Lobbying after 9/11: Policy Regime Emergence and Interest Group Mobilization

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Does the emergence of a new boundary-spanning policy regime shift the focus of well-established organized interests, or does it mobilize new ones? In this article, I show that interest groups with a presence in Washington before 9/11 rapidly—but temporarily—shift their attention to the homeland security issues. Established groups’ entrenchment in antecedent subsystems appears to buffer against widespread policy disruption and interest upheaval. However, a new set of previously latent groups opportunistically mobilizes after the regime is institutionalized. Newly mobilized groups replace those that retreat back to the regime’s antecedent subsystems. Though the policy regime fails to resolve the jurisdictional turf conflicts that triggered its creation, the institutionalization of homeland security generates its own original, distinct government demand for lobbying. Interests that previously had no business in Washington before 9/11 took advantage of the new opportunities the regime offered without supplanting interests established long before the Department of Homeland Security and its congressional committees existed.

KEY WORDS: policy regime, subsystem, interest groups, lobbying, government demand, homeland security

In the policy world, large-scale disruptions are rare and typically unforeseen events, yet they are thought to have a wide-reaching impact on the status quo of who gets what, when, and how. Unpredictable, external jolts to the system often uproot routine policy priorities and governance institutions. Policy process scholars refer to these episodes variously as trigger events (Cobb & Elder, 1983), policy shocks (Kingdon, 1984), punctuations (Baumgartner & Jones, 1993), focusing events (Birkland, 1998), or external perbutations (Sabatier, 1999), each of which implies some dramatic shift in government priorities, attention, and resources to problems that had otherwise been underemphasized or ignored.

When policy disruptions are sufficiently large enough to span several otherwise balkanized policy domains, the reorganization of policy subsystems and institutional jurisdictions results in a new boundary-spanning policy regime (Lowry, 2006; May, Sapotichne, & Workman, 2009a; Wilson, 1990). These large-scale, cross-cutting policy arrangements are intended to solve coordination problems by incorporating governance structures and policy responsibilities across multiple previously existing subsystems (Kettl, 2006).
Policy regime theory is not necessarily novel in explaining the shift of attention from one problem to the next but is significant in explaining why such cross-cutting policy areas are so challenging to sustain over time. That is, new boundary-spanning regimes have a hard time overcoming the jurisdictional inertia of the previously established subsystems that they cut across. Policy regime creation means more than simply reshuffling arbitrary jurisdictional boundaries; it requires institutional actors and stakeholders to buy into it. Despite promising to efficiently coordinate the efforts of multiple subsystems to address a common problem, policy regimes tend to be weak, or anemic (Jochim & May, 2010; May, Jochim, & Sapotichne, 2011).

There is a persistent tension between the policies that fall under the new overlapping regime and those that remain in the antecedent domains’ jurisdiction. Accordingly, cross-cutting regimes experience what Kettl (2007) calls “punctuated backsliding” when they do not fully co-opt previous subsystems. The external shock causes a dramatic increase in government attention, only to be followed by an equally rapid drop soon after. The topic does not go completely ignored as it was before the shock but never maintains the heightened level of attention that immediately followed it.

Even anemic regimes do not disappear entirely. So they ought to have at least some lasting effect on interest group mobilization. As government shifts its attention to the new policy regime, attentive publics outside government likewise prioritize policy problems that fall under it. Here I propose that the literatures on policy processes and interest group mobilization intersect with the concept of government demand for lobbying (Leech, Baumgartner, LaPira, & Semanko, 2005). Changes in government agendas coincide with changes in organized interests mobilized to influence and monitor these developments. But precisely which interests mobilize—and when they lobby in the new regime—remains unclear. This project empirically exploits the creation of the “homeland security” regime as an observational intervention to explore what effect new regimes have on the timing and sequence of interest group mobilization and lobbying activities.

Policy process theories suggest that interests involved in the subsystems that feed into new regimes will be most directly involved in it (May, Sapotichne, & Workman, 2009b; Sabatier & Jenkins-Smith, 1993) but do not address the extent that new regimes may also attract attention from previously latent interests. Nor do they address which interests’ attention fades as it shows signs of anemia. Accordingly, I distinguish whether new policy regimes shift the focus of well-established organized interests, or if they activate latent interests to participate in the policy process. I adapt the government demand model of interest group mobilization to distinguish between established groups that shift attention to the new regime as it emerges and freshly mobilized organizations that respond to new policy opportunities as it becomes institutionalized.

**Government Demand for Interest Representation**

Government demand-oriented theories of interest mobilization assume that government itself encourages groups to mobilize for political action simply by
prioritizing issues that those groups may have a stake in. Governments demand information; organized interests supply it. This is distinct from Truman’s (1951) classic pluralist disturbance theory, which argued that latent groups organically mobilize in reaction to some perceived threat in the economy or society. That is, some problem outside of government motivates like-minded people to act collectively to try to resolve it, through social movements or lobbying campaigns directed at the government. Rather, government demand theory rests on the idea that groups respond to policy agendas set by formal government institutions. This neopluralist perspective reintroduces the role that the government itself plays in creating the political context and opportunities for groups to mobilize (Lowery, 2007; McFarland, 2004). Where Truman’s pluralist disturbance theory located the source of political mobilization in society—a feature that was most directly criticized by Olson’s collective action model (1965)—the neopluralist government demand model points to government agendas as the locus of group mobilization.

And, government demand theory does not imply rent-seeking per se. Of course the government can offer direct subsidies to latent groups or establish programs that compel nongovernmental entities to organize for its implementation (Skocpol, 1992; Walker, 1983), though government demand does not assume interests extract some form of government largesse. Rather, government attention—regardless of outcomes—generates an opportunity for interest organizations to mobilize that is independent of group supply, or a prospective organization’s ability to summon the resources to mobilize.

Gray and Lowery (1996) first directly addressed the idea that the government agenda provides opportunities for interest organizations to mobilize. They adapt organizational ecology theory to point out that interest group mobilization is density-dependent. Any policy system’s capacity to sustain lobbying activity is intrinsically limited to the amount of policy problems it can address. A theoretically infinite supply of interest groups would be limited by space on the public agenda just as organisms are limited to the resources they can extract from their habitat.

The greater attention government gives to issues that may affect an organized interest, the more likely it will be that that group will mobilize for political action. Leech et al. (2005) demonstrate that as the federal government increases its attention to an issue domain, so too do organized interests increase their lobbying efforts to that domain. In a cross-sectional analysis of 56 distinct issue areas in Washington, they show that the number of congressional hearings held on topics related to a domain increased the number of groups who reported lobbying on those issues.

Subsequent empirical studies have confirmed and expanded on these findings, suggesting that the government demand concept is multifaceted. Dusso (2008) finds that legislative activities other than hearings have varying impacts on lobbying activities. Baumgartner, Gray, and Lowery (2009) find a federalism effect, such that federal government attention stimulates interest group activity at the state level. Baumgartner, Larsen-Price, Leech, and Rutledge (2011) find a moderating effect for the separation of powers. Where some domains like foreign policy and health are traditional venues for presidential agenda-setting and lobbying
attention, conversely, other domains like agriculture and transportation are most affected by congressional attention.

One implicit assumption about government demand theory that can be derived from the agenda-setting literature that has yet to be deeply examined is the dynamic nature of changes in lobbying activities over a long period of time. If major policy changes are best assessed over long periods of time (Baumgartner & Jones, 1993; Sabatier, 1999), then the government demand effect should also be observed over the long run. For example, in a longitudinal test of the government demand model, LaPira (2012) finds that the largest annual increases in health groups in Washington occurred as reactions to both Clinton’s and Obama’s comprehensive health-care reform efforts. But, in the intervening 17 years between reform efforts, there was no equivalent decrease in health groups even as comprehensive health reform faded from the agendas. Interest group mobilization is path-dependent and self-reinforcing. A group’s Washington presence, once established, is sticky (Drutman, 2010).

These empirical projects have moved the field forward, but a number of implicit assumptions about the dynamics of agenda-setting and interest mobilization have yet to be systematically explored. Accordingly, this article investigates the dynamics of interest group mobilization and lobbying resource-allocation as a response to the rare, yet institutionally significant, external events that spawn new policy regimes.

The Conceptual Link between Policy Regime and Government Demand Theories

Simply, creating a new policy regime around a common, boundary-spanning element from many previously unrelated subsystems ought to change how interest organizations engage in the policy process. Interest groups will systematically respond to shifts in the government agenda under the new regime, as government demand theory would predict. That is, policy agendas cause interests to mobilize their resources to influence and monitor government activities.

If policy regimes are extraordinary cases of shifting government agendas, then the government demand for groups will also be extraordinary. The rapid rise of the new regime gives us an observational window into the interest group mobilization process that might otherwise occur gradually over long periods of time.

My central contribution to interest group demand theory, then, is to recognize that different groups—well-established ones versus those jumping into the policy process for the first time—will mobilize at different points in time. As a consequence of the sequence and timing of their mobilization, these different groups will predictably vary in the resources they dedicate to lobbying the institutionalized, albeit anemic, regime. So, what may appear as limited “interest upheaval” (May et al., 2009a) is true when looking solely at established groups. Doing so ignores all the new groups mobilized to lobby specifically in the new regime. This distinction is precisely what I aim to test here.
I contend that a policy regime develops in two sequential phases: emergence and institutionalization. First, the regime emerges when some external event disrupts otherwise distinct policy subsystems to be simultaneously redefined by a new, common attribute. After this initial period of emergence, the regime becomes institutionalized once new governance structures and policy jurisdictions are statutorily codified in reference to the attribute. Note I do not claim that policies created in these regimes develop in linear fashion (Kingdon, 1984; Sabatier & Jenkins-Smith, 1993). Rather, I assume a new regime is initially formulated and legitimated at one point in time, then subsequently implemented, evaluated, and continuously redefined and reformulated following a stochastic, positive feedback process (Baumgartner & Jones, 1993; Jones & Baumgartner, 2005). This assumption simply recognizes that at $t_0$, the policy regime will not yet exist. Then a disruption occurs at $t_1$ that necessitates its creation, and at $t_2$ it matures into an established, coherent governance structure with a relatively stable policy equilibrium. Emergence occurs in the interim between $t_1$ and $t_2$, and institutionalization—which may itself be subject to significant policy feedback and change—occurs after $t_2$.

Government demand theory suggests that interest groups will mobilize to respond to the government's attention to the new attribute. However, if there are two distinct stages of policy regime development, then it is reasonable to expect that different interests will mobilize at different stages and that those different sets of groups will allocate lobbying resources differently. Accordingly, there are two kinds of mobilization in response to government agendas: one in which established groups partially shift their attention from one issue to another, and one in which latent groups activate themselves to focus exclusively on the new opportunity.

A policy regime emerges when policy entrepreneurs responding to some event identify issues $a$, $b$, and $c$ from subsystems $A$, $B$, and $C$ as having a common element, issue $d$, by creating a cross-cutting policy regime $D$. Interest groups with a stake in the ex ante subsystems $A$, $B$, and $C$ will necessarily have a direct stake in formulating the jurisdiction of regime $D$. This stage will be brief and volatile, as democratically responsible policymakers have an incentive to claim credit for responding to the crisis. Policy regime $D$ becomes institutionalized when governance structures—such as legislative committees and bureaucratic agencies—are statutorily granted partial jurisdiction over issues $a$ through $d$. After those institutions and boundaries are defined, newly mobilized interest groups that previously never had any stake in $A$, $B$, and $C$ subsystems will mobilize to monitor and influence policies implemented and evaluated in regime $D$.

Two testable hypotheses can be deduced from these theoretical assumptions. First:

*Mobilization Dynamics Hypothesis: Groups with an established presence in Washington will shift their attention to a new policy regime as it emerges, whereas previously latent organizations will initiate lobbying activity after it is institutionalized.*

Groups with more lobbying experience will be in a better position to quickly shift attention to a newly defined policy problem, whereas groups with little or no
lobbying resources will need to overcome relatively higher costs of entry into the regime. The incentive for established groups to react quickly is clear. Alternatively, and quite literally, newer groups will not have lobbyists on the ground to rapidly respond.

But that is not the only logical expectation: groups with an established past likely have had success in establishing the policy status quo in the antecedent subsystems, so they have an incentive to define the contours of the new regime to minimize status quo changes. Those already engaged in the antecedent subsystems from which the new policy regime cuts across face the familiar Washington dilemma: “if you’re not at the table, you’re on the menu.” Interest groups with a long-term lobbying presence will not stand by as a new regime’s jurisdictional framework takes shape if they believe that it will uproot the favorable subsystem arrangements they have built over many years.

The second theoretical deduction is that latent groups that become engaged in the new regime will make those issues a higher priority than others.

*Lobbying Concentration Hypothesis: Established groups will add a new policy regime into their existing agenda, but newly mobilized groups will concentrate their efforts exclusively on the new regime.*

Simply, well-established groups will not abandon their previous commitments even when previous policy subsystems are reorganized (May et al., 2009a). Instead, established groups will expand their agenda to include issues that fall under the new regime’s cross-cutting jurisdiction. Therefore, issues in the new domain will demand a smaller proportion of their time, energy, and resources. These prior commitments are precisely why new regimes are anemic.

Conversely, politically dormant groups that mobilize in reaction to the government’s shift in attention and resources to the new regime do not have the same constraints. Without commitments to previously existing policy domains, they are free to focus exclusively on the new cross-cutting regime. It is empirically possible for these new groups to focus on the new regime as well as the antecedent subsystems, but I deduce from the government demand model that doing so is not likely. Those groups initially activated by the creation of a new policy regime are responding to a new opportunity, I assume they will make it their primary focus. Otherwise, they would have mobilized before to seek opportunities in the antecedent subsystems.

**Homeland Security: An Ideal Test Case**

Dramatic and lasting change in the organization and structure of the government rarely happens. The introduction of the concept of “homeland security”—or rather redefining domestic terrorism, transportation security, food safety, natural disaster response, and border protection subsystems as “homeland security” (Kettl, 2007; May et al., 2009a, 2011)—represents an ideal instance of policy regime emergence.
Most Americans had never even heard the term “homeland security” until it suddenly symbolized the post-9/11 political zeitgeist. The idea of homeland security as an integrated strategy to respond to terrorism was previously known only among a handful of national security policy experts (Carter, Deutch, & Zelikow, 1998). Among other political advantages, the terrorist attacks presented an opportunity for the Bush administration to overcome long-standing turf battles between domestic law enforcement and overseas counterterrorism agencies (Helyea, 2002; Kettl, 2007). Clearly the perceived threat was evident, so there was little need to seize the bully pulpit. Rather, the administration’s strategic use of the term is a prime example of a heresthetic strategy to overcome a jurisdictional turf conflict (Riker, 1986). The institutional changes that soon followed were a matter of course set in motion by the re-imagination of what the problem was.

The subsequent internal reorganization of Congress and creation of an enormous new cabinet-level bureaucracy occurred extremely rapidly. Within weeks of the attacks, the president appointed a White House Homeland Security adviser. By June 2002, the administration had developed a plan to consolidate more than 20 law enforcement and disaster response agencies that were spread across multiple cabinet-level bureaucracies (Lee, 2002). Not only did the White House act quickly to redefine the threat of terrorism within U.S. borders as a matter of law enforcement and foreign policy to that of homeland security, so too did Congress act quickly to authorize a new cabinet-level department. In November 2002, Congress passed the Homeland Security Act and followed soon after with supplemental appropriations to fund it. The following Congress incorporated the new bureaucracy’s jurisdiction into its biennial reorganization rules package to create new authorizing and appropriating committees.

And, in perhaps the final formal recognition of the new policy regime—as well as the key empirical intervention examined here—the legislative support agencies that act as the repository of the Lobbying Disclosure Act (LDA) reports added the Homeland Security (HOM) issue area to its list of over 70 predefined issues in which lobbyists report activity. At this point, the institutional metamorphosis of the federal government around the little-known concept of homeland security was complete.

This stunning feat of bureaucratic reorganization is remarkable in its complexity and swiftness, which is clear evidence of Bush’s successful heresthetic strategy. The strategic redefinition of one of government’s most important functions—to protect life and property—allowed the administration to “win because they have set up the situation in such a way that other people will want to join them—or will feel forced by circumstances to join them—even without any persuasion at all” (Riker, 1986, p. ix).

Data on Homeland Security Lobbying

What effect did these institutional changes have on interest representation? I expand the empirical observation of interest mobilization in the homeland security regime beyond those invited to testify before relevant congressional committees
(May et al., 2009b), which are typically unrepresentative of the interest group system as a whole (Baumgartner & Leech, 1998). Instead, I observe all lobbying activity across multiple general issue areas in LDA reports. The otherwise minor clerical change of adding HOM to the list of general issue area codes on lobbying disclosure reports in 2002, then, represents an observable intervention in lobbying over time.

So, to test the mobilization dynamics and lobbying concentration hypotheses, I construct a longitudinal lobbying data set from 293,260 lobbying disclosure reports filed between 1998 and 2008. These reports document 29,765 unique interest organizations reported lobbying activity in 78 general issue areas, including HOM. From this full census of lobbying organizations, I identify all 1,782 (5.9 percent) organizations that reported lobbying on the HOM issue area at any time between 2002 and 2008.

The source for raw LDA data is the Center for Responsive Politics’ (CRP) lobbying database. CRP, a nonpartisan research organization in Washington that tracks money and politics at the federal level, organizes LDA reports and identifies the primary economic interests that each client represents. For instance, CRP identifies both the trade association Port Security Council and the private for-profit company Ports America, Inc.—a terminal operator—as belonging to the transportation sector. By categorizing individual groups by their primary economic interest, I can analyze aggregate patterns of lobbying activities across sectors. Additionally, following Baumgartner and Leech (2001), I coded all 1,782 organizations by type, such as business firm, trade association, labor union, and so on.

What value the LDA report data have in breadth they lack in depth, so there are necessarily some caveats to their use. The LDA forms include an open-ended question about specific issues that would be ideal to measure whether groups genuinely shifted their attention from previous issues or merely reframed the issues they lobbied on to fit the new homeland security domain. Unfortunately, this open-ended format is inconsistent across reports, making text analysis and direct comparisons prohibitively challenging for the purposes of this project. Nonstandard, irregular expressions include different levels of specificity (i.e., some mention specific bills in Congress, others mention broad issues like “defense appropriations”) and uniformity (some mention bills by common name, others by House and Senate bill numbers). Conversely, the LDA “issue area” level of analysis does provide discrete, comparable, and reliable data. Additionally, policy regime theory focuses on governance and interest mobilization at this aggregated level of analysis, not necessarily specific issues within domains. Accordingly, I use the HOM issue area as my level of analysis.

So, for each of the roughly 1,800 interest groups, I am able to identify (i) the type of organization, (ii) the economic sector it represents, and (iii) the issue areas other than HOM in which it was coincidentally active. Not surprisingly, the subset of organizations lobbying in the HOM issue area is not representative of the interest group population as a whole. For-profit business firms are the most common organization type, and groups representing the communications/electronics, public/civil society, manufacturing/commerce, transportation, and defense sectors were significantly more active on HOM issues than groups from other sectors. Identifying
the most active organization types and economic sectors allows me to test intuitive alternatives to the mobilization dynamics and lobbying concentration hypotheses.

Additionally, I find significant variation in the amount of attention that groups direct toward HOM relative to all other issue areas. I took the following steps to construct the variable, homeland security attention. For each of the 1,782 clients that were active in HOM at any time, I counted the number of semiannual LDA reports that mention HOM and the number of semiannual reports that mention any other issue, and summed. I then calculate the ratio of HOM report-mentions to all other issue area mentions for a variable that has a maximum = 1 and a theoretical minimum ≈ 0. If HOM is the sole issue area mentioned by an organization, the ratio equals one. The median interest group’s attention to the homeland security issue area is 0.13 (mean = 0.25, SD = 0.29). In practical terms, the typical interest group lobbied on ten issues in addition to HOM at some point from 1998 through 2008.

Most importantly, groups’ attention to the regime is not normally distributed. A small number of groups focus exclusively on HOM, whereas most groups spread their attention across multiple domains. Only 158—less than 1 percent—of the 1,800 organizations lobbying on homeland security fit this strict level of attention. The non-normal distribution is consistent with previous large-scale studies using lobbying disclosure reports (Baumgartner & Leech, 2001). All told, these descriptives lend some measure of face validity that the data reflect the attentive publics with most at stake in the homeland security regime.

The Explosive Growth of Homeland Security Lobbying

To better understand the political context of homeland security lobbying, I compare annual reporting on HOM to all other issue areas over time. Figure 1 shows the rapid growth of homeland security lobbying after 2002.6

There are two trend lines in Figure 1, one showing the average number of interest groups reporting activity in the 76 other government-defined issue areas listed on the lobbying disclosure form.7 The number of organizations per issue area is consistent over time, as evident in the augmented Dickey–Fuller unit root test = 272.1, \( p < 0.001 \). The second trend line is HOM lobbying, which increases dramatically to a well above-average rate.

Amid the overall stability, the explosive growth in homeland security is evidence that the administration’s successful heresthetic strategy had immediate consequences. Across all 11 years in the series, the average number of reports filed per issue area was 2,735.7 (SD = 3,593.4). The HOM issue area alone averaged 555.1 (SD = 255.7) organizations from 2002 on, making it one of the top 15 most popular issue areas. In the first three years, the number of groups lobbying in HOM alone surpasses the average, with a cumulative increase of 1,414 percent. At its peak in 2007, HOM ranks eleventh, behind only the most popular domains with expansive scopes and long histories, such as the federal budget and appropriations, taxes, defense, and health care.
These lobbying trends make clear that shift in government attention to homeland security was met with a concomitant shift in attention from the interest group system. What these trends do not tell us, though, is which interest groups responded so rapidly to populate the new policy regime as it emerged, and which were drawn to it after it is institutionalized.

Washington Presence and Homeland Security Lobbying

To test the mobilization dynamics hypothesis, I determined the year that each organization established a presence in Washington and the year that each first reported lobbying on HOM. Of course the time series is censored, meaning that organizations that established a Washington presence before data became available—or even before passage of the LDA in 1995—may very well have had a presence for many years prior. For instance, IBM Corporation—a major government contractor since at least World War II—has likely had a presence in Washington since its inception, yet the company’s earliest report on file in my time series is 1998. Therefore, groups that entered the data set in 1998 are coded as “1998 or earlier.” Table 1 displays when organizations that lobby on homeland security established a presence in Washington.

The mobilization dynamics hypothesis is not concerned solely with an organization’s year of establishment but also with when it began lobbying in the homeland security regime.

To better capture an organization’s choice to shift attention to the new regime or to initiate its participation in the interest group system in response to it, I developed
Table 1. Year of Establishment in the Washington Interest Group System

<table>
<thead>
<tr>
<th>Year</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
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<tbody>
<tr>
<td>1998 or earlier</td>
<td>558</td>
<td>31</td>
</tr>
<tr>
<td>1999</td>
<td>74</td>
<td>4</td>
</tr>
<tr>
<td>2000</td>
<td>50</td>
<td>3</td>
</tr>
<tr>
<td>2001</td>
<td>104</td>
<td>6</td>
</tr>
<tr>
<td>2002</td>
<td>99</td>
<td>6</td>
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<tr>
<td>2003</td>
<td>179</td>
<td>10</td>
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<tr>
<td>2004</td>
<td>168</td>
<td>9</td>
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<tr>
<td>2005</td>
<td>175</td>
<td>10</td>
</tr>
<tr>
<td>2006</td>
<td>125</td>
<td>7</td>
</tr>
<tr>
<td>2007</td>
<td>131</td>
<td>7</td>
</tr>
<tr>
<td>2008</td>
<td>119</td>
<td>7</td>
</tr>
<tr>
<td>Total</td>
<td>1,782</td>
<td>100</td>
</tr>
</tbody>
</table>

Note: The Lobbying Disclosure Act reporting system began keeping records in the 1996 calendar year. The Senate Office of Public Records only began making reports electronically available in 1998.

Table 2. Washington Presence and Entry into Homeland Security (HOM) Issue Area

<table>
<thead>
<tr>
<th>Number of Years</th>
<th>Relative Entry</th>
<th>Percentage</th>
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<tbody>
<tr>
<td></td>
<td>Simultaneous</td>
<td>Short Term</td>
</tr>
<tr>
<td>0</td>
<td>690</td>
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<tr>
<td>1</td>
<td>—</td>
<td>139</td>
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<tr>
<td>2</td>
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<td>107</td>
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<td>15</td>
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<tr>
<td>9</td>
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<td>4</td>
</tr>
<tr>
<td>10</td>
<td>—</td>
<td>—</td>
</tr>
<tr>
<td>Percentage</td>
<td>39</td>
<td>30</td>
</tr>
</tbody>
</table>

Note: The categories are derived from the number of years that the organization established a presence in the Washington interest group system. Those that established presence in 1998 or earlier are coded 2 as long-term entrants into the Homeland Security regime, those establishing presence after 1998 but entering the domain in any subsequent year coded 1 as short-term entrants, and those establishing a presence and entering the domain during the same year coded 0 as simultaneous entrants.

I devised the coding scheme to distinguish between groups that chose to lobby on homeland security that had a well-established presence prior to 9/11, that initially established themselves expressly to lobby on homeland security, and those groups that fall somewhere in between these two extremes. Table 2 summarizes relative entry.

I coded relative entry following a simple procedure. First, all organizations in the “1998 or earlier category” in Table 1 are coded 2 as long-term entrants. These groups may have entered the homeland security domain at any time after 2001, but all of them had been actively lobbying for at least three years before the regime emerged.
Second, all organizations with zero years between establishment and entry are coded 0 as simultaneous entrants. By definition, all simultaneous entrants established a presence in DC after 2001. They are also distinct in that they mobilized to lobby explicitly for homeland security issues after the government established the regime’s jurisdiction.

Finally, the remaining groups are coded 1 for short-term entrants, meaning that they established presence at any time after 1998, then entered the homeland security domain in any subsequent year. These organizations do not have established roots in Washington as organizations like IBM, but they did not initially mobilize explicitly for homeland security.

This coding logic can be better understood with concrete examples. United Airlines, a well-established organization in the interest group system was also directly involved in the events on 9/11. It is coded as a long-term group, and it entered the homeland security issue area immediately in 2002. Conversely, Boston University, also a well-established interest organization in Washington, does not enter the homeland security domain until 2008, a full seven years after the policy regime emerges. Similarly, short-term entrants vary on the number of years between establishment and entry, though they are not the well-established, long-term entrants. For example, CodeSpear LLC, a first-responder communication device software company, established its presence in 2005 to lobby on appropriations but did not enter the homeland security domain until the following year. On the other hand, Apogen Technologies—an intelligence data-mining software engineering firm—is coded as a short-term entrant because it established a presence in 1999, yet did not actively lobby in the homeland security issue until 2006.

The variable relative entry, then, measures a very different concept of time than simply the number of years between establishment and entry. The number of years is an interval measure of linear time, whereas relative entry is a measure of duration between establishment and entry. The categories in the relative entry variable are key to testing both the mobilization dynamics and lobbying concentration hypotheses. Both hypotheses rest on the assumption that groups with an established presence in the interest group system will react differently to the institutionalization of the new policy regime.

Figure 2 plots the year of entry into the homeland security domain by relative entry. The visual evidence is clear. In 2002 and 2003, well-established groups quickly enter into the newly established homeland security policy regime as Congress formulates legislation to authorize the Department of Homeland Security (DHS). Conversely, after the bureaucracy is institutionalized in 2004, short-term and simultaneous entrants become more likely to initiate homeland security lobbying activities. Just as the mobilization dynamics hypothesis predicts, well-established groups had the capability to rapidly jump on the homeland security bandwagon, whereas those organizations with little or no Washington presence waited until after it was institutionalized. Moreover, the established groups appear to backslide, making the regime appear weak. Yet the new entrants into the interest group system keep it from reverting back to the status quo levels that preceded its creation.
Though it is visually apparent in yearly trends, the theory assumes two stages. So I recode years into a dummy variable where 2002 and 2003 represent the emergence stage, and the remaining years the institutional stage. Rather than simply observing if a group engaged in HOM or not, I instead measure each group’s level of activity in it. Interest groups may file multiple LDA reports depending on how many consulting contracts they have with lobbying firms. And, on each of those reports, they may mention as many issue areas as they want, including HOM. So, these disaggregated LDA report-mentions reflect how much attention a given organization gives to the policy regime.

Figure 3 plots the average number of LDA reports filed by organizations lobbying in HOM in the given stage of the regime’s development and its relative entry into the regime. Analysis of variance confirms that both relative entry, $F(df = 2) = 47.9$, and policy regime development stage, $F(df = 1) = 59.6$, are statistically significant at the 99 percent confidence level. Well-established long-term interest groups are more than four times as likely to be active in HOM during the emergence stage as simultaneous groups and nearly twice as likely as short-term groups. But after the regime is institutionalized, interest group attention reverses. Simultaneous entrants—or those that initially mobilize expressly to lobby on homeland security—are, on average, 2.2 times as likely to initiate HOM lobbying as their more established counterparts.

These findings lend convincing support to the mobilization dynamics hypothesis. I can say with confidence that groups with a prior existence in the interest group system have an advantage in responding more quickly to a newly defined regime, whereas newly activated groups respond to the policy opportunities it offers after it is institutionalized. These findings distinguish between attention-shifting and new group-activation forms of mobilization in response to the new homeland security
regime. Though there may be little cross-subsystem interest group spillover within the new regime, the regime does attract a whole new set of otherwise dormant interests.

Concentration of Lobbying Attention on the Homeland Security Policy Regime

The lobbying concentration hypothesis holds that groups with established roots in the lobbying system ought to have a greater diversity of issue concerns. Those groups with few commitments to established policy domain jurisdictions, on the other hand, ought to attend almost exclusively to the new regime. In short, groups with agendas that preceded 9/11 are spread more thin than those that opportunistically mobilize to respond to the new regime.

Though my theory is primarily concerned with patterns of group presence in Washington, there is little reason to think that relative entry into the policy regime is the only factor that contributes to attention to homeland security issues. So I control for a number of interest group characteristics that should intuitively distinguish between those groups with varying attention to the new domain. First, intuitively, organizations with more *lobbying resources* will be active in more domains. Accordingly, I count the number of lobbyists that an organization hires—both in-house and under consulting contracts—to reflect human resources dedicated to lobbying.

Second, I control for the type of organization that is likely to engage in homeland security issues to begin with. Recall that descriptive statistics of homeland security lobbying is biased toward certain types of organizations that have a direct stake in the domain. Accordingly, I dummy code for-profit businesses in selected

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Figure 3. Homeland Security Lobbying by Relative Entry and Policy Regime Development Stage. 

*Note:* $N = 1,782$ interest groups. Data are the number of LDA reports mentioning the homeland security (HOM) issue area per policy regime development stage. Unique organizations may file multiple reports mentioning HOM if they hire outside consulting firms. The full analysis of variance model’s root mean squared predictive error ($df = 3$) = 29.8.
industries. I expect types of organizations and economic interests that have a
greater likelihood than average of being drawn to homeland security issues to pay
relatively more attention to the regime.

One final consideration in the analysis is the distribution of lobbying attention.
To address this non-normal distribution of my dependent variable in a regression
analysis, I estimate both a simple ordinary least squares (OLS) and a quantile regres-
sion model at the 25th, 50th, and 75th percentile intervals. In other words, the latter
model observes variation at four equally distributed intervals rather than at the ratio
level. The models test the effects of relative entry into the homeland security regime
on attention to the issue area, while controlling for the amount of resources that an
organization commits to lobbying in general and the types of organizations and
economic interests most likely to engage in it.

Table 3 displays the results of an OLS regression on Model 1 with robust stan-
dard errors, and a quantile regression model with standard errors calculated from
bootstrapped estimates based on 250 replacement resamples in Model 2. As hypoth-
esized, an organization’s relative entry into the homeland security regime is corre-
lated with its attention to homeland security policy issues. Additionally, relative
entry is consistently the strongest right-hand side predictor. Groups with an estab-
lished presence are significantly less likely to concentrate their efforts on the new
homeland security policy regime. Conversely, relatively new organizations are sig-
nificantly more likely to concentrate their lobbying efforts on HOM. That is, a
one-category increase in relative entry—or, moving from simultaneous to short-
term, or short-term to long-term—produces a 0.2 increase in the ratio of LDA reports
that mention homeland security to all other domains. When controlling for other
factors, interest organizations with a long-term presence in Washington are signifi-
cantly more likely to spread their attention across a greater number of previously
established subsystems.

I interpret these findings to reflect established groups’ commitments to existing
subsystems, whereas newly mobilized groups have the freedom to prioritize it.
Group entrenchment in the regime’s antecedent subsystems indeed buffer against
widespread policy disruption and interest upheaval (May et al., 2009a). But that is
only part of the interest mobilization story. Not only do I observe a difference
between established groups shifting their attention and new groups mobilizing to
lobby in the new regime, the timing of the mobilization is directly related to how
much a group concentrates on it.

Alternatively, it is possible that interest groups strategically reframe their lobby-
ing in response to government agendas without actually changing their priorities or
resource allocations. That is, the shift in lobbying attention from, say, immigration or
energy to homeland security may simply be an inconsequential, yet strategically
significant, change in interest group rhetoric. Groups may still be lobbying on immi-
gration and energy issues but are just calling it homeland security to keep up with
the legislative Joneses. If this process was indeed occurring, I probably would have
observed groups abandoning lobbying on antecedent domains altogether in favor of
the newly perceived hot topic. My findings do not support this interpretation,
though I concede that I may be observing an artifact of lobbying disclosure reporting.
Table 3. The Concentration of Interest Group Attention to the Homeland Security Policy Regime

<table>
<thead>
<tr>
<th></th>
<th>Model 1: OLS</th>
<th>Model 2: Quantile Regression</th>
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<tbody>
<tr>
<td></td>
<td>25th Percentile</td>
<td>Median</td>
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<tr>
<td></td>
<td>B</td>
<td>Robust SE</td>
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<tr>
<td>Relative entry</td>
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<td>Lobbying resources</td>
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<td>Stakeholder sector</td>
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<td>Business firm</td>
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<td>0.0108*</td>
</tr>
<tr>
<td>Intercept</td>
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<td>0.0071</td>
</tr>
<tr>
<td>R² or Pseudo R²</td>
<td>0.42</td>
<td>0.16</td>
</tr>
</tbody>
</table>

Note: N = 1,782 interest groups. The dependent variable is the ratio of Homeland Security issue mentions to all issue mentions on a client’s lobbying disclosure reports. Bootstrapped standard errors calculated from 250 replications. Pseudo R² applies to Model 2 only. Variables in bold, p < 0.001.

* t = 2.52, p = 0.012.
This seems unlikely, given that lobbyists potentially face stiff civil and criminal penalties for misreporting lobbying activities. The cost of checking one additional box on a disclosure form probably does not outweigh any benefit that comes with signaling engagement with the new policy regime.

The control variables are generally consistent with intuitive expectations. The greater number of lobbyists that an organization has on staff or retainer, the greater number of issues other than homeland security they lobby on. Additionally, the controls for types of organizations—business firms and selected stakeholder sectors—are statistically significant in the expected direction in Model 1. I can reject the null hypothesis that business firms concentrate more on homeland security issues than other organizations in the OLS model at the 95 percent level, but the effect does not hold in Model 2.

The stakeholder sector dummy is consistently positive and significant across models and quantile intervals. In the homeland security regime, a policy issue that is ostensibly concerned about the government’s role in preventing and responding to catastrophic terrorism or major natural disasters, groups with a direct stake in those government services are significantly more likely to prioritize the issue than all other types of groups. Drawn by the sharp increase in the government’s attention to these issues, stakeholder interests such as communications firms and defense contractors responded to the opportunity. Though the data at this level of analysis do not distinguish between lobbying tactics such as requesting appropriations earmarks or simply monitoring legislative progress, it is clear that government attention to the new regime generates its own original, distinct demand for interest group mobilization.

Implications and Discussion

In this article I develop and test a theory of interest mobilization and lobbying resource allocation as a function of policy regime institutionalization. I show that large-scale attention-shifts inside the government produce an equivalent shift in attention in the existing interest group system, and also mobilize new groups to join it. Groups that have a long-standing presence in the population of organized interests react more quickly, only to be overcome at a later stage by those groups that are initially activated by the new policy regime. Moreover, well-established groups are committed to the very subsystems that the regime is intended to supplant, thus creating conditions for backsliding and policy regime anemia. New groups, though, face no such impediments. As a consequence, the new interests that the new regime have mobilized are sufficient to maintain it, albeit in its anemic state.

Both processes are different kinds of agenda-driven interest group mobilization, a distinction not made clear in Gray and Lowery’s (1996) population ecology approach or Leech et al.’s (2005) government demand model. Future work on interest group mobilization ought to reconsider how groups either shift their attention or initiate their political activity to respond to new government priorities.
That said, there are certainly limitations to empirically studying the political effects of policy regimes with lobbying disclosure data alone. The literature on policy regime theory addresses more general concepts about policy processes and boundary-spanning policy problems. Studies of policy change and stasis may benefit from considering how groups mobilize to influence, and react to, policy processes over time. The key contribution of recent research on policy regimes is that they are anemic. What I show here is that policy regimes fail to wholly disrupt old interest group relationships, but that institutionalizing the new regime will necessarily attract new groups into the process. Interest upheaval may not occur among well-established groups, but the new regime does impact the interest group population equilibrium. If policy regimes simply lead to another layer of complexity to an already complex network of domain-specific policy subsystems, then it necessarily leads to a whole new layer of interest groups seeking to monitor it. Or worse, the new, albeit anemic, regime represents a new opportunity for otherwise latent organizations to seek special benefits from the government.

After more than a decade under the new homeland security policy regime, a sober reflection of the full impact of the catastrophic 9/11 attacks on policy processes and interest group mobilization is in order. Though 9/11 in many ways represents an historic anomaly that changed the way many people—elites and the mass public, American or not—understand the political world, the events of that day kicked off a series of predictable changes to the policy process and the system of interest groups. Though it was unique, the policy processes that followed represent a larger political phenomenon that generalizes across space, time, and substantive policies. The catastrophe and the subsequent massive reorganization of the federal government will never repeat themselves exactly. But, there is little reason to believe that the policy regime development and interest group mobilization processes I document here does not happen elsewhere.

What is key to policy regime development, though, is that these new areas do not simply supplant old ones. The advent of homeland security did not abolish the turf battles and interest group rivalries that necessitated its origination. Instead, it attracted a whole new set of telecommunications, transportation, state/local law enforcement agencies, and defense contractors that otherwise may never have set up shop in Washington to begin with. As events such as the 2013 Boston marathon terrorist attack make devastatingly clear, the policy impact of the homeland security regime is that the world is no safer today than it was on September 12, 2001. But, the network of surveillance equipment that led to the Tsarnaev brothers’ rapid capture shows that there is a vibrant market for homeland security widgets that might not exist had the regime never been institutionalized. My point is not to speculate on whether this is a normatively good or bad outcome. Rather, I show that there are very real, tangible benefits for those new interest groups that were drawn into the policy process when the state’s role to protect life and property was redefined as homeland security.

Moreover, these new groups exhibit characteristics that fit precisely Schattschneider’s caution: “it is improbable that the participants in the original conflict constitute a representative sample of the larger community; nor is it likely...
that the successive increments are representative” (Schattschneider, 1960, pp. 3–4). Groups indeed respond to dramatic and lasting shifts in government attention. But in doing so they reinforce the biased nature of the interest group system overall.

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Notes

I thank John Hulsey, Chris Koski, and Michael Heaney for helpful comments on earlier versions of this manuscript.

1. In this article, I refer to policy domains interchangeably as spheres of activity or knowledge about a commonly accepted, specific substantive problem such as transportation, health care, or defense. The term policy subsystem refers to the organization of actors and institutions related to a domain with commonly accepted jurisdictional boundaries. And, I adopt May et al.’s use of policy regime—especially homeland security—as a space to “focus policymaking on a common goal across diverse subsystems” (2009a).

2. The LDA requires organizations who meet certain spending thresholds (or, in cases of lobbying firms who have clients, income thresholds) to periodically file reports on their lobbying activities, including the individual lobbyists that worked for a client, the issue areas in which they were active, the specific issues and legislative bills that they lobbied on, and the government agencies they contacted. The LDA “issue areas” are imperfect, government-defined categories that empirically represent the theoretical constructs of policy domains, policy subsystems, and—in the case of homeland security—policy regimes.

3. Reports were filed semiannually 1998–2007, and quarterly in 2008. I aggregate data from these reports by year but exclude quarters 1 and 3 in 2008 for consistency.

4. The Government Accountability Office (GAO) now conducts annual audits of organizations that submit LDA reports. The auditors report that 86 percent of lobbyists were able to provide at least some documentation to support their claim that they actively engaged in the issue area they reported (GAO, 2011, p. 8). I interpret these data as reliable measures of actual lobbying activity, and assume that any reporting measurement error is normally distributed.

5. These data are described in detail in the Appendix.

6. \( N = 845 \) issue area-years, with 78 panels, \( x \), over 11 years, \( t \). The HOM panel is introduced in 2002, and the Intelligence (INT) panel in 2007. The remaining 76 panels are present throughout the time series. The average number of periods, \( t_x = 10.83 \).

7. Figure 1 plots two-year moving averages for presentation purposes. The mean two-year moving average for non-Homeland Security domains is 2,701.5 (SD = 534.4). Intelligence (INT) is excluded because it has too few period observations.

8. See discussion in the Appendix for selected organization type and economic sector stakeholders.

References


Appendix

This appendix describes in detail data derived from the Center for Responsive Politics’ (CRP) lobbying database. The longitudinal lobbying data set is constructed from 293,260 Lobbying Disclosure Act (LDA) reports filed between 1998 and 2008. Reports were filed semiannually 1998–2007, and quarterly in 2008. Reports filed in quarter 1 and 3 in 2008 are excluded for consistency. These reports document the lobbying activities of 29,765 unique interest organizations.

The LDA requires organizations who meet certain spending thresholds (or, in cases of lobbying firms who have clients, income thresholds) to periodically file reports on their lobbying activities, including the individual lobbyists that worked for a client, the issue areas in which they were active, the specific issues and legislative bills that they lobbied on, and the government agencies they contacted. I categorize individual interest groups listed on these reports by the type of organization, the economic industry they represent, and the issue areas in which they reported activity, and compare them to relevant samples to provide context and to establish face validity that these data indeed reflect good measures of interest group mobilization.

Organization Type

In Figure A1, I compare the selection of 1,782 groups engaged in homeland security to a randomly drawn sample of 4,032 organizations that reported lobbying on any issue area at any time between 1998 and 2007 (see LaPira, 2012). Organization type categories are rank-ordered by homeland security lobbying levels.

The random sample reflects distributions similar to those reported by Baumgartner and Leech (2001), but homeland security lobbying is extremely skewed toward business firms. There are nearly twice as many for-profit business firms...
lobbying on homeland security than all other types of organizations combined. Specifically, there are 1.8 business firms for every one non-business organization that reports lobbying on homeland security. The second-most-active type of organization is trade associations, which typically aggregate the interests of for-profit firms in selected economic sectors or market niches.

The most notable proportional difference between the random sample and the selection is also evident in the business firm category. Forty percent more business firms lobby on homeland security (HOM) issues than do all business firms in the random sample. The only other type of organization that has a greater than average likelihood of lobbying on homeland security are labor unions, which are more than twice as likely to lobby on homeland security than the average issue area. However, labor groups still represent only 2 percent of the organizations lobbying on the new policy regime. Labor’s larger than average—yet still small proportionally—share of homeland security lobbying can be traced to the fact that the heavily unionized public service and transportation sectors have a direct stake in the new policy regime. The upshot is that, for all the rhetoric about government’s role in securing the homeland, the policy regime is clearly one that is engaged mostly by companies seeking profits in the private sector, even more so than the well-established system-wide business bias (Baumgartner and Leech, 2001; Schattschneider, 1960; Schlozman & Tierney, 1986; Schlozman, Verba, & Brady, 2012).

Most important, detecting business firms as most likely to lobby on homeland security provides an empirical basis to appropriately specify the regression models.
reported in Table 3. Accordingly, I recode organization type into a dummy variable, 

*business firm*, where 1 = for-profit business firm and 0 otherwise.

**Economic Sector Stakeholders**

Figure A2 compares the distribution of economic sectors from the full census of nearly 30,000 organizations, categorized by a dummy variable for homeland security (HOM) lobbying activity. Since CRP codes all clients by 13 economic sectors (http://www.opensecrets.org/lobby/list_indus.php), there was no need to draw a sample as with organization type. Industries are listed in descending order by lobbying activity levels of those groups active in HOM.

![Figure A2. Number of Interest Groups by Economic Sector.](image)

*Note:* $N = 29,765$ organizations. This figure plots the proportion of interest organizations by Center for Responsive Politics (CRP) economic sector. It compares the 1,782 organizations that reported lobbying on the homeland security (HOM) issue area to the 27,983 that did not, with economic sectors rank-ordered by homeland security lobbying. Uncategorized groups are not included in the figure. Pearson's $\chi^2$ ($df = 13$) = 729.3, $p < 0.001$
Organizations in the communications and electronics, public (including state and local governments), manufacturing and commerce, transportation, and defense sectors are more likely to lobby on homeland security than the average domain. Computer and software companies and defense contractors seeking government contracts are nearly three times more likely to lobby on homeland security issues than others. For example, the transportation industry is 150 percent more likely to lobby on homeland security than other issues because they have a stake in airport, seaport, and locomotive terminal security.

These findings reinforce the idea that groups representing industries specialize in substantive domains that directly affect them. Though generally this finding is not theoretically interesting, the comparison in Figure A2 provides an empirical method to identify interests that are most likely to have a stake in HOM. Just as the organization type analysis identified business firms as most likely to lobby on the issue area, I create a dummy variable, stakeholder sector, derived from CRP economic sector variable for those organizations with a greater than average participation in homeland security, coded 1 = communications/electronics, public/civil society, manufacturing/commerce, transportation, or defense; and 0 otherwise.

**LDA Issue Area Activities**

Figure A3 descriptively compares issue activities between groups active or inactive in the HOM issue area.

Unlike organization type and economic sector categories, which are both mutually exclusive and substantively exhaustive, lobbying organizations may report lobbying in any number of the LDA general issue areas at a given time. So, for 1,782 organizations active in HOM, Figure A3 plots the proportion of organizations’ coincidental lobbying in the remaining 77 general issue areas, and compares their activities to those not active in HOM. In other words, each bar represents the average proportion of reports that mention the top 25 most frequently mentioned issue areas other than HOM.

All told, organizations that reported lobbying on HOM are clearly not representative of the interest group system as a whole. The two most popular issue areas among those active in homeland security are also the most popular among all other groups, mostly because they describe the extremely broad government functions of collecting revenues and appropriating funds that may overlap all other substantive domains. Aside from appropriations and taxes, the highest-ranking domains include issues such as defense, transportation, health, and telecommunications, all of which relate directly to the homeland security regime’s antecedent public risk subsystems identified by May et al. (2009a). However, they also reflect a number of unrelated issues such as trade (TRD) and copyright/patent/trademark (CPT), which are coincidental concerns of firms that do have a stake in homeland security.

Again, these findings are not counterintuitive, but do provide an empirical basis on which to construct the dependent variable, homeland security concentration. As
detailed in the article and displayed in Figure A4, interest group attention to HOM is not normally distributed, as niche theory would suggest (Baumgartner & Leech, 2001). Figure A4 displays the distribution of homeland security attention as a kernel density function. The variable ranges from 0 to 1, with 1 representing the fact that all of an organization’s lobbying reports exclusively mention homeland security. The median interest group’s attention to the homeland security issue area is 0.13

Figure A3. Number of Interest Groups by LDA Issue Area Mentions. Note: N = 29,765 organizations. This figure plots the proportion of interest organizations that mention one of 77 non-homeland security (HOM) general issue areas on an LDA report. It compares the 1,782 organizations active in the HOM issue area to the 27,983 that were not, with issue areas rank-ordered by HOM-active organizations. Only the top 25 issue areas are included in the figure. Pearson’s $\chi^2$ (df = 77) = 1.14, $p < 0.001$
(mean = 0.25, SD = 0.29). A small number of groups focus only on HOM, whereas most groups spread their attention across multiple domains. Only 158—less than 1 percent—of the 1,800 organizations lobbying on homeland security fit this strict level of attention.

Figure A4. Distribution of Homeland Security Attention.

*Note:* The distribution is a Gaussian kernel density function of the ratio of homeland security issue area mentions to all 77 other issue area mentions on all lobbying disclosure reports.