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Position-Taking and Cosponsorship in the U.S. House

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Position Taking and Cosponsorship in the U.S. House

Bill cosponsorship has become an important part of the legislative and electoral process in the modern House of Representatives. Using interviews with congressional members and staff, I explain the role of cosponsorship as a signal to agenda setters and a form of position taking for constituents. Regression analysis confirms that cosponsoring varies with a member's electoral circumstances, institutional position, and state size, but generally members have adapted slowly to the introduction of cosponsorship to the rules and practice of the House.

Introduction

In the U.S. Congress, each bill has a single formal sponsor but may have an unlimited number of “cosponsors”—members who join the sponsor in support of the legislation. Since the House of Representatives first allowed cosponsorship in 1967, cosponsoring legislation has become an important but little studied aspect of the legislative process and electoral system. Using interviews with House members and staff as well as regression analysis of cosponsorship from 1979 to 1998, I address a basic question about cosponsorship: Why do members cosponsor legislation?

Although cosponsoring has no formal effect on the legislative process, members of Congress invest a great deal of time and staff effort soliciting cosponsors for their own bills and reviewing other members' requests to cosponsor legislation. A typical member now cosponsors over 200 bills per Congress, but there are contrasting explanations for this activity. An initial work on cosponsoring hypothesized that members might cosponsor as a form of position taking for constituents (Campbell 1982), but subsequent research has emphasized members' interest in cosponsoring to influence policy outcomes (Kessler and Krehbiel 1996). Previous research has found little support for the claim that members cosponsor for electoral gain; although cosponsoring is strongly correlated with seniority (junior members cosponsor more) and ideology (liberal members cosponsor more), there is no clear relationship between cosponsoring and electoral margin

(Campbell 1982; Kessler and Krehbiel 1996; Krehbiel 1995; Wilson and Young 1993). Kessler and Krehbiel found that, for selected bills from the 103d Congress, ideological extremists (especially liberals) tended to cosponsor earlier in a bill's life cycle (1996, 562); they interpreted this finding as evidence of policy-motivated signaling.¹ A major source of ambiguity in research on cosponsorship is that every prior analysis of cosponsoring behavior is based on data from a single Congress. This limitation makes it difficult to untangle the relative influence of ideology, party, and idiosyncratic features of a two-year period, such as news events or presidential agendas.

In this article, I use cosponsorship data for the 96th–105th Congresses (1979–98) to evaluate members' incentives to cosponsor legislation. My analysis is guided by interviews with House members and staff that describe the role of cosponsorship in agenda setting and members' electoral strategies. I conducted 23 semistructured interviews from a stratified random sample of U.S. House members, senior personal staff, and committee and leadership aides in 18 different offices. I interviewed 13 Republicans and 10 Democrats; 11 offices were members with four or fewer terms, and the remaining 7 had six or more terms of experience. I find that cosponsoring is linked to members' incentives to take positions for constituents, interest groups, and donors. Furthermore, cosponsoring varies with members' institutional positions and state delegation sizes, a fact that suggests that some members are more frequently sought out as cosponsors. Although electoral motives significantly influence members' decisions to cosponsor, this position taking also helps chamber leaders select bills for the legislative agenda that provide political benefit to House members.

The next section summarizes the history of cosponsorship in the House and explains the role of cosponsoring in the legislative process and electoral politics. Interviews suggest that legislative entrepreneurs and their interest group allies seek cosponsors to make their bills more appealing to agenda setters, while legislators cosponsor both to signal their personal agenda preferences and to take positions for their constituents. Next, I develop hypotheses for the relationship between cosponsorship and members' goals and specify the variables used to test these predictions. I then reveal the results of an ordinary least squares regression using the specified model to predict bill cosponsorship. I find that members cosponsor in response to political incentives to take positions, but I also find evidence of path dependence in legislative behavior. Legislators tend to retain cosponsoring strategies they develop when they come to Congress instead of adjusting to new institutional rules and electoral incentives to change their behavior.

The Strategic Context of Cosponsorship

Rule XII of the House allows a bill sponsor to name cosponsors any time before the bill is reported from committee. This is a recent addition to House rules; House members formally banned cosponsorship in 1909 (Wilson and Young 1993), permitted a maximum of 25 cosponsors per bill in 1967, and then allowed unlimited cosponsorship in 1978 (*Congressional Record* 1967, 1978).² The primary reason for allowing cosponsorship was to reduce the number of bills introduced as a form of position taking.³ From 1979 to 1998, House members introduced an average of 7,584 bills and resolutions per Congress, ranging from 10,400 in the 96th Congress to 5,329 in the 104th Congress. The median member of Congress cosponsored, on average, 3.5% of these measures, ranging from a median of 165 in the 104th Congress to 349 in the 101st Congress.

How does cosponsoring advance members' goals? Why do some members cosponsor more than others? To answer these questions, we must first understand the role of cosponsoring in the legislative process. Using interviews with congressional members and staff, I find that cosponsorship provides informative signals to agenda setters about the number, quality, and diversity of a bill's supporters.⁴ Interviews suggest that legislators participate in this system both to promote bills they favor and to take positions for external audiences.

Cosponsorship and Agenda Setting

In the U.S. House, party and committee leaders usually have the de facto power to select the bills that are considered in committee and by the chamber. These agenda setters generally advance or veto bills to promote the goals of the members they represent (Bawn 1998; Cox and McCubbins 1993; Sinclair 1995). Fully informed agenda setting would require knowledge of *every* introduced bill's impact on each member's goals, on collective party reputations, and on the reputation of Congress. Leaders would also need to know how much committee or floor time would be required to deliberate on each issue. Obtaining this information through caucus meetings and whip counts would be extremely expensive, if not impossible; the alternative—random bill selection and a high risk of losing—would harm the image of the chamber and majority party.⁵

Cosponsorship provides House leaders with low-cost information about the political benefits of a bill, as well as the time and leadership effort required to pass it. In particular, chamber leaders often interpret

the number, diversity, and quality of a bill's cosponsors as indicators of its costs and benefits. A senior leadership aide explained that the number of cosponsors can be a signal of expected transaction costs:

The job of leadership is to make sure we handle our issues well. That means tax bills, appropriations, and major legislation—big policy issues that we want to make the center of our campaigns and which are important to our party's reputation. Other than that, we have an extremely limited amount of time. We don't want to waste time bringing bills onto the floor and having them fail. We also don't want to waste leadership effort—whipping, persuading—on issues that are not high priorities for the leadership. So when a sponsor gets a lot of cosponsors on his bill, that means that we are not going to have to waste time and effort making sure that bill passes.

The number of cosponsors is such a valuable cue to party leaders that they often set cosponsor targets for bill sponsors. The same leadership aide continues, “[W]hen a member comes to the leadership and asks to have his bill scheduled, I look at the number of cosponsors, and if it's not enough, I recommend that he go out and get 218 cosponsors and come back when he does.”

The diversity of a bill's cosponsors is a second indicator of the time and effort required to pass a bill.⁶ Generally, if members who hold divergent views on an issue agree on a specific bill in that issue area, then that agreement suggests the bill is uncontroversial and, therefore, low cost. Party and ideology are key dimensions of diversity; if a bill's cosponsors are ideologically extreme or almost exclusively from one party, then leaders may have to count votes, resolve intraparty disputes, and carefully design a special rule for floor consideration. A bipartisan and ideologically diverse set of cosponsors, on the other hand, suggests that no significant faction of the House will resist the bill.

Finally, a high-quality bill sponsor or set of cosponsors indicates that a bill is likely to achieve its policy goal and that affected interest groups will not oppose the bill. In fact, a simple bill or a bill sponsor with a strong reputation may not need a lot of cosponsors to reassure chamber leaders, as a senior leadership aide explained:

If a bill is an easy vote or a response to the hot topic of the day, it doesn't require a lot of cosponsors. A lot of times we'll look at the sponsor—who wrote the bill—to decide if it's a good allocation of our time, whether it's safe, whether it's been carefully vetted.

Thus the value of cosponsorship is related to agenda setters' uncertainty about a bill. For geographically targeted bills, such as highway projects or national park boundary changes, agenda setters will often require

bill sponsors to obtain the cosponsorship of other members from the same state or region since they may have special knowledge of the region.⁷

Bill sponsors, often aided by interest group allies, actively solicit cosponsors to send favorable signals to agenda setters.⁸ As we might expect, bill sponsors often seek the cosponsorship of a significant quantity of members, of high-quality members, and of a bipartisan coalition. High-quality cosponsors include party or committee leaders, relevant committee members, legislators with prior entrepreneurial effort in a policy area, or members with relevant descriptive traits like race, gender, region, or career background. One member made half-hour presentations to every member of the subcommittee with jurisdiction over his bill and then followed up to see if they would cosponsor his bill. He felt his bill was too complex for most members and staff to understand, so he wanted the endorsement of policy experts to demonstrate that members who had studied the issue appreciated his bill.⁹ Another member who drafted legislation honoring World War II veterans solicited cosponsors to bolster her bill's credibility:

I went to every member of Congress who is a World War II veteran and got them to sign on. Then, when I sent out a Dear Colleague with all these people listed as cosponsors, I was able to say, "Every World War II veteran in the House is already a cosponsor." That sent out a strong signal that this was a good bipartisan bill, that they had nothing to fear, and they should join in.

Second, bill sponsors often try to obtain cosponsors from both parties, particularly the majority party. A Democratic staffer described her member's effort to get more Republicans on a bill with a large number of Democratic cosponsors by working through interest group allies:

We're trying to get more Republicans on our bill, and we're also trying to get the chairmen of the committees of jurisdiction. Our primary strategy is to work through our allies in interest groups. A lot of Republicans are getting carpet-bombed from the grass roots by people asking them to support this bill. They send letters, e-mails, and make phone calls. Actually, some of the groups are very good at disguising their efforts. Members get a flood of persuasive mail and I look at it and I don't have a clue where it came from or who's doing it.

Majority party members may also seek minority party cosponsors to ease the passage of their legislation. A senior Republican staffer described his member's strategy of seeking Democratic cosponsors to neutralize the opposition of a liberal constituency group:

[My representative] worked last year on a bill to reauthorize [a significant health care law]. His bill made some much-needed changes in the program, but it was opposed by some [liberal] lobbies for parochial reasons—the existing system favored them financially. We set the goal of getting over 218 cosponsors, including half of the Democratic caucus. We thought that getting Democrats was important, given the opposition of some [liberal] groups to the bill. A good bipartisan set of cosponsors says to leaders, ‘You won’t face a party battle on this bill.’ [My member’s] bill passed by voice vote.

In this case, cosponsorship helped make a bill more acceptable to chamber leaders.

Finally, cosponsorship can help bill sponsors attain their goals even if their bills do not progress as independent legislation. Sponsors may seek cosponsors to increase the likelihood that their bill is incorporated into subsequent legislative proposals, e.g., omnibus tax or defense legislation.¹⁰ Second, a member may introduce a bill with the primary goal of stopping another bill or class of bills. During the 105th Congress, Representative Joe Moakley (D-MA) obtained 244 cosponsors for a resolution, HCR 65, expressing support for existing maritime laws. There was no committee or floor action on HCR 65, but its supporters’ goal was to demonstrate opposition to a maritime reform bill, H.R. 1991, by Representative Nick Smith (R-MI); H.R. 1991 attracted 15 cosponsors and no committee action. Third, a bill may be used to send a signal of congressional interest to the executive branch on some regulatory issue; the possibility of legislative action may be implied but unnecessary.¹¹ For example, Representative Bill Goodlatte (R-VA) attracted cosponsors during the 104th, 105th, and 106th Congresses for his legislation to eliminate export restrictions on encryption software. In the 105th Congress, 249 members cosponsored Goodlatte’s bill, and 258 members cosponsored the bill in the 106th Congress. Goodlatte’s bill was reported from the Judiciary Committee in both the 105th and 106th Congresses but never reached the House floor. The real effect of this bill, its cosponsors, and its committee action was to push the Clinton administration to relax its encryption export policy, which the Commerce Department did in a series of steps from 1996 to 2000.¹²

Cosponsoring and Members’ Goals

If cosponsoring influences policy outcomes by providing information to agenda setters or the executive branch, then do members cosponsor to achieve policy outcomes? Yes and no. Members sometimes do cosponsor bills they sincerely prefer, but legislators also cosponsor bills for the political rewards of position taking. As political scientists

have noted, legislators are rewarded and punished for the positions they take as well as the outcomes they achieve, so they have an incentive to cosponsor bills that are popular or supported by influential interest groups (Arnold 1990, 2002; Bianco 1994; Mayhew 1974). Members therefore cosponsor to express *both* outcome preferences and politically expedient positions.

Legislators prefer to cosponsor bills that advance both their policy views and electoral interests, but one goal may trump the other in specific cases. A second-term Republican claimed that he often cosponsors bills that advance his personal preferences:

First, a lot of times congressmen cosponsor because they have been asked by a member who wants support to get committee action. Members approach you on the House floor with a sign-up sheet and try to get you on board, saying they need your help to get a hearing or a mark-up. Second, you know a lot of bills are pushed by industry groups and other organizations who are trying to raise the profile of an issue. Finally, I cosponsor when it's something I believe in. For example, I cosponsored the bill to abolish the death tax because I strongly support the idea and want it to become law. . . . A lot of members avoid cosponsorship if the bill is controversial—I take the opposite tack. If I believe in an issue, I cosponsor the bill to give it energy.

On the other hand, a legislative director for a second-term representative stated that electoral interests can trump policy views:

We've gotten to the point where we just automatically cosponsor veterans legislation, like their health care bills. For veterans organizations, a key part of their strategy is making sure that you cosponsor their bills, and since veterans are going to push you and write you and be bitter if you don't, you might as well cosponsor their bills with the understanding that those bills aren't going to move anywhere.

As the staffer suggests, this kind of position taking may be predicated on the expectation that the bill will not actually come up on the agenda.

What are the special characteristics of cosponsorship position taking? As a signal to external actors, cosponsorship implies intense support for a bill, as a legislative director to a senior Republican explains:

Cosponsorship means you recognized early on that the bill is good public policy and that it has merit and should be acted on. If a member cosponsors, that implies he or she contributed to its success; the member's cosponsorship may have made the difference. If you just vote yes, you had no role in bringing the bill to the floor. There's more credit in cosponsoring a bill and then voting for it.

Cosponsoring is especially valuable on issues that do not come to a vote. A legislative director to a second-term representative emphasized:

Cosponsorship is a chance to show that a member has taken action to support a bill. Even if a bill doesn't move, cosponsoring helps clarify your message. That way, people know where you stand, pro or con. Members love having the clarity of a bill to be for or against, and that trickles down to constituents. At the same time, sometimes we'll cosponsor a bill just to please people who are pestering [my member] to cosponsor their pet bill.

The ability to demonstrate an alternate set of priorities can be particularly valuable to a member of the minority party in a chamber dominated by the majority party. As one third-term Democrat states:

When you're in the minority, the bills that you introduce and cosponsor define your philosophy. A lot of the votes and legislation that come up don't address the problems that are important to you; it is not the stuff that you really want to push. If you want to show your constituents who you are and what you really want to do to move the country forward, you've got to cosponsor bills.

My regression analysis tests whether or not this motivation forms a general pattern for members of the minority party.

While members cosponsor to suggest their priorities, they also cosponsor to *clarify* their positions on issues that are scheduled for committee and floor action. Legislators are often asked to cast votes on policy proposals that they partially support and partially oppose, and strategic considerations (e.g., voting against a killer amendment) may require a member to vote against a policy position popular with constituents. Cosponsoring a bill that is close to a legislator's ideal proposal can help fend off criticism. A third-term member of Congress gives an example:

Last month, when I was at a town hall, I was asked about the marriage tax penalty act. I voted against the marriage penalty bill which came to the floor because it did much more than solve the marriage penalty problem—it was much too broad and costly—but I cosponsored an alternative marriage tax penalty bill, a Democratic bill which was narrowly tailored to address the problem of the marriage penalty.

Similarly, a legislative director explained a strategic decision made by his first-year member, who had voted for a banking reform bill (H.R. 10—PL 106–102). Since one of the primary criticisms of the banking bill was that it would facilitate the transfer of private information between

insurance companies and banks, this representative feared that a future opponent would criticize him for compromising consumer privacy, a potentially powerful issue. Therefore, this member cosponsored a set of pro-privacy bills and unveiled them as his “privacy agenda” to inoculate himself on the issue.

As this last example suggests, a legislator does not need to advertise a cosponsored bill for a cosponsorship decision to be useful. A cosponsored bill is a *potential* signal that legislators can use during a campaign to add credibility to their policy stances. In addition, members selectively advertise their cosponsorship decisions throughout their terms, using mail, websites,¹³ and limited media coverage. One staffer suggested that the use of cosponsorship varies by district type. In rural districts, members enjoy automatic access to media coverage and relatively high name recognition, whereas members from urban districts may be practically excluded from mainstream media attention. These urban members may seek publicity through targeted, issue-oriented media by cosponsoring; this conjecture is also tested in the regression analysis that follows.¹⁴

District constituents are not the only external audience for cosponsoring signals. Interest groups, political action committees, and campaign donors also monitor cosponsoring decisions as they decide how to allocate endorsements, donations, and volunteers. For example, a Republican chief of staff reported that the American Medical Association declined to attend his fund-raiser because the member had not cosponsored enough of the AMA’s legislative priorities. Large interest groups often mobilize constituents to ask their representatives to cosponsor legislation, giving legislators the opportunity to disappoint or gain favor with likely voters. Smaller interest groups are likely to include cosponsorship of a specific bill in their formal “scorecards” of member support; interviewees mentioned National Right to Work, Gun Owners of America, the Breast Cancer Coalition, and peace activists as examples.

If cosponsoring is often a form of posturing by legislators for their constituents and donors, then what relevance does it have to policy outcomes and our understanding of Congress? Cosponsorship influences the legislative process by signaling members’ future votes in committee and on the floor. Members generally expect to vote for a bill they cosponsor if the bill is scheduled for committee or chamber consideration.¹⁵ And why wouldn’t they? The political pressures and policy content that motivates members to declare their support before a formal vote usually exist during and after the vote as well. To the extent that cosponsoring is posturing for external audiences, voting is similarly based

on position taking.¹⁶ Furthermore, members fear being “caught” pandering by voting against bills they cosponsor since a future opponent might exploit this contradiction.¹⁷

Hypotheses and Variables

The preceding discussion helps us model and predict legislators’ decisions to cosponsor. Depending on members’ goals, there are two rewards for cosponsoring. First, members can cosponsor a bill to increase the probability that it will directly or indirectly alter government policy. To the extent that members desire (or receive rewards for) policy outcomes, this influence is sufficient reward. Second, external actors who desire policy outcomes (e.g., organized interest groups) and believe cosponsoring would help achieve those outcomes can provide electoral rewards to members for cosponsoring bills. In both cases, members’ signals of support are meaningful to agenda setters.

To test claims about the incentives to cosponsor, I collected data on the number of bills cosponsored by each U.S. House member serving a full term in the 96th–105th Congresses, excluding Speakers.¹⁸ The mean number of bills cosponsored during this span was 279, and the standard deviation was 155 bills.

Why do some members cosponsor more than others? One plausible explanation is that some members are more interested in enacting policy than are other members. Since policy seeking is difficult to measure empirically, we can assume as a null hypothesis that it is randomly distributed among members, so variation in cosponsoring reflects variation in members’ personal interest in policy making.¹⁹ The previous section suggested, however, that cosponsoring also varies with members’ institutional position and incentives to take positions for external audiences. To the extent that members systematically cosponsor more or less depending on their value as cosponsors and their political circumstances, we can confirm that members have multiple goals to cosponsor legislation.

Which members are more likely to cosponsor for external audiences? Following Arnold (1990, 84), let us assume that reelection-oriented legislators select positions by identifying relevant segments of their constituencies and, for each subconstituency group, estimating the direction and intensity of its preferences.²⁰ Then legislators weigh constituency groups by the likelihood that these constituents will learn of their positions and the constituents’ influence on renomination and reelection. Finally they choose the option that offers the greatest net benefit or smallest loss.²¹

This framework suggests three specific predictions for co-sponsoring behavior. First, legislators who are electorally vulnerable may be more likely to spend time on taking positions than on less visible forms of legislative work:

Electoral Need Hypothesis: As electoral vulnerability increases, members cosponsor more often.

I use three variables to measure different levels of electoral need: first, Victory Margin Rank measures each member's electoral security in comparison to other legislators in the same Congress.²² An increase of one unit represents a 1% rise in a legislator's vote share in the previous general election relative to other election winners. The incentives to cosponsor should decrease as legislators become increasingly secure. Since first-term members might be especially responsive to electoral instability and eager to establish a set of positions, Freshman Electoral Rank measures the effect of electoral security for members during their initial terms. Finally, Retiring is a dummy variable for members who retire and do not run for any other office; retiring legislators should cosponsor fewer bills.

Second, since the preferences of different subgroups of constituents are weighted by the probability that they will become informed of their legislator's position, a key variable is the extent to which each legislator's actions are scrutinized and communicated by the news media in his or her district. If news coverage is relatively frequent, then a legislator must be concerned with the preferences of a broad range of constituencies because voters are more likely to learn of his or her actions. On the other hand, if a member is rarely mentioned in the mainstream media, that representative can cosponsor bills that appeal to narrow segments of the constituency while discounting the concerns of other subconstituencies:

Media Access Hypothesis: As local media coverage of a legislator decreases, the legislator cosponsors more often.

As one staffer suggested, media access is presumed to vary with the rural-urban mix of a district. Members from rural districts have relatively high levels of media coverage in their districts. This media attention reduces their need to take positions to attain publicity and increases the potential costs of signaling by increasing the likelihood that constituents will learn of a position they find disagreeable. Members from urban districts, on the other hand, may cosponsor to attract mainstream media attention, or they may cosponsor for targeted audiences with the expectation that most constituents will remain uninformed of

positions adverse to their interests. Urban Rank measures the proportion of each district's population living in an urban area, expressed as a percentile ranking within each Congress.

Third, legislators may be more likely to cosponsor to the extent that the positions revealed in committee or floor voting do not reflect their true preferences:

Agenda Priorities Hypothesis: Members will cosponsor more frequently to the extent that the legislative agenda does not reflect their policy priorities.

Members of the minority party have suggested that they cosponsor more often because the House agenda, which is largely determined by the majority party, does not allow them opportunities to vote for their policy priorities. A dummy variable, *Minority Party*, measures the use of cosponsoring to complement the set of positions taken during floor votes. The hypothesis predicts this variable will be positive.

In addition to these position-taking hypotheses, the claim that agenda setters prefer bills with high-quality cosponsors suggests two additional hypotheses. First, bill sponsors and interest groups may lobby high-quality members more intensely and offer them greater rewards for their support, so members with special status may cosponsor more often:

Cosponsor Quality Hypothesis: Members with higher levels of chamber status will cosponsor more often.

Although "quality" is both issue-specific and not restricted to institutional leaders, we may use committee membership and leadership positions as examples of high-quality cosponsors. First, the more bills that are referred to a member's committees, the more that legislator may be lobbied to cosponsor bills within those committees' jurisdictions. *Committee Referral Share* estimates this effect; it measures the percentage of all referred bills going to each member's assigned committees. Second, committee chairs and ranking members may be especially prized as expertise signals since party leaders probably assign significant weight to their public support. This expertise indicator is measured by *Committee Leader*, a dummy variable coded as 1 for committee chairs and ranking members and coded as 0 otherwise. Finally, *Party Leader* measures whether or not the leader and whip of each party (coded as 1) cosponsor more often as a high-quality signal to other agenda setters.

A second hypothesis also relates to cosponsor "quality." Earlier I noted that committees often require bill sponsors to obtain the support of their state delegations for district- or state-specific legislation, e.g.,

altering national park boundaries, naming veterans' hospitals, or authorizing a major transportation project. This practice ensures that members who are likely to have some knowledge of a regional issue are informed of a proposal, and their consent implies that a bill is uncontroversial. Since state delegation sizes vary, some members are more likely to be sought out as local experts; a member from California has over 50 other members pressing him or her to cosponsor their California-specific bills, while a representative from New Hampshire would have just one delegation partner seeking consent. Thus, as the number of representatives from a state increases, those members should cosponsor more often to provide quality signals:

Geographical Cosponsoring Hypothesis: Members are more likely to cosponsor to the extent that their support is needed for geographically targeted legislation.

I test this claim by determining if cosponsoring is correlated with State Size, the number of members in each state delegation.

To ensure adequate measurement of these explanatory variables, I control for seniority, ideology, and shifts in cosponsoring over time. Since the influence of seniority may vary by the rules in effect when a legislator first takes office, I segment the population into three groups that reflect the rules regarding cosponsorship when each member entered the House. Seniority (None) measures the impact of seniority (measured in number of terms) on members who began their careers when cosponsorship was prohibited, i.e., before the 91st Congress (1969–70). Seniority (Limited) estimates the impact of seniority on members who came to the House between 1969 and 1978, when a maximum of 25 members could cosponsor a bill. Seniority (Unlimited) measures the effect of seniority on legislators who entered after the 95th Congress (1977–78). Second, cosponsoring may vary with legislators' ideology. Democratic Ideology and Republican Ideology measure the relationship between ideology and cosponsorship, estimated separately by party. Ideology is estimated using first-dimension W-NOMINATE percentile ranks for each Congress. Each variable measures a member's percentile ranking within the chamber, with 0 coded as most liberal and 100 as most conservative. It is possible that the relationship between ideology and cosponsorship also varies with the party of the president, so I estimate the effects of ideology separately for Republican and Democratic presidencies. Finally, I use a dummy variable for each Congress to measure change in cosponsoring over time.²³

Findings

Table 1 presents the ordinary least squares estimation of the model for the 96th–105th Congresses (1979 to 1998).²⁴ The results support the claim that cosponsoring varies with the gains from cosponsoring, institutional position, and state size, but legislative strategies vary by the opportunities available when members began their House careers.

For most members, neither electoral vulnerability nor impending retirement has a significant effect on cosponsoring, but vulnerable first-term members do cosponsor more than secure first-timers. The most vulnerable first-term member cosponsored, on average, about 69 more bills than unchallenged first-term members. These findings suggest that the demand for position taking is strongest among members eager to form relationships with new constituencies, whereas senior members' cosponsoring is less likely to vary with electoral need.

Second, representatives cosponsor more legislation as their districts become more urban. The difference between a median constituency (66% urban) and a completely urban district is about 14 cosponsored bills. This finding is consistent with the suggestion that urban members compensate for limited media access with "legislative casework"—supporting policy proposals to appeal to targeted groups of constituents—while rural members are more likely to reach constituents through the general media.

Third, cosponsorship does vary inversely with members' satisfaction with the legislative agenda. The finding that minority party legislators cosponsor about 16 more bills than majority party members is consistent with the Agenda Priorities Hypothesis.

There was no clear relationship between cosponsoring and the number of bills referred to each member's committees, but cosponsoring was correlated with institutional position and delegation size. On average, committee leaders cosponsored an additional 19 bills; party leaders cosponsored 48 fewer bills. This finding is contrary to the predicted effect but not surprising. Party leaders have little reason to signal themselves, they are typically electorally secure and well financed, and they are less likely to take sides on issues that divide their parties. Finally, members cosponsored about 1 additional bill for each member of their state delegation. This finding is evidence of quality signaling since committees often require state delegation support as evidence that a bill will not encounter political opposition.

The results also suggest that members retain legislative strategies even when their opportunities change. The negative correlation between seniority and cosponsoring is strongest for members who began their

TABLE 1
 Ordinary Least Squares Regression Predicting Number of
 House Bills Cosponsored, 1979–98

Explanatory Variables	Expected Relationship	Estimated Relationship	Standard Error
Intercept		247.4***	12.8
97th Congress		117.9***	12.7
98th Congress		193.9***	12.8
99th Congress		225.5***	12.8
100th Congress		237.2***	12.9
101st Congress		269.7***	13.0
102d Congress		237.7***	13.2
103d Congress		62.5***	9.1
104th Congress		-48.2***	9.2
105th Congress		4.7	9.4
Victory Margin Rank	-	-.075	.070
Freshman Victory Rank	-	-.691***	.167
Retiring	-	4.2	8.69
Urban Rank	+	.280***	.079
Minority	+	15.9**	5.92
Committee Referral Share	+	.409	.334
Committee Leader	+	19.2*	7.54
Party Leader	+	-48.0*	20.2
State Size	+	1.04***	.152
Democratic Ideology			
Democratic President	-	-1.67***	.239
Republican President	-	-3.62***	.186
Republican Ideology			
Democratic President	-	-.821***	.115
Republican President	-	-2.52***	.116
Seniority (None)	-	-8.36***	.656
Seniority (Limited)	-	-6.13***	.878
Seniority (Unlimited)	-	-2.39	1.35
Cases	4,254		
Adjusted R ²	0.376		
SE of the regression	122.5		
F (vs. null)	103.6		

* $p < .05$; ** $p < .01$; *** $p < .001$.

House careers before cosponsoring was first allowed in 1969: 8.4 fewer bills for each additional term. The coefficient for members who began between 1969 and 1978 is also significant and negative, but there is not a strong seniority effect for members who entered Congress after 1978. These results suggest that members adopt a legislative style when they come to Congress, then maintain that style for as long as it works.

Cosponsoring does vary by ideology and presidential party. All four ideology variables show significant correlations in the predicted direction: the more liberal a member is, the more bills the member cosponsors. The effect of ideology varies significantly with the party of the president, however. For Democrats, a 1% change in ideology ranking was correlated with ± 1.7 bills cosponsored during Democratic presidencies and ± 3.6 bills during Republican presidencies. Similarly, for Republicans a 1% change in ideology led to an average change of ± 2.5 bills cosponsored from 1981 to 1992 but only $\pm .8$ bills during the Carter and Clinton administrations. This pattern may be attributable to variation in interest group lobbying. Interest groups that lobby members to cosponsor may be more liberal than conservative; this hypothesis would be consistent with John Kingdon's observation that "liberal interest groups are involved in congressmen's floor decisions far more than conservative ones are" (Kingdon 1989, 149). During Democratic presidencies, progressive interest groups may focus on lobbying the executive branch while conservative groups focus on Congress; during Republican administrations this pattern may be reversed, causing variation in members' cosponsorship due to the party of the president. A second plausible explanation is that cosponsoring reflects the ideological tendency of the policies proposed and debated in Congress. In this view, most legislation proposes increased spending or government action, which liberals are more likely to introduce and cosponsor. During Republican administrations, the actions of the president provoke liberal responses in the form of legislation; Democratic presidents, in turn, provoke conservative legislators to introduce and cosponsor legislation.

Overall, cosponsoring varies with membership in the minority party, urban population, and, for first-term members, electoral vulnerability. Cosponsoring also varies with institutional positions and delegation sizes, as committee leaders cosponsor more frequently, party leaders cosponsor less often, and members cosponsor more as their state delegation sizes increase. Liberal members in both parties tend to cosponsor more often, especially during Republican presidencies. Furthermore, the results suggest that some legislative behavior is path dependent; members who began their careers before cosponsorship was allowed are less likely to cosponsor, and their reluctance grows with their seniority.

On the other hand, members who began in the House after cosponsorship was fully permitted do not significantly change their behavior as their seniority increases.

Conclusion

Members have dual motives to cosponsor legislation. By formally declaring their support for specific bills, House members provide information to legislative agenda setters while taking positions for constituents, donors, and interest groups. This analysis of cosponsoring behavior found that legislators' position taking varies with access to media coverage and satisfaction with the chamber agenda. Only first-term members respond to electoral vulnerability by cosponsoring more. Cosponsoring also varies with members' institutional positions and delegation sizes because of the variation in the desirability of members' support. These results are conditioned by legislators' reluctance to adapt to new institutions; members who entered the House before unlimited cosponsorship began in 1979 are generally less likely to cosponsor than members who started after 1979.

This study contributes to research on agenda setting and bill success by explaining why the number and diversity of cosponsors can aid a bill's progress, and it suggests conditions in which cosponsorship matters less. I also found that legislative "success" should be defined broadly. Legislators may influence the actions of the executive branch or private sector without enacting a law, and legislative entrepreneurs often succeed over the course of several Congresses.

Finally, the finding that legislative strategies evolve slowly deserves further study. Scholars often expect members of Congress to respond instantaneously to new information or strategic opportunities since legislators operate in a highly competitive environment and any advantage or weakness may affect their political careers. It is more likely, however, that legislators fear the costs and risks of changing their behavior and, instead, cling to strategies that preceded past successes. One consequence of this conservatism is that an institutional reform, such as the rule permitting bill cosponsorship, may be initially inconsequential but have an increasingly significant effect on a legislature. More research is needed to determine the extent of this conservative bias in legislative behavior and to identify the conditions that provoke legislators to change their strategies.

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APPENDIX
Variables Used

Victory Margin Rank, Freshman Victory Rank: House election data are from King (1995); additional years collected by author. I assigned a percentile rank to each incumbent's share of the general election vote; an unchallenged incumbent would have a rank of 100 and an incumbent who won with a 40% plurality would have a rank near 0. Freshman Victory Rank is coded as 0 for all members other than first-term legislators, and Victory Margin Rank is coded as 0 for all first-term members.

Retiring: This dummy variable is coded as 1 if a member is retiring and not immediately seeking another office and as 0 otherwise. The data come from McKibbin 1996 and the House Clerk's website (U.S. Congress 2003 or House Clerk 2003).

Urban Rank: The data are from the Census Bureau's congressional districts of the 93d, 98th, and 103d Congresses. Data from each census were used throughout the 10-year period. Urban population is measured from "inside urban areas" for the 98th–105th Congresses and from "urban" for the 96th and 97th. I used ranking to reduce the discrepancy between the 1970 census and later ones.

Majority: I used Martis party codes from Poole and Rosenthal's NOMINATE dataset. Bernie Sanders (VT) is coded as a Democrat.

Seniority (None), (Limited), (Unlimited): This variable counts the number of Congresses a member has served in, including the current Congress. Data are from ICPSR #7803.

Committee Referral Share, Committee Leader: For each member, I identified the committee assignments and the number of bills referred to each committee, then summed the number of bills and divided by the total number of bill referrals in that Congress. Data on committee assignments and committee leaders for the 96th–102d Congresses are from Nelson, Mitchell, Bensen 1994 and for the 103d–105th Congresses are from Stewart and Woon 1993–98. Data on bill referrals are from the Library of Congress (2003).

Democratic Ideology, Republican Ideology: I assigned each member a percentile ranking for each Congress based on his or her relative W-NOMINATE score for that Congress. Keith Poole and Howard Rosenthal calculated these scores (Poole 2003). W-NOMINATE scores are similar to other NOMINATE scores—a scaling model is used to estimate ideal points using non-unanimous roll-call votes—except they derive from the votes of a single Congress. NOMINATE scores have several faults: they may understate the effects of party persuasion (Snyder and Groseclose 2000) or understate the number of salient dimensions or issues (Londregan 2000). Nonetheless, NOMINATE scores are commonly used and the best widely available estimates of ideology, particularly for ranking members of Congress. I estimated the influence of ideology separately for members of each party and for periods of executive branch control by each party.

State Size: This variable is defined as the number of House members (inclusive) in a member's state. Data are from the U.S. Census Bureau.

NOTES

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1. Another way to test the hypothesis is to check if cosponsored bills are more likely to advance on the legislative agenda. Cosponsorship may help bills obtain committee consideration (Krutz 2000; Wilson and Young 1997), but Wilson and Young found no clear relationships between the number of cosponsors, expertise, or ideology and bill passage during the 99th Congress.

2. Senators have cosponsored legislation since the 1930s (Riddick and Frumin 1992).

3. See Hasbrouck 1927, 68; Chamberlain 1937, 148–49; and Clapp 1963, 157–61 on the political use of bill sponsorship.

4. I interviewed each subject for 30–60 minutes in the first week of September 2000, during the Republican-majority 106th Congress. All interviewees were promised anonymity; some quotes have been edited to replace identifying information.

5. Sinclair (1995, 128–31, 223–29) describes the significant effort required for a whip count.

6. These findings are consistent with a statistical analysis of bill success that finds a positive relationship between the number and partisan balance of cosponsors and committee and floor action on bills in selected jurisdictions (Krutz 2000).

7. Four interview subjects mentioned this practice. For example, one staffer stated, “[My member] will often cosponsor bills with a [state] angle. In particular, some legislation, like commemorative or naming bills, requires the entire delegation to cosponsor legislation. He’ll sign on to those.”

8. The most common form of solicitation is a “Dear Colleague” letter sent to every member of Congress. Active bill sponsors will also lobby members in person, usually on the House floor, and organized interest groups often send letters, arrange personal meetings, and organize constituent letter campaigns to increase cosponsorship of bills they strongly support.

9. Quality signals may also attract additional cosponsors. Several interviewees mentioned that they look for topic-relevant experts when deciding whether or not to cosponsor a bill.

10. An example is legislation providing Medicare payment to military hospitals to care for military retirees over age 65. Bills supporting this plan garnered 259 cosponsors in the 104th Congress, 233 in the 105th, and 113 in the 106th. Omnibus defense authorization bills created a demonstration program in 1998 and made this program national in 2000.

11. This “saber-rattling” tactic by groups of interested members is similar to a strategy that committees can use to rein in federal agencies by threatening legislation. See Ferejohn and Shipan 1989.

12. Goodlatte issued a press release, available on his website as of October 2000, claiming credit for the guidelines issued in January 2000 by the Commerce Department and citing the strong congressional mandate for relaxing encryption restrictions.

13. To assess the availability and importance of cosponsoring information on congressional websites, I browsed the websites of the 38 members initially chosen for my sample. All 38 members had websites. Of these sites, 27 provided links or information showing all the bills they had cosponsored in the 106th Congress.

14. In a forthcoming work, R. Douglas Arnold finds a significant negative relationship between the number of representatives in a metropolitan area and the number of newspaper articles per member (2002, chap. 2, Table 2.4).

15. Of course, members may also cosponsor a bill with the expectation that they will never have to vote on it. A leadership aide claimed that several members cosponsored a bill to allow doctors to bargain collectively, then approached Speaker Hastert after the bill was scheduled for floor debate, asking Hastert to rescind the bill's floor time.

16. A recent model of legislative voting (Groseclose and Milyo 2001) elaborates on this point. Groseclose and Milyo find that legislators maximizing both reelection and personal policy views will generally tend to vote their electoral interests; only if a member's vote is pivotal and the gains from choosing the right policy outweigh the costs of supporting the less popular proposal will a member vote on the basis of expected policy outcomes.

17. A possible additional reason that cosponsoring predicts voting is that party leaders urge members to cosponsor only bills for which they will vote. A majority party aide reported that this message is conveyed to party members, but it is not clear if this admonition has any effect or if minority party leaders make the same recommendation.

18. Data on the number of bills that each member cosponsored were obtained from Library of Congress (2003). Speakers are excluded due to a strong pattern of House speakers not cosponsoring and the absence of W-NOMINATE scores for some Speakers. Other variables and their sources are described in the Appendix.

19. Some scholars have suggested, however, that the tendency for cosponsoring to vary with ideology reflects members' interest in policy making. See the following discussion of my results.

20. "Constituency" here includes potential campaign donors and organized interest groups who can influence a member's reelection, independent of residence in a legislator's district. See also Fenno 1978 and Bishin 2000 for more details on the theory that legislators seek the support of relevant constituency subgroups.

21. It is important to stress that position taking may be "cheap" in the sense that it requires little effort, but positions can cost political support as well as earn it.

22. I rank these data to ensure they are comparable over multiple Congresses. Using nominal victory margins might be confusing if the threshold for a secure seat changed over time (see Jacobson 1987).

23. Some of this variation over time is attributable to the number of bills introduced in each Congress; cosponsoring tends to increase with the number of bills introduced. Also, in 1995 the new Republican majority banned "commemorative" legislation. Commemorative legislation imposed low political costs and required 290 cosponsors to merit agenda time, increasing each member's propensity to cosponsor. Republicans made this change to save members' time and clear space on the chamber agenda.

24. I pooled data from all ten Congresses to identify relatively constant patterns. Chow tests of structural change suggest that the statistical fit of the model could be marginally improved by including Congress-specific variables for the 97th, 102d, 104th, and 105th Congresses. A model using Congress-specific variables for every Congress (149 variables; adjusted $R^2 = .385$) would also be slightly better than the base model.

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