

# *Interest Niches and Policy Bandwagons: Patterns of Interest Group Involvement in National Politics*

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Using data from more than 19,000 reports filed under the Lobbying Disclosure Act of 1995, we analyze the distribution of lobbying on a random sample of 137 issues and find a tremendous skewness. The median issue involved only 15 interest groups, whereas 8 of the issues involved more than 300 interest groups. The top 5% of the issues accounted for more than 45% of the lobbying, whereas the bottom 50% of the issues accounted for less than 3% of the total. This distribution makes generalizations about interest group conflict difficult and helps explain why many scholars have disagreed about the abilities of lobbyists to get what they want. We also confirm and expand upon previous findings regarding the tremendous predominance of business firms in the Washington lobbying population.

**P**olitical scientists writing since the turn of the century have repeatedly noted the vast proliferation of interest groups in Washington, DC, and in recent decades it has become common to refer to the interest group “explosion” of the late 1960s and early 1970s (Berry 1997; Schlozman and Tierney 1986; Walker 1991). The expansion of the group system is significant to interest group schol-

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Data are available from our Web site: <http://lobby.la.psu.edu/related.html>.

ars not only because of concerns about excessive interest group power, but also because of the subfield's long romance with the ideal of pluralist representation. Interest groups do, after all, represent interests, so a concern of virtually every scholar in the subfield has been the question of whose interests are being represented.

The recent growth of the national interest group population has been empirically documented in surveys (Schlozman and Tierney 1986; Walker 1991), but the conclusions drawn about interest group influence have been mixed. Salisbury (1990) and Heinz et al. (1993) have argued that one result of interest group proliferation is that any single interest group wields much less power. With so many interest groups active in Washington, competition is greater and it is more difficult for a single group to attract the attention of overburdened members of Congress. At the same time, others (Browne 1990; Gray and Lowery 1996) have noted that despite the proliferation of groups, on some issues there is much less interest group activity—indeed, that interest groups may gravitate toward issue niches in which no other organized interests are active. This finding has significant implications. An interest group that is active on an issue involving hundreds of other organized interests may find it difficult to have a noticeable impact. On the other hand, an interest group that finds a quiet policy corner in which to request the insertion of a few lines of legislative language may find that its influence is quite substantial.

Unfortunately, to date we have little indication of what the interest group issue universe looks like or, more precisely, how the involvement of groups is distributed across issues. Although surveys have provided a clear and consistent picture of the population of national interest groups (e.g., Heinz et al. 1993; Leech 1998; Schlozman and Tierney 1986; Walker 1991), collecting a random sample of issues on which organized interests are active has proved much more difficult. As a result, we have little idea of what proportion of overall interest group activity is characterized by competition and what proportion involves niche issues. This makes generalizing about lobbying difficult and explains why scholars have disagreed about the relative abilities of individual lobbyists to get what they want (see Baumgartner and Leech 1998).

There have been attempts to address this empirical question more completely. Walker (1991) found that more than 70% of the citizen groups and groups representing the profit sector said they at least sometimes faced opposition from other groups. Of course, these survey data cannot address how often groups face opposition since groups may face opposition on some types of issues but not others. Heinz et al. (1993) considered interest group involvement in 80 national issues and found at least some interest group conflict in all 80 issues. However, as the authors note, all of the issues were “relatively major ones. All of them had been given considerable attention by the *Congressional Quarterly* or other journals that cover national policy making, which is how

they came to our notice” (314–15).<sup>1</sup> Browne (1990, 1995), by comparison, has noted how frequently the agricultural groups he studied chose niche issues. He found that 92% of the 402 issues he studied “affect only . . . a specific commodity, product, or stage in the food and fiber delivery process” (1990, 488) and that most groups focused their energies on these narrow issues and attempted to avoid conflict. These disparate findings clearly suggest that the method used to select the issues for study has a great impact on the conclusions of the study.

This article presents the first analysis of the distribution of lobbying activities in Washington, DC, across a random sample of issues. Our findings make clear that interest groups are active in an extremely broad range of circumstances. In many cases, there are almost no rival interest groups active. In a small number of cases, however, literally hundreds of lobbyists descend on the Capitol. We first describe the new data source that makes such an analysis possible: reports filed under the Lobbying Disclosure Act of 1995. We then present data from these reports that confirm and expand upon previous findings concerning the degree of business predominance in the interest group lobbying population. Finally, we present our findings concerning the frequency with which interest groups in Washington lobby within issue niches versus how often they jump on policy bandwagons and lobby among the crowd.

### A New Data Source

Congress acted in 1995 to require a tougher and more inclusive registration procedure than that which had been widely flouted after the 1946 registration act.<sup>2</sup> The 1995 Lobbying Disclosure Act significantly expanded the reporting requirements for organizations active in Washington, for the first time requiring semi-annual reports from each firm or organization active in lobbying ac-

<sup>1</sup>Interest group researchers often select issues for study based on mentions in news coverage (or, like Kollman 1998, because those issues have been the topic of a public opinion poll). It is important to note that such research designs systematically bias the sample of issues toward more salient issues. By design, niche issues will not be included in such studies.

<sup>2</sup>Graves (1949) suggested, in a report to Congress, that the wording of the 1947 act was flawed because it stated that reporting would be required only of those whose “principal purpose” was to influence the passage or defeat of legislation. He wrote: “There are few organizations indeed that would be willing to admit that the primary reason for their existence was the influence of legislation, even though when Congress is in session they may be particularly active in that regard” (6). Thus, registration under the 1947 act ended up being limited primarily to professional lobbyists, while most interest groups with Washington lobbying offices avoided the registration requirement. Graves noted that even the National Association of Manufacturers, one of the best known and most active interest organizations of the time, “contends that it is primarily a service organization for its 1,600 members” (7). As a result, of the more than 1,800 interest groups that Graves was able to identify from the Washington phone directory and lists of witnesses at congressional hearings, fewer than half had registered.

tivities.<sup>3</sup> We obtained the complete set of records for the December 1996 filing period—approximately 19,000 reports—and we present our findings here (see Baumgartner and Leech 1999 and Furlong 1998 about the difficulties in obtaining and coding these data). There are several important limitations of the law (also see Appendix A). First, organizations spending less than \$20,500 on lobbying in a six-month period need not register: this would exclude small groups operating on a shoestring budget or organizations that lobby rarely. Second, the law is aimed at providing a record of direct contacts of government officials that would not otherwise be noted, and, therefore, groups need not report grassroots lobbying, media campaigns, litigation, testimony at hearings, or submissions under notice and comment.

Despite its limitations, the law still provides the most extensive look at the broadest range of lobbying organizations ever because it includes those that lobby directly as well as those that hire lobbying firms to work on their behalf. Most surveys of interest groups conducted by political scientists have limited their questions to organizations that lobbied directly (for an exception, see Heinz et al. 1993). Each lobbying disclosure report lists the amount of money spent on lobbying, the particular issues of concern to the organizations, the government agencies or congressional offices contacted, and the number of lobbyists employed by the organization. As such, it provides a much more detailed estimate of the degree of lobbying effort made by organizations in Washington than any information previously collected.

### *Overview of Lobbying Activities*

Businesses and trade associations make up more than half of the Washington lobbying community, whether we count only those lobbying directly or include those hiring lobbying firms to work on their behalf. Table 1 presents a simple breakdown of registered lobbying organizations by type, showing how many of each type register themselves and how many appear solely as clients to the lobbying firms. (The figures for those hiring firms represent only those with no in-house lobbyists; the table does not double-count those organizations that hire a lobbying firm in addition to lobbying on their own.)

<sup>3</sup>There are many reasons to expect compliance with the act to be substantial, including two in particular. First, interest groups fear that opponents will expose any failures to report fully on their own lobbying activities. A labor union lobbyist, for example, mentioned in an interview that he was listed on the report only because his union feared that if he were not listed a case could be made that the group had not fully complied. A second reason for compliance is commercial: public relations firms not only keep their own records of billing hours but they also can expect that potential clients will look to the lobby reports to see how much other clients have paid for their services. Hired lobbyists have indicated in interviews that they have a strong incentive to “look big”—not only do they want to appear to do a lot of business, they also want client A to know that client B has paid a lot for their services.

Trade associations, typically based in Washington themselves, are considerably less likely to make exclusive use of hired firms than are businesses: they constitute only 14% of the clients, but about 22% of the organizations with direct lobbying capacities. Citizen groups and nonprofits are similarly unlikely to use lobbying firms to the exclusion of in-house lobbyists: they represent only 7% of the clients, but 14% of the direct lobbying organizations. Government organizations seem to be especially prolific users of the lobbying firms, but this finding is largely due to the fact that federal, state, and local governmental bodies are exempt from registration. Only those governmental organizations represented by lobbying firms and a few non-exempt organizations have registered. Institutions (universities, hospitals, stock exchanges, cultural institutions, and other public/private institutions) were present in approximately equal proportions in the two sets of groups.

Table 1 also shows how our new data compare to two previously collected surveys of Washington interest groups. Schlozman and Tierney's survey of interest-group activities (1986), sampled from a 1981 listing of organizations with Washington offices, was weighted by the amount of news coverage the organizations had received in the *National Journal*. Leech's dissertation (1998) was based on a similar, but unweighted, sample of groups having Washington offices in 1995. Comparing these previous studies with either the clients or the direct lobbyists in these new data indicates that the extent of business predominance in the group system is greater than previously reported.

TABLE 1

## Comparison of 1996 Lobbying Reports with Two Previous Surveys

Type of Organization	Schlozman and Tierney (1981)		Leech (1995)		Lobbying Disclosure Reports (1996)			
					Direct Lobbyists		Clients of Firms	
	N	%	N	%	N	%	N	%
Businesses	30		337	24	698	41	1,853	44
Trade Associations	26		348	24	372	22	578	14
Nonprofits and Citizen Groups	18		425	29	248	14	306	7
Professional Associations	7		210	15	157	9	181	4
Institutions					116	7	335	8
Unions	11		42	3	41	2	19	0
Governments			48	3	26	2	681	16
Other	7		32	2	53	3	258	6
Total	175	99	1,442	100	1,711	100	4,211	99

Sources: Schlozman and Tierney 1986, 413; Leech 1998. Dates in the column heads refer to when the sampling frames were created, not to the publication dates.

TABLE 2  
Levels of Lobbying Activity

Group Type	Total Registrations		Number of Reports Filed		Number of Issues Mentioned	
	N	%	N	%	N	%
Business	2,548	43	9,145	46	21,055	43
Trade Associations	948	16	3,443	17	9,704	20
Professional Associations	336	6	1,190	6	3,700	7
Unions	60	1	348	2	1,254	3
Nonprofits and Citizen Groups	552	9	1,641	8	4,969	10
Government Organizations	706	12	1,934	10	4,094	8
Institutions	450	8	1,427	7	3,485	7
Unknown	317	5	564	3	1,257	3
Overall	5,907	100	19,692	100	49,518	100

### *Weighting by Resources and Levels of Activity*

The reports filed in response to the Lobbying Disclosure Act also allow us to weight the activities of groups by at least a rough indicator of how active they are in the lobbying process. Not only do businesses constitute the largest category of lobbying organizations in Washington, as we saw in Table 1, but they are by far the best endowed and the most active. Table 2 shows not only the number of registrants, as in Table 1, but also how many reports they filed and how many issues they mentioned.<sup>4</sup> These further indicators of the amount of lobbying activity show an even greater business and trade dominance in the system. Businesses, trade, and professional associations together account for 65% of the registrations, 69% of the reports filed, and 70% of the issues mentioned.

<sup>4</sup> An organization must file separate lobbying reports for each of 74 congressionally designated issue areas in which it is active. Therefore, groups that are active on a wide variety of issues will have more reports than groups that are active in only a few issues. In addition, since reports may be filed by an organization on its own behalf and by one or more lobbying firms on behalf of the same group, it is possible for a group to have more than 74 reports filed in its name. If a group lobbied on its own behalf in the TOB category (tobacco issues) and hired four lobbying firms to lobby on its behalf on TOB issues, the group would have five reports filed under its name. Each report may list multiple issues for that issue area, and the same issue may be counted multiple times for a single organization if it is an issue that crosses jurisdictional boundaries—for instance, in the case of tobacco issues, these might be reported as TOB issues and as HCR (health care) issues. Despite—or perhaps because of—the multiple counts, the number of reports and the number of issue-mentions make good measures of overall lobbying activity by an organization because they indicate the degree of effort and attention being expended.

Table 3 shows that this imbalance is exacerbated when we look at the aggregate spending on lobbying by each of these types of groups. Businesses and trade associations, taken together, spent over nine times more money on lobbying than citizen groups and nonprofits. Business spending on lobbying—\$461 million—makes up more than half of the \$823 million total spent on lobbying in 1996 by interest organizations representing themselves. Together, businesses, trade, and professional groups accounted for 85% of the total spending reported in 1996.

Businesses predominate in the lobbying disclosure reports, whether we look at simple numbers of registrations or whether we weight these activities by numbers of reports, numbers of issues mentioned, or levels of spending. Their level of activity, measured either by the number of reports they file, by the number of distinct issues mentioned in those reports, or by the amount of money spent, is even greater than has been found in previous surveys of the Washington interest-group system. Whereas citizen groups and nonprofit organizations report involvement in about 5,000 issues, businesses list more than 21,000 issues. Citizen groups may represent a growing element of the group system, and Berry (1999) has shown their influence in a number of important issues, but they constitute only about 9% to 10% of the lobbying environment in Washington, whether we look at reports, registrations, or expenditures. This is no doubt due in part to a tendency of the reports to discount poorly funded or occasional lobbying organizations—which describes many of the lesser-known citizen groups. The actual percentage of citizen groups in Washington is surely somewhat higher

TABLE 3  
Total Reported Spending by Interest Groups

Group Type	Number of Groups	Average Lobbying Expenditures	Aggregate Lobbying Expenditures	Percent of Total
Business	543	\$849,197	\$461,113,715	56
Trade Associations	305	\$588,619	\$179,528,900	22
Professional Associations	128	\$464,865	\$59,502,776	7
Unions	38	\$407,869	\$15,499,041	2
Nonprofits and Citizen Groups	191	\$369,410	\$70,557,318	9
Government Organizations	20	\$135,694	\$2,713,895	0.3
Institutions	95	\$289,153	\$22,304,658	3
Unknown	36	\$320,707	\$11,545,481	1
Overall*	1,356	\$606,759	\$822,765,784	100

\*These figures include only organizations that maintained their own in-house lobbying personnel and that spent at least \$20,500 on lobbying. The expenditures of organizations that relied exclusively on hired lobbying firms are not included in these totals.

than the lobbying registrations indicate; however, the share of issues and spending attributed to interest groups is likely to be more on target given that organizations that are not included in the reports operate at the fringes of the Washington influence community.

A few caveats should be offered here. First, the lobbying reports do not involve indirect lobbying. That is, when the Sierra Club organizes a grassroots campaign, when another organization leaks information to a journalist or purchases a series of ads on the radio or television, or when a group gets involved in a get-out-the-vote campaign, none of these activities will be reported since no direct contact of government officials is involved. To the extent that these conflict-expansion strategies are often the tools of the relatively underrepresented in the direct congressional lobbying process, then this data source would tend to understate such groups' influence and activities. On the other hand, there is little reason to believe that business firms and trade associations are shy about using these tactics. Leech's survey found that businesses used free media tactics (press conferences, press releases, contacting reporters, staging media events) nearly as often as nonprofit organizations, while using paid media considerably more frequently than the nonprofits (also see Goldstein 1999).

A second caveat is that we do not mean to suggest that the "business lobby" is a unified front that always finds itself opposed to the interests of consumer and ideological groups. Indeed, in many situations a business interest group may subsidize the lobbying efforts of a consumer group. The lobbying campaign in the 106th Congress to eliminate the 3% excise tax on telecommunications, for example, was largely funded by AT&T, Bell Atlantic, and two large trade associations, all of which were motivated to end the tax by the costs they incur in administering it. But most of the benefits of such a tax cut would go to consumers themselves, and many consumer-oriented interest groups allied themselves with the business interests in that case and made use of their resources. In another recent case, the Environmental Protection Agency's 1999 decision to adopt more stringent standards on sulfur content in gasoline, environmental interest groups found themselves lobbying alongside car manufacturers as the car manufacturers sought to put more of the clean-air burden on oil companies by supporting the tougher standards. Rather than exhibiting a simple business-labor dichotomy, policy disputes often pit the interests of small businesses against those of large businesses, or of producers against distributors. As the tables above have shown, however, the sheer number of business lobbying groups and the level of resources they bring to bear means that businesses can afford to choose their issues, whereas consumer and ideological groups on most issues must hope that someone with cab fare is along for the ride.<sup>5</sup>

<sup>5</sup>The reason for this imbalance is more logical than political. Olson's (1965) by-product theory of large pressure groups ensures that organizations like businesses and trade associations, which originally formed for a purpose other than lobbying, will find it much easier to organize than groups that by their nature provide primarily collective benefits. In addition to the forces at work at



TABLE 4  
Comparing the Sample of 137 Cases with the Universe  
of Reports Filed

Group Type	Total reports		Reports filed mentioning our sample of 137 issues	
	N	%	N	%
Business	9,145	46	4,737	47
Trade Associations	3,443	17	1,610	16
Professional Associations	1,190	6	600	6
Unions	348	2	169	2
Nonprofits and Citizen Groups	1,641	8	723	7
Government Organizations	1,934	10	1,052	11
Institutions	1,427	7	824	8
Unknown	564	3	281	3
Overall	19,692	100	9,996	100

### Lobbying Activities in a Sample of Issues

Disagreements and contradictions abound in the study of lobbying and policy making in American politics. We have laid out many of these in previous work (Baumgartner and Leech 1998), but a central problem in generalizing about “the” lobbying process has been that scholars have had little systematic information about how frequently interest groups engage in high-conflict lobbying activities versus more secretive, low-conflict lobbying behaviors. In order to answer these questions, we constructed a data set based on a random sample of all issues in which organized interests were involved in 1996, weighted by the levels of lobbying activity (see Appendix A). These data represent the first random sample of issues involving national interest groups that we know of; we can generalize for the first time about the distribution of lobbying activity across issues.

First, we note the correspondence of our sample of 137 cases with the larger universe from which they were drawn. Table 4 shows the overall number of

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the level of the individual group, population-level influences should be expected to affect the diversity of the interest group system (Gray and Lowery 1996). Gray and Lowery’s population ecology theory predicts that the size of different economic sectors within the interest group population should be expected to vary as the resource levels for those sectors change—that is, as government becomes more or less involved in a particular issue-area or as the field of potential members shrinks or grows.

reports filed, by type of interest group, as compared to the number of reports filed on our sample of issues.

The sample corresponds almost exactly to the larger universe, with each of the categories of registrants within one percentage point of the larger data set. These comparisons allow confidence that our sample of 137 issues is well chosen and generalizable. Now we can consider the degree of lobbying activity associated with each of our issues. We can do this by counting the number of interest groups involved in the issue or by counting the number of reports filed in relation to that issue; both show a similar characteristic. Figures 1 and 2 present these data.

Figure 1 presents the distribution of interest groups across our sample of 137 issues. The remarkable feature of the data is, of course, the crowding effect: the vast majority of issues generate only a very small amount of lobbying activity. A few issues, however, become the object of veritable lobbying extravaganzas. Four out of the 137 issues each attracted more than 500 interest organizations (these cases were, as shown in Table A-1, Omnibus Consolidated Appropriations, the Small Business Job Protection Act, the Budget Reconciliation Act (including welfare reform), and Defense Department appropriations). Similarly, an additional 13 issues attracted more than 200 interest groups, and 9 more issues were of interest to 100 or more interest groups. All in all, Figure 1 presents data on 10,434 instances of interest group involvement in an issue (some interest groups were active on multiple issues in our sample). The top four issues accounted for more than a third of all interest group activity (3,565

FIGURE 1

Number of Interest Groups Active Across a Sample of Issues, 1996

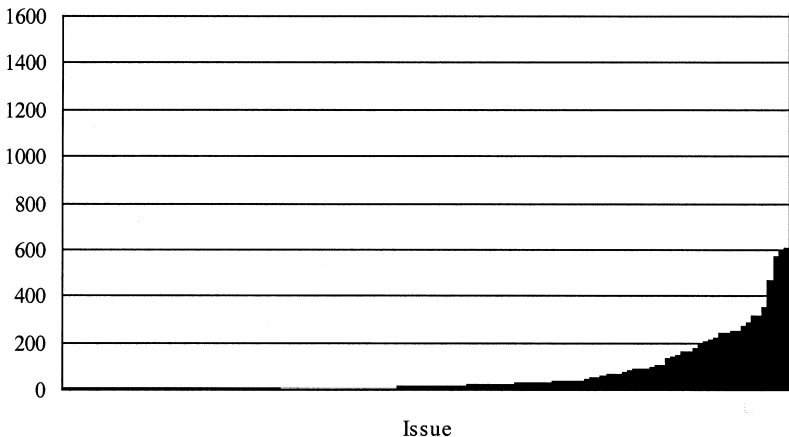
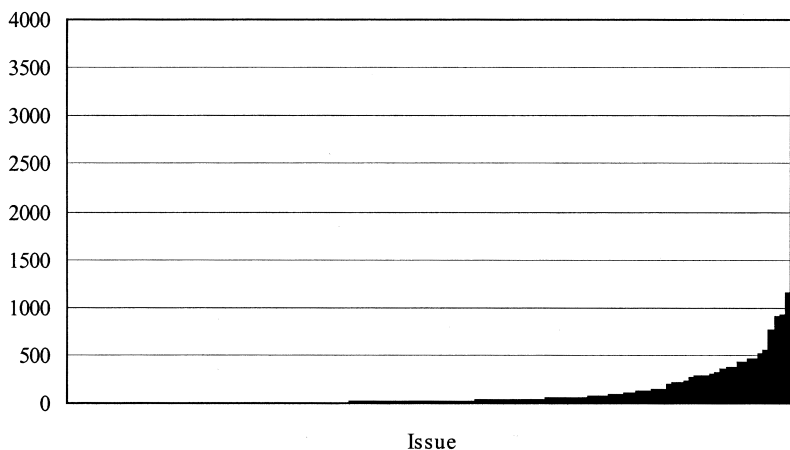


FIGURE 2

Number of Lobbying Reports Across a Sample of Issues, 1996



cases of interest group involvement, or 34%); the 26 issues on which more than 100 interest groups were active accounted for 8,496 cases of interest group involvement, or fully 81% of the total amount of lobbying.

Of course, the logical counterpart to the concentration of so many interest groups on a small number of issues is that a large number of issues saw only a few interest groups become involved. The median issue was the object of lobbying by 15 interest groups. Only 2.6% of the interest groups were active in the 68 issues with fewer than the median number of interest groups involved; more than 97% of the cases of interest group involvement involved the 68 issues with greater than the median activity. Twenty-three cases were mentioned only by a single interest group. In seven of those cases the issue could be characterized as particularistic—for example, obtaining permission for a client to do business in China. The remaining 16 cases were significantly broader, however, including such substantive issues as how to handle cesium waste and wildlife refuges for nongame animals.

Since the Lobbying Disclosure Act requires that interest groups file a report for each issue-area in which they are active and that each lobbying firm must file separate reports on each client's behalf, the number of lobbying reports exceeds the number of interest groups. Figure 2 shows the distribution of lobbying reports across our sample of 137 issues. The degree of skewness that we saw in Figure 1 is even more pronounced in Figure 2, which allows a sort of weighting by level of activity. Though the measure is not perfect, in general those interest groups with greater activities will file more than one report on

the same issue. Therefore, these data can be seen as a rough indicator of the level or intensity of lobbying activity; as we can see, they show the same, but slightly more pronounced, pattern of skewness already noted in Figure 1.

Whether we look at numbers of interest groups or the numbers of reports, clearly, the distribution of lobbying activity across our sample of issues is quite skewed. The vast majority of the lobbying occurs in a tiny fraction of the issues. Conversely, in the vast bulk of the issues on which interest groups are active, they have the grounds relatively to themselves. Even issues such as a proposal to amend the Passenger Services Act, changes to the student loan system, and a proposal to reorganize the federal home loan banking system attracted just three to five registered interest groups in 1996 (see Table A-1). Table 5 shows the skewed distribution of lobbying activity by presenting data on the proportion of lobbying activity by the proportion of cases in our sample. Whether we look at the raw numbers of lobbyists active in a given issue or the number of reports, we see that the bottom 10% of the cases attract far less than 1% of the total interest group activity, whereas the top 10% of the cases attract more than 60% of the lobbying activity.

We have already discussed the enormous population dominance of the business community that the Lobbying Disclosure Reports make clear. We can use our sample of issues to compare patterns of activity in cases with few and many interest groups involved. Table 6 presents these data, showing the distribution of activity by group type separately for those cases in which very few to a great number of other interest groups were involved. Several features are

TABLE 5  
The Proportion of Lobbying Activities by Case

Percent of Issues	Lobbying Organizations			Lobbying Reports		
	Number	Percent	Cum.	Number	Percent	Cum.
Lowest 5 percent (7 issues)	7	0.07	0.07	7	0.04	0.04
5.1 to 10 (issues 8 to 14)	7	0.07	0.13	7	0.04	0.08
10.1 to 20 (to issue 28)	19	0.18	0.32	32	0.19	0.27
20.1 to 30 (to issue 41)	36	0.35	0.63	58	0.34	0.62
30.1 to 40 (to issue 55)	78	0.75	1.36	87	0.52	1.13
40.1 to 50 (to issue 69)	147	1.41	2.77	192	1.14	2.27
50.1 to 60 (to issue 85)	237	2.27	5.04	355	2.11	4.38
60.1 to 70 (to issue 99)	417	4.00	9.04	624	3.70	8.08
70.1 to 80 (to issue 113)	897	8.60	17.64	1,215	7.21	15.29
80.1 to 90 (to issue 128)	2,039	19.54	37.19	3,050	18.10	33.39
90.1 to 95 (to issue 135)	1,849	17.72	52.92	2,844	16.88	50.26
95.1 to 99.3 (to issue 136)	2,913	27.92	82.86	4,839	28.71	78.98
Top 0.7 percent (top issue)	1,788	17.14	100.00	3,543	21.02	100.00
Totals (137 issues)	10,434	100.00	100.00	16,853	100.00	100.00

TABLE 6

## Business Predominance on Large and Small Lobbying Issues

Type of Groups Lobbying	Number of Interest Groups Involved in the Issue									
	1 or 2 organizations involved (32 issues)		3 to 10 organizations involved (31 issues)		11 to 50 organizations involved (37 issues)		50 or more organizations involved (37 issues)		Total for All 137 Issues	
	%	N	%	N	%	N	%	N	%	N
Business	49	20	38	67	39	343	43	3,919	43	4,349
Trade	12	5	16	29	20	175	16	1,430	16	1,639
Government	24	10	7	12	10	86	14	1,317	14	1,425
Professional Institutions	7	3	13	23	12	104	6	562	7	692
Institutions	2	1	11	19	9	80	9	850	9	950
Nonprofits and Citizen Groups	2	1	11	20	8	71	9	816	9	908
Unions	2	1	4	8	2	21	2	193	2	223
Total	100	41	100	178	100	880	100	9,087	100	10,186

clear from Table 6. Most important, the data show that business advantage, while great overall, is even more striking in the cases where the fewest interest groups are active. In the 32 cases where only one or two interest groups were involved in the issue, participation was almost wholly limited to businesses, trade associations, and the intergovernmental lobby. These data paint a striking picture of the lack of conflict that can often accompany the relatively secretive lobbying process where few are involved. Businesses, trade and professional groups, and representatives of states, cities, and other government institutions appear to be involved in all types of lobbying activities. Unions, nonprofits, and citizen groups are more likely only to be involved in the relatively more open and conflictual processes involving more participants.

Of course, following Schattschneider (1960), there is ample reason to suspect that the involvement of unions, citizen groups, and other nonprofit sector organizations may be the cause of conflict in the lobbying process and the reason why some issues attract the attention of hundreds of interest groups while others involve only a handful. By focusing our attention on high-profile cases of lobbying activity, we gain understanding of how these conflictual issues are handled and how important the lobbying process can be in such cases. But we should not overlook the more secretive and more troublesome elements of lobbying alone. When this type of activity occurs, it is generally in the absence of many types of groups, in particular representatives of labor, citizens, and the nonprofit sector of the economy.

In a larger project focusing on interviews with a sample of Washington lobbyists that is currently in the field (Baumgartner et al. 2000), some of our respondents have described a process remarkably similar to the one we have noted here. A lobbyist for a major labor union reported that half of his union's lobbying staff had been working on the sole issue of China's Permanent Normal Trade Relations (PNTR) for more than a year. Before that, he noted, they were similarly focused on NAFTA, FastTrack, and the Clinton health care reform effort. In sum, for the past several years, this major union had been devoting a large proportion of its total lobbying efforts to one issue at a time. Of course, he noted, hundreds of issues are of concern to them, but many of our respondents have mentioned a similar focus of energy. When a major legislative reform takes shape, groups have no option but to become involved. With limited resources, inevitably this means that other issues will have to be ignored. Business groups also are forced to act on some issues because the attention of others has focused there, but their higher levels of lobbying resources ensure that businesses are less likely to have to make the hard decision to ignore niche issues that are important to them.

## Conclusion

Our findings concerning the distribution of lobbying activity have not replicated any of those already in the literature because no similar studies are based

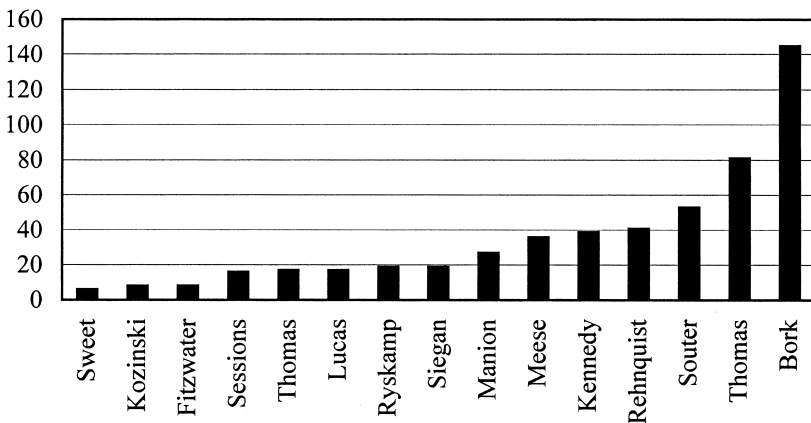
on a random sample of issues. In a recent study based on a survey of groups involved in federal judicial nominations, however, Caldeira, Hojnacki, and Wright (2000) found some similar patterns. They reviewed participation in discussions over Senate confirmation of 15 Supreme Court, Appeals Court, District Court, and Justice Department nominations in the 1980s and 1990s. The numbers of participants they reported across the cases are as shown in Figure 3.

The greatest numbers of interest groups in the judicial nominations study were found in the highly controversial cases of Supreme Court nominees Bork (145 groups active); Thomas (81 groups); Souter (53); Rehnquist (41); and Kennedy (39). Lower numbers of interest groups were involved in Department of Justice nominations and District and Appeals Court cases. Still, the general pattern is similar to what we reported above: most cases attract only a small proportion of the total potential audience of lobbyists, whereas a few cases generate a firestorm of lobbying activity. Certainly Justice Thomas and nominee Bork would see it that way.

What is there about the process of lobbying that produces these seemingly general patterns? Certainly it is reasonable to think that it has to do partly with the size and scope of the issue at hand: issues costing more money, involving a greater departure from the status quo, and affecting more people will attract more attention. The Defense Department authorization bill, certainly an expensive measure affecting people in every state, attracted more than 500 interest groups. There can be no surprise that this issue was of concern to more interest groups than some of the smaller issues we also studied. However, we should

FIGURE 3

## Interest Group Involvement in Judicial Confirmation Debates



not conclude that the process can be explained solely by the size and scope of the legislation being considered.

The judicial nomination study is important in this regard because the scope of the issue at hand is identical within each of the four types of nominations studied. The Supreme Court nominations clearly had the greatest scope and potential importance and also generated the most interest; however, there still was great variance across the Supreme Court nominations, with the number of interest groups involved ranging from 39 to 145. Similarly, our cases cannot be fully explained by the scope of the issue; there is certainly correspondence but it is not complete. Rather, some conflict expansion process must be at the heart of the distribution of lobbying. Heinz et al. (1993) noted that the lobbyists they studied spent a great deal of time monitoring the activities of others in the policy community, watching what others were doing, and reacting when others acted. The importance of the expected behavior of others leads to an important element of potential instability in the policy process. The expectation of success can itself be a self-fulfilling prophecy; the perception that an issue is a "lost cause" or "not going anywhere" can itself hinder or cripple an effort to recruit coalition partners. On the other hand, once it crosses a threshold of visibility, increased participation can be self-perpetuating as well, as advocates both in favor and opposed to the potential action see that the issue is "moving." Where decisions are made in quick reaction to the decisions of others, threshold effects can be noted and in general the process will not be predictable. Two issues with relatively similar objective scopes may attract greatly different levels of attention in a self-reinforcing process characterized by cue-taking and imitation.

The large resource advantage that the business and trade community enjoys in the Washington lobbying community has long been noted, but our study points to some new ways in which this advantage manifests itself. First, using a variety of new weighting techniques that our new data source allows, we noted that the resource advantage for business is probably greater than even previous studies have found. More important, however, our analysis of the distribution of lobbying across a sample of cases shows the opportunity costs of lobbying. Where broad coalitions of interest groups get involved in a small number of issues at any given time, we can see a conflictual and open process that a pluralist can point to as evidence of the great diversity of participation in the Washington policy process. However, for every issue that attracts hundreds of interest groups, there are many more issues in which only one or a few become involved—and in those issues the business community is much more likely to be lobbying alone.

Conflict expansion processes are well understood. What has been rarely understood in the literature on lobbying is how commonly or uncommonly these types of processes occur. The distribution of interest groups across a sample of issues, as we have laid it out here, helps shed light on this question. Perhaps the most troubling finding from this distribution is that the great majority of



the issues seem to involve not too many interest groups, but too few. For in the cases where few interest groups are involved, we can be almost certain that few representatives of labor, citizens, or the nonprofit sector will be heard. The vast size of the professional and business lobby in Washington ensures that trade groups, corporations, and those that represent them will be present in almost every issue being discussed in government. Unions, nonprofits, and citizen groups will sometimes make their voices heard, but will often be absent. Rarely do these groups lobby alone. That may be the clearest statement of the privileged place of business.

## Appendix A

Though the 1995 Lobbying Disclosure Act requires that all information collected be publicly available, Congress has not seen fit to make the information easily accessible. Members of the public may review the records on computers in the Office of the Clerk of the House of Representatives, but the data are available only as scanned-in images of the reports themselves. No database exists that would allow one to discern any patterns of activity; the records are simply saved in the computerized equivalent of a filing cabinet. (The Center for Responsive Politics (1999) provides considerable information from the reports through its Web site, but this source does not provide any information about the issues on which organizations lobbied.) To create the data set on which this article is based, we purchased the entire set of Lobbying Reports for 1996 from the secretary of the Senate (on microfilm) and supervised a group of coders as they worked more than 1,000 hours.

It is important to understand what the act includes in its definition of lobbying. The law considers lobbying activity to include any written or oral contact of a federal government official with policy-making responsibilities—including members of Congress, their staffs, and high-level executive branch officials—if that contact is regarding the formulation or modification of legislation or regulations, or regarding the adoption of a contract, the nomination of an individual, or the execution of some regulation. The law excludes several formal processes of lobbying—testifying at hearings, filing lawsuits, and submitting reports under notice and comment—since this information is often available to the public in the form of lists of witnesses or files of public comments. In addition, the list of “covered officials” includes virtually all congressional staff, but only the highest levels of the executive branch: the director of the National Institutes of Health is a covered official; the thousands of staff who work there generally are not. The director of NASA is covered; the engineers who write the technical specifications for contract bids are not. Researchers who use these data should be aware that the restrictive definition of “covered officials” within the executive branch means that most lobbying directed at federal agency officials goes unreported here. The act has a clear congressional focus. Other activities that are not covered by the registration and reporting requirements of the act

TABLE A-1  
A Sample of Lobbying Issues

#	Short Title	Organizations	Reports
1	Omnibus Consolidated Appropriations	1788	3543
2	Small Business Job Protection Act	608	914
3	Budget Reconciliation Act	597	933
4	Defense appropriations	572	1164
5	Health Insurance Reform Act	471	765
6	Transportation appropriations	354	520
7	Superfund	311	543
8	Energy and Water Development Appropriations Act	311	455
9	Labor/HHS/Education appropriations	285	377
10	Immigration and refugees	269	422
11	Electric utility restructuring issues	252	427
12	Immigration reform	250	376
13	Telecommunications Act	241	469
14	Department of the Interior appropriations	241	318
15	Internal Revenue Code and tax issues related to IRC sections 213, 265, and 7702A; also tax provisions in HR 3103 and HR 3448	218	301
16	Department of Energy appropriations	213	265
17	Intermodal Surface Transportation Efficiency Act	202	277
18	Agriculture appropriations	197	283
19	Drug and Biological Products Reform Act	172	363
20	Clean Water Act	164	215
21	Welfare reform	161	287
22	Farm Bill	148	225
23	Safe Drinking Act	137	214
24	Clean Air Act	131	190
25	Civil aviation issues	103	137
26	China's MFN status	100	146
27	Copyright Protection Act	93	147
28	Federal Aviation Reauthorization Act	90	127
29	Fair Debt Collection Practices Act	90	121
30	Federal Deposit Insurance Amendments Act	86	121
31	Coast Guard appropriations	79	99
32	Product liability issues	71	89
33	International tax rules	67	78
34	Education assistance and the research and development tax credit in the Small Business Job Protection Act (IRC Sec. 936)	65	105
35	Securities amendments (Capital Markets Deregulation and Liberalization Act)	64	90
36	Medical Records Confidentiality Act	61	83
37	Amendments to the Federal Labor Standards Act to allow compensatory time off for overtime work	53	74
38	Patient Right to Know Act	49	54
39	Omnibus Civilian Science Authorization Act	43	76
40	Ocean Shipping Reform Act	40	46
41	Anti-trust relief for health service providers	39	52
42	Voluntary Environmental Audit Protection Act	39	42

TABLE A-1 *continued*

#	Short Title	Organizations	Reports
43	Independent Contractor Tax Simplification Act	36	54
44	Capital gains tax reform	36	45
45	Education appropriations	35	44
46	Mining law issues	31	72
47	Privatization of the TVA	30	46
48	Iran and Libya Sanctions Act	29	42
49	Pension simplification included in the Small Business Job Protection Act	28	41
50	Juvenile Justice and Delinquency Prevention Act	28	40
51	Department of Defense health affairs programs, specifically TRICARE and the Uniformed Services Treatment Facilities	26	53
52	Postmark Prompt Payment Act	26	28
53	Job training and placement issues	25	48
54	Temporary Duty Suspension Act	25	29
55	Raw cane sugar tariffs	23	40
56	National Science Foundation Appropriations	22	32
57	Satellite Home Viewer Protection Act	21	41
58	Indian provisions in Interior Appropriations	21	38
59	EPA's brownsfield redevelopment initiatives	21	30
60	Adoption Promotion and Stability Act, specifically the adoption tax credit	20	22
61	Automobile manufacturing issues	19	41
62	Information Technology Agreement	18	20
63	Hydroelectric Issues	17	26
64	Peanut price supports	16	24
65	Mobile communications issues before the FCC	16	22
66	Crime Bill, specifically law-enforcement funding	16	18
67	Veterans' Health Care Eligibility Reform Act	15	22
68	Bill to amend the tax code to prevent tobacco companies from deducting advertising expenses	15	19
69	Defense Appropriations specifically pertaining to military depots	15	16
70	Hazardous Materials Transportation Act	14	18
71	Sunsetting of the Interstate Commerce Commission	13	15
72	ERISA Targeted Health Insurance Reform Act	11	16
73	Federal Aid Facility Privatization Act	11	12
74	Grazing fees on federal land	11	11
75	Bank Insurance Fund and Depositor Protection Act provisions pertaining to tax treatment and FDIC status of retirement annuities	10	16
76	Small Business Investment Company Improvement Act	10	15
77	American Automobile Labeling Act	10	14
78	Public Health Service Act	9	12
79	Regulatory Transition Act (a.k.a. Regulatory Freeze Act)	9	12
80	Retail wheeling of electricity	8	16
81	Medicare reform pertaining to coordination and duplication of benefits	8	10
82	Food stamp amendments in the Farm Bill and Welfare Reform bill	8	9

TABLE A-1 *continued*

#	Short Title	Organizations	Reports
83	Istook Amendment	8	8
84	Lifting ban on the export of Alaskan North Slope oil	7	8
85	Appropriations for emergency telemedicine services	7	7
86	Labor, HHS Appropriations Bill pertaining to SAMHSA	7	7
87	Student Loan Evaluation and Stabilization Act	6	11
88	Proposals to restructure trade functions of the executive branch agencies	6	6
89	Truth in Employment Act	6	6
90	Bill limiting state taxation of certain pension income (H.R. 394)	5	6
91	Savings in Construction Act	5	6
92	Passenger Services Act	5	6
93	Reauthorization of the Rehabilitation Act of 1973	5	5
94	Issues dealing with the possible auction of 1-888 numbers	4	5
95	Deep Water Outfall Treatment Systems Act	4	4
96	Hours-of-service rules for utility vehicles (Utility Consumer Service Improvement and Protection Act)	4	4
97	Telecommunications reform as it pertains to FCC IB Doc #9559	4	4
98	General contacts concerning futures industry issues	3	10
99	Issues pertaining to the taxation of governmental retirement plans	3	6
100	Implementation of Sec. 271 of the Federal Communications Act	3	5
101	Bill providing remedies for government infringement of patents	3	4
102	Federal Home Loan Bank System treatment of derivatives	3	3
103	Hearing aid compatibility rules at the FCC	3	3
104	Multifamily and Assisted Housing Reform and Affordability Act	3	3
105	Defense Production Act Amendments, Title III	2	7
106	Express carrier provision in the Federal Aviation Administration budget	2	3
107	Funding for a particular transit project	2	3
108	Trade issues related to the New Zealand Dairy Board	2	3
109	Air Force's evaluation of 600 gallon fuel tanks and Navy procurement of ITALD	2	2
110	Changes to Internal Revenue Code, Sec. 447, involving farm accounting	2	2
111	Department of Energy Appropriations for natural gas programs	2	2
112	Issues pertaining to radionuclides in the Clean Air Act	2	2
113	MCI/FOX Direct Broadcast Satellite joint venture	2	2
114	Omnibus Appropriations Bill specifically pertaining to ports	2	2
115	Contacts related to a particular HUD loan	1	6
116	Cesium waste Issues	1	4
117	Possible land exchanges involving land in Florida	1	3
118	Federal government procurement with respect to freight delivery	1	2
119	Federal tribal recognition for King Salmon	1	2
120	Safety slides on cargo airplanes	1	2

TABLE A-1 *continued*

#	Short Title	Organizations	Reports
121	Airline license for a particular airport	1	1
122	Appropriations for overseas refugee assistance	1	1
123	Business license in China for registrant	1	1
124	Constructed conveyances amendments to the Clean Water Act	1	1
125	EDA Discretionary Grant Outreach Clinic	1	1
126	EPA's consideration of bonded product's delisting petition	1	1
127	FAA reauthorization, specifically provisions dealing with port access for intercity buses	1	1
128	FHWA rule on warranties	1	1
129	IRS, Social Security ruling to consolidate CALPERS pension program	1	1
130	Provisions in the Telecommunications Act for early surrender of analog channels	1	1
131	RCRA Corrective Action Subpart S, proposed rulemaking	1	1
132	Reuse of Fitzsimmons Army Medical Center	1	1
133	Sardis Lake Economic Development Project	1	1
134	Senate confirmation of General Tilleh	1	1
135	State management of nongame species of wildlife	1	1
136	The Compassion Credit Act	1	1
137	U.S. Army Corps of Engineers Support Services	1	1

include grassroots lobbying; the use of paid media such as radio, television, or print advertisements; and activities conducted in response to requests from government officials.

The random sample of issues that we use in this article was created by first constructing a list of every issue mentioned by any registrant in each of the 19,692 reports that were filed for the December 31, 1996, reporting deadline. This produced a list of 29,892 issue-mentions. Of course, many of these were mentioned by more than one registrant (and sometimes even more than once by the same registrant if, for example, the registrant both lobbied directly and hired a firm to assist it). We randomly selected a sample of 200 issues from this list of issue-mentions. This sampling procedure ensured that we would have a sample of lobbying issues weighted by the amount of lobbying that took place on those issues. That is, an issue that was mentioned 100 times by many different organizations would be in our sampling frame 100 times and would therefore have that many more chances of being included in our sample than an issue that was mentioned only once by a single organization. Our sample, therefore, consists of a random selection of cases of lobbying activity. After deleting duplicate entries (that is, where the same issue was mentioned more than once), we were left with a sample of 137 issues (see Appendix Table A-1 for the list of our issues).

For each issue that was chosen, we identified the nature of the issue by finding it in the *CQ Almanac* or through a legislative search in the Library of Con-

gress' Thomas Web site. This led to the creation of a list of keywords and search strings, including bill numbers and regulation numbers. We used these search strings to scan our database to identify all other registrants who mentioned the same issue. The open-ended nature of the disclosure reports means that while most interest organizations mentioned specific bill numbers (e.g., H.R. 3255), others were more general or more specific. While some registrants would mention "defense reauthorizations," others might mention only a particular part of the same bill—"reuse of the Fitzsimmons Army Medical Center," for example. We designed our search procedures to take these ambiguities into account. Whenever a bill number or a broad issue was mentioned, we searched not only for relevant descriptors of the bill but also the various bill numbers that were related to that issue that year. Our keyword searches were designed to be broad and inclusive, bringing up all possible related issues. Our coders then painstakingly looked at each of the search word hits to determine whether it should be included in the issue database or whether it was a false hit.

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