

The Interest Group—Staff Connection in Congress: Access and Influence in Personal, Committee, and Leadership Offices

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One manual for lobbyists in Congress warns those new to the trade that “winning the confidence of staff—and maintaining it thereafter—is a prerequisite to an ongoing, successful political relationship with any political office (Wolpe 1990).” The author then details the organization and loyalties among personal and committee staffs. One thing staffers have in common is that each specializes in an issue area and thus develops expertise over the issue, the players and politics of the committee, the legislative process, the interest groups, and the constituencies involved with the legislation (Wolpe 1990). Despite the wide-ranging literature on interest group activity in Congress, few distinctions are made between the efforts of lobbyists to influence staff, or ways in which the staff-interest group relationship varies in different types of offices.

Our task here is to further specify the relationship nuances that we observed to exist between interest groups and different types of staff. To do so, we draw on our experiences in the 110th Congress as American Political Science Association (APSA) Congressional Fellows. The APSA Congressional Fellowship Program provides fellows from a variety of professional backgrounds the opportunity to work as a member of the congress-

sional staff in personal, committee, and leadership offices in both the House of Representatives and the Senate. Fellows are sought by committees and personal staff since the cost is negligible and the fellow’s skills and interest in a public policy issue area fill a need in the personal or leadership office or committee.

Situating Congressional Staffs in Congressional Literature

Histories of Congress date the appearance of staffs to the middle of the nineteenth century when temporary clerks were provided to committees each session. As the committee system changed, so did the staffing arrangements. The Legislative Reorganization Act of 1946 structured the current system of major standing committees in each chamber. Early studies of congressional staffs thus focused on committees and their work (Kofmehl 1962). When analysts examined the broader staffing networks in the late 1970s, they drew the major distinction between types of staff in terms of the work of each: most personal staff aides did not work on legislation and thus acted mainly in adding amendments to legislation reported out of committee. The substance of their work involved constituency issues. Committee staffs were connected more tightly to issue networks in the bureaucracy and organized groups, since all three shared a concern for the technical aspects of legislation. Finally, the role of congressional leadership was to build a coalition of support among non-specialists in the last stages before a floor vote, or to “react to materials developed elsewhere (Malbin 1979).” Other work on lobbying in general documents that many lobbyists are former staffers and members (Birnbaum 1992).

Congress experienced another wave of growth in terms of both staffing and interest groups in the 1980s. From

1960 to 1980, the number of interest groups active in Washington more than quadrupled (Salisbury 1991). This “hyperpluralist” system consisted of organized interests seeking to influence members of Congress by providing policy information, and by working to get sympathetic members reelected. In providing information, they specifically focus on policy matters, political matters (i.e., those affecting elections), and procedural ones (i.e., those internal to the legislative process) (Loomis 2002). Literature analyzing policymaking in these years included sympathetic staff in networks of individuals coordinating activities to promote a goal (Sabatier and Jenkins-Smith 1999). Therefore, the distinction was not drawn between staffs in different offices within the institution of Congress, but rather between sides of policy debates with which they might be working. Committee staffs have added influence in that they have control over which groups are invited to testify at hearings (Wright 2003).

The Role of Interest Groups in the Legislative Process

The group approach to politics was once the single most prominent theoretical approach to understanding the way our political system worked (Bentley 1908; Truman 1951; Dahl 1961). Among early studies of interest group behavior there was a great deal of emphasis on interest groups’ ability to persuade members of Congress to do as interest groups’ wished (Bentley 1908; Truman 1951). Do interest groups wield such power? Researchers in the 1960s challenged this view. Milbrath’s (1963) survey of lobbyists and Bauer, Pool, and Dexter’s (1963) study of tariff legislation came to the conclusion that interest groups’ primary role was not to persuade legislators to vote a certain way, or change their vote, but rather to provide information to legislators who had already

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chosen a position. The general conclusion drawn from these works was that interest groups did not strongly arm legislators into voting their way. Rather, they were one of several sources of information that legislators used to make and then justify their decisions, and rarely attempted to persuade to a contrary position. Not surprisingly, this view was also challenged.

Important policy studies also published in the 1960s, such as Lowi's *The End of Liberalism* (1979), concluded that interest groups played a powerful role within "policy subsystems," and pointed to increasing congressional delegation to agencies controlled by "special interests" as a locus for such power. Lowi and other researchers focus on the policy process, as well as the role that actors outside of Congress occupy in the subsystem (i.e., the executive branch). The "iron triangle" or policy subsystem model was also thought to explain the cozy and powerful relationship between interest groups, congressional committees, and federal agencies (Hecl 1977).

Regardless of Bauer, Pool, and Dexter's (1963) oft-cited finding that interest groups play more of an information role than a power and persuasion role, researchers increasingly acknowledge that information is a form of power. Indeed, as we will document below, and many other scholars have highlighted, information is the lynchpin of the relationship between interest groups and congressional staff. The information exchange between congressional staff on committees, in personal and leadership offices, provides an incentive for ongoing dialog between interest groups and staffers. Although interest groups provide information to staff and attempt to influence legislation in all congressional offices, there are important differences in the type of information provided depending on whether the congressional office is a personal office, a committee or subcommittee office, or a leadership office. Furthermore, the extent to which interest groups assist in the shaping of legislation, and interest groups' access to members and their staff may vary between personal, committee, or leadership offices. Congressional staffs in all settings play a large role in determining the success with which interest groups develop a relationship with the office and what shape that relationship will take.

Members' Personal Offices

To the extent that interest groups can help staff advance a policy "identity" for their member (i.e., developing a reputation for advocating for children, women, or elderly, etc.), to address constituent

interests, or to assist their member in making a name for herself or himself among party leadership, personal staff have an incentive to meet with interest groups. The more positive repeat interactions a staffer has with an interest group, the more likely it is that an interest group will be called on to participate in decision making. Generally, national groups with larger budgets, membership, and staff, as well as independent lobbyists, are in a stronger position to provide expert information to staff than groups lacking these attributes. State- and district-level groups have the obvious advantage of familiarity with constituent concerns. State- and district-level groups with a sizable membership, or groups that are particularly well established in policy communities, can be very valuable to personal staff. For example, a staffer may contact several groups in a state or district in order to gauge their response to a particular legislative proposal. This is useful on two levels. First, it provides a personal staff with grassroots insight from constituent groups who may directly gain or lose as a result of a legislative proposal. Second, should a legislative proposal fail to achieve the desired effects, or have an adverse effect on a constituency group, having initial buy-in from relevant groups helps protect the staffer and the member from future backlash.

Interest groups may not gain access to the member's tightly scheduled calendar, but the chief of staff can prompt a member of the personal staff to meet with a potential supporter. The likelihood that staff will translate the conversation with interest groups into legislative action depends on several factors, the most important of which is whether there is a trusting relationship between the lobbyist and staff and whether the concerns of the group and the member are in alignment. Unless the chief of staff or member specifically requests action, the staff has latitude to decide whether action will be taken. Requests range from signing a "Dear Colleague" letter, to signing a letter to an executive branch agency, to joining a caucus, to co-sponsoring legislation, to sponsoring a briefing or legislation, to voting for or against a specific piece of legislation or amendment.

Whether members of Congress meet with interest groups is largely dependent on the member's personal proclivity to meet with groups, as well as the member's electoral circumstances. Members who occupy safe seats, or senators for whom their next reelection is four or more years away, may be less available to meet with interest groups, and are likely to leave these meetings to their personal staff. Members accord special respect to former

members and former staff members who now work for lobbying firms. This appears to be true regardless of party affiliation and regardless of the current member's likely position on the issue at hand.

Interest groups are less involved in shaping legislative language in a member's personal office than they are in committee offices. Occasionally they may help congressional staff in personal offices draft legislation, but they are more likely to visit a personal office to request co-sponsorship of legislation, introduce legislation, to co-sign letters, or devote time to an issue on the chamber floor through agenda-setting activities. Often, interest groups visiting a personal office are there to address issues for which there is no current legislative initiative, or little staff knowledge. In this instance, the lobbyist's primary job is to convey issue importance, and basic information, often through PowerPoint presentations, glossy brochures, and books written by experts on the issue they advocate.

Aggressive attempts to convince members to become involved with an issue are likely to take place during a legislative reauthorization. Reauthorizations are often "must pass" legislation that provide opportunities for members of Congress and interest groups to get outstanding issues addressed in the base bill or related amendments. At this stage, interest groups, particularly those with a good working relationship with the staff, may provide an office with preferred legislative language that they have also shared with committee staff. In such cases, interest groups hope that the member will place adequate pressure on the committee chair and ranking member to include their requests. Preceding committee mark-ups on legislation, interest groups may visit personal offices to identify members who are willing to offer an amendment on behalf of the group. Interest groups will often draft legislative language for amendments and share them with the staff.

The extent to which interest groups succeed in getting a member to introduce desired legislation depends on the member's legislative goals and strategy. Some members of Congress only introduce bills that they believe have a chance of success, or that complement their overall legislative record, while other members introduce many different bills, regardless of the chance for success or fit with their legislative record. Interest groups that log time on Capitol Hill soon figure out which members fit into which categories and tailor the information they provide an office accordingly.

Interest groups, especially those who are trusted by the staff, provide a mem-

ber's personal staff with valuable information about the actions of other members. Information that interest groups share with staff include: the likelihood that a bill of interest will make it onto the legislative calendar; whether fellow members of Congress, including committee chairs and leadership, are interested in a piece of legislation; and who else may be offering similar or competing bills. Staffs receive this information from other sources besides interest groups, but it is useful for a legislative aide to hear inside and outside interpretations of a legislative issue. In cases where staff receives conflicting accounts, they may be prompted to inquire with other staff and potentially uncover additional useful information. Interest groups who work in coalitions with other interest groups will also convey information about what other interest groups are doing—are they mobilizing their members, and are they going to endorse or oppose a piece of legislation?

Committee Staffs

Much of the congressional literature on staffs places a high degree of emphasis on the role of committee staffs because they were the earliest to appear, and they retain so much influence over legislation. In the growth that occurred after the 1946 Act, they were bipartisan in nature and heavily focused on policy. In the years Kofmehl examined (80th–82nd Congress), some members of Congress were themselves considered the authorities on policy (Kofmehl 1962). Nonetheless, even when staff expertise played less of a role, committee activity shaped individual legislative measures in accordance with an estimate of the political situation inside and outside of Congress. Thus, the committees would insert, delete, and change provisions in order to gain the support of legislators and powerful interest groups. Over time, the personal staffs of House members grew in size and committee staffs grew increasingly partisan. By the 1960s, committee staffs were composed of professionals who considered themselves to be employees of the chair of the full committee. The distribution of resources broadened in these years to provide for minority-party staffs as well.

Contemporary committee staffs retain a strong connection to the chair of the full committee. However, they do not provide access to that member as staff in personal offices do because the member's scheduling is arranged by the member's personal staff. Therefore, committee staffs work differently with interest groups because the high degree of policy expertise that they already possess generates the need

for a different kind of information than in personal offices, where a more general introduction to a given issue might be required. The committee's need for information from interest groups divides along the two related lines of its work: hearings and drafting legislation.

Hearings are significant in the work of Congress because they force organized interests to reveal preferences and state them publicly, thus providing stability in positions taken (Wright 2003). As the 110th Congress commenced, committee staffs held multiple hearings to address the majority party's agenda. Thus, committees planned hearings on issues that had not received the same degree of oversight as in the previous Congress with a different majority. Staffs canvass interest groups to obtain feedback on potential hearing witnesses. Thus, the interest groups can help to cast the widest possible net to uncover expertise, and expand the range of potential witnesses beyond what an individual staffer might be able to identify alone. Of course, representatives of interest groups may serve as witnesses themselves and hearings serve to draw attention to an issue presented by interest groups.

As a part of the legislative process connected to hearings, majority and minority staffs organize their efforts with the interest groups who can lobby those representatives with whom they have the best working relationship and strongest constituency support (Wright 2003). In addition, committee staffs work with the relevant individuals at the federal agencies, and ultimately White House, in order to try to gain "buy in" for a given activity and prevent opposition from the administration in power. Therefore, the connection between interest groups and committee staff varies, depending on the political environment of the agency or committee, the amount of exposure to an issue required to bring members of Congress up to speed on a policy matter, and the level of support needed to back a legislative initiative.

Committee staffs need different types of information from interest groups once legislation is moving towards a vote. At this juncture, relevant interest groups have more or less coalesced around it. In some cases, groups have a long institutional memory for legislation that did not become law in previous Congresses, in part because the groups employ so many former staffers. This "revolving door" between Congress and interest groups provides interest groups with contacts and ideas for moving legislation within a given committee. Once an interest group gains access to a committee, the interest group may be invited to sit at the

policymaking table. At this point, interest groups and staff develop a reciprocal relationship, where the group and staff may simultaneously pour over drafts hoping to reach the best possible statement of the hoped-for policy. At this stage, interest group involvement and influence vary greatly.

In some cases, interest groups are considered key members of the negotiation process that takes place leading up to a legislative markup. This is particularly the case when key interest groups are bipartisan and have contacts on both sides of the aisle. Committee chairs are wise to secure an interest group's buy-in when their opposition may kill a bill. As a result, interest groups may have broad sweeping influence that significantly shapes the contours of the legislation, or they may simply insert a narrow provision that has an immediate effect on their members or clients. Therefore, the information provided by interest groups ranges from background information on an issue, to draft language, to the narrowest possible interpretation of the law.

As trusted as some interest groups may be, experienced and careful staffers will perform due diligence on the interest group's informational contributions. Staffs have resources for cross-checking this information, such as other groups, the agencies, their own networks, and the Congressional Research Service. Groups may work with staffs to avoid duplication of effort in providing relevant information to members who have not yet stated their position. Interest groups and staff often pool their information about various offices to strategize about which offices might lack a clear understanding of an issue, what other member's positions on the issue might be, and how they are expected to vote. Interest groups can provide persuasive letters of support when the bill enters the markup or floor stage of the process and mobilize their members to contact members to urge them vote a particular way.

Therefore, in most of these activities, the committee staff works with interest groups to craft the best possible legislation for all parties who support it, and in some cases to accommodate those who do not. Although the chair of a committee is consulted frequently, many decisions are made at the staff level, reserving meetings with the chair for knotty issues that require the chair's personal ability to resolve. Depending on signals telegraphed by the chair, committee staff engages personal staff of committee members, particularly when they have relevant expertise. Staff-staff interactions in many cases trump interactions with interest groups,

particularly if interest groups attempt to play one staffer off against another and their attempts to manipulate are discovered.

In sum, committee staffs remain the type of partisan institutional support structure they have been since the 1960s. They continue to comprise professionals who provide expertise primarily to the committee chair and subcommittee chairs. The high degree of knowledge they have over a given policy matter requires different kinds of information at different stages of the process. Planning hearings requires knowledge of the scope of an issue and the range of groups working on it. Crafting legislation requires knowledge of the policy outcome sought, and the best use of the law to achieve it. While staffs work closely with the chair to achieve these goals in both instances, access to the member is arranged elsewhere.

Leadership Offices

Similar to personal offices and committee offices, successful requests to meet with leadership staff may depend on extant personal relationships or requests by the leadership chief of staff. Unlike personal offices, leadership offices have a second venue for answering an interest group request. Leadership may triage a request to be handled by personal office staff if the requestor is a district- or state-based constituent rather than a national interest group. Meetings with leadership staff are often limited by time constraints to legislation that is on the leadership agenda during the coming weeks or months.

The nature of the request to the leadership by interest groups is very different. Interest groups do not request sponsorship or co-sponsorship of legislation, or signatures on "Dear Colleague" letters, and they seldom request legislative language to be added or deleted from moving legislation. Such requests are made, rather, to personal or committee office staff. Instead, the questions to leadership staff may be whether the desired legislation is likely to move, and if so, when. Language details are left to the committees of jurisdiction.

In some cases, leadership will request meetings with interest groups. Leadership may wish to foster the establishment of a coalition to support moving legislation, and to bring pressure to members who have not signaled support of important legislation. Leadership may offer staff support for logistics of coalition meetings, may supply information that can be shared with current or potential partners in the coalition, or may provide talking

points for visits with other members of Congress. For example during health care legislation, leadership staff was present for coalition meetings, and provided highlights of the planned legislation to assure interest groups that their needs had been addressed. Timetable information provided by leadership fostered well-timed grassroots efforts by coalitions. The assurance that interest groups needs had been addressed in the proposed legislation spurred interest groups to assist in gaining support and votes for the legislation.

Leadership can call press conferences and use such opportunities to get media coverage for the efforts of interest groups and coalitions and to publicly thank them. Coalitions may use their gatherings to plan demonstrations in support of legislation, to plan advertising in support of legislation using pooled funds, and generally to identify members of their organizations who can make interview appearances to "put a face" on the issue for the public.

Because leadership does not sponsor, co-sponsor, or wordsmith legislation, *per se*, meetings with staff in leadership offices does not generally cover these transactions. Rather, interest groups may ask leadership to make an issue a high priority and assure floor time, to make procedural allowances for amendments or changes to be incorporated into moving legislation, or to use leadership influence on wavering members to support a moving issue. In the latter case of interest groups serving as informal "assistants" to whips, transmitted information may include the need for leadership to be involved to close the deal. If authorizing legislation has already passed, interest groups may ask leadership to assure that appropriations enable the new law to be implemented. To be sure, appropriations requests are also made to committee staff, but in some cases, visible support of leadership for an issue may translate into influence over appropriations committee members.

Ultimately, since leadership accepts responsibility for the success or failure of the desired legislation, leadership staffs make every effort to assure the outcome desired by their member. In collaborating with leadership staff in the other chamber, strategies for success include deciding which chamber will vote first, which interest groups will assist in whipping votes, and proposing members most likely to "hear" the requests of interest groups. For example, during health care legislation, provider groups met with Senate Democratic leadership to determine which Republicans would be needed to vote to support cloture so that the issue could come to a vote. The provider group then provided a toll-free line to their member-

ship and alerted them to use it to contact their state delegations indicating support for the issue. Furthermore, the provider group orchestrated a grassroots campaign to especially target representatives who had voted previously against cloture on the issue.

During interest group meetings with leadership policy staff, information may flow in both directions. Sometimes leadership staff will request the meeting to get the interest group's "read" on moving legislation and to gage their support. These invitations are more likely to be extended to groups trusted for advice or to groups likely to oppose desired legislation. Such invitations are almost never refused, and often interest groups go to considerable inconvenience or expense to accommodate the needs or schedule of leadership staff. Alternatively, interest groups may identify sticking points or inconsistencies in regulation or legislation that contradict the leadership's desired outcome. Leadership can then make it a priority to neutralize such regulatory language in moving legislative language.

In instances where interest groups request the meeting, new information may be offered to even the most well-informed policy staff. Such information is "vetted" for accuracy by leadership staff and then may be incorporated into talking points and summaries of legislation for leadership use and distribution. Again, the pre-existing personal and trusted relationships with interest group staff enhances the likelihood that proffered information will actually come to the attention of leaders and will be put to use.

Conclusion

Understanding differences in the relationship between interest groups and congressional staff members in personal, committee, and leadership offices is crucial if we are to fully understand the role that interest groups play in the policy process. Moreover, despite frequent attempts to regulate and reform interest group access to Congress, empirical studies of interest group influence in Congress have produced mixed results (Baumgartner and Leech 1998). One explanation may be that the role of staff has been largely omitted from studies of interest group influence. This is an oversight, since staffers in all venues act as important intermediaries between interest groups and members of Congress, communicating information about legislation, constituent and other committee member preferences, and activity in both chambers. Perhaps more importantly, staff make important agenda-setting decisions about which issues are

deserving of their office's or committee's attention, and which issues will remain on the back burner.

In sum, the ability of interest groups to influence legislation in large part depends on relationships with staff. Because the

staffs buffer so much information flow to the member, and because staffs carry out the development of legislative language, much of legislative outcome can be credited to productive interactions between staff and interest groups. However, it is

important to consider the staff in varying contexts of personal, committee, and leadership offices since their needs are different in each of these settings, creating varying opportunities for interest groups.

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News and Notes

Call for Applications for Leaders for 2009 Workshop in Accra, Ghana

APSA is pleased to announce a call for applications from U.S.-based APSA members interested in organizing a team of leaders for a three-week political science workshop, scheduled to take place in Accra, Ghana, in the summer of 2009. Supported by the Andrew W. Mellon Foundation, the 2009 Accra workshop is part of an ongoing three-year effort to organize annual residential political science workshops in Africa. The workshop will bring together up to 30 scholars and cover substantive issues, methodologies, and reviews of research. To learn about the 2009 workshop application process, visit: www.apsanet.org/~africaworkshops/content_56295.cfm. The deadline for applications is October 24.

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