

Advocacy and Policy Argumentation

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ABSTRACT

This paper reports the initial findings of a multi-year, multi-investigator project designed to answer a number of questions about how groups affect public policy and whose interests are most often heard in the halls of government. With over 190 interviews conducted on 60 different policy issues, we report on our experiences during our first year of fieldwork, especially focusing on questions of logistics and feasibility. We explain the success we have had both in gaining interviews with policymakers and in collecting a wealth of publicly available information. As part of the research project, we are constructing a large web site with extensive information about each case that will be useful for both research and teaching. Finally, we provide a preliminary discussion of one of the central themes of our research: the efforts and abilities of lobbyists to affect the terms of policy debates. The question of dimensionality in politics has received much attention, especially at the theoretical level, but few have shown how we can study it empirically or how much success lobbyists and policymakers can have in affecting the dimensionality of the issues on which they are active.

Introduction

For the past year we have been active in the first phase of a large research project in which we are interviewing lobbyists and policymakers about their activities in a random sample of policy issues in Washington, DC.¹ The project is designed to address many of the issues that Baumgartner and Leech (1998) raised in their critique of the interest-group literature, in particular the questions of scale (our project focuses on policymaking in all institutions of government and we study advocacy efforts over time); comparability (we plan to produce approximately 100 comparable case studies); linkage to the substance of policy (each of our interviews focuses on the lobbying efforts to affect a particular policy); and centrality to political science (we hope this project will be of interest not only to groups scholars, but to those interested in Congress, the bureaucracy, public policy, and American politics more generally). In this paper, we describe our procedures, the status of our research to date, and we provide some initial and very preliminary insights into our findings on one broad topic: the abilities of groups to alter the issue-definitions surrounding the policies on which they are active. In future papers we will take up specific research questions and address them in a detailed and quantitative manner; here, we provide only an initial look at a part of our results.

¹ Research was supported through NSF grant # SBR-9905195 for the period of August 1, 1999 to December 31, 2000. Interviewing has benefited from Marie Hojnacki's Robert Wood Johnson Fellowship as well. Interviews have been conducted from February 1999 through August 2000; with continued funding, we expect to continue our fieldwork over the next two years. In any case, many of our completed interviews will require follow-up discussions at the end of the current Congress. This paper therefore presents preliminary findings, not completed ones.

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Our research has focused on interviews with those involved in a random sample of issues that are currently the objects of lobbying activity in Washington. We supplement our interviews with searches of publicly available information from web sites, electronic media databases, the Congressional Record, and other sources. Each issue in our sample, then, becomes the object of an intensive case study based on a combination of confidential interviews with those involved plus a compilation of publicly available statements, bills, congressional testimonies, and media stories. The interviews are fundamental for two reasons: they allow us to identify a random sample of issues, and they provide us with a wealth of information about strategies, activities, and arguments that we might not get in any other way. In almost every case, however, we find that we can locate publicly available documents in congressional web sites, organizational press releases, organizational directories, FEC reports, news stories, and other sources that are not subject to any confidentiality concerns. This array of information, from both public and private sources, also becomes the object of our systematic analysis. In the case studies we gather information about the groups and advocates we interview, where available, but also about many groups and important players whom we do not interview. The research is therefore an unusual combination of fieldwork and collection of publicly available sources, and we are designing an extensive web site to make available information that reflects what we found in the interviews without divulging the identities of any of those whom we interviewed. These materials constitute a wealth of information that will be suitable for teaching courses on public policy, American government, lobbying, and Congressional behavior. We describe our research processes in some detail in the next section.

The theoretical issues that concern us in this project center on identifying the substance and nature of the arguments that advocates make as they try to advance their policy goals. In the

last section of this paper we present some very preliminary findings about the difficulties that groups have in redefining issues—difficulties that have important implications for the design of effective research projects on the topic. We think that we may be able to push the literature on dimensionality, disequilibrium, and stability in politics some distance with a better understanding of the efforts and hindrances to destabilizing issue-definitions of the type discussed by Riker (1986).

Our conclusion focuses on the feasibility of this type of research project, stresses the goals that we believe we can reach with this endeavor, and notes the potential impact of this approach on research and teaching about lobbying and public policy more generally.

Accomplishments to Date

We received initial funding for one year and expect to request additional funding to continue this project over the next two years. To date, we have conducted 191 interviews on 60 different issues. In this section, we explain the logistics of our project.

Selecting a Sample of Policy Issues

The primary unit of analysis for our project is the policy issue. Our goal in selecting these issues was to obtain a sample that would accurately reflect the full range of issues that attract the interest of national policy advocates at a given point in time. Of course, it is no easy task to determine what matters of policy comprise the population of policy issues that are of interest to decision makers and other policy advocates. There are myriad issues that sets of organizational advocates and policymakers are attentive to and learning what those issues are requires input from the participants involved. Thus, we relied on a random sample of organization representatives to provide us with a random sample of policy issues.

The sampling frame of organizational “issue identifiers” was constructed using the database created from the Lobbying Reports for 1996 that were filed with the Secretary of the Senate (see Baumgartner and Leech 1999, 2000). The representatives of lobbying firms and organizations who file lobbying reports are asked to specify the issues they lobby on within broad policy categories (e.g., tax, Medicare/Medicaid). We took advantage of this aspect of the reporting to create a sampling frame that allowed us to choose a sample of organizational issue identifiers that were likely to be among the lobbyists contacting federal officials in a typical day. Specifically, we did not treat each registration as a single unit in our sampling frame. Instead, registrants indicating they lobbied on multiple issues appeared multiple times in our sampling frame. So, for example, a report from a group that reported lobbying on five specific issues appeared five times in the sampling frame. In this way, organizations that are more active lobbyists had a relatively greater chance of being chosen for our sample of issue identifiers than did less active organizations. Once the sampling frame was constructed, we selected at random our sample of organizational issue identifiers.²

In-person interviews were then requested with representatives at the selected organizations (see the interview protocols listed at the end of this paper).³ During this issue

² We selected the client organization if the lobby registrant was a law, public relations, or public affairs firm, and we excluded from our sample organizations that do not have an office in the Washington, DC metro area, and those that have no in-house Washington representatives.

³ We identified the specific individual to contact by first looking in the *Washington Representatives*. If only one individual was listed for the organization, that person was selected for contact. If several names were listed we looked for titles such as Government Affairs Representative, Director of Congressional Relations, Director of Regulatory Affairs, and Washington Representative. If multiple possibilities were available, one individual was selected at random. Armed with a name of a potential contact, we then checked by telephone to see if the individual was still working for the organization. In cases where the individual was no longer with the organization, we asked for the name of the individual who filled the same position.

identification interview the organization representative was asked to select the most recent issue he or she had spent time on, and to describe what he or she had done and what the organization was trying to accomplish on the issue. The issue mentioned then became an issue for our project. We conducted the first issue identification interviews shortly after the start of the 106th session of Congress in February 1999.⁴ The most recent issue identification interviews were completed in August 2000.⁵ Over this time period, 60 of the 93 organizations we contacted have identified issues for our study (an issue identifier response rate of 65 percent).⁶ Our 60 study issues are listed in Table 1.

(Table 1 about here)

Interview request letters were then sent to each organization representative selected, and we followed up on those letters with a telephone call to schedule the interview.

⁴ The first 14 issues were identified by organizations that were selected during a pilot phase of the project. The selection procedure we used at that time differed from our current sampling plan along two dimensions. First, the organized interests eligible to identify issues included only those that registered (or were registered by a client) to lobby Congress in 1996 about any one or more of six health-related policy categories (i.e., Medicare/Medicaid, pharmacy, health issues, tobacco, alcohol and drug abuse, and medical/disease research/clinical labs). Second, we used a different procedure to select these groups. Instead of first taking lobbying activity into account and then choosing randomly, we assigned each registrant a random number and multiplied it by the number of issues the organization planned to lobby on. In this way, the pool of issue identifiers selected in the pilot sample are less likely than the pool selected in the current sample to include organizations that lobby on only one or two issues. The registrations for the health-related policy categories were excluded from the sampling frame from which we selected the remaining issue identifiers.

⁵ Our decision to collect data through in-person interviews means that the conduct of those interviews is dependent on the authors' opportunities to spend periods of time in Washington, DC. Fortunately, we were able to conduct our issue identification interviews across an 18 month period so that our sample is unlikely to reflect any temporal patterns in the issues that draw attention from advocates that arise from the proximity to an election, the start of a session of Congress, or holiday or summer recesses.

⁶ Refusals include representatives of organizations who told us they were unwilling to participate in our project, as well as representatives who did not respond to our contact efforts. Generally, if an individual did not respond after three attempts at contact we considered it an implicit refusal.

Collecting Data About the Study Issues

For each of the issues identified in our initial interviews, we gather a range of information. We are conducting a large number of in-person interviews with policy advocates in and out of government, and we also are doing follow-up telephone interviews with these advocates. During each interview, we ask about the major coalitions and actors involved in the issue, and we then seek personal interviews with leaders of each of these coalitions; these interviews may include organizational representatives, congressional staff, and agency officials. In addition to the interviews, we gather a wide array of documentary evidence, including copies of the legislation and amendments, public statements, press releases, and news coverage. Here we explain the procedures for collecting these data.

In-Person Interviews: The data collection for each issue begins during the issue identification interviews. Specifically, aside from describing what he or she has done and what the organization is trying to accomplish, we ask our respondents to narrate the appeals they make when they speak with others about the issue, to specify with whom they are talking about the issue, to describe the type of opposition they face, and to provide a variety of other information about their organizations. Among the most important pieces of additional information we seek is a description of the other actors involved in the issue debate—we ask them to describe those inside and outside of government who represent the various positions on the relevant issue. Subsequent interviews are then conducted with a subset of the individuals identified by the issue identifier, namely the main actors representing each of the distinct perspectives. The individuals interviewed include organization representatives, agency personnel, and congressional staff. The content of the subsequent interviews is identical to the issue identification interviews except that these interviews do not involve the identification of a new issue. In each interview, we continue to ask who else is involved, so that when we complete all the interviews for a given case we can

be confident that we have a complete picture of the range of coalitions and interests concerned. Issues that involve few unique views, then, require only one or two additional interviews. Issues on which there are many distinct viewpoints require as many additional interviews as there are perspectives so that we obtain a full set of information about the advocacy activities undertaken on the issue, the policy appeals used, and the targets of those appeals.

Table 1 provides several pieces of information about the status of our interviews to date on the 60 issues. For each issue, we show the number of interviews completed, the number of individuals we have attempted to interview, and the number of interviews that remain outstanding. Thus, a zero in the last column indicates that all interviews for that issue have been completed. As shown in Table 1 we have completed all our interviews for 36 of our issues. Thirty-one interviews remain to be completed on the 24 other issues. Overall, Table 1 shows that across our 60 study issues we have contacted 218 individuals and completed a total of 191 interviews (a response rate of 88 percent). Among the issues for which interviews are completed, the number of interviews conducted ranges from 15 interviews on managed care reform to two interviews on eight of our issues. On average across our 60 issues, we have conducted approximately three interviews per issue to date, and we will have completed four per issue when our fieldwork for this set of issues is complete (with additional funding we hope to increase the number of issues in our sample to 100).

For issues involving Congress the interview set typically includes one or two organizations representing each distinct perspective, and one or two legislative staff who work for either the committee(s) of jurisdiction or the member(s) most involved in moving or opposing the issue. For issues that involve only an executive branch or independent regulatory agency, the typical set of interviews include one or two organization representatives and a relevant staff

member at the agency. Most of the issues for which we have completed only two interviews have, at present, no opposition. Under these circumstances, we interview one organization representative and one person in government. If follow-up interviews (see below) reveal a previously unknown source(s) of opposition, we will complete additional interviews at that time.

Telephone Follow-ups: Because of our interest in understanding how the advocacy efforts on these issues unfold, we also are conducting follow-up interviews by telephone with some of our respondents. The follow-ups have been (and will be) conducted periodically at roughly eighteen months after the initial interview is completed. The follow-up interviews will be used to determine whether any changes or developments have occurred in the appeals used, objectives sought, and targets selected by advocates. Attention also is given to the passage or definitive rejection of a policy action or proposal. To date, six follow-up interviews have been completed; we expect that a number of our issues will require a follow-up at the end of the current session of Congress.

Supplementary Data From Public Sources: We supplement our interviews with information from a diverse array of secondary sources. These supplementary data are located through keyword searches of the *Thomas* web site (thomas.loc.gov), the web sites of the House and Senate, relevant agency and organization web sites, and *Lexis-Nexis* for each issue. Through the searches we are able to identify (as relevant) the status, content, sponsors, and committee jurisdiction for issue-related bills introduced in Congress; committee reports and congressional testimony; statements made on the House and Senate floor; press releases and other information released by members of Congress; agency reports; press releases and issue briefs issued by organizations; and stories appearing in major newspapers and magazines. Most organizations we have identified have extensive web sites on which they include information about their

legislative activities. We search not only the web sites of the organizations we interview, but also any other groups that are mentioned. Since groups and agencies may update their web pages periodically, deleting coverage of these issues as time goes by, we copy the full set of our findings on our own computers.

We also gather information about the contribution and lobbying activities of the organizations that are active on each of our issues, regardless of whether they were part of our interview sample. In particular, we gather information about the Political Action Committee (PAC) contributions made by each organization from the contribution files of the Federal Election Commission (FEC). These data will be gathered for the 1997 to 2001 time period. In addition, we plan to obtain the lobbying reports filed by each organization with the Clerk of the House to gather information about how much money the active groups expended on lobbying. Finally, because court cases and rulings are relevant or potentially relevant to a small number of our issues, we also identify whatever court documents (e.g., briefs, rulings) are made public.

As a review of our list of study issues makes plain, this additional data collection varies dramatically in scope from issue to issue. Issues like managed care reform and Permanent Normal Trade Relations (PNTR) for China are the subject of a voluminous amount of material both from government sources and outside organizations. In contrast, other study issues such as tax concessions related to electric utility restructuring, preventing needlestick injuries, and Medicare payment rates for clinical social workers are the subject of little published material.

Regardless of the amount of information available, our graduate assistants have begun systematically to collect and maintain these data in a web site for our project that will eventually be accessible to the public. For each study issue, the site will provide a narrative overview of the issue that introduces the central appeals and arguments made, the nature of the opposition, the

venues of activity, the participants, the advocacy activities, as well as other information. In addition, the site will allow easy access to all of the data we are collecting from public sources. By way of example, consider the issue about broadening access to hearing screenings for infants. A visitor to the project web site can read an overview of the issue, look at the text of four bills on the topic that were introduced, read a relevant committee report issued by the House Appropriations committee, access testimony that was offered by two organizations at a hearing on the issue, examine a host of statements about infant hearing screenings that were made by members of the House and Senate, read press releases and issue briefs that were posted on an active organization's web site, and read four stories that appeared in various newspapers about screening infants for hearing loss. Our objective in making these data easily accessible is that they will be a tool for teaching about advocacy and the policy making process, and a tool for researchers who seek comparable information about the debate and advocacy efforts that occurred on any one or more of our 60 issues. Each issue will be the subject of a complete set of materials on the related web pages: a general case overview as well as copies of relevant legislation, regulations, news stories, committee hearings and testimony, and press releases. Students and scholars alike will be able to make their own comparisons from this full set of lobbying materials about a random sample of issues.

Having explained the process that we are going through, as well as our initial success in getting responses from those we have sought to interview, we turn in the next section to a brief discussion of some themes that are emerging from our initial reviews of our first interviews. We focus only on the topic of issue-definition here; in the future we expect to provide more complete coverage of these issues as well as to discuss a much broader range of issues related to our study.

Some Preliminary Findings on Issue Definition and Lobbying

When this project is complete we expect to code and systematically analyze the numbers and types of arguments and the kinds of evidence that policy advocates bring to bear on our sample of issues. We will examine not only how material resources, staff expertise, and lobbying connections affect advocates' efforts to shape policy outcomes but also how these forces compare with appealing arguments and evidence in support of one's position. In this section we present some preliminary notes concerning the question of dimensionality, based on our first experiences in the construction of these cases. Some of the results are surprising and may affect how we and others design projects to assess the importance of ideas and dimensionality in the policy process.

Making a decision along a single dimension of choice involves a simple process; one seeks to push the decision to a point as close as possible to one's preference ideal. Making a decision where two dimensions of choice are involved is slightly more complicated, since one's ideal point may be close to a proposal on dimension A, but more distant on dimension B: how does one make the trade-off? Decision-making where many dimensions of choice are in play inevitably involves differential weighting, or paying more attention to one dimension than another. There is little reason to think that individual policymakers change their preferences along single dimensions of choice, at least in the short term. However, they can change the level of attention that they pay to the various dimensions of debate, especially when others around them are doing the same. With these changes in the levels of attention that they pay to different dimensions, their willingness to agree to a given policy proposal may also change. Any instability in issue-definitions, then, can be related to instability in policy outcomes. This is why Riker correctly pointed to the multidimensional nature of most policy debates as a potential source of instability in politics. We have little information, especially of a systematic nature,

about how common it is in politics for previously discounted dimensions of discussion to become more prominent, or for outcomes to shift in response to changes in the levels of attention paid to the various dimensions of discussion (cf. Riker 1988; Jones 1994). We hope to provide some of this here.

First, each of our cases is multi-dimensional. There is no case in our sample, and probably none in government, where all agree that there is only a single way of describing what is at stake. Second, the various dimensions, or elements of debate, are widely known by all participants and they are typically not subject to dramatic redefinitions at any given time. In other words, heresthetic maneuvers described by Riker (1986) are not common, despite the fact that virtually all public policies appear to be potentially multi-dimensional. Why is this the case? Are institutional procedures the only things that stand between us and a chaotic cycling of policy preferences? In fact, there are a great number of sources of stability in politics; some of them institutional but others noninstitutional. We discuss several in turn.

The first source of stability in issue-definitions in public policy is very simple: Almost all lobbying takes place concerning the expansion, restriction, or modification of an existing government program. Coalitions line up almost automatically based on their support or opposition to the program in question, and these coalitions are rarely new. Rather, previous supporters of the program argue for an expansion of it, and opponents continue their opposition; a great proportion of the cases we have studied involve the expansion or the contraction of an existing program. This is the trench warfare of the lobbying process, and it is not the stuff of high rhetorical flourish. Rather, it concerns the long-term and repetitive efforts to establish a case. Over the long term, that is, across the decades, many of these issues may well be the object of

dramatic redefinitions, but in any given Congress most of the coalitions of support and opposition are simple recreations of the coalitions that existed the last time.

The second source of stability, strongly related to the first, is that Washington policy debates are dominated by budget scoring done by the Congressional Budget Office (CBO), the Joint Committee on Taxation, or others. Members of Congress are centrally concerned with constructing the federal budget. Immediately upon presentation of an idea, members begin to talk about the costs, and many will react to the issue based solely on this dimension. Costs are narrowly construed, however, to include only costs to the federal budget, and often only to the costs to the part of the federal budget under the jurisdiction of a given committee. Costs to the private sector, to the states and localities, to individuals, or even to other federal programs may or may not become part of the debate; similarly benefits or savings to those groups may or may not be discussed. The one certainty is that budget analysts will estimate the impact of the proposed policy change on the anticipated federal surplus. Obviously, many costly items are accepted, but it can be a daunting legislative task to overcome the initial hurdle of cost.

An example comes from one of the first cases we completed regarding the Medicare payment rate for clinical social workers providing mental health services in nursing homes. For some time, this was a niche service for clinical social workers in that they were more likely than psychiatrists and psychologists to work in nursing homes. Moreover, relative to other potential service providers, the clinical social workers provided the services more cheaply because their Medicare reimbursement rate was less than that of the other potential providers. But language in the 1989 Omnibus Budget Reconciliation Act (OBRA) and the 1997 Balanced Budget Act (BBA) combined to make it difficult for clinical social workers to continue to be reimbursed by Medicare for the services they provide in nursing homes. Several members of Congress,

administrators at the Health Care Financing Administration (HCFA) who oversee the Medicare program, clinical social workers, and even psychologists and psychiatrists (the other potential service providers) agreed that the provision of mental health services in nursing homes could be adversely affected by the changes resulting from the language in the BBA and OBRA, and that reductions in service conflicted with the goals of the Medicare program. But when a proposal to remove the service provision barriers to clinical social workers was presented in Congress, budget scoring had a considerable impact on the decision.

First, budget analysts ignore the benefits of increased health and well-being to nursing home residents—those have no impact on the budget. Second, they ignore the savings to Medicare from having clinical social workers provide the services rather than psychologists and psychiatrists who are reimbursed at higher rates; the models they used in this case did not include consideration of who provided the service (and at what cost), only whether or not the service was provided. Third, and perhaps most important, they report the proposal as imposing a cost increase on the government (via Medicare) because treatment that is not being provided as a result of the OBRA and BBA legislation would be provided if the change were made. A sick person not receiving needed (and Medicare-covered) treatment poses no costs to Medicare. We can be certain, in other words, that in a case like this (and we have several in our sample), costs will be automatically included; benefits may or may not be. The job of the advocates in and out of government who favor the change is more difficult as a result.

In the case of the clinical social workers, they had some success in raising public and congressional awareness of the benefits of the mental health services they provide to the elderly, and they made a strong case that the current exclusion of their services was the result of an inadvertent error in the previous legislation. (Staffers had taken a list of service providers from

legislation dealing with hospitals and included it here in legislation dealing with nursing homes; no one from the clinical social work community was involved or aware of this change at the time.) Despite some success in raising awareness of their issue, and in spite of the admission by congressional staff that the policy probably was adopted in error, the social workers were still faced with the problem of overcoming the problem of the budget scoring.

Third in our list of reasons for policy stability is that Washington is full of policy experts, staff members, and advocates who already know the ins and outs of many programs in government. There are few novel arguments to those in the know. Redefinition occurs when groups not previously aware of the program, or not as familiar with it, begin to take an interest. This means, as Schattschneider (1975) made plain, that agenda-setting and raising awareness of issues to new constituencies is fundamental to the process of issue-definition. But attracting the attention of new groups of policymakers is itself a difficult task, far beyond the lobbying capacities of many groups. So another source of stability is simply that those involved in the program are not novices; they already know the arguments. Moreover, they interact regularly with other policymakers and organizational advocates who also know the arguments. Allied advocates on various sides of an issue work together repeatedly over time. If one coalition of advocates benefits from altering the lines of cleavage, the other coalitions with a stake in the issue will resist such a change. Certainly, new arguments can come along and the context may change leading to changes in opinions even by the experts. However, the type of radical restructuring of the dimensions of debate as described by Riker are rare as long as participation is restricted to the usual suspects. Redefinition and agenda setting are closely linked; pushing an issue high on the political agenda is not that easy. For most groups most of the time, it is out of the question.

A fourth element that restricts the redefinition process may be that much of what lobbyists choose to do is based on their expectations of how others will behave. It is difficult to underestimate the importance to the behavior of one policymaker of that person's expectations of the reactions of others. A good example comes from a recent EPA decision to enact new, tougher, standards for the sulfur content of gasoline. There was little to indicate that EPA would adopt a particularly tough standard on this issue a few years ago. However, research increasingly showed that cleaner burning engines could be made most efficiently if the fuel recipe were changed dramatically to lower the content of sulfur. Advocates for the change, including an odd alliance of environmentalists and the automobile industry, laid the groundwork for change by getting key members of Congress to signal to the EPA that they would support a change. EPA officials were not convinced that this should be the issue that they would focus on, but after seeing the technical evidence and the demonstrations of a strong coalition of support in Congress, they decided to make it a major environmental thrust. President Clinton signed the regulations in December 1999 lowering the sulfur content in gasoline to one-tenth the previously accepted level. There were debates, of course, but the interesting thing about this issue is that virtually no one was aware of the importance of sulfur in gasoline just a few years before. Environmentalists did not focus on it particularly, and industry researchers had not developed a consensus that it mattered more than other things. When this research came to light, however, environmental groups were careful to build a strong coalition by convincing each other first that this fight was winnable; only by convincing others that there was a strong possibility of success would others find it useful or worthwhile to become involved. The expectation of success created a self-reinforcing process that quite rapidly led to a large coalition of environmentalists, and the support of the automobile industry changed the dynamics in Congress dramatically. From the

perspective of EPA as well, these developments also signaled that Congress would not raise a massive fight on the issue, and any administrator should be anxious to provide popular and successful reforms for which the President can claim credit. From a little known issue a few years ago, this case led to a dramatic reform. Further, the petroleum industry strongly opposed the issue, and one of the most powerful lobbies in Washington appears to have been a clear loser here. The process of policy change resulted from many things, but of particular importance here seems to have been the expectation of success. Lobbyists prefer spending their time on issues that may really be going somewhere. (Even in losing, expectations mattered; the oil industry did not fight this issue as strongly as it might have. Perhaps they knew they had a losing issue here and made the strategic decision not to waste resources on a fight that was not likely to be won.) Thinking about these considerations of expected success helps explain why issues in Washington can suddenly become “hot.”

Expectations of success matter greatly to members of various Washington constituencies. When first faced with the PNTR battle, labor union lobbyists explained that their most immediate problem was to overcome an expectation that they had no chance of victory. Because the annual vote on China’s Most Favored Nation (MFN) status was typically lopsided, and because many of those they hoped would oppose PNTR had a record of supporting MFN, they first had to explain that one was not a precedent for the other. This was both in terms of the logic of the vote, so no individual member would appear to be inconsistent, but also and at least as importantly, in terms of the expected outcome. If people expected that the vote would be lopsided, they would not want to waste their efforts in a losing battle. It takes a lot of resources, and a lot of coalition-building, for a group to demonstrate that an issue is going to be close. Once others know it is going to be close, the dynamics can change dramatically.

Taken together, the two sources of stability we just described – the networks of policy experts in Washington, and the importance of individuals' expectations of the reactions of others and of the likelihood of success – make clear that when redefinitions do occur there will rarely be one heroic individual responsible for the policy change. Riker (1986) describes the case of Warren Magnuson, a senator from Washington State who opposed the Defense Department's plans to move nerve gas from an overseas base to his state, and he notes with respect how Magnuson was able to convince his colleagues that the issue at stake was not which state gets the nerve gas, but rather the Senate's right to ratify treaties. His research into the issue showed him that bringing this material back from the overseas base where it had been stored was in fact a change in the nature of the treaty relationship with that country, and he pointed out to his colleagues that the administration had not properly consulted with the Senate on this issue. Now obviously the expected outcome of a group of senators voting on their own prerogatives to ratify treaties is quite different from the expected outcome on a vote concerning the first issue, and Magnuson may be remembered for this brilliant heresthetic maneuver. But how common are such dramatic arguments in the legislative process? Our study is leading to a conclusion that the short-term redefinition of an issue during legislative debate is exceedingly rare. Redefinitions occur, but they take longer and are rarely the result of one heroic entrepreneur.

The efforts that it took among environmentalists to affect the sulfur content of gasoline are such that only a small number of issues can be the objects of such mobilizations in any given Congress. A fifth important source of stability and another of our findings is that a small number of issues attract very large numbers of lobbyists, whereas a large number of issues are the subjects only of a small amount of lobbying. In the case of the sulfur content, those with an interest in promoting a major policy change were on the offensive, and they mobilized an

impressive coalition and got most of what they wanted. But the lobbying resources of entire networks of interest groups can also be used up in such huge lobbying enterprises as those surrounding managed care reform, China trade issues, and other instances of expensive and high-profile lobbying campaigns. One labor union representative described in an interview how half of his union's entire lobbying resources were typically used up for just a single issue: the Clinton Health Care Reform, then NAFTA, then FastTrack, then PNTR. The flip side of this situation, of course, is that most issues on which lobbyists are active go on well below the radar screen and, as such, show few opportunities for dramatic redefinitions to occur.

A sixth important finding is that efforts at redefining issues can be squelched by government leaders with control over procedural issues. The President and the leaders of the House and Senate are often able to structure legislative debates in such ways as to avoid certain arguments, or to make them more difficult for their opponents to make credibly. As those who can set and control the rules of play, these governmental leaders have many advantages; for a lobbyist, the value of having close relations with the highest leaders of government could not be clearer (see Arnold 1990; Shepsle 1979). A simple example comes from the China trade disputes in the current Congress. China has already been admitted to the World Trade Organization (WTO); Congress regularly passes MFN status in its annual votes; supporters present the idea of granting PNTR to China in several important ways. First, since China is already in the WTO, to vote against PNTR is to fight a battle that has already been lost; China's involvement in the world economy is inevitable; the vote for PNTR is simply a part of that. Second, since MFN status passes by large margins, the movement to PNTR is consistent with most members' previous votes and avoids a costly, time-consuming, and potentially damaging annual ritual. Much of the value of these arguments comes from proper timing. The administration first

worked in international institutions and multilateral trade organizations concerning China trade and then only after that was accomplished did the legislative battle begin. By controlling the timing of the debates, supporters of PNTR were able to make the debate seem superfluous. Of course there are counter-arguments, but our respondents among the environmentalists and the labor unions opposed to PNTR expressed their frustrations at the powerful agenda-setting tools at the disposal of the administration and the leaders of Congress. Control of procedures and rules can be a powerful in promoting the issue-definitions that government leaders prefer; this may or may not work to enhance stability, depending on the preferences of those in positions of institutional control, of course (Riker 1986; Shepsle 1979).

We have found in general that even if all our issues harbor the possibility of debates over their most proper issue-definitions that such debates are rare. More precisely the debates may well occur, but they are time worn and rarely subject to dramatic change. When change occurs, however, it often comes from a large-scale revision on how the entire Washington community thinks about the issue. Further, when it does occur, the results can be dramatic and long lasting. In any given Congress there may be few, if any, issues that are the objects of dramatic changes; most lobbying efforts, most of the time, involve “three yards and a cloud of dust.” Over the longer term, however, there are a great number of changes in Washington understandings of various policies, and the continued efforts by those involved to gather support, to generate statistics, and to build a coalition for their way of thinking of things can have dramatic consequences. We hope in this project to demonstrate the limits and the possibilities of lobbying and persuasion.

Conclusion

Our challenge in this research project is to understand the forces that constrain and facilitate interest groups' efforts to redefine issues and to affect government policy in a random sample of issues. Many scholars have noted the importance of issue-definition in explaining policy change, but few have studied how it is done (for an exception see McKissick 1997). Our collective knowledge about the interrelationships among lobbying, issue-definition, and policy change is sparse. As is appropriate in such a circumstance, our project has cast a very wide net in the search for information about the importance of evidence and argument in the lobbying process. We are using interviews, documents, and the public record to begin to map out the relative attention paid to various arguments and pieces of evidence in our sample of issues. Some of these issues are highly visible public controversies (trade with China, health care reform), while others are very small in scale, involving little or no controversy or opponents (one of our issues, retention of a particular defense-budget line-item, involves so few players that we cannot be more specific about it without revealing the identities of our issue identifier). Our resulting data sets will allow the systematic comparison of the use of evidence and arguments in the lobbying process across both groups and issues.

This project is feasible in part because five researchers agreed to work together to complete it. Political scientists are much less likely to collaborate on large research projects like this one than are scientists in many of the physical sciences, or scientists whose work requires them to share research sites (e.g. archeologists). But we believe that the field of political science would be the richer if more colleagues agreed to work together on larger-scale projects. The field of voting behavior would certainly look much different if not for the largest of the large-scale political science projects, the National Election Studies. While interest group scholars certainly cannot replicate that particular model, large-scale projects on a more modest scale are

feasible. Our project could not reach its expected scope with fewer primary researchers to conduct interviews, oversee the collection of data from secondary sources, and supervise student coders. With one year of the project under our belts and with approximately half of our initial interviews completed, we are more convinced than ever that such a large project can work smoothly. We expect, after an additional year of conducting interviews, to have completed initial interviews with an average of four advocates per issue on a total of 100 issues. During this time, our collection of information from secondary sources will continue, and coding of these data will begin in earnest.

The databases resulting from this project will fuel not only our own research, but that of others as well. By making each of the case studies as well as a summary set of statistical indicators available over the Web, we hope to generate more interest in the study of lobbying behavior and to provide the empirical backbone on which much further research can be based. We also expect that these case studies will prove useful as teaching tools, used to illustrate concepts about advocacy and policymaking. We hope to demonstrate not only that one can study issue-definition, argumentation, and the substance of the work done by lobbyists and policy advocates in Washington in a systematic manner, but also that research in many areas of political science can be done in a larger scale and in a more collaborative manner than has typically been done in the past.

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Protocol: Issue Identification Interviews

- (1) Could you take the **most recent** issue you've been spending time on and describe what you're trying to accomplish on this issue and what type of action are you taking to make that happen?

The issue we talk about doesn't have to be associated with a particular bill, rule, or regulation, and it doesn't have to be an issue that's been receiving coverage by the media—whatever issue you've most recently spent a significant amount of time on is fine so long as it involves the federal government.

[If the interviewee seems uncomfortable picking an issue or expresses concern about boredom, etc.] How about if we talk about whatever issue most recently came across your desk?

- *probe about lobbying activities, lobbying targets*

- (2) *Recap what they're doing and what they're trying to accomplish.* So who else is involved in this issue both inside and outside of government?

- *probe about coalition partners (formal or informal)*
- *probe about who they are speaking with about this issue*

- (3) So you're talking to these various people [*be specific if it's relevant*] about why it's necessary to move forward on this issue [or, if relevant, why it's necessary to prevent something from happening, etc.]. What's the fundamental argument you use to try to convince people to do this?

- *probe about different arguments for different targets*
- *probe for secondary arguments*
- *probe for partisan differences in terms of how people respond to this issue*

- (4) What impediments do you face in achieving your objectives on this issue—in other words, who or what is standing in your way? What arguments do they make?

- *probe for the arguments of opponents and others*

- (5) I was wondering if you could tell me a bit about whether and how your organization uses research when you communicate with other organizations and people in government. From talking to people in organizations like yours I've noticed that some emphasize research and try to supply their representatives with a steady stream of original research and data to be used in presentations with government officials, their aides, and others. Others say that if research or data are needed they can be gotten from think tanks, universities, research organizations or consultants. And then there are others who don't spend a lot of time gathering issue-related research at all.

Where along this continuum would you place this organization? Do you rely a lot on research when you talk to people in government/other groups? If so, do you do much research in-house?

- *probe for examples about the type of research they do in-house, whether and how often they gather it from outside sources, and what types of outside sources they rely on*

(6) Now I'd like to ask you a couple of general questions about your organization. How are you organized here in terms of people and units that are involved in public affairs and advocacy?

- *probe for the different units within the organization that play a role*
- *probe for the number of people in these units*

(7) Before we finish up, could you tell me about yourself and how you came to work at this organization?

[If appropriate, ask for permission to follow up later. Also obtain copies of documents and web site citations.]

Protocol: Subsequent Interviews

- (1) As I mentioned on the phone, I'd like to talk about your efforts on *[issue]*. What are you trying to accomplish on this issue and what type of action are you taking to make that happen?
 - *probe about lobbying activities, lobbying targets*

Questions 2 through 7 are identical to those used in the Issue Identification Interviews.

Protocol: Follow-Up Interviews

- 1a. If the status of the issue is known, ask:
I am aware [*explain what is known about the official status of the issue*]. Has anything else happened with this issue since [*month of initial interview*]? [*Probe about changes in venue; if status is unclear, probe to see if the issue is, realistically, still alive*]
- 1b. If the status of the issue is not known, ask:
So I was wondering if you could tell me what's happened with [*issue*] since [*month of initial interview*]? [*Probe about changes in venue; if status is unclear, probe to see if the issue is, realistically, still alive*]
2. If the issue is not alive, ask:
Do you foresee this issue coming up again in perhaps some other form or coupled with some other policy or directed at some other set of policymakers?
3. One of the things we talked about in our meeting was the other people who were actively involved with this issue. You mentioned [*specific names of policymakers, staffers, other lobbies*]. Are these people still involved? Are there any new players on this issue?
 - 3a. [*If relevant*] Have you continued to work with [*names of coalition partners*]?
 - 3b. Are you working with any people or groups that you weren't working with the last time we spoke?
 - 3c. You also mentioned that you were targeting [*names of members of Congress, agency personnel, etc.*] on this issue. Are these people still your targets? Do you have any new targets on this issue?
4. When we spoke last time, you said the primary argument you were using to advance your position on this issue was [*describe argument*]. Is that still your main argument, or have you incorporated other arguments at this point? [*If new arguments added, probe for which is primary and why the new arguments are being used*]
 - 4a. [*If relevant*] Why has your argument changed?
5. So, looking back at what's happened so far, do you feel that your organization [*you*] had an impact on this issue?
6. You've already been very generous with your time so let me bring this to a close. I just wonder if there's something else on this issue that I should be asking about?

[*If appropriate, ask for permission to follow up later.*]

Table 1. Summary of Cases and Interviews.

| Issue | Interviews | | |
|---|------------|-----------|---------|
| | Completed | Attempted | Pending |
| Managed care reform/patients' bill of rights | 15 | 15 | 0 |
| Extending the patent term for drugs undergoing FDA review during the enactment of Hatch-Waxman | 3 | 6 | 1 |
| Hearing screening for infants | 3 | 3 | 0 |
| Risk adjuster for Medicare+Choice | 5 | 6 | 1 |
| Medicare payment rate for pap screenings | 3 | 4 | 0 |
| Parity in health insurance coverage for mental illness | 4 | 4 | 0 |
| Medicare payment for clinical social workers | 4 | 4 | 0 |
| Appropriations for the AIDS Drug Assistance Program | 4 | 4 | 0 |
| Physician Regulatory Issues Team (PRIT) | 2 | 3 | 0 |
| Providing health insurance for the uninsured | 3 | 3 | 1 |
| Medicare funding of graduate medical education | 7 | 7 | 0 |
| Coverage of chiropractic services under Medicare +Choice | 2 | 2 | 0 |
| Prescription insurance and contraceptive coverage | 4 | 6 | 0 |
| Revising the criteria and process used by HCFA to determine the coverage of medical devices under Medicare | 3 | 4 | 0 |
| Regulating disinfection byproducts in drinking water | 4 | 4 | 0 |
| Authorization and funding for upgrades to the CH-47 Chinook helicopter | 1 | 1 | 1 |
| Limitations on patenting mill sites | 3 | 4 | 0 |
| Privacy protections for personal and medical information | 1 | 2 | 2 |
| Legislation and regulations affecting the deployment of broadband technology/long distance data services | 2 | 3 | 2 |
| Compulsory licensing for AIDS-related pharmaceuticals in Africa/tax credit for AIDS vaccine research and development | 6 | 7 | 0 |
| Postal service modernization/reform | 2 | 3 | 0 |
| Modifications to the Food Quality Protection Act of 1996 | 1 | 2 | 2 |
| Corporate Average Fuel Economy (CAFE) standards | 2 | 2 | 2 |
| Standards for low sulfur gasoline | 3 | 3 | 0 |
| Distribution of low power FM radio licenses | 4 | 4 | 0 |
| Appropriation for and existence of the Market Access Program, USDA | 1 | 1 | 1 |
| Repeal of the federal estate and gift tax | 4 | 4 | 0 |
| Amending the Windfall Elimination Provision and Government Pension Offset of the Social Security Act | 1 | 1 | 1 |
| Providing permanent and mandatory funding for conservation programs through the Conservation and Reinvestment Act and related legislation | 2 | 2 | 1 |
| China trade (PNTR) | 6 | 6 | 2 |
| Defense budget line item | 2 | 2 | 1 |

Table 1 (cont.)

| | | | |
|--|------------|------------|-----------|
| Eliminating budgetary support for USDA's predator control | 3 | 4 | 1 |
| Elimination of the 3% excise tax on phone bills | 4 | 4 | 0 |
| Regulation of internet prescriptions | 5 | 6 | 0 |
| Credit union regulation—field of membership issues | 3 | 3 | 0 |
| Bankruptcy reform | 2 | 2 | 0 |
| Preventing needlestick injuries | 4 | 4 | 0 |
| Requiring commercial railroads to grant unpaid concessions to commuter rail services | 3 | 4 | 1 |
| Criminal justice reforms (more rehabilitation programs, no racial inequities in prosecutorial discretion, mandatory minimum issues, no racial profiling) | 2 | 3 | 1 |
| Tax concessions related to electric utility restructuring | 2 | 2 | 0 |
| Appropriations for funding of national nuclear waste disposal site | 2 | 2 | 0 |
| Aviation Trust Fund (Air 21) | 3 | 3 | 0 |
| Elementary and Secondary Education Act Title I | 4 | 4 | 0 |
| OSHA's proposed ergonomics standards | 2 | 2 | 1 |
| Individuals with Disabilities Education Act | 3 | 3 | 1 |
| Funding for legal services | 2 | 4 | 0 |
| FCC licenses for religious broadcasters | 2 | 2 | 1 |
| Repository for spent nuclear fuel | 2 | 4 | 0 |
| Rise in gasoline prices | 1 | 1 | 2 |
| Roads in the national forests | 5 | 5 | 0 |
| Membership in the WTO | 1 | 1 | 0 |
| Proposed United Airlines-US Airways merger | 1 | 1 | 2 |
| Applying and collecting taxes on the Internet and remote commerce | 6 | 6 | 0 |
| Exempting physicians and pharmacists from antitrust laws | 6 | 6 | 0 |
| Change how companies treat foreign earnings and interest expenses for U.S. tax purposes | 1 | 2 | 1 |
| Changing class action law so that more cases are heard in federal court | 4 | 5 | 0 |
| Prevailing wage rules for building trade workers in the Davis-Bacon Act | 3 | 4 | 1 |
| Tax code depreciation schedule for computers and peripheral equipment | 3 | 3 | 0 |
| Legislation allowing off-duty and retired cops to carry firearms across state lines | 2 | 3 | 1 |
| Export controls on computers | 3 | 3 | 0 |
| Totals for 60 issues | 191 | 218 | 31 |