

Why do agencies (sometimes) get  
so much mail?

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# Civic engagement

Writing to government officials, signing petitions, attending hearings, attending protests, or donating to a political campaign (Verba and Nie 1987).

# Bureaucratic policymaking

~90% of U.S. law

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Descretion (Institutional design, information asymetry, multiple principals, coalitions)

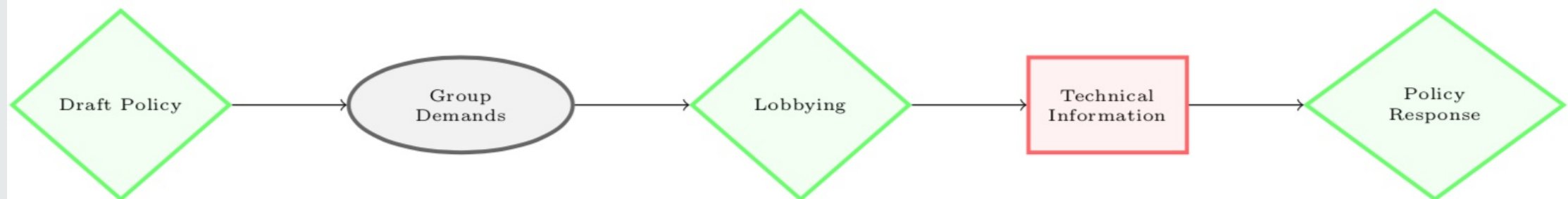
# Bureaucratic policymaking

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Interest group lobbying

Figure 3: The Classic Model of Interest Group Lobbying in Bureaucratic Policymaking



# 1946 Administrative Procedures Act

"opportunity to participate in the rulemaking through submission of written data, views, or arguments" -

U.S.C. § 553(c)

"a bill of rights for the hundreds of thousands of Americans whose affairs are controlled or regulated" -

Senator Pat McCarran

# Mass engagement in bureaucratic policymaking

"The 'mass comments' occasionally submitted in great volume in highly salient rulemakings are one of the more vexing challenges facing agencies in recent years." (Sant'Ambrogio and Staszewski 2018)

# Administrative Law Scholarship

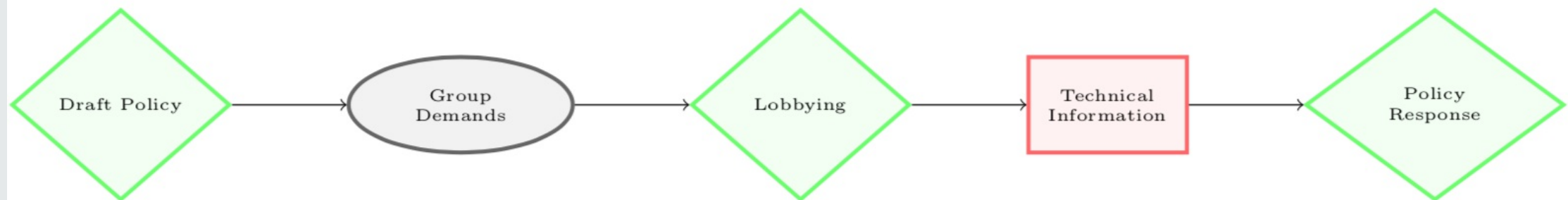
- Public comment is the "purest example of participatory democracy in actual American governance."
- Potential for "regulatory democracy" (Cu'ellar 2014, Johnson 2013) Agencies often discard non-technical comments, but they shouldn't (Mendelson 2011)
- Pluralist "The goal of e-rulemaking is to more fully capture such credible, specific, and relevant information, not to solicit the views of random, self-nominating members of the public." (Herz 2016)
- Potentially pluralist (Seifter 2016)
- Abolish it



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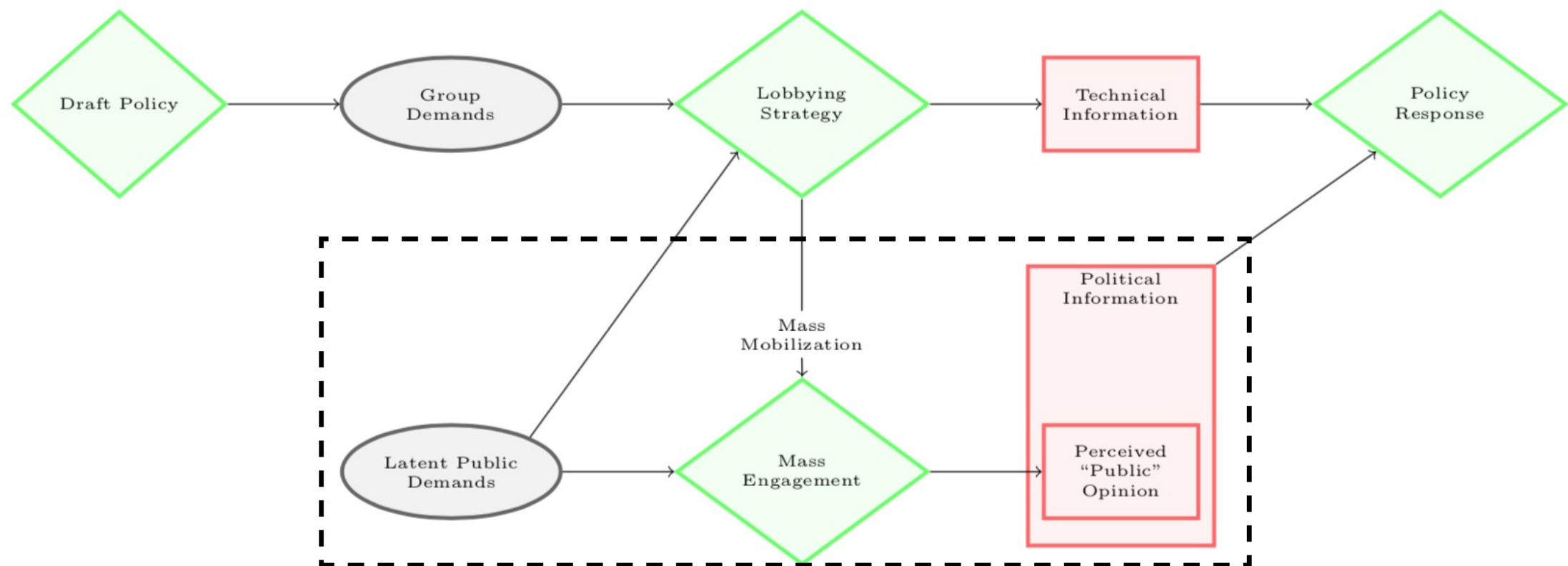
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# Political information

(e.g., signals of the scale and intensity of public support)

Figure 4: Incorporating Mass Engagement and Political Information into Models of Lobbying



# Public comment periods

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Does it matter?

But first:

1. What is it?
2. How do we measure it?
3. Why does it occur? (selection problems)

# Selection process

## Which rules?

- Significant policy changes at less-expert agencies (Moore n.d.)
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-> Opportunities for social movement mobilization



# Mobilized civic engagement

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-> Coalitions

# Why mobilize people?

## Outside lobbying

1. Expand the scope of conflict (Schattschneider 1975)

vs.

2. Leverage resources into an impression of public support

## Not lobbying

3. Member expectations / recruitment

# Public support

"Along with 80% of the American people, I strongly support ending commercial trade in elephant ivory in the US." World Wildlife Federation model comment

"petition signed by 67,275 self-proclaimed United States residents" and "more than 110 East Coast municipalities, 100 Members of Congress, 750 state and local elected officials, and 1,100 business interests, all of whom oppose offshore drilling."



# Tasks

1. Identify coalitions
2. Measure mass engagement
3. Which campaigns ought to matter

# Identifying Coalitions

## Text reuse

1. Remove text copied from proposed rule or request for comments
2. Exact match = duplicate (cosigned) comments
3. 10-word moving "window" = part copy vs. entirely unique

Cluster comments by word frequency and sentiment

Inspect and hand-code clusters (i.e. coalitions)



# Political Information

“ Coalition lobbying can generate new information and new actors—beyond simply the ‘usual suspects’—relevant to policy decision makers. Thus, we theorize consensus, coalition size, and composition matter to policy change.” (Nelson and Yackee 2012)

# Measuring Political Information\*

1. Number/share per coalition

2. Effort per comment

Lower <-----> Higher

Co-sign an org's comment <-> Partially unique <-> Unique

3. Potential contagion (share of unique comments?)

\*Agencies may not process comments in ways that deliver this information to decisionmakers

# Selection issues

Which campaigns ought to matter?

How to tell them apart?

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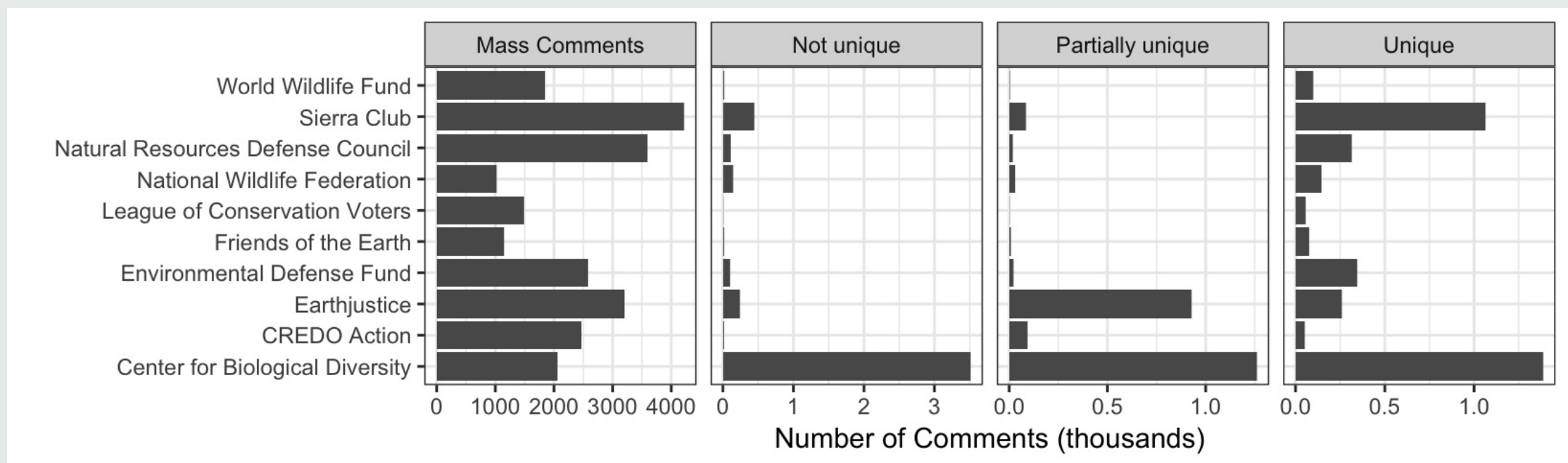
How to tell them apart?

	Inside lobbying	Outside lobbying
"Normal" lobbying	High	None
"Going public"	High	High
"Disrupting consensus"	High	Low
"Going down fighting"	Low	High

First cut

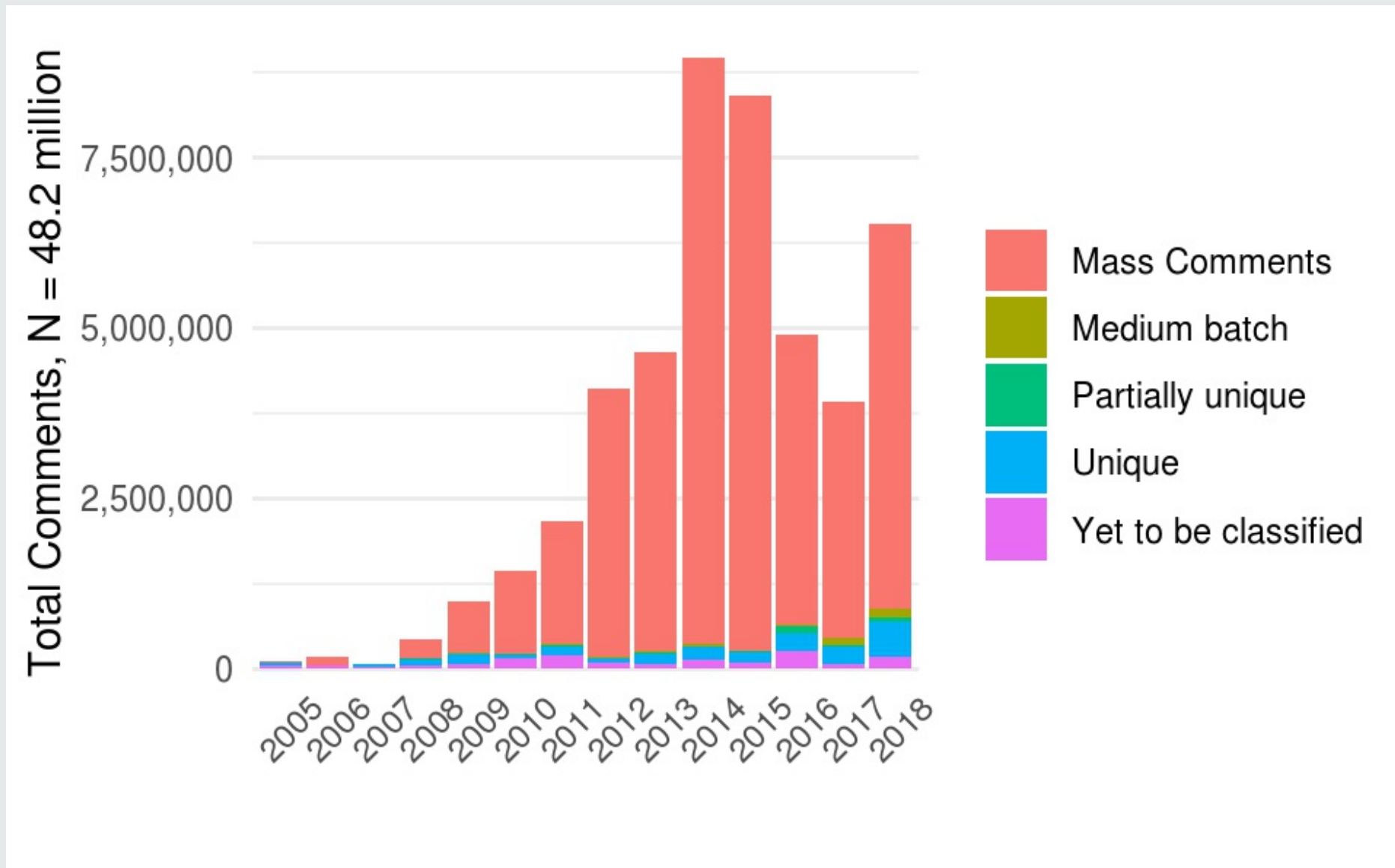
# Who mobilizes?

A few public interest groups.



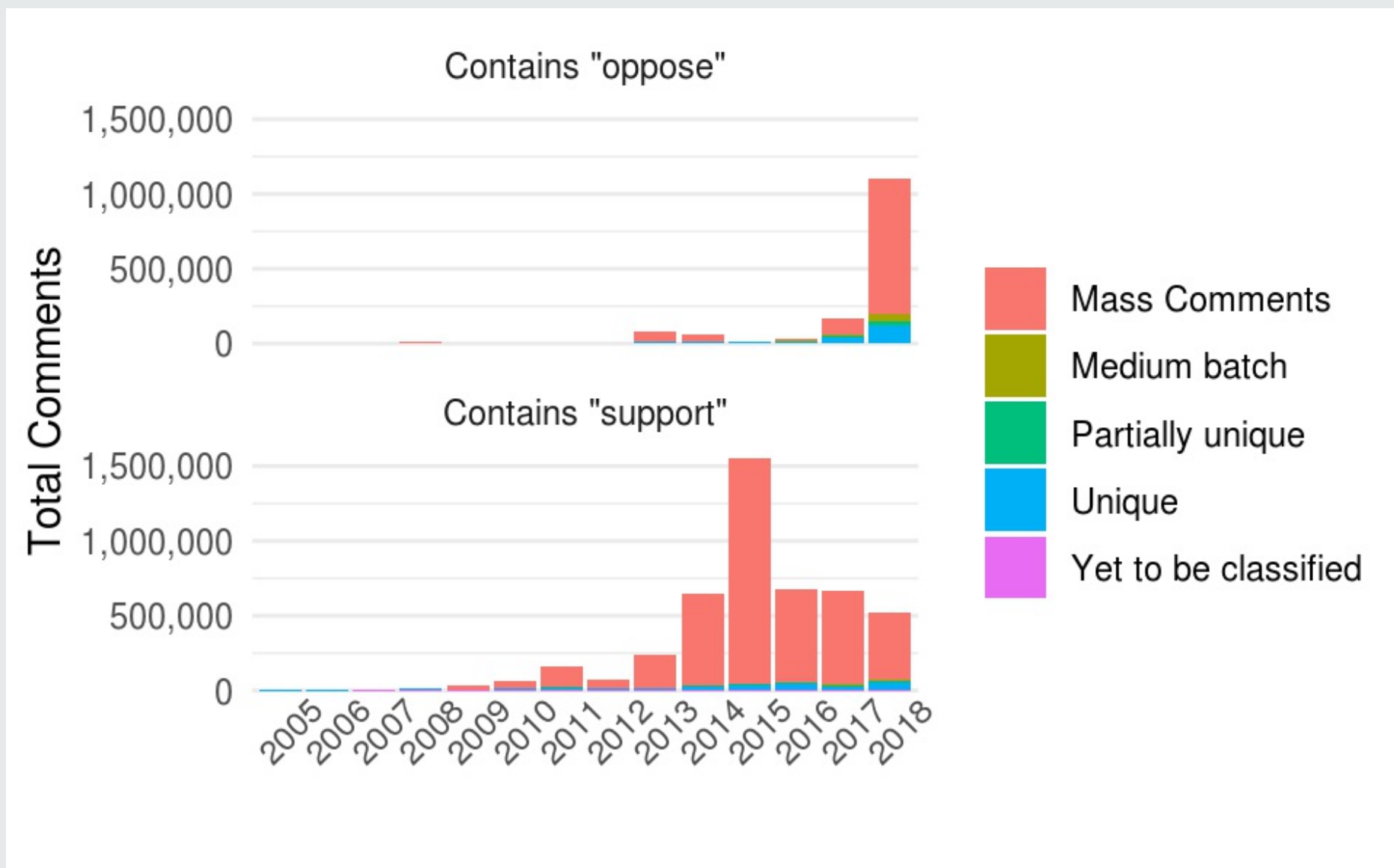
100 organizations mobilized 39m of 48m  
regulations.gov comments on proposed rules, ~87/100  
lobby in public interest coalitions

# Most comments are mass comments



# When does mass engagement occur?

Asymmetric mobilization > negativity bias





Delete forever

Not spam



More ▼

# Thanks!

