

**Commitment and Consequences:  
Reneging on Cosponsorship Pledges in the U.S. House**

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ABSTRACT

We argue that bill cosponsorship in Congress represents an institutional arrangement that provides credibility to commitments of support. We predict that if cosponsorship fosters legislative deals, MCs will only rarely back out on their pledges to support the bill if it comes up for a floor vote, and when they do, these choices will reflect strategic calculations. Further, legislators who violate their cosponsorship agreements will face punishment from colleagues, compromising their ability to gain support for their own bills. We explore the causes and effects of MCs' choices to renege on a pledge by voting no on a bill for which they were a cosponsor, focusing on all cosponsorship decisions in the 101<sup>st</sup>-108<sup>th</sup> Houses. The results reveal that patterns of renegeing and its consequences are consistent with the idea that cosponsorship functions as a commitment mechanism.

Legislators seeking to make policy through their introduced bills face an uphill climb. Of the five to six thousand measures introduced in the House every Congress, only a small number progress very far in the legislative process. Success requires the assistance of colleagues, so bill sponsors devote considerable time and effort to soliciting the support of other MCs, building coalitions to promote their measures. Assembling these coalitions involves making deals, compromising on key policy provisions, or trading support across bills.<sup>1</sup> However, these deals are potentially fragile because MCs face a variety of competing electoral and policy goals that can lead them to waver from their initial support of a bill. How can a bill sponsor, intent on shepherding a bill through the legislative process, be sure that a fellow legislator will follow through on his or her commitment to support the measure?

We contend that cosponsorship of bills provides a solution to the dilemmas of coalition-building by acting as a commitment device. A decision to cosponsor represents a public pledge to support the sponsor's bill should it come up for a vote on the floor. A failure to follow through on this commitment will be noticed not only by the sponsor, but also by other legislators. An MC's decision to renege on a cosponsorship pledge could therefore result in a reputation for not honoring commitments. Such a reputation, in turn, might jeopardize the ability to build coalitions in favor of his or her own bills. The potential negative consequences for backing out on a cosponsorship makes pledges more credible, allowing MCs to trade support more easily. Cosponsorship, therefore, is a vital institutional component of the broader system of logrolling, facilitating vote trading across issues and over time.

We investigate the observable implications of cosponsorship as a commitment mechanism. Our analyses focus on the renegeing behavior of legislators on the 843,557 cosponsorships made on the 44,779 bills and joint resolutions introduced by members of the

House of Representatives in the 101<sup>st</sup>-108<sup>th</sup> Congresses (1989-2004). Reneging occurs when an MC who cosponsored a measure votes against that bill at final passage. We predict, first, that if cosponsorship helps foster legislative deals, legislators will only rarely back out on their cosponsorship pledges, and that when they do, these choices will be systematic—a function of characteristics of the cosponsor, the sponsor, and the relationship between them, as well as features of the particular measure. Second, when MCs violate their cosponsorship agreements, we expect to see evidence of punishment, as manifested in their legislative success. These dynamics have potentially far-reaching consequences for our understanding of legislators’ coalition-building strategies and of the development of legislative reputations.

### **The Policy Implications of Cosponsorship**

Cosponsorship has been a regular component of legislative activity in the House since the late 1960s, when rules prohibiting it were relaxed and then formally lifted.<sup>2</sup> Legislators today average about 200 cosponsorships per Congress across a variety of issues. The importance of these activities has long been a source of debate among congressional scholars. Building on the (entirely correct) observations that cosponsorship is a relatively undemanding task and that most cosponsors are attached to measures that never makes it to a vote, early arguments concluded that cosponsorship represents a largely symbolic activity (see, for example, Mayhew 1974).

In recent years, though, scholars have revised this view, arguing that cosponsorship can indeed affect policymaking. Bill sponsors often tout the number of cosponsorships their measures attract, offering this as an indication that the bill has broad appeal and should be supported by other members. Empirical support for such bandwagon effects exists, although it is conditional--all other things equal, large numbers of cosponsors for a bill increase the probability of committee consideration, but not ultimate success on the floor (Browne 1985; Krutz 2005;

Wilson and Young 1997). More subtly, the ideological distribution of a bill's cosponsors and the timing of their cosponsorship decisions can provide other legislators with information about the content of the measure (Kessler and Krehbiel 1996; see also Aleman, Calvo, Jones, and Kaplan 2009). And, as Koger (2003) notes, cosponsorship, even of unsuccessful bills, can still have policy consequences when those measures are "incorporated into subsequent legislative proposals...stop another bill or class of bills...[or] send a signal of congressional interest to the executive branch" (230; see also Kingdon 1984). Recent work on cosponsorship networks has also shown that the relationships between MCs affect individual legislative influence (Fowler 2006a) and aggregate productivity (Cho and Fowler 2010).

### **Cosponsorship and Commitment**

We argue that cosponsorship represents an institutional arrangement to facilitate deal-making and coalition-building between legislators. Sponsors count on their cosponsors to follow through on their pledges because these cosponsorships can help bills progress. Party leaders look to the number and nature of a bill's cosponsors as a signal about whether they should promote it. Cosponsorship, therefore, can signal the policy priorities of members and, in turn, increase the efficiency of the legislative process. As a senior leadership aide interviewed by Koger (2003) put it:

“...we have an extremely limited amount of time...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.” (228)

In sum, cosponsorship affects not only the progress of individual bills, but also the ability of the chamber to pass legislation generally. Thus, the institution of cosponsorship serves a collective interest.

Critically, the signaling value of cosponsorships depends on the credibility of individual legislators' cosponsorship pledges. Therefore, cosponsorships need to be viewed as a credible commitment to vote for a bill should it come up for a floor vote. In this context, credible commitment requires two things--information on whether an MC has followed through on his or her pledge and some sort of punishment mechanism for a failure to do so. The public nature of cosponsorship facilitates both of these, enabling MCs to observe and monitor the behavior of their colleagues and creating the possibility of meaningful consequences for a failure to follow through on a promise to support a measure.

Because MCs go on public record with a cosponsorship, it is easily noticed when a legislator who cosponsors a bill votes against it at final passage. As a chief of staff we interviewed put it, in most cases a reneging MC would be "nailed immediately." This is especially true since legislators have the opportunity to remove themselves as cosponsors earlier in a bill's progression by formally withdrawing their support while the bill is in committee. Thus, a legislator who mistakenly signs on to a measure, as happens from time to time, is unlikely to remain a cosponsor by the time the bill reaches a vote.

In turn, a sponsor and his/her colleagues are likely to view a cosponsor who backs out on a pledge to vote for a bill that reaches the floor as an untrustworthy coalition partner.<sup>3</sup> Failure to follow through on the cosponsorship weakens the chances of the bill's passage, which will disappoint the bill's sponsor and other supporters. Further, reneging on a cosponsorship pledge reduces the signaling value of cosponsorship generally, hurting the ability of leaders to organize the legislative agenda in a way that is responsive to members' priorities.

We expect, then, that when an MC reneges on a cosponsorship commitment, the sponsor and his/her colleagues will be less inclined to cooperate with that legislator in the future. A

renegeing cosponsor, therefore, may be less likely to receive support from other legislators for his or her own measures. Legislators thus have incentives to follow through on their cosponsorship commitments to protect their reputations and, in turn, their own ability to get legislation passed.

Accordingly, once MCs have made the decision to cosponsor a measure, they should not back out lightly. We expect renegeing to be a rare occurrence. Nevertheless, there are a number of situations in which an MC might want to renege on a particular cosponsorship decision. One possibility is that during the course of the legislative process (committee markups, amendments, etc.), the bill changes enough that the cosponsor is no longer in support, or that a competing bill now aligns more closely with his or her position.<sup>4</sup> Another is that the MC's own preferences about the bill remain constant, but other considerations intervene. For instance, a legislator could learn that the President, powerful and/or close colleagues, the party leadership, or constituents strongly oppose the measure, or there could be a credible threat of a high-quality challenger or well-funded interest group that could use the MC's support for the bill against him or her. Finally, a decision not to follow through on a cosponsorship pledge could be personal. Cosponsorships are inherently dyadic—the choice to cosponsor means support not just for a bill, but for the sponsor of that bill (Harward and Moffett 2010). If that sponsor does something to displease a cosponsor, the MC might want to back out on his or her cosponsorship support to send a message. A legislative director we spoke to described a variety of these tit for tat scenarios as motivations for renegeing:

“They denied you a promised chance to amend or speak on the bill. They voted against one of your measures, took credit for something you did, stole a bill or a letter, poisoned a fund raiser, bad mouthed you, helped a primary opponent, etc. You ‘send a message’ by voting no.”

This staffer noted that when an MC reneges to make a point, this “will invariably be noticed and a member would absolutely not cosponsor or vote for that member's initiatives in the future.

Staff keep a blacklist, and usually the Member does too.”

Given the potential consequences for reneging, then, the set of instances in which an MC *wants* to back out should be larger than the number of cases in which he or she *actually does*. We expect reneging to occur only when the legislator believes that the benefits clearly outweigh the costs. As we discuss in detail below, such a decision is most likely when the MC cares more about the outcome of the vote (and when his/her vote is more likely to be pivotal to that outcome), when the sponsor is less powerful, when the relationship between the sponsor and cosponsor is weaker, and when the cosponsor is more secure electorally and in the chamber.

The choice to renege is strategic and carefully calibrated. In other words, reneging is out-of-equilibrium behavior. Although this will dampen its observable effects, we still expect to observe consequences for this behavior. In particular, we argue that reneging harms MCs’ attempts at coalition-building, so they face more difficulty gathering cosponsors for their own introduced bills and are less likely to see those bills pass. The magnitude of these punishments varies with characteristics of the reneging MC and the context under which he or she reneged.

### **Patterns of Cosponsorship**

Our analyses focus on cosponsorship activity on the nearly 45,000 public bills and joint resolutions introduced in the 101<sup>st</sup> through 108<sup>th</sup> Congresses (1989-2004).<sup>5</sup> This time period extends across three presidencies and includes a change in partisan control of the House (the switch to the Republicans in the 104<sup>th</sup> Congress) and so offers a sample of introduced measures and cosponsorship decisions across a variety of contexts. We compiled data on cosponsorships



and characteristics of bills from Fowler's cosponsorship network project (2006a, 2006b), Adler and Wilkerson's Congressional Bills Project, and the Library of Congress's THOMAS site.

Table 1 provides descriptive data on cosponsorship patterns. Across the sample, MCs introduced an average of 5600 measures per Congress. Each MC, therefore, has about 5600 opportunities to cosponsor in a term. Legislators choose to sign on to only between three and five percent of the bills introduced, suggesting that cosponsorship is selective and not a "costless" activity (see also Krehbiel 1995). For instance, in the 108<sup>th</sup> Congress, a total of 101,917 cosponsorships were made. This represents just 4.3% of the approximately 2.4 million possible cosponsorship decisions (5452 introduced bills \* 435 MCs). Each bill, in turn, averages around nineteen cosponsors, although this masks a wide range of variation across measures, with some receiving hundreds of cosponsors and about one-third receiving none at all.

Insert Table 1 about here

The timing of the decisions made by these bills' cosponsors also varies. Members of the House may choose to sign on to a bill up until the time it is reported from committee, but a basic distinction can be drawn between original cosponsors, who make the decision to cosponsor prior to or coincident with the introduction of a bill, and post-introduction cosponsors, who sign on after introduction. An original cosponsor is more likely to have learned about the measure from the sponsor (typically through a Dear Colleague letter) and has agreed to cosponsor before observing colleagues' reaction to the bill. We expect, therefore, that original cosponsorship indicates a stronger signal of support on the part of the cosponsor and so will be less common. The data confirm this; original cosponsorships comprise only between about one-fourth and one-third of cosponsorship decisions.

## The Prevalence of Reneging

Before testing our hypotheses about reneging, we must first identify when it occurs. Reneging is only possible if a bill gets to a vote on the floor. Only a small portion of introduced bills (~4%) reach that point, so our analyses target the 56,765 cosponsorship pledges made on measures that reached that stage. We constructed our indicators using Poole and Rosenthal's roll call voting data and the Congressional Bills Project's matches between roll call number and bill/resolution number. To identify the final passage vote for each bill that progressed to a floor vote, we coded the description of each vote and then matched the yea-nay totals with those reported on THOMAS. Reneging is defined as a "no" vote on a bill for which an MC was a cosponsor, and where the sponsor voted yes.<sup>6</sup>

Figure 1 presents some descriptive statistics on reneging. Across the sample, there are a total of 840 instances of this behavior. Thus, as expected, it is rare for MCs to back out on their pledges. Just how rare, though, depends upon the frame of reference. The first column for each congress shows that only a very small proportion of cosponsorship decisions (about 1.5%) are reneged upon when MCs cast their roll calls. However, when we calculate rates of reneging at the level of bills or MCs, the levels are higher. The second set of columns shows that about 20% of all measures that receive cosponsors have at least one renege on that support,<sup>7</sup> and the third set of columns shows that in every Congress, about one-tenth to one-third of MCs renege. And, if we aggregate across the entire time period, we find that 48% of MCs reneged at least once.

Insert Figure 1 about here

Thus, reneging, though infrequent, is not unheard of. In fact, it is a regular part of the legislative process. The patterns across bills suggest that individual calculations, rather than group coordination, drive these choices to back out on cosponsorship commitments. Mass

reneging simply does not occur very often. Figure 2 demonstrates that about half of bills that were the subject of reneging had only one reneger, and only one-fifth had more than four renegees. As with all of the measures of reneging calculated here, these rates are fairly steady across congresses.

Insert Figure 2 about here

Along the same lines, Figure 2 also shows that instances of reneging are spread across legislators. It does not appear to be the case that a few MCs are serial renegees, responsible for the bulk of the decisions to back out on pledges. Of the 451 legislators in the sample who renege (out of a total of 937 unique members in the 101<sup>st</sup>-108<sup>th</sup> Congress), 54% do so only once, and just 3% renege more than four times. Therefore, the patterns in the analyses that follow are not driven by just a few MCs or a few bills.

Nonetheless, identifying the most frequent renegees is useful because it offers anecdotal evidence in support of our argument about the motivations underlying reneging behavior—that MCs engage in it because they can afford and/or are willing to take on the risks. Indeed, the three legislators who renege the most in the 101<sup>st</sup>-108<sup>th</sup> Congresses are Barney Frank, Sheila Jackson Lee, and Matthew Martinez, all of whom renege eight times, and all of whom are known for their iconoclastic behavior.<sup>8</sup> Other MCs on the “frequent renegees” list include such well-known figures as Jim Traficant, Ralph Hall, and John Lewis.

It is important to underscore, though, that the difference in incidents between relatively frequent and relatively infrequent renegees is small. Moreover, we hypothesize that the decision to renege is situational as well as dispositional. Our next step, then, is to explain in more detail the decision to renege.

## **Who Reneges?**

We contend that renegeing has negative consequences. Thus, we anticipate that the choice to do so is complicated, and reflects both contextual factors and characteristics of the MCs involved in a particular cosponsorship agreement. Specifically, we expect legislators to back out on a cosponsorship pledge only when the benefits to them offset the potential costs. This will be most likely when an MC cares enough about policy that he or she is willing to prioritize the outcome of the vote over the risk of appearing to be untrustworthy or indecisive, when a legislator is secure enough electorally and in the chamber to withstand any negative consequences that may arise from the decision to back out on his or her support of a measure, and/or when the relationship between the sponsor and cosponsor is weak, such that the MC feels less obligation to follow through.

### *Security of Cosponsor*

Because renegeing is potentially risky, we expect that the more secure the legislator, the more willing and able he or she is to absorb any intra-chamber and external consequences that might come with it. Thus, seniority (number of years in office) and electoral safety (the MC's proportion of the two-party vote share in the previous election) should both be positively associated with renegeing. Along the same lines, if a lack of concern about colleagues' reactions frees legislators to renege, then those MCs who have made the decision to retire after their current terms (measured as a dummy variable coded 1 if the legislator retires and 0 otherwise) may have a higher probability of backing out on a pledge.<sup>9</sup>

### *Relationship between Sponsor and Cosponsor*

Our theory of the dynamics underlying renegeing also suggests that characteristics of the sponsor and the relationship between the sponsor and a cosponsor influence the renegeing

decision. In general, cosponsors will be less willing to renege on pledges they have made to powerful colleagues, so, all else equal, we expect to observe a lower probability of renegeing if the sponsor is senior (as measured in years in office), secure electorally (as measured by his or her percentage of the two-party vote in the previous election), a leader (Speaker, majority/minority leader, or whip), or a member of the majority party. MCs are also less likely to renege on a pledge if they have close connections to the sponsor, so at the dyadic level, we expect that rates of renegeing will be lower when the sponsor and cosponsor share a party affiliation and/or come from the same state, are members of the same congressional class (i.e., elected in the same year), or serve on the same committees.<sup>10</sup>

For similar reasons, we anticipate that cosponsors who are members of the majority party will be less likely than those in the minority to renege, since bills that reach a final passage vote are most often those that are supported by powerful members of the majority. In contrast, in most cases a renegeing minority MC is backing out on a pledge on a bill sponsored by a majority member, and so has less to lose from his or her disapproval.

Perhaps most importantly, we expect that the nature of a particular cosponsorship agreement between the sponsor and a given cosponsor and their past cosponsorship interactions affect the probability of renegeing. We have argued that the choice to be an original cosponsor (vs. a post-introduction cosponsor) indicates a stronger link to the sponsor. It follows, then, that original cosponsors should be less likely to renege on a cosponsorship pledge than post-introduction cosponsors. We also anticipate that when the sponsor of a bill had previously signed on to a bill introduced by one of the cosponsors, the probability of that cosponsor renegeing will be lower. We generate a dummy variable, *History*, coded one if the sponsor of the bill had cosponsored a measure introduced by a cosponsor in the current Congress (prior to the date of

the final passage vote for the sponsor's bill) or in the previous term. We expect that when previous interactions exist between the sponsor and cosponsor, the cosponsoring MC will feel more obligation to reciprocate by following through on his or her pledge.

### *Policy Considerations*

Finally, we predict that policy considerations will affect the renegeing decision. In short, if a legislator does not care very much if a bill passes or fails, it is not worth risking the negative consequences that can come with renegeing. Accordingly, renegeing is likely to be more common when policy considerations are at the fore. Most obviously, we expect more renegeing when the content of a measure has changed across the legislative process (i.e., from the time that cosponsors chose to sign on). Given the very large number of bills in the sample, we opt for a simple indicator of change: a count of the number of successful amendments attached to a measure when it reaches a final passage vote.<sup>11</sup>

We also anticipate that renegeing will occur more often on policy-relevant measures.<sup>12</sup> Since "relevance" or "importance" are notoriously difficult concepts to measure, we employ several proxies. One is a dummy variable for whether the measure was mentioned in the *CQ Almanac*, as such discussion is generally viewed as a sign that the measure is particularly high-profile (Volden and Wiseman 2009). We supplement this with an indicator that captures policy importance at the other end of the spectrum—whether the measure was identified in Adler and Wilkerson's Congressional Bills Project as "commemorative" (dealing with naming buildings, minting coins, designating non-official days, and the like). In addition, we incorporate more general indicators of potential policy relevance, including whether a measure is a bill or joint resolution. Both categories have the force of law if passed, but taken as group, resolutions often

deal with matters of less pressing importance. Therefore, we include a dummy variable for “bill” and anticipate that there will be more renegeing on bills than on joint resolutions.

When making decisions about whether to renege, policy-motivated MCs also consider the likelihood that their choice will make the difference between the measure passing or failing. If the outcome of a vote on a bill is a foregone conclusion, there is little incentive to back out, as it opens one up to the punishments that can come from renegeing without offering any policy benefit. We therefore expect to see a positive relationship between the closeness of a vote (measured as the absolute value of the yeas minus the nays) and the likelihood of renegeing.<sup>13</sup>

We also anticipate that certain cosponsors may be more likely than others to prioritize policy in their voting and so be more willing to renege. In particular, if ideologues are less prone than their moderate colleagues to compromise on policy, and more willing to vote no on a measure if they believe that this will be more likely to bring about policy in line with their preferences, then the probability of renegeing will be higher among relatively extreme legislators (as measured by the absolute value of their common-space NOMINATE scores).

### *Control Variables*

Because rates of renegeing could vary across congresses and within a term, we take time into account in two ways: by controlling for Congress (with a series of dummy variables) and by including a measure that taps the number of days that elapsed between the start of a term and the date of the vote on a bill. This “elapsed” variable runs from 0 (the vote took place on the first day) to 693 (the vote took place near the end of the second year of the Congress).

We also control for the number of cosponsors a bill received and the number of each MC’s cosponsored bills that made it to the final passage stage in a particular Congress since this affects the number of opportunities to renege. And, we include variables for whether the MC

switched parties in his/her career and for the size of an MC's state delegation (because those from larger states have more opportunities to cosponsor with "same state" legislators).

### *Results*

The results presented in Table 2 test hypotheses about the effects of cosponsor security, sponsor-cosponsor relations, and policy considerations on the probability of reneging. The unit of analysis is an MC's vote at final passage on each of his or her cosponsored bills that reached this stage. The dependent variable is coded 1 if the legislator reneged (i.e., voted no) and 0 otherwise. Given the rarity of reneging, we estimate the model using rare events logistic regression and, because legislators can appear in the sample in multiple Congresses, we cluster the standard errors on the cosponsor.

Insert Table 2 about here

The results support the hypotheses about the factors driving reneging. Electoral safety is positively related to reneging—more secure cosponsors are more likely to back out on their pledges, as are those who do not plan to run for reelection. This suggests that MCs are cognizant of the potential ramifications of looking like a "flip-flopper" and avoid reneging on a pledge if they are particularly concerned about their electoral prospects. The results for seniority also support our contention that those who are more established in the chamber feel freer to back out on their pledges.

This finding that safer, more senior members are more likely to renege is important. It implies that reneging does not merely reflect mistakes on the part of legislators, or that those who engage in it do so because they do not understand the policy or political implications of their decisions. For instance, among the 51 renegers in the 108<sup>th</sup> Congress, over half had more than ten years of service in the House (and only 5 were in their first terms), and several held



positions as party leaders, committee chairs, or ranking members. These are the very MCs who should be most knowledgeable and strategic about the decisions they make (see also Woon 2008), carefully choosing if and when to renege.

Policy considerations also operate in the predicted manner. The probability of reneging increases with the number of amendments attached to a measure, is higher for bills than for joint resolutions, and increases as the final votes get close. Relatively ideologically extreme legislators are also more likely than their moderate colleagues to back out on a pledge. Contrary to initial expectations, reneging is less common on high-profile measures mentioned in the *CQ Almanac*. However, it is also less common for commemorative measures. Taken together, these findings indicate that policy importance does indeed matter (i.e., with reneging generally more likely on more policy-relevant measures), but, on the few most highly salient measures, where reneging is most likely to be noticed (and, hence, punished), legislators avoid it.

Finally, the choice to renege on a measure is linked to characteristics of its sponsor and a cosponsor's relationship with him or her. Reneging is less common when the sponsor-cosponsor dyad has a history (that is, when the sponsor has previously cosponsored the cosponsor's introduced bills), shares a party affiliation, and when the MC was an original cosponsor. And, as expected, majority party cosponsors are less likely to renege than minority members, even after controlling for the majority status of the sponsor.

These findings provide support for our theory of reneging. Not only is it a systematic and predictable phenomenon, it is also a function of the particular interactions between the sponsor and cosponsor in a dyad. Importantly, the effects we uncover are more than just statistical regularities; they are also substantively meaningful in magnitude. To estimate the likelihood of reneging in different scenarios, we used CLARIFY (see Tomz, Wittenberg, and King 2003) to

calculate the probability of a “no” vote on a bill cosponsored by an MC when characteristics of that MC, his or her relationship with the bill’s sponsor, and the nature of the measure are varied. Recall that at the level of the cosponsorship decision, renegeing occurs on only about 1.5% of all final passage votes.

For instance, if we take a relatively safe, senior, and ideologically extreme legislator from the minority party and calculate the likelihood that he or she will renege on a non-*CQ*/non-commemorative bill with three amendments (the average for measures with amendments) for which he or she was a post-introduction cosponsor and for which he or she shares no history or same-party or same-state affiliation with the sponsor, the probability of renegeing is 4.4%. In contrast, the probability of a relatively vulnerable, junior, and moderate majority MC voting no on a non-amended, *CQ*-mentioned or commemorative joint-resolution for which he or she was an original cosponsor, has a history with the sponsor, and shares party and state affiliations is virtually zero (.0002%).<sup>14</sup> Thus, common differences in the context of the voting decision can have a big impact on the likelihood that a legislator will choose to renege.

### **The Consequences of Renegeing**

Our theory is predicated on the idea that cosponsorship represents a pledge of commitment. Therefore, backing out on a cosponsorship pledge has negative consequences. The results in Table 2 indicate that MCs appear to be aware of the potential for such consequences and act only when they feel confident they can withstand them, or when they value the policy effects of a “no” vote on a bill enough that they are willing to risk the ramifications of renegeing.

However, as is the case with other legislative activities that may yield a payoff or cost, it is entirely possible that legislators are overly cautious, behaving *as if* there were a consequence for failing to follow through on a pledge, even if in reality such punishments were rare. This

anticipatory response could produce the patterns of results in Table 2 in the absence of an actual effect of reneging. As a next step, then, we assess more directly the consequences of reneging by examining the relationship between reneging and multiple indicators of legislative success, including MCs' ability to assemble cosponsorship coalitions for their own introduced bills and the effects of reneging on the likelihood that their measures pass.

Our expectations about reneging and legislative success are straightforward. If other MCs view cosponsorship as a commitment, then reneging on this commitment should have costs. Most directly, the sponsor of the measure upon which a cosponsor reneged is likely to react negatively and be less willing to sign on as a cosponsor to that MC's bills in the future.

To test this hypothesis, we model the cosponsorship decision at the dyadic level. The unit of analysis is each MC's decision about whether to cosponsor each bill introduced during the 101<sup>st</sup> through 108<sup>th</sup> Congresses. This yields a total of about 20 million observations (~5600 bills \* ~435 legislators \* 8 congresses). Accordingly, we conduct separate analyses for each congress. The dependent variable in these models is a dummy for whether or not a legislator cosponsored a particular bill. The primary independent variable of interest is reneging—that is, whether the sponsor had previously reneged on a measure introduced by a potential cosponsor. We include two dummy variable indicators of the latter—one for whether, at the point of introduction of a bill, the sponsor had reneged on a potential cosponsor during the *current* Congress, and another for whether the sponsor had reneged upon that MC in the *previous* Congress.

Other independent variables include the various characteristics of individual sponsors and cosponsors included in the “who reneges?” analysis in Table 2, such as vote share, seniority, ideological extremity, and majority status. These are designed to capture the intuition that some legislators are more likely than others to cosponsor and that some sponsors are, in general, more

or less likely to attract cosponsors for their bills. Along the same lines, we also add features of the particular measure that may affect the probability that it receives cosponsors, such as whether it is a bill or joint resolution, whether it was multiply referred, its issue category, and whether the sponsor or potential cosponsor sat on a committee of referral for it.

To capture the dyadic relationships between the sponsor and potential cosponsor, we incorporate a variety of measures of common interest (whether they come from the same state, from the same party, were elected in the same class, share a committee assignment, and, if so, whether that shared assignment is for a committee to which the bill was referred) and indicators of past cosponsorship interactions. This variable is similar to that used in the “who reneges?” analysis in Table 2, though in this case it is measured at the point of introduction of a bill and reflects the number of times that the sponsor of that bill had cosponsored a measure introduced by the potential cosponsor. We include a measure of this dyadic history in the current term and, for all but the 101<sup>st</sup> Congress (where our data collection begins), the previous term.<sup>15</sup>

Our basic expectation is that if a bill sponsor has reneged on a potential cosponsor in the past, that will significantly *decrease* the likelihood that that MC will choose to cosponsor the reneging sponsor’s measure, yielding a negative coefficient on reneging. In the interest of space, we do not present the full sets of results for all eight congresses<sup>16</sup> and focus instead on the marginal effects for current and past reneging, as presented in Figure 3.

Insert Figure 3 about here

For six of the eight congresses, current and/or past reneging by one MC on another significantly reduces the likelihood that the latter will cosponsor a bill of the former’s in the future. The two exceptions are the 101<sup>st</sup> Congress, where we cannot include past reneging (but where the negative coefficient on current reneging comes very close to standard levels of

statistical significance), and the 104<sup>th</sup> Congress, which marks the first term after the Republicans took the majority in the 1994 election. The lack of a finding there is perhaps not surprising, as the change in party power shook up relationships between MCs (majority members became the minority, committee assignments changed more markedly, turnover was higher, etc.).

Importantly, the effects are substantial. As a point of comparison, across these congresses, the average probability of cosponsoring a bill ranges from 3.4% to 5.2%. As shown by the magnitude of the marginal effects, reneging reduces these probabilities by anywhere from one-fifth to two-thirds, depending on the Congress. For example, the observed probability of cosponsorship for the 108<sup>th</sup> Congress is 4.3%. If the sponsor of a bill had reneged upon an MC in the 107<sup>th</sup> Congress, the probability of that MC cosponsoring the sponsor's bill drops to just 1.6%.

These findings provide strong confirming evidence about our theory of cosponsorship as a commitment mechanism. Reneging damages the relationship between an MC and the colleague upon whom he or she reneged, so reneging often means losing the support of that MC in the future. Our next test examines an even more difficult standard of the effects of reneging-- if they extend to losing the support of *other* MCs. Indeed, if some MCs view reneging as an indication of untrustworthiness, or if close colleagues of the aggrieved MC also wish to punish the reneger, then we will observe broader reputational effects.

#### *Reneging and Cosponsorship Coalition Size*

To test for such effects, we first compare the size of the cosponsorship coalitions for an MC's introduced bills before and after a reneging incident, with the expectation that we will see fewer cosponsors after. We conduct regression analyses, presented in Table 3, where the units of analysis are MCs' bill introductions and the dependent variable is the number of cosponsorships sponsors receive for these bills. (Standard errors are clustered on the MC.) Because we are

interested in assessing the effects of reneging, we limit the sample to those members who engaged in this behavior. This provides for a stricter test, since it targets whether the size of their coalitions *changes* after reneging, rather than just comparing the average number of cosponsors for the bills of renegers and non-renegers.

We identify the date of an MC's reneging incident and construct a "spell" around this of the five introductions preceding and following it.<sup>17</sup> The coefficient on the reneging variable in the model thus reflects the difference in the average number of cosponsors for the measures introduced in the spell before and after the date of reneging. More specifically, a negative coefficient means that the size of MCs' cosponsorship coalitions decreases post-reneging.

These analyses are designed to compare within individuals, which reduces the need for controls. Nevertheless, the effects of reneging may be subtle and swamped by differences in cosponsorship coalition size linked to characteristics of bills, so we do take into account the type of measure (bill or joint resolution), whether the bill was referred to multiple committees (since multiply-referred measures tend to receive more cosponsors), and dummies for Congress and bill issue category. Given potential differences in dynamics for majority and minority party members, we also include a control for majority party status.

Insert Table 3 about here

Table 3 presents these results (minus the coefficients for the Congress and the issue category dummies, which we omit in the interest of space). The critical finding is that backing out on a cosponsorship pledge does indeed have a negative effect on the size of the coalitions for the reneging MC's subsequent bill introductions. As shown in column one, a failure to follow through on a cosponsorship commitment is associated with a decrease of three to four cosponsors

on the bills an MC introduces after the renegeing incident. Recall that the average number of cosponsors per bill is about nineteen. Thus, a loss of 3-4 cosponsors is substantial.

While the coefficient on renegeing in column one reflects the average number of cosponsors lost post-renegeing, the coefficients in columns two and three show the effects of renegeing on the number of copartisan and outpartisan cosponsors. As expected, the effect is more pronounced for copartisans, but renegeing also leads to a significant reduction in the average number of cosponsors an MC receives from the other party.

It is impressive that evidence of an effect of renegeing on cosponsorship coalition size shows up in aggregate analyses, since we might reasonably expect to see the amount of punishment for renegeing vary across different contexts. For instance, the consequences for renegeing are likely to be harsher for members of the majority than members of the minority since their decisions to renege typically reflect backing out on a copartisan and are thus more likely to be looked upon with disapproval by their party leaders. Along the same lines, renegeing on a copartisan is likely to have more effect on future ability to construct coalitions than renegeing on a bill sponsored by an MC of the opposite party, regardless of whether one is in the majority or minority. The nature of the measure on which one renegeed may matter as well—MCs may be punished more when they back out on high-profile measures, and may face fewer consequences when they renege on a bill that had been amended (i.e., changed) prior to the vote.

Figure 4 summarizes the results of a series of analyses designed to test these hypotheses. We replicated the analysis in the first column of Table 3, but with different models for each renegeing situation. For the effects of majority status, we ran separate analyses for majority and minority members. To determine whether there are differences in the extent of punishment for renegeing on a copartisan vs. a member of the other party, we included two indicators of

reneging—“same party” reneging and “cross party” reneging. We used the same approach for comparing reneging on salient (mentioned in *CQ*) and non-salient measures and on amended vs. non-amended measures. To illustrate these effects, we present just the coefficients on the measures of reneging (represented by the dots), along with the 95% confidence interval for each (represented by the lines). The more negative the coefficients, the greater the effect, since they reflect the difference between the number of cosponsors for an MC’s bills pre- and post-reneging.

Insert Figure 4 about here

As shown, all of the coefficients are negative, indicating that reneging generally decreases MCs’ success at assembling cosponsorship coalitions. However, as predicted, the consequences are more pronounced for members of the majority party, when an MC reneges against a copartisan, and when he or she backs out on a high-profile measure. Contrary to expectations, the effects of reneging on an amended measure are larger than the effects of reneging on a non-amended one. However, it may be that the process of amending raises the salience of a measure, increasing the probability that other MCs will notice and react negatively to a colleague’s reneging decision.

#### *Reneging and Bill Passage*

Our final test of the legislative consequences of reneging targets the most tangible possible effect--whether the punishments for this behavior extend beyond affecting MCs’ coalition-building abilities to influence whether their bills ultimately pass in the chamber. Our expectation is that if reneging harms legislators’ coalition-building abilities, it may also influence their “hit rates” (the percentage of each legislator’s introduced bills that pass in the chamber) from one term to the next.



In the regression analyses presented in Table 4, the dependent variable is an MC's hit rate in a particular term. Given the timing of the legislative calendar, final passage votes on measures tend to be grouped toward the end of a Congress. Thus, the overall hit rate in one term will most likely be affected by renegeing early in that Congress and late in the previous one. Accordingly, our primary independent variable of interest is a count of each MC's number of renegeing incidents in year two of the previous term and year one of the current term. Importantly, we include an indicator for hit rate in the previous term, so that the coefficient on renegeing indicates its effect above and beyond past hit rate. We also control for Congress (in the interest of space, we do not present the coefficients on these dummies) and a variety of characteristics of MCs that could influence hit rates, including their membership in majority or minority party, leadership status, and seniority, electoral security, and ideological extremity. These analyses are limited to MCs who introduced more than a single measure, and we cluster the standard errors on the MC.

Insert Table 4 about here

These results demonstrate that renegeing does indeed have a demonstrable effect on hit rates. For every renegeing incident, legislators' hit rates drop by about one to one and a half percent. Because the average hit rate for all MCs is only about 12%, this reflects a substantively meaningful difference.<sup>18</sup> This serves as strong evidence of the legislative consequences of MCs' failure to follow through on pledges. Not only do MCs who renege lose cosponsors for their own bills, they also enjoy less success in getting these bills passed in the future.

## **Conclusions**

Theories of legislative behavior and organization contend that the transaction costs of legislating can lead to suboptimal outcomes, where desired bills are left unpassed. Much of the literature focuses on the macrolevel institutions that MCs create to solve this problem, such as

committee structures (e.g., Shepsle and Weingast 1981, 1987) or party organization (Cox and McCubbins 2005, 2007). We argue that cosponsorship performs a similar role at a more micro-level, serving as an institutional arrangement to help make commitments credible and allowing MCs to build coalitions.

The patterns of renegeing in our analyses are consistent with the idea that cosponsorship serves these functions. MCs take cosponsorship pledges seriously. Thus, legislators rarely back out on the pledges they make. And if they do so, these choices reflect careful consideration. MCs are sensitive to their own status in the chamber, to the context surrounding a particular bill, and to their relationship with a measure's sponsor, and so renege only when they can afford to and/or when they are willing to pay the potential costs. And, even though these strategic considerations dampen the observable effects of renegeing, we still see clear evidence of punishment. Legislators who renege harm their relationships with other MCs and face difficulty in assembling coalitions for their own bills and in getting those measures passed.

The results highlight the dangers of viewing cosponsorship as merely symbolic or limited to electoral effects. Instead, cosponsorship activities may have a subtle but important influence on the policy process. If cosponsorship helps legislators to trade support, then it provides individual MCs with the ability to create coalitions in favor of their preferred policies and to get those bills noticed by the leadership. Thus, changes in rules about cosponsorship in the 1960s and 1970s, though designed with an eye toward increasing legislative efficiency (by decreasing the number of duplicate bills introduced; see Thomas and Grofman 1993; Wilson and Young 1993) actually developed policy consequences as a commitment device. In short, cosponsorship links MCs together in a way that duplicate bill introductions did not, producing potentially wide-

ranging effects. The impact of these rule changes, therefore, should be evident in the macro-patterns of coalition-building and legislative success in the House over the past thirty years.

Conceptualizing cosponsorships as commitments also has implications for arguments about networks in Congress, demonstrating that cosponsorship reciprocity is not only a consequence of relationships between legislators, but also a cause of them. Following through on a cosponsorship pledge can build trust between MCs and may encourage them to cooperate in the future. In turn, renegeing on a cosponsorship can damage that relationship, signaling distrust between MCs, and preventing them from working together on legislation. Indeed, the results suggest that the decision to renege on a cosponsorship reflects, in part, dyadic concerns, including the possibility of trying to punish the sponsor for a perceived slight. Thus, cosponsorship commitments play an important role in the evolution of legislative networks, not only helping to build ties, but also potentially breaking them.

Finally, cosponsorship commitments can affect legislators' reputations for trustworthiness. Failure to follow through on commitments may mark an MC as an unreliable partner in the legislative process. Our results show that renegeing has a short-term effect on coalition-building and legislative success, but it may also have long-term implications for career trajectories in the chamber. It is reasonable to expect that an MC who is widely viewed as trustworthy will be more likely to be rewarded by the chamber or his or her party than a legislator with a reputation for failing to honor commitments. Thus, exploring the links between MCs' reputations and their lawmaking and career success is a fruitful area for future research.

In sum, the choices MCs make about whether to follow through on their pledges to support bills have a tangible and long-lasting legacy. Understanding the dynamics of cosponsorship thus has the potential to offer new insight into the most fundamental question

underlying the study of Congress and legislatures more generally--how the strategic decisions of individual legislators interact with institutional structures to produce policy outcomes.

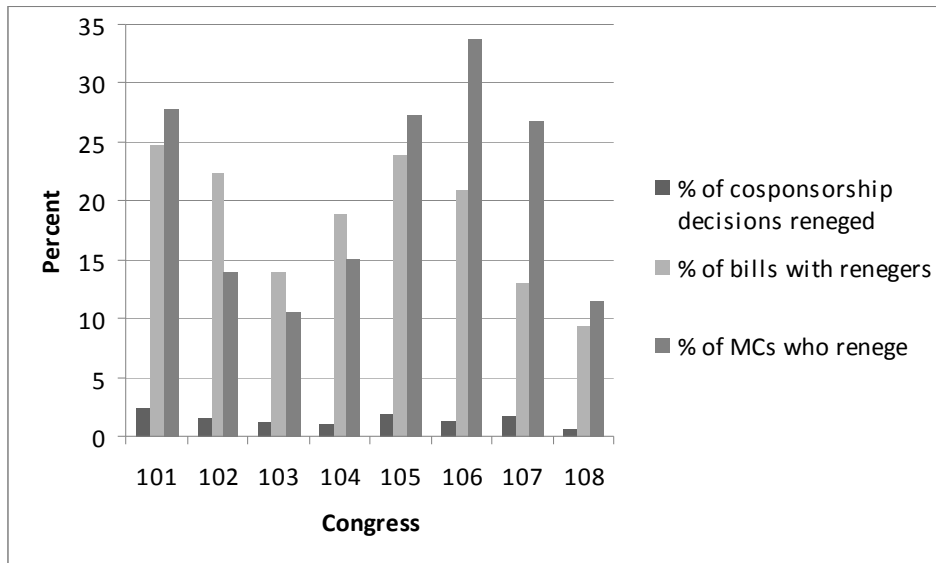
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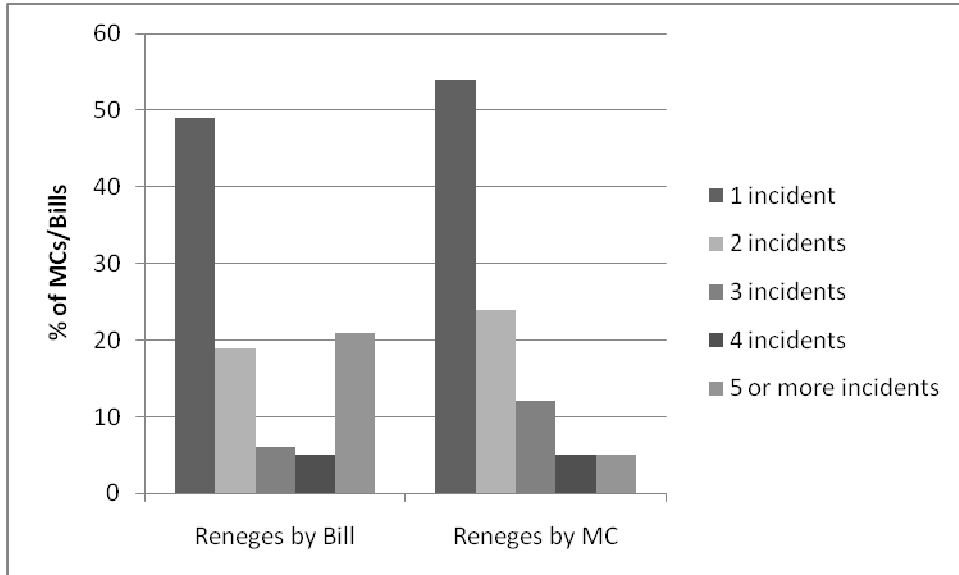
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**Figure 1. The Prevalence of Reneging by Congress**

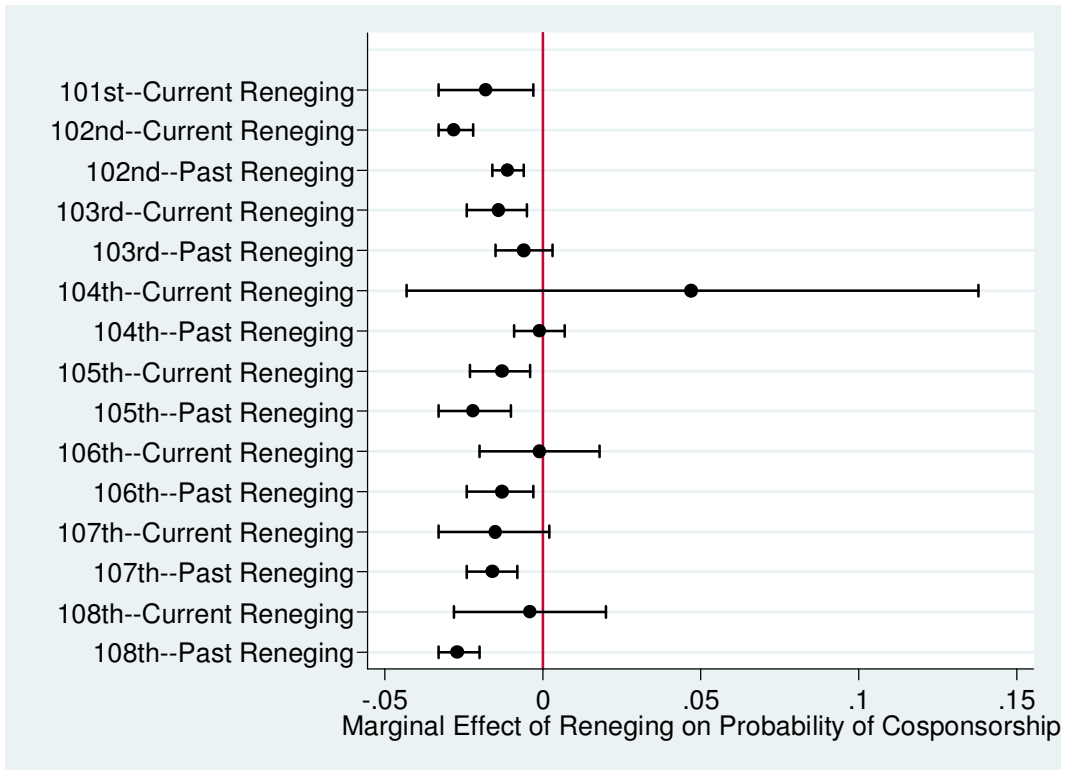




**Figure 2. Distribution of Reneging**

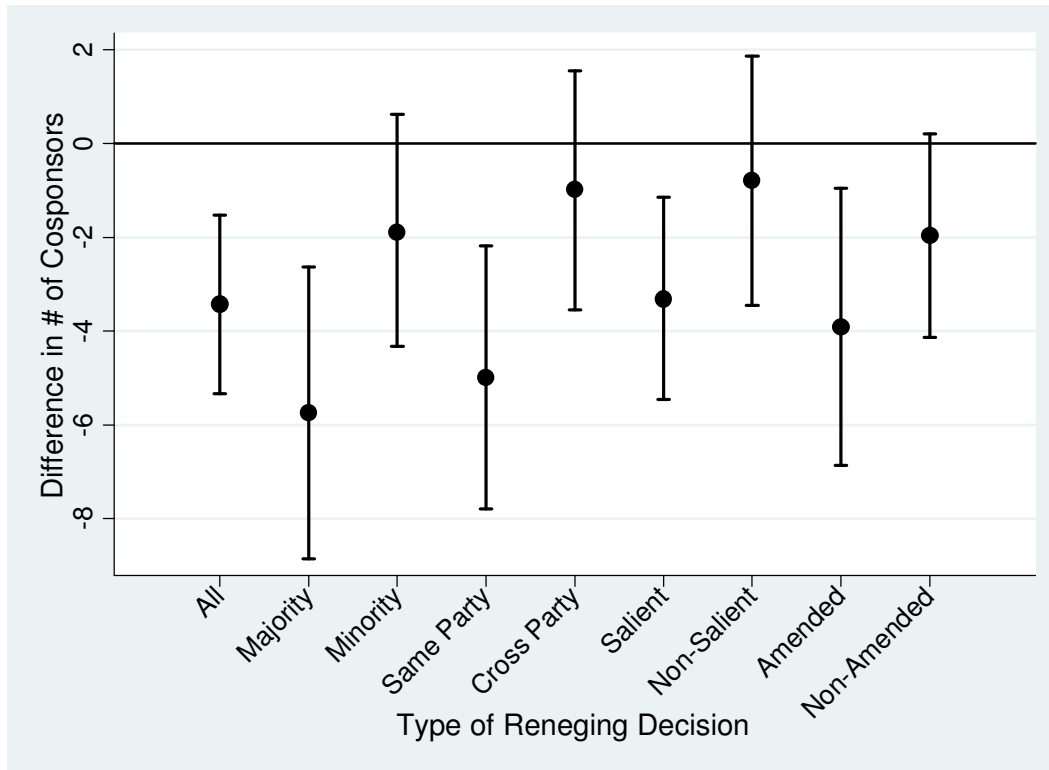


**Figure 3. The Dyadic Level Punishments for Reneging**



*Note: The figure presents the impact of current and past renegeing on legislators' dyadic cosponsorship decisions. The dots represent the marginal effect and the lines the 95% confidence intervals.*

**Figure 4. Differential Punishment across Types of Reneging**



*Note: The figure presents the difference in the average number of cosponsors for MCs' bills before and after they renege. These estimates are derived from models based on the results in presented in Table 3, but where the type of MC (majority/minority) or type of renege decision (on a post-introduction vs. original cosponsorship, or against a same-party or cross-party sponsor) vary. The dots represent the coefficients and the lines the 95% confidence intervals.*

**Table 1. Cosponsorship in the 101<sup>st</sup>-108<sup>th</sup> Congresses**

	<b>101<sup>st</sup></b>	<b>102<sup>nd</sup></b>	<b>103<sup>rd</sup></b>	<b>104<sup>th</sup></b>	<b>105<sup>th</sup></b>	<b>106<sup>th</sup></b>	<b>107<sup>th</sup></b>	<b>108<sup>th</sup></b>
# of Bills Introduced	6438	6606	5550	4398	4891	5657	5787	5452
# of Introduced Bills with Cosponsors	4243	4163	3598	2827	3319	3898	4022	3983
Cosponsorships								
Total	146,269	135,490	101,000	65,112	84,949	105,027	103,793	101,917
% of obs	5.2%	4.7%	4.1%	3.4%	3.9%	4.3%	4.1%	4.3%
Cosponsor Type								
% Original	24.5%	23.6%	24.7%	34.8%	33.7%	34.7%	36.7%	37.2%
% Post-Intro	75.5%	76.4%	75.3%	65.2%	66.3%	65.3%	63.3%	62.8%

*Note: The table presents data on the number of bill introductions and cosponsorship decisions (# of bills \* number of MCs) for each Congress between 1989 and 2004.*

**Table 2. Who Reneges?**

	Reneges?
<b>Cosponsor</b>	
Vote Share	.008(.002)**
Seniority	.011(.005)*
Retire?	.202(.164)
Majority Party?	-1.096(.205)**
Ideological Extremity	1.494(.324)**
<b>Sponsor</b>	
Leader?	-.330(.209)
Vote Share	-.008(.003)**
Seniority	-.019(.006)**
Majority Party?	.326(.185)
Ideological Extremity	.151(.281)
<b>Dyadic Relationship</b>	
Sponsor-Cosponsor History	-.312(.093)**
Original Cosponsor?	-.389(.080)**
Same State?	-.113(.150)
Same Party?	-.823(.186)**
Same Committee?	-.024(.111)
Same Committee of Referral?	.188(.137)
Same Class?	-.310(.165)
<b>Context</b>	
Count of Amendments	.079(.017)**
CQ Mention?	-.465(.093)**
Commemorative?	-2.237(.446)**
Bill?	.950(.167)**
# of Cosponsors	-.000(.000)
Closeness of Vote	.007(.000)**
Time Elapsed	.001(.000)**
# of Bills to Vote	-.001(.001)
Switch Party?	.286(.569)
Delegation Size	.007(.003)*
Constant	-41.725(11.349)
N	56,765

*Note: The table presents the results of a rare events logistic regression analysis where the dependent variable is whether or not a legislator reneged on a cosponsorship decision and the independent variables include the features of MCs and bills presented, along with a series of dummy variables for Congress and bill category. Standard errors are clustered on the MC. \* =  $p < .05$ ; \*\* =  $p < .01$ .*

**Table 3. The Effects of Reneging on Subsequent Cosponsorship Coalition Size**

	All Cosponsors	Same Party Cosponsors	Cross-Party Cosponsors
Reneged?	-3.43** (.97)	-2.36** (.67)	-1.07** (.40)
Bill?	-36.51** (5.90)	-22.75** (4.13)	-13.76** (2.17)
Multiple Referral?	6.81** (1.52)	5.09** (1.06)	1.72* (.69)
Majority Party?	.08 (1.35)	-1.67 (.96)	1.75** (.63)
Constant	51.23 (7.18)	35.61 (5.08)	15.61 (2.93)
N	6377	6377	6377
R <sup>2</sup>	.06	.06	.05

*Note: The table reports OLS regression results, with standard errors in parentheses. The dependent variable is the number of cosponsors for an introduced bill. The number of observations = # of MCs who reneged \* their bill introductions in the spells pre and post-reneging. The models also include controls for Congress and bill issue category. Standard errors are clustered on the MC. \* = p < .05; \*\* = p < .01.*

**Table 4. Reneging and Hit Rates**

	Hit Rate
# of Reneging Incidents	-.013(.004)**
Previous Hit Rate	.296(.030)**
Majority Party?	.102(.007)**
Leader?	.044(.033)
Seniority	.003(.001)**
Vote Share	.000(.000)
Ideological Extremity	-.041(.025)
Constant	5.494(1.011)
N	2389
R-squared	.25

*Note: The table presents the results of an OLS regression analysis where the dependent variable is each MC's hit rate in a given Congress, and the independent variables include the features of MCs presented, along with a series of dummy variables for each Congress. Standard errors are clustered on the MC.*

\* =  $p < .05$ ; \*\* =  $p < .01$ .

## Endnotes

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<sup>1</sup> The theoretical literature on logrolling focuses primarily on trading of support on roll call votes (see, for example, Buchanan and Tullock 1962; Carrubba and Volden 2000; Ferejohn 1986; Shepsle and Weingast 1981, 1987), but the logic applies more broadly.

<sup>2</sup> The prohibition on cosponsorship ended in 1967, and, in 1978, restrictions on the number of cosponsors per bill were removed. An important impetus behind these reforms was to reduce the number of duplicate bills introduced (see Thomas and Grofman 1993; Wilson and Young 1993).

<sup>3</sup> There may occasionally be extenuating circumstances where renegeing is seen as justifiable, but, all else equal, backing out on a pledge should be viewed unfavorably by sponsors.

<sup>4</sup> More rarely, an MC might cosponsor a bill expecting that changes will be made and then want to renege if they are not. This was Anna Eshoo's (D-CA) explanation for her "no" vote on the Cyber Information Sharing and Protection Act in the 112<sup>th</sup> Congress. As she explained to her colleagues, "While progress has been made since HR 3523 was first introduced, I've reviewed the 16 amendments that the House will consider and I've concluded that they collectively fail to cure the larger shortcomings of the bill" (Sasso 2012).

<sup>5</sup> We limit our focus to these types of measures (i.e., excluding simple and concurrent resolutions) as they are the only categories of legislation that, if passed, have the force of law. We use "bills" to refer to both bills and joint resolutions.

<sup>6</sup> There are several instances in which the sponsor of a bill votes no on final passage. This is likely due to large changes in the bill during the legislative process. We exclude these bills.

<sup>7</sup> These calculations are limited to bills that had at least one cosponsor, since renegeing is not possible for bills that are not cosponsored.

<sup>8</sup> Martinez, for example, changed his party affiliation twice during his time in public life.



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<sup>9</sup> For example, in 2012, eight Democrats who cosponsored the “Federal Reserve Transparency Act of 2012” voted against it. Four of these eight were not running for re-election (Nelson, 2012).

<sup>10</sup> We include two indicators here, one for whether they share any committee assignments, and a second for whether they both sit on the same committee of referral for a measure.

<sup>11</sup> There are limitations with using counts of amendments as an indicator of policy change, as, for example, a single major amendment may have more effect on the content of a measure than several minor amendments. We also ran the model with a simple dummy for any amendment rather than a count of amendments, without any change in results or substantive conclusions. We opted to retain the “number of amendments measure,” as we believe that, even with its imperfections, it incorporates more information than the dummy variable.

<sup>12</sup> Of course, close, policy-relevant measures may also be those where legislators would anticipate the most punishment for renegeing. In the analyses below, we take up this question. However, we assume that all else equal, legislators have more incentive to renege when their decision to vote no is likely to matter for a policy outcome.

<sup>13</sup> We recognize that there is a temporal issue here, as the count comes after an MC’s vote (and some MCs may have better information than others about the outcome). Unfortunately, a better indicator of closeness does not exist. We assume that most MCs have a sense of whether a vote will be close or not, and that our closeness variable serves as the best available measure of that.

<sup>14</sup> For these calculations, we hold sponsor seniority, vote share and ideological extremity, closeness of the vote, time elapsed, number of cosponsored bills that reached a vote, and delegation size at their means. We also set the same class and same committee indicators at zero. We further assume that the sponsor is not a leader and that the MC did not switch parties. The

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differences in the probability of renegeing are even larger if we allow these variables to vary across their ranges.

<sup>15</sup> We estimated these models in a variety of ways. In the reported specifications, a dyad is coded as having zeroes for history and renegeing if one MC was not in the previous Congress. We obtain the same results if the analysis is limited to dyads who were both in Congress in the previous term.

<sup>16</sup> Full results for the analyses summarized in Figure 3 and 4 are available from the authors.

<sup>17</sup> These spells often cross Congresses (for MCs for whom the number of introductions in a Congress does not reach five preceding and/or following the renegeing incident), but if we limit them to a single Congress, the substantive conclusions are the same. Along the same lines, varying the size of the spell (up to ten bills) does not affect the conclusions.

<sup>18</sup> These findings are robust to a variety of specifications and hold for renegeing on both high-profile and lower-profile measures.