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Cosponsoring Legislation In the U.S. Congress

Since the mid-1930s in the Senate and the late-1960s in the House, members of Congress have been permitted to cosponsor legislation. Many members have become very active in cosponsoring legislation, while others have shown some reluctance. This article investigates several possible reasons for differing levels of cosponsorship activity. The goals of securing re-election, gaining influence within the Congress, and producing good public policy, as well as the member's general level of legislative activity, are examined as influences on cosponsorship activity. The findings indicate that the representative's cosponsorship activity is influenced by ideology (the representative's measure of good public policy), by the representative's general level of legislative activity, and by the representative's re-election prospects if in the Senate and seniority if in the House.

Though seldom mentioned in treatments of congressional procedures and practices, the cosponsoring of legislation has become an integral part of the legislative process in both houses of Congress. Cosponsorships were first permitted in the Senate in the mid-1930s (Riddick, 1974, p. 167). The practice of cosponsorship is a much more recent development in the House. Prior to 1967, House rules prohibited cosponsorship (Tacheron and Udall, 1966, p. 183). These rules were amended in 1967 to permit as many as 25 cosponsors on a piece of legislation and amended again in 1978 to permit unlimited cosponsorship (Deschler, 1979).

There are at least three reasons to suspect that the cosponsoring of proposed legislation is important in the legislative process. First, there is a significant effort to recruit members as cosponsors. Most members when introducing legislation routinely circulate "Dear Colleague" letters to the entire membership explaining the desirable features of their proposals and requesting support in the form of cosponsorship.

Second, both the number and the diversity of cosponsors (e.g., their diversity by party, or in ideology) are often cited by legislators during floor debate and in public discussions as evidence of a bill's support. For instance, one member prefaced his remarks in floor debate by noting that he was acting "in concert with the 100 members of this body who have cosponsored legislation of similar intent during this Congress."¹

Third, the importance of cosponsoring legislation is indicated by how frequently members of each house decide to cosponsor. To the typical congressman, the decision to cosponsor a bill seems to be neither a rare nor a routine matter. During the 95th Congress, the typical member of the House cosponsored 147 bills and the typical senator cosponsored 131 bills.

Although the typical congressman endorses what might be considered a moderate number of bills, there is tremendous variation from this typical level of activity. The most active cosponsor in the House during the 95th Congress placed his name on 563 bills, while the most reluctant cosponsor endorsed just 14 bills. In the Senate, one member cosponsored 285 bills, while another limited his endorsements to just 24 bills. The purpose of this note is to investigate the possible explanations of this wide variation in cosponsorship activity.

Influences on Cosponsoring Activity

Fenno noted in his study of legislative behavior in committees that legislators pursue three major goals: re-election, influence within the legislature, and the production of good public policy (Fenno, 1973). Each of these goals may influence the extent of a legislator's cosponsorship activity.

First, we may hypothesize that cosponsorships, like many other legislative activities, can be used to political advantage in seeking re-election. In effect, cosponsorships may be used as an instrument of "position taking" (Mayhew, 1974, p. 63). Legislators commonly mention appropriate cosponsorships in their correspondence with constituents. By noting a cosponsorship the legislator not only provides the constituent with some tangible evidence that he supports the constituent's view but also implies that he is active in his support.

There is, however, a limit to the electoral value of "position taking" and therefore of cosponsorships (Fiorina and Noll, 1979). Cosponsorships are not positive electoral resources under all circumstances. A congressman would be ill-advised to cosponsor a bill that is controversial in his constituency. Despite this limitation, legislators have a fairly large pool of bills that they may cosponsor which, from an electoral vantage point, are basically pure profit—including a number of bills that may be quite controversial at the national level (Fiorina, 1973).

Given the electoral benefits that might be derived from cosponsorships, it seems likely that those most concerned about winning re-election should cosponsor the greatest number of bills. Thus, we will investigate the hypothesis that electoral marginality causes greater cosponsorship activity.

Second, in seeking to gain influence among his colleagues, a legislator is likely to restrain his cosponsorship activity. A legislator is at least partially

known to his colleagues by his association with certain legislation. Any association with proposals generally thought to be ill-conceived or poorly constructed can damage a legislator's reputation. Thus, legislators most concerned about their reputations within their chamber may wish to be highly selective in the bills that they endorse.² Moreover, like any commodity, cosponsorships, if offered too freely, lose some of their impact and value. Legislators most concerned with protecting their endorsements from becoming a devalued currency are most likely to exhibit restraint in their cosponsoring. For both of these reasons—the avoidance of damaging association and the protection against devalued endorsements—we should expect that congressmen most concerned about maintaining and extending their influence in the House or Senate should less frequently cosponsor proposed legislation.

Two factors in particular seem likely to affect a legislator's concern for influence among his colleagues and, thus, his cosponsorship activity. First, if a congressman has served in his chamber for many years, he is more likely to sit in positions (in leadership or on committees) of potential influence and is more likely to have an established reputation among his colleagues that is worth protecting.³ Therefore, we should expect legislators with greater seniority to cosponsor fewer bills.⁴ Second, members of the majority party in a chamber may be on more favorable terms with the chamber's leadership and, consequently, may possess greater influence over the course of legislation. The protection of this influence may inhibit such members from cosponsoring as many bills as they otherwise would.

The third goal of legislators that may influence cosponsorship activity is the pursuit of good public policy. A legislator's idea of what constitutes good public policy depends at least in part on his ideological orientations—whether he is liberal or conservative, moderate or extreme. Since it is commonly recognized that liberals believe that governmental responsibilities are more extensive than conservatives, we might hypothesize that liberals will cosponsor more bills.⁵ Additionally, it seems likely that those most dissatisfied with current policies endorse more legislation. Thus, we may hypothesize that those legislators with more extreme ideological orientations should cosponsor more bills than their moderate colleagues.

Lastly, a legislator's cosponsorship activity may be influenced by a factor unrelated to his goals. As Barber has noted, because of personality differences some legislators tend to be generally more active than others (Barber, 1965). Thus, we might expect that legislators taking a more active role in legislation are also more active in cosponsoring bills. More specifically, we will investigate the proposition that legislators introducing more pieces of legislation will also cosponsor more pieces of legislation.

The Data and the Methodology

The data used to examine the suspected influences on cosponsorship activity are from the 95th Congress.⁶ Data were collected from both the Senate and the House of Representatives. For each of 96 senators and 431 members of the House, six pieces of information were gathered—the number of bills cosponsored, the number of bills introduced, party affiliation, proportion of the two-party vote in their election, length of service in the particular house, and A.C.A. and A.D.A. ratings for 1977 and 1978.⁷ These group ratings were used to compute both ideology and extremism indices.⁸

These data were then applied to a simple, linear model to assess the impact of the hypothesized influences on cosponsorship activity. The model is expressed in the following equation:

$$C = b_1N + b_2V + b_3P + b_5I + b_6X + e \quad (1)$$

where

C = the number of bills cosponsored by a member;

N = the number of bills introduced by a member;

V = the member's proportion of the two-party vote in the last election;

S = the number of years that the member has spent in the particular house of Congress;

P = the member's political party affiliation (Democrats equal 1 and Republicans equal 0);

I = the member's ideology as measured by the differences in A.C.A. and A.D.A. ratings (liberals coded as positive values and conservatives as negative values);

X = the extremeness of a member's ideology (the absolute value of ideology); and

e = residual term.

The standardized coefficients of equation 1 were estimated by ordinary least squares.

The Findings

Looking first at the influences on cosponsorship in the House, it appears from the results presented in Table 1 that of the six supposed influences on cosponsorship activity, three were about equally prominent in their impact on cosponsorships. These three influences were the member's general activity as measured by the number of bills introduced, the member's seniority, and the member's ideology. That is, active junior liberals were the most frequent cosponsors.

TABLE 1
Influences on Cosponsorship Activity
In the House and Senate
(standardized regression coefficients)^a

Influence	House	Senate
Electoral Margin ^a	-.05 (ns)	-.35
Seniority	-.34	-.10 (ns)
Party Affiliation	-.14	-.25
Ideology	.43	.24
Extremism	.17	.13 (ns)
General Activity	.31	.32
R ² (adjusted)	.38	.31

^a All coefficients except those followed by "ns" are significant at the .05 level.

Of the remaining three hypothesized influences, extremism and party affiliation have significant though modest impacts, while electoral marginality has no significant impact on cosponsorship activity. Marginality's lack of influence may mean either that House members see little electoral advantage in cosponsorships or that any advantage comes from aggressively exploiting particular cosponsorships rather than from expanding the pool of cosponsorships.

The cosponsorship activity of senators was apparently influenced significantly by four factors. Marginality, party affiliation, ideology, and general legislative activity each had a significant effect on the number of bills a senator cosponsored. Only seniority and the extremeness of ideological orientation had statistically insignificant effects.

A comparison of the findings in the House and Senate reveals two major differences.⁹ First, whereas senior members of the House are less likely to endorse legislation than their junior colleagues, no such distinction is evident in the Senate. Second, whereas senators who are electorally insecure are more likely to cosponsor bills than senators with safe seats, in the House members facing a difficult re-election bid are no more likely than their colleagues with safe seats to cosponsor great numbers of bills.¹⁰

Although one can only speculate, seniority may not affect cosponsorship activity in the Senate because seniority is less necessary for gaining influence in the Senate. Unlike junior members of the House, junior senators enjoy regular contact with a larger portion of their chamber, are accorded significant public attention, and are not generally expected to become experts

in a specialized policy area. For these reasons senators have the opportunity to develop a reputation and influence without great seniority. If, in fact, influence in the Senate is not significantly dependent on seniority, there is no reason that the cosponsorship of senior senators should differ from that of their more junior colleagues.¹¹

Although there are several possible explanations for the difference of marginality effects in the House and the Senate, perhaps the most plausible explanation is that senators, because of the more heterogeneous nature of their constituencies, find cosponsorships a more attractive campaign resource. Cosponsorships seem particularly well suited for appeals to groups with fairly limited and specific interests.

Summary

These findings indicate that the cosponsorship activity of a congressman reflects in most instances the pursuit of certain goals as well as the general level of involvement in the legislative process. To summarize, a congressman's general propensity to cosponsor legislation reflects his ideology, his general level of legislative activity, his marginality if in the Senate, his seniority if in the House, and to lesser degrees the extremeness of his ideological views and his party affiliation.

On the basis of these findings further research into the role of cosponsorship in the legislative process appears warranted. Two questions in particular seem worth pursuing. First, what do patterns of cosponsorships reveal about the formation and leadership of coalitions in Congress? Second, does cosponsorship affect the progress of legislation? Is a bill with many cosponsors and with particularly influential cosponsors more likely to be considered in committee and to be brought to the floor than a bill lacking such overt support?

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NOTES

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1. Rep. Lester Wolff; August 19, 1980; *Congressional Record*, p. H 7205.

2. The danger of ill-considered cosponsorships was noted by Sen. Richard Russell in defense of a proposal to abolish cosponsorships in the Senate. He noted that

“there is not a Senator who has not been embarrassed at one time or another by multiple sponsorships if he has engaged in (cosponsorship activity) very widely. . .” (January 23, 1961; *Congressional Record*, p. 1104).

3. Influence is also partly based on committee assignments. There is some evidence to suggest that members on the more prestigious committees limit their cosponsorships. Several of the committees whose members were least active in cosponsoring legislation were also among the more important committees in the House: Appropriations (mean cosponsorships = 122), Rules (147), Armed Services (152), and Ways and Means (153). The major exceptions are Foreign Affairs (217) and Judiciary (206). Also, several of the committees whose members were most active were the less prestigious committees: Post Office and Civil Service (210), Merchant Marine and Fisheries (205), and Banking, Finance, and Urban Affairs (203).

4. Senior members may also cosponsor fewer bills because their experience and power permit them to protect and maintain their reputations by introducing a few bills that have good prospects for passage. As Olson and Nonidez (1972) have noted, this opportunity does not exist for a large number of members, particularly junior members.

5. This hypothesis also rests on the belief that a disproportionate number of bills introduced are liberal. This belief is supported somewhat by the correlation between liberalism and legislative activity: .17 in the House and .25 in the Senate.

6. Since the rule change permitting unlimited cosponsorships did not become effective until the 96th Congress, it is possible that some relationships may be affected by the limit of 25 cosponsors. However, this may not be a significant problem, since the cosponsor limitation probably did not systematically work against particular kinds of members and, moreover, was infrequently used. Out of a sample of 320 public bills and resolutions introduced in the 95th Congress, only 17 (5%) had reached the cosponsorship limit.

7. Only senators and House members serving during the entire 95th Congress were included. Also, the Speaker of the House was excluded since he traditionally neither introduces nor cosponsors legislation.

8. The formula used to compute the ideology index was:

$$(A.D.A. \text{ in } 1977 - A.C.A. \text{ in } 1977) + (A.D.A. \text{ in } 1978 - A.C.A. \text{ in } 1978)/2.$$

The extremism index was the absolute value of the ideology index.

9. There are several complications in making such a comparison. First, it is at best questionable to compare standardized coefficients across populations or samples because of the different variances involved. Second, because of institutional differences, one bill cosponsored in the House does not have the same gravity as one bill cosponsored in the Senate. Thus, a comparison of unstandardized coefficients is not strictly justified. However, despite these problems, it is probably safe to say that a real difference between results exists where the standardized coefficients are markedly different and only one of the two coefficients is statistically significant.

10. Additional evidence of the exploitation of cosponsorships for electoral benefits by senators comes in the form of a comparison between those senators whose terms expire at the end of the 95th Congress and those senators who are not up for election so soon. The evidence clearly indicates that senators coming up for re-election tended to cosponsor more legislation than their colleagues who would not face re-election for two or four more years. The median number of cosponsorships of senators in the class running in 1978 was 146, while the median number of cosponsorships of the other two classes of senators was 121.

11. Another explanation is that senior members of the House have not become accustomed to cosponsoring legislation, since the rules permitting cosponsors were only established in 1967.

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