

IS IT WHO SAYS IT, OR WHAT THEY SAY?  
INFORMATION PROCESSING AND LOBBYING INFLUENCE IN CONGRESS

by

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ABSTRACT OF THE DISSERTATION

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INFORMATION PROCESSING AND LOBBYING INFLUENCE IN CONGRESS

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This dissertation advances recent theoretical trends in the study of interest groups by marrying them with behavioral models of political decision making. Theories of lobbying characteristically concentrate on how groups supply information to legislators, yet have largely ignored how legislators' sift through and process this information once it is delivered. The question I propose is: *How do legislators' cognitive predispositions affect which organizations they listen to and which arguments they accept or reject?* By systematically manipulating the content and source of the lobby messages in an experiment using actual congressional staffers as subjects, I am able to test hypotheses about how legislators' perceptions of groups' interest bias their judgments about the policy arguments they employ, and vice versa.

My theory of lobbying influence suggests that boundedly rational policymakers will process information from lobbyists differently depending on the policymaker's professional socialization and relative expertise in a specific policy area. Existing research suggests that lobbyists target their friends in the legislature to provide them with useful information, but precisely why some arguments and not others differentially influence legislative allies is unclear. I contend that policy elites are motivated by existing attitudes towards interest groups and towards policies, meaning that evaluations

of both the group's interests and the group's message should affect how influential lobbyists may be.

Lawmakers who are socialized to be objective and policy-oriented are more likely to exhibit rational decision behavior like exhaustively searching, and policymakers who are more reelection-oriented are expected to show evidence of intuitive decision behavior. Similarly, legislators who specialize in a given policy area are more likely to care about the content and validity of a policy advocate's argument, whereas lawmakers who do not specialize are more apt to use group interests as a mental cue. The implication for normative theories of interest representation is that legislators do not always dispassionately deliberate over the pros and cons of a public policy proposal, so we need to reconsider the democratic deliberation justification for the role of interest groups in the policy system.

## **DEDICATION**

To my parents.

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## **Chapter 1. Introduction**

The popular portrayal of interest group influence in Congress is that well-heeled lobbyists pressure those in power to provide the groups they represent with special benefits such as tax concessions, lucrative government contracts, or sympathetic regulatory policies. Yet many political practitioners and social scientists have long acknowledged that interest groups are an important part of the political system because they provide valuable information about policy proposals, constituent preferences, and political consequences to legislators. Nevertheless, political scientists have yet to systematically reveal how such information affects decision-making and agenda setting behavior by the individual legislator. This project begins to address this problem by experimentally investigating how policymakers evaluate lobbyists' arguments and interest groups' credibility, and how those evaluations influence their legislative priorities.

I hope to advance recent theoretical trends in the study of interest groups by marrying them with social psychological models of political decision making. Theories of lobbying have traditionally concentrated on how groups overcome the collective action problem, strategically allocate resources to contact policymakers, or manipulate how policy issues are defined, yet have largely ignored how legislators' internally process these policy arguments. In these models legislators are all too often thought to be decision making black boxes, albeit strategic and election-oriented black boxes.

Models of legislative decision making assume lawmakers have a keen awareness of their policy preferences, access to any publicly available information they desire (constrained only by the number of hours in the day), and the uncanny ability to foresee

the consequences of their actions. So goes the dominant narrative on legislative choice; there is little reason to theorize what happens inside lawmakers' minds when they make decisions. Policy choices are a "structure-induced" fait accompli of the legislative institutions that lawmakers create for their own electoral benefit. At the risk of being accused of anthropomorphizing Washington politicians, I argue instead that members of Congress and their staff are merely human, not strategic automatons who rationally calculate expected utilities.

Applied to lobbying, I contend that theories of influence that emphasize the informational role of interest groups need to explicitly account for the mental processes that members of Congress draw on to choose who to listen to and to interpret what is said. Accordingly, I ask *How do legislators' cognitive predispositions affect which organizations they listen to and which arguments they accept or reject?* By systematically manipulating the content and source of the lobby messages in an experimental setting, I am able to test how legislators' perceptions of groups' interest bias their judgments about policy arguments, and vice versa.

My behavioral theory of lobbying influence suggests that boundedly rational policymakers process information from lobbyists differently depending on policy domain expertise and professional socialization. Existing research suggests that lobbyists target their friends in the legislature to provide them with useful information, but precisely why some arguments and not others differentially influence legislative allies is unclear. I assume policy elites are motivated by existing attitudes towards interest groups and towards policies, meaning that evaluations of both the group's interests and the group's message should affect how influential lobbyists may be. Legislators who specialize in a



given policy area are more likely to care about the content validity of a policy advocate's argument, whereas lawmakers who are not experts are more apt to use interest group credibility and presentation format of advocacy arguments as mental cues.

I explore how policy advocates influence lawmakers' priorities by recruiting congressional staff to participate in an experiment that simulates lobbying. I develop a web-based "laboratory" to expose subjects to a series of hypothetical lobbying arguments from several interest group coalitions, and then ask them to perform several tasks to measure how they use that information to recommend a policy agenda. The software allows me to use process-tracing methods borrowed from experimental psychology to observe in real time how legislative policymakers search for and use particular units of information. I am confident that studying the human cognitive process in this setting—with real political elites—provides new insights into what happens inside the black box of the legislative mind, as well as how interest organizations influence the decisions of elected representatives. The implication for normative theories of interest representation is that legislators do not always dispassionately deliberate over the pros and cons of a public policy proposal.

In this chapter, I develop a broad overview of the behavioral decision theoretical approach to understanding lobbying influence. First, I review the literature on interest groups to demonstrate that most informational models of advocacy influence fail to justify how policy makers actively seek out and interpret information supplied by lobbyists. Second, I propose that the metatheoretical social-cognition approach to elite political decision making will be a useful way to incorporate policy makers into models of lobbying influence. I borrow from work on persuasion and attitude change in the

social psychology literature to explore how such models can explain how policymakers make decisions. Third, I provide a more detailed picture of my information processing approach to lobbying influence. I conclude by outlining the remaining chapters on my experimental method, data analyses, and theoretical implications and future research.

### **Three Models of Lobbying: Exchange, Issue Framing, and Informational**

Interest group research has traditionally approached the subject of lobbying with the assumption that groups indeed provide valuable information to politicians, but has varied in its emphasis on the theoretical nature and ultimate purpose of that information.

Without trying to oversimplify each, the myriad theories of legislative lobbying strategies can be generally classified into three categories: exchange, framing, and informational.

The logic behind each group of theories generates quite different implications about policy advocates' strategic goals and tactical choices. First, most consistent with popular conjecture about the insidious role of the special interests in public policy (Drew 1984, Etzioni 1984, Lewis 1998, Sifry and Watzman 2004), exchange and signaling theories posit that lobbyists try to convince legislators that their current policy preferences are not in line with their goals, such as reelection or professional advancement (See Mitchell and Munger 1991 for a thorough review; Wright 1985, 1990; Gresske 1989, Austen-Smith 1993; Austen-Smith and Wright 1994). These theories can be traced to Schattschneider's theory of "pressure" groups (1960). The more refined versions are based on Becker's economic theory of groups as rent-seeking agents that use constituent support and campaign contributions as currency to negotiate with legislators for policy outcomes (1983, 1985).

While most of these models of exchange are impressively elegant and logically sound, the evidence to confirm that Washington lobbyists employ such strategies has been at best mixed (Baumgartner and Leech 1996, 1998; Hall Deardorff 2006).<sup>1</sup> The signaling or rent-seeking approach to interest group influence is precisely the perspective that Mansbridge challenges when she proposes the deliberative theory as the more normatively desirable system of interest representation (1993). She contends that the normative justification for interest group participation in the policy process is to “maximize deliberation; minimize rent-seeking.”

Second, the issue framing, or issue definition, class of lobbying theories focuses less on how lobbyists strategically choose their audiences and more on how advocates substantively shape how participants understand public problems and solutions being offered. Schattschneider first brought attention to this phenomenon with what he called conflict expansion, or an interest group’s incentive to broaden the scope of a given policy problem to attract support for their interests (1960). The more people a problem is thought to negatively affect, the more likely it is to garner support for a change in the status quo. Several recent studies of agenda setting and lobbying have begun to examine more rigorously what effect attempts to redefine issues have on the policy process. For instance, Smith finds that legislators’ interpretations of policy alternatives are unstable over time (1984). He concludes that the amount of time there is between identifying an issue and its alternatives and making the decision conditions how much political influence advocates can have on policy deliberations.

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<sup>1</sup> In an interesting exception, Kollman (1998) finds that groups follow patterns predicted by signaling models when groups use an “outside lobbying” strategy to shape public opinion and, by extension, legislators’ perceptions of constituent interests. Yet, evidence of signaling models in “inside lobbying” tend to be simply canceled out by legislator’s interests and ideologies.

On a much broader level of analysis, Baumgartner and Jones have found that the public policy process is a punctuated equilibrium system that exhibits extended periods of stability, only to be interrupted by dramatic and often unpredictable events. Applied to lobbying, issue definition strategies may introduce new ideas about existing public problems or new interpretations of old issues (Baumgartner and Jones 1993; Jones and Baumgartner 2005; see also Kingdon 1984; Rochefort 1994; Cobb and Ross 1997). Most importantly, they argue that these dynamic system-level feedback effects are the result of individual decisions in complex situations. The important implication for theories of advocacy influence is that legislators' comprehension of issues is not constant over time, and is therefore exploitable.

Other recent studies rely heavily on Riker's *The Art of Political Manipulation* in which he suggests that political actors persuade others by employing the art of heresthetics (1986). Heresthetic tactics structure a choice situation by offering new alternatives or refined interpretations that sufficiently change how actors understand an issue. Riker claims this argumentation strategy differs from rhetoric, however, which is an attempt to persuade decision-makers to agree with an alternative that has already been offered. Yet, lobbyists rarely if ever try to change legislators' underlying policy preferences (Baumgartner et al 2008). Rather, lobbyists likely use heresthetic maneuvers to strategically shape a debate to their advantage. McKissick (1995) extends this logic by articulating under what conditions lobbyists will strategically manipulate issue definitions. Under this model, lobbyists take into account a legislator's probable "affinity" for the group's position and accordingly highlight one or more relevant dimensions in their argument. The key to the model is that lobbyists activate the salience

of, or shift a legislators' attention to, a particular issue dimension rather than attempting to persuade legislators to change their underlying beliefs (McKissick 1995; see also Jones 1994).

Empirically, the Advocacy and Public Policymaking project systematically investigated, among other things, how lobbyists use arguments and evidence to shape the definitions for 98 independent issues (Baumgartner et al 2008). The co-investigators conducted hundreds of interviews with lobbyists and government officials to gather evidence on advocates' tactics, arguments, evidence, and perceptions of allies and opponents. The data gathered by interviews and through searches of publicly available material is a significant empirical breakthrough for the study of how advocates interact with policymakers. They have found that lobbyists indeed strategically try to shift policymakers' attention to particular aspects of a given issue, but dramatic changes to how an issue is understood is uncommon (see Leech et al 2002). These findings suggest that advocates' chances of "chang[ing] people's preferences and help them create new options" are minimal.

Finally, informational theorists argue that inside-Washington lobbyists strategically target those legislators who have consistent interests with their groups or who have yet to form a position and are therefore likely to be swayed. Beginning with Bauer, Pool, and Dexter's (1963) study of tariff policies, the literature has tended to describe lobbyists' role as information suppliers or "service bureaus" to members of Congress. Recently, scholars have uncovered evidence to show that lobbyists spend little of their time and energy converting the unfaithful with promises of campaign donations or threats of supporting an electoral opponent. Rather, advocates establish credibility

among colleagues and legislators as reliable sources of information (Berry 1997). Once established, lobbyists tend to build coalitions of lawmakers and fellow advocates (Hojnacki and Kimball 1998, Leech and Baumgartner 1998, Baumgartner and Mahoney 2002). Most importantly, lobbyists mobilize friendly lawmakers to work on their behalf in committees (Hall and Wayman 1990, Hall and Deardorff 2006). Kersh has also found that lobbyists must concentrate as much on recruiting clients as they do on cultivating relationships with policymakers, activities which may or may not be tied to any one specific policy outcome (2001, see also Grenzke 1989, Heinz et al 1993, Ainsworth and Sened 1993). Most of these findings tend not to follow the basic signaling models because lobbyists do not behave as simple rent-seeking agents, but rather as coalition-builders, information providers, or even rainmakers concerned about maintaining a profitable clientele. However, evidence contrary to signaling theories is not necessarily evidence to support Mansbridge's alternative deliberative theory.

Hall has offered a theory of lobbying as informational subsidy to explain why policy advocates direct their efforts at friendly lawmakers (Hall 1998, Hall and Deardorff 2006). Lobbyists allocate their scarce resources to gather, organize, and present the relevant information legislators need to make informed decisions about the policy problems before them, as members of Congress and their staff have little time or expertise to do so. The implication is that:

Lobbyists lobby friends because it is their friends whom they want to subsidize [with information]...not because this is the 'easy path' or because it will reinforce their right-minded voting inclination, but because their friends will put their services to good use in pursuit of common policy objectives. (Hall 1998, 10)

The informational subsidy model seems to be a significant advance from the service bureau model; what Hall's theory does not infer, however, is *how* members of Congress hear, interpret, or otherwise use the information-subsidy provided by lobbyists.

The empirical reality about lobbying strategies tends to support the informational point of view. In one promising line of research, Esterling distinguishes between instrumental and normative types of arguments (2004). He implies that the targets of lobbying messages are more likely to favor instrumental arguments that focus on the causal logic of a proposed policy change rather than the normative outcome of the change itself. Similarly, by "soaking and poking" with lobbyists in Washington over the course of several years, Kersh found that policy advocates supply legislators with "policy-factual" information more than normative arguments (2007).

Yet, these theories do not attempt to explain why policy makers interpret instrumental or policy-factual arguments as more influential. They presume a static audience for instrumental or normative arguments; it does not account for how policy makers actively choose to filter or interpret those arguments once they are offered. Even with these advanced informational theories of lobbying, legislators remain confined to the black box.

These projects have generated improved theories and better data on lobbying influence and, like most productive scientific endeavors, have raised as many new questions as they have begun to answer. I identify a new theoretical direction that will complement these breakthroughs. All three concepts of lobbying influence—exchange, issue framing, and informational—share a common theoretical perspective: that of the lobbyist who—representing a particular interest group—must make strategic choices

about whom to talk to, what to say, and how to say it. Policymakers play a role in these theories; yet, they are in large part implied to be passive targets or audience members rather than active information seekers. Yet, this fact did not escape Bauer, Pool, and Dexter's descriptive account of lobbying:

[Members of Congress] are unlikely to feel pressure from the mere existence of numerous demands on them. That being the case the demands that seem compelling to congressmen are apt to be those which fit their own psychic needs and the images of the world. Things interior to the congressman's mind largely determine what events he will perceive as external pressure on him. He unconsciously chooses which pressure to recognize. (1963, 416)

It is clear that policy argumentation is an interactive process between the message-sending lobbyist and the message-receiving legislator, but it remains unspecified how lawmakers decide whom to listen to, what to listen to, and how to hear it. Accordingly, I argue that the key to developing a better theory of lobbying influence is inside the legislator's mind.

### **Bridging the Theoretical Gap: Behavioral Decision Theory and Expert Political Judgment**

The theoretical approaches to lobbying sketched out above concentrate on how groups strategically allocate informational or other resources to gain access and to manipulate how policy issues are defined, but largely ignore legislators' internal responses to policy arguments. Just as the basic architecture of the human mind may constrain and enhance consumers' and voters' opinions, so too do lawmakers' cognitive limits and affective leanings shape how they are influenced by policy advocates. In this section I outline the behavioral approach to political decision-making—with particular emphases on heuristics and biases and information processing theories—to conceptualize how the logic may



apply to lobbying in the legislative context. The purpose is to recognize that not only do lobbying strategies about building coalitions and manipulating issues matter, but so too do systematic variations in how policymakers process information provided to them by lobbyists.

The heuristics and biases approach to decision-making precisely theorizes why intuitive reasoning limits human rationality, even though it is often efficient and consistent. Kahneman and Tversky's influential hypotheses about intuitive reasoning have influenced scholars across disciplines to adopt the idea that humans use heuristics to make judgments in uncertain situations (Tversky and Kahneman 1974, Kahneman and Tversky 1984). Rather than making complex calculations about the utility of each choice before them, people tend to rely on easily available sources of information in memory or through pre-existing attitudes. By doing so, people save a considerable amount of time and mental energy and actually may increase the accuracy of their judgments over time. The important implication about applying the concept of heuristics to actual decision-making behavior is that people tend to make biased judgments, perhaps even faulty choices that systematically deviate from the rationally normative ideal (Lau and Redlawsk 2001, 2006). Thus, heuristic judgment is not just an efficient means to a (mostly) rational end, but is an automatic, unconscious response to external stimuli that may result in "mental contamination" (Wilson and Brekke 1994).

Several political psychologists have employed social cognition theories to understand why human beings are only capable of processing a limited amount of information and how they form opinions given such limited mental faculties. Broadly speaking, the social cognition approach is "a metatheoretical set of assumptions that

guides research,” as opposed to “a specific theory or domain of inquiry” (McGraw 2000, 806). More specifically, the cognitive approach has introduced information processing theories that have improved our understanding of how individuals evaluate people, objects, events, etc. Recent work in social and political psychology focuses on how people form impressions either by thinking back to prior, similar instances or by more simply updating opinions “on-line” (Hastie and Park 1986, Lodge, McGraw, and Strow 1989). Depending on the judgment task at hand, people are thought to either actively refer to beliefs stored in long-term memory or to instantaneously update their opinions in short-term memory, or keep a running on-line tally. The memory based and on-line based theories make nearly opposite predictions about how voters information processing behavior and, in all likelihood, are equally valid depending on the context (Zaller 1992, McGraw 2000, Lau and Redlawsk 2003).

Because recent theories about lobbying and agenda setting are concerned with shifting attention to one or more attributes among hundreds of issues at any given time (Baumgartner and Jones 1993, Jones 1994), the on-line model may be a good candidate to explain how legislators evaluate most lobbyists’ policy arguments. Under this scheme, the agenda setting process is an adaptive one in which lawmakers keep on-line tallies about overall legislative priorities, while their underlying preferences remain stable in long-term memory. If legislators behave as on-line information processors, then their information search behavior may explain why lobbyists spend so much time and energy cultivating relationships, establishing credibility, and providing information subsidies.

However, it could just as likely be true that legislators process information by updating memory to maintain consistent ideologies. As with voters, the degree to which

policymakers update their attitudes on-line or through memory may depend on the context. As I will develop more fully in chapter 5, I argue that that context is primarily bound by policymakers' relative expertise in the specialized issue area under concern, such as transportation issues, taxes, or national security. Thus, policymakers' in-depth knowledge and institutional memory of a certain issue domain may explain why they shift their attention to certain attributes of a choice situation than others. Whether or not—and under what conditions—legislators assemble information provided by lobbyists using the on-line or memory based models are precisely what the experiment proposed below is designed to uncover.

**A Theoretical Preface:  
An Information Processing *Approach* to Lobbying Influence**

This approach, adapted from psychology, has introduced theories about information processing and heuristics that explain how individuals evaluate people, objects, and events. The information processing perspective assumes that humans respond to stimuli in their environment, but are only capable of processing a limited amount of information at any point in time (Simon 1957, 1996; Hastie 1986; Tversky and Kahneman 1974; Kahneman and Tversky 1984; see Gilovich, Griffin, and Kahneman 2002; see Fiske and Taylor 1991 and McGraw 2000). Jones sums up the behavioral assumptions of this analytic approach when he writes, “to react to information, people must attend to it, interpret it, and devise an appropriate strategy to act on it” (2001, 8). Additionally, people need not be consciously aware of their internal mental processes; they are cognitively automatic, yet vulnerable to error.

To explain attention, interpretation, and strategic reactions, social psychologists rely on dual systems models of information processing. The two main dual systems models—the elaboration likelihood model, or ELM (Petty and Cacioppo 1986), and the heuristic-systematic model, or HSM (Chaiken 1980; Chaiken and Maheswaren 1994)—make similar predictions about the cognitive impact of persuasion messages depending on whether or not targets are highly motivated or possess expert knowledge. These models argue that experts and highly motivated people use central route processing (systematic) processing. Central route (systematic) processing means that the persuasion targets actively attend to the content of a message and cognitively elaborate on the messages to draw conclusions about their attitudes towards the object being advocated. Conversely, people with little motivation or specialized knowledge use peripheral route (heuristic) processing. Peripheral route (heuristic) processing means that persuasion targets use mental shortcuts, or heuristics, to make judgments in uncertain situations rather than making complex calculations about the utility of the choices before them.

Political psychologists have employed dual systems theories of attitude change to understand the mental processes citizens use to search for, store, and recall information about policy issues, political parties, and electoral candidates and have found that citizens generally make vote decisions based on mental cues such as party, candidate “likeability,” and ideology (Iyengar and Kinder 1987; Lodge, McGraw, and Stroh 1989, Sniderman, Brody, and Tetlock 1991; Conover and Feldman 1989). Moreover, the major findings in this line of research demonstrate that voters—who are typically under-informed according to most normative theories of democratic deliberation (Delli Carpini and Keeter 1996)—are still quite capable of making reliable vote choices by basing

decisions on politically relevant heuristics (Popkin 1991; Lupia and McCubbins 1998; Lau and Redlawsk 1997; Lodge and Taber 2000; Iyengar and Valentino 2000). The important implication about heuristics is that people consistently make biased judgments, and perhaps even faulty choices, that may systematically deviate from the rationally ideal choices that would be arrived at through central route processing (Lau and Redlawsk 2001, 2006).

To date, political scientists have applied the information processing approach primarily to mass behavior, yet the assumptions it makes about individuals' mental capabilities and decision making shortcuts should also apply if—as informational theories of lobbying suggest—lawmakers actively seek out interest groups for relevant policy information. If legislators minimize their mental energy and employ mental shortcuts when evaluating interest group's attempts to persuade them, then the same caveat about biased judgments should apply.

### **Organization of the Dissertation Thesis**

To test the hypotheses that can be deduced about information processing behavior and lobbying influence from the social-cognition approach, I created a web-based experimental simulation and recruited actual congressional staff to participate. In chapter 2, I explain my experiment design in detail and describe my method of recruiting subjects. I justify my research design choices and argue that, although certainly not complete, the research tool I developed in this project is an extremely useful, efficient, and unique way to observe non-conscious decision making behavior in Congress, or any other elite political setting for that matter. My hope is that this design can serve as a

template for future research into elite information processing. In chapter 3, I descriptively analyze responses to the pre-simulation questionnaire included in my web-based research tool. Although my extraordinary challenges in recruiting participants is reflected in low response rates to this questionnaire, I hope to draw some preliminary conclusions about how congressional staffers perceive their own roles in the extremely complex information architecture of Congress. The purpose of this chapter is to serve as somewhat of a precursor to a more intensive project to learn about congressional information networks in the future.

The next two chapters report on my most significant hypotheses about legislative decision making and lobbying influence. In chapter 4, I use process-tracing methods to reveal how legislative policy makers adopt search strategies and decision rules to manage the massive amounts of information available to them. I explore whether legislative decision makers use various methods to process policy information. I expect to find that there is no one-size-fits-all model of how legislators go about making decisions. Therefore, models of legislative behavior that assume either strict rationality or the exclusive use of mental “rules of thumb” are equally incomplete. I will argue instead that theories of legislative decision making need to be adaptive, allowing for variations in information processing depending on the political context.

In chapter 5, I adopt a dynamic theory of decision making to analyze how lobbying affects legislative agenda preferences. I test my primary hypotheses variations in how information is supplied by lobbyists and in the scope of interest group coalitions affect how issues are non-consciously perceived by policymakers. I anticipate finding that both the qualities of an advocacy argument and the composition of an interest group

coalition affect the likelihood that an issue will be perceived as a priority. Moreover, I expect these qualities to be independent of the actual substance of the argument or the membership of the coalition, suggesting that lawmakers' use of cognitive shortcuts manipulates their decision outcomes in ways that may be different from their true rational preferences.

In the final chapter, I examine the implications of my findings for deliberative theories of interest representation and suggest possibilities for future research along these lines. If, as I expect, legislators do employ multiple methods to draw conclusions about the merit of public policies, then the prevailing models of legislative action that assume some universal means of decision making need to be revised. Likewise, theories of lobbying influence that regard legislators simply as static information recipients should be reconsidered. More importantly, interest group participation in policy deliberations should be reevaluated in light of the fact that the governors disproportionately attend to arguments that may normatively conflict with the interests of the governed.

## **Chapter 2. Theory and Methods**

In this chapter, I develop a broad overview of my theoretical and empirical approach to understanding lobbying influence. First, I review the literature on interest groups to demonstrate that lobbying-as-information has been an important focus, but that most proposed models of advocacy influence fail to justify how policy makers actively seek out and interpret information supplied by lobbyists. Second, I propose that the metatheoretical social-cognition approach to elite political decision making will be a useful way to incorporate policy makers into models of lobbying influence. Third, I provide a more detailed picture of the information processing approach to lobbying influence. Finally, I specify my information board simulation experimental method to test the theory.

### **Lobbying in the “Lab”: An Information Board Simulation**

I suspect the reason recent theories of lobbying do not account for policy makers’ cognitive processing has little to do with the theory itself, but rather that it is very difficult for social scientists to actually observe what goes on inside their minds. Of course, there are many means to uncover how people think through problems. Yet, in the day to day activities of a legislator, it is nearly impossible to observe counterfactual circumstances to determine how their mind processes information that may be rarely, if at all, supplied by policy advocates. Experiments, though, are an ideal tool for studying counterfactual conditions. Accordingly, I developed an experimental simulation of the



real world of legislative lobbying to monitor subtle, otherwise unobservable differences in how informational subsidies are supplied to their presumptive targets.

I created an original information board experiment that tracks how actual congressional staffers search for information in a hypothetical “in-box” simulation. I recruited Washington-based staff in House and Senate personal and committee offices from employee listings in the Summer 2007 edition of the *Congressional Staff Directory* (CQ Press 2007). I contacted 6,028 prospective subjects by electronic mail beginning on May 29, 2007 and ending on July 12, 2007.<sup>2</sup> I asked subjects to participate in an online study of congressional research capacity and professionalism by clicking on a hyper link included in the email.<sup>3</sup>

There were three stages to the protocol. I initially asked staffers to answer a series of ten questions in the pre-simulation questionnaire that obtained background demographic data such as job title, policy domain expertise, and perceptions about their role in the policy process.<sup>4</sup> Initially 253 respondents began the study by answering questions in a pre-experiment questionnaire. Table 2.1 displays both the response and participation rates for the the pre-simulation questionnaire and the simulation itself

[Insert Table 2.1 here]

I attribute the extremely low response rate of 4.21% to the fact that most congressional offices have a standing policy to not respond to questionnaires or surveys of any kind. In the relatively rare instance that a staffer was kind enough to email me back to explain why they could not participate, invariably the reason was their office’s standing policy of

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<sup>2</sup> This number excludes the 1,144 emails that were automatically bounced by the intended servers because of spam filters or because the anticipated recipient’s email account no longer existed.

<sup>3</sup> <http://www.rutgerscongressproject.org/index.php>.

<sup>4</sup> For a complete list of questions and responses, see Appendix 1. These data are more fully described and analyzed in chapter 3.

no survey participation. Though this common office policy presented a challenge to accessing subjects for survey response purposes, the random assignment protocol of the experiment procedure invalidates the need to recruit a sufficiently representative sample of subjects. Conversely, it was very unlikely that I would have been able to conduct in-person interviews of so many subjects in such a short time frame, so the trade-off was acceptable.

Of the 253 staffers who responded to the questionnaire portion, 139 subjects participated in the second stage of the protocol, the “in-box” simulation, and successfully responded to the third stage, the post-simulation test. This set of subjects supplied a sufficient group of participants for the information board exercise. Figures 2.1 through 2.4 show the proportion of participants by party, office type, chamber, and job seniority.

[Insert Figures 2.1 through 2.4]

Clearly, the set of survey respondents is not representative in each of the four factors. However, the median subject remained the same throughout the three-stage process. The median subject is a white male who works as policy staffer in a House Democrat's personal office. He holds at least a bachelor's degree and has worked for his current employer between two and three years.

The information board simulation used a dynamic web page written in PHP, allowing two key features: (1) a 15-minute time limit with a continuous clock, and (2) real-time tracking of hyperlink clicks that corresponded to selecting items in the information board. Accordingly, I was able to limit users' participation to a total of 15 minutes to simulate the disproportionate amount of information available on policy

issues. More importantly, as detailed in chapter 4, tracking the sequence and timing of sources selected in an information board simulation allowed me to literally trace subjects' cognitive processes.

The simulation is an information board that models a situation where staffers must consult several information sources to recommend a health care policy agenda.<sup>5</sup> Figure 2.5 displays the information board as subjects saw it on their computer screen.

[Insert Figure 2.5]

Each subject could select to view information from sixteen possible items, including eight government items that remained constant and eight private items that varied across four experimental conditions.

For illustrative purposes, Table 2.2 logically re-organizes the sixteen items as a conventional alternative-by-attribute information board format.

[Insert Table 2.2 here]

First, I distinguish between internal, government information sources and external, private sources. Second, I further divide government sources between neutral, non-partisan sources hypothetically from the Congressional Research Service (CRS) and overtly partisan sources by colleagues and committees in Congress. I also divide private sources between implicitly materialist and postmaterialist issues. Building on Ronald Inglehart's materialist and postmaterialist value systems to define types of political interests, Berry has identified a useful distinction for the qualitative nature of policy issues:

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<sup>5</sup> See Payne, Bettman, and Johnson (1993), Mintz (1993) and Lau and Redlawsk (2006) for extensive discussion of using information board experiments to observe how people process information to make adaptive decisions.

Politics is messy and doesn't always offer the analyst a set of perfectly demarcated distinctions and definitions. The categories...are not as self-evident or as clearly differentiated as might be ideal. Yet at the heart...is a fundamental distinction. For some political issues the only concern is how to divvy up the economic pie. Other issues involve a conflict between those who want more of the economic pie and those who say that economic growth is not everything and there are more important things in this world than improving wages, profits, and benefits. (1999, 44)

Consequently, the items in the information board were organized according to four broad categories: Government / Neutral, Government / Partisan, Private / Materialist, and Private / Postmaterialist. The need for these distinctions is elaborated in greater detail in subsequent chapters, but briefly this organization allows me to test hypotheses about how subjects intuitively process information at a non-conscious level (Bargh et al 2001). In other words, I can observe how subjects search for information without explicitly revealing my hypotheses during the hypothetical scenario.

Subjects were given up to fifteen minutes to select as many items as they wanted. When they selected an item, a document would open in an overlaying window in the user's internet browser. All documents were formatted as memos or letters that advocated that one issue be recommended to a hypothetical informal group of legislators that would set the health care agenda for the 110<sup>th</sup> Congress. The scenario instructions read:

Imagine that your party leaders have created a "Health Care Agenda Task Force." The Task Force is seeking input from members to determine the health care agenda for the remainder of the 110th Congress. Your boss is seeking advice from all staff on what those priorities ought to be. It doesn't matter if you specialize in health care issues in the office.

Now, further imagine that your boss is heading to a meeting with the Health Care Agenda Task Force in 15 minutes, so you have very little time to learn about the health care issues that they're considering. Luckily, you have a handful of items in your "inbox" that have some useful information. These items include CRS Issue Briefs, Dear Colleague letters, and letters from ad hoc lobbying coalitions. Each item supports a particular health

care issue as a top priority, and presents an argument in favor of it.

Your job is to review as many items as you can or that you are interested in the next fifteen minutes. After the 15 minutes are up, or you're satisfied that you've read as much as you want—whichever comes first—you will then rank order your suggestions to your boss from top priority to lowest priority.

After having read these instructions, subjects would then begin the simulation and the clock would begin counting down from 15 minutes.

The lobbying simulation epitomizes a collaborative, information-sharing lobbying environment in two key ways. Following the logic outlined in the theory developed more fully in chapter 5, the experiment includes two within-subjects factors: (1) Advocacy Argument Quality and (2) Interest Group Coalition Scope. In brief, my information processing theory of lobbying assumes that lobbyists are motivated by maintaining or improving their credibility, so they supply the message-receiving legislator with high-quality information framed as instrumental advocacy arguments. The advocacy message situated in the hypothetical letter was either instrumental or normative framed positively to avoid contaminating responses with emotion or valence effects (Maheswaren and Meyers-Levy 1990).<sup>6</sup> Both arguments are similar except that the instrumental version includes independent, quantitative evidence to support its underlying claims. Normative arguments simply advocate that the issue was important because the intended outcome itself has merit.

The second experimental factor is the scope of the hypothetical interest group coalitions included in the information board. The label associated with each private

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<sup>6</sup> Studying variations in affect and valence of advocacy arguments would be a particularly fruitful line of future research. The question is not only whether a change in the direction of valence or emotional language would influence attitudes, but also that arguments with a negative valence or negative emotive prompts may compound the status quo bias prevalent in policy decision making (Riker 1986, 1995; Baumgartner et al 2008).

source was innocuous, simply indicating in general the issue being advocated. Once these items were selected, users would see a hypothetical advocacy letter in their web browser. The advocacy letters were “signed” by a coalition that was intended to be perceived as either narrow or broad. On one hand, a narrow coalition consisted of twenty organizations purposely selected to represent a homogeneous set of political interests, such as corporations and trade associations in a particular industry. A broad coalition, on the other hand, was a group of twenty randomly selected organizations symbolizing unrelated, heterogeneous interests. Both the narrow and broad coalitions were created from a set of actual interest groups that ranked in the top 200 by spending between 1998 and 2006.<sup>7</sup> I intentionally selected top-spending groups to maximize the likelihood subjects would recognize individual organizations and infer heterogeneity or homogeneity.

The experiment, then, was a 2 x 2 repeated-measures design with four experimental conditions. A repeated-measures design exposes all subjects to all levels of variation across experimental factors, though the particular stimuli vary across experimental group (Christensen 1994). Table 2.3 demonstrates how subjects were randomly assigned to one of four experimental groups.

[Insert Table 2.3 here]

There were eight experimental items in the information board, so each treatment included two different items associated with each of the four conditions of advocacy argument quality and coalition scope: (A) Normative / Narrow, (B) Normative / Broad, (C) Instrumental / Narrow, and (D) Instrumental / Broad. The repeated-measures design

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<sup>7</sup> I compiled this list while employed as a researcher at the Center for Responsive Politics. The top 200 organizations were drawn on February 21, 2007. The database is continuously updated and can be found at [www.opensecrets.org/lobbyists/index.asp](http://www.opensecrets.org/lobbyists/index.asp).

nullified the alternative hypothesis that policy decisions are based entirely on pre-existing issue preferences. For instance, participants randomly assigned to Group 1 who selected the “Coalition for Healthy Children” on the information board would read a normative argument from a narrow, homogeneous set of organizations. Conversely, those subjects assigned to Group 4 who selected the same “Coalition for Healthy Children” item on the information board would read an instrumental argument from a broad, heterogeneous coalition of interests.

Ultimately, this experiment design simulated a real-world situation that typical congressional staffers may face during their daily routines. Though it was clearly presented as a hypothetical simulation, the presentation minimized the typical issue with experiments that they are not externally valid, making my observations about how subjects searched for information a good measure of subjects’ internal mental processes.

Indeed, one subject responded in the open-ended de-briefing session:

As health policy director, my actual inbox looks a lot like your simulated one (except with more items). The items were useful for what they told me about who is supporting what, rather than for the information contained within them. If there is a Children's Coalition supporting [sic] CHIP reauth [sic], or a new hIT alliance, it's important that I know about them. Similarly, it's important for me to know which Senators and committees are up to what – if it's significant. The factual information contained within the letters or documents is less important than the fact that they are being sent.

The simulation, although obviously a mock-up of real world tasks, was evidently realistic enough to solicit the intended responses.

However, the simulation is useful mostly because it presents counterfactual stimuli in a way that may not be explicitly presented in Congress. A second revealed his or her propensity to seek out information that simply confirmed their existing preferences, a finding that I corroborate quantitatively in chapter 4:

I thought the pieces that had hard data that backed up a view I already held were most useful. Others were too general or had information I already knew or disagreed [sic] with.

In addition, as my analysis in chapter 5 explores in much greater detail, the manipulation of the quality of advocacy arguments and the scope of interest group coalitions was apparent. Even though participants may not have been consciously aware of the experimental manipulation of each item while they were selecting them during the information board exercise, there was enough information contained in each item to convey the intended signal. For instance, another subject indicated:

I appreciate information that cites statistics and broad-based information without endorsing a specific perspective. I also appreciate information from coalitions that represent a wide-range of views.

These responses, along with many other similar remarks gleaned from the open-ended debriefing portion of the study, demonstrate that participants thought the simulation was a reasonable approximation of their actual interactions with colleagues in Congress and with interest group actors.

Subjects were not unanimous in their views of the simulation, though.

Criticism of the simulation generally focused on external validity. One subject, who contacted me through email after having completed the entire simulation, even went so far as to question my hypotheses and methods after discovering the public relations summary of my project on the National Science Foundation website.<sup>8</sup> In a more typical critique, this subject – a staffer to a member of the Alaskan congressional delegation – focused on how the online simulation did not reflect her actual duties:

Your question is seriously flawed. First, you did not say what specific issues were being discussed by the task force; therefore, the multiple subjects dealt with by the items in the inbox were useless. Second, there is no way that a non-Health LA would be tasked to

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<sup>8</sup> Consequently, I determined that this subject's responses may have been contaminated, so he or she was not included in my final N of 139 valid subjects.



provide information to the Senator for a Health task force meeting in 15 minutes. Third, there is no way that anyone in their right mind would provide information to the senator that is gleaned in this manner. Since you want to know which groups I would have spent the most time with, the answer is - Alaskans.

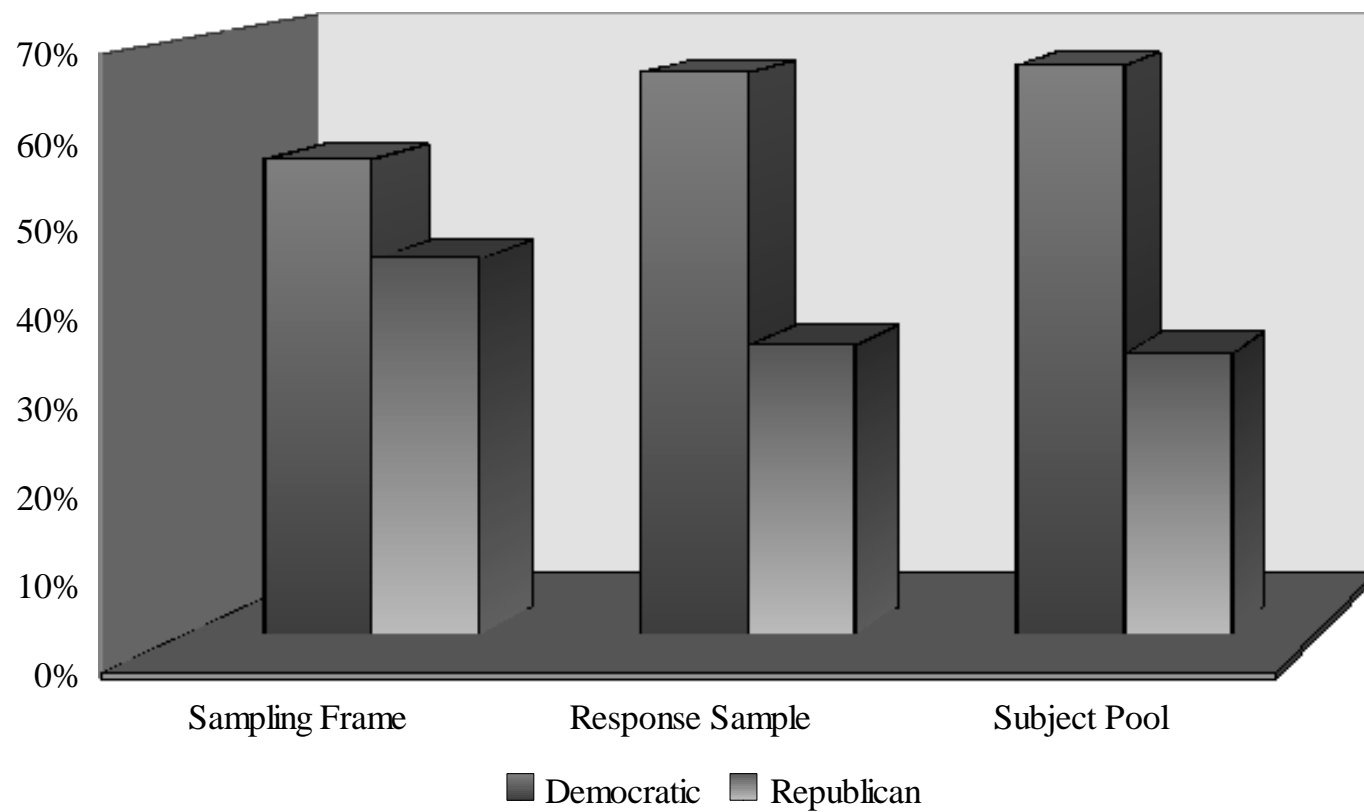
On balance, these objections over minutiae questions of realism should not invalidate my findings. As with all criticism of external validity in experimental social science, my simulation purposely simplified the real world down to the factors that I deduced to be most important for my inquiry. I agree that evaluating decisions by lawmakers without factoring in their reliance on constituents' opinions is far from realistic; however, most of the issues included in my simulation are highly technical, so it is very unlikely that even a well-informed voter would have strong opinions.

With this design, I am not only able to realistically represent the congressional information environment, I am able to measure many behaviors deduced from the social-cognition approach. In the next three chapters, I analyze congressional staffers' perceptions of their role in congressional information networks, adoption of decision strategies, and heuristic processing of information from lobbying coalitions. Thus, my design proved to be a highly efficient research tool that effectively includes a survey questionnaire and two experimental apparatuses.

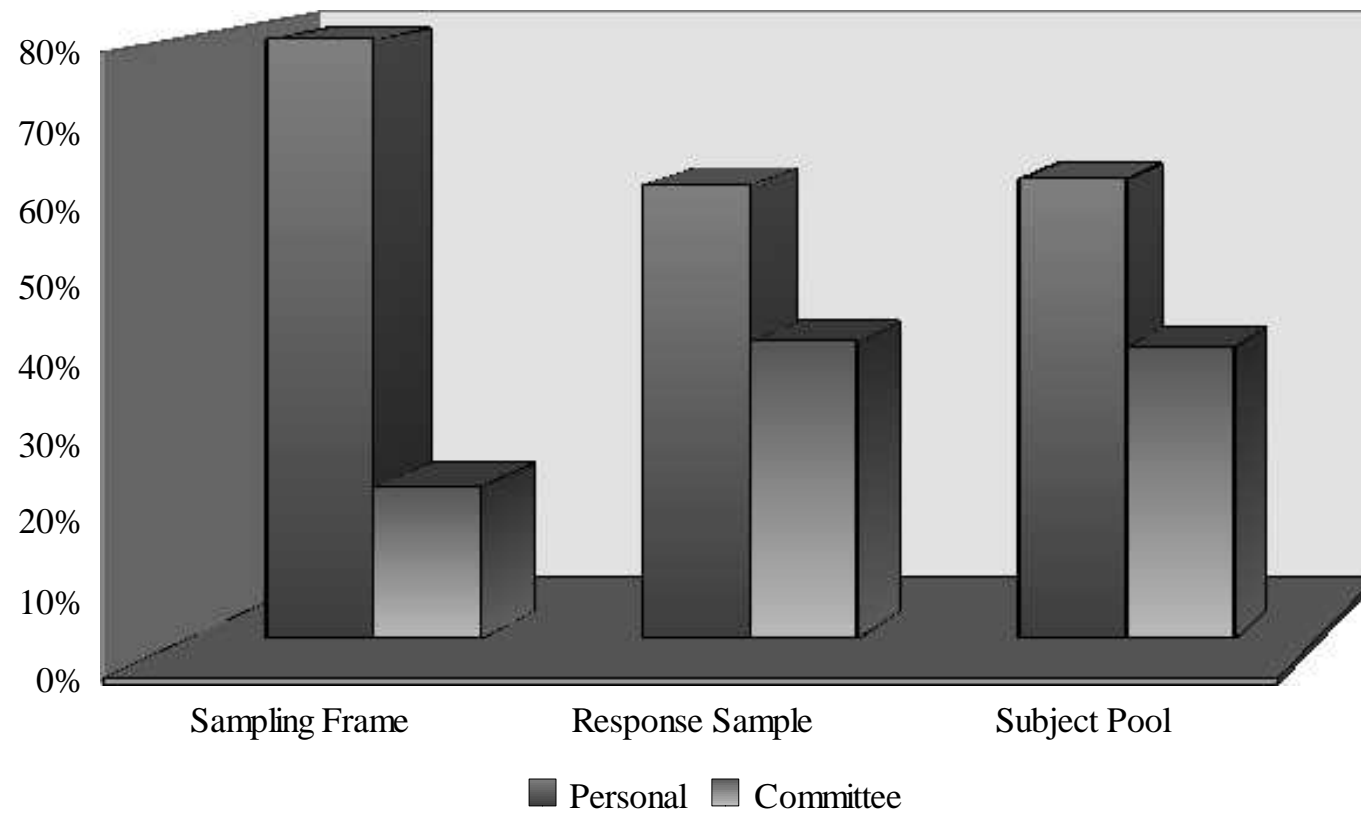
**Table 2.1 Survey Response and Valid Experiment Participation Rates**

<b>Total</b>	<b>Sampling Frame</b>	<b>Response Sample</b>	<b>Experiment Subjects</b>
N	6013	253	139
Response Rate	N/A	4.21%	2.31%
Participation Rate	N/A	N/A	54.94%

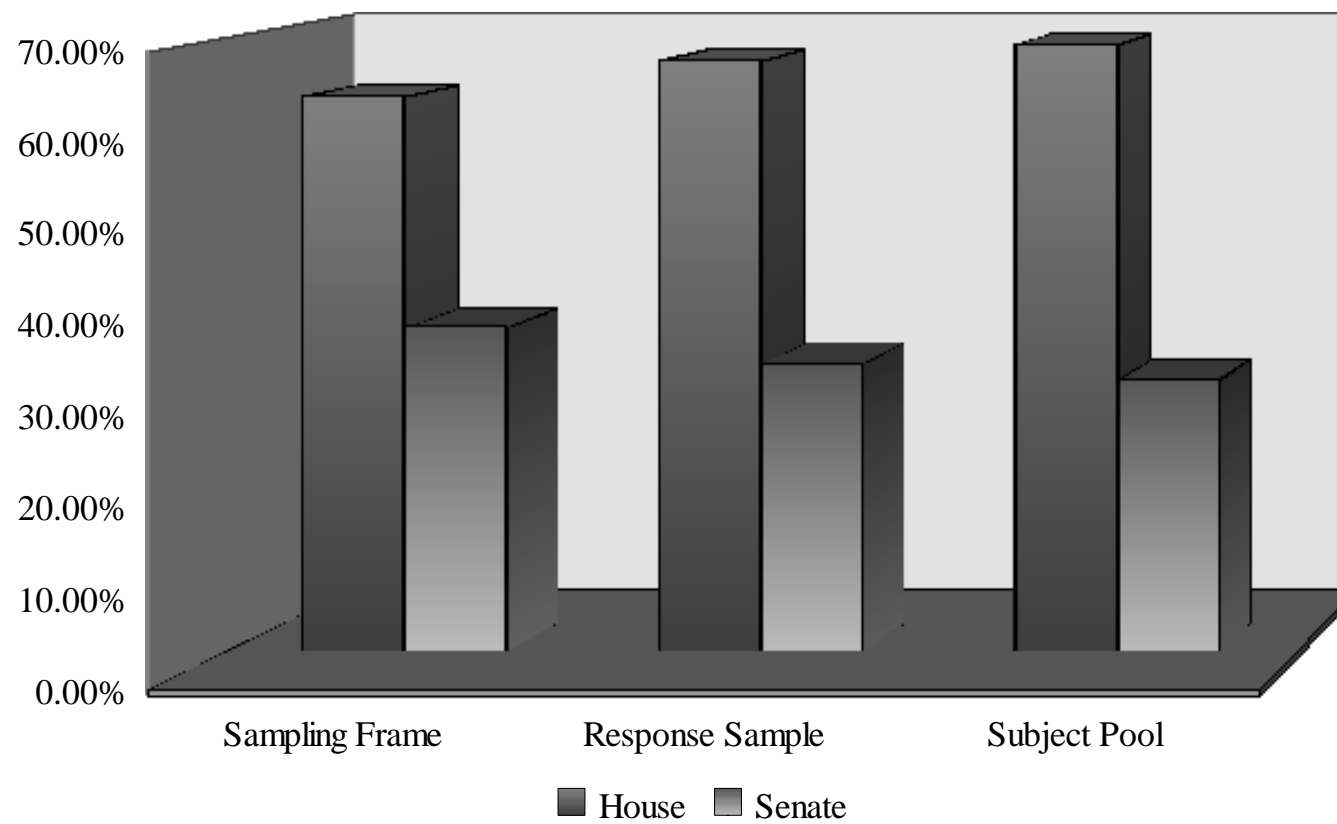
**Figure 2.1 Proportional Response Sample and Subject Pool, by Party**



**Figure 2.2 Proportional Response Sample and Subject Pool, by Office Type**



**Figure 2.3 Proportional Response Sample and Subject Pool, by Chamber**



**Figure 2.4 Proportional Response Sample and Subject Pool, by Job Seniority**

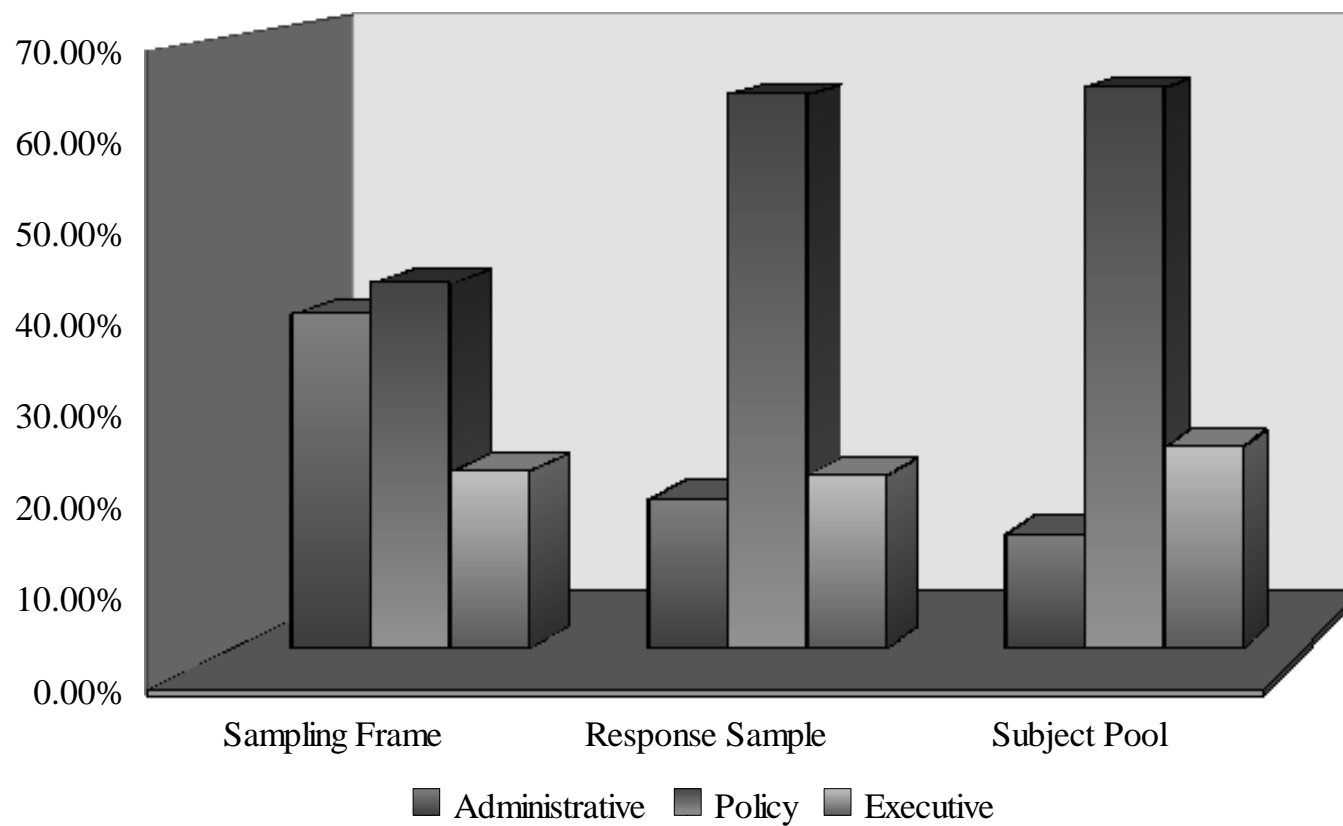


Figure 2.5. Lobbying Simulation Information Board

Time Remaining: 12:16			
Finished			
<u>House Commerce Cmte Majority (Dem)</u>	<u>Coalition for Healthy Children</u>	<u>Future of Health IT Alliance</u>	<u>Rep Smith (R-UT) Dear Colleague</u>
<u>CRS Issue Brief: Long-term Care</u>	<u>Medical Malpractice Collaborative</u>	<u>CRS Issue Brief: Public Health Threats</u>	<u>American Rx Drugs Coalition</u>
<u>Citizen's Committee for the Uninsured</u>	<u>Sen Jones (D-WI) Dear Colleague</u>	<u>CRS Issue Brief: Health Care Costs</u>	<u>Mental Health Working Group</u>
<u>Senate Finance Cmte Minority (Rep)</u>	<u>Health Care Quality Alliance</u>	<u>Americans for HIV/AIDS Awareness</u>	<u>CRS Issue Brief: Medicare</u>

**Table 2.2. Information Board Sources by Category**

<b>Government</b>		<b>Private</b>	
<b>Neutral</b>	<b>Partisan</b>	<b>Materialist</b>	<b>Postmaterialist</b>
CRS Issue Brief: Health Care Costs	Rep Smith (R-UT) Dear Colleague	Future of Health IT Alliance	Coalition for Health Children
CRS Issue Brief: Long-term Care	Senate Finance Cmte Minority (Rep)	Health Care Quality Alliance	Americans for HIV/AIDS Awareness
CRS Issue Brief: Medicare	Sen Jones (D-WI) Dear Colleague	Medical Malpractice Collaborative	Mental Health Working Group
CRS Issue Brief: Public Health Threats	House Commerce Cmte Majority (Dem)	American Rx Drugs Coalition	Citizen's Committee for the Uninsured



Table 2.6. Lobbying Simulation Repeated-Measures Design

<b>Condition</b>	<b>Treatments</b>		<b>Random Assignments</b>			
	<b>Advocacy Argument Quality</b>	<b>IG Coalition Scope</b>	<b>Group 1</b>	<b>Group 2</b>	<b>Group 3</b>	<b>Group 4</b>
<b>A</b>	Normative	Narrow	<i>Children's Health</i>	<i>Rx Drug Coverage</i>	<i>Medical Malpractice Mental Health Parity</i>	<i>HIV/AIDS</i>
			<i>Health IT</i>	<i>Uninsured</i>		<i>Medical Errors</i>
<b>B</b>	Normative	Broad	<i>HIV/AIDS</i>	<i>Children's Health</i>	<i>Rx Drug Coverage</i>	<i>Medical Malpractice Mental Health Parity</i>
			<i>Medical Errors</i>	<i>Health IT</i>	<i>Uninsured</i>	
<b>C</b>	Instrumental	Narrow	<i>Medical Malpractice Mental Health Parity</i>	<i>HIV/AIDS</i>	<i>Children's Health</i>	<i>Rx Drug Coverage</i>
				<i>Medical Errors</i>	<i>Health IT</i>	<i>Uninsured</i>
<b>D</b>	Instrumental	Broad	<i>Rx Drug Coverage</i>	<i>Medical Malpractice Mental Health Parity</i>	<i>HIV/AIDS</i>	<i>Children's Health</i>
			<i>Uninsured</i>		<i>Medical Errors</i>	<i>Health IT</i>

### **CHAPTER 3. INFORMATION NETWORKS IN CONGRESS: A DESCRIPTIVE ANALYSIS**

In a highly professionalized legislature like Congress, members and staff develop sophisticated networks of communication to manage the massive amount of information that goes into lawmaking. The multiple layers of organization of Congress—party organizations, committee and personal offices, and member and staff hierarchy—produce a complex communication structure where information flows from one location to another. Each person—regardless whether she is a Senator or a relatively junior administrative staffer in the House—occupies a unique node in the network. These networks of professional contacts become even more complex if congressional support agencies, executive branch bureaucracies, and the independent system of interest groups are also included. Though they may not hold any formal position within Congress, lobbyists and bureaucrats maintain essential and enduring positions in these networks.

Indeed, in a colloquial twist on the saying “it’s who you know, not what you know,” Washington insiders consider themselves only as good as their rolodexes. The professional contacts they maintain, then, the same as the information networks to which they belong. In this chapter, I analyze how congressional staffers perceive their positions in these networks vis-à-vis their counterparts in other congressional offices, the executive branch, and the private sector. Additionally, I evaluate differences in expertise between policy domains, and uncover what highly specialized staffers think about their own knowledge and experience.

My aim is to describe how staff members consciously identify their own location in Congress's multidimensional system of professional information networks.<sup>9</sup> I will then use this broad sketch of information networks as a background to explore non-conscious information processing at the individual level in subsequent chapters. First, I will illustrate differences in the concentration of expertise among different policy domains. The main finding here will demonstrate that the health care policy domain in particular is highly concentrated with specialized staffers. Therefore, my health care policy simulation that follows will be an exceptionally fertile ground to test of my theory about expert and non-expert information processing.

Second, I explore how staffers are professionally socialized by uncovering self-assessments of knowledge, experience, and issue attention compared to other actors. The findings in this part suggest that there are predictable patterns of professionalization across different nodes in congressional information networks. These patterns will substantiate the hypotheses I deduce when I explore information search behavior and lobbying influence in the following chapters.

Third, I investigate which actors in their professional networks staffers actively seek out for information and which ones supply unsolicited information to them. The patterns of active solicitation and passive receipt of policy information show that communication tends to flow in one direction, and that perceived source neutrality and credibility is the most important factor in seeking out information. The path that policy-

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<sup>9</sup> I will not explicitly map out the structure of these networks due to the data limitations of my sample. Yet, there is a growing literature on the structure of congressional and the interest group networks. See Jacoby, LaPira, and Leech (2004), Fowler (2006), Zhang et al (2008), and Baumgartner, LaPira, and Thomas (2008).

relevant information follows largely depends on the information source and the staffer's position in the network.

### **Policy Domain Expertise in Congress**

Congressional offices are free to organize their staff division of labor as they see fit, though they typically do so according to relatively stable policy domains that roughly correspond to committee jurisdictions. Of course, subcommittee and committee jurisdictions are fungible and tend to overlap (King 1997, Baumgartner and Jones 2000). Accordingly, I obtained staffers' expertise by adapting the policy topic coding scheme developed in the Policy Agendas Project. To adjust for space in the questionnaire, I collapsed the nineteen policy topic codes down to twelve.

[Insert Table 3.1 here]

I acquired staffers' expertise with two separate questions. The first question listed all twelve policy domains and allowed for multiple responses. The average respondent is responsible for issues in 3.18 (SD = 2.21) domains. The second question, which was limited to a single response, asks which of the twelve areas they "spend most of their time and energy." By merging responses to both questions, I can code nonexperts = 0, experts = 1, and primary experts = 2. Table 3.2 shows the frequencies of each area of expertise.

[Insert Table 3.2 here]

Not surprisingly, the most active area of expertise is Budget/Appropriations, most likely because the other substantive areas necessarily overlap with this unusually broad

jurisdiction. Health policy includes a total of 61 respondents, which is exactly one person below the mean for all policy areas.

By frequency, the health policy domain is average. However, when I generate the ratio of primary experts to experts, the health care area is by far the most concentrated with people who principally specialize on those issues.

[Insert Graph 3.1 here]

Roughly four of every five congressional staffers who work on health policy indicate that it is their primary area of expertise. The second most concentrated area, defense policy, is populated by only 0.52 primary experts. At the opposite extreme, fewer than one in ten agriculture experts spend most of their time and energy on those issues.

Therefore, health policy represents the average domain in Congress by frequency, but is unusual because it is intensely concentrated by staffers with a high degree of domain-specific expertise. In terms of experiment participation, then, the health policy domain has the benefit of over-recruiting for subjects with policy domain-specific expertise. In effect, the health policy domain allows me to maximize the likelihood that relatively rare experts will be exposed to my experimental treatments as their relatively common nonexpert counterparts. For purposes of generalization, there should be little difference between primary expertise in one substantive area from another, so observing non-conscious information processing behavior in health policy is just as meaningful as doing so in the agriculture, foreign affairs, or any other domain.

### **Policy Knowledge, Experience, and Attention**

At the staff level in Congress, job seniority is hierarchical and the professional socialization at each level is different. I acquired job seniority by asking respondents to select the job title that most closely matched their own, then operationalized those responses into three categories of seniority. I ranked congressional staff according to their job title, coded 0 = administrative, 1 = policy, and 2 = executive.<sup>10</sup> Administrative staffers are typically young, entry-level positions such as Staff Assistant or Legislative Correspondent. Policy staffers are mid-level employees who usually hold the rank of Legislative Assistant, Professional Staff Member, or Counsel. Policy staffers generally hold primary responsibility for one or more policy domains in the office, and report to the more senior, executive staff. Except for minor tasks, administrative and policy staff are prohibited by the Hatch Act and by House and Senate rules from participating in electoral politics as part of their formal duties of employment. Finally, executive staffers include senior employees in a congressional personal or committee office such as Chief of Staff, Legislative Director, or Communication Director. They oversee policy and administrative staff, and typically report directly to the member of Congress on matters relating to their elected office. Additionally, executive staffers are usually formally or informally involved in the members' electoral campaigns as long as they do not use government resources to those ends.

I equate the simple employment hierarchy to professional socialization because each level of seniority has entirely different tasks, motivations, and skills. The most important distinction is the orientation towards policy making or towards electoral and partisan politics. Although political goals can not be seamlessly distinguished from

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<sup>10</sup> This coding scheme was adopted from the House and Senate employment studies conducted by the Congressional Management Foundation (2001, 2003).

policy goals, policy-oriented staffers are usually trained to maintain an ethos of political neutrality, detachment, and objectivity. Conversely, administrative and executive staff can be expected to have more of a political orientation. Administrative staffers, though ostensibly functional, are motivated to maximize the political benefits of the congressional office. For instance, a scheduling assistant in the Washington office must take into account the political payoff for the district when granting access to the member or senior staff (Chin, Bond, and Geva 2000). Similarly, an information technology specialist is tasked with keeping members' websites and email system operating so they can communicate with constituents, a task that has become increasingly difficult with the growth of outside lobbying tactics (Esterling, Lazer, and Neblo 2005). The aims of these staffers can not be described as neutral or objective; their purpose is to maximize the electoral gain from the perquisites of the congressional office. More obviously, executive staffers are explicitly motivated by their employers' electoral goals.

Therefore, job seniority and the policy- or political-orientation of these positions affect staffers' knowledge and experience as well as the information they regard as important. In other words, these perceptions effectively structure congressional information networks. Policy-oriented staffers can be expected to regularly communicate with colleagues that have very different skills and levels of knowledge from their politically-oriented counterparts, just as administrative and executive staff will occupy very different locations in the networks.

The pre-simulation questionnaire asked three questions about the staffer's perceptions about their knowledge, experience, and issue attention compared to others in the network. First, I used a 5-point measure asking whether they thought they know

more or less about their primary area of expertise compared to their boss, the member of Congress. Responses were coded 0 = “Always less informed”, 1 = “Usually less informed”, 2 = “About the same”, 3 = “Usually more informed”, and 4 = “Always more informed,” and had a mean of 2.77 (SD = 1.05). The modal category was “usually more informed.” Second, I used an 11-point scale to measure perceptions of staffers’ “experience compared to other staffers who work on [policy domain],” which ranged from 0 = “Not very experienced” to 10 = “Very experienced”. The mean response was 6.15 (SD = 2.7), indicating that staffers tend to perceive themselves as having more experience than their policy domain peers. Finally, I used another 11-point scale to measure perceptions of “how much attention [they] feel the senator or representative pays to [policy domain],” varying from 0 = “No attention” to 10 = “Very much attention.” Staffers perceived that their bosses paid higher than normal attention to the policy domain in which they were primarily expert, responding with a mean of 6.66 (SD = 2.4). In sum, staffers in my sample thought they had greater knowledge and experience about their area of expertise than their bosses and peers, and that they thought the member of Congress paid greater than normal attention to issues for which they are primarily responsible.

An analysis of variance reveals for professional socialization demonstrates that job seniority is the most consistent determinant of relative knowledge, experience, and issue attention.

[Insert Table 3.3]



The findings here suggest that job seniority empirically correlate with measures of professional socialization. The mean changes for different levels of employment are depicted in Figures 3.2, 3.3, and 3.4.

[Insert Figure 3.2 through 3.4 here]

Figure 3.2 demonstrates that policy-oriented staffers consider themselves “usually more informed” regardless of their employing office or chamber, whereas administrative employees consider themselves less informed and executive employees consider themselves more informed. The type of employing office—either personal or committee—has an effect only at the  $p < 0.10$  level. Staffers’ perceptions of their relative experience and how much attention their boss pays to their issues, though, show much clearer patterns. Staffers’ beliefs about experience and issue attention increase as their positions move from the relatively low-ranked administrative positions in House personal offices to executive positions in Senate committee offices, though the difference between chambers is negligible or non-significant.

These patterns remain fairly constant across policy domains, with the unusual case of the budget and appropriations policy domain. Many congressional offices do not divide labor between types of legislative activity, so staffers assigned to particular policy areas will be tasked with managing any authorizations, appropriations, or investigations related to that policy area. So, from the perspective of the typical staffer, the budget and appropriations domain overlaps with all of the other areas. Table 3.4 correlates policy expertise with the professional socialization variables.

[Insert Table 3.4 here]

Expertise in the budget and appropriations field is positively correlated with levels of knowledge, experience, and issue attention, whereas no other substantive area demonstrates any significant difference. Excluding the budget and appropriations exception, then, I can infer that there are no meaningful differences in knowledge, experience, and issue attention across different substantive areas of expertise. These findings provide additional support to the claim that observing decision making behavior in a hypothetical health care policy simulation in can be reliably generalized to other domains. Moreover, this evidence suggests that using job seniority as a proxy for professional socialization in a hypothetical simulation should yield externally valid results.

### **Location and Communication Flow in Congressional Information Networks**

The currency of influence in Congress is not money, it's information. The better the information, the more valuable it will be in pursuing legislative objectives. So, sources of good information will be in the best position to influence policy decisions. In terms of information networks in Congress, then, political influence can best be understood as actors jockeying for position to provide information to decision makers. Much like the real estate market, the competition for political influence is about establishing a niche location in the network. One way to understand this positioning is to uncover patterns of communication flows among the various actors. In this section I uncover some patterns to the information flow in Congress as they are consciously understood by congressional staffers.

Using two similar questions, I asked respondents to select from a list of sources who they either “frequently reach out to” for information, or who “frequently contacts” them. Staffers overwhelmingly indicate that they solicit information most from congressional support agencies such as the Congressional Research Service and General Accountability Office. These agencies, technically housed within the legislative branch, have the reputation for non-partisanship in Washington, so the agencies’ credibility appears to be the most salient feature. Tables 3.5 through 3.7 rank order information sources by frequency and list each source’s corresponding proportions.

[Insert Tables 3.5 through 3.7 here]

Not only is the frequency of contacting support agencies highest, there is no real difference between staffers by party, type of office, or chamber. With the second-ranking solicited source being other congressional offices, congressional information networks also appear to be relatively internally dense. In any situation where staffers must seek out information from others, chances are very likely that they will contact a peer within the legislature. However, in this case, the type of employing office does matter. Members’ personal offices and offices in the House tend to rely more on information from other offices in the Capitol, whereas committee and Senate offices tend not to solicit information internally.

Other notable patterns include differences between parties and office types. Republicans report they are more likely to seek information from corporations in the private sector and the White House and executive agencies<sup>11</sup> in the public sector, while Democrats claim to disproportionately request information from citizen advocacy groups.

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<sup>11</sup> This correlation is most likely due to the party in the White House, so the same would be expected for congressional Democrats if the president is a Democrat.

Reflections of information seeking behavior seem to contrast most between staffers who work in personal offices and those in committees. Within the government, personal staffers tend to actively seek out information from party leaders in addition to other congressional offices, whereas committee staffers more frequently contact the executive branch. Conversely, committee staffers demonstrate a pattern of soliciting information from private sector actors such as lobbyists, trade associations, and labor unions. In all, the most meaningful professional characteristic that distinguishes staffers perceptions of their location in information networks is the type of office.

These patterns change remarkably when the direction of information flow is reversed and respondents are prompted with the question about who they believe contacts them frequently.

[Insert Tables 3.8 through 3.10 here]

Although office type remains the most consistent difference in the proportional frequency of contact, the most striking change is the increased perception that private sector actors offer unsolicited information. The top four most frequently selected actors are from the private sector; by contrast, internal congressional sources like other offices, party leaders, and support agencies fall below the median.

This evidence implies that policy-relevant information tends to flow in one direction. The sources that staffers indicate that they actively solicit are not the same ones they report contact them without solicitation. To test this hypothesis, I generated a new variable that placed responses from both questions, coded 0 = No and 1 = Yes, on a single dimension. I subtracted responses from the "frequently contacts you" question from the "frequently reaches out to" for all sources. The resulting variable ranges from -1

to 1, with means above zero reflecting a tendency of staffers to be passive recipients of information and means below zero indicating active solicitation. Table 3.10 orders information sources from unsolicited to solicited ones.

[Insert Tables 3.11 and 3.12 here]

The pattern is clear. Internal congressional sources remain the most sought after information sources, and trade associations and lobbyists readily supply information without request. Table 3.12 confirms the earlier finding that the most common differences in information search behavior is the type of congressional office. Additionally, I correlated job seniority with the direction of information flow. Only two categories of information sources depend on seniority—trade associations and executive agencies. Though professional socialization appears to consistently affect policy knowledge, experience, and attention, the same can not be said for information flow.

Clearly the actual structure of congressional information networks is much more complex than I can distill here. However, my descriptive analyses have begun to shine some light on how legislative staffers perceive their roles within those networks. Most importantly, my findings suggest that my health care policy simulation is an ideal hypothetical venue to observe information search and decision making behavior in Congress. First, the high degree of expertise in the health domain will allow me to better observe behavioral differences between experts and nonexperts. Second, I can use a measure of professional socialization to control for politically-relevant characteristics of my subjects in addition to traditional political variables like partisanship and ideology. And finally, controlling for office type will represent a meaningful surrogate for a subject's location in congressional information networks. Thus, I can incorporate some

real-world external controls to my otherwise simplified simulation of the congressional decision making environment to improve the validity of my findings.

**Table 3.1 Policy Domain Expertise Conversion from Policy Agendas Project**

<b>Policy Domain Expertise</b>		<b>Policy Agendas Topic Codes</b>		
		<b>Fit 1</b>	<b>Fit 2</b>	<b>Fit 3</b>
AGR	Agriculture	Agriculture		
BUD	Budget/Appropriations, Taxes & Economy	Macroeconomics and Taxation		
DEF	Defense	Defense and National Security		
ENE	Energy & Environment	Energy	Environment	
FIN	Financial Services, Housing & Community Development	Banking, Finance, and Commerce	Community Development and Housing	
GOV	Government Operations & Homeland Security	Government Operations		
HEA	Health	Health		
INT	International Affairs & Trade	International Affairs and Foreign Aid	Foreign Trade	
JUD	Judiciary, Crime & Civil Rights	Law, Crime, and Family Policy		
LAB	Labor, Education & Social Welfare	Labor, Employment, and Immigration	Education	Social Welfare
SCI	Space, Science & Communications	Science, Technology, and Communication		
TRA	Transportation & Public Works	Transportation		

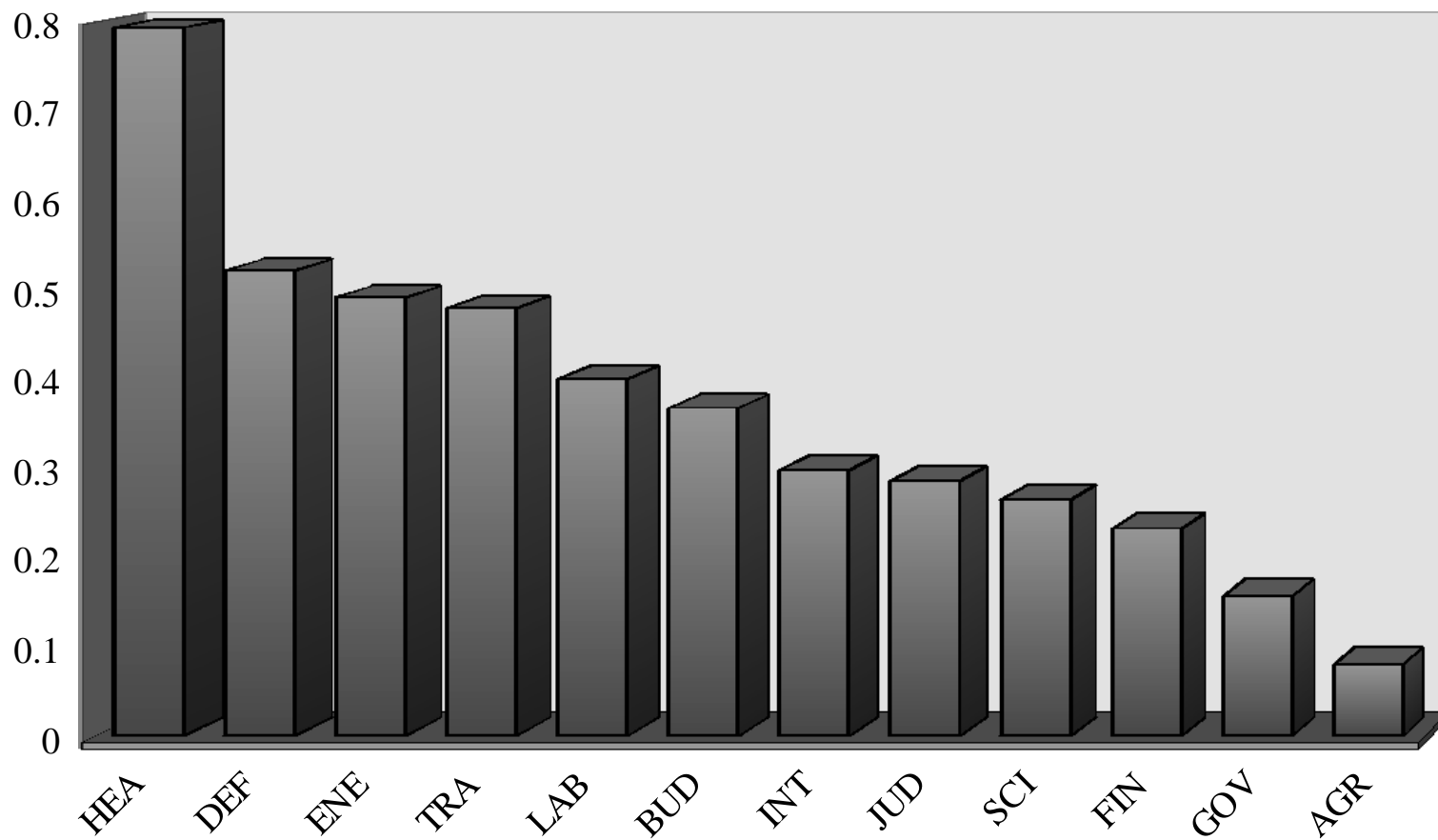
**Table 3.2 Frequency of Policy Domain Expertise**

	<b>Nonexpert</b>	<b>Expert</b>	<b>Primary Expert</b>	<b>Total Experts</b>
Budget/Appropriations, Taxes & Economy	160	68	25	93
Energy & Environment	168	57	28	85
Government Operations & Homeland Security	172	70	11	81
International Affairs & Trade	179	57	17	74
Defense	183	46	24	70
Health	192	34	27	61
Labor, Education & Social Welfare	197	40	16	56
Agriculture	199	50	4	54
Financial Services, Housing & Community Development	200	43	10	53
Judiciary, Crime & Civil Rights	208	35	10	45
Space, Science & Communications	210	34	9	43
Transportation & Public Works	216	25	12	37
Other	199	0	54	54

*Note:* N = 253. Cell entries are frequencies based on responses to two questions. The first question allowed for multiple responses; the second question was limited to one response. The mean number of policy domains ("expert" column) per respondent is 3.18 (SD = 2.21). Policy Domains are ordered by total number of experts.



**Graph 3.1 Ratio of Primary Experts to Experts by Policy Domain**



**Table 3.3 Perceptions of Relative Levels of Knowledge, Experience, and Attention**

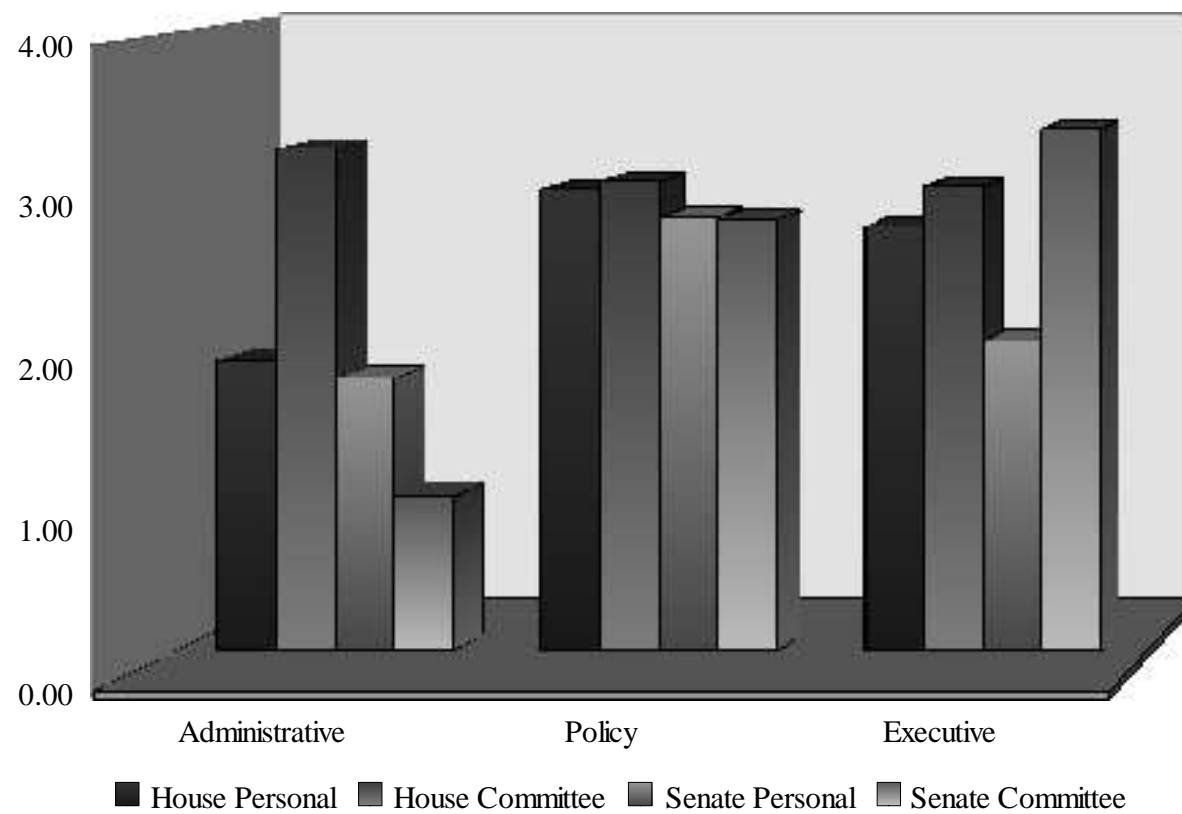
	df	Knowledge		Experience		Attention	
		MS	F	MS	F	MS	F
Office	1	3.603	3.61 *	78.421	12.59 ***	46.502	9.10 ***
Chamber	1	2.536	2.54	19.940	3.20 *	1.464	0.29
Job Seniority	2	11.061	11.08 ***	93.996	15.09 ***	29.174	5.71 ***
Model	4	8.384	8.40 ***	73.027	11.72 ***	29.682	5.81 ***
Residual		0.998		6.230		5.107	
Root MSE		0.999		2.496		2.260	

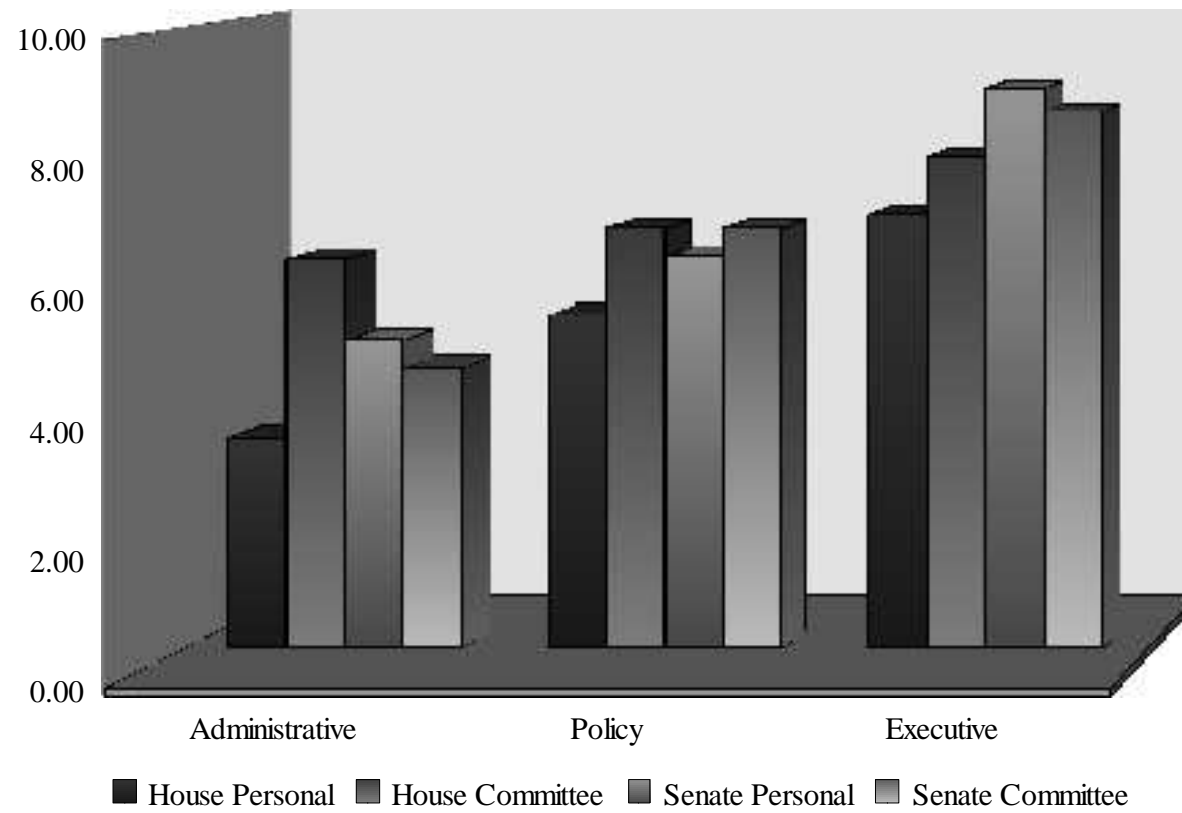
Note: N = 252. Knowledge was measured on a 5-point scale, and experience and attention were measured on 11-point scales.

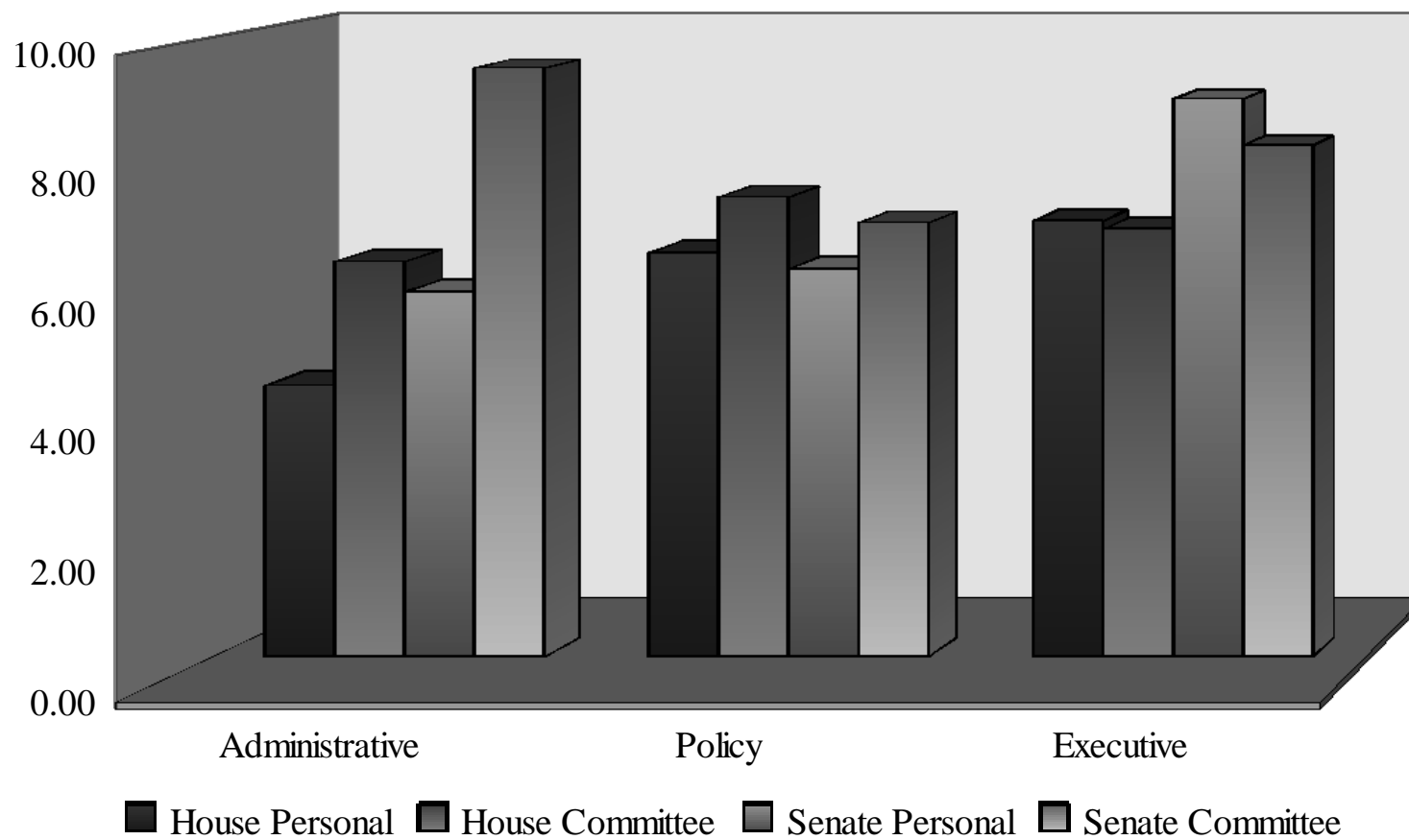
\*\*\*  $p < 0.001$

\*\*  $p < 0.05$

\*  $p < 0.10$

**Figure 3.2 Relative Knowledge****Figure 3.3 Relative Policy Experience**



**Figure 3.4 Relative Issue Attention**

**Table 3.4 The Appropriations Exception:  
Perceptions of Knowledge, Experience and Attention by Policy Expertise**

	<b>Knowledge</b>	<b>Experience</b>	<b>Attention</b>
Agriculture	-0.09	-0.03	0.06
Budget/Appropriations, Taxes & Economy	0.01 *	0.16 *	0.13 *
Defense	0.01	0.01	0.07
Energy & Environment	0.04	0.06	0.08
Financial Services, Housing & Community Development	-0.04	-0.04	0.02
Government Operations & Homeland Security	0.00	-0.02	0.03
Health	-0.01	0.06	0.09
International Affairs & Trade	-0.04	-0.07	0.05
Judiciary, Crime & Civil Rights	-0.02	-0.07	-0.11
Labor, Education & Social Welfare	-0.08	0.01	-0.03
Space, Science & Communications	0.01	-0.09	-0.03
Transportation & Public Works	-0.02	0.00	-0.01
Other	-0.15	-0.07	-0.34 *

*Note:* N = 253. Cell entries are Spearman's  $\rho$  coefficients.

\*  $p < 0.05$

**Table 3.5 Proportional Differences in Sources "Frequently Reached Out to", by Party**

	Total	Democrat	Republican	<i>z</i>
Congressional Research Service, Government Accountability Office, etc.	214	0.856	0.826	0.641
Other Congressional Committee and Personal Offices	161	0.665	0.581	1.304
Corporations	159	0.551	0.779	-3.558***
Labor unions	139	0.575	0.500	1.133
Independent lobbyists or policy consultants	127	0.503	0.500	0.045
White House or executive branch	58	0.174	0.337	-2.932**
Citizen advocacy groups	44	0.251	0.023	4.537***
National trade associations, professional associations, or professional societies	35	0.132	0.151	-0.424
Political party leaders	27	0.120	0.081	0.936
Other	12	0.042	0.058	-0.575
Think tanks & academia	0	0.000	0.000	0.000
Total N	253	167	86	

N = 253; \*\*\*  $p < 0.01$ ; \*\*  $p < 0.05$ ; \*  $p < 0.10$

**Table 3.6 Proportional Differences in Sources "Frequently Reached Out To", by Office**

	Total	Personal	Committee	<i>z</i>
Congressional Research Service, Government Accountability Office, etc.	214	0.830	0.870	-0.860
Other Congressional Committee and Personal Offices	161	0.719	0.510	3.378 ***
Corporations	159	0.621	0.640	0.307
Labor unions	139	0.490	0.640	-2.341 **
Independent lobbyists or policy consultants	127	0.438	0.600	-2.521 **
White House or executive branch	58	0.105	0.420	-5.835 ***
Citizen advocacy groups	44	0.209	0.120	1.829 *
National trade associations, professional associations, or professional societies	35	0.105	0.190	-1.924 **
Political party leaders	27	0.150	0.040	2.779 **
Other	12	0.052	0.040	0.450
Think tanks & academia	0	0.000	0.000	0.000
Total N	253	153	100	

N = 253; \*\*\*  $p < 0.01$ ; \*\*  $p < 0.05$ ; \*  $p < 0.10$



**Table 3.7 Proportional Differences in Sources "Frequently Reached Out To", by Chamber**

	Total	House	Senate	<i>z</i>
Congressional Research Service, Government Accountability Office, etc.	214	0.871	0.795	1.560
Other Congressional Committee and Personal Offices	161	0.676	0.554	1.898*
Corporations	159	0.618	0.651	0.509
Labor unions	139	0.524	0.602	-1.184
Independent lobbyists or policy consultants	127	0.512	0.482	0.446
White House or executive branch	58	0.218	0.253	-0.628
Citizen advocacy groups	44	0.182	0.157	0.507
National trade associations, professional associations, or professional societies	35	0.124	0.169	-0.977
Political party leaders	27	0.129	0.060	1.673
Other	12	0.035	0.072	-1.300
Think tanks & academia	0	0.000	0.000	0
Total N	253	170	83	

N = 253; \*\*\*  $p < 0.01$ ; \*\*  $p < 0.05$ ; \*  $p < 0.10$

**Table 3.8 Proportional Differences in Sources "Frequently Contacts You", by Party**

	Total	Democrat	Republican	<i>z</i>
Independent lobbyists or policy consultants	194	0.778	0.744	0.610
Labor unions	188	0.808	0.616	3.313 ***
Corporations	171	0.689	0.651	0.603
National trade associations, professional associations, or professional societies	127	0.485	0.535	-0.751
White House or executive branch	72	0.251	0.349	-1.625 *
Citizen advocacy groups	62	0.257	0.221	0.640
Other Congressional Committee and Personal Offices	53	0.216	0.198	0.331
Political party leaders	42	0.168	0.163	0.099
Congressional Research Service, Government Accountability Office, etc.	35	0.132	0.151	-0.424
Other	2	0.006	0.012	-0.480
Think tanks & academia	0	0.000	0.000	0.000
Total N	253	167	86	

Note: N = 253; \*\*\*  $p < 0.01$ ; \*\*  $p < 0.05$ ; \*  $p < 0.10$

**Table 3.9 Proportional Differences in Sources "Frequently Contacts You", by Office**

	Total	Personal	Committee	<i>z</i>
Independent lobbyists or policy consultants	194	0.791	0.730	1.119
Labor unions	188	0.771	0.700	1.268
Corporations	171	0.752	0.560	3.184 **
National trade associations, professional associations, or professional societies	127	0.529	0.460	1.080
White House or executive branch	72	0.150	0.490	-5.854 ***
Citizen advocacy groups	62	0.288	0.180	1.945 **
Other Congressional Committee and Personal Offices	53	0.209	0.210	-0.016
Political party leaders	42	0.209	0.100	2.281 **
Congressional Research Service, Government Accountability Office, etc.	35	0.072	0.240	-3.786 ***
Other	2	0.013	0.000	1.148
Think tanks & academia	0	0.000	0.000	0.000
Total N	253	153	100	

N = 253; \*\*\*  $p < 0.01$ ; \*\*  $p < 0.05$ ; \*  $p < 0.10$

**Table 3.10 Proportional Differences in Sources "Frequently Contacts You", by Chamber**

	Total	House	Senate	<i>z</i>
Independent lobbyists or policy consultants	194	0.800	0.699	1.787 *
Labor unions	188	0.806	0.614	3.272 ***
Corporations	171	0.676	0.675	0.028
National trade associations, professional associations, or professional societies	127	0.506	0.494	0.178
White House or executive branch	72	0.294	0.265	0.481
Citizen advocacy groups	62	0.229	0.277	-0.828
Other Congressional Committee and Personal Offices	53	0.224	0.181	0.786
Political party leaders	42	0.182	0.133	1.000
Congressional Research Service, Government Accountability Office, etc.	35	0.153	0.108	0.963
Other	2	0.006	0.012	-0.520
Think tanks & academia	0	0.000	0.000	0.000
Total N	253	170	83	

N = 253; \*\*\*  $p < 0.01$ ; \*\*  $p < 0.05$ ; \*  $p < 0.10$

**Table 3.11 Direction of Information Flow**

	<b>Mean</b>	<b>SD</b>
National trade associations, professional associations, or professional societies	0.363	0.544
Independent lobbyists or policy consultants	0.267	0.541
Labor unions	0.191	0.706
Citizen advocacy groups	0.072	0.517
Political party leaders	0.060	0.420
White House or executive branch	0.060	0.490
Corporations	0.048	0.728
Other	-0.040	0.196
Other Congressional Committee and Personal Offices	-0.426	0.583
Congressional Research Service, Government Accountability Office, etc.	-0.709	0.489

*Note:* N = 253. The dependent variable was generated by subtracting if a source "frequently contacts you" from whether the respondent "frequently reaches out to" a source, ranging from -1 to 1. Means above zero reflect a tendency of staffers to be passive recipients of information, whereas means below zero reflect a tendency to actively solicit information from a source. The "think tanks & academia" category is omitted for both questions because responses were null.

**Table 3.12 Correlation between Professional Characteristics and Information Flow**

	<b>Party</b>	<b>Office</b>	<b>Chamber</b>	<b>Seniority</b>
National trade associations, professional associations, or professional societies	-0.039	0.133 *	0.046	0.131 *
Independent lobbyists or policy consultants	0.031	0.211 **	0.067	0.066
Labor unions	0.075	0.144 *	0.179 **	-0.029
Citizen advocacy groups	-0.172 **	0.020	-0.067	-0.005
Political party leaders	-0.037	0.003	-0.017	0.089
White House or executive branch	0.068	-0.022	0.068	0.130 *
Corporations	0.169 **	0.135 *	0.019	0.006
Other	0.025	0.001	0.074	-0.092
Other Congressional Committee and Personal Offices	-0.062	-0.180 **	-0.059	-0.077
Congressional Research Service, Government Accountability Office, etc.	-0.055	-0.130 *	-0.021	-0.037

*Note:* N = 253. Cell entries are Spearman's  $\rho$  coefficients. The “think tanks & academia” category is omitted for both questions because responses were null.

\*\*  $p < 0.01$ ; \*  $p < 0.05$

#### CHAPTER 4. INFORMATION SEARCH BEHAVIOR IN CONGRESS

What kind of information do members of Congress and their staff find useful when making decisions? How do they sift through their overwhelmingly saturated information environment? As with much of the literature on elite and institutional decision making, the leading paradigm to answer questions like these in Congress is that of the rational actor who uses information from institutionalized sources to make expected utility decisions. In short, individual Senators and Representatives (or their collective chambers) rely on specialized committees or centralized party leaders to do the searching and sifting for them, and base decisions on their perceived relationship to the median voter. The median voter theorem holds that when individual's single-peak preferences are aggregated, the median ideal preference will be chosen. The informative committee model is most surprising when it reveals the otherwise curious logic of institutionally-privileged legislators who possess asymmetrical or private information. The informed committee median defeats uninformed chamber median that may otherwise prevail had it possessed complete information.

Or, elected leaders overcome the legislative party's collective action dilemma and monopolize the rules to minimize individual defection. Thus, individual preferences are superseded by the structure imposed by the majority party, who seeks to guarantee the re-election of its party members and ensure its dominance. Whether parties or committees are more important, or whether delegated powers are more or less conditional, are simply functions of theoretical models based on the assumption of strictly rational behavior.

Rational legislators are aware of their preferences, seek out all publicly available information, and strategically calculate the utility of their policy decisions to maximize their chances for re-election.<sup>12</sup>

However, a rich literature in social psychology has challenged the assumptions that humans are capable of making the kind of unbiased expected utility judgments on which these models rely (Simon 1957; Tversky and Kahnemann 1973). The behavioral approach to decision making takes many forms, though models typically assume that people tend not to exhaustively seek out all possible information or compute complex expected value or utility calculations. Rather, people avoid uncomfortable or challenging choices, minimize cognitive effort using cognitive shortcuts (heuristics), and apply stereotypes or schema to available information instead of interpreting the cost and benefit implications of a complex problem (Fiske & Taylor 1991). Behavioral theories of decision making in Congress have been fairly well documented, though they by no means dominate the literature on legislative politics (Bauer, Poole, and Dexter 1963; Kingdon 1989; Matthews and Stimson 1975; Sabatier and Whiteman 1985). For instance, Kingdon contends that “members of Congress are forced to avoid extended searches for information and tend to rely on extremely simple rules of thumb as decision making procedures,” such as cue-taking from colleagues, voting history, and their impressions about the degree that a specific issue is controversial (1989, 229-230). These two approaches to studying congressional decision making—rational choice and behavioral—

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<sup>12</sup> Though I will not attempt to exhaustively review the vast rational choice literature on congressional parties and committees here, see Mayhew 1974; Schepsle and Weingast 1981, 1995; Krehbiel 1991; Rohde 1991; Cox and McCubbins 1993, 2003; Aldrich 1995; Bawn 1998). My point is that all of these models rest on the immutable assumption of strict rationality.



are usually interpreted as either incompatible or motivated to explain different phenomena.

In this chapter, I develop a theory of legislative decision making that incorporates assumptions from both rational choice and social psychological approaches. First, I argue that how legislators identify useful information and how they allocate their attention to various sources depends on intrinsic political predispositions and external political context. Typically, rational actor approaches model the political context and behavioral theories account for cognitive biases. My goal is to develop a behavioral framework for individual lawmakers that fits into the institutional structure of Congress. The result is an outline of four broad decision models that predict very different behavior in the search for and use of information in Congress: intentional, adaptive, single-minded, and intuitive.<sup>13</sup> I differentiate these models based on three factors: the type of information that legislators systematically consume, the amount of information they actively seek out, and the level of attention they allocate to various data sources and cues. Next, I test several hypotheses about the characteristics of legislators' information search behavior by uncovering how 139 congressional staffers access up to sixteen sources in the hypothetical in-box information board explained in chapter 2. I use process-tracing methods to determine when and why people adopt certain decision strategies (Ford et al 1989; Mintz 1993; Lau 1995, 1997). Finally, I use the internal characteristics and external context variables to predict the adoption of decision strategies about legislative priorities.

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<sup>13</sup> In *How Voters Decide*, Lau and Redlawsk distill the myriad decisions strategies down to four similar models: rational-choice, confirmatory, fast and frugal, and intuitive (2006). My models are similar, though they account for the very different participants and information environments of election campaigns and legislative politics.

### **An Integrated Theory of Decision Making in Congress**

My goal is to draw insights from behavioral models to elaborate some useful alternatives to the rationalist ideal, not to compare the performance of each (Leach and Sabatier 2005). The appeal of rational choice is that it represents the normative ideal, not necessarily that it accurately predicts actual behavior. As Deborah Stone quips, “The perfectly rational decision maker is to politics what the saint is to religion—an ideal everyone publicly espouses, most people would not want to live by, and precious few attain” (2002, 233). Though the assumptions of rational choice are attractive for logical deduction, it is not very likely that individual humans are either capable or willing to make such calculations. There is no reason to speculate whether or not actual policymakers deviate from the “perfectly rational decision maker,” but it is useful to ask how frequently they deviate, to what degree they stray, and why.

***Internal Perceptions.*** The frequency and degree that legislators deviate from the rational choice model are empirical questions, by why they do so is a theoretical one. The social psychology literature abounds with many alternatives, each of which may be more detailed and applicable in different contexts (Payne, Bettman, and Johnson 1993). Political scientists have typically applied these models to attitude formation and vote choice, though the processes that occur inside voters’ minds are surely very different than that which occurs in policy elites’ minds. It should not be controversial to simply assume that the average elected official or policy professional is considerably more politically sophisticated than the typical voter. By definition their chosen career is to employ their political acumen. If anything, congressional members and staffers run the risk of having

too much knowledge because they are inundated with a dizzying amount of political and policy information, a feature of Congress's information environment that is only exacerbated by advances in information technology (Bauer, Poole, and Dexter 1993; Whiteman 1995; Congressional Management Foundation 2005; Lazer et al 2005).

Despite the comparably uniform political sophistication of members and staff in Congress, I assume they differ individually on their levels of *professional socialization* and *policy domain-specific expertise*. By professional socialization in Congress, I mean how people internalize the norms, values, and behaviors of routine tasks, interact with others in social networks, and demonstrate traits such as the ability to recognize appropriate political strategies and tactics, exercise keen judgment in pursuit of political and policy interests, and anticipate unintended consequences of their decisions. For instance, a more professionally socialized member of Congress will be able to understand how voters assign credit or blame to their policy decisions (Arnold 1990). Thus, more senior legislators and staffers with greater professional responsibilities will have internalized different professional traits than their junior colleagues. By policy-domain specific expertise, I mean that lawmakers and staffers will demonstrate more levels of experience, technical knowledge, and specialization in some policy domains than in others. Policy elites will likely demonstrate very different decision making behaviors for problems that fall within their sphere of expertise than those that do not. The question, then, becomes not whether political elites are more or less informed about political problems or policy issues, but are they professionalized and specialized to adopt one decision strategy over another to deal with the information overload dilemma in Congress?

*External Context.* The task environment that policy elites experience in a legislature is very different than the one that voters experience in an election campaign. I assume the theoretical political context is that of an individual member of Congress who is seeking relevant and reliable information to aid in deciding his or her legislative priorities. First, the amount of possible issues that could be considered by Congress at any given time is theoretically limitless, whereas the number of candidates for office in the typically two-party, single-member district elections in the US is very low. Moreover, the alternatives under consideration in a legislative debate are generated by the participants themselves.<sup>14</sup> In Congress, policy problems, issues, and the scope of conflict are themselves contested (Schattschneider 1960, Riker 1986, Stone 2002).<sup>15</sup> In an election, candidates are self-selected and separated out by party gatekeepers; it is usually very easy for voters to distinguish between those who are legitimate candidates and those who are not.<sup>16</sup>

Additionally, policy issues are nearly always distilled down to very few politically-relevant attributes even though they may be highly technical and presumably complex enough to demand highly specialized knowledge. In their analysis of 98 policy conflicts, the investigators with the Advocacy and Public Policy Project found that more than two-thirds of the issues in their sample had only one or two perspectives on how those conflicts were defined (Baumgartner et al 2008). Moreover, congressional institutions and norms generally winnow complex policy problems down to simplified yea or nay votes that, taken over time, typically reflect no more than two dimensions

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<sup>14</sup> Better yet, as Kingdon argues, policy issues always exist, they merely need to be chosen by participants to rise to the agenda (1984; see also Baumgartner and Jones 1993).

<sup>15</sup> This assumption is by no means limited to legislatures. For instance, the adversarial legal system in the US is designed to pit competing legal theories against each other.

<sup>16</sup> Of course, the question of who was and was not a candidate in Florida and Michigan primaries may in fact determine the 2008 Democratic Party presidential nominee.

(Poole and Rosenthal 1997, 2007).<sup>17</sup> It logically follows, in terms of decision strategies, that an election can be characterized as a *few alternatives / many attributes* information environment, whereas the assortment of policy issues facing a given legislator can be thought of as a *many alternatives / few attributes* task setting. Candidates have characteristics like party affiliation, policy positions, ideologies, and “likeability”, whereas policy issues in Congress typically take the form of the status quo and one or two alternatives. This matters because staffers and legislators—who have relative degrees of professional socialization and policy expertise—may disproportionately assimilate information processing biases to manage the distinctive information environment in Congress.

***Decision Behavior.*** Based on these theoretical assumptions about legislators’ internal predispositions and the political context of Congress, I can formulate four decision models that differ in the type of information that individuals seek out, the amount of information sought or ignored, and the amount of attention given to each item selected. I specify these three factors as orientation, depth of search, and attention to empirically reveal which decision strategies congressional policymakers tend to adopt. First, legislators’ *orientation* reveals whether they search across different alternatives for salient attributes or across different attributes for each particular alternative. If a policy issue is an alternative, then the issue’s attributes include its definition or frame, the coalitions and advocacy arguments in support of or against it, and the likely real-world outcomes of its adoption or defeat. For my present purposes, I am most concerned the type of information source: partisan or not, ideological or neutral, public or private, etc.

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<sup>17</sup> These votes, when aggregated and analytically-reduced over time, reveal an undeniably low-dimensionality that corresponds to the predictable party-loyalty and liberal-conservative dimensions, with the rare exception being racial issues and the Southern Democrat voting bloc in the mid 20<sup>th</sup> Century.

Ultimately, I am able to classify individual legislators as being primarily issue-oriented or source-oriented.

Second, *depth of search* is simply how much information policymakers actively seek out before making a decision. Those who search for little information are considered shallow and those who search a lot are deep. This is a simple yet significant concept. Rational choice models tend to distinguish between actors who possess either complete or incomplete information, but they implicitly assume that all actors actually obtain all the information that is available to them. Behavioral decision theories do not make the assumption that search depth is constant, but rather explicitly treats it as a variable that explains how people sort through information. If, for instance, relatively junior or non-expert members of Congress systematically consult greater (or fewer) policy resources than their more senior, expert colleagues, then we can infer that professional socialization influences how receptive (or reluctant) they are to new policy information.

Finally, *attention* refers to the variance of cognitive effort expended on each item of available information. To be clear, it is not the average amount of effort dedicated to all information—which would be redundant with depth of search—but whether the amount of effort dedicated to internalizing information is equivalent across sources.<sup>18</sup> In other words, do individuals give equal or unequal attention to all sources regardless of their depth of search? If they attend equally or unequally to all information, they can be described as exhibiting either compensatory or noncompensatory decision behavior (Billings and Marcus 1983; Payne, Bettman, and Johnson 1993, Mintz 1993).

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<sup>18</sup> To be even clearer, attention refers to the within-subjects variance across individual items of information, not the between-subjects variance for all information.

Compensatory and noncompensatory strategies simply express the degree that people selectively use information when making a decision.

Compensatory strategies assume that people use some systematic process that assigns a value or weight to relevant factors across different options, then make corresponding comparisons between similar items. A low value for a factor on one alternative may be offset, or compensated, by a high value on another factor. For instance, consider the dilemma you face when dining at a fine restaurant. In all likelihood, any item on the menu will be fantastic compared to the concoctions you might come up with in your own kitchen, but you can only choose one. To choose an entrée, you might find yourself thinking about several features of a dish—taste, presentation, health, price, and pairing with your favorite wine. If you use a compensatory strategy, you may judge each option as a positive, zero, or negative for each of your five gastronomic dimensions. The dish that catches your eye may not be healthy, but that can easily be offset by taste and wine-pairing. The downside of the compensatory strategy, though, is that it forces tradeoffs between competing values, such as taste and health. Likewise, you may end up foregoing the best tasting dish on the menu because it doesn't pair well with your wine selection. Most people most of the time do their best to avoid uncomfortable value tradeoffs or cognitively difficult processes like assigning and summing some objective quantities to subjective features like taste, health, and wine pairing even when an objective information—price—is immediately available.

To avoid discomfort or difficulty when the problems are complex, people usually adopt noncompensatory strategies because they do not demand a complete and methodical information search process. In a noncompensatory strategy, assigning high

values on some attributes will not necessarily compensate for poor values on other factors. Rather than studiously combing the menu, you may just ask the wait staff for a suggestion and go with it. After all, you're out to dinner, relax and enjoy it. The problem with noncompensatory strategies is that avoiding difficult decisions may lead to poor—or suboptimal—choices. Does your server really think his recommendation is the best dish for the price that the restaurant has to offer, or did the chef instruct him to push it on gullible guests because she over-ordered it? On the downside, then, noncompensatory strategies introduce risks that compensatory strategies do not.

That elite decision makers exclusively utilize either a compensatory or a noncompensatory strategy should not be taken for granted. Mintz has developed the poliheuristic theory of choice to argue that war strategists typically mix compensatory strategy and noncompensatory strategies (1993). In this two-stage choice theory, decision makers eliminate some options based on a noncompensatory cognitive shortcut—typically along some political dimension—then use a compensatory method to choose between the remaining options. The implication of poliheuristic theory is that political elites may inadvertently ignore an option during the noncompensatory stage that may otherwise be attractive during the compensatory phase. Presumably we could generalize elite decision behavior in one policy area—national security and the choice to use force—to other domains such as health care, agriculture, energy, and international trade. In terms of my theory of decision behavior in Congress, legislators would systematically ignore or disproportionately attend to some bits of information in the first stage, then weigh each remaining option equally in the second stage. Yet, the poliheuristic theory implicitly assumes that elites have developed the professional



socialization and policy-domain expertise to be able to employ such a refined, mixed strategy. In questions of war and peace it is probably safe to assume that the generals in the room are sufficiently trained and specialized. However, in a legislature with cradle-to-grave jurisdiction, members of Congress and their staff are constantly being called upon to make policy decisions for which they are far from expert.

**Decision Models.** Using these three information search behavior factors—orientation, depth, and attention—I conceive four meaningful decision models to explain how legislators use information to make decisions in Congress. The hypothetical expectations derived from these models are outlined in Table 4.1.

[Insert Table 4.1 here]

First, the intendedly-rational model—*intentional* for short—conforms most closely to the assumptions of classic rational choice theory. When it comes to seeking out and filtering information in Congress, I assume that intentional legislators will consult every piece of information available and judiciously use all of those data to optimize electoral or policy utility. There is no reason for intentional decision makers to distinguish between different types of information because they will seek out and allocate equivalent attention to every bit of information they can possibly obtain, though they will demonstrate a distinctively deep and compensatory search across all issues and sources. The perfectly rational ideal would search all issues and would expend the exact same attention to each. Yet Jones concludes “intendedly rational behavior implies the occurrence of systematic mistakes. In a particular task environment, people tend to make the same mistakes repetitively, and different people make similar mistakes” (2001, 55). The key is to predict if deviations from pure rationality are merely random errors or if they are

systematic. Given Congress's high degree of professionalization among members and staff, I assume that it is very likely that policy elites will attempt to adopt this demanding decision rule.

*Adaptive* decision makers display some behavior similar to the intentional model, but differ in their orientation and how deeply they search. Adaptive decision makers, whose foundation in political science is the familiar Michigan retrospective voting model, should only seek out information that corroborates their partisanship or positions on specific policies, though party affiliation is the more available and stable cue over time (Campbell et al 1960, Converse 1964). The adaptive decision strategy most closely fits Kingdon's description of members evoking vote histories and relying on cue-taking from colleagues (1989, see also Matthews and Stimson 1975). Because both members and staff are more ideologically polarized than the typical voter in the electorate, party affiliation should be the most politically relevant and immediately available attribute of an information source.

All else equal, if a source of information signals a partisan cue, the adaptive model suggests legislators will consult in-party sources rather than out-party sources. Consequently, this search process will be oriented to information sources, not specific issues, because they seek partisan or policy cues. After eliminating cues that do not match their party or policy preferences, they will intently and equally focus on the remaining alternatives. Thus, the adaptive model is initially noncompensatory because it ignores some information, but is subsequently compensatory because it dedicates equal attention to the information that is selected. This model is similar to Mintz's poliheuristic model of decision making, so I assume that the relative shallowness of the adaptive

model is on purpose, not that it is simply an oversight. The equivalent attention they dedicate to the few sources they do select will reveal their adaptive logic.

The next model—that of the *single-minded* legislative decision maker—is opposite the adaptive model on all three dimensions. The single-minded legislator will search for a single salient feature across all issues. In election campaigns, this strategy is best typified by “single-issue” voters who expand their search process across several alternatives, but hyper-focus on relatively few features of those alternatives. In Congress’s information environment, think of the hypothetically extreme libertarian member. Regardless of the reelection, professional, or policy implications of a given issue, the staunch libertarian should be concerned with one and only one attribute: does this issue expand or contract the power of government? (Put aside for the sake of argument the near-impossibility of actually operationalizing the “power” of government). The decision in practice would be simple: if it expands government, then ignore it and do not support; if it contracts government, then attend to it and support. No other attribute of the issue—such as potential benefits to constituents, quality of the policy proposal, coalitions supporting or opposing it—will give any more necessary information to the extreme libertarian. Indeed, the same behavior could be observed for the rare far-left socialist elected to Congress.<sup>19</sup> Thus, single-minded legislators will search deeply, yet unequally, across all issues until they can verify or refute the single facet that concerns them. Though this situation is within the realm of possibility, humans’ limited cognitive

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<sup>19</sup> In regulatory rulemaking or judicial decision making, participants should be much more likely to have an information environment where there are relatively few alternatives (e.g., support/oppose a set of changes to telecommunications regulatory law), but many complex and technical attributes. Some vested interests may care intensely about only one or few of these attributes and be indifferent to the others. Nonetheless, there would probably be much less variance in domain-specific expertise than in a legislature, so this variable would not matter anyway.

capabilities and the typical centrism of American politicians means the single-minded decision rules should rarely be employed in Congress.

Finally, the *intuitive* decision maker makes the best decision that suits two competing concerns—making a relatively quick and cognitively effortless decision, and making a decision of satisfactory quality. The tradeoff between these two competing interests ends up in a “good enough” decision (Simon 1957). Intuitive decision makers minimize the amount of information they consume to avoid contemplating a values tradeoff. Thus, they will use a source-based search and elimination strategy because sources provide meaningful and cognitively accessible cues. The presence of non-conscious, implicit signals motivates people to employ intuitive reasoning as a means to conserve cognitive energy (Bargh et al 2001). The intuitive model differs from the adaptive strategy because users do not equally attend to any remaining bits of information after making initial eliminations based on cues. Rather, they continue to use a noncompensatory strategy during what Mintz would call the second stage.

The intuitive decision model offers a very good prospect for the congressional information environment. Unlike in an election where a candidate’s party affiliation is the most accessible cue to identify matching interests, a partisan or explicitly ideological cue may not be immediately available to a given source of information. Indeed, such cues may even be carefully hidden to attract as much attention as possible (Apollonio and Bero 2007). But that does not mean that relevant, yet implicit, cues are entirely absent. Policy elites will use the sources themselves when explicit partisan or policy cues are absent, causing legislators will rely on heuristics about issues to decide whether its worth their time and effort to attend to it. Consider this very simplified illustration. If an

information source simply signals an association with the policy issue “national security”, there is no way to know without further investigation whether it represents a hawk or dove perspective, or for that matter a Republican or Democrat. In other words, the information source does not signal its ideological or partisan valence. But what if the source was associated with “environmental justice”? There’s clearly a qualitative difference between the national security and environmental justice policy domains, regardless of the fact that the same ideological stipulation should still apply to the greens vs. pro-resource perspectives as it would to the hawks vs. doves.

In the congressional information environment, the materialist vs. postmaterialist values distinction becomes very important when Kingdon’s cues are not available. Intuitively, policy elites are forced to rely on how the source is framed, in this case according to its association with a materialist or postmaterialist policy issue. There are surely other intuitive prompts in the congressional information environment, but cues such as the value-laden frame of a policy issue or the ambiguously-named interest group coalition should be good enough substitutes for ideological or partisan signals.<sup>20</sup> Yet this is not to say that the values are not related to ideology or partisanship. The intuitive model assumes that implicitly value-laden issue frames and information sources will be just as likely as explicitly ideological frames and partisan sources to attract attention. Theoretically, I assume congressional staffers should be intuitively more likely to

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<sup>20</sup> This is not merely an ivory tower distinction. The Honest Leadership and Open Government Act of 2007 amended the Lobbying Disclosure Act of 2005 to eliminate “stealth coalitions,” or organizations that register with the House or Senate as lobbying clients under some ambiguous name to conceal the identity of the groups funding and participating in the lobbying contract. The National Association of Manufacturers (NAM) unsuccessfully challenged this portion of the law as constitutionally vague and an infringement of free speech. The US Supreme Court denied NAM a stay in the lower court’s ruling (Bogardus 2008; see also Renick Mayer 2007).

associate material interests with Republican colleagues or conservative ideas, and postmaterial interests with Democrats and liberal concerns.

### **Processing Tracing in Congress: Operationalization and Measurement**

My theory accounts for legislators' professional socialization and policy domain expertise, Congress's unusual information environment, and three dimensions of decision making behavior to sketch out four broad models. My analysis here is intended to measure the three factors of legislative staffers' information processing—orientation, depth, and attention—to determine their tendency to employ intentional, adaptive, single-minded, or intuitive behavior. I first describe how I operationalize professional socialization and expertise and how I measure these information processing factors. Then I use the theoretical framework to generate several hypotheses that can be tested using observations collected during the information board simulation described in chapter 2.

***Independent Variables.*** I measure *policy expertise* by asking participants to respond if health care policy is one of thirteen areas of responsibility in their day-to-day activities, coded 0 = Non-expert and 1 = Expert.<sup>21</sup> Because the information board scenario deals strictly with health policy issues, this dummy variable provides a clear distinction between those staff who should have a high degree of technical knowledge. I expect that:

*H<sub>1</sub>: Health policy experts are more likely to adopt an intentional decision strategy than non-experts, and less likely to adopt any of the other three decision rules than their non-expert counterparts.*

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<sup>21</sup> Due to minimal variance, I decided not to use the three-point measure of expertise.

According to elaboration-likelihood model explained in chapter 1, experts should be motivated to use central route processing. By definition, experts have learned intricate details about complex policy issues in their field over time, so they should be more likely to adopt some form of compensatory decision strategy to corroborate their existing knowledge. Cognitive shortcut strategies, revealed by a source-based orientation, a relatively shallow search, and high variance of attention to selected information items, should better satisfy non-experts because they are not able to recall facts, intended consequences, and previous positions from memory.

I measure socialization based on a subjects' professional position in a member of Congress's personal or a committee's office. Congressional staff were initially ranked according to their job title, coded 0 = Staff Assistant or similar administrative responsibilities, 1 = Legislative Aide or similar policy responsibilities, and 2 = Chief of Staff or similar executive responsibilities.<sup>22</sup> As explained in chapter 3, administrative and executive staff tend to be socialized for normative tasks associated with re-election or party politics, where as policy staff are trained to objectively monitor policy-relevant information. To simplify interpretation, then, I collapsed the administrative and executive categories and coded professional socialization as 0 = political and 1 = policy.<sup>23</sup> I hypothesize that

*H<sub>2</sub>: Staffers socialized with a policy-orientation are more likely to adopt an intentional decision strategy than those socialized as political staff, and less likely to adopt any of the other three decision rules than their counterparts.*

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<sup>22</sup> This coding scheme was adopted from the House and Senate employment studies conducted by the Congressional Management Foundation (2001, 2003).

<sup>23</sup> Though it may seem counterintuitive to lump these two categories together, I would argue that my underlying construct is not seniority, but professional orientation to be either an objective, credible policy analyst or an election-oriented defender of the officeholder.

Policy staffers are expected to be able to justify their decisions using reliable claims based on objective criteria. Political staffers, though, need only to substantiate their decisions by arguing that the outcome will be a net benefit for the members' re-election or the party's fortunes. Thus, policy staff should be more apt to be issue-oriented, deep searchers, and demonstrate compensatory decision behavior.

Finally, I use subjects' party as a politically-relevant control variable. I theoretically assume professional socialization and expertise determine decision making behavior, but using a measure of party represents an independent, strictly political variable that may explain decision making in Congress. There should be no reason to expect that Democrats adopt different information processing behaviors than their Republican counterparts, though the items that they do seek out should differ. I expect to find that:

*H3: Democrat staffers are equally likely to adopt an intentional decision strategy than Republican staffers.*

In other words, staffers should seek out in-party government items and values-matching private items to confirm existing beliefs. This hypothesis is entirely dependent on whether or not participants adopt a strategy other than the intentional model, which should have no variance in the types of sources sought out in the information environment.

***Dependent Variables.*** The first dependent variable, orientation, is frankly a much simpler concept to grasp than it is to measure. In my framework, legislators use either an issue-oriented or source-oriented process. An individual's orientation can be determined by the sequence in which they select items of information. That is, the pattern of transitions between selected items reveals whether a person is systematically searching



for similar types of information or similar types of attributes. The process-tracing literature more formally refers to patterns of transitions as intra-attribute/inter-alternative (source-oriented) or intra-alternative/inter-attribute (issue-oriented) (Lau and Redlawsk 2006). In the congressional information environment, an information source can be a legislative colleague, an interest group, party leaders, etc and an issue can be any public problem, conflict, or debate. In my hypothetical scenario, the type of source—partisan vs. neutral, government vs. private—represents an information attribute, whereas policy issues represent alternatives much like candidates in an election or products in a market.

The standard empirical observation is the ratio of intra-attribute transitions between items of information, operationalized as the number of intra-attribute transitions divided by the total of all transitions. As described in chapter 2, the number of issues equals the number of sources in the in-box simulation. So, unlike traditional information board matrices that consist of alternatives in the rows and attributes in the columns, I could not simply sum lateral (left-right) transitions and divide by  $N - 1$ . However, I am able to count transitions between individual sources of the same *type* to calculate a meaningful ratio-level variable. In theory, the result is the same; in practice, it simply meant re-organizing each information board item as if it was arrayed in a more uniform fashion.

Recall that all sixteen items appeared to be displayed randomly in the 4 x 4 “in-box” information board, previously displayed in Figure 2.5. Table 2.2 approximates a traditional information board by re-categorizing all issue-source pairs according to the type of source that it represented. I first calculated intra-attribute transition ratios by counting the number of transitions *within* an information source-type, or column in Table

2.2, and divided by  $N - 1$ .<sup>24</sup> For example, if a subject looked at three of the four possible CRS briefs in a row, then I can say she made two intra-attribute transitions (one from the first CRS brief to the second, and one from the second CRS brief to the third). The subject's resulting intra-attribute ratio for the government-neutral source-type is  $2/(4 - 1) = 0.66$ . I repeated this procedure for the remaining three source-types— government-partisan, private-materialist, and private-postmaterialist. Finally, I summed the ratios and divided by 3, representing  $N - 1$  transitions between source-types (or, a measure of issue-orientation). Intuitively, this ratio-level orientation variable reflects the likelihood that a subject systematically selected information according to its source-type. Orientation had a minimum value of 0 and a maximum of 1, though only one subject was perfectly source-oriented. The mean orientation was 0.19 (SD = 0.17), and a Shapiro-Wilk test for normality demonstrates that the variable is significantly skewed ( $W = 0.69$ ;  $z = 8.03$ ;  $p < 0.001$ ). Objectively speaking, all staffer-subjects were predominantly issue-oriented. Though as I discuss below this measure is subjective so it is more meaningful to categorize subjects above the median as source-oriented and below as issue-oriented.

The next dependent variable is much easier to comprehend and to calculate. Depth of search is simply the number of items that subjects selected during the simulation. All else equal, a comprehensive search would consult all sixteen sources, or at least as close to the total as possible given the demanding time constraints of the simulation. Each participant was allowed only fifteen minutes to access, read, and digest the information supplied by all sixteen sources. With an average of 285 words per source, this task is possible yet extremely difficult for the typical person. Figure 4.1

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<sup>24</sup> The number of possible transitions in any information environment is always  $N - 1$ , with  $N$  representing the number of items in the choice set.

shows a clearly bimodal distribution of the number of sources that participants actively sought out.<sup>25</sup>

[Insert Figure 4.1 here]

To mathematically confirm what is visually apparent in this histogram, a chi-square test of normality was performed to test the hypothesis that the number of sources selected is kurtotic,  $\chi^2(1, N = 139) = 28.14, p < 0.001$ . This distribution suggests that a disproportionate number of participants employed what could be interpreted as a shallow search, though a sizable number appear to have at least attempted a deep search.

What remains to be measured is how much cognitive effort staffers spend on the sources that they did select. Depth of search is a good indicator of staffers' willingness to seek out potentially new policy information, but it may not mean much if each selection is perfunctory. Do staffers actually absorb the information they access, or do they simply skim over it? Ideally, attentiveness would be empirically measured by directly observing cognitive energy. However, absent computerized-axial tomography (CAT) scanning or functional magnetic resonance imaging (fMRI) of the brain, it is difficult to directly monitor how much genuine attention a subject gives to a stimulus. Instead, one way to operationalize how attentive a subject is to a selected item is by measuring how much time they took to look at that item.<sup>26</sup> To control for differences in the length of each item,

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<sup>25</sup> A test for reliability for the search depth variable produced an inter-item correlation coefficient of Chronbach's  $\alpha = 0.87$

<sup>26</sup> This measure is calculated by time-stamping when the item was opened and closed in the users' web browser after having been selected. Because the simulation was not conducted under direct supervision of the experimenter, this measure is surely crude and may be affected by uncontrollable noise like a subject's attention being interrupted by a phone call, differences in reading comprehension, or even the inevitable PC operating-system malfunction. Nonetheless, it is internally reliable. A test for reliability produced an inter-item correlation coefficient of Chronbach's  $\alpha = 0.81$  for all sources.

I first created a ratio-level variable measuring how many seconds each source was open on the participants' computer screen divided by the number of words in the text.<sup>27</sup>

This variable is a raw measure of cognitive energy for each of the sixteen items, but does not reflect how each subject's attention varies across each item. As Lau and Redlawsk suggest, "variance measures are particularly useful in distinguishing between decision strategies when task constraints (e.g. time) make it impossible for all information to be considered" (2006, 34). To determine whether or not a subject employs a compensatory or noncompensatory decision strategy, I calculated the within-subjects variance for all items, and generated the mean. That is, I first calculated each subject's distance from the mean (standard deviation), subtracted the mean seconds-per-word for each item from each subject's observed seconds-per-word for that item. I then squared the standard deviation and summed for all sixteen items, and divided by the number of items they actually selected. The subsequent mean within-subjects variance variable, which I refer to as *attention*, reflects the degree that subjects spent a relatively equal or unequal amount of time reading each item that they selected. A low attention score conveys a compensatory procedure, and a high score reflects a noncompensatory search. The distribution of attention score is highly skewed, verified by a Shapiro-Wilk test for normality, ( $W = 0.22$ ;  $z = 10.15$ ;  $p < 0.001$ ). Similar to depth of search, the measure for attention is subjective, so the median split will be the most reasonable demarcation between compensatory and noncompensatory decision strategists.

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<sup>27</sup> The concept being explored here—attention—should not be confused with perception. A standard measure of perception in experimental psychology is rate of reading, calculated as words per minute. However, perception experiment protocols carefully instruct subjects to read all words in a given prompt, thus there is no variance in the numerator (number of words). This experiment was not designed to specifically measure perception of the content of any of the policy information sources, but rather attention to one source in comparison to another. So, measuring the duration of time per source more accurately reflects the underlying construct of attention.

## Findings

Following my information processing framework of legislative decision-making, I can test these hypotheses about the likelihood that an individual congressional decision maker will adopt a particular decision model. It is one thing to discriminate between strategies, but the main purpose of the analysis is to predict who will adopt which ones.

Accordingly, I develop proportional distributions of participant's search behavior profiles by splitting them according to the median on depth and attention. After empirically categorizing each subject into one of the four hypothetical decision strategies, I then test the hypotheses that policy domain expertise, professional socialization, and political party predict the adoption of decision strategy. I conclude by discussing the implications of decision making behavior for theories of deliberation and lobbying influence in Congress.

Congressional staff who participated in this study were overwhelmingly issue-oriented, or that their search behavior reveals that they were more likely to make transitions between different types of items than they were to make them within the same types of items. ANOVA results demonstrate that participants' orientation is primarily determined by their professional socialization and party,  $F_{socialization}(1, 138) = 5.10, p = 0.026$  and  $F_{party}(1, 138) = 3.66, p = 0.058$ . Though the mean change difference between Democrats and Republicans is not significant at the 95% confidence level, socialization is highly significant with policy staff being much more likely than political staff to adopt a source-oriented search strategy. This result suggests that an issue-orientation is driven more by subjective, normative goals than a search strategy that seeks to compare the content between similar sources. Thus, the fact that search behavior is much more likely

to be issue-oriented implies that policymakers in Congress are probably seeking out issues that they already believe to be the most important so they can confirm their prior beliefs.

However, we can't know for sure whether staffers follow a confirmatory search process unless we look more closely at depth and attention. The depth of a participant's search reveals how thorough they attempted to research the health policy issues in the simulation prior to making a decision. The bi-modal distribution indicates that there were at least two different search strategies being adopted: one that sought out about half of the possible information items, and one that appears to have attempted to seek out as many items as time allowed. ANOVA results show that, of the three independent variables, only professional socialization demonstrates a significant difference in mean change scores,  $F_{socialization}(1, 139) = 6.00, p = 0.016$ . Policy staffers tend to seek out more information items than political staff, which I interpret as consistent with the finding that policy staff are also more likely to be source-oriented. Their socialization to objectively seek out potentially new information, and not only that which confirms prior beliefs, explains both why they appear to search for comparable items and why they search for as many items as possible.

Finally, I apply the same model to explain the within-subjects variance of attention, the variable that I will in turn use to determine whether subjects adopted a compensatory or noncompensatory decision strategy. In this case, ANOVA results suggest that policy expertise significantly predicts noncompensatory decision making, though the mean change difference for political and policy staff is different, though not at a conventional level of confidence,  $F_{expertise}(1, 139) = 3.73, p = 0.05$  and  $F_{socialization}(1,$

139) = 2.65,  $p = 0.106$ . Those staffers who have experience in health policy are more likely to adopt a noncompensatory approach to the artificial information environment, most likely because their domain-specific expertise allows them to retrieve facts and policy positions more easily from memory than their non-expert counterparts. What's worth noting is that policy-oriented staff are not more or less likely than politically-socialized staff to adopt a compensatory or noncompensatory strategy. So, even though policy staff search deeper and appear to follow a source-oriented sequence in their search behavior, the variance in their attention to the items of information they do select is no different than the objectively-trained policy staff.

These analyses of variance indicate that there are predictable patterns in the variation of how policy makers actively seek out and attend to different types of information in Congress. What is less concrete, though, is what distinguishes a compensatory search from a noncompensatory one, or a genuinely deep search from a one that's merely cursory. Following Lau and Redlawsk's contention that there are no single criteria to objectively identify a marker between these groups, I simply split the groups by the median to determine whether a subject is issue- or source-oriented, shallow or deep, and compensatory or noncompensatory. For instance, practically speaking, it was probably not very likely that a subject would follow a source-oriented approach because there were only four types of sources, and overall there were sixteen issues. So, simply splitting each group at the 50<sup>th</sup> percentile should provide a more objective differentiation between search behaviors.

In addition, to empirically uncover the four-category framework of decision strategies in Congress, I only need to know depth and attention. Recall from Table 4.1

that my a priori predictions for both orientation and attention followed a similar pattern; source-based patterns are also noncompensatory and issue-based are also compensatory. So, theoretically, these categories are redundant even though they refer to very different behaviors. Empirically, I find this pattern to be true, with orientation and attention being highly correlated, Pearson's  $r(139) = 0.74, p < 0.001$ . Therefore, to determine subjects' information search behavior profiles, I only need to use one; I chose attention because in the information environment it more accurately reflects behavioral differences. Figure 4.2 displays a scatterplot of subjects' depth of search and the log of attention.<sup>28</sup>

[Insert Figure 4.2 here]

The strong correlation and tight distribution of these two variables shows that the two most prominent search behaviors are intentional and intuitive. Visually, it is apparent that about half the subject pool approached the rational actor model and half appeared to use a shortcut method.

After splitting depth of search and attention by their median, I am able to more clearly show how likely it is for subjects to either adopt either an intentional strategy or an intuitive strategy. Figure 4.3 displays a proportional frequency distribution of each of the four decision models.

[Insert Figure 4.3 here]

These proportions clearly show that most subjects implement either an intentional or intuitive strategy. Indeed, the proportions of the adaptive and single-minded strategy are so low it is difficult to argue that those subjects are not miscategorized simply by measurement error. In other words, the intentional and intuitive categories probably

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<sup>28</sup> I used the log transformation of attention because it is highly skewed to demonstrate how closely correlated the underlying constructs are. I attribute the curvilinear shape of the original scatterplot to the artificial time limit imposed on subjects.



better reflect the more general categories of compensatory and noncompensatory strategies, respectively.

Tests of proportional differences reveal that only professional socialization and party are predictable factors in information strategy adoption. These results illustrate that there is no difference between experts and non-experts, though the differences between political and policy staff, as well as Democrats and Republicans, are apparent.

[Insert Table 4.2 and Figures 4.4 through 4.6 here]

Surprisingly, Surprisingly, staffers do not adopt different information search procedures for issues within their domain of expertise from those which they are not informed. The finding that policy domain expertise makes no discernable difference in the adoption of a decision rule runs counter to the behavioral decision literature. However, I would argue that these results are an artifact of my categorization of “expertise” only applying to policy issue areas in Washington. Perhaps what I label professional socialization is a better surrogate for political expertise in this context. As predicted, policy staff are much more likely to adopt an intentional strategy than are political staff,  $\chi^2(3) = 12.22$ ,  $p = 0.007$ .

Curiously, Democrats are significantly more likely adopt the intentional decision model over the intuitive strategy than Republicans,  $\chi^2(3) = 12.43$ ,  $p = 0.006$ . My theory cannot explain the difference in partisan behavior, though the evidence is undeniable in both the ANOVA and proportional differences analyses. Though I have no independent evidence to verify this, I speculate that Democrat staffers are explicitly trained to approximate the rationalist ideal and Republicans, who traditionally exhibit stronger

party unity in Congress, are taught to follow the immortal words of Speaker Sam Rayburn, “around here, you’ve got to go along to get along.”<sup>29</sup>

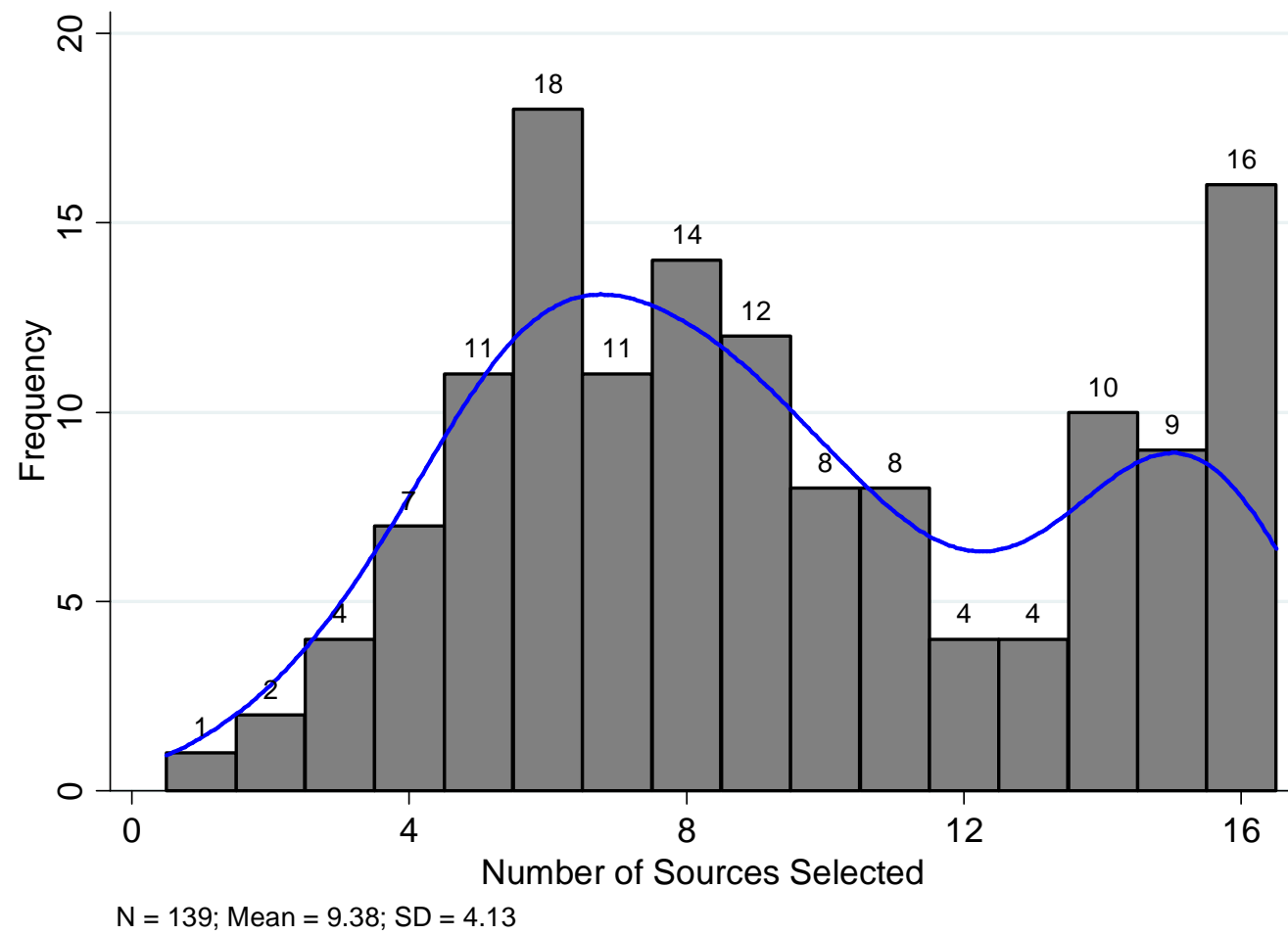
In the next chapter, I demonstrate how inherent differences in the underlying factors that determine information search behavior also determine decision outcomes.

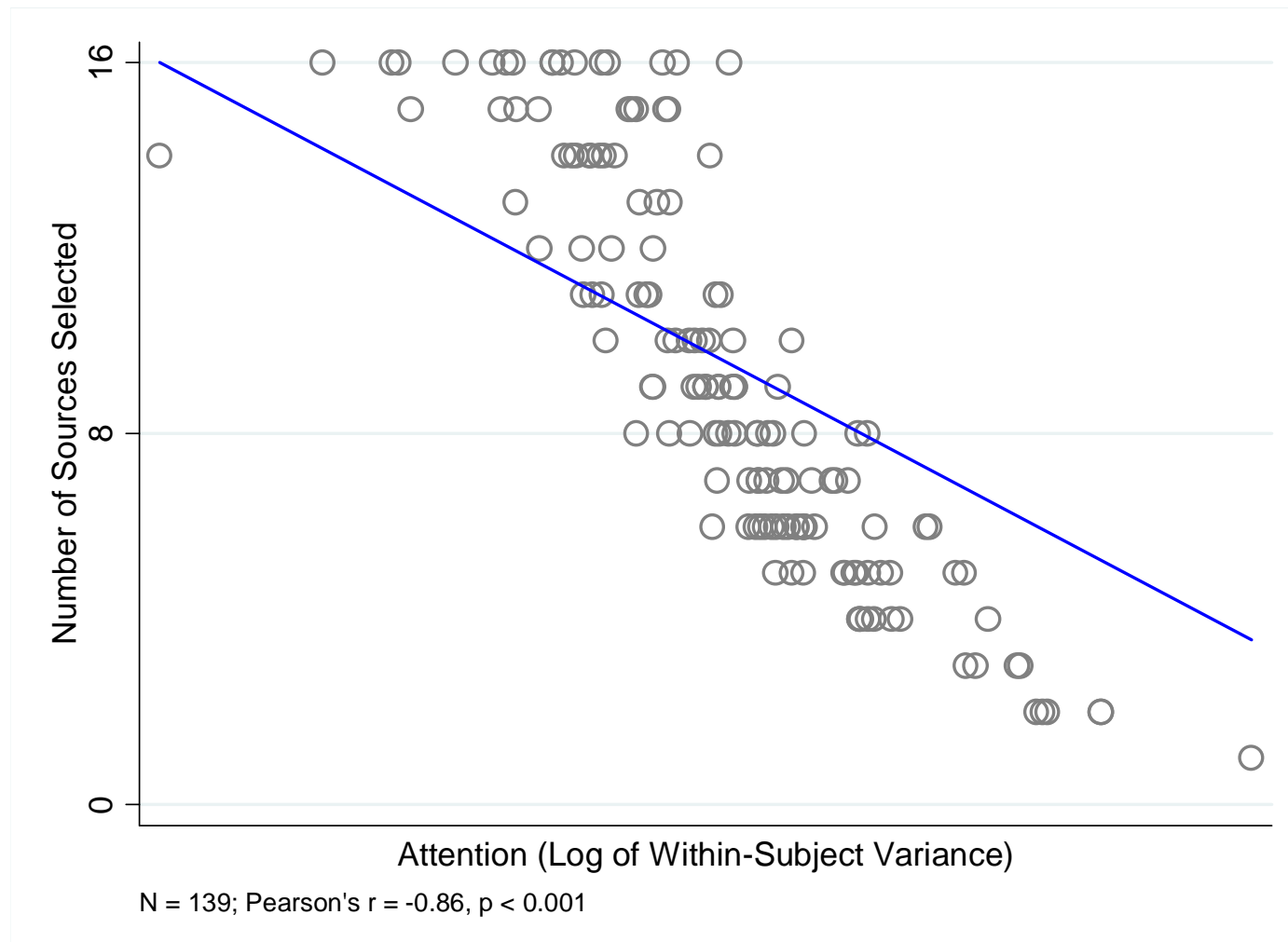
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<sup>29</sup> Of course, Rayburn was a Democrat, though in a very different partisan era.

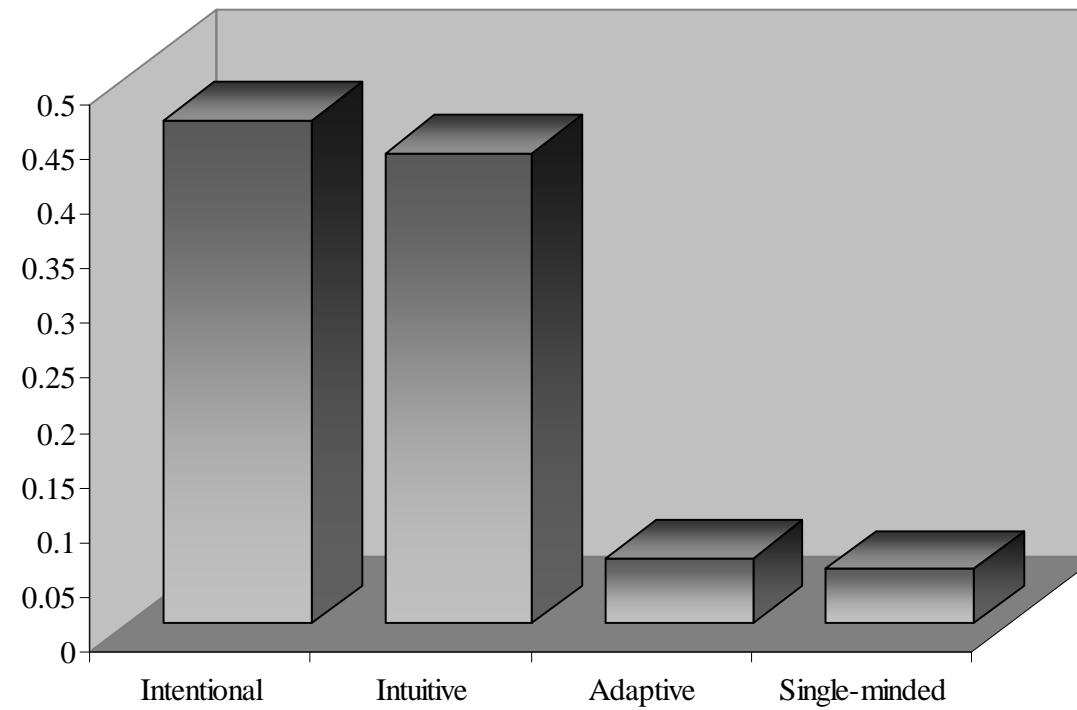
**Table 4.1 Four Models of Decision Making in Congress**

	<b>Intentional</b>	<b>Adaptive</b>	<b>Single-minded</b>	<b>Intuitive</b>
<b><i>Orientation</i></b>	Issue-based	Source-based	Issue-based	Source-based
<b><i>Depth of Search</i></b>	Deep	Deep	Shallow	Shallow
<b><i>Attention</i></b>	Equal (compensatory)	Unequal (noncompensatory)	Equal (compensatory)	Unequal (noncompensatory)
<b><i>Hypothetical Expectation</i></b>	Likely due to professional socialization.	Unlikely due to large amount of information and time constraint.	Highly unlikely due to nature of many- alternative, few-attribute information environment.	Highly likely due to policy expertise.

**Figure 4.1 Depth of Search**

**Figure 4.2 Correlation of Search Depth and Attention**

**Figure 4.3 Proportions of Four Decision Strategies in Simulated Congressional Information Environment**



*Note:* Data are the proportion of all subjects determined to adopt each of the four decision strategies according to median splits for depth and attention. They are ranked from left to right based on total subjects that adopted each strategy.

**Table 4.2 Proportional Differences in Adoption of Four Decision Strategies**

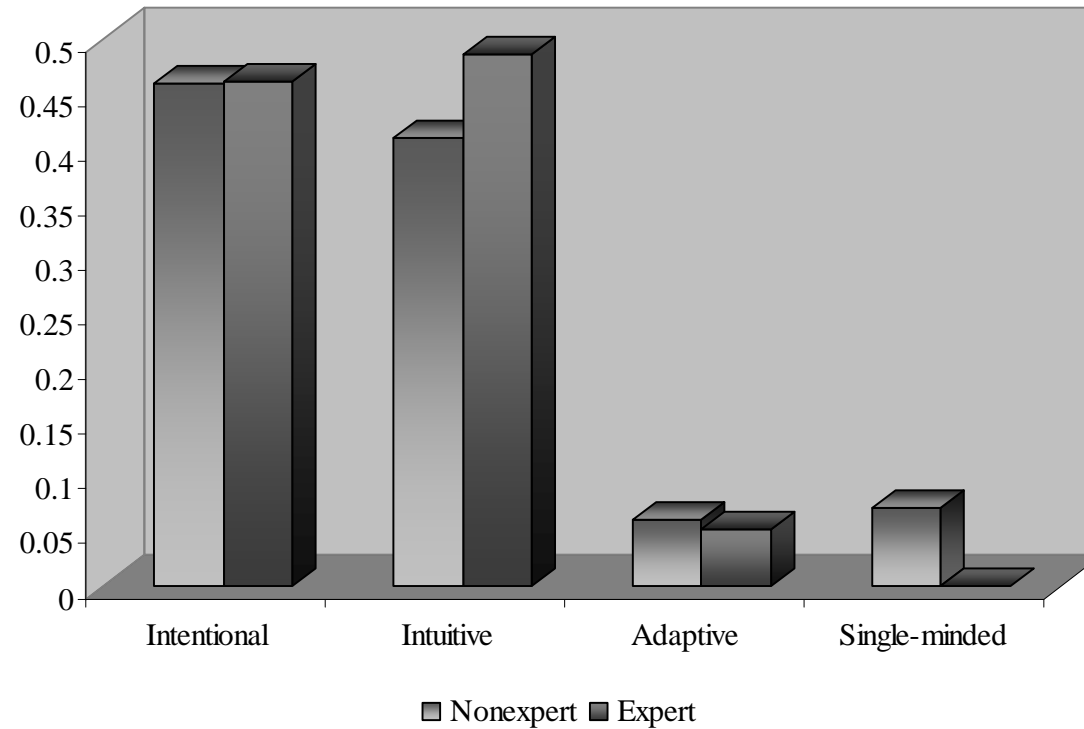
	Health Policy			Socialization				Party				Total
	Nonexpert	Expert	<i>z</i>	Political	Policy	<i>z</i>		Democrat	Republican	<i>z</i>		
Intentional	46	18	-0.02	17	47	-2.14	*	49	15	2.23	*	64
Intuitive	41	19	-0.83	31	29	3.36	**	37	23	-1.14		60
Adaptive	6	2	0.20	1	7	-1.42		6	2	0.50		8
Single-minded	7	0	1.70	1	6	-1.23		1	6	-3.04	**	7
Total	100	39		50	89			93	46			139

Note: Cell entries are frequencies of subjects determined to adopt each of the four decision strategies according to median splits for depth and attention.

\*\*  $p < 0.01$

\*  $p < 0.05$

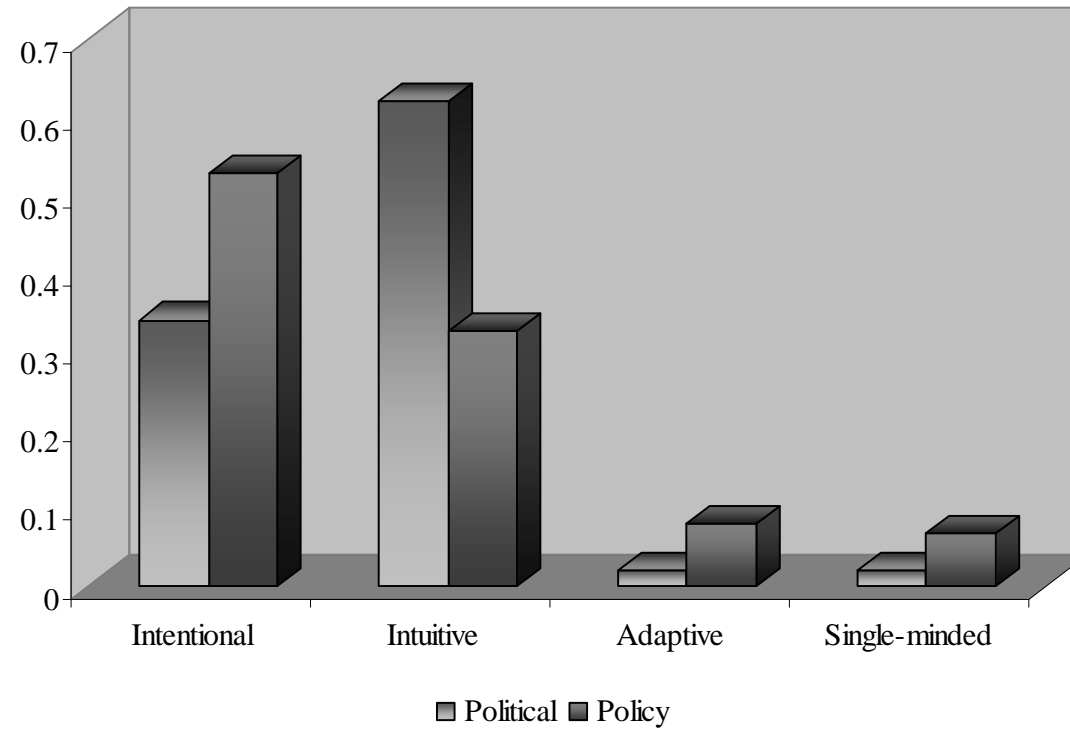
**Figure 4.4 Proportional Differences of Four Decision Strategies by Policy Expertise**



*Note:* Data are the proportions of all subjects determined to adopt each of the four decision strategies according to median splits for depth and attention. They are ranked from left to right based on total subjects that adopted each strategy.  
 $\chi^2(3) = 3.03, p = 0.387$

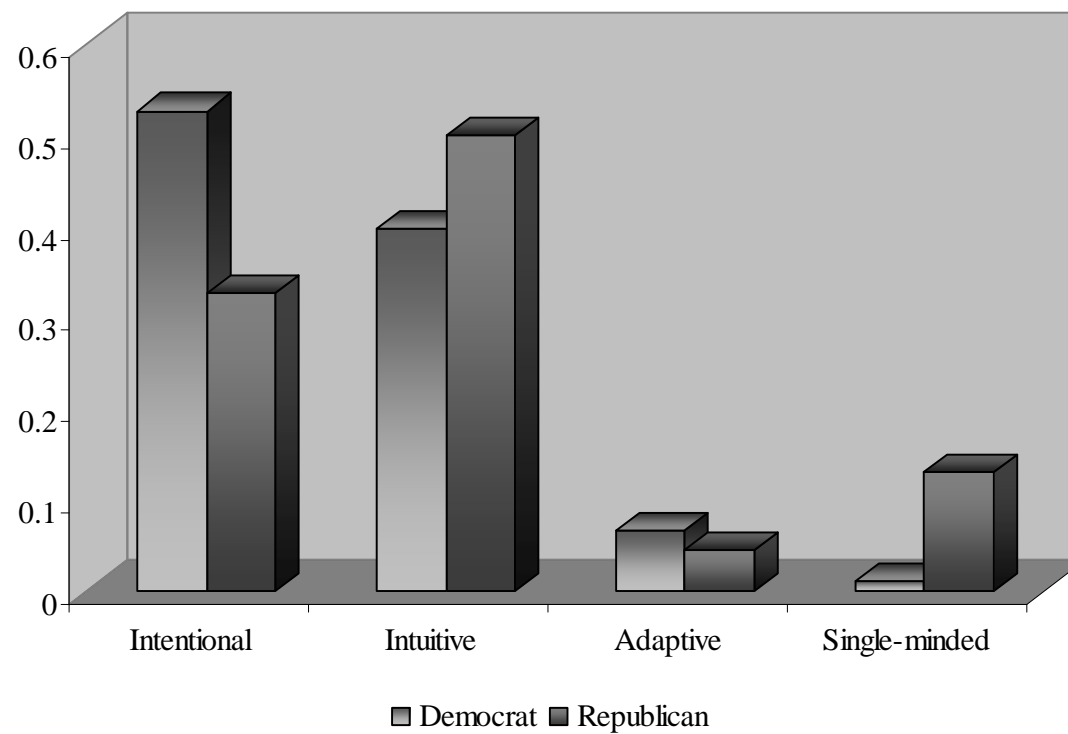


**Figure 4.5 Proportional Differences of Four Decision Strategies by Professional Socialization**



*Note:* Data are the proportions of all subjects determined to adopt each of the four decision strategies according to median splits for depth and attention. They are ranked from left to right based on total subjects that adopted each strategy.  
 $\chi^2(3) = 12.22, p = 0.007$

**Figure 4.6 Proportional Differences Four Decision Strategies by Political Party**



*Note:* Data are the proportions of all subjects determined to adopt each of the four decision strategies according to median splits for depth and attention. They are ranked from left to right based on total subjects that adopted each strategy.  
 $\chi^2(3) = 12.43, p = 0.006$

**CHAPTER 5. INFORMATION PROCESSING IN CONGRESS:  
ARGUMENT QUALITY, COALITION SCOPE, AND LOBBYING INFLUENCE**

Ask just about any legislative lobbyist in Washington to describe her job and the phrase “educate members of Congress” will undoubtedly come up. Lobbyists don't only see themselves this way, but members of Congress and their staff will likewise say that interest groups are an invaluable resource to learn about the critical issues of the day. The fact that lobbying is about the provision of information comes as no surprise to the Washington insider. Political scientists, on the other hand, have only recently begun to articulate theories of lobbying that capture the truism that lobbying is about “educating” Congress. Informational theories of lobbying yield falsifiable, testable hypotheses about the influence of their political pedagogy. Most notably, Hall and Deardorff make a major contribution with their theory of lobbying as legislative subsidy (2006). Their logic is simple, yet counterintuitive to both the common conjecture that lobbyists yield undue influence in legislative decision making and to the more concrete exchange and persuasion theories of lobbying that dominate the literature. The theory states:

lobbying is primarily a form of legislative subsidy—a matching grant of costly policy information, political intelligence, and labor to the enterprises of strategically selected legislators. The proximate objective of this strategy is not to change legislators’ minds but to assist natural allies in achieving their own, coincident objectives. (Hall and Deardorff 2006, 69)

In this formulation, lobbyists are motivated to supply high quality information to members of Congress to exploit in the pursuit of shared legislative goals. In short, the legislative subsidy model gives political scientists a firm logical foundation to explain the strategic motivations behind the congressional education folk theory.

If lobbying is fundamentally about supplying information, then members of Congress and their staff must also strategically filter the enormous amount of information availed to them by lobbyists. I develop and experimentally test an information processing theory of lobbying influence that adopts Hall and Deardorff's assumption that lobbyists and legislators work together towards shared policy goals. I argue that specialized lobbyists are rationally motivated (1) to supply high quality, unbiased information for members of Congress to use for legislative deliberation and (2) to join alliances with organizations that may have varying interests to signal a broad scope of coalition interests. In turn, lawmakers non-consciously use information quality and coalition scope as heuristic cues, which in turn systematically bias policy decisions. If legislators disproportionately rely on cues such as advocacy argument quality and interest group coalition scope, then they may consistently overlook their own preferences when making policy decisions. Taken together, lawmakers' cognitive predispositions about advocacy arguments and coalition scope complicate the straightforward logic of the legislative subsidy model. In other words, lobbying is not only "information," but the tactics of lobbying communicate meaningful information as well.

### **Collaborative Lobbying and the Multiple Qualities of Legislative Information Subsidies**

One of the most important sources of policy information is the system of organized interests who routinely "educate" members of Congress and their staff. Interest groups provide Congress with valuable information inputs for policy decisions like social and economic cost/benefit projections, policy analyses, and political intelligence. Highly specialized and resource-rich private interest organizations meet a critical legislative

demand for timely and accurate information. Members of Congress and their staffers have limited time and attention, insufficient expertise, and self-interested reelection and policy goals to pursue, leaving them wanting for reliable information that can be exploited in the day-to-day politics of legislating. Consequently, the interaction between legislators and interest groups is a particularly promising area to expect information processing behavior to influence policy decision outcomes.

Though they do not explicitly attempt to deal with cognition per se, positive theories of legislative institutions and exchange theories of lobbying would probably predict that any differences in information processing behavior between individual members would cancel out when final policy decisions are aggregated across cases. Cognitive limitations are simply mistakes that get washed out in the error term. Any remaining variance across lawmakers can be explained by their genuine preferences, which are empirically revealed by their policy decision. Any deviations from this expectation can be explained by rent-seeking costs, information asymmetries and signaling costs, or outright irrationality (Stigler 1971; Denzau and Munger 1986; Austen-Smith 1993; Ainsworth 1993; Kollman 1998<sup>30</sup>). Lobbyists act as agents of private interests, bartering electoral support or signaling public interest in exchange for privileged access to the legislator, who in turn votes in their favor or does the heavy-lifting of legislating in committee (Stigler 1970, Becker 1983, Grenske 1989, Hall and Wayman 1990; Stratmann 1998). The relatively straightforward logic of these models

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<sup>30</sup> Strictly speaking, signaling models are not exchange theories of lobbying because no material exchange occurs between lobbyists and legislators. Yet, lobbyists do signal the size and political relevance of a constituency which is demanding a public good from government. The presence of lobbyists reduces legislators' uncertainty that there exist potential electoral consequences of a policy choice. Accordingly, the signal implies that legislators' optimal strategies should recognize the potential material (electoral) costs and benefits of agreeing with or opposing the interest group's preference.

offers a useful foundation for explaining the incentive structure at the legislator-lobbyist analytic level.

Exchange and signaling theories of lobbying assume a competitive or confrontational perspective of the lobbyist-legislator relationship. A lobbyist's goal is to move a legislator's ideal point on a hypothetical preference dimension towards their own; legislators react by changing their ideal points if the optimal strategy reveals that it will help their reelection goals. They merely need to know their own preferences to determine who to listen to and what line of reasoning to follow. Rationally, then, lobbying will return the greatest rewards if scarce resources are spent on lawmakers who either disagree with them or who are likely to be swayed. There's no need to change the preferences of legislative allies.

As I showed in the previous chapter, though, the strictly rationalist assumption of these models is only half the story. Contrarily, as recent empirical evidence suggests, policy advocates most frequently lobby their legislative allies, generally avoid the opposition, and only rarely hone in on fence-sitters (Baumgartner and Leech 1997; Hojnacki and Kimball 1998, 1999; Leech and Baumgartner 1999; Baumgartner et al 2008; Mahoney 2008). Lobbying is better thought of as a collaborative enterprise involving a relatively small ad hoc group or issue network of legislative entrepreneurs and opportunistic lobbyists (Bauer, Poole, and Dexter 1963; Heclo 1978; Hojnacki 1997, 1998; Hula 1999; DeGregorio 1999; Baumgartner and Mahoney 2002). It is fair to say that there is increasing consensus among interest group scholars that lobbying relationships are collaborative, that lobbying activity is service-oriented and informational, and that the "stuff" of policy advocacy is cold, hard fact, not normatively

convenient fiction (Potters and Van Winden 1992; Esterling 2004; Kersh 2007). Yet this emerging story about lobbying reveals little about what legislators actually hear from their collaborators or how those arguments are used in highly polarized debates in Congress.

### **An Information Processing Theory of Lobbying Influence**

Just because lobbyists have an incentive to deliver factual, policy-centered information does not necessarily mean that reelection-oriented legislators have an incentive to seek out information that is neutral or unbiased. Legislators are not merely passive targets of good information. They are active listeners and consumers of the countless information subsidies made available to them by a diverse system of organized interests. In Milbrath's classic description of lobbying, "most members of Congress hear what they want to hear from witnesses. The most significant barrier to effective communication facing the lobbyist, then, is the perceptual screen of his intended receiver" (1963, 210). Milbrath insinuates that legislators' selectivity is purely ideological, which makes perfect sense if members of Congress tend to work closely with like-minded interest groups. But, ideology is not likely the only "perceptual screen."

Collaboration between legislators and lobbyists does not only derive from their shared policy goals, but is also a consequence of policy-domain expertise and institutional authority. Congress's jurisdiction includes every possible policy issue; interest groups by definition specialize in the narrow set of policies that impact their constituent members, supporters, or financial backers (Walker 1991). These concepts are explicitly built in to the lobbying-as-subsidy theory: legislators are generalists

(Assumption 3), legislators vary in their intensity of attention across policy issues, regardless of their preferences for or against the status quo (Assumption 4), and lobbyists are specialists relative to legislators (Assumption 5) (Hall and Deardorff 2006). For an information subsidy to gain any traction in Congress, the legislator needs to make good use of it. Legislator grantees are more likely to make good use of information subsidies if they have the institutional position, entrepreneurial wherewithal, and ideological agreement with the lobbyist grant-makers.

In the information-overloaded environment in Congress, lobbyists' primary role is to separate the wheat from the chaff. Interest groups pursuing legislative objectives not only discriminate with whom to share information; they need to decide what is important and what is not (Whiteman 1995; Kersh 2007). Additionally, reelection-oriented members of Congress need to know that voters will logically connect government benefits back to their actions in the legislature (Mayhew 1974; Arnold 1990). Otherwise, what incentive do they have to dedicate their precious time and energy to the interest group's cause?

Once irrelevant information is filtered out, it must also be transformed from complex arguments and multidimensional cause-and-effect policy narratives into digestible bits that can be used in committee debate, cloakroom rap sessions, and stump speeches. To make good use of an information-grant, legislators must first be able to make *sense* of the information provided to them. But whose job is it to distill the information, the lobbyist's or the lawmaker's? The political-economic logic of the subsidy model is silent on this question. Hall and Deardorff implicitly assume that the quality of all information subsidies is equivalent, though they do distinguish between



three types of information: preference-centered, policy analysis and expertise, and political intelligence. The model does not consider whether these matching grants of policy information, political intelligence, or preference signals vary in their accuracy, quality, or usefulness. Yet Kersh argues, “not all information is created equal. Knowing what qualifies as valuable—to policymakers and also to clients and fellow lobbyists—is critical to successful lobbying, as is the ability to obtain and communicate that useful information” (2007, 390). Intuitively, some types of information are more or less functional, comprehensible, or germane to the issue at hand than other types. Better quality information subsidies should arm an entrepreneurial legislator with more firepower to convince colleagues that the policy proposal is worthy.

What makes a particular information grant better than another? There is no reason to expect that lobbyists who provide sloppy policy analyses or ineffective advocacy arguments are going to get very far in the halls of the Capitol. And of course judging the quality of any piece of information is a subjective exercise. One dimension of quality, though, is whether or not it can reasonably be described as factual.<sup>31</sup> Lobbyists who lie risk damaging their credibility in future interactions with legislators. However, this does not mean that lobbyists do not exaggerate their interpretations of underlying facts or present evidence in a way that best supports their claims. Knowing this, legislators likely discount exaggerations and filter these presentations with skepticism as a matter of routine (Calvert 1985). In fact, lobbyists tend to deploy fact-based information and rarely manipulate how issues are understood over time. The

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<sup>31</sup> I do not mean to imply that information is unbiased or falsifiable, only that it is presented with verifiable supporting evidence.

overwhelming majority of information deployed by lobbyists is factual and policy related, not politically strategic or ideological (Kersh 2007).

Dispassionate, policy-factual arguments should hold up better under ideological scrutiny, so they will be much more potent in the pursuit of shared legislative goals. These findings are surprising in light of popular conjecture about the role of entrenched interests in public discourse, but Berry and colleagues conclude that “there is the tendency to believe that the objective virtue of our own policy positions is a victim of the other side’s success at confusing the public with deceptive marketing of their positions” (2007, 35). In lieu of this speculation, Esterling offers a particularly constructive distinction between two different types of advocacy arguments—instrumental and normative:

On the one hand, lobbyists can make research-based instrumental arguments that seek to establish the causal relationships and the likely implications of government actions. Instrumental arguments address whether the policy is likely to yield its expected outcome and relate to the causal effectiveness of the policy based on the quality of the policy’s internal design. Instrumental arguments focus on the program’s internal logic using objective and scientific ‘information describing or explaining how the policy under consideration will operate’[...]

On the other hand, lobbyists can make normative arguments regarding the desirability of the policy (independent of the outcome) or of the outcomes (independent of the policy). In this sort of argument, the outcome itself or the policy itself is deemed good or bad, legitimate or illegitimate, desirable or undesirable. (Esterling 2004, 79-80; quoting Webber 1984, 112)

Consistent with the legislative subsidy model and recent empirical work on the qualitative nature of advocacy arguments, Esterling finds evidence supporting the hypothesis that Congress is more likely to adopt socially efficient policy proposals supported by instrumental arguments “unless the legislature is somehow overcome by the

available normative arguments” (81).<sup>32</sup> Yet there remains a paradox. Lobbyists risk losing credibility if they dumb down their arguments to normative sound bites, but reelection-oriented, policy-generalist members of Congress are presumably not qualified to determine if complex policy proposals are “good or bad, legitimate or illegitimate, desirable or undesirable.” So, do members of Congress actively translate instrumental advocacy arguments into concise, usable sound bites, or do they simply trust that like-minded lobbyists will do them the favor of interpreting complex ideas for them?

I propose instead that the qualitative nature of arguments serve as a mental shortcut that saves lawmakers the cognitive energy and attention needed to interpret a “good” claim from a “bad” one. Newell and Simon contend that decisions depend on (1) attention to relevant symbols in the information environment, (2) encoding of those symbols in short-term memory, (3) storage of the encoded mental representations in long-term memory, and (4) retrieval of stored memories in a given (5) context. The context—also known as the information environment or processing work space—influences how different rules, strategies, and procedures are adopted to produce some cognitive output, such as solving a problem, making an inference, or forming an opinion (Newell and Simon 1972). All of these steps in the process occur serially, so each phase is an opportunity for both random and systematic errors to manipulate the final response (Jones 2001).

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<sup>32</sup> *Socially efficient policies* are “a type of expert-informed policy where the aggregate benefits are expected to exceed the aggregate costs”, such as “incentives-based” regulation (Esterling 2004, 4). Incentives-based regulation is different than “command-and-control” regulation that punishes undesirable behavior. For example, carbon cap-and-trade proposals do not regulate the amount of emissions any one manufacturer produces, but rather create a market-incentive for manufacturers to generate less waste by selling off remaining emission allowances to those that generate more. Contrast cap-and-trade with command-and-control environmental regulations that levies steep fines for emitting more air and water pollution than allowed under law. It remains unclear how relatively common socially efficient policy proposals are compared to others, or even whether Esterling’s findings hold true across different types of policy proposals.

Additionally, recent research in experimental psychology explores whether information processing occurs in groups. The mental activities that complicate individual decisions may also be confounded by complications between individuals in a group. Hinsz, Tindale, and Vollrath contend that information processing at the group level “involves the degree to which information, ideas, or cognitive processes are shared, and are being shared, among the group members and how this sharing of information affects both individual- and group-level outcomes” (1997, 43). Group-level information processing contends that cognitive outputs by individual decision makers are not only limited by internal predispositions, but also depend on the group’s ability to communally manage the information context. Bonner has found that information management performance improves if individuals defer to experts within the group. However, non-experts in the group may become overly dependent on the perceived expert (Bonner 2002; see also Littlepage and Silberger 1992). Thus, just as systematic judgment errors may creep into the information filtering process at the individual level, so too can the over-reliance of expert opinion bias decision making at the group level.

This group-level conceptualization of information processing may better explain legislative decision making when lobbying is envisioned as a small-group effort among like-minded members of Congress and lobbyists. The institutional boundary between legislator and lobbyist is negligible compared to their shared goals and complementary faculties in the legislative process. Lobbyists have the incentive to establish their expertise, or risk losing the credibility to participate in future deliberations (Hojnacki 1998; Berry 1999). Rather than sizing up the bona fides of each lobbyist for each issue over time, I assume legislators become socialized to rely on cues from lobbyists. Even

though this decision strategy is useful because it conserves cognitive energy, there is the potential hazard that members of Congress will exaggerate the credibility of expert lobbyists.

**Within-Subjects Factors:  
Argument Quality and Coalition Scope**

My story about lobbying and decision making in Congress allows me to test hypotheses about how information subsidies supplied by lobbyists may get lost in translation as their legislative collaborators filter and process them. Following these assumptions, I can deduce several hypotheses about the relative influence of lobbyists based on the cognitive predispositions of legislators and the political context in which policy decisions are made. The two main factors in my model of lobbying are the quality of the advocacy argument and the scope of the interest group coalition. I assume advocacy arguments may be either instrumental or normative, and coalitions may represent either a narrow, homogenous set of groups or a broad, heterogeneous coalition of interests.

First, not only do specialized lobbyists have an incentive to supply instrumental arguments, I assume relatively generalist legislators are compelled to use the presence of an instrumental argument as a mental cue. The mere existence of facts and figures makes an instrumental argument attractive, though lawmakers may internally filter them down to their normative analogs.<sup>33</sup> Consequently, I hypothesize that:

*H<sub>1</sub>: Lawmakers will favor issues advocated by instrumental arguments more than issues advocated by normative arguments.*

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<sup>33</sup> The proposition deduced here should not be confused with the idea that lobbyists aim to *reframe* existing policy issues (McKissick 1995; Berry et al 2007). Information is simplified as it is internalized by the legislator-recipient, not as it is delivered by the lobbyist-sender.

This process occurs on a non-conscious level as advocacy arguments are processed in the policymaker's mind. Even though down-to-earth normative arguments may be more easily encoded, stored, and retrieved in the hustle and bustle of high-stakes legislative conflicts, the presence of an instrumental argument lends credibility to the claim.

Lawmakers can always fall back on the perceived credibility and expertise of the lobbyist who supplied it, so there's no need to over-complicate arguments stored in memory with cognitively difficult features like facts, internal logic narratives, or objective evidence.

Instrumental arguments signal the requisite credibility; they do not convey propositions that may be used to make difficult choices about competing proposals or arguments. Thus, lawmakers are prone to make judgment errors if the lobbyist's cue is deferred over the substance of the underlying claim.

Second, because there are thousands of interest groups in Washington, it is not very likely for legislators to maintain consistent source credibility judgments for individual organizations except the most highly salient and active ones. Rather, I assume that legislators instead keep running credibility tallies based on broad categories of interest groups like "environmentalists," "trial lawyers," the "oil industry," and "HMOs" (see Grant and Rudolph 2004). Consequently, individual organizations have an incentive to join forces in coalitions that signal these generic categories. In joining ad hoc coalitions, I assume interest groups face two competing incentives: unity and breadth. Intuitively, groups with closely aligned interests should be motivated to work together to demonstrate unanimity (Browne 1988, 1998; Hojnacki 1997, 1998; Hula 1999).

Alternatively, following Schattschneider's (1960) logic that groups strategically expand the scope of any given conflict to increase its salience, groups also have an incentive to

join forces with seemingly disparate interests. Interest group coalitions that consist of relatively homogenous interests are attractive to legislators because they are not put in a position to decide between competing factions or broad categories of groups stored in long-term memory. Coalitions that clearly represent a set of narrow, compatible interests will be perceived to be more unified than those that represent various stakeholders and constituencies. So, I hypothesize that:

*H<sub>2</sub>: Lawmakers will perceive narrow interest group coalitions to be more credible than broad interest group coalitions.*

Thus, lawmakers will use the existence or absence of a recognizable set of interests as a cue for source credibility. In other words, narrow coalitions are more likely to correspond with legislators' running tallies in long-term memory. Alternatively, to achieve the enormously complex goal of convincing Congress to change the status quo, interest groups will always try to make the perceived public problem to be as far-reaching as possible by recruiting as many perspectives as possible.

Moreover, the perceptions of a coalition's credibility should shift if they are unified instead by the message or argument that they represent. In other words, I assume that the advocacy argument and coalition scope factors will interact, so that instrumental arguments supplied by broad coalitions will be most influential because the message eliminates the risk that legislators will be forced to take sides between interest group rivals. Consequently, I hypothesize that:

*H<sub>3</sub>: Lawmakers will favor issues advocated by a broad interest group coalition that uses an instrumental argument more than issues advocated by a narrow coalition that uses a normative argument. Similarly, legislators will perceive broad coalitions using instrumental arguments to be more credible sources than narrow coalitions using a normative argument.*

Not only do instrumental arguments signal credibility, but broad coalitions may signal a greater scope of conflict, thus adding credibility to their cause (Schattschneider 1960). Coupling a broad coalition with policy-factual information will only improve the image that the interests they advocate are trustworthy.

**Between-Subjects Factors:  
Expertise, Professional Socialization, and Party**

As with any experiment, my primary goal is to simplify the world down to a few factors so that causation may be generalized to real situations and events. This simulation of course does not represent the actual decision tasks that members of Congress and their staff face every day, but isolating advocacy argument quality and coalition scope directly tests the cause and effect of information subsidies on legislative decision making.

However, I am also able to account for the real-world political context by using actual legislative staffers as subjects. As before, I measure *policy expertise* by asking participants to respond if health care policy is one of thirteen areas of responsibility in their day-to-day activities, coded 0 = Non-expert and 1 = Expert. Accordingly, I hypothesize two- and three-way interactions between argument quality, coalition scope, and policy expertise:

*H<sub>4</sub>: Health policy experts are more likely to favor both instrumental arguments and broad coalitions than non-experts.*

Because the simulation deals strictly with health care issues, this measure appropriately represents the differences in domain-specific knowledge that identifies a policy network or community (Heclo 1978).



Likewise, the variable *professional socialization* is derived from a subjects' professional position in a member of Congress's personal or a committee's office. This ordinal variable is highly correlated with income,  $r(139) = 0.43, p < 0.001$ , and age,  $r(139) = 0.18, p < 0.001$ , though it is not significantly related with education level or years in their current position Congress. In the experiment, the lowest-ranking administrative staff and the highest-ranking political staff demonstrated remarkably similar information processing behavior, so to simplify interpretation I collapsed those categories and coded professional socialization as 0 = political and 1 = policy.<sup>34</sup> So I hypothesize similar interaction effects for professional socialization:

*H<sub>4</sub>: Policy-oriented staff are more likely to favor both instrumental arguments and broad coalitions than lower ranking staff.*

Thus, this variable accurately reflects the specialized professional traits—*politically-oriented* or *policy-focused*.

Finally, as before, I use party membership to introduce a measure of policy attitudes. I theoretically assume that any measure of political context in Congress should include party, though there is no reason to expect that Democrats and Republicans process information differently.

*H<sub>5</sub>: Democrats are equally likely to favor instrumental arguments and broad coalitions as Republicans.*

Not surprisingly, party is very strongly associated with subjects' self-identified ideology, Pearson's  $r(139) = 0.77, p < 0.001$ . As should be expected, ideology is not correlated with expertise and socialization. Ultimately, these three independent variables allow me to control for the congressional political context in which decisions are made.

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<sup>34</sup> Though it may seem counterintuitive to lump these two categories together, I would argue that my underlying construct is not seniority, but professional orientation to be either an objective, credible policy analyst or an election-oriented defender of your boss's position.

### Dependent Variables

Subjects reported their responses by rank-ordering all sixteen issues on from “most important” to “least important” and all sixteen information sources from “most useful” to “least useful.” That is, in the final stage of the simulation, participants rank-ordered issues on a hypothetical *Issue Agenda* and all sixteen sources on a *Source Credibility* list. The responses included all sixteen issues and sources, respectively, though my analysis here focuses only on scores associated with the eight treatment items. I excluded the eight government sources because they remained constant across randomly-assigned groups. I coded the top-ranked issue and source = 15, the second issue and source = 14, the third issue and source = 13, and so on until the last-ranked issue and source = 0.

There were several steps in constructing the repeated-measures dependent variables for issue agenda and interest group coalition credibility. First, for both the factors, I summed each subject’s agenda and credibility scores for the issues and coalitions that corresponded with their treatment in the simulation. For instance, following the design displayed in Table 2.6, issue agenda scores reported by subjects randomly assigned to Group 1 were summed and divided by 2 to get the mean ranking for the two issues in the following conditions:

- (A) Normative Argument / Narrow Coalition (Children’s Health and Health IT)
- (B) Normative Argument / Broad Coalition (HIV/AIDS and Medical Errors)
- (C) Instrumental Argument / Narrow (Medical Malpractice and Mental Health Parity)
- (D) Instrumental Argument / Broad Coalition (Rx Drug Coverage and Coverage for Uninsured).

Likewise for source credibility scores, the two interest group coalitions were summed for Group 1, then divided by 2 to get the mean ranking:

(A) Normative Argument / Narrow Coalition (Coalition for Health Children and Health IT Alliance)

(B) Normative Argument / Broad Coalition (Americans for HIV/AIDS Awareness and Health Care Quality Alliance)

(C) Instrumental Argument / Narrow Coalition (Medical Malpractice Collaborative and Mental Health Working Group)

(D) Instrumental Argument / Broad Coalition (American Rx Drug Coalition and Citizens' Committee for the Uninsured).

This procedure was repeated for the remaining three experiment groups. The resulting dependent variables include four repeated measures of the issue agenda and four repeated measures of source credibility representing each of the four experimental treatments, respectively.

This repeated-measures design, then, nullifies individual subjects' a priori policy preferences for particular issues and sources. The implication is that I can compare policy decisions based on their corresponding argument quality formats and interest group scope instead of the substantive issue being advocated.

[Insert Figures 5.1 through 5.4]

Figures 5.1 through 5.4 display the frequency distributions for the four repeated-measures of the issue agenda, and Figures 5.5 through 5.8 display histograms for the four source credibility repeated-measures.

### Issue Agenda Effects

The experiment design calls for a multivariate analysis of variance that compares mean change scores of all four repeated-measures for both the within-subjects factors of advocacy argument and coalition scope and the between-subjects factors of policy expertise, professional socialization, and political party. Table 5.1 displays summary statistics for all four repeated-measures of the issue agenda for each of the five factors.

[Insert Table 5.1 and 5.2 here]

Table 5.2 reports the results of four separate ANOVA models. The first model looks only at the main effects and interactions between the within-subjects factors. The mean agenda-ranking for issues presented with a normative argument are significantly different than those with an instrumental argument, but the null hypothesis can not be rejected for the coalition scope factor and for the interaction. The effects of argument and scope are more clearly displayed in Figure 5.9.

[Insert Figures 5.9 through 5.18]

The remaining ANOVA models compare the means for each of the between-subjects factors separately.<sup>35</sup> In Model 2, the advocacy argument main effect remains significant, and the three-way interaction between argument, coalition scope, and expertise is also significant. Figure 5.12 shows how non-experts' assessments of issues do not change much across all four conditions, but that experts tend to favor issues advocated with instrumental arguments by narrow coalitions. Clearly, experts are more likely appreciate information subsidies that cite independent sources supported by quantitative evidence if they are supplied by coalitions that represent a recognizable set of stakeholders in the

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<sup>35</sup> A full multivariate ANOVA model that simultaneously includes both within-subjects factors and all three between-subjects factors on the right hand side reveals no significant differences in means.

health policy field. Even though they may have only been exposed to a limited amount of the experimental treatment, experts have the long-term memory capability to use mental cues about the “who” and the “what” of the lobbying message, regardless of the substance of the policy issue at hand.

Likewise, subjects’ professional socialization toward the more normatively biased politicians or the more objectively oriented policy wonks has some interesting effects on how they process information subsidies. Model 3 retains a difference between advocacy argument and also reveals a similar difference between politicians and policy wonks, though only at the  $p < 0.10$ , two-tailed test level. However, the three-way interaction, exhibited in Figure 5.15, demonstrates the most significant difference in means. Both politically- and policy-oriented subjects favor issues advocated by instrumental arguments over normative arguments. Politicians favor instrumental arguments from narrow coalitions more than the same arguments from broad coalitions; policy staffers remain flat between the instrumental / narrow and instrumental / broad conditions. On the other hand, for normative arguments, the objectively-oriented policy professionals appraise issues advocated by broad coalitions much lower than their political counterparts, an opposite pattern for the same arguments from narrow coalitions.

Finally, as I predicted, political party has little effect on how subjects process information about policy issues. It is not reasonable to expect the Democrats to use mental shortcuts and Republicans to expend a great deal of energy to process complex policy narratives, or vice versa. The results of Model 4 maintains a near significant difference for the argument factor, revealed by strikingly similar slopes for both Democrats and Republicans moving from the normative condition to the

instrumental in Figure 5.16. Unlike the other between-subjects factors, though, there are no significant interaction effects for party.

Overall, the argument factor and the three-way interactions between argument, scope, and both expertise and professional socialization confirm my information processing theory of lobbying influence. Informational theories of lobbying assume that, all else equal, the substance of the information being supplied by lobbyists affects how targeted lawmakers interpret policy issues and, therefore, make choices based on their electoral, policy, and professional motivations. But my findings suggest that all else is not equal. Policymakers process information subsidies independent from the actual substance of the issue by relying on the absence or presence of instrumental arguments that include the appearance of independent, factual, quantitative information. Yet, instrumental arguments could include pseudo-factual information that may contaminate lawmakers' decisions. Additionally, the interaction of expertise and professionalization with arguments and coalition scope reveals a bias toward information subsidies provided by narrow interests. These results suggest that interest groups benefit more from hyper-specializing into ever-narrower factions instead of broad, inclusive coalitions that may better represent diverse interests.

### **Source Credibility Effects**

The primary concern of this experiment is the issue agenda because this most accurately measures the outcome of the policy decision making process. I also included a measure of source credibility as a separate dependent variable to gauge whether subjects

distinguish their evaluations of information subsidies separately from the sources that deliver them. Table 5.3 displays F scores from similar multivariate ANOVA models on source credibility.

[Insert Tables 5.3 and 5.4 here]

Looking at all four models, the within-subjects factors never reveal significant differences for source credibility. There are three significant differences for source credibility: the three-way interaction of argument, scope, and socialization, the main effects of political party, and the two-way interaction for coalition scope and party.

[Insert Figures 5.19 through 5.28]

Interestingly, the three-way interaction including socialization displayed in Figure 5.25 not only shows large changes in the mean, these differences are in a similar direction for the same three-way interaction for the issue agenda (see Figure 5.15). No other factors or interactions have similar effects on both issue agenda and source credibility, suggesting that there are strong behavioral differences between political and policy-oriented. It is apparent that biases toward the argument quality of information subsidies and toward interest groups are not incidental, but are learned as during the professionalization process on Capitol Hill.

Surprisingly, unlike with the issue agenda, there are significant differences in how Democrats and Republicans perceive interest groups as information sources. Model 4 in Table 5.4 reveals that party has both a main effect and an interaction effect with coalition scope on evaluations of source credibility. As revealed in Figure 5.28, Democrats find narrow coalitions to be more credible and Republicans find broad coalitions to be more reliable. The data clearly reveal that members of both parties are

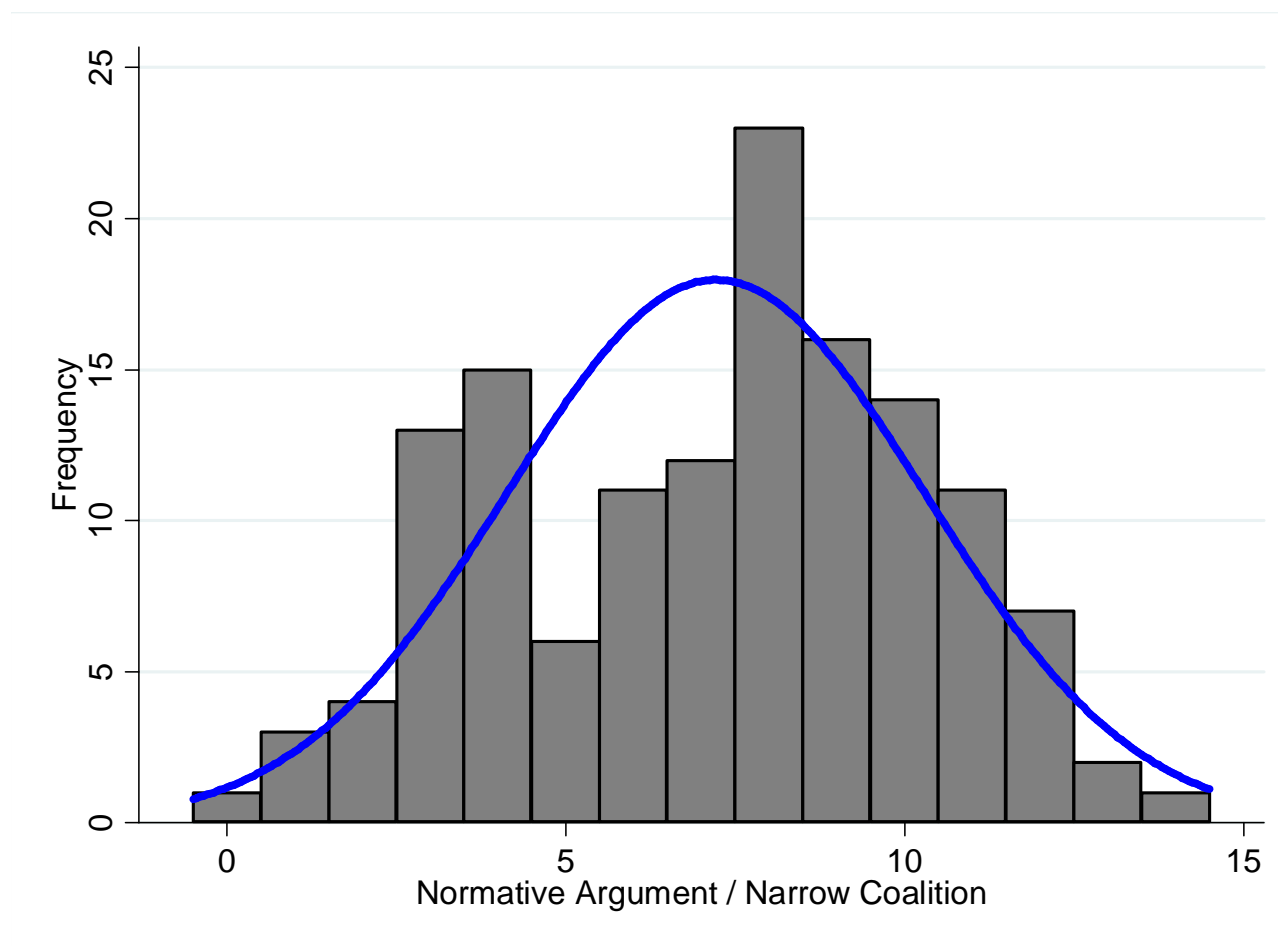
subject to mental cues about the composition of stakeholders in a debate, but they draw opposite conclusions about the political interests being expressed. At least in the health policy field, Republicans are more likely to consider the scope of conflict to be more important than the unity of interests being represented. Two important implications remain unclear, though. First, do these partisan patterns remain true across policy areas, or is there something distinctive about health care policy that accentuates differences between Republicans and Democrats? Second, are these patterns associated with Republicans and Democrats, or with the parties currently in and out of power?<sup>36</sup> Regardless, these findings strongly suggest the need for further research into the behavioral differences for partisan lobbying.

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<sup>36</sup> The experiment was conducted during the summer of 2007 when Democrats held majorities in both the House and the Senate.

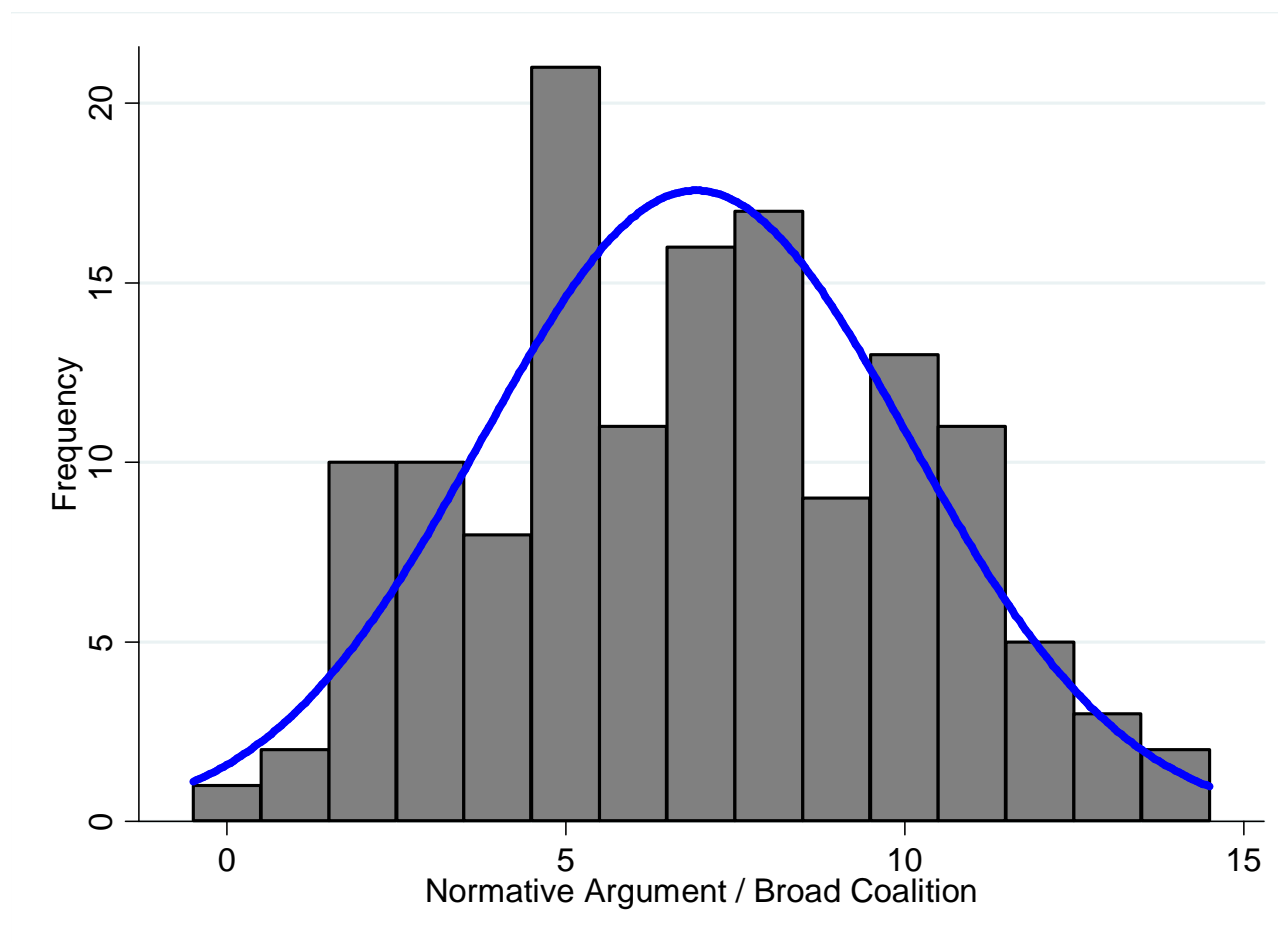


**Figure 5.1 Issue Agenda Scores in the Normative Argument / Narrow Coalition Condition**



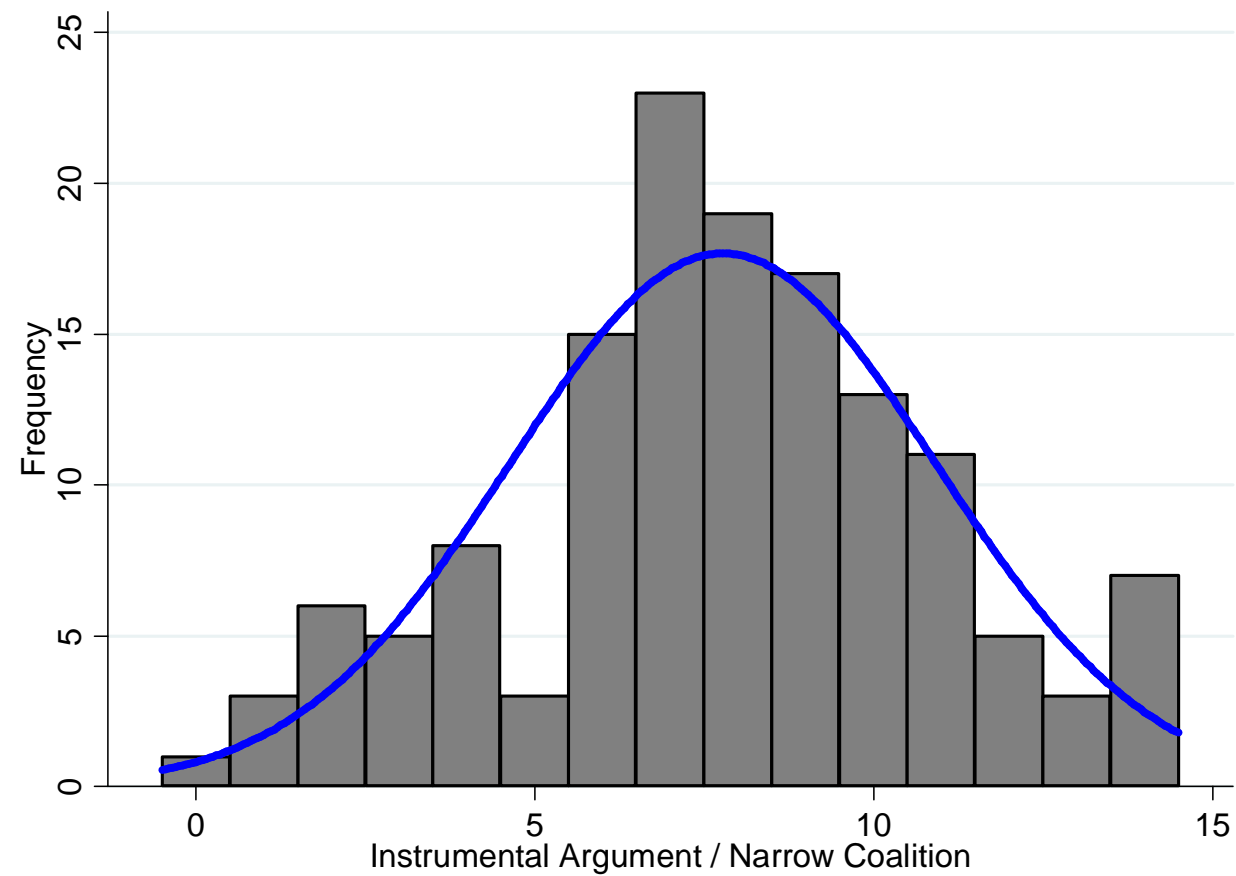
N = 139  
Mean = 7.22  
SD = 3.09

**Figure 5.2 Issue Agenda Scores in the Normative Argument / Broad Coalition Condition**



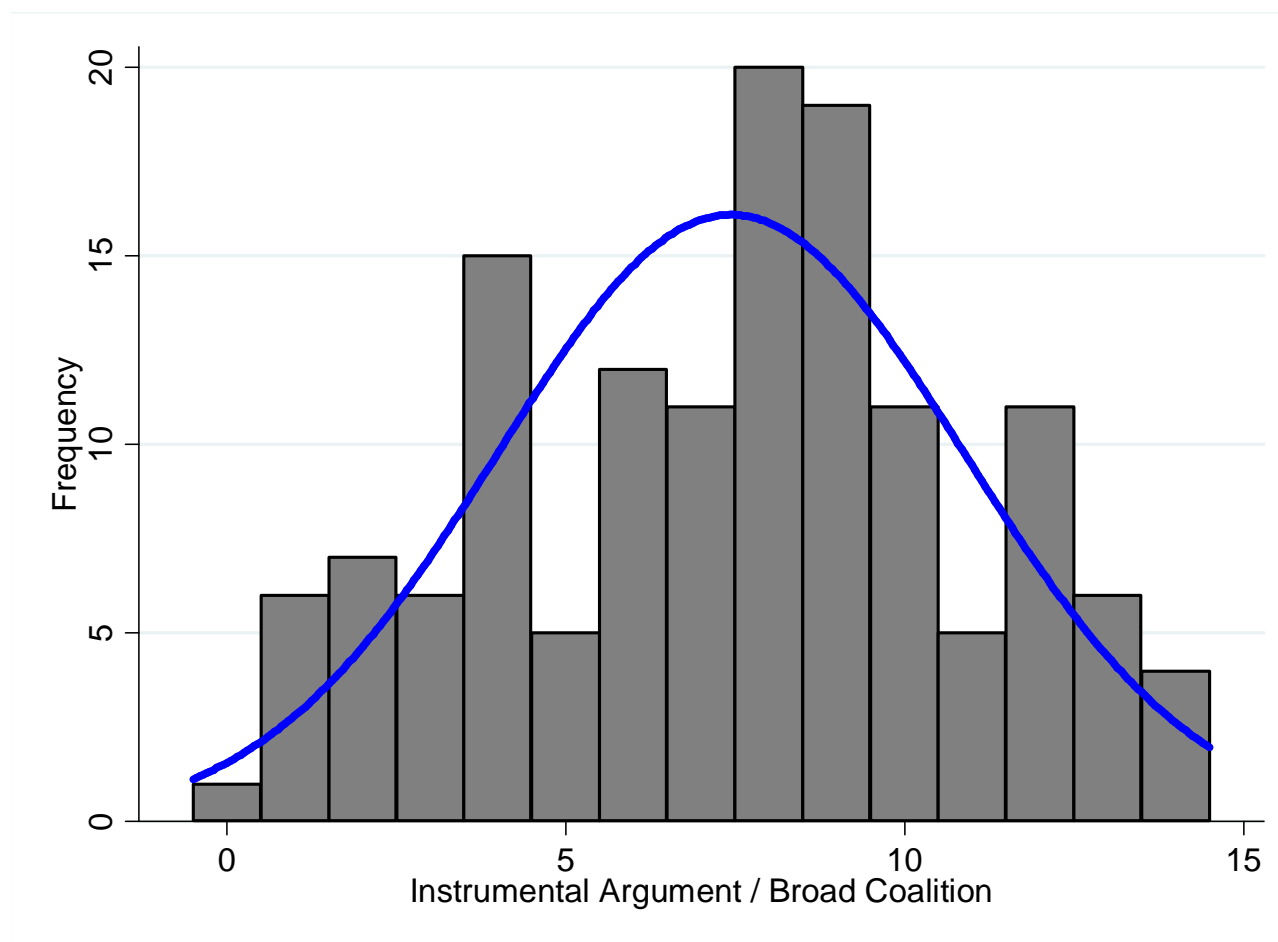
N = 139  
Mean = 6.92  
SD = 3.16

**Figure 5.3 Issue Agenda Scores in the Instrumental Argument / Narrow Coalition Condition**

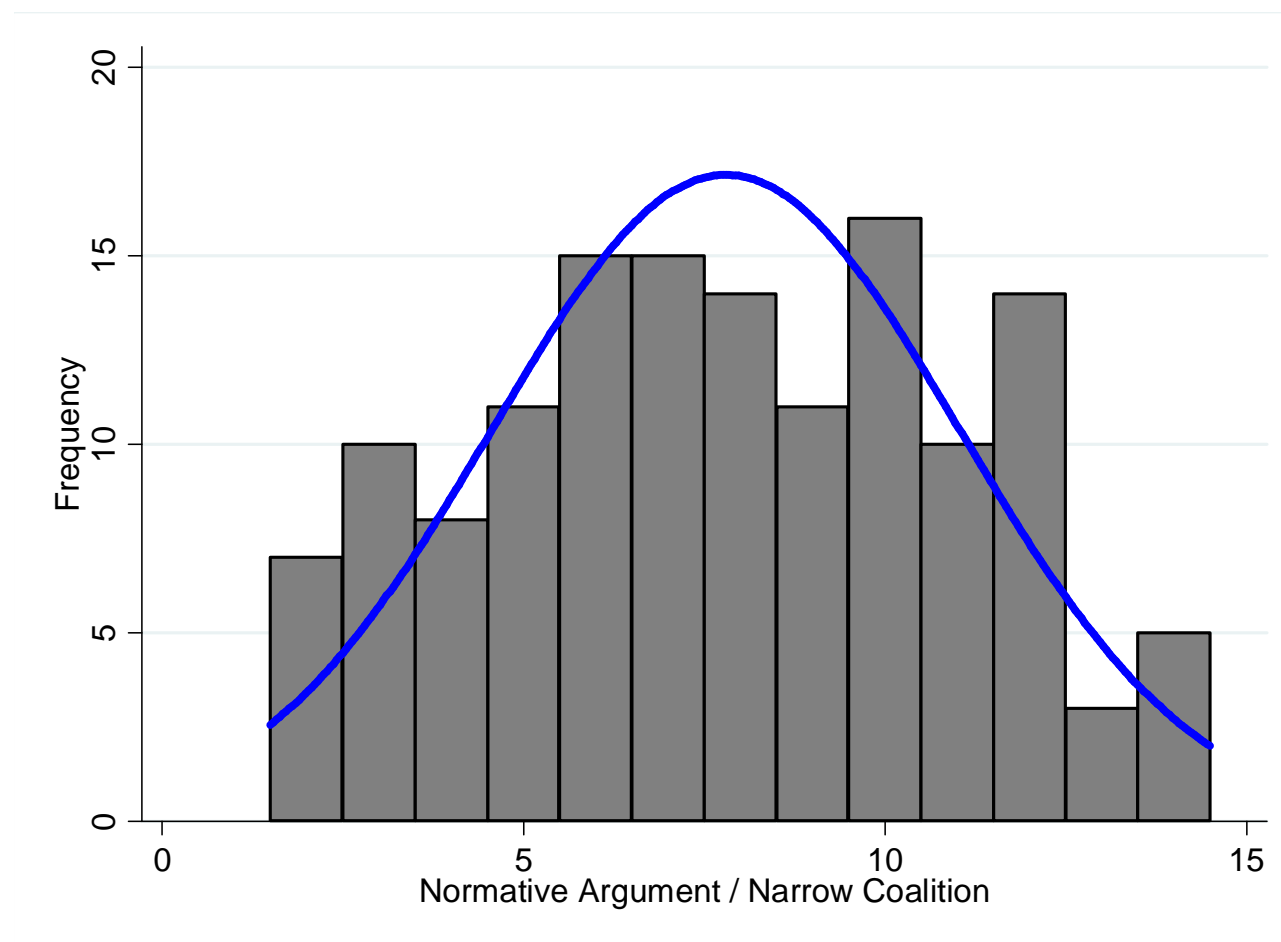


N = 139  
Mean = 7.78  
SD = 3.14

**Figure 5.4 Issue Agenda Scores in the Instrumental Argument / Broad Coalition Condition**

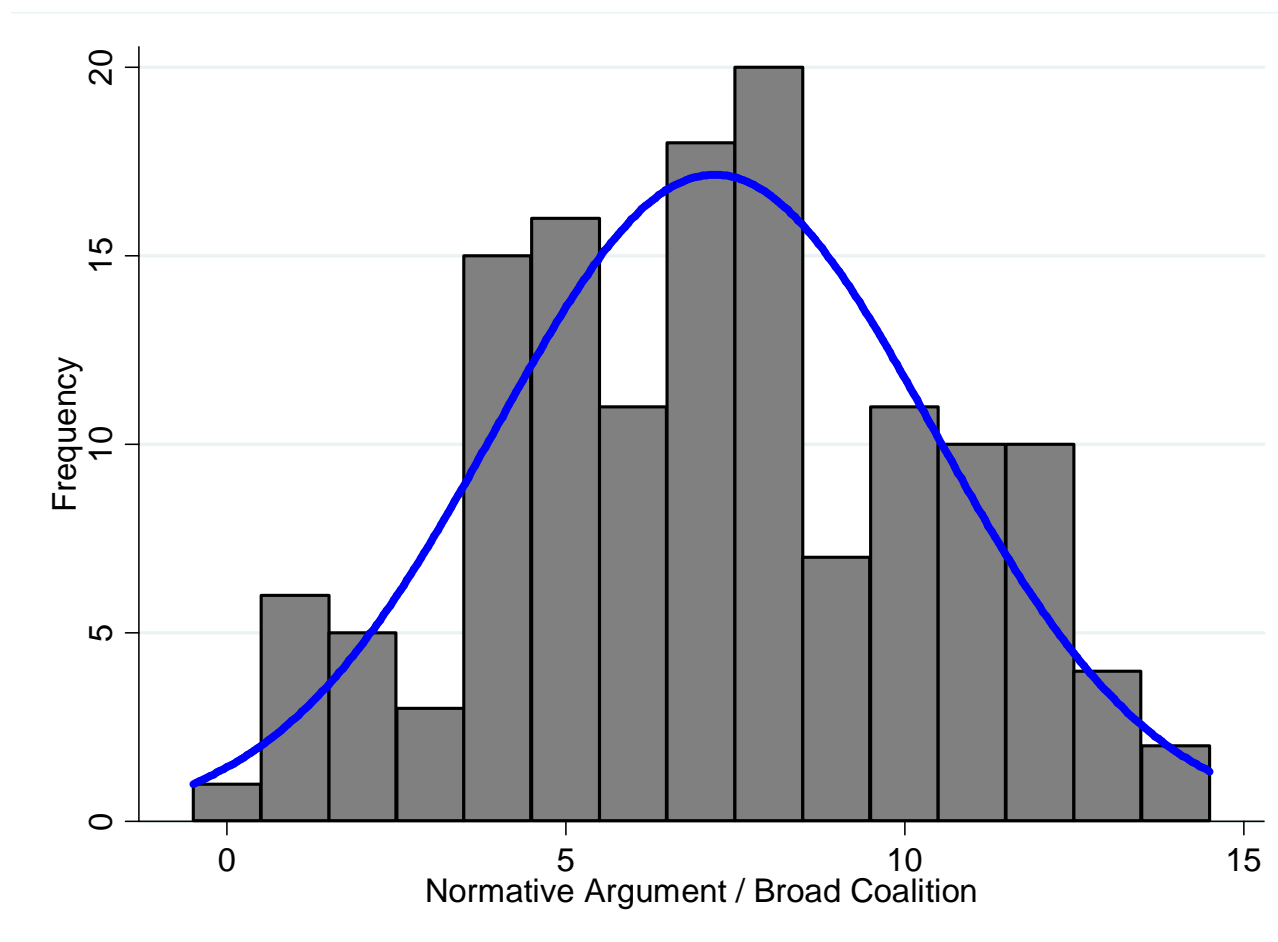


N = 139  
Mean = 7.44  
SD = 3.45

**Figure 5.5 Source Credibility Scores in the Normative Argument / Narrow Coalition Condition**

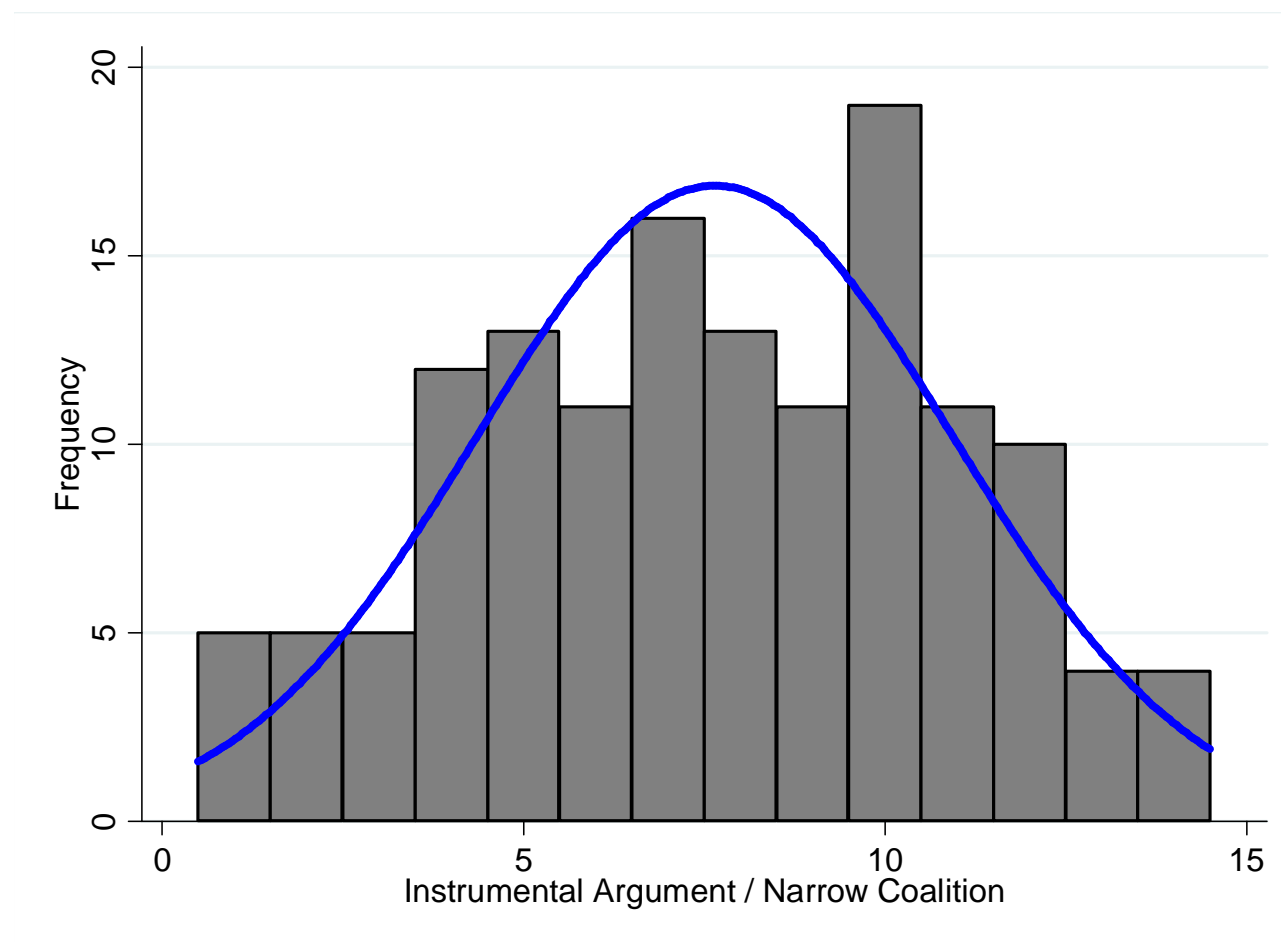
N = 139  
Mean = 7.80  
SD = 3.23

**Figure 5.6 Source Credibility Scores in the Normative Argument / Broad Coalition Condition**

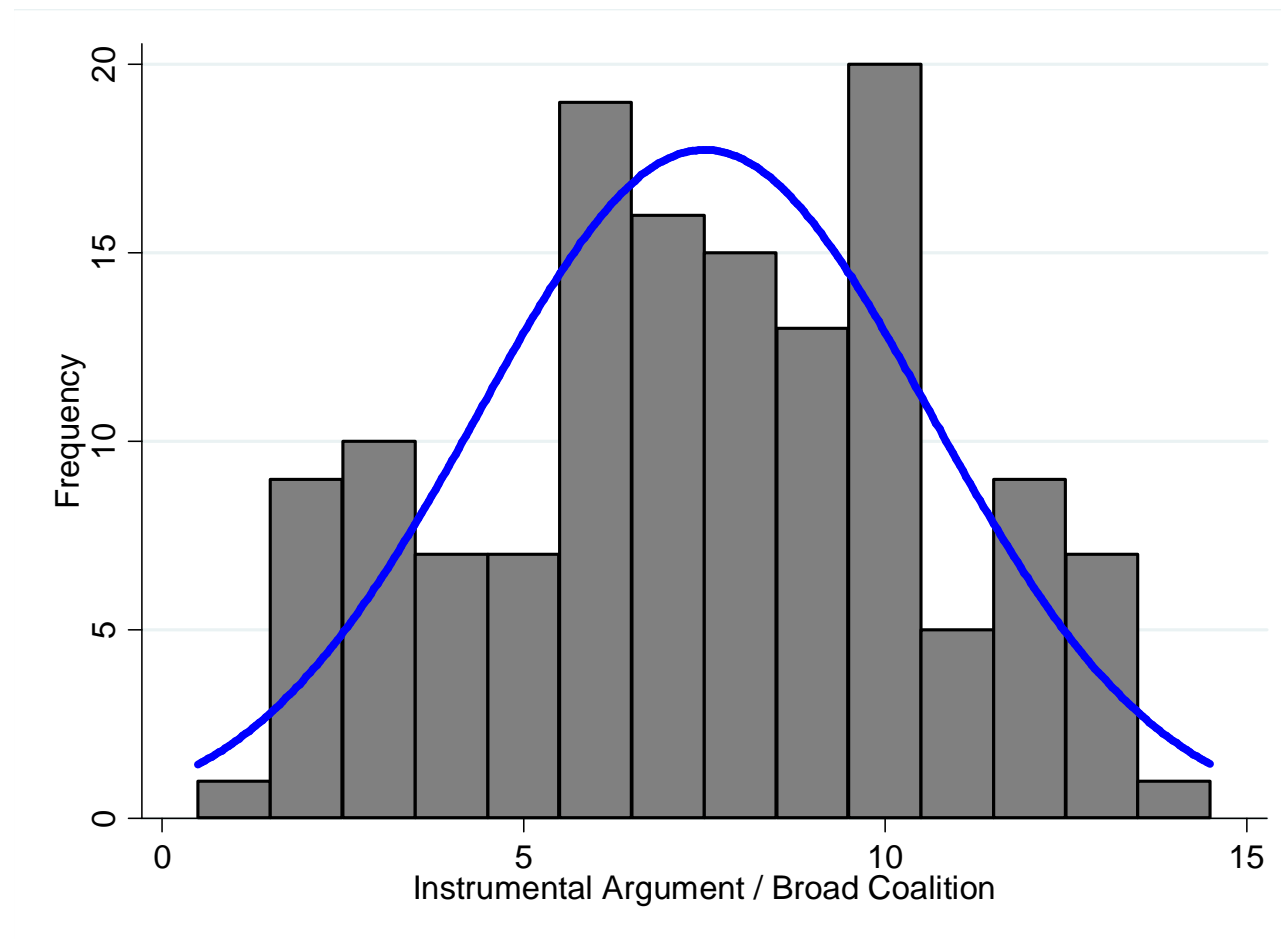


N = 139  
Mean = 7.19  
SD = 3.23

**Figure 5.7 Source Credibility Scores in the Instrumental Argument / Narrow Coalition Condition**



N = 139  
Mean = 7.65  
SD = 3.29

**Figure 5.8 Source Credibility Scores in the Instrumental Argument / Broad Coalition Condition**

N = 139  
Mean = 7.50  
SD = 3.13



**Table 5.1 Repeated Measures for Issue Agenda**

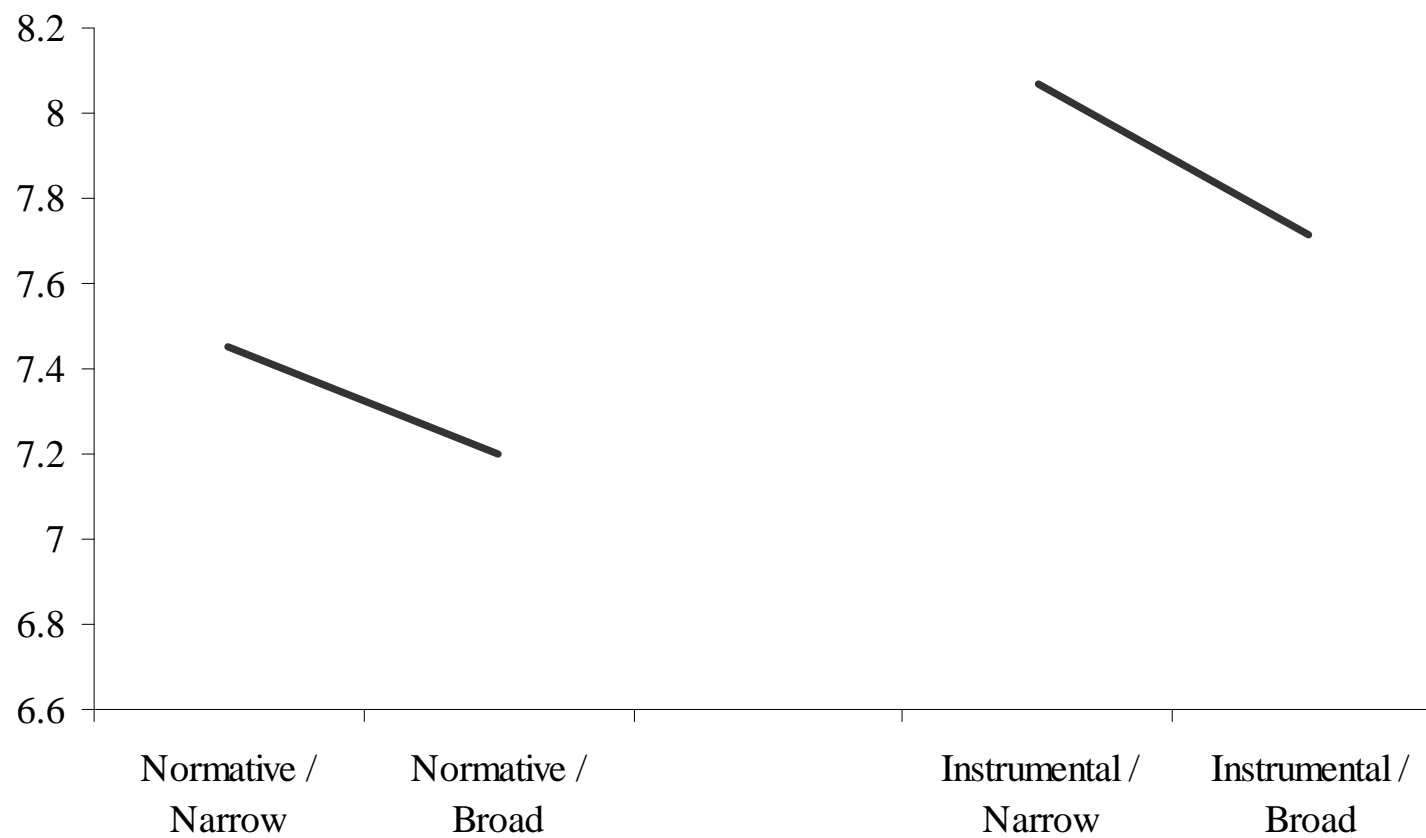
Advocacy Argument Coalition Scope	N	Normative				Instrumental				
		Narrow		Broad		Narrow		Broad		
		Mean	SD	Mean	SD	Mean	SD	Mean	SD	
<i>Policy Expertise</i>										
Non-expert	100	7.66	2.92	7.12	3.08	7.93	3.09	7.92	3.52	
Expert	39	6.92	3.42	7.42	3.31	8.44	3.22	7.19	3.18	
<i>Professional Socialization</i>										
Political	50	7.33	3.00	7.96	2.96	8.40	2.90	7.40	3.13	
Policy	89	7.52	3.12	6.78	3.17	7.88	3.25	7.89	3.59	
<i>Political Party</i>										
Democratic	93	7.42	3.08	7.25	3.12	8.27	3.18	7.63	3.30	
Republican	46	7.50	3.07	7.11	3.21	7.65	3.01	7.87	3.72	

**Table 5.2 Multivariate Analysis of Variance for Repeated Measures of the Issue Agenda**

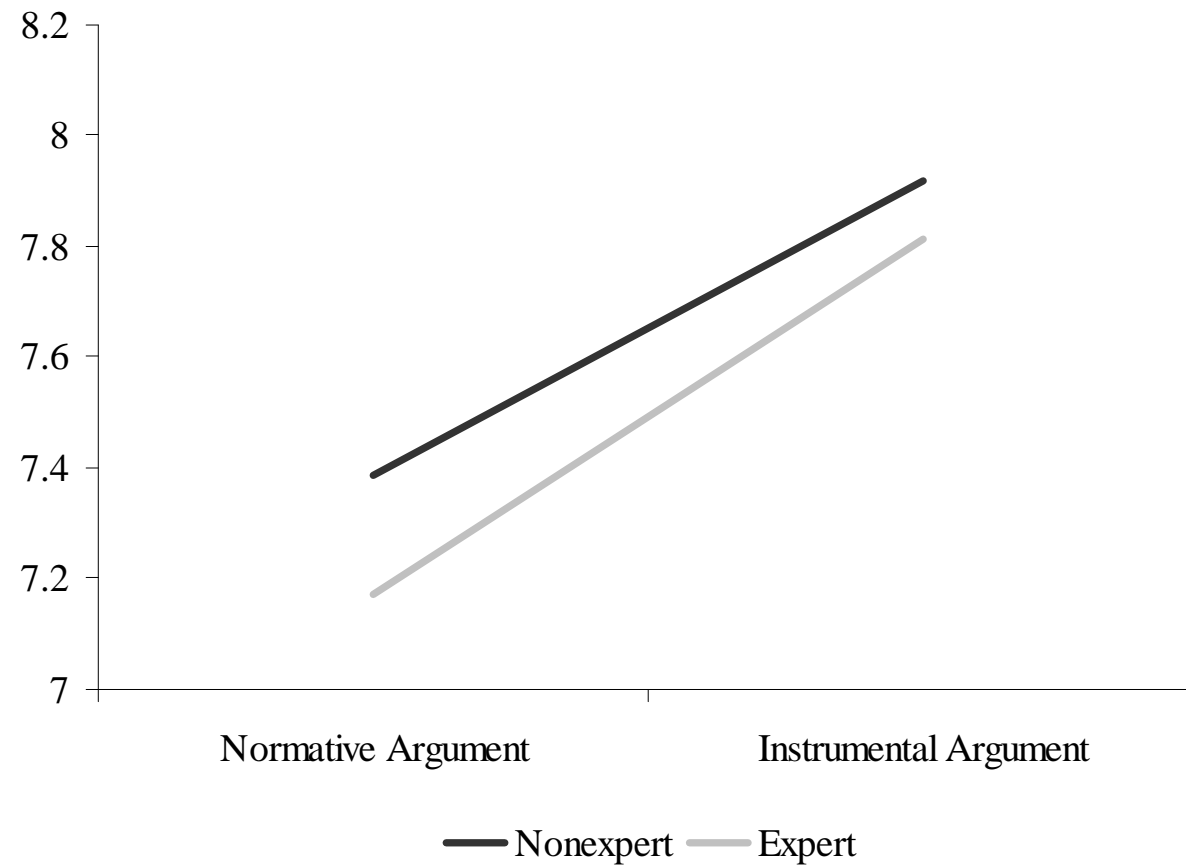
	Model 1 (df = 138,1)			Model 2 (df = 137,1)			Model 3 (df = 137,1)			Model 4 (df = 137,1)		
	SS	F	sig.	SS	F	sig.	SS	F	sig.	SS	F	sig.
<i>Within-Subjects Main Effects</i>												
Advocacy Argument	177.33	3.30	*	155.22	2.87	*	126.47	2.35	†	142.21	2.63	†
Coalition Scope	50.76	1.03		46.95	0.95		39.16	0.79		30.23	0.61	
<i>Between-Subjects Main Effects</i>												
Policy Expertise				11.34	0.62							
Professional Socialization							33.85	1.87	†			
Political Party										6.24	0.34	
<i>2-Way Interaction Effects</i>												
Argument*Scope	1.62	0.04		41.32	1.00		24.95	0.61		0.66	0.02	
Argument*Expertise				1.26	0.02							
Scope*Expertise				1.05	0.02							
Argument*Socialization							29.97	0.56				
Scope*Socialization							4.29	0.09				
Argument*Party										3.22	0.06	
Scope*Party										12.74	0.26	
<i>3-Way Interaction Effects</i>												
Argument*Scope*Expertise				145.04	3.51	*						
Argument*Scope*Socialization							180.91	4.40	**			
Argument*Scope*Party										35.31	0.84	

Note: N = 139. The repeated-measures dependent variables represent the mean agenda scores for the two policy issues in each of four treatment categories: normative argument / narrow coalition, normative argument / broad coalition, instrumental argument / narrow coalition, and instrumental argument / broad coalition. F scores reflect approximations based on Wilks' lambda.

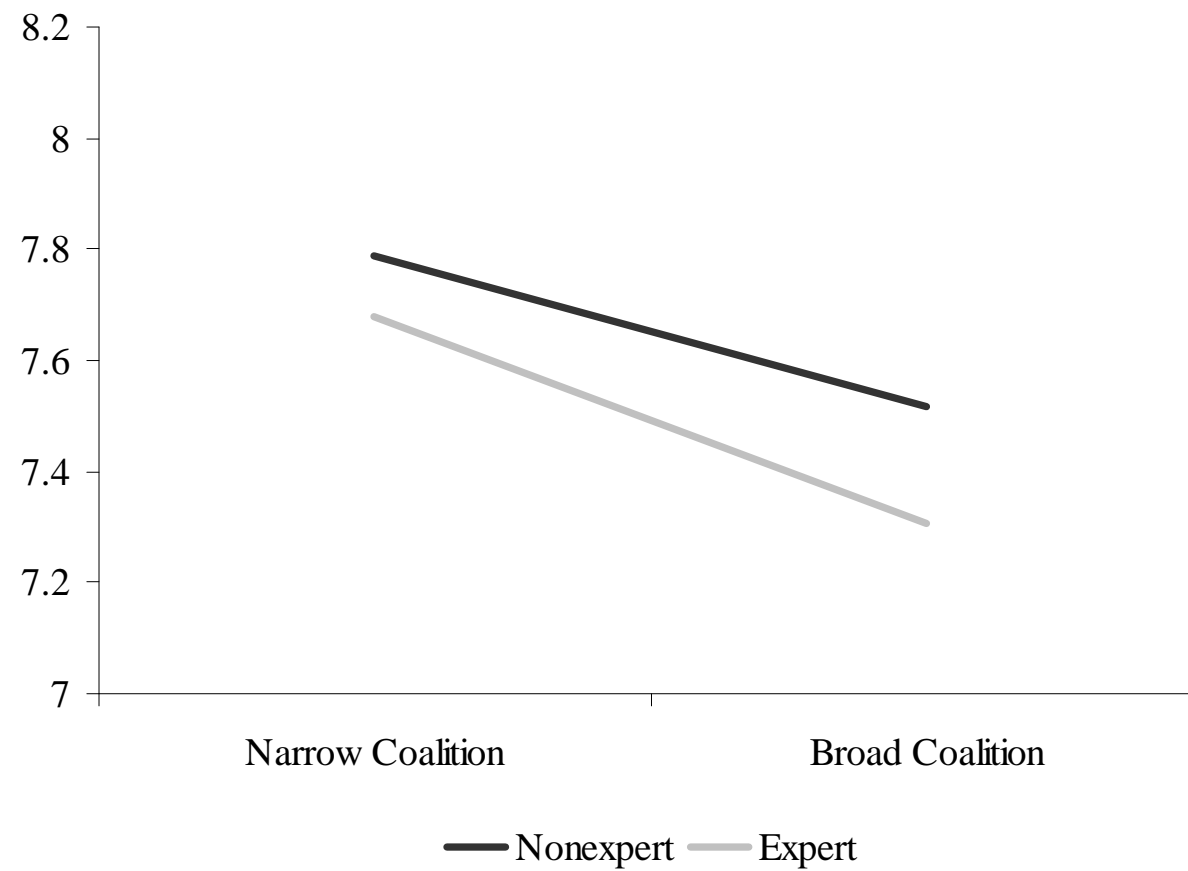
†  $p < 0.10$ , one-tailed test; \*  $p < 0.10$ , two-tailed test; \*\*  $p < 0.05$ , two-tailed test

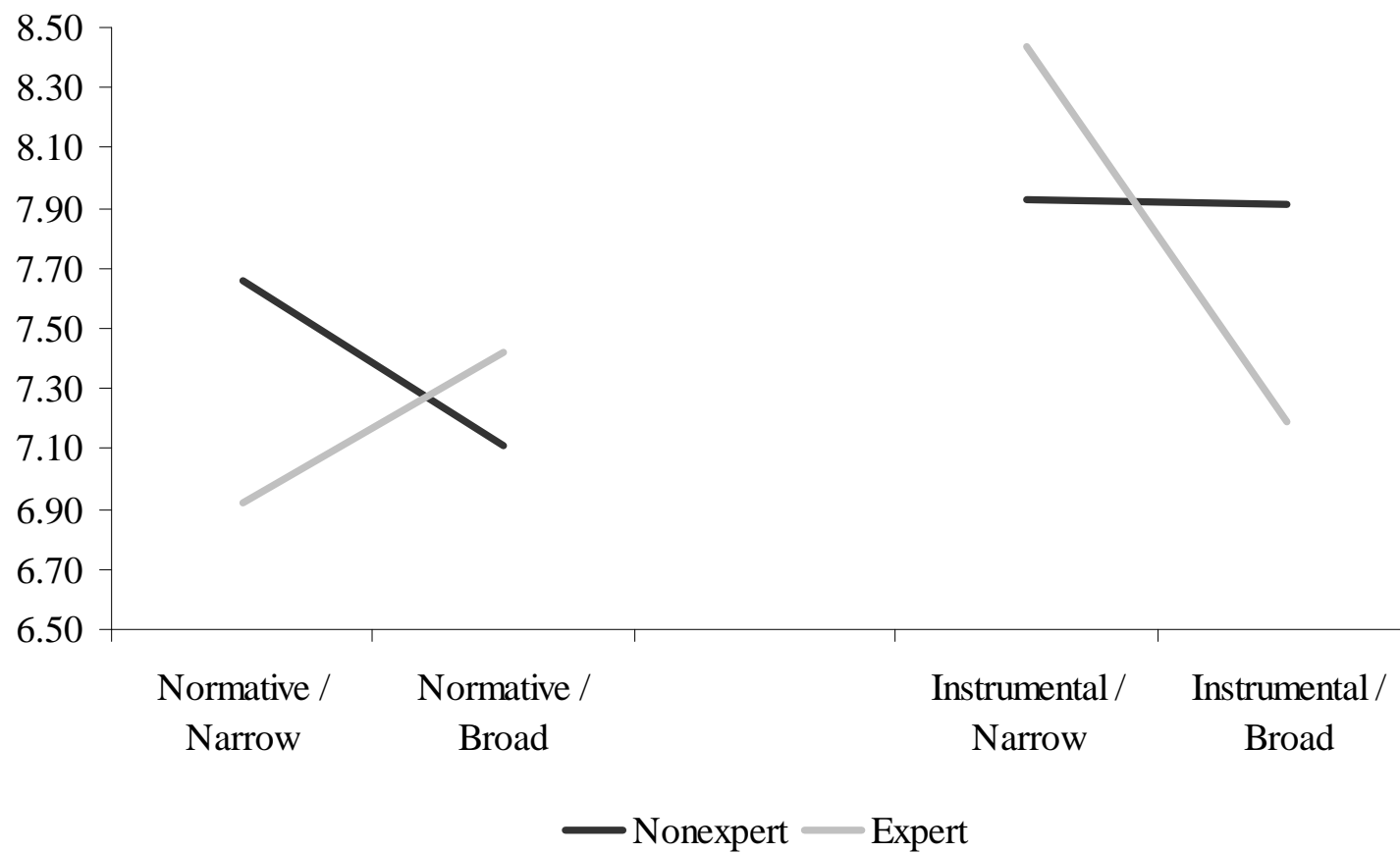
**Figure 5.9 Effects of Advocacy Argument and Coalition Scope on Issue Agenda**

**Figure 5.10 Two-way Interaction Effects of Advocacy Argument and Expertise on Issue Agenda**

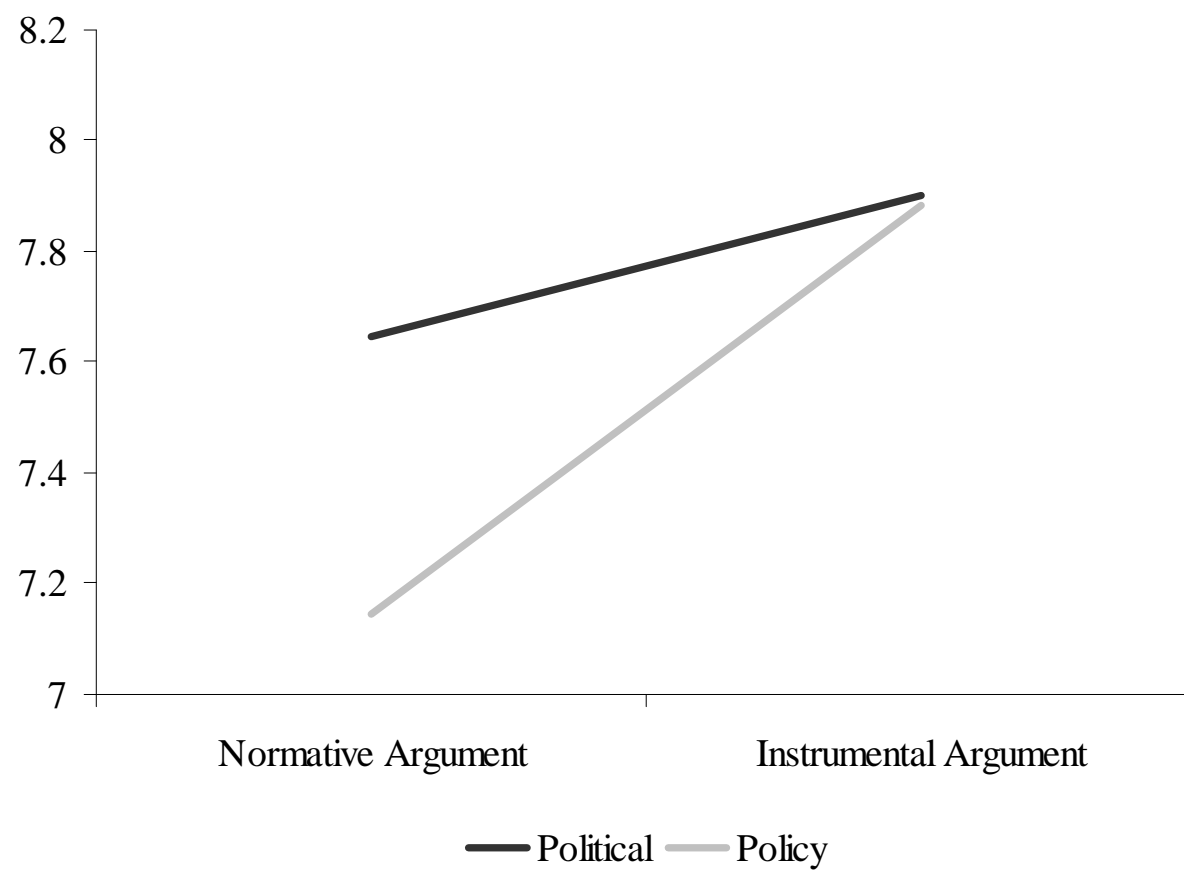


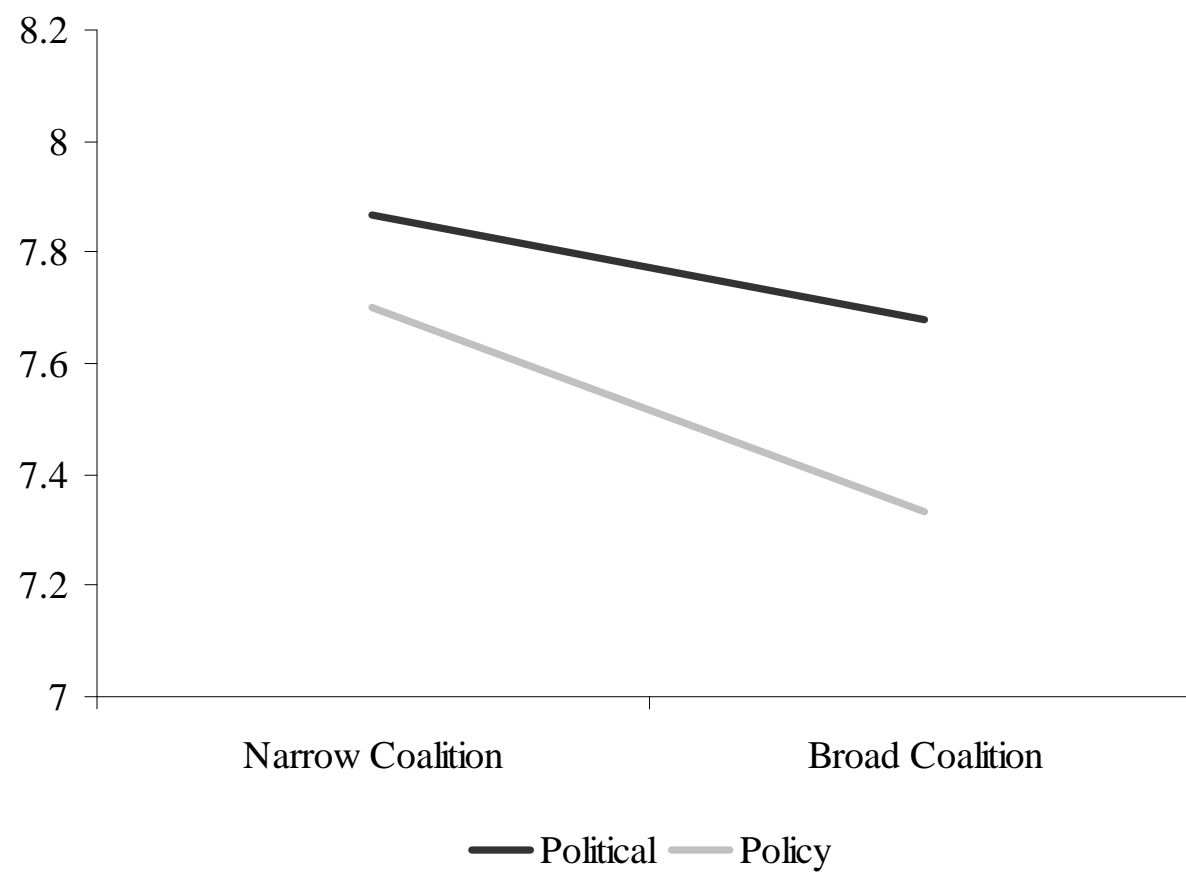
**Figure 5.11 Two-way Interaction Effects of Coalition Scope and Expertise on Issue Agenda**



**Figure 5.12 Three-way Interaction Effects of Advocacy Argument, Coalition Scope, and Expertise on Issue Agenda**

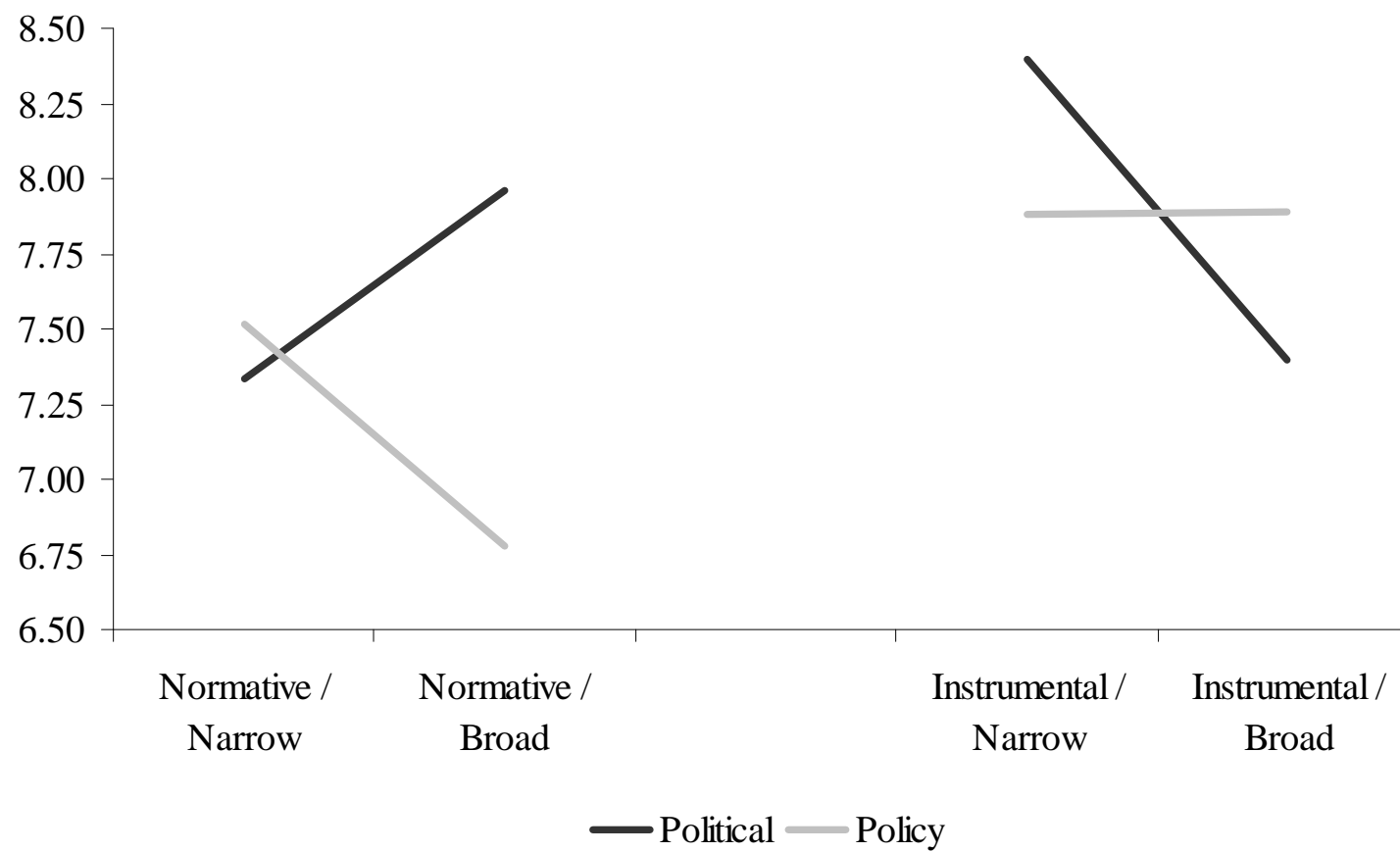
**Figure 5.13 Two-way Interaction Effects of Advocacy Argument and Professional Socialization on Issue Agenda**



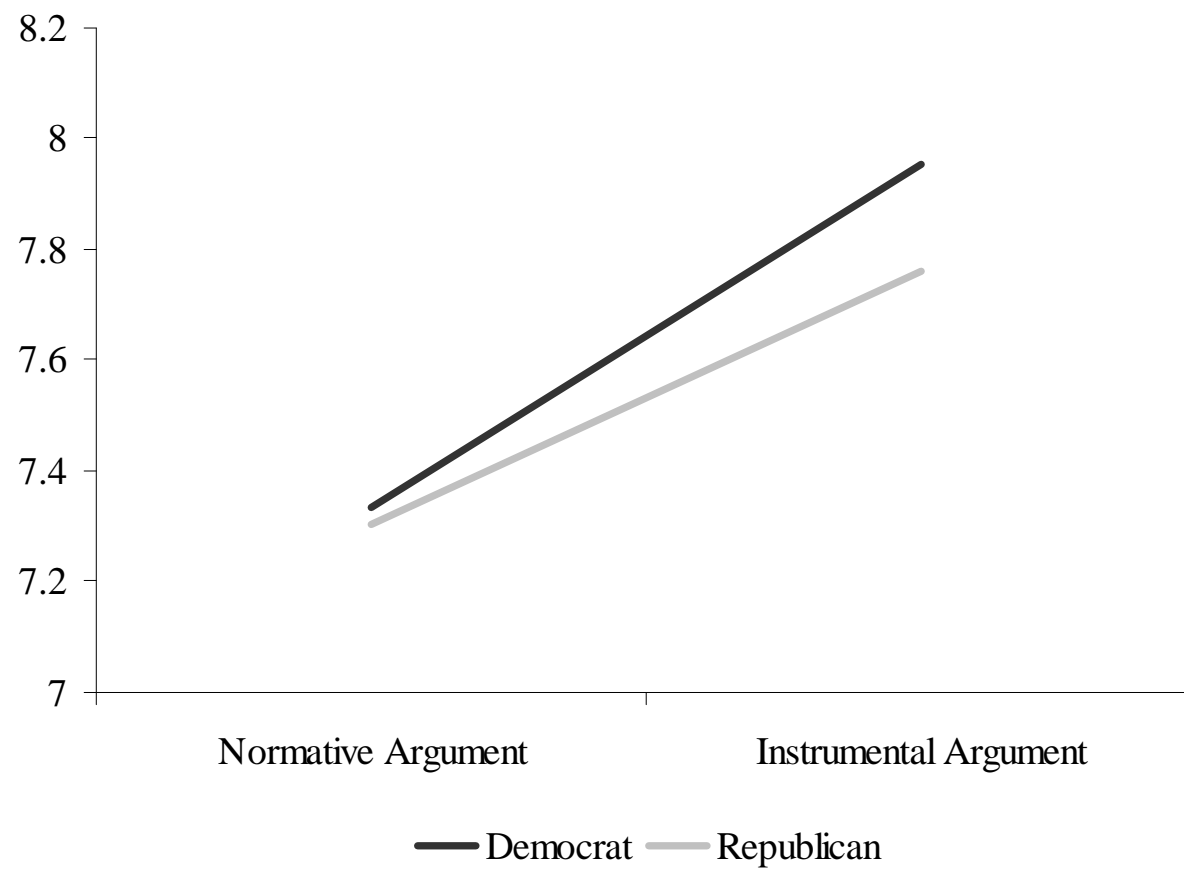
**Figure 5.14 Two-way Effects of Coalition Scope and Professional Socialization on Issue Agenda**



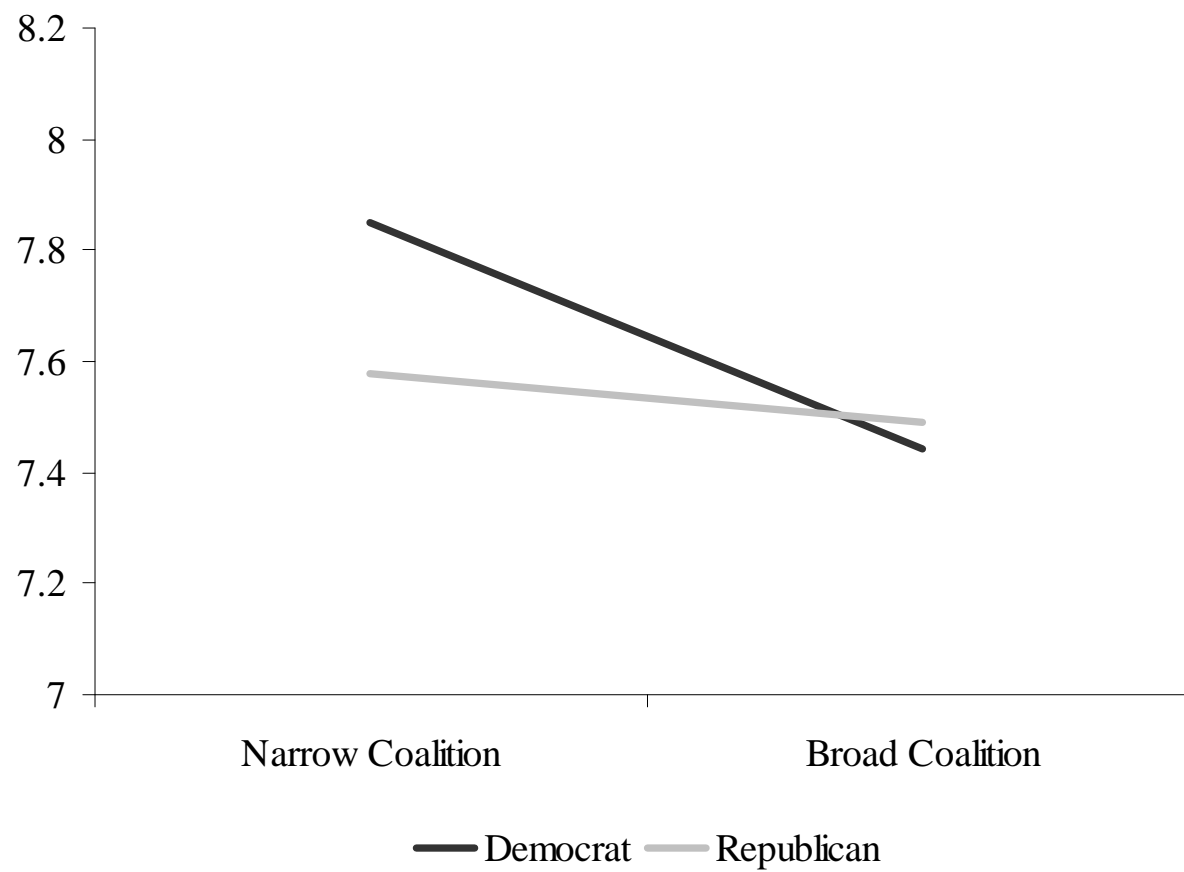
**Figure 5.15 Three-way Interaction Effects of Advocacy Argument, Coalition Scope, and Professional Socialization on Issue Agenda**



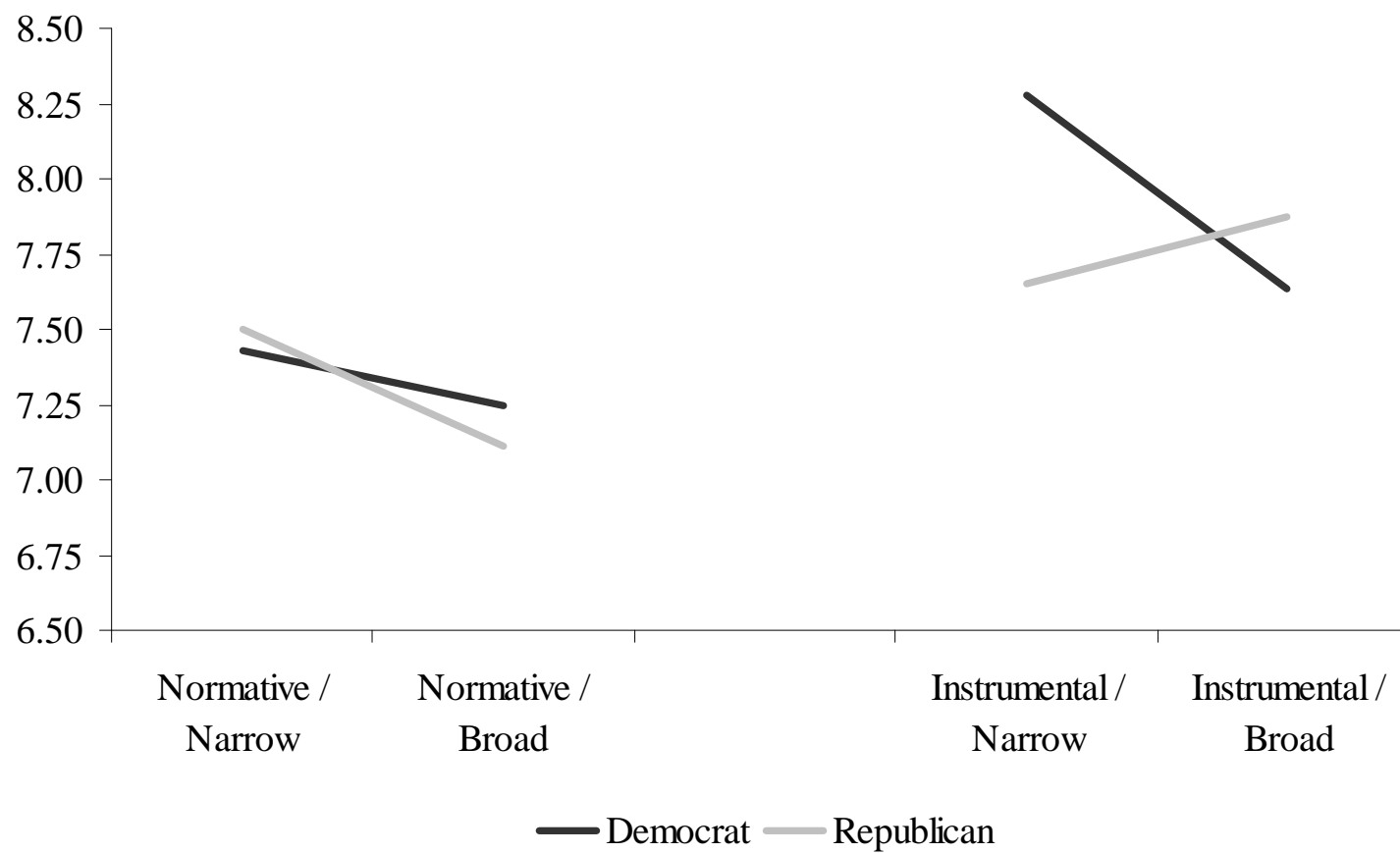
**Figure 5.16 Two-way Interaction Effects of Advocacy Argument and Political Party on Issue Agenda**



**Figure 5.17 Two-way Interaction Effects of Coalition Scope and Political Party on Issue Agenda**



**Figure 5.18 Three-way Interaction Effects of Advocacy Argument, Coalition Scope, and Political Party on Issue Agenda**



**Table 5.3 Means of Repeated Measures for Source Credibility**

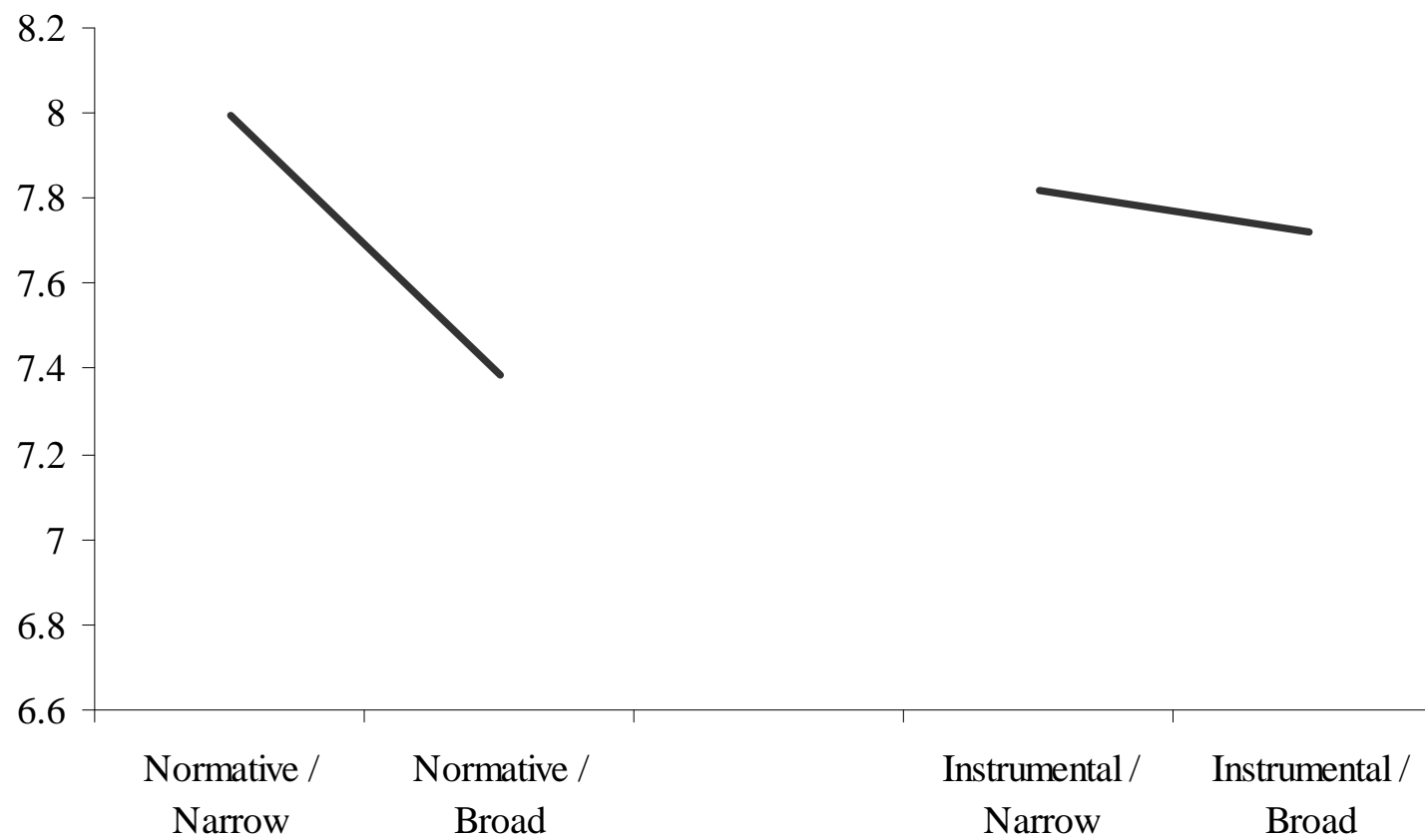
Advocacy Argument Coalition Scope	N	Normative				Instrumental				
		Narrow		Broad		Narrow		Broad		
		Mean	SD	Mean	SD	Mean	SD	Mean	SD	
<i>Policy Expertise</i>										
Non-expert	100	8.14	3.41	7.38	3.33	7.73	3.12	7.61	3.06	
Expert	39	7.64	3.02	7.41	2.99	8.06	3.73	8.03	3.26	
<i>Professional Socialization</i>										
Political	50	7.35	3.52	7.81	3.43	8.44	3.44	6.99	3.50	
Policy	89	8.36	3.13	7.15	3.10	7.47	3.17	8.13	2.81	
<i>Political Party</i>										
Democratic	93	8.22	3.10	7.02	3.12	7.72	3.30	7.46	3.02	
Republican	46	7.54	3.66	8.14	3.34	8.03	3.29	8.25	3.24	

**Table 5.4 Multivariate Analysis of Variance for Repeated Measures of Interest Group Credibility**

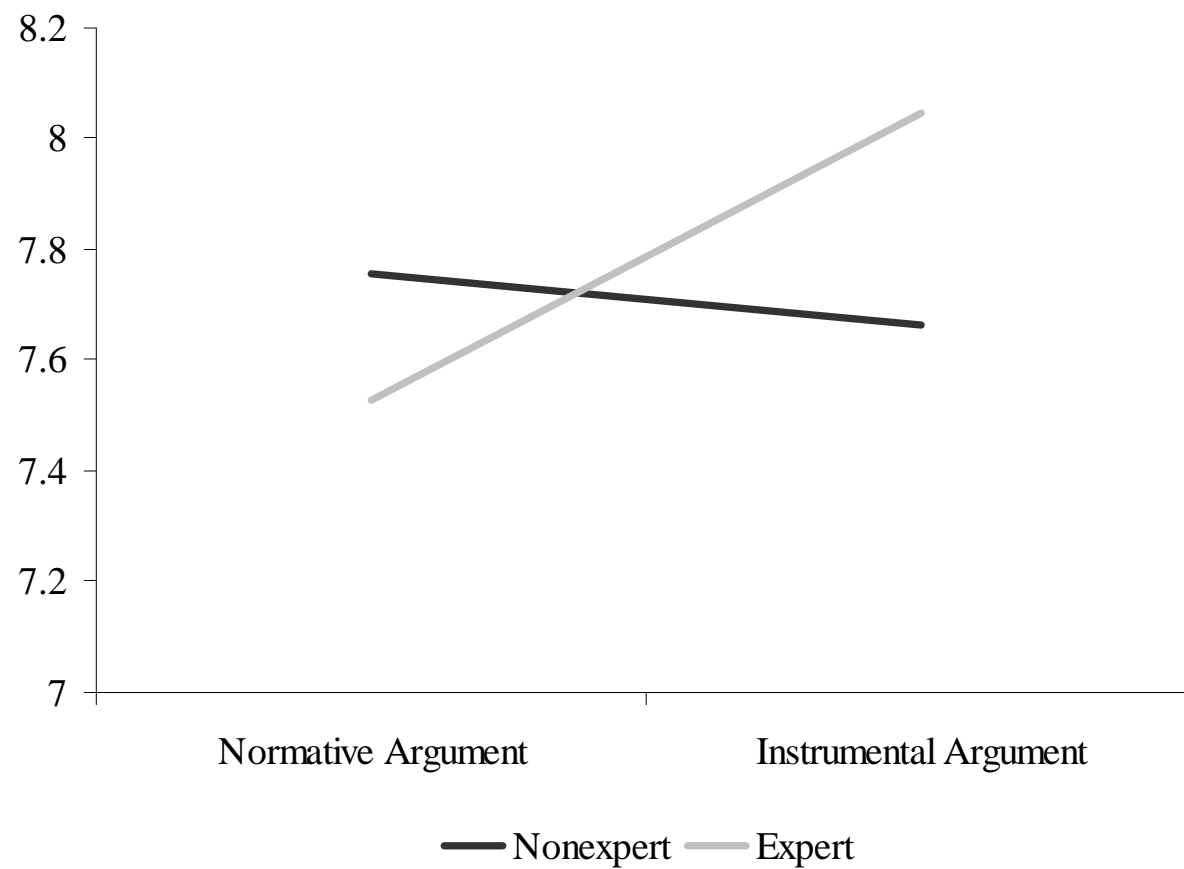
	Model 1		Model 2		Model 3		Model 4	
	(df = 138,1)		(df = 137,1)		(df = 137,1)		(df = 137,1)	
	SS	F	SS	F	SS	F	SS	F
<i>Within-Subjects Main Effects</i>								
Advocacy Argument	3.48	0.07	20.44	0.41	4.28	0.08	8.93	0.18
Coalition Scope	69.09	1.50	36.73	0.79	75.43	1.62	12.68	0.28
<i>Between-Subjects Main Effects</i>								
Policy Expertise			2.46	0.12				
Professional Socialization					8.92	0.45		
Political Party							74.27	3.80 **
<i>2-Way Interaction Effects</i>								
Argument*Scope	36.27	0.71	19.20	0.37	0.05	0.00	10.04	0.20
Argument*Expertise			42.00	0.84				
Scope*Expertise			10.30	0.22				
Argument*Socialization					0.97	0.02		
Scope*Socialization					6.34	0.14		
Argument*Party							13.28	0.26
Scope*Party							158.90	3.51 *
<i>3-Way Interaction Effects</i>								
Argument*Scope*Expertise			5.50	0.11				
Argument*Scope*Socialization					457.62	9.53 ***		
Argument*Scope*Party							54.61	1.07

Note: N = 139. The repeated-measures dependent variables represent the mean credibility scores for the two interest group sources representing each of four treatment categories: normative argument / narrow coalition, normative argument / broad coalition, instrumental argument / narrow coalition, and instrumental argument / broad coalition. F scores reflect approximations based on Wilks' lambda.

\*  $p < 0.10$ , two-tailed test; \*\*  $p < 0.05$ , two-tailed test; \*\*\*  $p < 0.01$ , two-tailed test

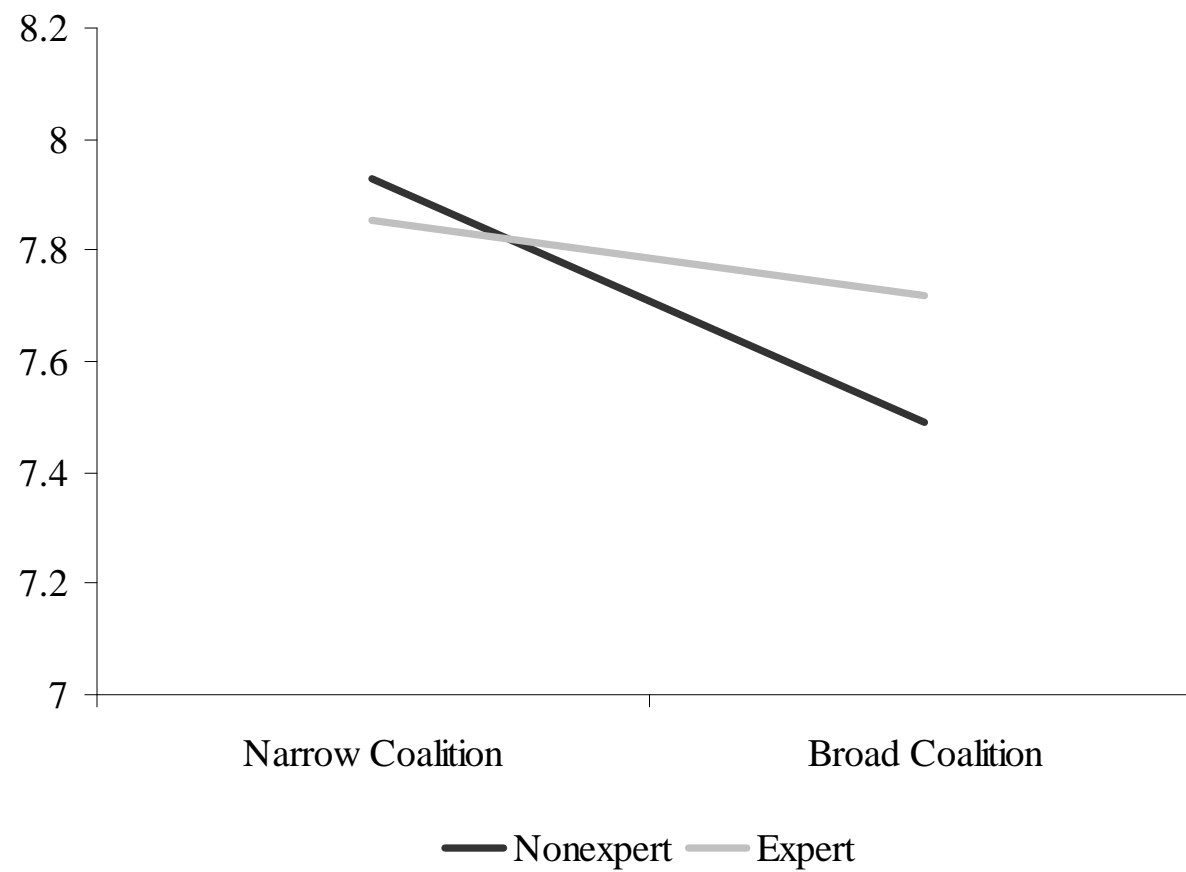
**Figure 5.19 Effects of Advocacy Argument and Coalition Scope on Source Credibility**

**Figure 5.20 Two-way Interaction Effects of Advocacy Argument and Expertise on Source Credibility**

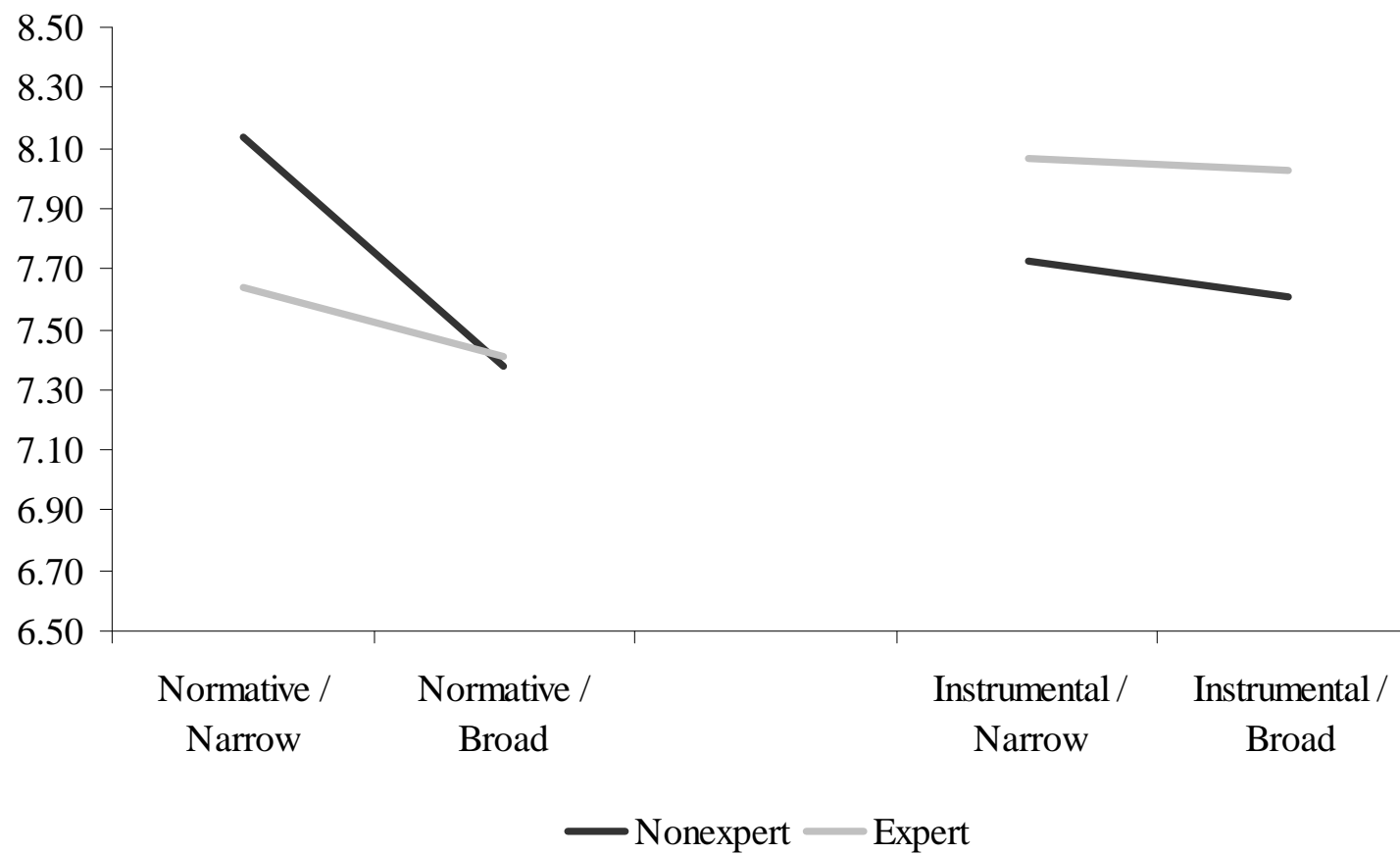




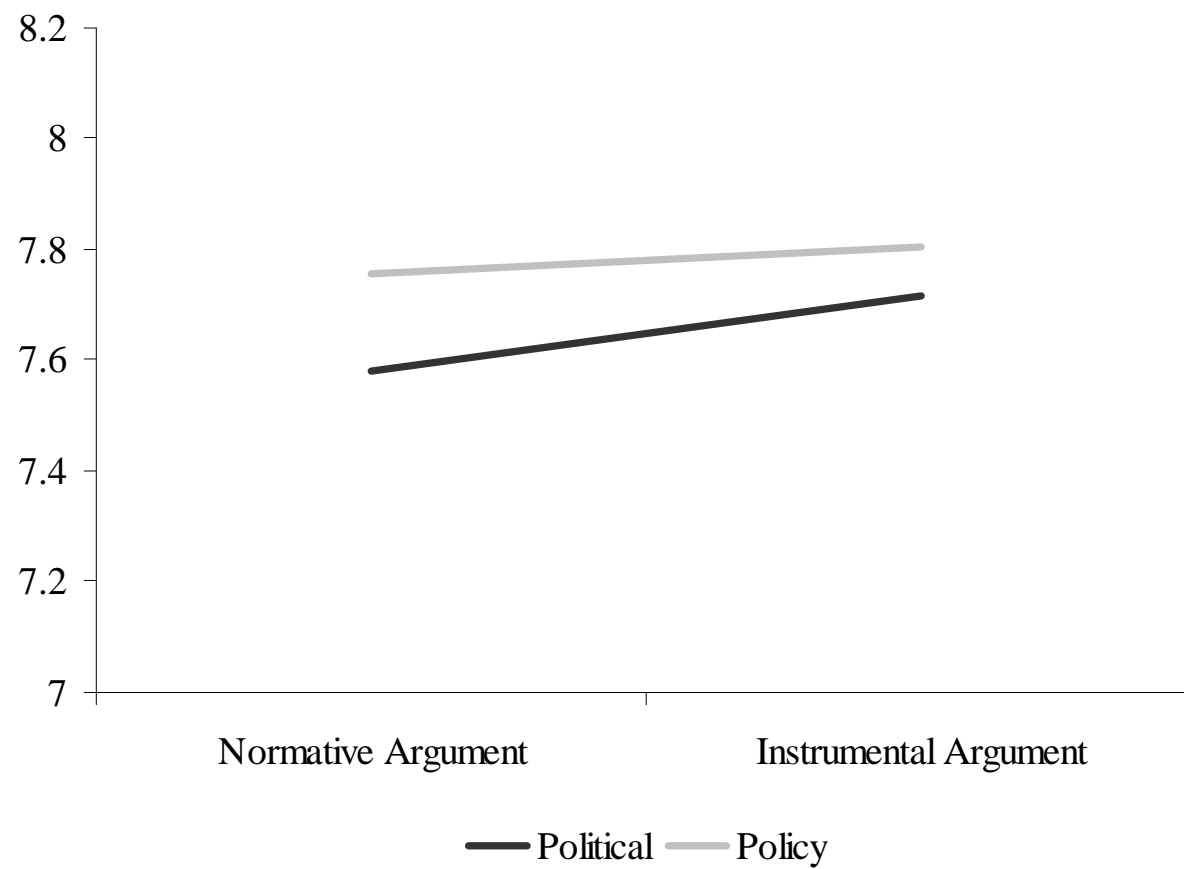
**Figure 5.21 Two-way Interaction Effects of Coalition Scope and Expertise on Source Credibility**



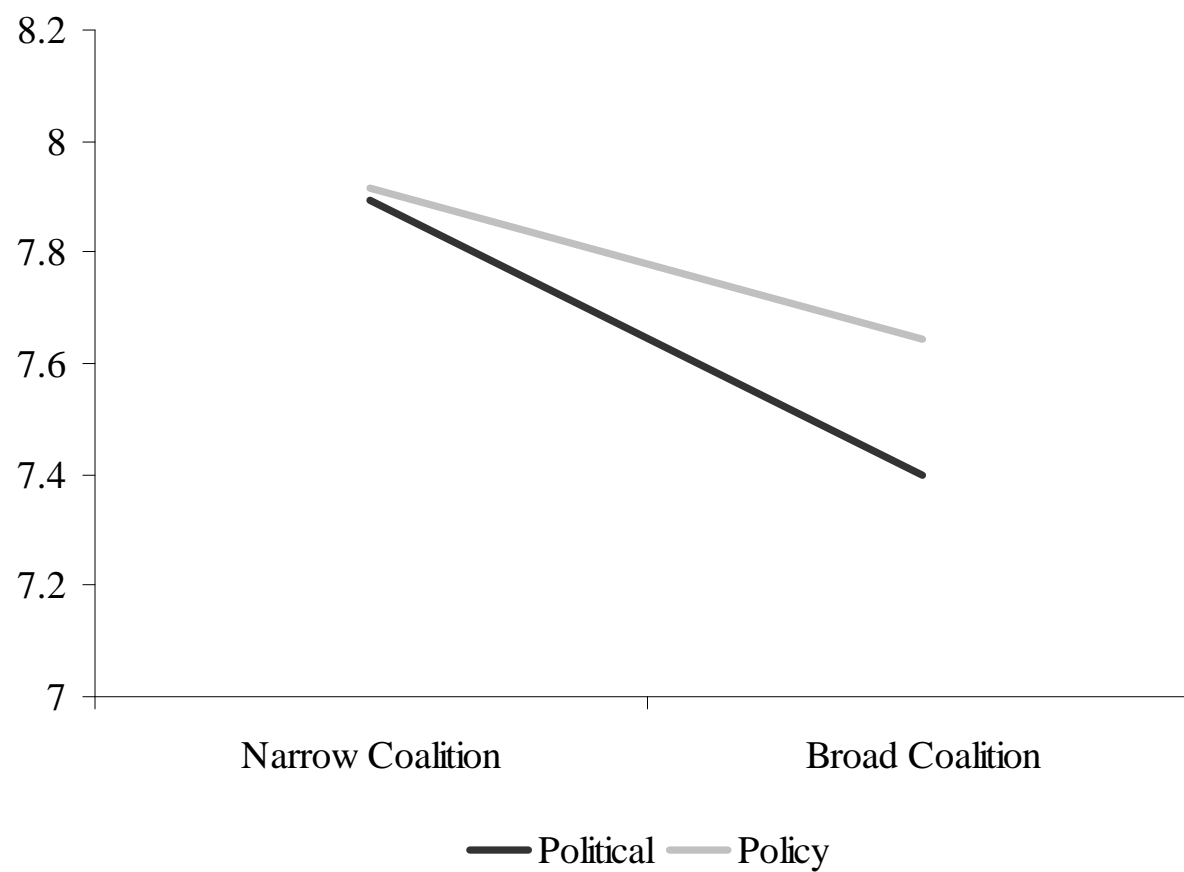
**Figure 5.22 Three-way Interaction Effects of Advocacy Argument, Coalition Scope, and Expertise on Source Credibility**



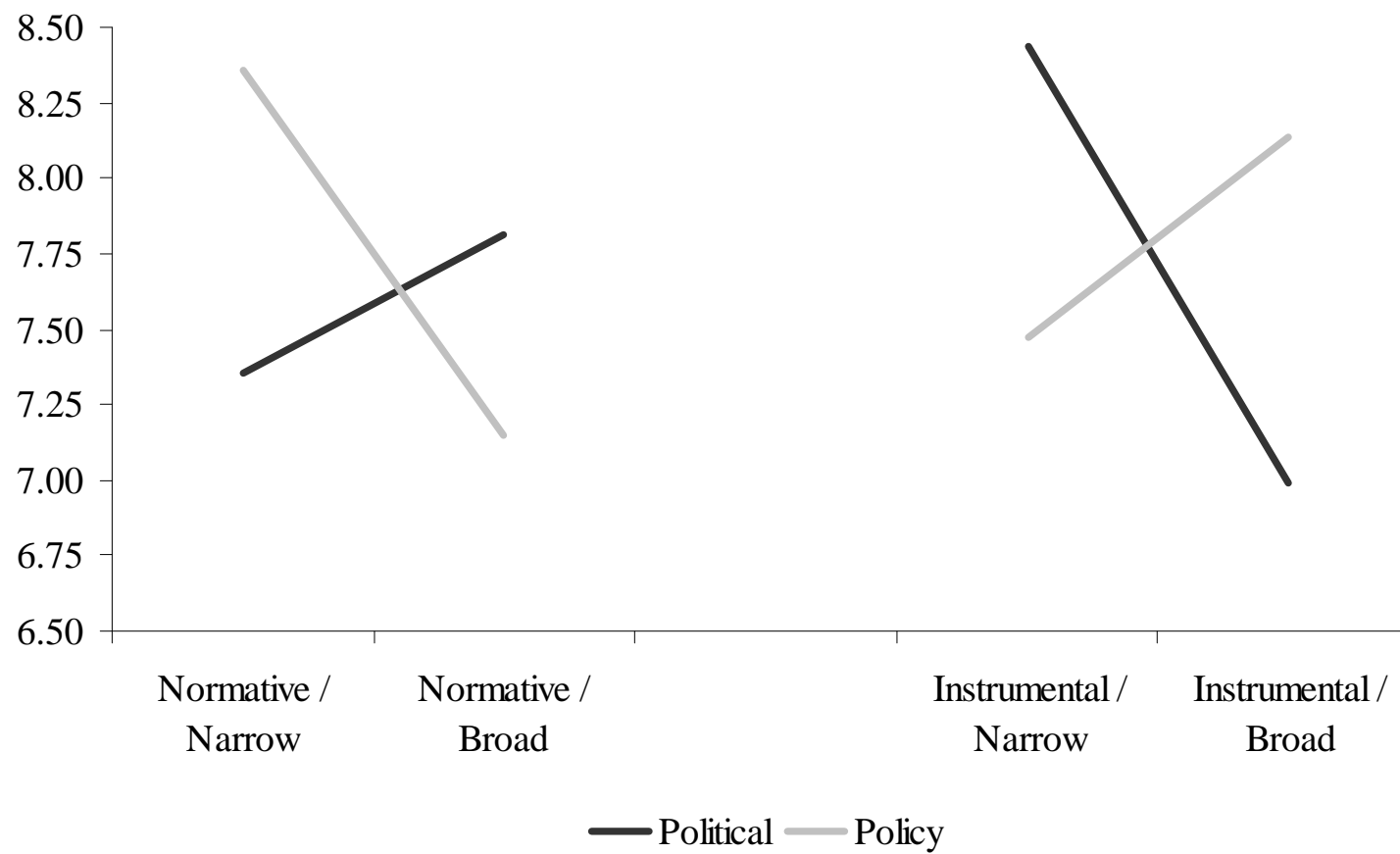
**Figure 5.23 Two-way Interaction Effects of Advocacy Argument and Professional Socialization on Source Credibility**



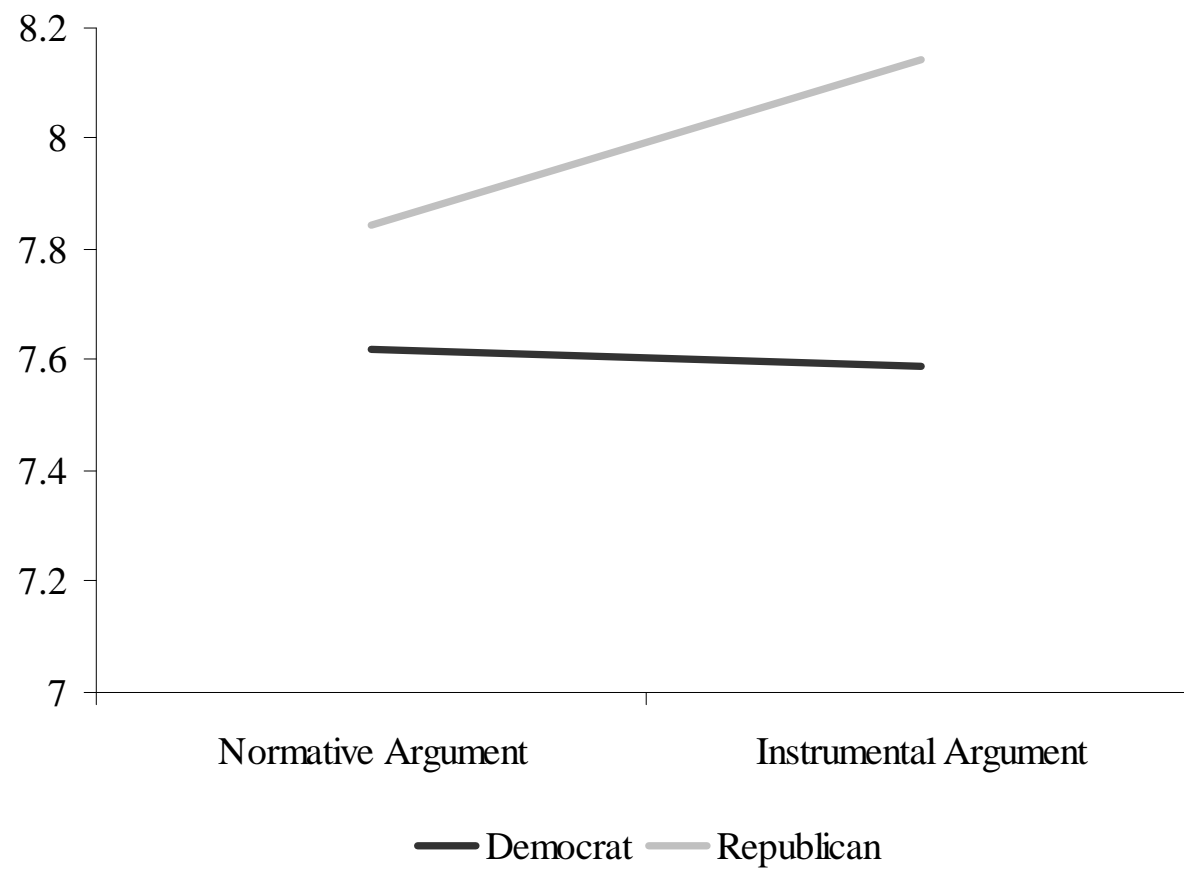
**Figure 5.24 Two-way Effects of Coalition Scope and Professional Socialization on Source Credibility**



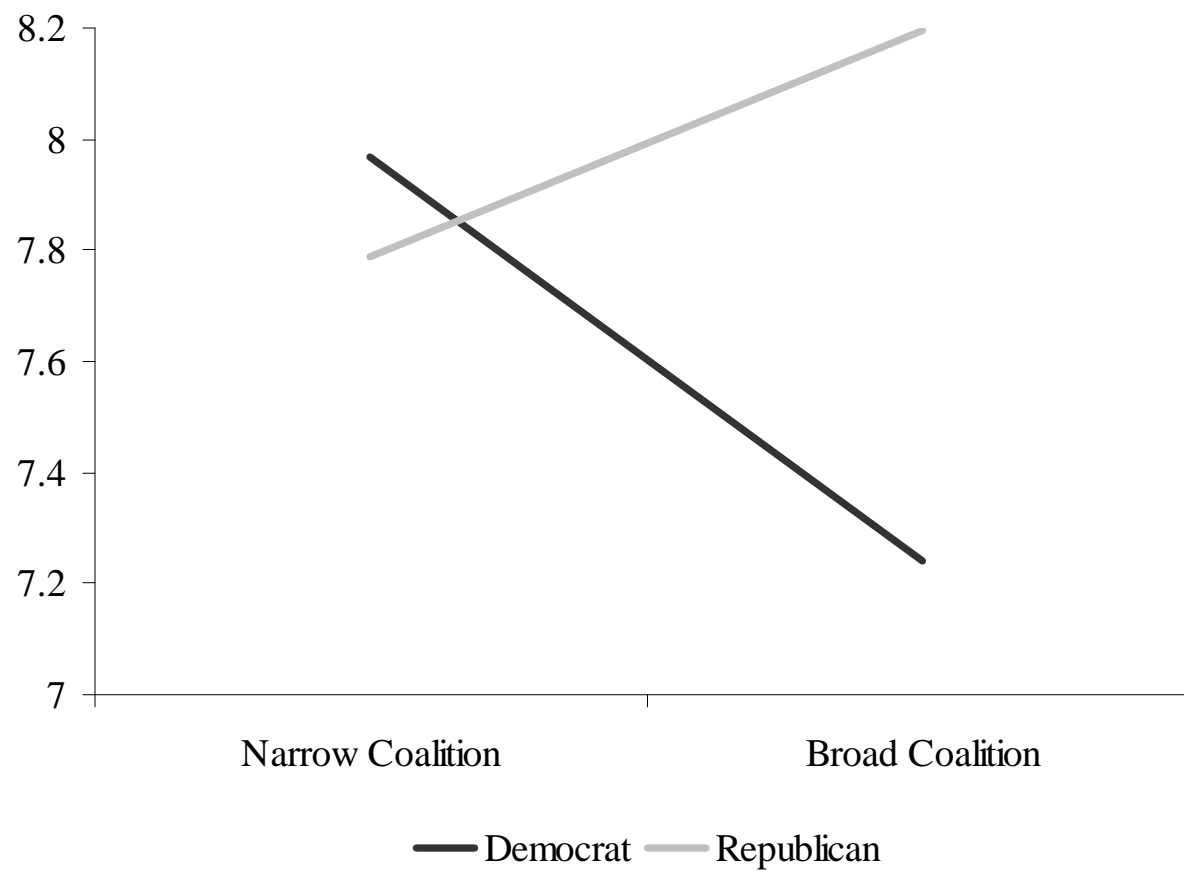
**Figure 5.25 Three-way Interaction Effects of Advocacy Argument, Coalition Scope, and Professional Socialization on Source Credibility**



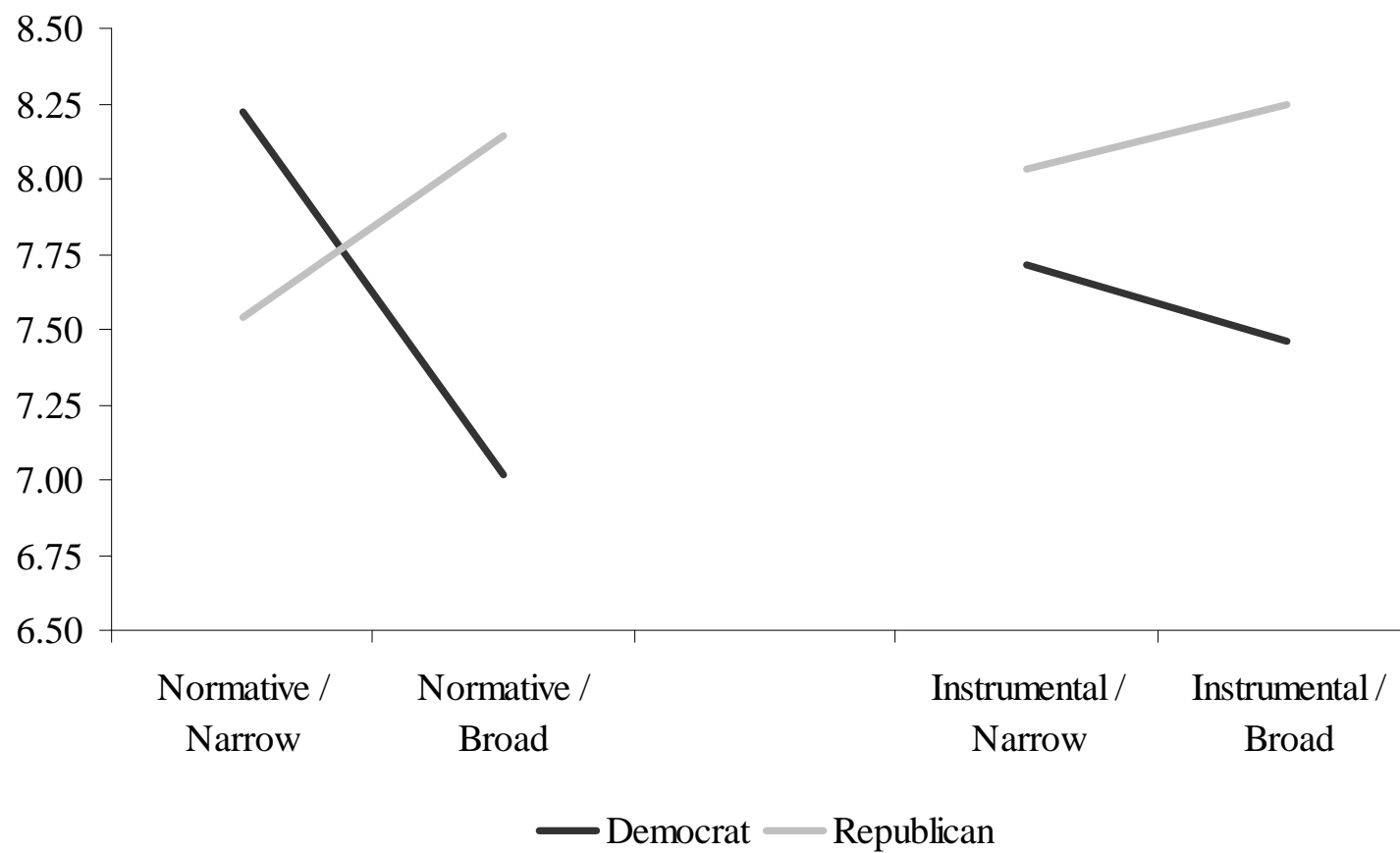
**Figure 5.26 Two-way Interaction Effects of Advocacy Argument and Political Party on Source Credibility**



**Figure 5.27 Two-way Interaction Effects of Coalition Scope and Political Party on Source Credibility**



**Figure 5.28 Three-way Interaction Effects of Advocacy Argument, Coalition Scope, and Political Party on Source Credibility**





## CHAPTER 6. REFLECTIONS, IMPLICATIONS, AND EXTENSIONS

At its best, it is inexperience sitting in judgment on experience, ignorance on knowledge: ignorance which never suspecting the existence of what it does not know, is equally careless and supercilious, making light of, if not resenting, all pretensions to have a judgment better worth attending to than its own. Thus it is when no interested motives intervene: but when they do, the result is jobbery more unblushing and audacious than the worst corruption which can well take place in a public office under a government of publicity.

John Stuart Mill  
 “Of the Proper Functions of Representative Bodies”  
*Considerations on Representative Government*

The positive evils and dangers of the representative, as of every other form of government, may be reduced to two heads: first, general ignorance and incapacity, or, to speak more moderately, insufficient mental qualifications, in the controlling body; secondly, the danger of its being under the influence of interests not identical with the general welfare of the community.

John Stuart Mill  
 “Of the Infirmities and Dangers to which Representative Government is Liable”  
*Considerations on Representative Government*

Though I do not share Mill’s penchant for abrasive *ad hominem* remarks equating ignorance and interested motives with outright corruption, I do share the concern that representatives necessarily lack the capacity to be fully informed about public policy problems that we entrust them to resolve. Likewise, I would not equate the use of cognitive heuristics with “insufficient mental qualifications.” Though I would argue that humans’ inherent information processing limitations increase the possibility of the governors may—intentionally or not—fall victim to influences that contradict the welfare of the governed. That democratic representatives are not fully informed is not due to the lack of information; if anything, it’s in spite of the enormous amount of information available to them.

The often implicit assumption in theories of political representation is that information is objectively used as it is intended. Yet, in the real world, political

information can be distorted, misrepresented, abused, and exploited. As Madison reminds us in *Federalist 10*, the best way to defend against these distortions and abuses is cultivate factions—for my present purposes, as sources of information—because, “as long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed.” The quality of judgment in a representative assembly improves with the diversity of those participating in its deliberations, *but also* by its ability to efficiently and accurately sift through the competing claims that comprise those deliberations.

Lawmakers’ use of mental shortcuts is an efficient way to cope with the enormous amount of information available to them. Yet efficiency may come at the expense of accuracy. Though my findings are preliminary, I contend that decision methods that rely on instantaneous judgments about interest group credibility and argument quality are common in Congress. If heuristic processing is common outside the lab, then debates in Washington that are typically confined to a small set of players may indeed enlighten constitutionally equivalent actors who have neither the time nor the energy to become informed about all policy issues. Yet, if they rely too heavily on snap judgments of cues such as information quality and the scope of conflict (or any other mental shortcut), then they expose themselves to the risk of making poor choices on behalf of their constituents and shirking their responsibility of being a dutiful trustee.

Therefore, the process of legislative decision making poses a democratic paradox. To meet the deliberative ideal of a healthy legislative assembly, representatives must use mental cues in lieu of actual energy-consuming and time-demanding judgments. But, by doing so, they may forego the ethic of “sufficient mental qualification” inherent in

democratic deliberation, leaving open the possibility that groups could take advantage of their inexperience or ignorance.

Of course, in the long run, interest groups have an incentive to maintain their credibility, and opposing political perspectives have an incentive to uncover outright falsehoods or implausible policy motivations. Yet, in a national legislature where members rarely read the text of legislation they vote on or barely have the time to attend hearings where expert testimony is offered, there remains the distinct hazard that heuristic decision making can inadvertently lead to normatively poor choices. Or worse, groups may strategically exploit the inherent flaws of lawmakers' decision behavior to unscrupulously interject "interests not identical with the general welfare of the community." Regardless of the motives of outside influences, the result would bias decisions in favor of a selected minority at the expense of the common good.

Ultimately, I remain optimistic that representatives are fully capable of balancing their need for information processing efficiency and accuracy. This assessment begs the question: What is the normatively appropriate equilibrium between efficiency and accuracy? Any answer to that question is surely subjective. The evidence presented here merely show that there is considerable variance among individual policymakers' decision motivations; they cannot prescribe the correct method of deciding.

My project is less about the ends of the decision process, it's about the means by which elected representatives decide. The institutional machinery of Congress and the electoral motivations of its members are certainly important factors to observe when judging whether deliberation is sufficiently democratic. But so are the methods they employ to reach authoritative decisions on our behalf. I would argue that my findings

make a compelling case that political scientists interested in questions about the quality of legislative deliberation and interest representation should take a closer look inside representatives' minds to see if the multiple processes of making choices are as democratically responsible as the decision outcomes themselves.

### **Implications for the Theories of Interest Representation**

Congress as an institution has evolved over time to be a highly efficient information processor. And, individual lawmakers and staffers are keen political and policy strategists. The convention in political science is to treat these two perspectives—the institutional and the individual—as unrelated phenomena or, at best, as logically incompatible levels of analysis. However, members of Congress are only human, so the political institutions they collectively create and the policy decisions they individually make can hardly be expected to be infallible. The results of my process-tracing analysis call into question the logic that individual legislative decisions are best explained by the institutions that the members create.

If institutional theories of legislative decision making are to be taken seriously, then they must account for predictable differences in information processing behavior at the level of the individual legislator. It's clear that institutional models of Congress that assume that all available information will be used in the decision process are not wrong. In fact, the intentional decision rule—the one that most closely approximated the assumptions of rational actor models—was the most commonly adopted strategy in my simulation. However, just as consumers and voters minimize their cognitive effort to learn about products and candidates, so too do elected officials

and their highly professionalized staff. A nearly equal proportion of subjects adopted an intuitive shortcut strategy—the process that most closely resembles Herbert Simon’s boundedly rational satisficing model—to process information.

In the end, the evidence from my process-tracing simulation suggests that the means by which policymakers search for and use information is not universal, so models of legislative action that rest on strict decision behavior assumptions are not so much wrong as they are incomplete. On the one hand, the utility maximization assumption of rational choice models needs to be more flexible if it is to be realistic. It is not sufficient to simply claim that the rational actor model is the normative ideal if evidence from the real world implies that the assumption is never universally true. On the other hand, theories of legislative decision making that assume lawmakers naively rely on rules of thumb likewise fail to explain the intendedly-rational motivations of those who actually exhibit objective policy information search behavior. Rather, legislative decisions ought to be theorized as adaptive, where both the internal functions of the decision maker and the external task environment determine the method used.

With this caveat in mind, I developed a theory of lobbying influence that adapts for both the substance and source of lobbying messages, but also for the relative expertise, professional socialization, and party of the legislative decision maker. All else equal, lobbying subsidies logically avail lawmakers with the substance they need to pursue their policy objectives. Yet I found that all information subsidies are *not* treated equally when they are supplied by different sources. The hypothetical legislative priorities reported by participants in my lobbying simulation supports my claim that preferences are influenced by the quality of the advocacy argument as well as the scope

of the interest group coalition delivering those arguments. I conclude that lobbyists supply legislative enterprises with information is necessary to explain how interest groups influence the policy process. But the legislative subsidy model should be elaborated to account for how information subsidies are dispensed.

In Washington, there is no shortage in the supply of legislative subsidies, but there is a great deal of selectivity on the demand side. The mere existence of a policy-factual, instrumental advocacy argument from a broad interest group coalition increases the likelihood that a member of Congress will accept and use a subsidy in the pursuit of coincident policy goals. Yet, that likelihood drops significantly if the same message is conveyed by a narrow set of interests. Additionally, there is no requirement that the independent studies and complex arguments that “establish the causal relationships and the likely implications of government actions” need to be falsifiable or true. Though not likely, they may even be complete fabrications that get skimmed over when policymakers employ cognitive shortcuts (Lopipero, Appollonio, Bero 2007). Yet those arguments influence legislative behavior simply because policy elites take their mere existence as a cue that they are reliable. Likewise, forming coalitions of interest organizations is not merely a tactic to overcome a collective action problem; it sends a politically relevant cue—true or not—about the validity of a legislative information grant-maker.

Are opportunistic legislators selectively using information to hamper open debate and subvert democratic institutions, or are they merely being human? It’s probably more likely that their information selection bias is a product of legislators’ unconscious choice of “which pressure to recognize.” In the real world of congressional politics, legislators may inadvertently overestimate lobbyists’ expertise or underestimate the quality of their

arguments, or both. As with all cognitive heuristics, the argument quality and interest group credibility cues invite systematic miscalculations even by the most highly informed, politically aware policy elites in Congress. Thus, the behavior of collaborative networks of legislators and lobbyists is not a conspiratorial obstruction to democratic deliberation. It's logical.

In the information processing formulation of the legislative subsidy model, the question becomes *how* legislative information is translated, not who distributes it and why. Yet there remains an important caveat to the behavioral approach to decision making. The strategy of mitigating cognitive effort may not necessarily convert into the best policy decisions if messages are muddled and interest groups are automatically accredited with credibility and expertise with little or no scrutiny. The decision output of the non-conscious information filtering process is not a fait accompli. It is an error-prone product of disproportionate human problem-solving competencies.

Free, open, and inclusive deliberation ought to generate the most informed decisions in Congress. Indeed, the normative justification for the existence of interest groups rests on the assumption that the best ideas will come out of unfettered collaboration, even among explicitly self-interested actors:

Interaction with other elite members of the issue network can change these members' preferences for themselves as well as their conceptions of what is best for the public. As these elites interact, they come to speak among themselves a language of the public interest. They often believe, or can come to believe, that they are acting in the public interest, even when an outside observer might see their beliefs as rationalizations for their own self-interest or the self-interest of the groups they represent. (Mansbridge 1992, 40)

Is it reasonable to expect elites to deliberate in "a language of the public interest" if the substance of the debate is ignored in lieu of the mere existence of instrumental arguments? Can we be sure that the process is genuinely democratic if lobbyists claim de

facto credibility when none may actually exist? My findings do not suggest that lobbyist's tactics are necessarily nefarious—more likely they are well-intentioned, albeit normatively biased—but they do raise serious questions about the democratic validity of collaborative lobbying. If legislators do not closely scrutinize lobbyists' genuine credibility, then interest group involvement in issue networks can hardly be described as public-interested even if it is in a spirit of collaboration. Or, if policymakers are more frequently drawn to advocacy arguments that may coincidentally be supported by an intellectually hollow “independent study”, dubious policy factoids, or a disingenuously manufactured Astroturf letter-writing campaign, then this behavior raises serious questions about the deliberative justification for lobbying as legislative subsidy.

### **Implications for Theories of Expert Policy Networks**

Perhaps the most surprising empirical result was that there was little difference in how policy domain experts and non-experts processed information during the in-box simulation. Based on the social psychology literature, I fully expected policy expertise to be a significant determinant in decision making behavior, with experts more likely than non-experts to critically analyze the substance of advocacy arguments and the composition of the coalitions. Instead, the only meaningful difference other than political party was the legislators' professional socialization as objectively policy-orientated or as subjectively election-oriented.

I do not interpret this to mean that the cumulative literature on the decision behavior of domain specific experts is wrong, only that as I had conceptualized expertise was wrong. Following a substantial line of research on policy networks in the interest



group literature, I understood expertise in the world of Washington politics to be specific to a particular issue area. Rather, the demarcation between experts and novices is the difference between policy and politics, a distinction that is often thought to be irrelevant because policy decisions are exactly the type of Laswellian choices about “who gets what, when, and how.”

The lesson that I take away from this finding is not that socialization matters and technical expertise does not, but that we should be careful how we define “expertise” within highly professionalized issue networks. The implication for behavioral decision theory in politics is that the concept of domain specific expertise is itself *domain specific*. The point is that the conceptualization of an expert may depend on the task environment or political context. Not only does a decision maker’s task environment affect their behavior, but it also affects their relative expertise. The difference may seem minor, but it has the potential to raise several interesting theoretical questions about the policy process. Does this change our concept of the policy network—which is implicitly defined as a collaborative group of experts? Can we categorize policy networks by their relative proportions of policy wonks and politicians? If so, are the decisions in policy-dominated networks more or less democratically representative than those in political-dominated ones?

### **Prospects for Future Research**

I originally envisioned this dissertation as a pilot project for a much larger research project, hopefully one that will be carried out by people in addition to me, preferably those who are much smarter than I am. One of my goals was simply to demonstrate that

it could be done. I believe I've convincingly shown that getting inside the black box of the legislative mind is not impossible. In doing so, I think I've also succeeded in making the argument that theories about representation and should not shy away from explaining how individual political elites think through problems. Of course, this project hardly scratches the surface of explaining and observing how elites process information. I have come up with some practical suggestions and theoretical questions for similar studies in the future.

In carrying out this project, I learned many practical lessons from my mistakes along the way that are worth noting for future projects. First, my subject pool was a particularly difficult group of people to access with an experimental simulation embedded within a web-based survey. Most congressional simply refused to participate because of their office's standard operating procedures. And, even those person not bound by official restrictions, the simulation was particularly demanding of their time and energy during their working hours. In hindsight, as I had originally planned but later abandoned due to my own limited time and resources, I would suggest recruiting subjects to participate in a simulation during a face-to-face meeting or laboratory with a physical and convenient location. Unlike college sophomores, legislative staffers are not likely to travel to a college campus to participate in a study for academic credit or the slim chance to win an iPod.

Second, with sufficient recruitment, I would create a series of independent experiments to test the different elements of my theory. From a practical perspective, I purposely erred on the side of making my information board simulation overly complex because I was concerned about subjects' perceptions about external validity. I found that

as long as subjects chose to participate at all, they were well aware that it was simply a hypothetical simulation. Also, because I used a repeated-measures design, there was no need to include the items that remained constant between experimental groups, though I thought these were important to establish a sense of realism. From an analytic perspective, it may have been more useful to have subjects participate in multiple experiments rather than complicating the experiment too much. I suspect, though I have no way of knowing for sure, that my data would have included much less noise had the information board not been so busy to the user.

Third, given sufficient funding, I would not underestimate the importance of outstanding computer programming assistance. I was fortunate enough to hire an excellent programmer at a bargain price, but as I later learned some of the dynamic features of the website that I dropped because the programming was so complex would have been ideal. For instance, I was able to track the sequence of items accessed during the simulation by time-stamping, but the database that recorded the raw time-stamp data only stored the first time an item was opened and closed in the users web browser. Even though I thoroughly beta-tested the website before formally conducting the experimental trials, I did not foresee this being a problem. It became apparent when I began analyzing the data. Though my results are not wrong, they are limited because they don't let me know if a user consulted an item more than once.

In all, the method was incredibly useful and efficient. Though I can't make the argument that the hypotheses I chose to test in this study were necessarily the theoretically most pressing (though I still think they are). Similar simulations can, and should, test theories of lobbying that account for supraliminal priming, framing effects,

valence effects, and perceptions of salience or controversy, among others. Additionally, information board experiments are an ideal way to establish the causal direction of political context variables. Political context is extremely prone to problems of endogeneity, so experiments that simulate factual and counterfactual situations in which policy elites must make decisions are a particularly fruitful area of research. The possibilities are effectively limitless.

## APPENDIX A. PRE-SIMULATION QUESTIONNAIRE

### *Professional Background*

1. What is your job title?
  - a. Chief of Staff or Administrative Assistant
  - b. Legislative Director, Counsel, or Assistant
  - c. Communication Director or Press Secretary
  - d. Other (specify)
  
2. How many years overall have you worked in a Congressional office(s)?
  - a. One (1) year or less
  - b. 2
  - c. 3
  - d. 4
  - e. Five (5) or more years
  
3. What is the highest academic degree that you have completed?
  - a. High school
  - b. Associate
  - c. Bachelor
  - d. Master
  - e. Law (JD)
  - f. Other Post-graduate
  - g. Other (specify)

### *Policy Specialization*

4. Which of the following public policy issues are you responsible for in your office?  
Please click on ALL policy topics for which you have responsibility, regardless of whether you share portions of the general topic with others on staff.
  - ☐ Agriculture
  - ☐ Budget/Appropriations, Taxes & Economy
  - ☐ Defense
  - ☐ Energy & Environment
  - ☐ Financial Services, Housing & Community Development
  - ☐ Government Operations & Homeland Security
  - ☐ Health
  - ☐ International Affairs & Trade
  - ☐ Judiciary, Crime & Civil Rights
  - ☐ Labor, Education & Social Welfare
  - ☐ Space, Science & Communications
  - ☐ Transportation & Public Works
  - ☐ Other (specify)

5. Which ONE of the 21 policy topics that you selected in above question (#4) do you think you spend MOST of your time and energy?

- a. Agriculture
- b. Budget/Appropriations, Taxes & Economy
- c. Defense
- d. Energy & Environment
- e. Financial Services, Housing & Community Development
- f. Government Operations & Homeland Security
- g. Health
- h. International Affairs, Foreign Aid & Trade
- i. Judiciary, Crime & Civil Rights
- j. Labor, Education & Social Welfare
- k. Space, Science & Communications
- l. Transportation & Public Works
- m. Other

6. Would you say that you are more informed than the Senator or Representative for [INSERT RESPONSE TO QUESTION #5]? Which of the following statements best describes your familiarity with that topic?

- a. I am ALWAYS LESS informed than the Senator or Representative.
- b. I am USUALLY LESS informed than the Senator or Representative.
- c. I am informed ABOUT THE SAME as the Senator or Representative.
- d. I am USUALLY MORE informed than the Senator or Representative.
- e. I am ALWAYS MORE informed than the Senator or Representative.

7. What best describes your policy experience compared to your colleagues in other congressional offices who work on [INSERT RESPONSE TO QUESTION #5], ranging from NOT VERY EXPERIENCED to VERY EXPERIENCED.

[INSERT 11-POINT SCALE RANGING FROM “Not Very Experienced” to “Very Experienced”]

\_\_\_ Don’t Know

8. How much attention do you feel the Senator or Representative pays to [INSERT RESPONSE TO QUESTION #5] compared to all other policy issues, ranging from NO ATTENTION AT ALL to A LOT OF ATTENTION.

[INSERT 11-POINT SCALE RANGING FROM “No attention at all” to “A lot of attention”]

\_\_\_ Don’t Know

9. Thinking generally about all of your policy responsibilities, who would you say that you FREQUENTLY REACH OUT TO for reliable information? Please select all that apply.
- a. Political party leaders
  - b. Other Congressional Committee and Personal Offices
  - c. Congressional Research Service, Government Accountability Office, etc.
  - d. White House or executive branch
  - e. National trade associations, professional associations, or professional societies
  - f. Corporations
  - g. Citizen advocacy groups
  - h. Labor unions
  - i. Think tanks & academia
  - j. Other (specify)
10. Who would you say FREQUENTLY CONTACTS YOU without solicitation to educate you about current or upcoming issues? Please select all that apply.
- a. Political party leaders
  - b. Other Congressional Committee and Personal Offices
  - c. Congressional Research Service, Government Accountability Office, etc.
  - d. White House or executive branch
  - e. National trade associations, professional associations, or professional societies
  - f. Corporations
  - g. Citizen advocacy groups
  - h. Labor unions
  - i. Think tanks & academia
  - j. Other (specify)

### ***Demographics***

*The remaining questions about you are for statistical purposes only.*

11. On the scale below, indicate how strongly would you characterize YOUR OWN political ideology, ranging from very liberal to very conservative

[INSERT 11-POINT SCALE RANGING FROM “Very liberal” to “Very conservative”]

\_\_\_ Don’t Know

12. What is your gender?
- a. Female
  - b. Male

13. What is your ethnic background?

- a. White/Caucasian
- b. Hispanic/Latino
- c. African-American/Black
- d. Asian-American/Asian
- e. Native American
- f. Other (specify)

14. How old are you?

- a. 25 years old or younger
- b. 26-35 years old
- c. 36-45 years old
- d. 46-55 years old
- e. 55 years old or older

15. What is your income from the federal government?

- a. Less than \$25,000
- b. \$25,000-34,999
- c. \$35,000-44,999
- d. \$45,000-64,999
- e. \$65,000-74,999
- f. \$75,000-84,999
- g. \$85,000-94,999
- h. \$95,000 or more



## APPENDIX B. TEXT AND MANIPULATION OF INFORMATION BOARD ITEMS

### *Government Items (Constant)*

#### CRS Issue Brief: Health Care Costs

Health insurance coverage provides a valuable key to gain access to preventive and primary health care services, and peace of mind and financial security for those facing serious health care problems. Yet, a growing number of Americans-46 million in 2005 and increasing each year-lack health insurance to help them address their health care needs. Our growing uninsured population gets care later, if at all, and ends up sicker than those with coverage. The Institute of Medicine reports that lack of health insurance causes 18,000 unnecessary deaths each year. Leaving 46 million Americans without health coverage not only compromises their health but also puts a growing burden on our health care system and adds additional strain to our economy. And, even for those with health coverage, rising premium costs, the increasing out-of-pocket costs from more limited coverage, and decreasing availability of employer-based coverage make obtaining and paying for health care an increasing financial burden. For many, health insurance coverage through the workplace now has higher deductibles and more cost-sharing as well as higher premiums. Access to health insurance and medical care that is affordable is becoming out of reach for more and more middle class families and contributing to our growing uninsured population.

While the elderly rely on Medicare for their health insurance coverage, most non-elderly Americans receive their health insurance protection through the workplace. Of the 257 million non-elderly Americans, 156 million (61% of the non-elderly population), are covered by employer-sponsored health insurance (Figure 1). Public coverage through Medicaid and SCHIP provide an important adjunct to employer-based coverage for low-income families, especially children, covering 16 percent of the non-elderly population. The availability and affordability of employer based coverage varies widely by income, with higher-income families more likely to be covered by employer-based coverage than moderate or low-income families. Nearly 3 out of 4 (71%) of the 74 million middle-class non-elderly individuals-who I will define today as having incomes between 200 and 400 percent of the federal poverty level (about \$41,000 to \$82,000 for a family of 4 in 2007)-have employer sponsored coverage. Lower-income families (with incomes 100-199% of poverty, some of whom might actually consider themselves part of the middle class) have much lower levels of private coverage-only 39 percent have employer-based coverage-resulting in higher levels of uninsurance (30%) and greater reliance on public coverage (26%). Lack of employer-based coverage and limited access to public coverage leaves nearly 11 million (14%) middle-income Americans uninsured. They account for nearly a 3quarter (23%) of the nation's 46 million uninsured although the majority of the uninsured have even lower incomes (Figure 2). In addition, like most of the nation's uninsured, the middle-class uninsured come from working families. In fact, 9 in 10 (91%) come from families with at least one full-time worker, but many of these workers are in jobs that do not offer health insurance coverage or where such coverage is unaffordable.

### CRS Issue Brief: Long-term Care

Medicaid is the nation's major source of financing for long-term care services, covering services for both elderly and non-elderly persons in institutional and community-based settings. Medicare or private insurance do not cover many of these critical services. However, Medicaid's long term-care protections are limited to those with low-incomes or who incur catastrophic expenditures.

#### Who Needs Long-Term Care Services?

Nearly 10 million Americans need long-term care services and supports to assist them in life's daily activities. The majority of beneficiaries who receive long-term care services are age 65 and above while 37 percent are under 65. Long-term care services include a range of services and supports that assist individuals with performing activities of daily living and instrumental activities of daily living. These range from providing assistance with eating, dressing, and toileting, to assisting with managing a home, preparing food, and medication management.

#### Who Pays for Long-Term Care Services?

Although many people who need long-term care rely primarily on unpaid help from family and friends, nearly \$175 billion was spent on long-term services in 2006, with Medicaid accounting for 42% of spending. Direct out-of-pocket care spending comprises the next largest payer category, accounting for slightly less than one-quarter in spending. Medicare provides limited post-acute care through its skilled nursing facility benefit and its home health care benefit, accounting for 20% of spending.

#### Who Qualifies for Medicaid Long-Term Care Services?

Medicaid is intended to assist low-income individuals and is not available to everyone who needs long-term services. Those who need long-term services must meet both financial and functional eligibility criteria to qualify for Medicaid. For elderly and disabled people with long-term care needs, these limits are often tied to the Supplemental Security Income program - capped at \$603 per month in 2006 - but states can, and often do, set higher limits.

### CRS Issue Brief: Medicare

#### OVERVIEW OF MEDICARE

Medicare is the federal health insurance program created in 1965 for all people age 65 and older regardless of their income or medical history. The program was expanded in 1972 to include people under age 65 with permanent disabilities. Medicare now covers nearly 43 million Americans. Most people age 65 and older are entitled to Medicare Part A if they or their spouse are eligible for Social Security payments and have made payroll tax contributions for 10 or more years. People under age 65 who receive Social Security Disability Insurance (SSDI) generally become eligible for Medicare after a two-year waiting period. Medicare plays a vital role in ensuring the health of beneficiaries by covering many important health care services, including a new prescription drug benefit.

However, there are also gaps in coverage, notably dental, vision, and long-term care. Medicare benefits are expected to total \$374 billion in 2006, accounting for 14% of the federal budget (CBO, 2006).

#### MEDICARE'S STRUCTURE

Part A pays for inpatient hospital, skilled nursing facility, home health, and hospice care. Accounting for 41% of benefit spending in 2006, Part A is funded mainly by a dedicated tax of 2.9% of earnings paid by employers and workers (1.45% each).

Part B pays for physician, outpatient, and home health visits and preventive services. Part B is funded by taxpayers through general revenues and beneficiary premiums and accounts for 35% of benefit spending in 2006. Medicare beneficiaries pay a monthly premium of \$88.50 in 2006 (estimated to increase to \$98.40 in 2007). As of 2007, those with annual income over \$80,000 (\$160,000 per couple) will pay a higher, income-related monthly Part B premium.

Part C refers to the Medicare Advantage program, through which beneficiaries can enroll in a private managed care plan, such as an HMO, PPO, or private fee-for-service (PFFS) plan. These plans offer combined coverage of Part A, Part B, and in most cases, Part D (prescription drug) benefits. Part C accounts for 14% of benefit spending in 2006.

Part D is the new outpatient prescription drug benefit, delivered through private plans that contract with Medicare. The benefit includes additional assistance with plan premiums and cost-sharing amounts for low-income beneficiaries. Part D, which is funded by general revenues, beneficiary premiums, and state payments, accounts for 8% of benefit spending in 2006. Enrollees in Medicare drug plans pay a monthly premium that averages \$25 across plans in 2006.

#### CHARACTERISTICS OF PEOPLE ON MEDICARE

Medicare covers a diverse population: 35% have three or more chronic conditions, 17% are African American or Hispanic, 14% have limitations in three to six activities of daily living, and 12% are age 85 and older. Many people on Medicare have modest incomes and resources: 39% have incomes below 150% of poverty (\$19,600/single and \$26,400/couple in 2006). Fifteen percent - nearly 7 million in 2006 - were under age 65 and permanently disabled.

#### CRS Issue Brief: Public Health Threats

Congress will continue developing efforts to incentivize industry development of products to be used in a biological emergency. In the 108th Congress, BioShield II legislation (S. 666) was proposed by Senators Lieberman (D-CT) and Hatch (R-UT) that called for additional incentives for manufacturers of biological countermeasures such as liability reform, extended market exclusivity for new countermeasures, and tax incentives for those investing in companies that perform research into new countermeasures. More controversial was the broad definition of treatments covered under S.666 and the "wild card" patent extension that would allow developers to add years to the life to any other

patent in their portfolio. Some industry groups do not support the wild card patent provision, believing it creates tremendous uncertainty for introduction of new generic products, effectively repealing previous efforts to place non-branded medications on the market faster.

On January 24, 2005, Senator Judd Gregg (R-NH), Chairman of the Senate Budget Committee and a BioShield I sponsor, introduced the BioPreparedness Act of 2005 (S.3- a Homeland Security bill), which borrows several provisions from S.666, including liability reform, patent extension and tax incentives. One key difference between S. 3 and S. 666 is that S. 3 includes provisions that encourage the development of products to more broadly combat infectious diseases. Among other provisions, S. 3:

- \* Expands the definition of "qualified countermeasures" to include detection technologies and research tools;
- \* Encourages vaccine and countermeasure production by ensuring full patent restoration for the developed product;
- \* Provides grants to study animal responses to bioterrorism and infectious agents;
- \* Ensures fast-track reviews for second-generation vaccines and countermeasures;
- \* Encourages the construction and renovation of vaccine- and countermeasure-manufacturing facilities by offering new tax-based incentives and grants; and
- \* Establishes the Pandemic Influenza Preparedness and Response Plan, which includes developing research to improve influenza vaccines, enhancing public awareness, and improving international and state surveillance capacities.

Neither bill advanced beyond committee consideration during the 109th Congress.

Office of Representative Smith  
Republican, UT

Dear Colleague:

In 2006, the National Institutes of Health (NIH) reported that it spent under \$950 million on health services research--or 3.2 percent of its entire budget--making it the largest funder of health services research in the federal government. While these are significant amounts, and I appreciate all that the various Institutes do to support the health services research field, I encourage NIH to increase the share of its budget devoted to moving discoveries from clinical trials into mainstream health services. Additionally, I also encourage NIH to foster greater coordination of its health services research investment.

I plan to introduce the "Health Services Research Modernization Act of 2007" in the coming weeks to require that NIH spend at least 10% of its anticipated \$30 Billion budget on health services research. The accomplishments of health services research would not be possible without the leadership and support of the Congress. Scientifically based evidence provides crucial guidance to the health services industry as we make difficult decisions that will affect the health and health care services of all Americans. While our funding requests are modest -totaling \$3 billion - the return on investment will

be much higher. This investment will generate improved information for consumers and providers, leading to improved quality, accessibility, and affordability.

I encourage you to co-sponsor Health Services Research Modernization Act and to make improving the NIH budget a top priority for the 110th Congress.

Sincerely,

Rep Smith, MC

Senate Committee on Finance  
Minority Office

Dear Colleague:

Fundamental reform is needed in order to ensure the long-term fiscal sustainability of the Medicaid program. More than simply sustaining the program, the Minority Members of the Committee believe that Medicaid can and must continue to provide quality care to promote the best possible health for all beneficiaries. We recommend promoting Medicaid's long-term fiscal sustainability, while also emphasizing quality of care. Key principles that must be part of this transformation include recognizing the long-term value of investments in quality, supporting state flexibility, and changing how beneficiaries partner with the Medicaid program by encouraging personal responsibility for health care decisions and promoting and rewarding healthy behaviors.

The Minority Members of the Committee also believe that the health of beneficiaries will be improved through a more efficient Medicaid system that emphasizes prevention, provides long-term care services in the least restrictive appropriate environment, adopts interoperable forms of health information technology, coordinates care across providers and health care settings, and focuses on ensuring quality health care outcomes. Finally, although the Minority Members of the Committee encourage individual planning for long-term care, and we call upon our colleagues and federal agencies to develop a fiscally sustainable plan for our nation's future long-term care needs.

The 110th Congress must make this issue its top priority. Medicaid must be completely reformed and modernized, or we risk putting off difficult decisions for our children and grandchildren.

Office of Senator Jones  
Democrat, WI

Dear Colleague:

I plan to introduce the "Minority Health Care Disparity Commission Act of 2007" in the near future. I strongly urge my colleagues to co-sponsor this important legislation. The Act will create a bi-partisan Commission to study ways to improve health care delivery for minorities.

The United States is racially and ethnically diverse, and the nation's diversity is growing over time. As of 2006, nearly one-third of the U.S. population identified themselves as a member of a racial or ethnic minority group. By 2050, this share is expected to increase to nearly half. The racial and ethnic composition of the population varies by state, with states in the West and South having the highest shares of minority residents. People of color are more likely than non-Hispanic Whites to have low-incomes, which has implications for both their health and insurance status.

Health status is a function of several factors, including access to care and insurance coverage, socioeconomic conditions (education, occupation, income, and place of residence), genetics, and personal behavior. Racial or ethnic minority population groups (other than Asians) rate their overall health worse than non-Hispanic Whites. While poor or low-income people of all races report worse health status than higher income people, differences in overall health status by race/ethnicity persist even within income groups. The poorer health status of racial and ethnic minority Americans is also reflected in higher death rates for many common causes.

Given these facts, it is important that Congress take seriously the fact that poor quality health care for minorities today will mean poor quality care for all Americans. Please join me in sponsoring the "Minority Health Care Disparity Commission Act of 2007".

Sincerely,  
Ms. Jones  
United States Senator

House Commerce Cmte Majority (Democrats)

Dear Colleagues:

The Chairman and Majority Members of the House Committee on Commerce are planning a series of hearings on Women's Health Care, and we encourage your participation in this important issue.

Over the past few decades, considerable progress has been made in improving women's health and in understanding women's unique roles in the health care system. The importance of health care cuts across all aspects of women's lives. Without good access to health care, women's ability to be productive members of their communities, to care for themselves and their families, and to contribute to the work force is jeopardized. As health care has moved to the forefront of the public policy arena, women are increasingly recognizing that they have much at stake in national health policy debates.

Even with increased attention to diseases like breast cancer, there remains a gap in the health status between men and women. Nearly four in 10 women have a chronic condition that requires ongoing medical attention, compared to only 30% of men. Not surprisingly, incidence of chronic conditions increases with age. Nearly six in 10 women in their senior years are dealing with hypertension and arthritis, and almost half with high cholesterol. Women's health needs are also reflected in their provider choices. Virtually all elderly women have a regular provider, compared to three-quarters of women ages 18 to 44 and 90% of women 45 to 64. As they age, women are also less likely to visit an Ob-Gyn regularly. Only one-quarter of senior women report a gynecological visit in the past year and only 12% count an Ob-Gyn among their regular providers, compared to 47% of women in their reproductive years.

This vitally important issue addresses many problems in the American health care system. We hope you will join us in making Women's Health a priority during the 110th Congress.

***Private Items (Experimental)***

Coalition for Healthy Children

Dear Member of Congress:

The Coalition for Healthy Children is an ad hoc coalition consisting of 20 organizations that collectively represent over millions of workers, consumers, and voters from all regions in the United States. We hope to better educate members of Congress on the need to reauthorize the State Children's Health Insurance Program (SCHIP) a top priority in the coming weeks and months of the 110th Congress.

According to a report issued by the Kaiser Commission on Medicaid and the Uninsured, SCHIP has successfully worked together with Medicaid to provide health coverage to millions of low-income children. First, SCHIP covers over 6 million children today, building on Medicaid's coverage of 28 million children. Over the past decade, SCHIP and Medicaid together have reduced the uninsured rate among low-income children by one-third. Without SCHIP, millions more children in low-income working families would be uninsured. Second, effective outreach, expanded eligibility, and streamlined enrollment and renewal are key elements of SCHIP's success. States' outreach about the health coverage availability creates enthusiasm and spurs enrollment. Third, SCHIP and Medicaid increase the likelihood that children will have a medical home and lead to improvements in children's health, yielding benefits in school as well. Finally, SCHIP and Medicaid have helped to narrow racial and ethnic disparities in access to health care.

For the sake of our children, we strongly encourage you to make SCHIP reauthorization the most important health care issue this Congress.

Coalition for Healthy Children

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The Centers for Medicare and Medicaid Services administers SCHIP, which has provided over \$24 billion in federal matching funds since October 1, 1997 to help states expand health care coverage to over 5 million of the nation's uninsured children. SCHIP is jointly financed by the Federal and State governments and is administered by the States. Within broad Federal guidelines, each State determines the design of its program, eligibility groups, benefit packages, payment levels for coverage, and administrative and operating procedures. SCHIP provides a capped amount of funds to States on a matching basis through the current fiscal year. If Congress does not act quickly, states will be left to fund a program that millions of families have come to depend on.

For the sake of our children, we strongly encourage you to make SCHIP reauthorization the most important health care issue this Congress.

#### **Broad**

AARP  
American Bankers Assn  
American Civil Liberties Union  
Anheuser-Busch  
Assn of American Railroads  
Blue Cross/Blue Shield  
Bristol-Myers Squibb  
ChevronTexaco  
Exelon Corp  
Microsoft Corp  
National Assn of Broadcasters  
National Assn of Manufacturers  
National Cable Television Assn  
National Mining Assn  
Newspaper Assn of America  
Nissan North America  
Principal Financial Group  
Recording Industry Assn of America  
Sprint Corp  
TXU Business Services

#### **Narrow**

Advocates for Youth  
American Academy of Pediatrics  
Arnold Palmer Hosp for Children & Women  
California Children's Hospital Assn  
Campaign For Tobacco Free Kids  
Center for Science in Public Interest  
Children & Adults with ADD  
Children's Cause  
Children's Defense Fund  
Children's Health Fund  
Children's Hospice International  
Danny Foundation  
Food Allergy & Anaphylaxis Network  
Juvenile Diabetes Foundation Intl  
March of Dimes Birth Defects Foundation  
National Assn of Children's Hospitals  
National Children's Cancer Society  
Nemours Ctr for Children's Health Media  
People for the American Way  
Society of Teachers of Family Medicine



## Future of Health IT Alliance

The Future of Health IT Alliance is an impromptu coalition that has come together to bring attention to the significant efficiency benefits and cost savings that a comprehensive, national HIT and HIE policy promises. The Alliance urges Congress to follow the innovative policy leadership at the State level by concentrating on health information technology (HIT) and health information exchange (HIE) to improve our nation's health and healthcare.

The comprehensive management of medical information and its secure exchange between health care consumers and providers will improve health care quality, prevent medical errors, reduce health care costs, increase administrative efficiencies, decrease paperwork, and expand access to affordable care. Interoperable HIT will improve individual patient care, but it will also bring many public health benefits, such as early detection of infectious disease outbreaks around the country, improved tracking of chronic disease management, and evaluation of health care based on value enabled by the collection of de-identified price and quality information that can be compared. Health information technologies help gather all of their health information in one place so they can thoroughly understand it and share it securely with their health care providers to get the care that best fits their personal needs. Health IT can help to improve public health one individual at a time by building partnerships between health care consumers and providers across the country.

For these reasons, the Alliance strongly encourages Congress to make improving health information technology and exchange a major priority in the 110th Congress.

## Future of Health IT Alliance

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The comprehensive management of medical information and its secure exchange between health care consumers and providers will improve health care quality, prevent medical errors, reduce health care costs, increase administrative efficiencies, decrease paperwork, and expand access to affordable care. In an article published recently in the New England Journal of Medicine, a survey found more than 175 state and local HIT and HIE initiatives in all 50 states, the District of Columbia, and Puerto Rico. The Department of Health and Human Services (HHS) is guiding the development of standards for HIT systems, yet the report concludes that there remains little uniformity across jurisdictions. Policy development, planning, and HIE implementation activities are taking place at

various levels of the system, but survey results indicate that two-thirds of community- or locally-focused programs are focusing on HIE network implementation, while only 29 percent of state-level initiatives are focusing on implementation. These findings suggest that Congress must dedicate significant resources to foster a comprehensive, national HIE network to better coordinate these efforts.

For these reasons, the Alliance strongly encourages Congress to make improving health information technology and exchange a major priority in the 110th Congress.

### **Broad**

Alliance of Automobile Manufacturers  
 American Academy of Pediatrics  
 American Assn of Health Plans  
  
 American Forest & Paper Assn  
 American Medical Assn  
 America's Health Insurance Plans  
 Assn of Trial Lawyers of America  
 Aventis Pharmaceuticals  
 Brown & Williamson Tobacco  
 Christian Coalition  
 Ernst & Young  
 Grocery Manufacturers of America  
 Hartford Financial Services  
 Natl Assn of Convenience Store Operators  
 Northwest Airlines  
  
 Qualcomm Inc  
 Shell Oil  
 Time Warner  
 Toyota Motor Manufacturing North America  
 US Steel

### **Narrow**

American Assn for Medical Transcription  
 American College of Healthcare Executives  
 American Health Information Management Assn  
 Assn for Healthcare Resource & Materials Mgt  
 BearingPoint Inc  
 Business Software Alliance  
 Cisco Systems  
 Express Scripts  
 Global Healthcare Exchange LLC  
 Healthcare Leadership Council  
 Healthlink, an IBM Company  
 Informed Decisions LLC  
 InterComponentWare Inc  
 Johnson & Johnson Healthcare Systems  
 Joint Cmsn on Accreditation of Healthcare Orgs  
 Natl Alliance for Health Information Technology  
 PatientMD  
 Perot Systems  
  
 Quest Diagnostics  
  
 WebMD

### **Americans for HIV/AIDS Awareness**

Americans for HIV/AIDS Awareness is an informal coalition business leaders, health care providers, and community and advocacy organizations formed to keep Congress focused on HIV/AIDS in America. Although much progress has been made since

Americans became aware of the disease in the 1980s, there remains a great deal more Congress can do to ensure HIV/AIDS patients have access to the care they deserve.

The Ryan White CARE Act is the single largest federal program designed specifically for people with HIV/AIDS. Enacted in 1990, the CARE Act provides care and support services to individuals and families affected by HIV/AIDS, functioning as the "payer of last resort"; that is, it fills the gaps in care for those who have no other source of coverage or face coverage limits. Federal CARE Act funding is provided to cities, states, and directly to providers and other organizations. The CARE Act was reauthorized in 1996 and 2000, and was just reauthorized for the third time in December 2006.

Unfortunately, the recent reauthorization of the CARE Act made significant changes to the program, including setting minimum funding requirements for core medical services, creating new structures for funding, and changing the formula used to distribute funds. Leading researchers at the Johns Hopkins Bloomberg School of Public Health predict that more than 75% of the AIDS Drug Assistance Programs in 59 states and territories will be forced to institute waiting lists, limit formularies, and cap client enrollment due to resource constraints. Additionally, because Ryan White is a discretionary federal grant program, its funding depends on annual appropriations by Congress, and funding levels do not necessarily correspond to the number of people who need services or the actual costs of services. As a result, some states and communities have been unable to meet the needs of all people living with HIV/AIDS.

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### **Broad**

American Council of Life Insurers  
 America's Community Bankers  
 Asbestos Study Group  
 AT&T Inc  
 Citigroup Inc  
 Delta Airlines  
 DuPont Co  
 Exxon Mobil  
 Freddie Mac  
 General Dynamics  
 General Motors  
 Massachusetts Mutual Life Insurance  
 Oracle Corp  
 Pharmaceutical Rsrch & Mfrs of America  
 Progress Energy  
 Securities Industry Assn  
 Siemens Corp  
 Southern Co  
 Union Pacific Corp  
 United Parcel Service

### **Narrow**

AIDS Action Council  
 AIDS Healthcare Foundation  
 AIDS.org, a Project of Community Partners  
 American Foundation for AIDS Research  
 Americans for Democratic Action  
 AVANT Immunotherapeutics  
 Bill & Melinda Gates Foundation  
 Cities Advocating Emergency AIDS Relief  
 Immune Deficiency Foundation  
 ImmuneRegen Biosciences Inc  
 International AIDS Society  
 International AIDS Vaccine Initiative  
 Latino Commission on AIDS  
 Medimmune Inc  
 Merck & Co  
 National AIDS Housing Coalition  
 National Assn of People with AIDS  
 People for the American Way  
 San Francisco AIDS Foundation  
 Whitman-Walker Clinic

### **Health Care Quality Alliance**

The Health Care Quality Alliance strongly urges Congress to comprehensively address the issue of medical errors to reduce risks to patients, minimize medical malpractice lawsuits, and slow the growth of health care costs.

Based on discussions with executives, employees, and members among participating members of the Health Care Quality Alliance, there is ample evidence that despite the attention Congress has given to the issue of medical errors in recent years, people are more likely to say that they are dissatisfied with the quality of health care in this country now than they were a few years ago. In fact, your constituents are probably twice as likely to say health care has gotten worse in the past five years rather than better. Almost half would say they are at least somewhat worried about the safety of the medical care they and their family receive. In addition, most of the public would say they are currently dissatisfied with the quality of health care in this country, compared to only a fraction

that would have said the same in 2000. Conversely, probably one in five would say they are satisfied with the quality of healthcare in this country, while most people were satisfied as recent as 2005. Finally, only a handful of our members would say the quality of health care has gotten better.

For these reasons, we hope you and your colleagues pay serious attention to the issue of medical errors in the 110th Congress.

### Health Care Quality Alliance

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The Harvard School of Public Health has conducted a survey of over 3500 adults, and despite the attention Congress has given to the issue of medical errors in recent years, the public is more likely to say that they are dissatisfied with the quality of health care in this country now than they were in 2005. In fact, they are over twice as likely to say health care has gotten worse in the past five years rather than better. Almost half say they are at least somewhat worried about the safety of the medical care they and their family receive. In addition, 55% of the public says they are currently dissatisfied with the quality of health care in this country, compared to 44% who reported the same in 2000. Conversely, about four in ten (41%) reported they are satisfied with the quality of healthcare in this country, compared to 54% in 2005. Finally, 40% of respondents say the quality of health care has "gotten worse" in the past five years, compared to 17% who say it has "gotten better" and 38% who say it has stayed about the same.

For these reasons, we hope you and your colleagues pay serious attention to the issue of medical errors in the 110th Congress.

### **Broad**

3M Co  
Abbott Laboratories  
Aircraft Owners & Pilots Assn  
American Electronics Assn  
Amgen Inc  
BAE Systems North America  
Business Roundtable  
DaimlerChrysler  
Edison Electric Institute  
MasterCard International  
Monsanto Co  
Mortgage Insurance Companies of America

### **Narrow**

AdvaMed  
Alliance for Quality Nursing Home Care  
American Academy of Emergency Medicine  
American College of Emergency Physicians  
American College of Physicians  
American Conservative Union  
American Health Quality Assn  
American Medical Assn  
American Physical Therapy Assn  
Christian Legal Society  
Citizens for a Sound Economy  
Club for Growth

Philip Morris	Competitive Enterprise Institute
Property Casualty Insurers Assn/America	Cooperative of American Physicians
Raytheon Co	European-American Business Council
Science Applications International Corp	Family Research Council
Seniors Coalition	Healthcare Quality Strategies
United Airlines	Manhattan Institute
United Services Automobile Assn Group	National Assn for Healthcare Quality
WorldCom Inc	US Chamber Institute for Legal Reform

### Medical Malpractice Collaborative

The Medical Malpractice Collaborative, a coalition of organizations focused on reforming medical liability at the federal level, urges you and your colleagues to drive down the rising cost of health care by addressing the medical malpractice crisis.

Medical-liability reform remains a top legislative priority for the Medical Malpractice Collaborative. The large majority of Americans believe the availability and quality of health care is threatened because rising medical liability costs. Additionally, the lack of medical liability insurance coverage in some states is forcing doctors and health care providers to abandon the practice of medicine. Clearly, most Americans familiar with the problem support passage of a law that guarantees full payment for lost wages and expenses, but reasonably limits awards for non-economic damages. The deepening medical liability crisis has brought the need for commonsense federal reforms to the center of the national stage. Your constituents have repeatedly called on Congress to enact legislation to solve the crisis by supporting comprehensive medical liability reform.

Members of the 110th Congress must heed the public's call for commonsense medical liability reforms and act now to end lawsuit abuse.

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Medical-liability reform remains a top legislative priority for the Medical Malpractice Collaborative. According to a non-partisan, national poll commissioned by the Collaborative in January 2007, 74 percent of Americans surveyed believe the availability and quality of health care is threatened because rising medical liability costs. Four of five respondents believe the lack of medical liability insurance coverage in some states is forcing doctors and health care providers to abandon the practice of medicine. By an overwhelming majority, 76 percent of Americans support passage of a law that guarantees full payment for lost wages and expenses, but reasonably limits awards for non-economic damages. The deepening medical liability crisis has brought the need for commonsense federal reforms to the center of the national stage. Americans expect their

elected officials to enact legislation to solve the crisis. Over three-quarters of the Americans surveyed said they wanted their representatives in Washington to support comprehensive medical liability reform.

Members of the 110th Congress must heed the public's call for commonsense medical liability reforms and act now to end lawsuit abuse.

### **Broad**

60 Plus Assn  
 American Society of Anesthesiologists  
 Distilled Spirits Council  
 Dow Chemical  
 EDS Corp  
 Federal Express Corp  
 Federation of American Hospitals  
 FMC Corp  
 Health Insurance Assn of America  
 Hoffmann-La Roche  
 Honeywell International  
 Intel Corp  
 MBNA Corp  
 National Cable & Telecommunications Assn  
 National Rural Electric Cooperative Assn  
 Novartis Corp  
 PriceWaterhouseCoopers  
 US Chamber Institute for Legal Reform  
 Visa USA  
 Zurich American Insurance

### **Narrow**

American Academy of Family Physicians  
 American Academy of Ophthalmology  
 American Academy of Orthopaedic Surgeons  
 American College of Emergency Physicians  
 American College of Physicians  
 American Enterprise Institute  
 American Family Business Institute  
 American Medical Assn  
 American Society of Anesthesiologists  
 America's Health Insurance Plans  
 Cato Institute  
 Center for Study of American Business  
 Civil Justice Reform Group  
 College of American Pathologists  
 Federation of American Hospitals  
 Healthcare Leadership Council  
 Hoover Institution  
 National Fedn of Independent Business  
 US Chamber Institute for Legal Reform  
 US Oncology

### **Mental Health Working Group**

The coalition of organizations that comprise the Mental Health Working Group (MHWG) strongly urge Congress to expand the Mental Health Parity Act of 1996 to insist on full parity in both private (individual and employer-based) and public (Medicare, Medicaid, and other government-sponsored) insurance coverage for mental illnesses and to increase research funding at the National Institute of Mental Health (NIMH).

The discrimination in access to care is evidenced by limited coverage, punitive co-pays, and restricted access to hospitalization during acute episodes and what one would logically conclude would occur for other untreated or under-treated serious illnesses. That is to say the outcomes for people with untreated or under-treated illnesses are disastrous

and too frequently results in death or permanent disability. To that effect MHWG has been actively pursuing non-discrimination clauses in both federal and state insurance laws. Therefore, Congress should require parity for coinsurance, co-payments, deductibles, day and visit limits, and maximum out-of-pocket caps.

The state of knowledge and number of federally-sponsored clinical trials dedicated to testing treatment for mental illnesses lags far behind all other diseases. One key to unlocking the prisons of these illnesses is research, and funding drives research. The cost of treating these diseases in both the public and private sectors can be dramatically reduced in the long-run if pharmaceutical and biotechnological research funding is increased in the short-run. However, Congress has kept NIMH funding flat at roughly \$1.4 billion for several fiscal years. Rather, we call on Congress to double NIMH research funding.

### **Mental Health Working Group**

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First, Mount Sinai School of Medicine reported in 2006 that discrimination in access to care by limited coverage, punitive co-pays, and restricted access to hospitalization during acute episodes cost Medicaid five times as much to care for patients with untreated or under-treated illnesses that resulted in permanent disability. To that effect MHWG is pursuing non-discrimination clauses in both federal and state insurance laws. Therefore, Congress should require parity for coinsurance, co-payments, deductibles, day and visit limits, and maximum out-of-pocket caps.

Second, an article published in the Journal of Psychiatric Medicine found the state of knowledge and number of federally sponsored clinical trials dedicated to testing treatment for mental illnesses lags far behind all classes of diseases. One key to unlocking the prisons of these illnesses is research, and funding drives research. The cost of treating these diseases in both the public and private sectors can be reduced by more than 450% in ten years if pharmaceutical and biotechnological research funding is increased by 150% in the next three years. However, Congress has kept NIMH funding flat at roughly \$1.4 billion for several fiscal years. Rather, we call on Congress to double NIMH research funding.

### **Broad**

AdvaMed  
AFL-CIO  
American Airlines  
American Express

### **Narrow**

American Acad of Child/Adolescent Psych  
American Civil Liberties Union  
American Mental Health Counselors Assn  
American Psychiatric Assn



American Fedn of St/Cnty/Munic Employees	American Psychiatric Nurses Assn
American Institute of CPAs	American Psychological Assn
American International Group	Aventis Pharmaceuticals
American Petroleum Institute	Center for Justice & Democracy
Cellular Telecom & Internet Assn	Center for National Policy
Disney Worldwide Services	Human Rights First
DTE Energy	Institute for Socioeconomic Studies
Duke Energy	National Alliance for the Mentally Ill
Financial Services Roundtable	National Assn of School Psychologists
FirstEnergy Corp	National Mental Health Assn
Florida Power & Light	Natl Assn of Psychiatric Health Systems
Ford Motor Co	Natl Cncil for Cmnty Behavioral Hlthcare
General Electric	People for The American Way Action Fund
Lockheed Martin	Pharmaceutical Rsrch & Mfrs of America
Natl Cmte to Preserve Social Security	Progressive Policy Institute
United Technologies	Wellstone Action

#### American Rx Drugs Coalition

The American Rx Drugs Coalition urges congress to resist efforts to amend the Medicare Modernization Act (MMA) and lift the prohibition on government involvement in price negotiations between drug-makers and Medicare Part D plans.

The MMA created incentives for free market competition among the private insurance companies administering the program which has successfully reduced the market price of prescription drugs in the few short years of its existence. These market forces only promise to do the same in the future. If the government had the authority to directly negotiate prices before drugs come to market, there is ample evidence that the government could decrease prices even more.

US prescription drug spending is projected to increase only marginally over the next 13 years. In fact, the annual increases in drug spending are anticipated to fall steadily through 2020. Additionally, drug spending as a percent of overall health spending is not expected to increase significantly over that time period. Over the next decade, increases due to greater prescription use by Medicare beneficiaries under the new Medicare Part D coverage will be offset by increased availability and use of lower-cost generic drugs, more people covered under tiered co-payment drug plans, fewer blockbuster drugs, and more drugs shifting to over-the-counter status.

#### American Rx Drugs Coalition

The American Rx Drugs Coalition urges congress to resist efforts to amend the Medicare Modernization Act (MMA) and lift the prohibition on government involvement in price negotiations between drug-makers and Medicare Part D plans.

According to an economic analysis by the Hoover Institution, the MMA created incentives for free market competition among the private insurance companies administering the program. These economic incentives have successfully reduced the growth in the market price of prescription drugs by 3.7% in the few short years of its existence. These market forces only promise to do the same in the future. Several analyses by the Congressional Budget Office have found that if the Department of Health & Human Services (HHS) had the authority to directly negotiate prices before drugs come to market, the government would do no better to reduce prices.

US prescription drug spending is projected to increase from \$188.5 billion in 2007 to \$446.2 billion in 2015, a 138% increase in 13 years. The annual increases in drug spending are projected to fall from 8.2% in 2007 to 7.7% in 2009, and then increase to 8.4% each year from 2013-2015. Drug spending as a percent of overall health spending is projected to increase from 10% in 2004 to 11% in 2015. Over the next decade, HHS projects that drug spending increases due to greater prescription use by Medicare beneficiaries under the new Medicare Part D coverage will be offset by increased availability and use of lower-cost generic drugs, more people covered under tiered co-payment drug plans, fewer blockbuster drugs, and more drugs shifting to over-the-counter status.

#### **Broad**

AFL-CIO  
Alcoa  
American Farm Bureau Federation  
American Gaming Assn  
Bell Atlantic  
Bond Market Assn  
Cox Enterprises  
Entergy Services  
Honda North America  
IBM Corp  
Investment Co Institute  
MasterCard International  
Motion Picture Assn of America  
Natl Assn Real Estate Investment Trusts  
Norfolk Southern  
Owens Corning  
Reed Elsevier Inc

#### **Narrow**

60 Plus Assn  
Abbott Laboratories  
Amgen Inc  
AstraZeneca Pharmaceuticals  
Aventis Pharmaceuticals  
Barr Laboratories  
Biotechnology Industry Organization  
Bristol-Myers Squibb  
Eli Lilly & Co  
Genentech Inc  
GlaxoSmithKline  
Hoffmann-La Roche  
Merck & Co  
Novartis Corp  
Pfizer Inc  
Pharmaceutical Rsrch & Mfrs of America  
Pharmacia Corp

RJ Reynolds Tobacco  
 US Telecom Assn  
 Xcel Energy

Schering-Plough Corp  
 Seniors Coalition  
 Wyeth

#### Citizen's Committee for the Uninsured

The Citizen's Committee for the Uninsured is an informal group of organizations that strongly recommend Congress resolve the health coverage crisis and give health access to Americans with little or no health insurance.

The Citizen's Committee believes that people who are uninsured or under insured receive less care and have worse outcomes following an accident or the onset of a new chronic condition than those with insurance. Following an accidental injury, the uninsured are less likely than the insured to receive any medical care. Similarly, the uninsured with a new chronic condition are also much less likely to receive care. In addition, the uninsured with an injury beleived to be twice as likely as those with insurance to have received none of the recommended follow-up care, and a similar pattern must be true for those with a new chronic condition. Ultimately, the uninsured are less likely to not fully recover nor seek treatment following an accident several months after the initial health shock. The uninsured with new chronic conditions reported worse health status than the insured with similar conditions. Clearly the quality of care depends on access to reliable health insurance.

The Citizen's Committee for the Uninsured encourages you to make this issue a top priority for the 110th Congress.

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The Citizen's Committee for the Uninsured is an informal group of organizations that strongly recommend Congress resolve the health coverage crisis and give health access to Americans with little or no health insurance.

A new study commissioned by The Urban Institute and featured in a March 2007 Journal of the American Medical Association theme issue on Access to Care documents that people who are uninsured or underinsured receive less care and have worse outcomes following an accident or the onset of a new chronic condition than those with insurance. The study -- based on analysis of eight years of data and over 30,000 observations -- finds that following an accidental injury, the uninsured were less likely than the insured to receive any medical care (78.8% vs. 88.7%). Similarly, the uninsured with a new chronic condition were also less likely to receive care (81.7% vs. 91.5%). In addition, the uninsured with an injury were also twice as likely as those with insurance to have received none of the recommended follow-up care (19.3% vs 9.2%), and a similar pattern held for those with a new chronic condition (9.4% vs 4.4%). Ultimately, the study indicates that the uninsured were more likely to report not fully recovering and to no longer being treated following an accident roughly seven months after the initial health shock, and the uninsured with new chronic conditions reported worse health status than

the insured with similar conditions. Thus, the evidence clearly suggests that quality of care depends on access to reliable health insurance.

The Citizen's Committee for the Uninsured encourages you to make this issue a top priority for the 110th Congress.

#### **Broad**

AT&T  
 American Assn of Nurse Anesthetists  
 American Chemistry Council  
 American Insurance Assn  
 Assn of American Publishers  
 Bank of America  
 BellSouth Corp  
 Cingular Wireless  
 Comcast Corp  
 Fannie Mae  
 Marriott International  
 Merrill Lynch  
 Motion Picture Assn of America  
 New York Life Insurance  
 Northrop Grumman  
 Northwestern Mutual Life  
 Procter & Gamble  
 SBC Communications  
 Textron Inc  
 USEC Inc

#### **Narrow**

AARP  
 AFL-CIO  
 American Hospital Association  
 America's Health Insurance Plans  
 Center for American Progress  
 Center for Women Policy Studies  
 Center on Budget & Policy Priorities  
 Children's Defense Fund  
 Families USA  
 Healthcare Leadership Council  
 Juvenile Diabetes Foundation Intl  
 Kaiser Family Foundation  
 Natl Cmte to Preserve Social Security  
 People for the American Way  
 Progressive Policy Institute  
 Robert Wood Johnson Foundation  
 Third Way: Strategy Ctr for Progressives  
 United Way of America  
 Urban Institute  
 US Chamber of Commerce

### **APPENDIX C. POST-SIMULATION QUESTIONNAIRE**

Now that you have learned all you can about these issues, it's time to make your recommendation to your boss. Please respond as best as you can the following questions. You will have the opportunity to review your responses before you are done.

1. Rank order YOUR RECOMMENDATIONS to your boss for the Health Care Agenda Task Force from MOST IMPORTANT to LEAST IMPORTANT. Click and drag the issue from the Alphabetical List on the left to the My Recommendation List on the right. Note there may be more issues on this list than you learned about in the simulation.

[USE SORTABLE LISTS WIDGET]

2. Rank order the sources of information from the simulation you found most useful from MOST USEFUL to LEAST USEFUL. Click and drag the issue from the alphabetical list on the left to your list on the right. Note there may be more issues on this list than you learned about in the simulation.

[USE SORTABLE LISTS WIDGET]

3. What made your most useful source so useful? Was the author of the information more important than the content of the information, or did you not pay attention to who wrote the text?

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