tend to use antitrust law to investigate alleged monopolies and corporate mergers to prevent undue concentration of economic power. The Clinton administration, while officially opposing the Campbell legislation, had basically stopped bringing antitrust enforcement actions against physicians while turning its antitrust energies on proposed mergers and toward the behavior

of large companies such as Microsoft. Republican administrations tend to be less concerned about mergers (generally regarding them as manifestations of economic efficiency) and focus antitrust enforcement on price-fixing or other forms of collusion between firms or individuals. Thus, Republican leaders in the House opposed Rep. Campbell's legislation.

Despite the opposition from Republican leaders in the House, the legislation passed the House by a wide margin. However, the legislation stalled in the Senate. For all intents and purposes, the issue of exempting doctors from antitrust legislation dropped off the national agenda the next year. In 2001, the incoming Bush administration professed little sympathy for the doctors' position, and Rep. Campbell was no longer in Congress, having run unsuccessfully for the U.S. Senate in 2000. Although similar legislation was introduced in the House in 2001, it only garnered 42 co-sponsors and died a quiet death in committee without so much as a hearing.

As further evidence of the importance of elections in affecting policy change we found that some issues in our study that were absent from the policy agenda under President Clinton received more serious attention after the inauguration of President Bush. One example of this type of issue was the debate over stem cell research and human cloning. With President Clinton firmly opposed, legislation introduced in the 106th Congress to ban cloning went nowhere. Things changed when President Bush, a strong ally of the pro-life movement, took office. In his first year as president, Bush made a nationally televised address in which he announced a policy of limiting federally funded stem cell research to existing lines of embryos that had already been harvested. In addition, President Bush vowed to veto legislation that allowed any type of cloning.

The election of a new president altered the course of policymaking on a substantial number of cases in our study. In examining cases of accelerated policy change, policy reversal, and agenda shift, we found that the election of a Republican president in 2000 to succeed a Democrat changed the direction of 17 of the 98 issues in our study. These punctuations, as the examples noted above make plain, involve fundamental changes in policy. Importantly, these election-related changes occurred almost entirely on issues characterized by partisan conflict.

Elections matter. This is why interest groups are increasingly moving into electoral politics to help elect candidates that share their policy views (Rozell, et al. 2005). The two parties differ in essential ways and those differences are sometimes the trump card in policymaking—policymaking that is discontinuous.

More generally, if change is to be effected, challengers must create a sense of momentum and either build pressure to overcome the friction that exists in the policy process or be poised to take advantage of circumstances outside of their immediate control that offer opportunities to move forward. To the extent that challengers can say or do enough so that some critical mass of interested parties begins to pay attention (or can take advantage of the situation if the interested audience becomes more receptive), they may alter the context for defenders and force them to behave more like challengers—to become more active, to justify the policy alternative they prefer. Some of these elements, such as the choice of tactics (and the choice of arguments), are within the control of organized interests and government officials involved in the policy process. However, many of them, such as the opportunities presented by partisan shift after an election, or the priorities and actions of those in gatekeeping positions, are outside of the control of any lobbyist. In the end, advocates do what they can and they make do when they must.

IMPLICATIONS AND CONCLUSIONS

Our extensive study of lobbying across a random sample of issues led to some results that surprised even us. But after hundreds of interviews and years of data collection we could not find that smoking gun that many seem to expect linking money to outcomes. This suggests that restricting the role of money, by itself, may not have the impact on policy outcomes that reformers may hope for. We think the reason is that it will not be found as long as we seek to establish a link between lobbying and policy change. Rather, the link is much more basic. It has to do with which concerns are represented in the halls of government, which ones are vastly over-represented because they mobilize powerful corporate interests who hire hundreds of lobbyists as well as PR firms capable of generating “grass roots” campaigns to protect their interests, and which

social groups are either completely absent or speak only with a muffled voice. While we can hope (and our study indicated some reason to believe) that elected officials would themselves take it upon themselves to represent those who do not have powerful lobbying actors speaking for their interests, it is important to focus attention on lobbying reforms that would have the impact of amplifying the voice of those currently absent from the discussion.

Many forms of campaign finance and lobbying regulation reform are sure to be discussed in the near future. The results of our study suggest that we should not expect to break a short-term cycle between lobbying power and policy change. There is not much of a short-term linkage to break. But the reason for the lack of a short-term connection is that the long-term connection is already “baked into the cake.”

There are many reasons to seek greater transparency in lobbying and campaign finance. For example, it might reduce corruption, allow legislators to spend more time on policy and less on fund-raising, and it might reduce the amount of access that can be purchased by the wealthiest interests. These are themselves sufficient reasons to desire reform. But to the extent we want to justify these reforms in terms of policy impacts, then the only reforms that are likely to have very powerful effects would be those that change the distribution of who is at the table, or reduce the degree of distortion currently in the system. The two types of distortion that matter most are: a) the complete or virtual absence of voice of those with fewest resources; and b) the orders-of-magnitude amplification of voice of those with the greatest resources. Changes of this nature will have a significant impact on “who is at the table” as compared to “who is on the menu” as policymakers consider changes to laws that affect us all.

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