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# Sponsorship and Cosponsorship of House Bills

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January 8, 2018

**Congressional Research Service**

7-5700

[www.crs.gov](http://www.crs.gov)

RS22477

**A** Representative who introduces a bill or resolution in the House is called its *sponsor*. Under House Rule XII, clause 7, several Members together may submit a bill, but only the Member whose name appears first on the bill is considered its sponsor; the others are *cosponsors*. A bill can have only one sponsor, but there is no limit on the number of cosponsors it may have.<sup>1</sup>

## Sponsorship of a Bill

Representatives introduce bills in the House by placing them in the wooden box, or “hopper,” located at the bill clerk’s desk on the chamber floor when the House is in session (including a “pro forma” session).<sup>2</sup> An original signature of the sponsor must appear on the measure when it is introduced. Cosponsors do not sign the bill, but sponsors are “strongly advised” in a Dear Colleague letter from the Speaker’s office to include a cosponsor’s original signature on the cosponsorship form during the 115<sup>th</sup> Congress (2017-2018).<sup>3</sup> To add cosponsors, the sponsor may drop in the hopper a cosponsorship form prepared by the clerk’s office that identifies the names and states of Members who want to be cosponsors.<sup>4</sup> Cosponsorship is generally viewed as a sign that the Member supports the measure.<sup>5</sup>

Rule XII, clause 7(c) requires that sponsors provide a statement of constitutional authority at the time of introduction.<sup>6</sup> The constitutional authority of Congress is set forth beginning in Article I, Section 1 of the U.S. Constitution, which states that “All legislative Powers herein granted shall be vested in a Congress of the United States.” Article 1, Section 8 of the founding document contains additional clarity regarding Congress’s enumerated powers.<sup>7</sup> The constitutional authority statement is not required to accompany the introduction of simple or concurrent resolutions.

Members typically sponsor bills they support. On occasion, a Representative may introduce a bill as a courtesy, such as legislation proposed by the President or a senior Administration official. Citizens and interest group representatives may also ask a Member to introduce legislation on their behalf. In these cases, the sponsor may designate the bill as introduced “by request.” As House Rule XII, clause 7(a)(5) states, “When a bill or resolution is introduced ‘by request,’ those

<sup>1</sup> Twelve bills with multiple sponsors were introduced on January 4, 1995, in accordance with H.Res. 6 (104<sup>th</sup> Congress), the House rules package adopted for the 104<sup>th</sup> Congress (1995-1996). Pursuant to Section 223(g) of H.Res. 6, the first 20 bills and the first two joint resolutions introduced in the 104<sup>th</sup> Congress were allowed to have two or more Members reflected as the sponsor.

<sup>2</sup> For more information on bill introduction in the House, see CRS Report R44001, *Introducing a House Bill or Resolution*, by Mark J. Oleszek.

<sup>3</sup> The Speaker’s “Dear Colleague” letter on the subject of cosponsorship was sent on December 30, 2016, and is available online at <http://e-dearcolleague.house.gov/details.aspx?199130>. The purpose of the Speaker’s advisement is to prevent errors in the identification of cosponsors. Some Members are likely to share similar or similar-sounding names given the membership of the House, which in rare cases has caused a Member to have been misidentified as a cosponsor.

<sup>4</sup> Cosponsorship forms are available for download on HouseNet, the House’s internal website, at <https://housenet.house.gov/sites/housenet.house.gov/files/forms/Add-Cosponsor-Form.pdf>.

<sup>5</sup> The number of cosponsors a measure obtains has no procedural impact on whether or not it will be scheduled for House floor consideration.

<sup>6</sup> Constitutional authority forms are available for download on the website of the Office of Legislative Counsel, at <http://legcoun.house.gov/members/HOLC/Resources/casform.pdf>.

<sup>7</sup> For more information on the kinds of authority that could be cited to meet this requirement, see CRS Report R41548, *Sources of Constitutional Authority and House Rule XII, Clause 7(c)*, by Kenneth R. Thomas, as well as guidance issued by the House Legislative Counsel, at [http://legcoun.house.gov/members/HOLC/Resources/const\\_auth\\_statement.html](http://legcoun.house.gov/members/HOLC/Resources/const_auth_statement.html).

words shall be entered on the Journal and printed in the *Congressional Record*.” Introducing a bill “by request” allows for a degree of separation between the sponsor of the measure and the legislative text it contains.

A sponsor may not reclaim a measure he or she has placed in the hopper after it has been assigned a number and referred to committee, a process that normally occurs on the same day a measure is introduced. Once a measure has been numbered and referred, it becomes the property of the House and its text cannot be modified by the sponsor (or any other Member), even by unanimous consent, regardless of how cosmetic any modifications might be. It is too late at this point to make any changes to the bill except by amending it on the House floor during its consideration.<sup>8</sup>

Introduced bills and resolutions can be taken up by the House even if the sponsor resigns from the House or dies. If a sponsor is no longer a Member of the House, another Member may be designated “first sponsor” by unanimous consent to manage cosponsorship requests involving measures sponsored by the departed Member.<sup>9</sup> A current Member may also draft and introduce a similar or identically-worded bill to one sponsored by a departed Member, in which case the current Member would be identified as the sponsor.

## Cosponsorship of a Bill

Representatives may cosponsor a bill either at the time of its introduction or subsequently. Members whose names are submitted with a bill at the time of introduction are commonly referred to as “original” cosponsors, and those Members will be identified as such when the bill is first printed. Once a bill has been introduced, Members may add or remove their names as cosponsors until the bill has been reported from all the committees to which it is referred, or until the committees have been discharged from further consideration of the bill. If an unreported bill is scheduled for consideration on the House floor—which may occur by way of the suspension procedure (House Rule XV) or under the terms of a special rule reported by the House Rules Committee—then cosponsors may be added or removed up to the point that a vote occurs on the motion to suspend the rules or the measure is called up under the terms of the special rule.

Adding cosponsors can be accomplished with the same form used to identify original cosponsors. Completed forms are to be signed by the sponsor and placed in the hopper when the House is in session. The names of added cosponsors appear in the *Congressional Record* and in any subsequent printings of the bill. Sponsors and cosponsors of bills and amendments may also be found by searching Congress.gov, an online database of legislative activity.<sup>10</sup> House Rule XII, clause 7(b) allows a bill to be reprinted if 20 or more cosponsors have been added since the previous printing, provided the sponsor submits a written request to the Speaker to have the bill reprinted.

A cosponsor may also have his or her name removed from a bill until the last committee of referral has filed its report with the House or has been discharged from its consideration. While adding cosponsors can be transacted through the hopper, removing a cosponsorship requires

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<sup>8</sup> On House amending practices, see CRS Report 98-995, *The Amending Process in the House of Representatives*, by Christopher M. Davis.

<sup>9</sup> Proceedings to designate a Member as “first sponsor” can be found in the *Congressional Record*, vol. 163, December 14, 2017, p. H9918. If another Member is not so designated, then a Member may request unanimous consent to be added as a cosponsor to an unreported bill sponsored by a departed Member. Ordinarily, the presiding officer will not entertain requests made on the House floor to be added as a cosponsor.

<sup>10</sup> See <http://www.congress.gov/>.

either the cosponsor or the sponsor of the bill to make a unanimous consent request to that effect on the House floor.<sup>11</sup>

Rules governing the number of cosponsors permitted on a bill have changed over the years. From 1967 to 1979, House rules limited the number of cosponsors to 25 per bill, requiring the introduction of identical bills when the number of cosponsors exceeded 25. Since 1979, an unlimited number of cosponsors have been allowed. Private bills are prohibited from having cosponsors but may be introduced in the same way as public bills.<sup>12</sup>

## Gaining Cosponsors

Supporters of a bill often seek cosponsors to demonstrate its popularity and improve its chances for passage. One of the most common techniques to attract cosponsors is the “Dear Colleague” letter, a notice delivered to some or all Member offices either in print or via email. These letters are so called after the salutation with which they begin.

No House rules govern “Dear Colleague” letters. They are, in effect, a sponsor’s advertisement for a bill (or, sometimes, an amendment). A typical letter will briefly state the issue the bill addresses, its major components, and its policy importance, and include an invitation to sign on as a cosponsor. Almost always, they carry the name and phone number of a staff aide to contact. A system for distributing “Dear Colleagues” through the Internet was implemented in the 110<sup>th</sup> Congress.

Before a bill is formally introduced, a Member who wishes to become a cosponsor, or an aide acting at his or her direction, may contact the sponsoring Member’s office and request that his or her name be added to the bill. A form listing cosponsors is usually kept by a staff aide and submitted along with the bill at introduction. After the bill is introduced, a Member may also contact the sponsor’s office and ask to be listed as a cosponsor. The sponsor decides when to submit these additional cosponsors to the House Clerk for publication in the *Congressional Record*.

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## Acknowledgments

This report was originally prepared by former CRS Specialist Richard C. Sachs. Please direct any inquiries to the current author.

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<sup>11</sup> An example statement to this effect can be found in the *Congressional Record*, vol. 162, July 14, 2016, p. H4974. Scripts to request a cosponsorship removal are also available from cloakroom staff.

<sup>12</sup> For a study of the consideration of private bills in the House, see CRS Report RS22450, *Procedural Analysis of Private Laws Enacted: 1986-2015*, by Christopher M. Davis.