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Interest Organizations, Information, and Policy Innovation in the U.S. Congress[1] [2]

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Interest organizations are hypothesized to strongly affect public policy, but the evidence that they do so is mixed. This article argues that one reason for the disparity is a gap between theory and research: theory suggests that information provided by interest organizations should strongly influence elected officials, but there is no systematic research on its impact. We examine a potentially important source of information for members of the U.S. Congress—testimony at committee hearings—to ascertain if it affects the enactment of policy proposals. The data, based on content analysis of almost 1,000 testimonies on a stratified random sample of policy proposals, describe who testifies, their arguments, and the evidence they provide. Supporters of a proposal emphasize the importance of the problem being addressed, while opponents claim the proposed policy will be ineffective and try to reframe the debate. Information—particularly information regarding policy effectiveness—does affect the likelihood that a policy proposal will be enacted.

KEY WORDS: Congress; hearings; interest groups; policy; social movement organizations.

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INTRODUCTION

Interest groups and social movement organizations are widely believed to consistently affect public policy. But that is not what the data show. Many studies find the effect negligible (Ansolabehere *et al*., 2003; Burstein and Linton, 2002); and review articles find the evidence "inconclusive" (Baumgartner and Leech, 1998:187; Smith, 1995:123).

Why is the evidence at odds with both common sense and social-scientific theories? Common sense and the theories could be wrong. Or the evidence could be problematic; perhaps the theories are right but our hypothesis-testing is flawed (Baumgartner and Leech, 1998).

This article focuses on the evidence. Many theorists hypothesize that interest organizations (interest groups and social movement organizations together [Burstein, 1998a]) influence legislators by providing them with information that the organizations claim will enhance the legislators' effectiveness and help them win reelection.[5] Researchers do not systematically examine the impact of information on legislators, however. Instead, they focus on organizational resources, such as budgets or membership, or, less often, on activities such as contributing to candidates' campaigns or protest demonstrations (Burstein and Linton, 2002:397). Perhaps if we tested the hypotheses about the impact of information, we would more consistently find that interest organizations affect policy. But there has been a good reason for not examining the impact of information on legislators: we have had no way to describe and measure it systematically. We develop methods for doing so in this article.

We also address two additional flaws in past work on the impact of organizations on policy change. The first is that researchers have studied a biased "sample" of issues and therefore cannot generalize from their results. As Gamson (1975) showed more than 30 years ago, if we want to generalize about the political process, we have to identify the population of interest and select something like a random sample for analysis. Even though his point was an elementary one methodologically, it has been almost universally ignored.[6] The second flaw involves the "population of interest" itself. It would make sense to sample issues or policies that are being addressed by a legislature. Unfortunately, there is no standard definition of either "issue" or "policy" (Baumgartner and Leech, 1998:38), so

[5] Arnold (1990:38); Hansen (1991:12); Kingdon (1984:210); Krehbiel (1991:20, 62); Leyden (1995); Smith (1995:98, 101); on information and policy generally, see Austen-Smith (1993); Diermeier and Feddersen (2000); Knoke *et al*. (1996:ch.7); Lohmann (1993, 1994, 1998); Wright, (1996).

[6] Burstein (2006) has recently shown that sampling bias has led researchers to substantially overestimate the impact of public opinion on public policy.

there is no defined population from which to sample. To address these flaws here, we define a new unit of analysis, the "policy proposal," identify a population of such proposals, and present a way to sample them.

Our focus is the U.S. Congress and a source of information particularly important to its members: committee and subcommittee hearings. The article describes the information provided by close to 1,000 witnesses at congressional hearings on 27 policy proposals introduced from the 1970s through the 1990s. We consider who presents the information, the arguments they make, and the evidence they provide. We also assess the impact of the information on the likelihood that a proposal will be enacted into law.

We begin by considering what types of information seem most likely to affect congressional action. We suggest that members of Congress are especially likely to receive such information in committee and subcommittee hearings; present hypotheses about the impact of information on congressional action; develop methods for measuring information and gauging its impact; describe the information presented by witnesses at hearings; show what kinds of information affect congressional action; and outline what additional steps would further our understanding of the impact of information on congressional action.

INFORMATION AND ORGANIZATIONAL INFLUENCE

Research on interest organizations suggests that they have less influence on policy change than most people believe. A recent review of work in major political science and sociology journals found that half the coefficients gauging the impact of interest organizations on policy showed none; only a third showed substantial impact (Burstein and Linton, 2002). Not even campaign contributions, widely seen as the most obvious way to affect policy, consistently matter (Ansolabehere *et al*., 2003). Other reviews conclude that studies of such effects have proven "contradictory and inconclusive" (Baumgartner and Leech, 1998:187) and "conflicting and ... ultimately inconclusive" (Smith, 1995:123; see also Potters and Sloof, 1996:433).

Why do we find so little impact? Perhaps organizations actually have little influence, particularly on issues salient to the public. Competition for votes may force politicians to respond more to public opinion than to interest organizations (Burstein, 1999; Lohmann, 1993). We consider an alternative possibility: that we underestimate the impact of organizations on policy change because of an important flaw in our research (Baumgartner and Leech, 1998; Potters and Sloof, 1996; Smith, 1995). In particular,

researchers may have focused on modes of influence that are likely to be weak while neglecting one likely to be strong.

Analyses of how interest organizations affect policy should consider precisely how influence is exerted on political institutions (Andrews, 2001:73 Hansen, 1991; Krehbiel, 1991). Why might elected officials respond to interest organizations? Work on policy change at the aggregate level seldom addresses this question explicitly; there is just a general sense that organizations that have more resources or are more active must have more influence (Burstein and Linton, 2002). Some research on legislatures has this quality as well; the more resources an organization has, the more influential it will be. More and more, though, theoretical work asks what elected officials' most important needs are as they consider legislation, and examines how interest organizations might win influence by addressing those needs.

One such need is for information. Officeholders work in complex environments, they are constantly pressured to act (or not act) on myriad issues, and they know their actions may have important consequences. To decide what to do, they engage in a constant search for information (Hansen, 1991; Krehbiel, 1991; Rucht, 1999:212).

Legislators and other elected officials seem especially interested in three types of information. First, they want information about the importance of problems they are asked to address. Legislators are constantly pressured to deal with more issues than they can manage. They must establish priorities, and they want information that will help them do so. Indeed, interest organizations work hard at getting Congress to pay attention to their concerns (Kingdon, 1981:172; Baumgartner and Leech, 1998:137; cf. Hilgartner and Bosk, 1988).

Second, legislators want information about the likely impact of policies proposed to address the problems. Usually this means information about the probable effectiveness of those policies (Krehbiel, 1991:ch. 7; for an example, see Amenta *et al.*, 1992:315). Sometimes, though, legislators receive information that introduces a new dimension into a policy debate and attempts to reframe the issue (Burstein and Bricher, 1997; Gamson and Modigliani, 1987; Riker, 1986). Often this involves a claim that a policy will have unintended consequences. Federal support of tobacco farmers, for example, long viewed in terms of economic benefits, has been reframed as exacerbating health problems caused by smoking (Baumgartner and Jones, 1993:114–17, 209–10).

Third, legislators want to know the likely impact of their votes on their reelection chances. They want to know their constituents' policy preferences, how much particular issues matter to them, and whether their own actions are likely to affect constituents' votes at the next election (Arnold, 1990:ch. 4; Hansen, 1991:12; McCammon *et al.*, 2001:55).

Thus, we expect interest organizations to influence legislators through the information they provide, particularly information about the importance of problems, effectiveness of proposed solutions, and likely electoral impact of decisions. For those who study legislatures, the concept of information is a broad one, including not only facts, but the context that gives meaning to those facts as well. What some social scientists call information, others would characterize as causal arguments or claims—attempts to organize and present information in a convincing way (see, e.g., Stone, 1989; cf. Andrews, 2001:75; McCammon *et al.*, 2001:57).

How much evidence is there that organizations influence legislators by providing information? Very little. Theorists who highlight information provide enough evidence to make their hypotheses plausible (e.g., Hansen, 1991; Krehbiel, 1991), but no more. What about past research on organizational influence? If one thinks of information very broadly, as anything in the political environment that politicians might see as relevant to their activities, then organizational resources and activities could be seen as conveying information. For example, membership in labor unions could be seen as signifying the power of the working class; similarly, the number of organizations demanding action on a problem or the number of protest demonstrations could be seen as indicating the problem's importance and potential electoral consequences.

The information conveyed by most indicators of organizational resources and activities is unlikely to be of much use to elected officials, however (Rucht, 1999:216), because it is too vague. Measures of organizational resources or protest activities say something about the importance of an issue, but nothing about the likely impact of specific policies or about how legislators' votes may affect their chances of reelection. How might elected officials get additional information, better suited to their needs?

Committee Hearings as a Source of Information

Legislators acquire information in many ways—through talking to constituents and lobbyists, reading newspapers, and so forth—and it would be exceedingly difficult to study them all. But it may be possible to investigate what Arnold (1990:85) calls "the principal vehicle for gathering and analyzing information" in the U.S. Congress: the committee system (see also Krehbiel, 1991; Jones, 1994:151). Committees gather and organize information for their own members, for other members of Congress, and, quite often, for the executive branch as well.

A particularly important source of information is committee hearings. Members of Congress believe that hearings provide an efficient way to gather information and exert influence (Kingdon, 1981:212–13; Gormley, 1998:183; Mattei, 1998:445). They often testify before committees they are not on. Their colleagues take the time to listen to them. The content of bills is often affected by conflicts among witnesses about how issues should be framed (see, e.g., Baumgartner and Jones, 1993; Johnson, 1995:169; Weeks *et al.*, 1986). Because committee resources are limited, simply holding a hearing on an issue communicates a committee's belief that an issue is important (Diermeier and Feddersen, 2000; Edwards and Wood, 1999:331).

Interest organizations, too, see hearings as important venues for conveying information. They see being called to testify as an indicator of influence (Laumann and Knoke, 1987:96–97, 164–66) and believe their arguments affect members of Congress (Kingdon, 1984:133; Smith, 1995:99). Hearings are the first occasion for providing information publicly, so the information may be especially influential (Baumgartner and Leech, 1998:38). And the mass media are often affected by conflicts among witnesses about how issues should be framed (see, e.g., Gamson and Modigliani, 1989:8, 23; Weeks *et al.*, 1986).

Though researchers almost never test hypotheses about the impact of information on policy change, numerous case studies claim that information provided at committee hearings affected congressional action. For example, evidence presented at congressional hearings on the Equal Pay Act of 1963 helped proponents of gender equality win support for prohibiting sex discrimination in employment, in Title VII of the Civil Rights Act of 1964 (Burstein, 1998b:22–23). Congressional hearings on hate crimes were an important locus of debate, and information gathered at the hearings had a significant impact on the content and enactment of federal hate crime legislation (Jenness, 1999:548, 559). And human rights organizations have seen congressional hearings as a critical forum for communicating information to members of Congress and the public (Cmiel, 1999:1235–36).

Thus, it seems likely that information presented at hearings affects congressional action. Yet not everyone would agree. A key objection is that hearings do not provide much information. Some say they are stage-managed spectacles—theater, really—in which witnesses are chosen for political reasons, and what they will say is known in advance. In addition, for issues that are especially important, or that have been on the agenda for a long time, members of Congress may already be well informed, meaning they will already be familiar with the information provided at hearings.

There is no way to learn how much new information, if any, is acquired from testimony by any particular member of Congress, but several aspects of the research design and the congressional policy process increase the likelihood that at least some of the information provided at hearings is new to those who pay attention to it. First, bear in mind that the focus here is on enactment, an outcome potentially involving all members of Congress. While those who select the witnesses often know what they will say, the information they provide may be new to other members of Congress. Jury trials may be a useful analogy. Good lawyers are supposed to know in advance what their witnesses will say, and they make every effort to stage-manage their trials. Juries, however, do not know what the witnesses will say, and the lawyers, judge, and jury members themselves believe that the information provided by witnesses affects the verdict.

Second, the nature of both the policy proposals and the legislative process make it likely that information provided at hearings is new to many members of Congress. Members of Congress may have much information and well-formed opinions about critical issues that have been on the agenda for a long time, but most policy proposals in our dataset are neither critical nor on the agenda for long. As we describe below, a key aspect of our research design—and a major advance over previous work—is our focus not on the usual important issue or two (as in most studies), but on a stratified random sample of 60 policy proposals considered by Congress at a particular time. Almost necessarily, therefore, most of the policy proposals will not have been very important in conventional terms; while some of the proposals in our sample are important (such as the savings and loan bailout [see Appendix A], most are little-known (such as proposals on campus security, patents in outer space, and solid waste disposal).

Not only are most proposals relatively obscure, but they are on the congressional agenda for only a short time. Previous work (Burstein *et al.*, 2005) has shown that proposals were on the agenda for an average of 2.6 congresses (of two years each); of the 27 proposals that were the subject of hearings, for 20 there were hearings during only one Congress (Appendix A). This is true even for very important proposals. For example, hearings pertaining to the savings and loan bailout all took place during a single congress; for members of Congress facing a critically important and very complex issue that had to be dealt with quickly, it is hard to believe that the hearings did not provide a great deal of new information (those who are doubtful can read the transcripts of the hearings).

We should also keep in mind that hearings provide information that is relevant to a particular policy proposal, not to an issue more generally;

even if members of Congress know something about an issue, they may want information about how it is being addressed by the particular policy proposal. Thus, it seems reasonably likely that for most members of Congress, if not those who organize the hearings, much of the information provided is new.[7]

Here it makes sense to draw attention to Schumaker's (1975) discussion of how we may divide government's responsiveness to interest organizations into five stages: access responsiveness, or the willingness of a government to hear interest organizations' concerns (similar to Gamson's, [1975:28–29] "acceptance"); agenda responsiveness (placing organizations' demands on the political agenda); policy responsiveness; output responsiveness (effective implementation); and impact responsiveness (alleviation of the problems that led to the organizations' original demands). Success at each stage is necessary for success at the next, but not sufficient. Burstein *et al.* (1995:284) point to testimony at congressional hearings as an indicator of access responsiveness. Does such testimony affect the likelihood that policy proposals will be enacted? That is our empirical question.

We focus on testimony not because it is the only factor shaping congressional action or even the most influential. Many factors other than the information provided through testimonies affect congressional action—protest, the party balance, public opinion, and so on. We focus on information because it has been overlooked in previous research and because it may help us discover why theoretical expectations regarding organizational influence are at odds with much of the evidence.

Hypotheses

We hypothesize that among proposals that are the subject of congressional hearings:

(1) the more information presented that a proposal addresses an important problem, that it will provide an effective solution, and that its enactment will aid the reelection of members of Congress, the more likely it is to be enacted;
(2) the impact of information favorable to the proposal can be counteracted by information that is unfavorable, such as claims that the problem is not important, that the proposed solution will not work or will have harmful,

[7] In preliminary analyses, we tried to focus specifically on information most likely to be new (e.g., information presented at the first hearing on a proposal, and information of very recent vintage, such as new census data), but doing so had no effect on the results.

unintended consequences, or that enactment will harm the reelection chances of members of Congress.

So far as we know, these hypotheses have never been tested.

RESEARCH DESIGN

We would like to do research that would enable us to generalize about the impact on congressional action of information provided at hearings. Unfortunately, past work is of little help. Studies of hearings do not systematically describe or measure the information presented by witnesses.[8] Studies of the determinants of congressional action on particular issues focus on so few issues that it is impossible to generalize from their findings to congressional action overall. There isn't even a standard way of defining what Congress is acting on—a policy, perhaps, or an issue? It's not clear. Thus, before we can analyze information conveyed at hearings, we must address some basic concerns of research design: (1) what the unit of analysis is; (2) how to define the sampling frame; and (3) how to measure the relevant types of information.

The Unit of Analysis and Sampling Frame: Studies of interest organizations in the policy process usually analyze one issue; if they analyze more, they generally focus on those that are either especially controversial or not controversial at all. Such studies necessarily present a biased picture of the policy process.[9] If we want to generalize about policymaking, we should base our research on a random sample, or something reasonably close to it. But a random sample of what? Two obvious possibilities are issues or policies. Unfortunately, there is no standard definition of either (Baumgartner and Leech, 1998:38), and thus no defined population of issues from which to sample.

It might make sense to focus on bills. Bills are distinct, easily identified entities, the focus of much congressional activity, that propose solutions to public problems. Focusing on bills, however, would give a misleading picture of congressional activity on what the bills proposed. Often numerous identical bills are introduced into the House and Senate; in addition, if a bill is not enacted in the congress in which it is first intro-

[8] For examples and discussions of the state-of-the art, see Baumgartner and Leech (1998); Burstein (1998b); Jenkins-Smith *et al.* (1991); Potters and Sloof (1996); Segal *et al.* (1992); Segal and Faith Hansen (1992).

[9] See Gamson's (1975:ch. 2) classic discussion, and Baumgartner and Leech (2001:1191–93); cf. Knoke *et al.* (1996:20); Potters and Sloof (1996:409).

duced, sponsors often introduce identical (or virtually identical) bills in subsequent congresses. If we are interested in congressional action on a proposed *policy*, it makes little sense to focus solely on *bills* selected in an initial sample. What we did, therefore, was to sample bills, and then move backward and forward in time, looking for bills identical (or nearly identical) to those in the sample, from the first introduction of a new proposal until it was either enacted into law or the effort was abandoned as hopeless. We call the content manifested in all the identical bills a "policy proposal."

We chose a stratified random sample of 60 public bills from among those considered by the House of Representatives during the 101st Congress, 1989–1990. Of those, we chose 50 from among bills not dealing with appropriations, and 10 from among such bills reported out of committee (to ensure that some bills got at least that far).[10] Tracing the bills back to their first introduction, and forward to either enactment or abandonment, we found identical proposals introduced as far back as 1973 and as recently as 1999.

Our initial units of analysis were thus 60 policy proposals, on a wide range of topics, including the savings and loan bailout, the Americans with Disabilities Act, security on college campuses, solid waste disposal, patents for inventions developed in outer space, and the issuance of Olympic coins. Twenty-seven were the subject of at least one public hearing, on either the original bill or others of identical content; the total number of hearings was 66, listed in Appendix A (for a description of how hearings are run, see Johnson, 2003). These were the sources of our data.

Whose Influence to Consider: Most research on the way organizations affect policy focuses on interest groups, which are seen as independent of both government and political parties. From a theoretical perspective, however, if what matters to legislators is the relevance, cost, and credibility of information (Hansen, 1991), then all available information should be taken into account, regardless of source (DeGregorio, 1998:143). For hearings, this means all witnesses, and our analysis takes them all into account—unaffiliated individuals and representatives of government agencies as well as private organizations.

[10] We excluded appropriations bills because we were interested in bills explicitly proposing new policies. Of the 5,977 public bills introduced in the 101st Congress, 656 were reported out of committee (U.S. Library of Congress, Congressional Research Service, 1998:table 6-1). We also excluded private bills, which are intended to affect only individuals, families, or very small groups; virtually all our analyses of congressional action focus on public bills. Details about the dataset are available in Burstein *et al.* (2005).

The Data: Measuring Information: Although congressional hearings are taken seriously as sources of information by both scholars and those involved, there have been very few attempts to content-analyze what all the witnesses say, beyond support or opposition, and none, so far as we know, that try to measure theoretically relevant information provided by the witnesses.

This is what we do here. For each hearing, we content-analyzed what every witness said in initial oral statements, responses to questions, and written statements (including written statements from those who did not testify in person; cf. Laumann and Knoke, 1987:97). Each organization and unaffiliated individual was counted once for testifying at a particular hearing; appearances at different hearings on the same policy proposal were counted separately. The total number of witnesses was 957. We coded five aspects of each appearance.

(1) *The witness's organizational affiliation*: (1) private interest organization,

(2) state or local government; (3) federal executive branch; (4) U.S. Congress (members not on the committee holding the hearing); and (5) none—individuals testifying on their own behalf or as experts.

(3) *The witness's position on the bill*: (1) favors enactment; (2) opposes enactment; and (3) neutral or ambiguous.

(4) *Whether the witness communicated information (or made arguments or claims) pertaining to*: (1) the importance of the problem addressed by the bill; (2) whether the bill, if enacted, would have (a) the effect intended by its proponents, (b) no effect, or (c) the opposite effect; (3) the possibility that the bill, if enacted, would have consequences along a dimension not emphasized by the bill's supporters (an attempt to reframe the debate); and (4) the likely electoral consequences of action (or inaction) on the bill.

(5) *The type of evidence used to support claims concerning the importance of the problem and the effectiveness of the proposed solution*: (1) findings from systematic research, meaning quantitative or qualitative research that might be presented in an academic or scientific context, even if purely descriptive; (2) comparisons to putatively similar problems or policies, meaning policies implemented in comparable political units (U.S. states, other democratic countries, or the federal government itself); and (3) anecdotes, meaning either personal stories or claims about public opinion not based on research.

To check on coding reliability, testimonies by approximately one-seventh of the witnesses were coded independently by two coders. The rate of agreement was 95%; most disagreements were due to one coder overlooking a statement rather than to substantive disputes.

FINDINGS

Here, for a sample of 27 policy proposals, involving 66 hearings and 957 witnesses, we describe for the first time (1) how many witnesses testify on each side and the types of organizations they represent; (2) how often they provide information about the importance of the problem addressed by the committee, the effectiveness of the proposed solution, and the potential electoral consequences of committee action; (3) how supporters and opponents of policy proposals compare with regard to the types of information they provide and the arguments they make; and (4) the types of evidence witnesses provide to back up their arguments.

Winning a hearing hardly ensures enactment. Of the 27 proposals, 9 were not even reported out of committee; one was reported out of committee but got no further; three were passed by one house; two were passed by both houses but did not become law; 12 were enacted. This argues against the claim that hearings are only theater. It is not at all clear why members of Congress, their staffs, and the witnesses would devote so much effort to hearings when the outcome is far from certain, if they did not hope their efforts would affect the result.

Supporters, Opponents, and Neutrals

Congress gets considerably more information from supporters of the proposed legislation than from opponents—not surprisingly—but the hearings do provide a forum for competing views (Table I); one-fifth of the witnesses oppose the proposals, and almost as many take no stand (either stating no opinion or balancing pros and cons in their testimony).

Private interest organizations play an important role in congressional hearings, but they are hardly alone (Table II). They provide far more witnesses than any other type of organization, but less than half the total. State and local governments contribute 7%; if we think of them as interest organizations vis-à-vis the federal government, then half the total witnesses represent interest organizations. One-fifth of the witnesses are members of

Table I. Mean Number of Witnesses for Each Proposal, Opposed, and Neutral or Unclear

Witness Position	Mean Number	Percent
Supporters	21.6	61
Neutral or ambiguous	6.3	18
Opponents	7.6	21
Total	35.5	100
Total number of witnesses, all hearings	957	

Table II. Witnesses' Organizational Affiliations

Affiliation	*N*	Percent
Private interest organization	418	44
State or local government	71	7
U.S. Executive Branch	109	11
U.S. Congress[a]	190	20
Unaffiliated	169	18
Total	957	100

[a] Almost all these witnesses were members of Congress not on the committee holding the hearing; if the hearing was being held by a subcommittee, this excludes members not only on the subcommittee, but on the committee itself as well. Statements by members of the committee were not included. A handful of these witnesses represented the GAO or Congressional Budget Office.

Congress who are not on the committee holding the hearing, which suggests that they see hearings as an effective way to communicate with their colleagues.[11] Witnesses from the executive branch most often represent the agencies that would implement the proposed legislation, but sometimes officials from the Office of Management and Budget or other agencies discuss proposals' budgetary or tax implications. Almost one-fifth are unaffiliated—typically either technical experts or people describing personal experiences relevant to the issue at hand.

The Arguments Witnesses Make

How often do witnesses provide the information that Congress is believed to want about the importance of the problem, the effectiveness of the proposed solution, and the electoral consequences of whatever action is taken? It is clear that hearings are part of an ongoing struggle for attention on the part of those involved. Although the mere fact of holding a hearing shows that the policy proposal is being taken seriously, almost two-thirds of the witnesses argue for the importance of the problem being addressed (Table III). This includes just over half the representatives of private interest organizations and, most notably, more than four-fifths of the members of Congress. They have many opportunities to convince their colleagues that particular problems are important; that they try to do so by testifying at hearings suggests that they see hearings as an especially effective way to make their case.

[11] DeGregorio (1998:143) notes that most studies of interest groups focus only on private organizations, but she says this is a mistake, given how often public-sector actors try to influence policy. Our findings buttress her claim. A disproportionate number of members of Congress testified on Social Security (see Appendix A, H781-5, 1993, 90 members) and on textile imports (Appendix A, H781-8, 1988, 23 members).

Table III. Percentage of Witnesses Providing Information About Importance of Problem, Effectiveness of Proposed Solution, Reframing, Electoral Consequences of Action

Witness Affiliation	Importance of Problem[a]	Effectiveness of Proposed Policy[b]	Reframe Problem[c]	Electoral Consequences		
				Organization Potential[d]	Political Action[e]	Number Affected[f]
Interest organization	56	65	37	30	2	34
State or local government	59	45	20	11	3	30
Federal Executive Branch	65	70	26	3	0	21
U.S. Congress	83	51	10	0	0	43
Unaffiliated	64	40	16	2	3	13
All witnesses	64	58	25	15	2	30

Note: Witnesses can provide more than one type of information, so percentages can add up to more than 100. $\chi^2 = 92.31$; $p < 0.001$.

[a] "Does the witness present an explicit argument that the problem addressed by the policy proposal is important?"

[b] "Does the witness make explicit predictions about whether the bill will have the intended consequences if enacted?"

[c] "Does the witness predict that the bill, if enacted, will have consequences along some dimension other than that emphasized by the bill's supporters?"

[d] "Does the witness mention the number of members in the organization he or she represents? [or] ... anything about political activities by the organization he or she represents, its members as individuals, or other similar individuals?"

[e] Mention of political activities specifically.

[f] "Does the witness mention the number of people likely to be affected by the bill, not describing them as members of organizations, but rather as demographic categories or types of people? [or] ... how widely dispersed the people potentially affected by the bill are?"

Witnesses also emphasize the likely effectiveness of the solution being proposed; 58% make claims about what effect the bill would have if enacted. Effectiveness is a special concern of federal agencies, perhaps because of their experience with current policies and expertise in assessing how changes would affect their agencies. Witnesses sometimes argue that the proposed policy would lead to consequences along a dimension that the proposal's supporters do not emphasize —that is, they attempt to reframe the debate—but that is much less common than addressing the proposal on its own terms. Only 25% of the witnesses make such arguments.

We might expect members of Congress to use hearings to acquire information relevant to their concerns about reelection. We coded four types of information relevant to electoral concerns. Two speak relatively directly to such concerns—witnesses mentioning their organization's size or its political activities—and two indirectly—witnesses estimating how many people the proposed legislation would affect, or how widely dispersed they would be (implicitly, in how many states or congressional districts).

We expected that the first two types of information would be provided mostly by witnesses testifying for private interest organizations, but that anyone could present information about the number or geographical distribution of those potentially affected. As it turns out, almost one-third of the witnesses representing private interest organizations mentioned their organizations' size, but very few—just 2%—explicitly discussed potential political action by members in response to congressional action. Three percent of witnesses from state and local governments discussed potential political activity, and 2% of witnesses overall.

Are these percentages high or low? Without other studies to provide a basis for comparison, or clear theoretical predictions, interpretation is difficult. From one perspective, they seem low. Members of Congress are interested in the electoral consequences of their actions, yet the organizations seldom address their concerns. From another perspective, though, we might expect such a result—organizations that are neither large nor politically active have no interest in bringing up those facts. It is also possible that there are norms against publicly describing political activities.

Witnesses other than private interest organizations are considerably more likely to mention how many people might be affected by the proposed legislation, or how dispersed they might be, than to mention their organizations' size or its members' political activities. Almost one-third of those from state or local governments, and more than two-fifths of the members of Congress described how many people would be affected or where they lived.

Supporters and opponents make their cases very differently. Supporters emphasize how important the problem is (Table IV), and argue that the proposed solution will be effective (Table V); fairly often, they mention how many people will be affected. Opponents seem to concede the

Table IV. Issues Addressed by Supporters, Opponents, and Neutrals

	Percentage Addressing the Following:				
				Electoral Consequences	
Position of Witness on Bill	Importance of Problem	Effectiveness of Proposed Policy	Reframing Problem	Organizational	Number Affected
In favor (n = 582)	82	60	5	14	35
Neutral or unclear (n = 171)	57	22	29	12	23
Opposed (n = 204)	20	77	82	18	22

$\chi^2 = 125.5$; $p < 0.001$

Table V. Positions of Supporters, Opponents, and Neutrals on Effect of Proposed Policy

	Percentage Predicting That Bill, if Enacted, Would Have			
Witness Position	Intended Consequences	Opposite Consequences	Neither Intended Consequence nor the Opposite	No Predictions
In favor	58	0	1	40
Neutral or unclear	7	4	12	78
Opposed	0	14	63	23

$\chi^2 = 230.5$; $p < 0.001$

problem's importance—only 20% mention it. What they attack is the proposed solution; close to four-fifths claim it would be ineffective or have an effect that would be the opposite of that claimed by supporters, and a similar proportion try to reframe the debate, claiming that the policy would have consequences along a dimension that supporters do not discuss.

The Evidence Used to Support Arguments

We might expect witnesses to back up their arguments with evidence, but past research says nothing about how often they do so, or about the evidence they provide. Witnesses do not rely very much on systematic research. Supporters may use it to buttress their claims about the importance of the problem (Table VI), and opponents may use it to undermine claims about the effectiveness of the proposed solution (Table VII). Overall, only 16% of witnesses making claims about the importance of the problem rely on research, and only 12% of those discussing the effectiveness of the proposed solution do so.[12] Comparisons to similar instances are infrequent. The most popular kind of evidence, by a considerable margin, is anecdotes.

Systematic evidence is used more often by witnesses from the federal government (both the executive branch and Congress) than by those representing interest organizations and the unaffiliated (Table VIII). The differences are probably the result, in part, of how witnesses are chosen; witnesses from the executive branch are sometimes invited precisely because they have professional expertise based on systematic research, while unaffiliated individuals may be invited because they will provide colorful anecdotes.

Supporters' and opponents' use of evidence is consistent with the emphases in their arguments. Supporters most often make claims about

[12] We initially thought that some witnesses, particularly academic experts, would draw on scientific or social-scientific theories in their testimony. Only a handful did so.

Table VI. Evidence in Support of Witnesses' Statements Referring to the Importance of the Problem

	Percentage of Witnesses Referring to Issue, Using Particular Types of Evidence		
Witness Position	Systematic Research[a]	Comparisons to Similar Instances[b]	Anecdotes[c]
In favor	20	9	46
Neutral or unclear	14	2	31
Opposed	5	1	5
Chi-square	25.45*	25.90*	117.03*

[a] "Systematic research" includes quantitative and qualitative research that might be presented in an academic or scientific context, even if purely descriptive.
[b] "Similar instances" refers to similar policies implemented in comparable political units (e.g., U.S. states, other democratic countries, or the federal government itself).
[c] "Anecdotes" are personal stories or summaries of public opinion that are not based on formal research.
*$p < 0.05$

Table VII. Evidence in Support of Witnesses' Statements Referring to Predicted Outcomes

	Percentage of Witnesses Referring to Issue, Using Particular Types of Evidence		
Witness Position	Systematic Research	Comparisons to Similar Instances	Anecdotes
In favor	7	10	10
Neutral or unclear	5	4	6
Opposed	23	9	29
Chi-square	47.72*	5.02	55.27*

* $p < 0.05$

Table VIII. Supporting Evidence Provided, by Witnesses' Organizational Affiliation

	Percentage of Witnesses Using Particular Types of Evidence		
Witness Affiliation	Systematic Research	Comparisons to Similar Instances	Anecdotes
Interest organization	22	15	40
State or local government	16	21	38
Federal Executive Branch	33	15	33
U.S. Congress	27	7	58
Unaffiliated	12	10	44
Chi-square	21.00*	14.00*	24.19*

* $p < 0.05$.

the importance of the problem, and 75% of those making such claims back them up with evidence (Table VI, row 1); they make claims about the effectiveness of the solution much less often, and are much less likely to back up those claims with evidence—only 27% do so (Table VII, row 1). Opponents, in contrast, emphasize the ineffectiveness of proposed solutions, and are much more likely to back up those claims with evidence (61%; see Table VII, row 3) than to do so for their claims about the importance of the problem (11%; see Table VI, row 3).

THE INFLUENCE OF INFORMATION ON POLICY OUTCOMES

Congress receives substantial information at hearings. Beyond describing it, though, what can we say about the effect of such information on policy outcomes? Does that information influence congressional action on policy proposals? We examine the effect of witnesses' information on the likelihood of policy enactment. We hypothesize that claims for the importance of the problem being addressed and about the effectiveness of the proposed policy as a solution will increase the likelihood of enactment; so will scientific, comparative, and anecdotal evidence supporting such claims. And counterclaims—that the problem is not important, that the proposed solution will be ineffective, or that the issue should be reframed—along with the evidence supporting them will make enactment less likely.

Measures and Methods

Our dependent variable is a dichotomous measure of whether the policy proposal was enacted into law, coded 1 if the proposal was enacted and 0 otherwise. Given that only committee members are directly exposed to witness testimony, some might suggest that a more plausible dependent variable would be whether the bill was voted out of committee. We focus on the final outcome for the policy proposal for both theoretical and methodological reasons. The central theoretical question is how interest organizations affect policy change, so it makes sense to study enactment, that is, policy change itself. Moreover, focusing on the committee vote would mean focusing on people whom some see as not getting much new information from the hearing, since committee chairs and ranking minority members (and their staffs) choose the witnesses and know what they will say. Enactment requires the votes of members not on the committee and hence not involved in choosing the witnesses; for them, the information provided at hearings is much more likely to be new.

The independent variables measure the core information provided by supporters and opponents of the policy proposal at the hearings. Because supporters and opponents make different arguments, we created different measures of the information provided by each. For proponents of the proposed policy, we include dummy variables indicating whether the witness argued that the problem was important, suggested that the proposed policy would be effective, or attempted to reframe the issue. We also include a measure gauging how many types of evidence—scientific, comparative, or anecdotal—each witness provided to support the claims. We did not include any measures of electoral concerns because so few witnesses mention them. For opponents, we include dummy variables indicating whether the witness argued that the problem was important, suggested that the policy would result in neither the intended consequence nor the opposite, or attempted to reframe the issue.[13] Again, we include a measure gauging how many types of evidence were used to support the claims.

We fit a mixed-effects logistic regression model (Snijders and Bosker, 1999) to estimate the influence of the information on enactment. We adapt a method used in demographic research to assess the effect of individual-level covariates on an aggregate outcome. In that literature, researchers use individuals' characteristics to predict attributes of the neighborhoods in which they reside (Adelman *et al.*, 2001; Alba and Logan, 1992; Tolnay *et al.*, 2000). Using similar methodology, we use the information presented in individuals' testimonies to predict the likelihood that the policy being addressed will be enacted. Our analyses are based on the 786 witness testimonies favoring or opposing the 27 policy proposals included in our sample; we exclude 171 testimonies in which witnesses were neutral.

Because of the nested structure of the data—with multiple testimonies grouped within each policy proposal—we fit a mixed-effects model. We estimate fixed effects for the informational variables but allow the intercept to vary across the policy proposals. The random intercept term accounts for the variation between policy proposals and reflects the assumption that some policy proposals are, on average, more likely to be enacted than others. The model is written: $enactment = \gamma_{0j} + \gamma' x_{ij} + u_{0j} + \varepsilon$ where γ_{0j} is the average policy intercept, γ' is a vector of parameters to be estimated from the model, x_{ij} is a vector of covariates measuring the information provided at testimony i for policy j, u_{0j} is a random intercept term for policy proposal j, and ε is the residual error term.

We estimate three equations predicting enactment. First, to isolate the effect of information supporting the policy proposal, we model

[13] Although opponents frequently argued that proposed policies would have consequences opposite those suggested by proponents, we did not include this measure in our analyses because it was collinear with measures suggesting unintended consequences.

enactment as a function of the information provided by supporters alone ($N = 582$). Next, to examine the impact of negative claims, we estimate a parallel model that includes testimony only from opponents ($N = 204$). Finally, to assess to the extent to which information provided by one side is offset by information provided by the other, we estimate a combined model that includes testimonies from both supporters and opponents.

RESULTS

Information provided by supporters does increase the likelihood of enactment, as predicted (Table IX, model 1). Claims that the proposed policy will be effective make enactment significantly more likely; testimonies providing such information are associated with a 274% increase in the odds of enactment [exp(1.32) = 3.74] compared to testimonies that do not provide such information. Neither arguments about the importance of the problem nor attempts to reframe the issue have any impact, however. Unexpected is the impact of the amount of evidence provided by proponents: the more evidence they provide, the less likely the proposal is to be enacted.

The information provided by opponents has an effect as well (model 2); it significantly reduces the likelihood of enactment. Arguments that the proposed policy will have neither the intended consequences nor their

Table IX. The Effect of Information on Policy Enactment: Logit Coefficients and Standard Errors

	Model 1	Model 2	Model 3
Testimony in Support:			
Argue problem is important	–0.29 (0.32)		–0.48 (0.29)
Argue policy will be effective	1.32** (0.30)		1.17 ** (0.28)
Reframe the issue	0.22 (0.43)		0.09 (0.41)
Evidence to support claims (index)	–0.93** (0.16)		–0.98** (0.16)
Testimony Against:			
Argue problem is important		0.20 (0.74)	0.99 (0.68)
Argue policy will have neither intended effect nor the opposite		–5.47** (1.02)	–2.33 ** (0.62)
Reframe the issue		–10.17** (1.62)	–0.72 (0.47)
Evidence to support claims (index)		–1.09** (0.38)	–0.76* (0.37)
Intercept	–1.87 (1.03)	1.01 (2.56)	–1.71 (1.09)
$\tau^2_{u_{0j}}$	21.27** (7.14)	92.06** (38.43)	24.84** (8.22)
σ^2	0.34 (0.02)	0.07 (0.01)	0.31 (0.02)
–2 log likelihood	4,021.6	3,334.1	5,982.2
N	582	204	786

Note: Standard errors in parentheses. *$p < 0.05$; **$p < 0.01$.

opposite reduce the odds of enactment by 96% compared with testimonies that do not provide such information. Attempts to reframe the argument reduce the odds of enactment, and so does evidence presented by opponents to bolster their claims; the latter reduces the odds of enactment by 67% compared with testimonies without such evidence. Only claims about the importance of the problem make no difference.

When testimonies by supporters and opponents are analyzed together (model 3), we find the results from the first two models to be quite robust. The likelihood of enactment is increased by proponents' arguments that the proposed policy would be effective and reduced by opponents' claims that the policy would be ineffective and by the amount of evidence provided by both supporters and opponents. The sole contrast with previous models is opponents' attempts to reframe the issue, which are significant in model 2 but not in model 3.

What do these results tell us about what happens at hearings as supporters and opponents of policy proposals try to influence the legislative outcome by providing information potentially useful to members of Congress? As we have shown above, Congress gets much more information from supporters (61% of witnesses) than from opponents (21%), and supporters provide different kinds of information than do opponents. Supporters devote their greatest efforts to demonstrating the importance of the problem being addressed—more than four-fifths try to do so.

Opponents seem willing to concede this point; they address it relatively seldom. Instead, they focus overwhelmingly on the likely impact of the proposed policy; almost four-fifths say it would have no impact or the opposite of that predicted by supporters, and an equal proportion try to reframe the issue, claiming there would be consequences along dimensions not discussed by supporters. Effectiveness is not neglected by supporters—three-fifths of them address it—but they do not focus on it the way opponents do.

As noted above, witnesses' use of evidence is consistent with the emphases in their arguments. Much of the information they provide has no impact on enactment, however. Supporters' emphasis on the importance of the problems, in particular, seems misplaced. Testimony claiming the problem is important has no impact, and the evidence supporters provide actually seems to work against their interests. Because this is the first systematic analysis of information provided at hearings, we can only speculate about the reasons for this. Some have claimed that the very fact of holding a hearing on an issue manifests legislators' belief that the problem is important (Diermeier and Feddersen, 2000); perhaps testimony on this point is simply redundant. And members of Congress may be especially likely to back up their claims about importance when their case appears

to be relatively weak; perhaps that is why supporters' use of evidence is negatively related to enactment.

Much more consequential is information about effectiveness. Supporters' and opponents' claims about effectiveness both affect enactment, as does opponents' evidence. It could well be that once a hearing has been called for, members of Congress are especially concerned about effectiveness, and it is information about effectiveness that matters most to them.

CONCLUSIONS

This article began with a puzzle in the study of democratic politics: the contrast between the widespread belief that interest organizations strongly affect public policy, and the lack of convincing evidence that they do. One possible reason for the lack of such evidence is researchers' failure to test theories contending that legislators may be affected by information provided to them by organizations hoping to affect public policy.

We have aimed to bridge this gap between theory and research by describing the information provided to members of Congress at committee and subcommittee hearings, and by gauging its impact on the enactment of the policy proposals being considered. Doing this required a number of methodological innovations. We defined a new unit of analysis, the policy proposal. To enhance our ability to generalize from our findings, we developed a sampling frame from which we selected a stratified random sample of bills. Because no one had previously measured the information provided at congressional hearings, we had to identify types of information seen as important in theories of legislative behavior and develop ways to measure them. This article thus makes methodological as well as substantive contributions to work on the effects of organizations on Congress.

Because this is the first study of the information provided at hearings, what we learn about hearings is necessarily new. (Some of the findings may not surprise experts on the legislative process, but what they have sensed intuitively may now be supported by solid evidence.) We found that less than half the witnesses at the hearings in our sample were representatives of private interest organizations, while a substantial proportion were members of Congress not on the committee holding the hearing; presumably, those who testify believe that hearings are an especially effective way of providing information to colleagues. Supporters and opponents make different kinds of arguments as they attempt to influence legislative outcomes; supporters are much more likely to highlight the importance of the problem, opponents tend to emphasize the probable ineffectiveness of the proposed solution. Very few witnesses refer to possible electoral conse-

quences for members of Congress who support or oppose the policy proposal. Witnesses make little use of evidence based on research to support their arguments, and even less use of comparisons to other issues or political units; anecdotes are by far the favorite kind of evidence.

We also found support for our hypotheses about the impact of information on enactment. Not all types of information matter, but several do, and their effects can be substantial. Information about the likely effectiveness of proposed policies is especially important.

This research is, of course, only a first step. Our hypotheses about the importance of information in the policy process must be tested in a broader context. First, we need to discover the various ways that legislators acquire information, considering the circumstances in which they get a great deal from hearings and those in which they rely on other sources. In addition, we need to determine whether looking at organizational impact in terms of information flow produces better results and more understanding of the policy process than considering it in more conventional ways—in terms of numbers of members, budgets, and the like. We must find out if organizational impact remains substantial when considered in the context of other forces affecting policy change, including public opinion, shifts in the party balance, and more public expressions of political opinion (in protest demonstrations and other forms of collective action).

Given the many factors that can influence congressional action, we see this paper as the first step in specifying how information affects the legislative process. The results reported here pave the way for future work that will take additional factors into account, and they are strong enough to warrant the additional steps. Further research along these lines will enable us to continue closing the gap between a very important theoretical issue—the role of information in policy change—and research.

APPENDIX A

Proposal, 101st Congress, and Subject	All Hearings on Proposal
HR 2273, Americans with Disabilities Act*	S541-21, 1979; H341-4, 1987; S541-17, 1988; 'H341-81, 1989; H341-2, 1990; H341-4, 1989; H341-3, 1989; H361-20, 1990; H361-19, 1989; H521-37, 1989; H641-25, 1989; S541-37, 1989; H721-24, 1990
HR 4520, foreign investment in U.S.*	H361-22, 1987; S261-48, 1988; S261-2, 1990; H361-46, 1990; S261-4, 1989
HR 2655, International Cooperation Act	H381-80, 1989
HR 5891, Resolution Trust Corp.*	S241-24, 1991
HR 1606, Rocky Mountain National Park*	S311-52, 1989

APPENDIX (*Continued*)

Proposal, 101st Congress, and Subject	All Hearings on Proposal
HR 1454, Campus security*	H341-62, 1989; H341-31, 1990; S541-12, 1989
HR 4328, Textile imports	H381-37.1, 1985; S361-32, 1986; H781-8, 1988; S361-45, 1988
HR 5598, Patents in outer space*	H701-20, 1986; H521-26, 1989; H701-13, 1989
HR 1278, Savings and loan bailout*	H241-35, 1989; H241-36, 1989; H241-47, 1989; H241-48, 1989; H781-41, 1989
HR 3847, Depatment of Environmental Protection	S401-56, 1990; S321-17, 1993; S401-50, 1993
HR 5771, Olympic coins*	H241-79, 1992
HR 181, Social Security benefits	H781-19, 1989; S141-9, 1988; H781-5, 1993
HR 336, standardization of bolts	H701-56, 1989
HR 1449, IRS construction rules	H781-47, 1990
HR 2136, civil contempt legal standards*	S401-54, 1989; H301-2, 1990
HR 2344, naval vessels to Philippines*	H381-103, 1989
HR 2408, Rural Development Administration	H161-18, 1987
HR 2423, Tankers in Puget Sound	H561-49, 1989
HR 2791, surface mining reclamation*	H441-53, 1989
HR 3104, Pemigewassett River study*	S331-7, 1989
HR 3120, permit requirements for overflows	H561-64, 1990
HR 3927, visas for immigrants	H521-4, 1989; H521-36, 1990; H521-55, 1989
HR 3264, solid waste disposal	S321-5, 1999
HR 3785, victims of sexual assault	S521-25, 1992; S521-25.1, 1992; S521-25.2, 1991
HR 3855, petroleum products reserve	H361-76, 1990; S311-27, 1990; S311-34, 1996
HR 4025, child safety on aircraft*	H641-3, 1991
HR 4266, federal employee pay	H621-8, 1987; H621-7, 1988

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