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# Dynamic lobbying: Evidence from foreign lobbying in the U.S. Congress

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## Abstract

How do interest groups decide which member of Congress to target when decisions are made collectively? Do lobbying strategies change as legislation advances? Answering these questions is challenging due to a lack of systematic observations of lobbying contacts. I answer these questions using a novel data set constructed from reports submitted by lobbyists on behalf of South Korea regarding its free trade agreement with the United States for 10 years. I show that a diverse set of politicians are contacted but the timing, intensity, and strategy of lobbying contacts vary by politicians' institutional positions as well as their predisposed preferences for free trade.

## KEYWORDS

foreign lobbying, free trade agreement, persuasion, U.S. congress

## 1 | INTRODUCTION

Understanding how interest groups influence the political process is important to evaluating the quality of democratic representation. Lobbying is a key tool for organized interests to shape political processes (Baumgartner et al., 2009). Among various strategies that interest groups employ in lobbying, examining the identity of targeted politicians is a key concern in theoretical and empirical studies of interest groups (Austen-Smith & Wright, 1994, 1996; Baumgartner & Leech, 1996; Ellis & Groll, 2020; Hall & Deadorff, 2006; Hojnacki & Kimball, 1998, 1999; Kollman, 1997). This question is particularly salient given that Congress is a collective decision-making institution (Bennedson & Feldmann, 2002; Groseclose & Snyder, 1996). When decisions are made based on the consensus of multiple policymakers, how do interest groups design their lobbying strategies to achieve their goals?

Recent theoretical work has illustrated how persuasion occurs in a collective decision-making setting (Awad, 2020; Caillaud & Tirole, 2007; Dellis, 2021; Schnakenberg, 2017) but there is a dearth of empirical studies that document how interest groups design lobbying strategies to persuade a group comprising multiple decision makers. When there are multiple policymakers to persuade, targeting strategies can vary depending on legislative stages; therefore, it is important to understand the dynamic nature of lobbying. Although existing studies have enriched our understanding of access allocation in the lobbying process by utilizing prior work experience among revolving doors lobbyists (Vidal et al., 2012), campaign contributions (Bertrand et al., 2014), or partisan ties (Eggers, 2010; Furnas et al., 2019), the extent of the intensity, depth, and sequence of lobbying activities remains difficult to study due to limited information about lobbying contacts (Bombardini & Trebbi, 2020; de Figueiredo & Richter, 2014).

The Lobbying Disclosure Act of 1995 (LDA), which regulates interest groups based in the United States, only requires lobbyists to disclose the names of Houses of Congress or federal agencies and does not require disclosure of the contacted persons' identities. Due to this limitation, scholars have relied on interviews with legislators and lobbyists to learn the identities of targeted policy-makers. Furthermore, existing empirical studies are static in nature and focus on a potentially shorter window of time than the whole period during which a policy is introduced to the policy community, discussed, and finally enacted (or not) into law.

In this paper, I advance the literature by studying a unique data set on lobbying contacts constructed from lobbying reports mandated by the Foreign Agents Registration Act (FARA) to provide better answers to how interest groups design lobbying strategies to persuade a collective decision-making body: the United States Congress. What distinguishes the FARA from the LDA is the scope of its disclosure requirements. The FARA requires that lobbyists representing foreign entities, usually U.S. lobbying firms, submit semiannual reports detailing all lobbying contacts—including information on who, when, why, and how those contacts were made—along with information on payments made by foreign entities to lobbying firms (Atieh, 2010). This rich set of information allows me to measure the timing and intensity of lobbying to each policymaker over time.

In particular, I focus on the activities that the government of South Korea undertook to lobby the United States government regarding its free trade agreement (FTA), which was ratified by Congress in 2011. I selected this case based on three reasons. First, unlike the majority of foreign government lobbying that does not target a specific piece of legislation or a specific issue, the South Korean government's lobbying activities regarding its FTA with the United States are clearly specified in lobbying reports and can be linked directly to the legislative progress for ratification in Congress. Second, measuring legislators' preferences on free trade based on their previous voting behaviors and their district's public opinion on FTAs allows me to explore whether interest groups lobby members who are—in terms of preference alignment—friends, foes, or undecided. Third, trade policy is one of the most studied areas for scholars interested in estimating the effect of interest groups on policy outcomes (e.g., Bombardini & Trebbi, 2012; Grossman & Helpman, 1994; Kim, 2017) and the Korea–United States FTA was the largest FTA that the United States negotiated since the North American Free Trade Agreement (NAFTA). This allows me to study the role of foreign governments in shaping important trade policies in the United States.

I followed lobbying activities by the government of South Korea on FTAs from the 108th Congress (2003–2004) to the 112th Congress (2011–2012). Hence, I am able to follow a policy issue and relevant lobbying activities for almost a decade—from the beginning to the end of a

policy enactment process. I collected detailed information for over 4000 individual contacts that lobbyists made with members of Congress and their staff. Based on this data set, I first conducted a dynamic analysis focusing on whom the lobbyists contacted, and—if they lobbied a policymaker—when and how they contacted her. To do this, I divide the period of study into three stages for each of the trade agreements: the “initial negotiation stage,” when the content of the trade agreement is determined; the “renegotiation stage,” when the initial content of the agreement is revised; and the “voting stage,” when votes determine the fate of the agreement. The first two stages can be considered the “agenda-setting period.” This allows me to examine how lobbying strategies change across three stages.

My analysis on lobbying activities over time yields four findings. First, the foreign client hires multiple lobbying firms simultaneously because each lobbying firm has a local monopoly on access to politicians. Second, a large proportion of total lobbying activities on the trade agreement occurs during the agenda-setting period, even though Congress is not formally involved in trade negotiations at that time. This suggests that interest groups believe members of Congress can influence bureaucratic decisions via informal contacts to agencies even though Congress does not have formal authority (Ritchie & You, 2019). Third, more useful legislators from the lobbying client's perspective—such as trade committee members, party leaders, and caucus members—are more likely to be contacted earlier and more often. Fourth, weak and staunch opponents of trade agreements are contacted extensively, and the intensity of lobbying towards these opponents tends to increase especially in the renegotiation stage when consensus building is critical.

To fully understand why and how weak and strong opponents are targeted, I focus on how interest groups assign their intermediaries—lobbyists—to target politicians who have different predispositions on free trade. I extract information on each lobbyist who made a contact and determine their ideology based on their CF Score (Bonica, 2016). I find that politicians who are less likely to support FTAs *ex ante* were contacted by more aligned lobbyists: the difference in CF scores between the politician and lobbyist is smaller for politicians whose prior voting records show a more protectionist stance. Members who received higher amount of campaign donations from groups that opposed the FTAs and members who ran in more competitive districts were also contacted by lobbyists whose ideologies were closer to those politicians. Then, I examine how members' predispositions on free trade are associated with contact patterns by different lobbyists at different stages. I find that members who are weakly or strongly opposed free trade are contacted by lobbyists who are more closely aligned with them, especially during the agenda-setting stage. This suggests that by contacting members through aligned lobbyists, especially at the stage when persuasion is critical, interest groups can credibly deliver information to and extract it from members who had negative prior beliefs on the agenda to advance the issue in the legislature (Bertrand et al., 2014; Hirsch et al., 2022). These findings highlight the role of intermediaries in persuasion, and potential informational gains that lobbyists could bring by linking two audiences (policymakers and interest groups) (Ainsworth & Sened, 1993).

Although FARA reports are the only available data sources that allow systematic observation of actual lobbying contacts made to politicians across time and issues at the lobbyist-level, employing foreign lobbying contact data to understand lobbying resource allocation by interest groups has some limitations. Foreign governments have actively lobbied groups of U.S. policymakers but lobbying strategies to persuade members of Congress on behalf of foreign clients could differ from lobbying strategies on behalf of domestic clients, especially when the issues that concern foreign and domestic groups are starkly different. Therefore,

it requires caution in generalizing the insights from the analysis based on foreign lobbying contacts for understanding the lobbying process in other circumstances.

Despite its narrow scope, insights from the current analysis may have implications for other contexts. First, this article uses the lobbying contacts made by lobbyists on behalf of foreign clients who lobbied on issues of trade—the most frequent focus of foreign lobbying. In most cases, foreign lobbying on trade aims to promote more free trade between foreign countries and the United States. Trade is also one of the issues that receive the most lobbying by domestic interests (Kim, 2017). This implies that the analysis presented in this article can shed light on lobbying strategies by foreign interest groups pushing for more free trade and how they would design strategies to persuade multiple members of Congress. More research on other foreign interest groups' efforts on different types of FTAs is required to compare differences and similarities across foreign lobbying strategies pushing for free trade.

## 2 | LOBBYING STRATEGIES FOR PERSUASION IN LEGISLATURE

One of the key questions in the lobbying literature is how to identify the types of legislators who interest groups target. Examining the identities of policy-makers who are lobbied allows us to study how interest groups allocate their scarce resources to influence the political process. The extant literature on targeting reveals some strategic patterns in the lobbying process (de Figueiredo & Richter, 2014). First, powerful legislators, such as committee chairs or members in leadership positions, are more likely to be targeted (Evans, 1996; Hojnacki & Kimball, 2001). Second, lobbyists tend to target sponsors or cosponsors of bills who have greater knowledge about the legislation (Hojnacki & Kimball, 1998). Third, legislators who are allies of interest groups tend to be heavily targeted (Caldeira & Wright, 1998; Hall & Deadorff, 2006; Hojnacki & Kimball, 1999; Kollman, 1997); and swing legislators are sometimes contacted (Kelleher & Yackee, 2009). Fourth, some argue that lobbyists target opposing legislators, and this provides an incentive for other groups to lobby their allies to counteract the lobbying efforts by competing groups (Austen-Smith & Wright, 1994, 1996).

Scholars arrive at different conclusions about targeting strategies in part because they examine different points in time in the legislative process. However, the legislative process can generate different lobbying intensities and dynamics and it is possible that the same interest group could change its tactics depending on the stage of the legislative process. Focusing on only a specific point in time within the entire legislative process potentially yields an incomplete understanding of resource allocation by interest groups. Following lobbying activities for the entire duration of the legislative process—from bill introduction to the enactment of law—is important for a full understanding of the targeting strategies employed by interest groups.

Another important consideration that has been overlooked in the empirical literature of lobbying is the fact that Congress is a collective decision-making body. Lobbying strategies to persuade a group of policymakers to form a winning coalition can be fundamentally different from a strategy to convince a single policymaker (Grosseclose & Snyder, 1996). This is particularly salient when interest groups lobby to pass a bill in Congress that requires majority support and/or the absence of vehement opponents who could use institutional tools, such as filibustering, to block the legislation's advancement.

Recent theoretical work provides insights to understand persuasion in a group setting (Kamenica & Gentzkow, 2011). Caillaud and Tirole (2007) show that distributing information selectively to key group members is crucial to generating persuasion cascades and targeting “mellow opponents” of a proposal can be an equilibrium strategy to achieve persuasion. Schnakenberg (2017) presents a model on how providing information to allied politicians can help them persuade other members in multimember legislatures, especially when access to politicians is costly. In a similar vein, Awad (2020) studies how the provision of verifiable information to carefully selected intermediate legislators can help interest groups credibly persuade a majority. The model shows how using allied politicians as intermediaries can persuade other members even if access to politicians is free, and how the ideological composition of the legislature determines the value of intermediaries in the lobbying process. Ellis and Groll (2020) show that lobbyists can strategically choose a set of politicians to whom they provide information and legislative subsidies depending on politicians' prior beliefs, the issue's salience, and resource constraints.

Insights from the theoretical work indicate that identifying the *sequence* and the *set of politicians* who are targeted is crucial to understanding interest groups' lobbying strategies when groups attempt to persuade politicians in a collective decision-making environment. The types of lobbying contact data used in the existing literature to advance our understanding of lobbying in legislatures are significantly limited. As noted above, lobbyists submitting reports under the LDA are not required to disclose the identities of targeted legislators. Recently, Kim and Kunisky (2021) made a significant contribution by connecting the politicians who sponsor congressional bills with the interest groups that lobby on those bills. However, given the report submission frequency (quarter) and the lack of information about the exact names of contacted members, reports under the LDA do not offer enough information to measure the intensity of targeting efforts in a more granular manner. Due to a lack of systematic lobbying contact information, most of the existing literature on targeting also relies on survey data from lobbyists to measure lobbying contacts. While the survey method has its own advantages, there are several shortcomings of such an approach for studying lobbying, such as nonrandom response rates from lobbyists and small numbers of observations (de Figueiredo & Richter, 2014).<sup>1</sup> In addition, relying on survey data makes it challenging to measure the intensity of targeting. More specifically, while surveys of lobbyists reveal the identities of targeted legislators, it is difficult to identify the intensity of groups' targeting efforts at various stages in the legislative process.

To fully understand the dynamics of lobbying contacts with multiple legislators, employing a data set that includes comprehensive lobbying contacts overtime is crucial to advance the literature. I address this challenge by using lobbying filings mandated by the Foreign Agent Registration Act of 1938 (FARA).

### 3 | LOBBYING CONTACTS FROM THE FARA

In 1938, the 75th Congress passed the FARA in response to Nazi organizations' efforts to influence American political debate. The FARA provides a legal channel for foreign governments and businesses to lobby the U.S. government and influence U.S. public opinion. A series of attempts by foreign entities to influence U.S. politics and policy-making processes caused legislators to make the FARA requirement more comprehensive (Brown, 1997; Gawande et al., 2006; Powell, 1996). The FARA requires that foreign entities hire agents based

in the United States if they wish to engage in lobbying activities, and those hired agents are mandated to submit semiannual lobbying disclosure forms detailing all lobbying contacts along with information on payments made by foreign entities to foreign firms.<sup>2</sup>

Since May 2007, the DOJ has maintained a website ([www.fara.gov](http://www.fara.gov)) that posts image files of FARA disclosure reports. The earliest image files are from 1942, and 46,107 semiannual lobbying reports were submitted by the end of 2017. The FARA also requires the attorney general to submit a semiannual summary report to Congress regarding foreign lobbying activities. This summary report includes names of foreign clients, registrants who represented foreign clients, lobbying fees the foreign clients paid to the registrants, and brief summaries describing the nature of the lobbying services.<sup>3</sup> Information from the summary reports submitted to Congress indicates that there were more than 5000 unique foreign clients from 201 foreign countries between 1942 and 2017.

Individual semiannual lobbying reports provide more detailed information about specific lobbying activities. In this paper, I focus on lobbying contacts made by commercial lobbyists who represented South Korea.<sup>4</sup> Unlike lobbying reports submitted under the LDA, foreign lobbying reports include detailed information about who is contacted. Therefore, utilizing foreign lobbying reports submitted by lobbyists representing South Korea allows me to overcome limitations in the extant literature outlined above. Also, the majority of foreign government lobbying does not target specific legislation and sometimes lobbyists focus on multiple issues. Therefore, it is difficult to connect their lobbying activities to a specific issue and the legislative product. However, lobbying activities by the government of South Korea regarding FTAs with the United States can be identified easily and can be linked directly to roll-call voting on the ratification of each treaty in the Congress.

Among the FARA reports submitted by the lobbying firms that represented South Korea, I focus on the reports that specifically mentioned “free trade agreement” in their issue description. There are 72 such reports during 2003–2012, and South Korea paid \$11 million to U.S. lobbying firms for their services. I extracted contact information from these lobbying reports, which document contacts via meetings, phone calls, emails, and through social events. Figure 1 shows the part of the lobbying report submitted by Akin Gump Strauss Hauer & Feld, LLP on behalf of the Embassy of the Republic of Korea in June 2008.<sup>5</sup> It shows the name of a

**Name of Registered Individual: Rob Leonard**

Gina Mahony, Trade Policy Advisor, House Majority Leader Hoyer	Meeting	Korea FTA	3/27/2008
Arshi Siddiqui, Trade Policy Advisor, Speaker Pelosi	Meeting	Korea FTA	3/27/2008
Arshi Siddiqui, Trade Policy Advisor, Speaker Pelosi	Email	Korea FTA	3/28/2008
Janice Mays, Chief of Staff, Ways and Means	Email	Korea FTA	3/28/2008
Russ Sullivan, Chief of Staff, Senate Finance Committee	Phone Call	Korea FTA	3/31/2008
Chairman Charles Rangel	Meeting	Korea FTA	4/1/2008
Demetrios Marantis, Trade Counsel, Senate Finance Committee	Phone Call	Korea FTA	4/2/2008

**FIGURE 1** Contact information in a FARA report: Akin Gump Strauss Hauer & Feld, LLP (June, 2008).



lobbyist (Rob Leonard), an employee of the lobbying firm. It also shows the name, title, and office of the contacted person as well as the type of communication, lobbying issues discussed, and the specific dates of the contacts.

Extracting large-scale contact data across lobbying firms over time was challenging since all these reports are uploaded as image files and each lobbying firm uses its own style to describe specific contacts in the FARA reports. Even using the most advanced optical character recognition (OCR) software resulted in only partial success in extracting the contact information since many supplemental documents were in unstructured forms. Therefore, extensive manual work and multiple checks to confirm the accuracy of the extracted information was conducted.

To capture meaningful communication between lobbyists and policy-makers, I only used contacts made via meetings or phone calls. Over the time period, 4164 contacts targeted members of Congress and their personal staff, or committee staff. A total of 473 contacts were made to those employed in federal entities, such as the Office of the United States Trade Representative (USTR) or members of the State Department.

## 4 | BACKGROUND OF FTAS

An FTA is one way to reduce trade barriers among two or more countries and establish more stable and open trading and investment environment. The United States entered its first FTA with Israel in 1985; as of February 2019, the United States had implemented 14 FTAs with 20 countries.<sup>6</sup> After enactment of the Trade Promotion Authority (known as “fast track”) under the Bipartisan Trade Promotion Act of 2002 that granted the president and executive branch departments authority to negotiate international agreements with other countries, the George W. Bush administration initiated discussions of potential FTAs with South Korea in 2003.

An FTA between South Korea and the United States was signed in June 2007 by the Bush administration; but due to various domestic political challenges and concerns, its ratification was delayed. First, by the time President George W. Bush signed the treaties, Democrats held majorities in both chambers of Congress and ratification was not considered likely before the 2008 presidential election. Therefore, the South Korean FTA was not even introduced for ratification votes until 2011. Second, during the 2008 presidential campaign, then—Senator Barack Obama expressed reservations about the treaty; and many of his concerns were shared by other legislators. Many Democrats were concerned that the terms of the Korea–United States treaty were unfavorable to labor unions, especially in automobile industries, and there was significant domestic opposition to the deal in the United States and in South Korea.

These challenges were eventually faced during the Obama administration, which started renegotiations with the South Korean government and reached an agreement on December 3, 2010. This new accord received support from U.S. automobile companies and the United Auto Workers, both of which had opposed the previous agreement. These actions paved the way for ratification. The bill was introduced into Congress on October 3, 2011, and the treaty was ratified 10 days later without amendment.<sup>7</sup> In the Senate, 87 voted to support and 15 voted to oppose the treaty: 14 out of the 15 opposing votes were from Democrats. In the House, 278 voted yea and 151 voted nay: while 219 Republicans voted to support the treaty, only 59 Democrats supported it.

## 5 | DYNAMIC PATTERNS OF LOBBYING CONTACTS

In this section, I analyze how lobbying firms that represented South Korea allocated their resources over time and over different targets. The FTA negotiations took almost 8 years from initial negotiation to ratification in the U.S. Congress. I divide the whole process into three periods: (1) the initial agreement period when the FTA between the United States and South Korea was signed, (2) the renegotiation period when the Obama administration adjusted the terms with South Korea and finalized the agreement, and (3) the voting period from the finalization of the agreement to the date when the bills passed in the U.S. Congress. Dividing lobbying contacts into three periods is possible because the date of each lobbying contact is included in the lobbying report.<sup>8</sup>

Among the 839 members of Congress who served during the 108th–112th Congresses, 451 were contacted at least once via phone or in face-to-face meetings by lobbyists who represented South Korea. I seek to identify the types of legislators who were targeted during each stage of the legislative process. Specifically, I am interested in whether a member's position regarding the FTA—meaning that she was either supportive, undecided, or opposed—is associated with lobbyists' targeting during different stages of policymaking. To analyze lobbyists' strategies in targeting legislators, I developed the following measure of how favorable or unfavorable legislators' predispositions were regarding their opinions on trade agreements before being lobbied.

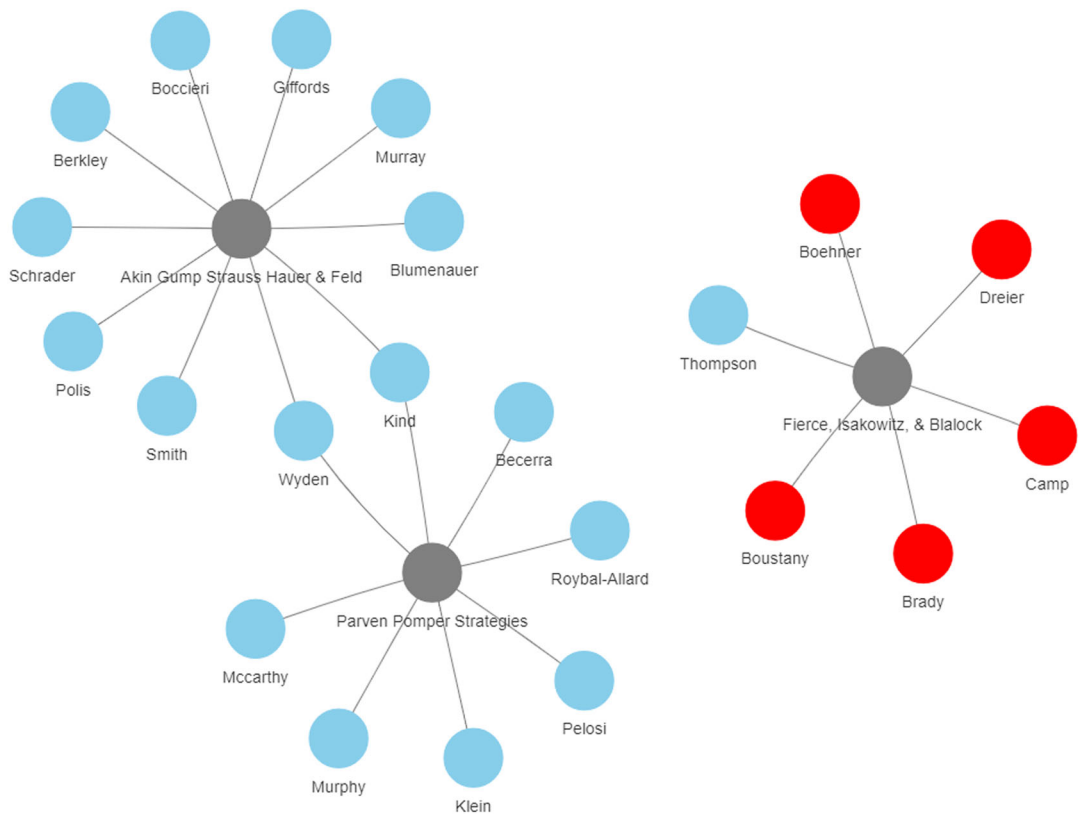
I collected voting records for 74 trade-related bills from the 108th through 112th Congresses.<sup>9</sup> Drawn from voting records on these 74 measures, I constructed ideal points that capture each legislator's ideological preferences on free trade.<sup>10</sup> There could be a concern that vote choices for those 74 bills may have been affected by lobbying activities on behalf of South Korea. Therefore, it is inappropriate to use vote choices for those bills to construct the members' ideal points on free trade. But none of the 74 bills are specific to South Korea, and none of the lobbying reports submitted by the South Korean government mentioned any of these bills.<sup>11</sup>

Supporting Information: Figure A2 (a) in the Appendix shows the distribution of trade ideal points by party affiliation and whether a member is contacted at least once by a lobbying firm representing South Korea that lobbied on the FTA with the United States. Overall, Republicans show more pro-free trade stances based on their voting records than Democrats. Among Democrats, those who are predisposed to support free trade are contacted more often, but there is no clear difference among Republicans. In the following sections, I highlight four key patterns observed in the lobbying contacts.

### 5.1 | Division of labor among lobbying firms

During the lobbying process, the South Korean government hired multiple lobbying firms. Why do foreign clients need to hire multiple firms in the lobbying process? Figure 2 presents access granted to three lobbying firms—Akin Gump Strauss Hauer & Feld LLP; Parven Pomper Strategies; and Fierce, Isakowitz & Blalock—that South Korea hired to advance its FTA with the United States in 2010. Despite the fact that the three firms lobbied on behalf of the same country on the same issue during a similar time period, the set of contacted politicians differed, with a small overlap. Politicians granted access to only a limited set of lobbying firms (Hirsch et al., 2022) and there was a local monopoly of access to specific politicians. Commercial



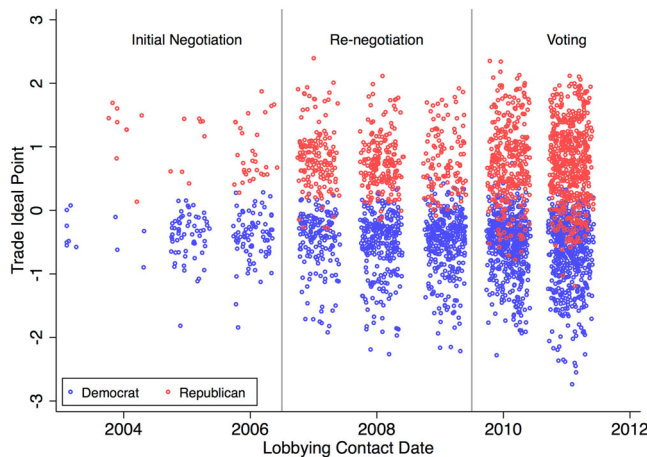


**FIGURE 2** Lobbying contacts by firms hired by South Korea (2010). Contacted politicians by three lobbying firms representing South Korea in 2010 (member contact only). Blue dots indicate Democrats and red dots indicate Republicans. Gray dots indicate lobbying firms. [Color figure can be viewed at [wileyonlinelibrary.com](http://wileyonlinelibrary.com)]

lobbying firms with access to different politicians allow lobbying clients to expand the set of lobbying targets, if necessary. This division of labor among lobbying firms illustrates why lobbying clients sometimes hired multiple lobbying firms to lobby on the same issue (Mahoney & Baumgartner, 2015).

## 5.2 | Intensive legislative lobbying during negotiation periods

Figure 3 presents the ways lobbying contacts changed through three different time periods. Each point represents a contact record by a lobbyist representing South Korea; the party affiliation of the contacted member is also shown. The X-axis indicates the contacted date and the Y-axis indicates the free trade ideal point. A noticeable pattern from Figure 3 is that lobbyists frequently targeted members of Congress during the negotiation processes even though free trade negotiations were handled by federal agencies such as the USTR and the Department of State. Given that fast-track authority under the Trade Promotion Act grants all authority to negotiate international trade agreements to the president, and Congress can only approve or reject the agreement (no amendment or filibuster is allowed) (Koh, 1992), this intensive lobbying during the agenda-setting stage seems puzzling.



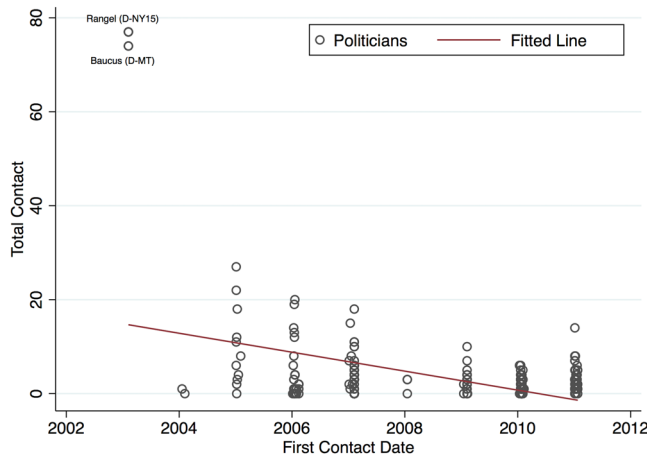
**FIGURE 3** Lobbying contacts over time (South Korea). Each dot indicates a lobbying contact made by lobbying firms representing the South Korean government. The X-axis indicates the lobbying contact date and the Y-axis indicates the trade ideal points of the politicians. [Color figure can be viewed at [wileyonlinelibrary.com](http://wileyonlinelibrary.com)]

However, these lobbying patterns are consistent with theories arguing that interest groups press legislators to influence policy decisions made in executive branch departments (Ban & You, 2019; Epstein & O'Halloran, 1995; Fiorina, 1977; Hall & Miler, 2008; Ritchie & You, 2019). Likewise, because trade agreements are very specific about the terms of treaties such as tariff schedules, legislators do not have much influence on the ex post implementation of trade agreements once they have been ratified.<sup>12</sup> Hence, interest groups have strong incentives to contact legislators before the voting stage to design agreements that are favorable to their concerns (You, 2017).

I validate this argument by examining every congressional contact to the USTR for the same period using records obtained through a Freedom of Information Act (FOIA) request. Among 5615 contacts made to the USTR by congressional members and staff during 2003–2011, 24% (1370 contacts) were related to FTAs. This illustrates that the formal delegation of policymaking power to the bureaucracy does not imply that congressional influence is mainly limited to ex post oversights. When members of Congress actively contact bureaucrats through back-channels (Ritchie, 2018), interest groups still have a strong incentive to lobby Congress even if Congress has no formal negotiation authority.

### 5.3 | Valuable members are contacted earlier and more often

Figure 4 presents the results of the relationship between the date of the first contact and the total number of contacts made by South Korea at the politician level. Members who were contacted earlier were contacted more often overall. Interestingly, the first two members who were contacted were Charles Rangel (D-NY15) and Max Baucus (D-MT). Representative Rangel was the ranking member of the House Ways and Means Committee and later served as chair of the same committee. Senator Baucus was the chairman of the Senate Finance Committee. Both committees have jurisdiction over international trade. This suggests that members who are



**FIGURE 4** Relationship between first contact date and total contacts on FTA (South Korea). For each member, I calculate the first date of lobbying contacts (x-axis) and the total number of lobbying contacts over the entire period (y-axis). [Color figure can be viewed at [wileyonlinelibrary.com](http://wileyonlinelibrary.com)]

more valuable from a lobbying client's perspective are not only contacted more often but also contacted earlier.

To systematically investigate the association among legislators' characteristics, the total number of contacts, and the timing of the first contact, I conduct the following OLS analysis.

$$Y_{it} = \beta_1 \text{Member}_{it} + \beta_2 \text{District}_{it} + \beta_3 \text{Domestic Lobbying}_{it} + \alpha_t + \varepsilon_{it}, \quad (1)$$

where  $i$  and  $t$  indicate member and Congress.  $Y_{it}$  denotes the outcome measure and I use two measures for lobbying contacts: (1) whether there is any contact (*Any*) and (2) the (log) total number of contacts made to a member's office (*(ln) Total*).  $\text{Member}_{it}$  includes variables for legislators' characteristics including those that may be valuable for lobbying clients: legislator  $i$ 's ex ante position on free trade based on previous trade-related votes; whether the legislator held a leadership position (*Leadership*); whether she belonged to the House Ways and Means or Senate Finance Committee (*Trade Committee*); and whether she was a member of a congressional caucus regarding the respective country or region (*Caucus Membership*).<sup>13</sup>

$\text{District}_{it}$  measures district-level demographic and economic variables, including % white population; % population with high school or less than high school education; unemployment rate; per capita income; total volume of exports and imports with South Korea; changes in manufacturing employment 1990–2007; and exposure to Chinese imports (Autor et al., 2013).

$\text{Domestic Lobbying}_{it}$  measures the domestic lobbying pressure on FTAs. Domestic groups, like the united automobile workers (UAW), initially opposed the FTAs whereas multinational corporations, like CitiBank, strongly supported the deals. Lobbying firms representing foreign clients may take pressures from domestic interest groups into consideration when they design lobbying strategies. An ideal measure for domestic groups' lobbying would be detailed contact information from each domestic group to each legislator, as contained in the foreign lobbying data. Unfortunately, domestic lobbying reports submitted under the LDA only provide the names of federal entities that each domestic group contacted, such as the House of Representatives or the USTR. Individual legislator-level lobbying contact data during the

lobbying process by domestic groups do not exist. Given that limitation, I measured domestic groups' pressure on FTAs in the following way.

First, I identified domestic groups who lobbied on the FTA with Korea during 2001–2012 by using lobbying reports submitted under the LDA. Since the specific legislation regarding the FTA was introduced in 2011, it would be misleading to identify the groups solely based on bill numbers that groups indicated in their lobbying reports. Given that negotiations were started as early as 2004, it is possible that groups mentioned “FTAs with Korea” in their lobbying reports but did not mention a specific bill's name before the legislation was introduced. Therefore, I searched lobbying reports that specifically mentioned the bill numbers regarding FTAs as well as search words, such as “Korea–US free trade deal,” to find reports that did not mention the bill number but addressed the issues.<sup>14</sup> In total, 325 groups submitted 1973 lobbying reports that addressed the FTA with South Korea during the period.<sup>15</sup>

Second, after identifying domestic groups that lobbied on the FTA, I searched each group's preference on the FTA using various sources, such as testimony documented in the congressional hearing report on the pending FTA with South Korea; public statements; and letters to members of Congress by groups.<sup>16</sup> Among the 325 groups that submitted lobbying reports, 295 groups supported the FTA, and 30 groups opposed the FTAs. Third, I merged the list of FTA lobbying groups with the Federal Election Commission's campaign contribution data for 2004, 2006, 2008, and 2010 election cycles. I used the contributor's employer, contributor's name, and contributor's occupation to identify contributor's group affiliation.<sup>17</sup> Then I calculated the total contributions from pro-FTA groups and anti-FTA groups at legislator  $\times$  congress level.

The results of estimating Equation (1) are presented in Table 1, where Panel A presents the results for the House and Panel B presents the results for the Senate.<sup>18</sup> By comparing the results across three stages, several patterns emerge. First, legislators who held leadership positions were not heavily contacted at the initial negotiation stage but were contacted more frequently by lobbyists from the renegotiation throughout voting stages. Second, members who served on the relevant committees on international trade were contacted heavily, and this pattern is more salient during the agenda-setting stage. Although the president and executive agencies, such as the USTR, had the authority to negotiate the treaties, legislators who served on committees with oversight authority over relevant federal agencies on international trade can influence the contents of agreements via communication with agency bureaucrats. Such oversight activities may explain why relevant committee members were heavily targeted during the agenda-setting stage. This pattern is more salient in the House than in the Senate; the more salient effects of institutional positions on targeting patterns in the House could be explained by the fact that legislative powers in the House are more unequal depending on a member's leadership position and committee assignments than in the Senate (Volden & Wiseman, 2014). Third, members in the House who were associated with the congressional caucus on South Korea were heavily targeted at the early stage in the course of the legislative process.

Given the relative infrequency of contacts during the initial negotiation and renegotiation stages based on the average outcome values, the effect of valuable positions from foreign clients' perspectives on lobbying contacts is more salient during the agenda-setting stages than in the voting stage. The contact patterns suggest that when interest groups need to build a winning coalition, groups prioritize targeting members with institutional power who can convince other members (Caillaud & Tirole, 2007) and their “allies” such as caucus members who are willing to invest time and energy to learn about the issue and move the agenda forward (Hall & Deadorff, 2006; Hall & Wayman, 1990). As the process evolves, the number and type of

TABLE 1 Member characteristics and lobbying contacts

	Initial negotiation		Renegotiation		Voting	
	(1)	(2)	(3)	(4)	(5)	(6)
Outcome = Contact	Any	(ln) Total	Any	(ln) Total	Any	(ln) Total
Panel A. House						
Trade committee	0.0872** (0.0342)	0.102** (0.0399)	0.210*** (0.0724)	0.566*** (0.147)	0.257*** (0.0784)	0.609*** (0.160)
Leadership	0.160 (0.121)	0.169 (0.138)	0.508*** (0.0657)	1.789*** (0.322)	0.313*** (0.113)	1.705*** (0.531)
Caucus membership	0.279** (0.132)	0.593** (0.271)	0.359*** (0.0716)	0.971*** (0.237)	−0.0340 (0.114)	0.243 (0.243)
Mean outcome	0.025	0.027	0.43	0.71	0.57	0.70
Controls	✓	✓	✓	✓	✓	✓
Congress FE	✓	✓	✓	✓		
N	869	869	880	880	438	438
Adj. R <sup>2</sup>	0.120	0.206	0.170	0.265	0.114	0.199
Panel B. Senate						
Trade committee	0.158** (0.0666)	0.174** (0.0846)	0.0694 (0.0872)	0.284 (0.191)	0.208** (0.0889)	0.210 (0.144)
Leadership	0.0833 (0.0902)	0.0379 (0.0719)	0.576*** (0.117)	1.623*** (0.233)	0.128 (0.161)	0.996** (0.443)
Mean outcome value	0.045	0.044	0.49	0.82	0.69	0.87
Controls	✓	✓	✓	✓	✓	✓
Congress FE	✓	✓	✓	✓		
N	200	200	205	205	101	101
Adj. R <sup>2</sup>	0.065	0.076	0.148	0.184	0.168	0.259

Note: Unit of observation is member  $\times$  congress. Standard errors clustered at the member level are reported in parentheses. The initial negotiation period covers the 108th and 109th Congresses; Renegotiation period covers the 110th and 111th Congresses; Voting stage covers the 112th Congress. *Trade Committee* indicates membership in the Ways and Means Committee in the House or the Finance Committee in the Senate. *Caucus Membership* indicates whether the member was affiliated with a congressional Korea or/and Asia Pacific American Caucus. The *Caucus Membership* variable is only available for the House of Representatives. Congress fixed effect is not included in the voting stage because it only covers the 112th Congress.

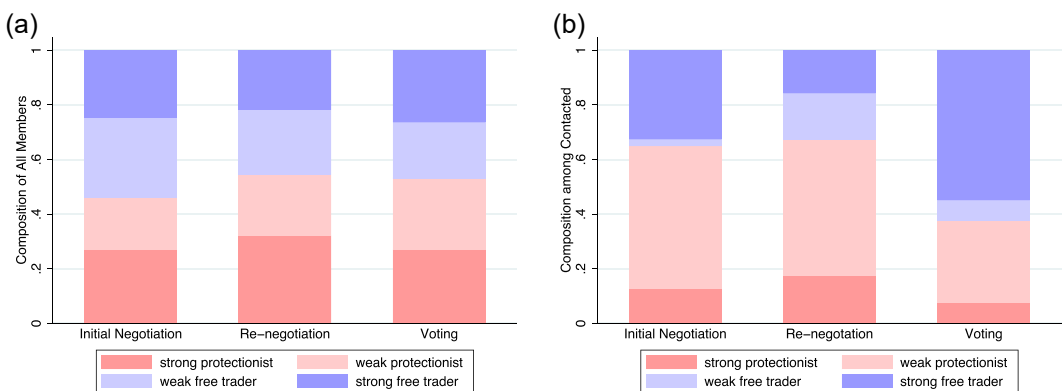
\* $p < 0.10$ ; \*\* $p < 0.05$ ; \*\*\* $p < 0.01$ .

politicians contacted increases. Although politicians' institutional positions are the important determinants of lobbying contacts, politicians' district characteristics do not appear as significant factors that influence the frequency of lobbying contacts, as Supporting Information: Tables A4 and A5 in the Appendix show. This is consistent with Miller (2022) who finds that members' institutional positions are substantially more important than the other factors such as members' electoral vulnerability in the eyes of lobbyists when they make targeting decisions.

## 5.4 | Members opposing free trade are contacted frequently

In this section, I present a pattern of how a member's position on free trade is associated with the contact patterns. To do so, I placed the legislators into quartiles based on their free trade ideal point estimates. Legislators were classified as (1) *strong protectionist* if the ideal point is below the first quartile, (2) *weak protectionist* if the ideal point is between the first quartile and the median, (3) *weak free trader* if the ideal point is between the median and the third quartile, and (4) *strong free trader* if the ideal point is above the third quartile.<sup>19</sup> Figure 5a shows the share of politicians in each type in each period. Due to elections and turnover, the proportion in each type varies in each period but in any period, there are sufficient numbers of politicians in each type. Figure 5b presents the share of politicians contacted by lobbyists on behalf of South Korea in each period and each bar is divided into the four types depending on politicians' predisposed positions on free trade.<sup>20</sup> All types of politicians were contacted, as some theoretical work on informational lobbying in the legislature predicts (Dellis, 2021), but it is noticeable that a significant number of contacts targeted weak opponents of free trade, especially during the initial negotiation and renegotiation stages.

Conventional wisdom holds that interest groups lobby allied legislators (Hojnacki & Kimball, 1998; Kollman, 1997). However, a significant number of contacts targeted weak and strong opponents. First, why are weak opponents targeted?<sup>21</sup> This may be related to persuasion in group decision-making. If an interest group wants to build a winning coalition among members of Congress, it needs to design a targeting strategy in the context of group persuasion since the approval of a proposal requires majority support. Caillaud and Tirole (2007) show that targeting an "information pivot" who has enough credibility within the group to sway other people's opinions is an equilibrium strategy, and information pivots are often "mellow opponents." When lobbied, a member who moderately opposes the proposal has an incentive to investigate the matter, unlike allies or hard-core opponents, and has a positive probability of endorsing the proposal. The fact that the mellow opponent investigated and decided to support the proposal can persuade other members who otherwise would oppose the proposal. Ellis and Groll (2020) also show that a lobbyist targets opposing but moderate policymakers to hopefully



**FIGURE 5** Composition of all versus contacted politicians: Period by position. (a) The composition of all politicians who served in each period. (b) The composition of politicians who were contacted by lobbyists who represented South Korea based on their trade ideal points by three stages of policymaking. [Color figure can be viewed at [wileyonlinelibrary.com](http://wileyonlinelibrary.com)]



“gain their support” for the proposed policy or “to induce them to gather further information” that may affect the updating of their prior position on the policy.

Second, why are staunch opponents of free trade targeted? There are two potential explanations. First, the largest obstacle to making progress on FTAs in the United States was opposition from unions. To counter lobbying from domestic groups that contacted strong protectionists to prevent the advancement of the agenda, foreign governments may need to contact those members (Austen-Smith & Wright, 1994). But theoretical work suggests that lobbyists do not target politicians with extremely negative priors since there is little chance that informational lobbying would change their position to support the policy (Ellis & Groll, 2020). If the goal of informational lobbying is to change the *ex ante* position of members, targeting members who have a record of strongly opposing free trade is puzzling.

Successful lobbying, however, does not always require convincing every member to support the proposal, especially when obtaining majority support is sufficient to pass the bill. In that circumstance, one key task for a lobbyist is preventing a veto player from employing an institutional tool, such as a filibuster, to advance her agenda. Given the collective nature of decision-making in Congress, another possibility is that lobbyists on behalf of interest groups collect information from members about *why* they oppose the deals (i.e., what provision of the agreement is a particular concern for them) or seek to learn *whether* they would employ institutional tools to block the agenda's advancement. Lobbyists can deliver this information to legislators in leadership or to committee chairs who can pass it on to the USTR or the president; or lobbyists can directly transmit this information to the negotiators in the executive branch, so they consider the information when they revise the agreement.

This pattern suggests that lobbyists facilitate information aggregation among members. Given members' time constraints and the diverse issue portfolios on which they work (Cotton, 2016; Curry, 2015), lobbyists who specialize in an issue could help communications among members and make group persuasion feasible. In addition, even if there is little uncertainty about the passage of a bill, members still might have incentives to allow contacts by lobbyists to learn more about the legislation's economic consequences on their districts.<sup>22</sup> As Ainsworth and Sened (1993) argue, lobbyists facing two audiences—policymakers and a client—provide information to both audiences, facilitate coordination among actors, and consequently could increase efficiency in the policymaking process.

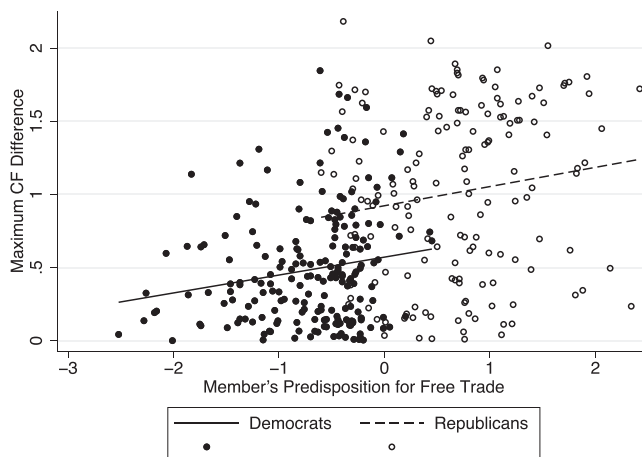
## 6 | THE ROLE OF INTERMEDIARIES: LOBBYIST-LEVEL ANALYSIS

In the previous section, I provided an explanation for the observed patterns of lobbying strategy from a lobbying client's perspective. A follow-on question is how an interest group that wants the FTA to pass could obtain access to members who weakly or strongly oppose the FTA. This is particularly puzzling given that access to politicians with a larger preference difference from an interest group could be more costly (Austen-Smith, 1995; Schnakenberg, 2017). To better understand how interest groups build a winning coalition in a collective decision-making environment where policymakers have heterogeneous preferences, I examine how lobbying contacts are made at the lobbyist level. This is particularly useful when a lobbying client hired multiple lobbying firms so the aggregate-level analysis by the month or by Congress may mask interesting dynamics regarding how interest groups design their targeting strategies through intermediaries (i.e., lobbyists) depending on the characteristics of politicians.

In particular, I examine whether a lobbying strategy to contact members who are predisposed to oppose the FTA differs from a strategy to contact members who support the agreement. Existing theoretical work on lobbying and persuasion emphasizes the role of an allied politician as an intermediary to convince less sympathetic legislators (Awad, 2020; Schnakenberg, 2017). But lobbyists who work in commercial lobbying firms also serve as intermediaries in the lobbying process by screening special interests' policy proposals through investigating their merits or through repeated interactions with politicians, which lends them credibility (Ellis & Groll, 2019; Groll & Ellis, 2014, 2017). It could be more challenging to gain access and provide information in a credible way to members who hold *ex ante* negative priors on the proposal. Existing work argues that connections to politicians, formed by campaign contributions, work history, and/or ideology, could solve this problem because connected lobbyists could bring “credibility or political savvy, in the transmission of information” (Bertrand et al., 2014) or provide more screening in presenting the interest group's case to the connected politicians (Hirsch et al., 2022).

To examine whether a lobbying team strategically assigns lobbyists depending on politicians' predispositions on free trade, I examine whether members who are likely to oppose the FTA *ex ante* are contacted by more ideologically aligned lobbyists. Among 4164 contacts made to members of Congress and their staffers on behalf of South Korea, 3956 contacts contain the name of a lobbyist who made a contact. I also focus on members in the House of Representatives since some key variables, such as caucus membership, are only available for House members. For each congressional contact, I identified the name of a lobbyist and find each lobbyist's ideology based on the campaign finance records (CF score) developed by Bonica (Bonica, 2016).<sup>23</sup> I investigate whether a member's position on free trade is correlated with contacts by aligned lobbyists and whether this pattern varies by each period.

Conditional on being contacted, I calculate two measures: (1) the CF Score difference between a member and a lobbyist for the member's first contact and (2) the maximum value for the CF score differences for all the contacts between a member and lobbyists. A larger difference means that a member is contacted by a lobbyist whose ideology is farther from the member's ideology.<sup>24</sup> Figure 6 presents the relationship between a member's predisposition for



**FIGURE 6** Predisposition for free trade and CF score difference. Each dot indicates a politician and the maximum CF difference is calculated at the politician level.

free trade and the CF score difference between a member and the maximum CF score difference among lobbyists who made at least one contact to a given member. Members who had a record of supporting free trade were more likely to be contacted by a lobbyist whose ideology is farther from their ideology. Conversely, members who had a record of opposing free trade were contacted by more aligned lobbyists.

Table 2 shows that the relationship presented in Figure 6 is confirmed in the regression analysis.<sup>25</sup> It shows that politicians who faced more constraints in supporting free trade were contacted by more aligned lobbyists. The difference in CF Scores between the politician and lobbyist is smaller for politicians whose prior voting records show a more protectionist stance. House members who represent electorally competitive districts are more likely to be contacted by ideologically aligned lobbyists. Also, legislators who received more contributions from groups that oppose free trade, such as unions, were contacted by lobbyists whose ideology was more aligned with the politicians.

I also examined whether contacts by aligned lobbyists vary by the stage of the policymaking. From the politicians' perspectives, especially for those who are not predisposed to support free trade because of their own ideologies or constraints from donors and voters, contacts by aligned lobbyists could be more valuable in the early stage of policymaking when there are more uncertainties about the costs and benefits of the bill and their voting decisions.

For each period, I calculated the first contact CF Score difference and the maximum CF Score difference among all the contacts. Then, I created interaction terms between trade ideal points and periods to see whether the CF Score difference between a member and a lobbyist

**TABLE 2** Member characteristics and CF score difference: House

	First contact CF score difference			Maximum CF score difference		
	(1)	(2)	(3)	(4)	(5)	(6)
Trade ideal point	0.196*** (0.0278)	0.198*** (0.0281)	0.0957*** (0.0333)	0.224*** (0.0273)	0.229*** (0.0284)	0.132*** (0.0373)
Competitive district <sup>a</sup>		−0.148*** (0.0546)	−0.133** (0.0583)		−0.141** (0.0576)	−0.115** (0.0582)
(ln) Contributions from pro-FTA groups			0.0408*** (0.00724)			0.0435*** (0.00703)
(ln) Contributions from anti-FTA groups			−0.0299*** (0.00700)			−0.0270*** (0.00714)
Period fixed effect	✓	✓	✓	✓	✓	✓
Member-level controls		✓	✓		✓	✓
District controls			✓			✓
N	694	694	659	705	705	670
Adj. R <sup>2</sup>	0.148	0.178	0.252	0.173	0.195	0.264
Mean outcome var.	0.56	0.56	0.56	0.81	0.81	0.81

Note: Standard errors clustered at member level are presented in parentheses.

<sup>a</sup>Competitive district equals 1 if a district's average democratic vote share in the 2000s was between 0.4 and 0.6.

\* $p < 0.10$ ; \*\* $p < 0.05$ ; \*\*\* $p < 0.01$ .

changed depending on the phase of the negotiation.<sup>26</sup> Table 3 presents the results.<sup>27</sup> The relationship between a member's predisposition for free trade and contacts by aligned lobbyists appears most salient during the agenda-setting period, especially during the re-negotiation stage. The result implies that there is a larger difference in the ideology between a member and a lobbyist who made a contact if a member was more predisposed to support free trade at the agenda-setting stage. In other words, members who weakly or strongly opposed free trade were contacted by lobbyists who were more closely aligned with them in terms of ideology especially before the bill was introduced to the floor for voting.

As mentioned, domestic interest groups, such as the UAW, initially opposed the Korea–United States FTA. However, the renegotiation stage was a critical time in which to gain their support. In December of 2010, the UAW announced its support for the renegotiated Korea–United States trade agreement, which was an abrupt turn from its position of opposing the agreement. In its statement released after the Congress voted, UAW President Bob King noted that “President Barack Obama and US Representative Sander Levin, a Royal Oak Democrat, should be commended for their effective efforts to substantially revise the U.S.–Korea Free Trade Agreement” and mentioned that the new agreement will give American automakers greater access to the Korean market.<sup>28</sup> Representative Sander Levin represented Michigan's 12th district at that time and took over chairmanship of the Ways and Means Committee on March 2010 from Charles Rangel (D-NY15) who was accused of multiple ethics violations. Levin represented the interests of the automobile industry and his previous voting record on free trade identified him as a “weak opponent” of free trade (trade ideal point =  $-0.36$ ). The record of lobbying contacts made to Congressman Levin shows that he was initially contacted by Robert Leonard who worked on the Ways and Means Committee's staff; followed by Vic Fazio, a former colleague of Levin's in Congress who became a lobbyist. Both lobbyists held very similar ideologies as Congressman Levin: the differences in their CF scores

**TABLE 3** Position on free trade and CF score difference by periods: House

	First contact CF score difference			Maximum CF score difference		
	(1)	(2)	(3)	(4)	(5)	(6)
Trade ideal point	0.108*** (0.0371)	0.120*** (0.0375)	0.0464 (0.0422)	0.147*** (0.0369)	0.163*** (0.0369)	0.0893** (0.0444)
Trade ideal point × Renegotiation	0.171*** (0.0393)	0.163*** (0.0378)	0.136*** (0.0385)	0.163*** (0.0338)	0.164*** (0.0338)	0.138*** (0.0333)
Trade ideal point × Voting	0.0727* (0.0421)	0.0516 (0.0444)	0.0363 (0.0481)	0.0569 (0.0359)	0.0209 (0.0367)	0.0117 (0.0387)
Member-level controls		✓	✓		✓	✓
District controls			✓			✓
N	694	694	659	705	705	670
Adj. R <sup>2</sup>	0.138	0.170	0.224	0.172	0.198	0.245
Mean outcome variable	0.56	0.56	0.56	0.81	0.81	0.81

Note: The initial negotiation stage is set as a reference period. Standard errors clustered at member level are presented in parentheses.

\* $p < 0.10$ ; \*\* $p < 0.05$ ; \*\*\* $p < 0.01$ .

are only 0.06 (Leonard) and 0.12 (Fazio), respectively, which is much smaller than the mean difference of CF Scores (0.52) for all the politician–lobbyist pairs.

In general, members who are categorized as strong protectionists or weak protectionists received a higher amount of campaign contributions from domestic groups that opposed the FTA, such as labor unions. Contacts by aligned lobbyists can make skeptical members review proposals and request revisions that are acceptable to them, their constituents, and/or important donor groups. By making contacts to these members via aligned lobbyists, especially before the final text of the agreement is presented for voting in Congress, foreign clients could transfer more information about the merits of the agreements in a more credible manner.

## 7 | CONCLUSION

Most decisions in government are made by multiple members. Therefore, the success of an interest group's lobbying strategy hinges on how well they persuade a group of policymakers. This is particularly true when all members have equal power to decide the final outcome, as in Congress where each member holds the same amount of voting power. Therefore, interest groups should design their lobbying strategies to build winning coalitions among multiple members. Despite this institutional feature, research on how interest groups decide which members to target has been limited to group-member dyads without fully appreciating that Congress is a collective decision-making body. In addition, interest groups change their strategies throughout the legislative process but scholars researching the dynamic aspects of lobbying strategies have faced considerable constraints, mainly due to a lack of detailed lobbying contact information.

In this paper, I address that challenge by constructing a novel data set on the activities of lobbyists hired by the government of South Korea to lobby the United States government regarding its FTA. The data allow me to follow lobbying activities for 10 years—from the beginning to the end of a policy enactment process. Using the rich set of information from the data, I measure the intensity of lobbying towards each legislator over time on the same issue at the daily level.

I find that targeting strategies by lobbyists vary depending on the stage of the legislative process. Legislators who have leadership positions, those who serve on committees with jurisdiction over international trade, and those who are members of the congressional caucuses related to foreign countries are frequently contacted throughout the policymaking process, but the marginal effects of these institutional positions are greater during the agenda-setting stage. Extracting information about the lobbyists who made contacts to politicians, I also show that politicians who may face more constraints in supporting FTAs were contacted by lobbyists who were more aligned with them in terms of ideology. Lobbying contacts by more aligned lobbyists as an intermediary between a client and a politician could reduce access cost and transfer information in a more credible manner. Also, this strategy could incorporate the opinions and preference of legislators who initially opposed the policy agenda.

This article makes several contributions to the literature of interest group politics. First, by constructing a novel data set on detailed lobbying contacts from the beginning to the end of a policy enactment process, I can follow lobbying activities for different time periods in the policymaking process. My analysis reveals that the sets of politicians targeted and the intensity of targeting between the agenda-setting and voting stages are different, and often, lobbyists contacted strong and weak opponents of the legislation, especially during the agenda-setting

stage. By highlighting the role of lobbying firms and lobbyists in persuading multiple policymakers, I argue that a new framework of lobbying that incorporates persuasion among members and the role of lobbyists as information intermediaries among members should be considered, given that passing a bill is a collective process (Caillaud & Tirole, 2007; Schnakenberg, 2017).

Second, this article sheds light on the role of foreign governments in constructing U.S. trade policy. Previous research has documented that lobbying spending by foreign entities is associated with lower trade barriers with, and increased visits by U.S. tourists to, those foreign countries (Gawande et al., 2006, 2009). By analyzing detailed lobbying contacts made to members of Congress, in addition to the total spending by foreign governments, this article improves our understanding of the interaction between U.S. policymakers and foreign governments while enacting U.S. trade policy throughout the lobbying process. In future research, it will be fruitful to examine how foreign governments and firms design their lobbying strategies in other issue areas, such as security matters, where voting on a particular legislation is rare but attracting the attention of members of Congress who are willing to bring up the issue is more important.

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## DATA AVAILABILITY STATEMENT

The data that support the findings of this study are available from the corresponding author upon reasonable request.

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## ENDNOTES

- <sup>1</sup> Miller (2022) makes a significant advancement in overcoming inferential challenges in the existing literature by conducting a conjoint experiment with federal lobbyists who were registered under the LDA.
- <sup>2</sup> There are concerns about Noncompliance—such as missing reports or false statements on reports—under the FARA (Benner, 2019). Noncompliance is punished more stringently by the FARA than by the LDA. While a violation of the LDA is considered a civil offense, violations of the FARA are criminal and penalties for noncompliance are up to 5 years imprisonment and a \$5000–\$10,000 fine (Atieh, 2010). Despite this legal statue, a lack of rigorous enforcement by the Department of Justice (DOJ) and loopholes in the FARA have drawn criticism, especially after special counsel Robert Mueller's investigation into Russian interference in the 2016 presidential election. In June 2019, Senator Chuck Grassley introduced legislation ("Foreign Agents Disclosure and Registration Enhancement Act of 2019") amending the FARA to improve overall compliance and enforcement. There have been 45 FARA criminal enforcement cases over the statue's 83-year history.
- <sup>3</sup> <https://www.justice.gov/nsd-fara/fara-reports-congress> (accessed May 10, 2020).



- <sup>4</sup> There are reports made by in-house agents on behalf of the three countries. Their lobbying activities mainly comprised monitoring the process rather than contacting members of Congress or the executive branch. Ninety-nine percent of the contacts made to members of Congress and bureaucrats in federal agencies were made by lobbying firms. Since my focus is identifying types of legislators contacted and estimating the effect of lobbying on members' voting, I concentrate on lobbying reports submitted by commercial lobbying firms.
- <sup>5</sup> <https://efile.fara.gov/docs/3492-Supplemental-Statement-20080730-8.pdf> (accessed May 10, 2021). In Supporting Information: Figure A1 in Appendix A, I present selected pages of a sample FARA report.
- <sup>6</sup> <https://ustr.gov/trade-agreements/free-trade-agreements> (accessed May 10, 2021).
- <sup>7</sup> Under the fast-track authority, the president and executive branch have complete authority to negotiate international treaties and Congress can only accept or reject the agreement. No amendments or filibusters are allowed.
- <sup>8</sup> The initial negotiation stage is defined as beginning on the date of the earliest lobbying report that mentions "free trade agreement" as its lobbying issue. Given this definition, the initial negotiation stage began on November 29, 2002; the treaty was signed in June 2007. The renegotiation stage is defined as ending when the treaty and relevant agreement were finalized: December 3, 2010, for South Korea. The voting stage is defined as beginning immediately after the renegotiation stage ends, and ending on the date of the votes in both the House and Senate, which was October 12, 2011.
- <sup>9</sup> Supporting Information: Table A1 in the Appendix provides the list of legislation.
- <sup>10</sup> Following the existing literature (Jeong, 2018; Martin & Quinn, 2002), trade ideal points are estimated using a Bayesian item response theory (IRT) model using the mcmc package in R. Supporting Information: Figure A2 in Appendix B presents the distribution of these free trade ideal points (a), and the relationship between DW-NOMINATE scores and the free trade ideal points (b). I also provide a validation of this measure using existing measure of trade preference from Feigenbaum and Hall (2015) which use votes on trade issues in the House at the district level. Supporting Information: Figure A3 in the Appendix shows the relationship between the trade ideal points and Feigenbaum and Hall (2015)'s trade scores. Despite the fact that Feigenbaum and Hall (2015)'s measure is at the district-decade level (2003–2010) not at the individual member-level, the correlation is high (0.74).
- <sup>11</sup> Still, it is possible that vote choices for those 74 bills were affected by other lobbying activities or campaign contributions. Therefore, it is difficult to know how much vote choices on previous legislation reflect the true preference of a legislator. However, given that my interest is to identify legislators' predispositions on free trade, the source of the predispositions based on past votes matters less.
- <sup>12</sup> For example, the final text of the Korea–United States FTA agreement is several thousand pages long and provides a very detailed tariff schedule at the HTS (Harmonized Tariff Schedule) 8-digit level (<https://ustr.gov/trade-agreements/free-trade-agreements/korus-fta/final-text>) (accessed May 25, 2021).
- <sup>13</sup> Caucus membership (Congressional Korea Caucus or/and Asia Pacific American Caucus) data are constructed from the Committee on House Administration's webpage on Congressional Member and Staff Organizations (<https://cha.house.gov/member-services/congressional-member-and-staff-organizations>) (accessed April 10, 2020). The caucus membership data are available for the House of Representatives. For a full set of the variables included in the analysis, see Supporting Information: Table A3 in the Appendix.
- <sup>14</sup> There are seven bills related to the FTA with South Korea. Supporting Information: Table A2 in the Appendix provides a list of those specific bills.
- <sup>15</sup> One limitation of this method is that LDA filings before 2008 have some missing text descriptions and therefore this strategy may leave out other groups that lobbied on the FTA. However, two factors assure that the problem from this data limitation would not be severe. First, the public attention to the issue started to rise around 2006 and 2007, when the initial agreements were made by the executives. Therefore, the current method that is employed in the paper would not significantly miss the relevant interest groups due to the missing text information in the LDA reports before 2008. In addition, I include (ln) export to and (ln) import from South Korea at the district level which also captures the constituent-level demand that supports the free

trade deal as well as the contributions from unions which would capture general domestic demand to oppose the FTA.

- <sup>16</sup> For example, the hearing transcript before the Committee on Ways and Means regarding the pending FTA with South Korea shows the preference of individuals on behalf of organizations who testified at the hearing (Lee & Osgood, 2019). Public letters (e.g., <https://www.citizen.org/wp-content/uploads/usbic-statement-korea.pdf>, accessed May 10, 2021) were also used to identify the preferences of domestic groups concerning the FTA.
- <sup>17</sup> For contributions from Political Action Committees (PACs), contributor's group affiliation is easily identified. It is difficult to identify the group affiliation for contributions from individual donors who do not supply their specific occupational information. But most of those cases comprise donations from retired individuals, doctors, or attorneys. Given that groups that lobbied on the FTA were either large corporations or labor unions, it is unlikely that observations with no information about affiliation affect the contribution calculation for this study.
- <sup>18</sup> For the full regression results, see Supporting Information: Tables A4 and A5 in Appendix C.
- <sup>19</sup> The cutoff is determined based on a whole sample period. The cutoffs of the trade ideal points used to categorize politicians are following:  $-0.53$ ,  $-0.04$ , and  $0.69$ . Each group supported the South Korea free trade bill in the following percentages: strong protectionist (30.5%), weak protectionist (41.9%), weak free trader (53.3%), and strong free trader (65.5%).
- <sup>20</sup> Table A6 presents the composition of members by type in each period and by lobbying contacts. This table allows comparison of which type is over- or under-contacted compared to their overall composition in Congress in a given period.
- <sup>21</sup> This could simply be an artifact that trade committee members are concentrated in "weak protectionist" or "strong protectionist" groups. However, this is not the case. On average, members who serve on the trade-relevant committees are more free traders than members who do not serve on the trade-related committees. Also, trade committee members show diversity in terms of their trade preferences. For example, in the House, members who served on the Ways and Means Committee (trade committee) show the following distribution in terms of their trade preferences: strong protectionist (18%), weak protectionist (30%), weak free trader (24%), strong free trader (28%).
- <sup>22</sup> An alternative explanation behind the frequent contacts made to members who strongly opposed free trade is that lobbying firms might exploit their clients through increased numbers of contacts and, therefore, charging higher amounts on their bills. In that regard, this behavior could be the result of an agency problem. Although I cannot rule out this possibility, the contract structure in the lobbying industry might make this scenario less likely. In general, contracts in the lobbying industry differ from contracting practices in law firms and consulting firms. Lobbying firms do not charge their clients based on the number of hours they work. A lobbying firm and a client often have 1–2 year contracts with fixed monthly fees. In the FARA reports, most fees charged from a lobbying firm to a client are documented as monthly retainers (fixed amounts).
- <sup>23</sup> Lobbyists are active participants in campaign contributions. Reflecting this trend, I was able to find the CF score for 3,002 out of 3,049 contacts made to members of the House of Representatives and their staff. I use the CF scores of lobbyists as a measure of their ideology or their existing connections, which could be distinctive from their ideological alignment. Although lobbyists could make donations as an investment to gain access, existing literature shows that lobbyists, like other individual donors, also follow partisan lines when donating (Drutman, 2010; Koger & Victor, 2009; Leech, 2013) and their donations are "a reflection of pre-existing ties and access to a given politician" (Bertrand et al., 2014). This lends support for using contributions as long-standing relationships between politicians and lobbyists, rather than as investment-motivations of lobbyists.
- <sup>24</sup> Supporting Information: Figure A4 in the Appendix shows the distribution of these measures at the politician level.
- <sup>25</sup> For the full result, see Supporting Information: Table A7 in the Appendix.

- <sup>26</sup> In the regression, the contact pattern in the initial negotiation stage was set as a reference period.
- <sup>27</sup> Supporting Information: Table A8 in the Appendix presents the full results.
- <sup>28</sup> <https://ustr.gov/about-us/policy-offices/press-office/blog/2011/october/uaw-backs-korea-trade-agreement> (accessed May 20, 2021).

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## SUPPORTING INFORMATION

Additional supporting information can be found online in the Supporting Information section at the end of this article.

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