Information Provision in Lobbying

Interest groups lobby policymakers in order to shape the way that laws are written, the way that regulations are enforced, and many other important political outcomes. In practice, however, lobbying mainly consists of closed-door meetings between lobbyists and policymakers. While lobbyists are often required to report on their activity in general terms, disclosing the policymakers they met with and the general topics they discussed, only rarely does the public learn of what actually transpired within a lobbying meeting. What do lobbyists offer policymakers in these meetings that convinces the latter to do what the lobbying client wants? In other words, *why* does lobbying work?

Many of the leading answers to this question argue that lobbying works because lobbyists and their clients—which include companies, nonprofit groups, and other entities—are able to provide policymakers with new *information*. This information might convince the policymaker to change their position on an issue by revealing an unforeseen consequence of their current stance, or an unexpected benefit to be had from switching sides. Alternatively, the information might help a policymaker make progress towards achieving a pre-existing political goal. Finally, because lobbyists themselves have political beliefs and reputations to protect, they are often selective about which clients they will represent; thus, a lobbyist's choice to represent a certain client is itself a form of information about whether the client can be trusted.

This entry's primary focus is on describing the forms of information that lobbyists and their clients provide to the policymakers whom they lobby, and the leading theories behind why these types of information help interest groups to gain influence. Understanding information provision in lobbying is important in order to understand several important aspects of interest group influence, including: (1) which groups have the ability to influence policy through lobbying; (2) which policymakers can be successfully lobbied; (3) what lobbying's implications are for democratic representation.

Lobbying beyond *quid pro quo*

For many people, mention of the term "lobbying" brings to mind an image of a lobbyist handing a politician a bag of cash in exchange for policy favors—essentially, buying votes. Certainly, this corrupt form of *quid pro quo* lobbying has been employed to influence policymakers, as have less illegal but still transactional strategies such as threatening to withdraw future campaign contributions if the policymaker doesn't follow the lobbyists's wishes. However, most evidence suggests that vote-buying is not the primary way that lobbying works. In the U.S., for example, interest groups often lobby policymakers who already support their positions, and thus whose votes do not need to be bought. Further, the campaign donations made by any one lobbying client are often far too small to influence a legislator's behavior.

If lobbyists do not simply offer to pay policymakers to change their behavior, what *can* they offer them? Many scholars have argued that lobbying is all about information exchange: interest groups are able to influence policymakers' behavior by bringing them material information, of which they were not previously aware, that leads them to change course. This entry discusses three types of information that lobbyists can provide to policymakers. First, they can provide *persuasive* information that is designed to shift the policymaker's position on an issue. Second, they can provide actionable *intelligence* that can help an already-aligned policymaker pursue a shared policy objective. Third, lobbyists themselves can provide policymakers with information on the *trustworthiness* of their clients.

Information can persuade

For both altruistic and self-interested reasons, policymakers generally attempt to fulfill their mandates: legislators attempt to represent the interests of their constituents, regulators attempt to design welfare-enhancing rules and enforce them fairly, and so on. However, they do so under considerable uncertainty. Consider, for example, a legislator debating how to vote on a bill that would increase the state minimum wage. On one hand, the legislator might support the bill's goal of raising her constituents’ wages; on the other hand, if the minimum wage increase leads businesses in her district to make layoffs or close down, she might choose to vote against. Lacking information about the likely consequences of the minimum wage increase, the legislator is unsure about which position would best serve her district.

While the legislator is uncertain, there may be interest groups with access to private, material information about the policy's likely effects. For example, a retailers' association or chamber of commerce may have polled its members and compiled an estimate of how many layoffs would likely occur if the bill was passed; alternatively, an economic policy think tank may have done a study that found that the minimum wage increase would be a net positive for the economy. Due to their positions in society, the expertise of their personnel, and their organizational structures, these groups are in possession of information about the bill's likely effects that the government does not have.
Interest groups with access to this type of private information may attempt to communicate it to a policymaker, via a lobbying meeting, in order to *persuade* them to change their position on an issue.

Interest groups are only likely to share their private information with policymakers when they believe that the information would push the policymaker in their preferred direction, however. To return to the above example, imagine that the chamber of commerce poll revealed that local retailers would make massive layoffs in response to the minimum wage increase. Assuming that the chamber of commerce is generally opposed to policies like the minimum wage increase that make businesses less profitable, and given that the legislator is likely to oppose the bill once she learns that it will lead to layoffs, it is in the chamber's interest to share the results of its poll with her via lobbying. If the chamber's poll had instead revealed that layoffs would be minimal in response to the minimum wage hike, however, it likely would have kept this information to itself.

Access to policy-relevant private information, alongside the ability to selectively decide whether or not to share it with policymakers, gives certain interest groups substantial influence over public policy—particularly in technical or novel policy areas on which policymakers lack information. A much-reported example is that of AI-related legislation and regulation, a policy area that emerged in response to advancements in AI technology in the early 2020s. While policymakers agree that regulating this powerful new technology is important, they often lack the technical understanding of AI models that would be necessary to create effective regulations. As a result, the small number of companies at the forefront of AI development—including OpenAI, Anthropic, and Google—have played a large role in shaping AI regulations due to their privileged access to information on how the technology works, as well as its likely risks and benefits.

As previously noted, however, it is common to observe interest groups lobbying policymakers who already share their position on an issue and thus do not need to be persuaded; for example, the National Rifle Association lobbies many legislators who already oppose extensive gun control. In many cases, interest groups that lobby their allies may not be interested in persuasion. However, it has also been shown that interest groups can share private information with allied policymakers with the ultimate goal of persuading *non*-allied policymakers. Since establishing lobbying relationships with policymakers is costly, interest groups want to lobby as few policymakers as possible in order to obtain their desired policy outcome. However, policymakers themselves have the option to share information with their peers, effectively acting as lobbyists themselves and magnifying the interest group's message. This means that under certain conditions, it may be cost effective for an interest group to share private information with an allied policymaker who they believe will use the information to persuade their peers.

If lobbying is viewed as an interaction in which an interest group shares private information with a policymaker in order to persuade them to change their position, several observations follow about which groups are likely to lobby and which politicians are likely to be lobbied. First, successful lobby groups are those with some privileged access to information of value to the government. Second, the most-lobbied policymakers will be those who are undecided or uninformed about a policy issue. Third, lobbying is most likely on policy issues that are highly technical, complex, or otherwise difficult for policymakers to understand without outside information.

Information can subsidize

The previous section considered the example of a legislator who is uncertain about how she should vote on a bill because she does not know how the bill's passage would affect her constituents. Imagine now a legislator with a different problem: she is a strong supporter of raising the minimum wage, perhaps because raising the minimum wage was one of her campaign promises or because she represents a very progressive district, but she lacks the resources necessary to make meaningful progress towards this goal. For example, perhaps she lacks sufficient funding to commission studies or reports in favor of minimum wage increases that could be used to shape the legislative agenda. Perhaps she does not have sufficient legislative aides to draft a strong bill that would introduce the wage hike, or to devise a political strategy to gain support for the bill once introduced. In sum, while the previous legislator did not know which position to take, the current legislator knows her position but lacks a strategy for converting position into policy.

This legislator cannot be persuaded to change her position on the issue of increasing the minimum wage. Would any interest group still be interested in lobbying her? Quite probably, yes. This legislator would be an ideal target for *subsidy*-based lobbying, in which an interest group provides actionable intelligence that increases a policymaker's capacity to work on shared policy priorities. In subsidy-based lobbying, information serves a different role: rather than persuading a policymaker to change their position, it provides an already-aligned policymaker with ammunition that they can use in service of the position that they have already taken. In this example, a progressive nonprofit or labor group might provide the legislator with intelligence that would aid her in her fight for a higher minimum wage.

What does this subsidy-based information look like? Often, it can look similar to information that interest groups provide to persuade: private studies, polls, reports, or other data that the interest group is in possession of. The difference is that, rather than being provided to persuade the policymaker, in subsidy-based lobbying it is provided to help the policymaker to support a position she has already taken. It can also take different forms, such as intelligence about which other policymakers might be sympathetic to the position and thus serve as potential coalition partners, or even about how a bill should be drafted in order to achieve maximum legislative support. As the name suggests, the information provided in subsidy-based lobbying is a *gift* to the policymaker; it helps them do the things that they already wanted to do.

An interesting example of subsidy-based lobbying can be found in U.S. embassies overseas, where diplomats manage bilateral relations on a range of policy issues: defense, commerce, immigration, human rights, and many others. One of the primary goals of U.S. diplomats is to promote exports and investment flows between the U.S. and their host countries. However, embassies have limited ability to independently assess the barriers to bilateral commerce that companies are experiencing. As a result, they often rely on subsidy-based lobbying from American Chambers of Commerce (AmChams), interest groups composed of U.S. companies operating abroad that share diplomats' goal of promoting U.S. business overseas. AmChams, through their operations in the host state, collect valuable information about the problems holding back additional trade and investment; through subsidy-based lobbying, they communicate these barriers to diplomats in regular meetings so that they can be resolved diplomatically.

Subsidy-based lobbying can be complex, however, when the lobbying target is an official such as a diplomat or a legislator who works on multiple policy areas simultaneously. To see why, imagine that a legislator holds one position that an interest group supports, and another position on a different issue that the interest group does not support. If the interest group provides the legislator with information that allows her to work more efficiently on their shared policy interest, the legislator might respond by dedicating more of her effort to that issue. However, if she feels more strongly about the issue on which she diverges from the interest group's position, she might take advantage of the increased efficiency to dedicate *less* effort to the interest group's preferred issue while achieving the same output, and dedicate *more* effort to the other issue. For this reason, interest groups pursuing a subsidy-based strategy are more likely to seek out policymakers for whom their issue is a top priority, not just a marginal interest.

Lobbyists provide information about their clients

Both persuasion and subsidy-based informational lobbying strategies rely on policymakers trusting that the information that interest groups provide them is accurate. However, interest groups often have strong incentives to provide policymakers with misleading information. For example, if a business interest group attempts to use private information to persuade a policymaker to support a pro-business policy, how can the policymaker trust that the information is not biased? Alternatively, if an interest group pursuing a subsidy-based strategy approaches a policymaker to provide intelligence, how can the policymaker trust that this group is actually their ally and not an enemy saboteur? In order for informational lobbying to influence a policymaker, the policymaker must be able to trust the information they are being given.

Establishing trust between interest groups and policymakers is one of the key functions of *lobbyists* themselves. Lobbyists can perform this function, even though they typically do not participate in collecting the information that their clients share with policymakers, because they care about their own reputations with policymakers. Lobbyists have often developed their own relationships with the policymakers whom they lobby, which provide them continued access; if they were to bring the policymaker a client who led them astray with misleading information, the policymaker might decide to revoke this access. Since access to policymakers is a critical asset for a lobbying career, lobbyists have a strong incentive to vet potential clients to screen out those who might provide shoddy or misleading information.

Thus, the simple fact that a client is represented by a trusted lobbyist conveys meaningful information to a policymaker about the client's own trustworthiness, because the policymaker knows that the lobbyist would not risk representing an untrustworthy client. Yet reputation is not the only thing that lobbyists care about. Much research suggests that lobbyists are also political animals, often with strong party affiliations and partisan ideologies. Their political beliefs also shape the clients who they are willing to take on; a deeply conservative lobbyist would likely hesitate to work on behalf of a pro-life interest group, for example. While partisan lobbyists may have fewer potential clients than their nonpartisan peers, they are even \textit{better} at building trust between interest groups and policymakers. If a left-liberal lobbyist brings a client to a left-liberal legislator, for example, the legislator knows that the lobbyist has both professional *and* ideological reasons to ensure that their client will not lead the legislator astray.

Policymakers seek out information from interest groups

If interest groups are in possession of so much private information that may be relevant to policymakers, one might ask, why do policymakers wait for interest groups to lobby them? Why not simply approach interest groups and ask them for the desired information directly? In fact, this type of “demand-side” informational lobbying happens all of the time. In the U.S. context, two primary avenues for policymakers to seek information from interest groups are congressional hearings and federal advisory committees.

U.S. Congress contains hundreds of committees and subcommittees, each composed of legislators tasked with legislating and providing oversight on particular policy topics (e.g. “Science, Space, and Technology” and “Foreign Relations”). Frequently, when conducting research on potential or proposed legislation, congressional committees will seek testimony from nongovernmental actors during a public hearing. These testimonies—which are provided by representatives of nonprofits, for-profit corporations, trade associations, universities, and more—consist of long prepared statements, frequently citing the group's own research or experiences on the topic. They often contain attempts to persuade the committee to change course, or anecdotes and data in support of a proposed bill. The testimonies look very similar to what we might imagine occurs behind closed doors in a lobbying meeting, except for that they were scheduled at the government's behest.

Similarly, the U.S. federal government maintains thousands of standing advisory committees (FACs) which are staffed primarily by nongovernmental officials with expertise on a particular policy topic. For example, the U.S. Advisory Committee on Trade Policy and Negotiations is dominated by representatives of large multinational companies, while the Advisory Committee for Nuclear Security is mainly composed of nuclear engineers. Advisory committees meet regularly with representatives of their associated executive agencies to consult on rulemaking, regulatory enforcement, and a range of other issues. For example, foreign trade-related advisory committees play an active role in consulting the U.S. Trade Representative, Department of Commerce, Department of State, and Department of Agriculture during trade agreement negotiations. While some committees require prospective committee members to apply, many are invitation-based. Creating and staffing advisory committees is yet another way that policymakers can take action to seek out information provision from interest groups.

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See also: Legislative Subsidies;Lobbying Techniques, Strategies, and Tactics;Persuasion Models;Lobbying and Policy Change;Lobbyist Backgrounds

Further readings:

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