



# Center for Effective Lawmaking

## Enabling Compromise

Christian Fong\*      Nicolas Hernandez Florez†

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### Abstract

Lawmakers fear they will be punished by primary voters if they compromise. We show how two features of congressional politics commonly believed to stifle compromise — partisan agenda control and messaging bills intended to fail — can actually facilitate compromise. Party leaders sometimes schedule votes on bills that fail but, in the process, allow lawmakers to take an extreme position before ultimately voting to compromise. We call these proposals *cover bills*. We offer two survey experiments to show that primary voters are more supportive of a compromiser if that legislator first votes for a cover bill. Cover bills are effective not because they prove that the compromise was the best deal the legislators could get, but because they prove that the legislator shares the voter’s ideological commitments. They work well even if respondents find out about the cover bill from legislators who opposed the compromise.

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\*Assistant Professor, Department of Political Science, University of Michigan. Email: cfong@umich.edu.

†PhD student, Department of Political Science, University of Michigan. Email: nhflorez@umich.edu.

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## **Introduction**

Compromise is the lifeblood of American lawmaking. Bicameralism, the Senate filibuster, and the presidential veto make it very difficult to pass laws without bipartisan support. In those rare instances in which one party manages to win enough elections to legislate without any support from the other party, it is usually so heterogeneous that passing laws requires major compromises within the majority party.

Many legislators recognize that they must compromise to get better policies but fear that primary voters will punish them if they do (Anderson, Butler, & Harbridge-Yong, 2020). Especially in times of divided government, widespread aversion to compromise can lead to gridlock (Gelman, 2020; Lee, 2016). In high-stakes fiscal policy negotiations over the federal budget or debt ceiling, aversion to compromise has led to costly delays through lengthy government shutdowns and federal credit-rating downgrades.

In the United States Congress, institutional factors pose additional barriers to compromise. The majority party and its leaders control access to the agenda. Since Romer and Rosenthal (1978), social scientists have emphasized how a strategic agenda setter can use their agenda control to coerce moderate legislators into accepting more extreme proposals than they would choose on their own. Cox and McCubbins (2005) emphasize how majority party leaders use their control over the agenda to prevent proposals that would split the majority party from coming to a vote, often including bipartisan compromises. Compromise can undermine parties' collective electoral interests (Gelman, 2017; Lee, 2016). Compromise comes at the expense of taking ideologically pure positions that highlight clear contrasts between the majority and minority party. When majority status hangs in the balance, parties have strong incentives to schedule votes on proposals that they know will fail to become law so that they can energize their voters and prove their fealty to supportive interest groups. The more time and effort they allocate to these messaging votes, the less they have leftover to engage in the hard work of finding compromises and building bipartisan coalitions for them.

We do not doubt that party leaders have used agenda control to keep bipartisan compromises off of the floor or that messaging bills have, on many occasions, crowded out efforts to compromise. But agenda control and messaging bills are tools that can be used for a range of purposes. Party leaders can use their control over the agenda to push messaging bills in lieu of compromises, but we argue that they can also use this power to push messaging bills that actually facilitate compromise.

They can accomplish this through the use of a *cover bill*, a legislative proposal that is intended to fail but, in failing, allows lawmakers to take an extreme position before supporting a moderate compromise. The majority party leader first proposes the cover bill, a relatively extreme proposal that unifies the party but has no chance of becoming law. The party unites to praise and pass the cover bill. When it inevitably fails to become law, the party then settles for a bipartisan compromise. This tactic gives the majority party the best of both worlds. It allows legislators to take a position that highlights their alignment with primary voters, but legislators can still reap the policy rewards of compromising.

The cover bill is a messaging bill.<sup>1</sup> Its goal is not to change public policy, but to allow legislators to take positions that will be popular with their constituents. However, the cover bill is not a substitute for legislating or a rehearsal for how a party will govern when it finally achieves unified control. It is an integral step in the legislative process. It creates political conditions in which legislators can compromise without provoking the ire of primary voters. Cover bills have been repeatedly used in fiscal negotiations over the federal budget and the debt ceiling. They have also been used in other policy areas, such as gun control. We will detail the use of a cover bill in the 2023 debt ceiling negotiations below.

In this paper, we do not offer a theory that explains the conditions under which party leaders use a cover bill. Our modest goal is to show that cover bills can be effective and explain

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<sup>1</sup>In addition to messaging bills, there are also messaging amendments, but messaging amendments would not be a useful tool for providing the kind of political cover afforded by cover bills. The purpose of a cover bill is to emphasize the common ground shared by members of the majority party. If an amendment intended to provide political cover passed, it would have functionally the same effect as a cover bill. If an amendment intended to provide political cover failed, it would emphasize the differences within the majority party, which is the opposite of a cover bill's intended goal. We return to this issue in the conclusion.

why they work as well as they do. To this end, we offer a pre-registered survey experiment on a large, representative sample of primary voters based on two real negotiations that involved cover bills and ultimately led to a bipartisan compromise: for Republicans, the 2011 debt ceiling negotiations, and, for Democrats, the 2022 gun control negotiations. The experiment shows that informing primary voters that a compromiser supported a cover bill causes them to evaluate that legislator more favorably. A causal mediation analysis clarifies that this is because voting for the cover bill makes the respondent more confident that the lawmaker is committed to addressing the issue.

This first experiment tests the efficacy of cover bills in a highly controlled environment. However, in a content analysis of congressional press releases from the 2023 debt ceiling compromise, we find that legislators who opposed the compromise were actually more likely to mention the cover bill than legislators who supported it. These non-compromisers attacked the compromise for failing to live up to the promise of the cover bill. Do cover bills still increase support for compromisers even if voters learn about them from people who are criticizing the compromise?

Surprisingly, yes. We offer a second survey experiment that exposes primary voters to real criticisms of the bipartisan compromise from the 2023 debt ceiling debate. Primary voters rate a compromiser more favorably when told the lawmaker first voted for a cover bill — even when the cover bill is used to criticize the compromise. In fact, primary voters rate a compromiser more favorably if they see a rhetorical attack on the compromise that mentions the cover bill than if they see a neutral message that merely acknowledges that party members disagreed over whether the compromise was good. The cover bill fundamentally changes the terms of the debate. It gives compromisers a rhetorical shield against the allegation that they compromised because they did not care enough about addressing the issue, and it also entices many of the legislators who opposed the compromise to propagate a message that actually helps the compromisers.

## **The 2023 United States Debt Ceiling Crisis**

The 2023 debt ceiling negotiations between President Biden and House Republicans offers a prototypical example of a cover bill in action. Because the United States federal government consistently spends more money than it takes in as revenue, Congress must routinely raise the amount of money that the federal government is legally allowed to borrow. If the federal debt ever actually reached the debt limit, the federal government would lack the legal authority to meet its obligations, and would go into default. House Republicans demanded steep spending cuts and policy concessions as prerequisites for raising the debt ceiling. President Biden and the Democratic majority in the Senate wanted to raise the debt ceiling without any policy preconditions.

Aside from a small handful of Republicans, none of the participants saw default as an acceptable outcome. There were a range of compromises that both sides preferred to the disastrous status quo. Within that range, Republicans preferred deals with more spending cuts and Democrats preferred deals with fewer, but both would be better off settling for any deal in that range than failing to come to an agreement.

But they could not assume they would reach a deal in a timely fashion. In the 2011 debt ceiling crisis, negotiations dragged on for months, and Congress failed to raise the debt ceiling until the day of the deadline. They came close enough to failure that Standard & Poor's downgraded the credit rating of the United States government.

Months passed; the June deadline approached; neither side budged. That was until Republican leadership proposed the Limit, Save, Grow Act. If enacted, this proposal would have raised the limit only enough to last less than a year, cut federal spending by \$4.8 trillion, defunded the Biden administration's \$80 billion investment in IRS enforcement, and blocked the president's student loan forgiveness programs. The legislation was considered dead-on-arrival. The proposal passed the House of Representatives mostly along party lines, but a veto threat from the president came shortly after and the Senate never brought it up for a vote.

Even though the bill failed, it spurred a series of meetings between President Biden and House Speaker Kevin McCarthy. These meetings ultimately led to the crisis's resolution when House Republicans introduced the Fiscal Responsibility Act. It suspended the debt limit until 2025, cut the deficit by \$2.1 trillion, rescinded \$1.4 billion of new IRS enforcement funding, and ended the federal student loan moratorium while allowing the forgiveness programs to remain in effect. This bill passed both chambers with bipartisan majorities and was signed into law.

Did the Republicans' dead-on-arrival Limit, Save, Grow Act contribute to or complicate the resolution of the debt ceiling crisis? McCarthy himself publicly cast the Limit, Save, Grow Act as an opening offer that forced President Biden to the negotiating table. By proving that House Republicans could unify around a concrete plan to defuse the debt ceiling crisis, he shifted the burden of finding a workable compromise onto Biden and the Democrats. If they refused to negotiate, Republicans could credibly claim it was Democrats that were steering the nation toward default.

However, there was a sizeable contingent of House Republicans who supported the Limit, Save, Grow Act but balked at the eventual compromise. They argued that McCarthy had botched the negotiations. After the House passed the Limit, Save, Grow Act, they believed that the onus was on the Senate to make a counteroffer by passing its own bill. The Senate did not, but McCarthy nevertheless backed down from Republicans' initial proposal and made concessions to Democrats. From their perspective, House Republicans had backed Democrats into a corner and then let them go. Most of the Republicans who later removed McCarthy as Speaker of the House were drawn from this contingent, who complained bitterly about how the second bill fell short of the promise of the first. Did Limit, Save, Grow make it harder to secure a compromise for by getting Republicans' hopes up only to disappoint them?

If it did, that would fit nicely with many important ideas from the political science literature. Political scientists tend to cast compromise and dead-on-arrival bills as antithetical to one another. Dead-on-arrival bills can be used to embarrass the president (Groseclose &

McCarty, 2001), highlight the stark differences between party platforms (Lee, 2016), or show interest groups how a party would govern if it achieved unified government control (Gelman, 2017). Their purpose is to score political points, even if that comes at the expense of foregoing opportunities to make policy gains through compromise.

We do not deny the Limit, Save, Grow Act may have embarrassed the president, highlighted differences between Republicans and Democrats, and provided conservative interest groups with a taste of what a Republican-dominated national government would do. What we dispute is that, by messaging in this way, Republicans made it harder to eventually compromise. We argue that it made compromise easier.

The Limit, Save, Grow Act is an example of what we call a cover bill. Its purpose was not to become law, but to allow legislators to take extreme positions popular with primary voters before eventually settling for a compromise. It was not enough for everyone; some Republicans opposed the compromise anyways. We will show that those who compromised were better off for having first supported the Limit, Save, Grow Act and there were likely more compromisers because of it.

## **Why Don't Legislators Compromise?**

The Fiscal Responsibility Act is an example of what Anderson, Butler, and Harbridge-Yong (2020) call a half-loaf compromise. In a spatial model, politicians and voters prefer policies that are closer to their ideal point to policies that are farther away. This implies that they should prefer any policy that moves away from the status quo and toward their ideal point to leaving policy at the status quo, even if the new policy does not go all the way to their ideal point. Their ideal point would be a full loaf and the status quo would leave them with nothing at all, so a compromise part of the way between the status quo and their ideal point is, roughly, half of a loaf.

Politicians periodically reject half-loaf compromises. That's what the House Republicans

who voted for the Limit, Save, Grow Act and against the Fiscal Responsibility Act did. In that particular negotiation, the number of Republicans who rejected the half-loaf was small enough that the compromise was still able to pass and become law, but negotiations do not always have such happy outcomes. Sometimes, the number of legislators who reject the half-loaf is large enough to hold policy at the status quo. This happens routinely in federal budget negotiations, which leads to continuing resolutions that freeze the status quo in place or, in some cases, government shutdowns. Immigration, gun violence, infrastructure, and healthcare are other issues where Congress has struggled to compromise even on relatively technocratic elements of the problems despite bipartisan dissatisfaction with the status quo.

Why do politicians reject half-loaf compromises? Buisseret and Bernhardt (2017) and Dziuda and Loeper (2018) have proposed that legislators sometimes reject compromise because it undermines their future bargaining position. The status quo influences the range of proposal that can become law. The worse the status quo, the wider the set of policies that could beat the status quo and become law. If politicians settle for a half-loaf compromise, that compromise becomes the new status quo, and it is, by definition, better for most legislators. That makes it harder to pull policy even further toward them in future years. If politicians expect that their side will soon grow more powerful, they might be better off leaving the unsatisfactory status quo in place so that once they gain more power, they can pass a law that gives them more of the loaf.

This could explain why politicians fail to compromise on slow-burning issues where both the status quo and the opportunity to improve it persist for a long time, such as healthcare and gun violence. Leaving the status quo in place leads to suffering in the short run, but politicians may judge it worth the cost if it will lead to a more satisfactory resolution in the long run. However, it does not explain why politicians would oppose a compromise on defusing a ticking time bomb that everyone can see will explode in the near future. The debt ceiling is one such example. Once the country defaults, the damage is done, and the holdouts have lost much of their leverage. Settling for a half-loaf would not have deprived House Republicans of a



full loaf in the future. If anything, a modest increase in the debt ceiling in exchange for policy concessions would enable Republicans to get their half-loaf today and then come back and ask for another half-loaf in the likely event that the federal deficit breached the new debt ceiling.

Anderson, Butler, and Harbridge-Yong (2020) offer a different explanation: Legislators reject compromise not because of their policy interests, but because of their electoral interests. In surveys, state legislators say they reject compromise because they are afraid of retaliation from primary voters. Their followup survey experiments confirm that primary voters punish legislators for half-loaf compromises. These results align with Ryan (2017), who shows that voters sometimes moralize political issues, and, when they do, they perceive compromise as a betrayal of their strongly held moral commitments.

The pressure primary voters exert on individual legislators is exacerbated by the party's efforts to pursue its collective electoral interests. In partisan warfare, it is often more efficient to use scarce agenda space to build the party brand and undermine the other party than to solve policy problems through compromise. Groseclose and McCarty (2001) show that Congress sometimes proposes bills that it knows will be vetoed because it is more interested in damaging the president's popularity than enacting a better policy. Lee (2016) argues that bipartisan compromise deprives voters of a clear reason to want to put the minority in charge, so the minority party forsakes compromise when majority status is highly competitive. Since the minority is unwilling to engage, the majority has no choice but to focus on partisan messaging. Gelman (2017) adds that spending scarce time on partisan messaging bills that have no chance of passing under divided government helps legislators credibly signal to interest groups what they could expect if they helped the party win more seats.

These partisan incentives are important because congressional rules hand control over the agenda to the legislators who are the most keenly attentive to the party's collective welfare: party leaders. Cox and McCubbins (2005) argue that party leaders use their control over the agenda to suppress proposals that would divide the majority party, including compromises in which the minority would join with a fraction of the majority. Both Chiou and Rothenberg

(2006) and Peress (2013) find evidence that the majority party keeps compromises that could otherwise become law off the agenda. In a study of state legislators, Crosson (2019) shows that as the power of party leaders to keep proposals off the agenda increases, gridlock increases. Gutmann (2012) pointedly summarize what happens when party leaders control the agenda, writing that “proposing bills on hot-button issues of less importance with no chance of passage” are part of agenda-setters’ “brimful bag of tricks” that get in the way of compromise and “befoul the climate for agreement in the future” (pp. 121).

These impediments imply a suite of institutional reforms to encourage compromise. Each institutional reform has some empirical evidence to support its efficacy. If the problem is that legislators are at the mercy of uncompromising primary voters, perhaps changing how primary elections work would encourage compromise. Grose (2020) finds that legislators elected through top-two primaries are indeed more inclined to work with members of the other party, as measured by moderate DW-NOMINATE scores. If the problem is that parties use their control over the agenda to stifle compromise, then weakening the party leader’s control over the agenda and reducing their incentive to pursue majority status over favorable policy ought to encourage compromise. Crosson (2019) shows less gridlock in states with less partisan gate-keeping.

The most widely discussed and controversial remedy is to move legislative negotiations behind closed doors. If the problem is that legislators want to take positions instead of actually bargaining when they are in public view, perhaps providing a private space to conduct negotiations could facilitate compromise. The empirical evidence for the proposition is mixed. Gutmann (1996) cite James Madison’s assertion that the Constitution of the United States — the American legislative compromise to rule them all — would not exist if the convention’s deliberations were public. Harden and Kirkland (2021) find no evidence that state sunshine laws decrease any observable indicators of compromise. Anderson, Butler, and Harbridge-Yong (2020) offer experimental evidence that private negotiations can foster compromise, although it makes legislators less inclined to attend the negotiation in the first place.

This literature underscores why cover bills are intriguing and potentially important. They take for granted the things that the other approaches want to change: the importance of primary voters, the transparency of the legislative negotiations, and partisan control over the agenda. They can be used within the existing rules, without any institutional reforms. And, most importantly, they break the tradeoff between partisan messaging and compromise

The insight behind cover bills is that the agenda setter can bring two proposals to the floor. This allows them to get the best of both worlds: the position-taking benefits of a dead-on-arrival messaging bill and the policy benefits of a compromise. The hope is that primary voters who would otherwise punish compromise will hold back if the legislator first votes for a cover bill.

This is not guaranteed. Primary voters might perceive the cover bill as a charade and evaluate their legislators based solely on the compromise they eventually passed. The cover bill might provide a more extreme reference point that makes the compromise even more disappointing by comparison. It could also make the legislator appear spineless or ineffective, since they publicly backed down from a more extreme position.

To test whether cover bills work as we expect or backfire, we turn to our survey experiments. The first seeks to establish that cover bills lead primary voters to evaluate compromisers more favorably, and that this is because they prove that the compromiser is committed to the issue at hand. The second shows that cover bills work even when voters learn about them from opponents of the compromise using a cover bill to criticize the compromise, as was frequently the case in the 2023 debt ceiling debate. They are not enough to make most primary voters prefer compromisers to those who resisted the compromise, but they meaningfully mitigate the punishment for compromise.

## **Cover Bills and Support for Compromisers**

Our first objective is to establish that primary voters view a compromising legislator more favorably if that legislator first voted for a cover bill. This is a causal argument that would

be very difficult to test with observational data. It would be inappropriate to compare how primary voters view legislators following negotiations that included a cover bill against negotiations that did not have a cover bill. The substance of the negotiations and the compromise would differ across the two cases, and it would be hard to tell whether differences in approval stemmed from the presence of a cover bill or these other differences. Additionally, party leaders might use cover bills specifically when they expect there to be a lot of backlash against the compromise.

We instead opt for an online survey experiment. We manipulate whether respondents were informed that a hypothetical member of Congress voted for a cover bill before voting in favor of a bipartisan compromise and then measure respondents' attitudes toward that lawmaker. The survey experiment was conducted through Dynata between May and June of 2023. It sampled 2,008 registered voters. We restricted our analysis to respondents who identified with either the Republican or Democratic party (including leaners) and who reported having voted in their respective party's primary election in the last ten years. This allows us to focus on the electorate legislators fear is the most liable to punish compromise. (Anderson, Butler, & Harbridge-Yong, 2020). After removing nonresponses to the outcome question, we were left with 1,987 responses. Furthermore, to ensure the policies featured in the roll call sequence were perceived by respondents as approaching a half-loaf compromise, we restrict our analysis to the subset of respondents who, prior to the treatment, reported approving of the policy position in the bipartisan compromise as well as the extra provisions of the cover bill. 1,733 respondents of 1,987 (87%) met this final criterion.

This sample of primary voters allows us to focus our analysis on the kind of voters who are the biggest obstacle to compromise. By controlling the information available to respondents and only manipulating whether they receive the cover bill information, this survey experiment isolates the effect of the cover bill information from other factors in our study that may influence perceptions of the compromising legislator. Neither of these important characteristics could be met without our survey experimental design.

Cover bills try to move policy farther from the status quo than the eventual compromise does. Republicans and Democrats are agitated by different kinds of status quos, so we constructed two different vignettes for our experiment, one for Republicans and another for Democrats. Republican respondents saw a vignette that mirrored the 2011 debt ceiling negotiations. Democratic respondents saw a vignette that combined elements of 2013 and 2021 negotiations over gun control. Both negotiations featured a cover bill and a compromise that served as the basis of our vignettes.

Because Republicans and Democrats saw different vignettes, we cannot draw any conclusions of the form that one party is more hostile to compromise or responsive to cover bills. However, testing our hypotheses across two quite different policy domains increases the odds that our results are generalizable. The debt ceiling is an intrinsically important issue for any study of compromise, but it is also a special issue, in that the consequences for failing to pass legislation are swift, sharp, and practically irreversible. It emerges from obscurity, dominates the agenda, and then sinks back into obscurity until the next fiscal crisis. Gun control is probably more representative of the set of issues where gridlock prevails despite widespread dissatisfaction with the status quo. It is a highly salient issue that is virtually always on the public agenda, but the consequences of inaction are more evenly spread out over time. If Congress fails, it can always return to the issue later. It is also a more heavily moralized issue, which, based on the findings in Ryan (2017), could make primary voters more inclined to punish politicians for compromising.

In both versions, respondents were randomly assigned to one of two groups, a *No Cover Bill* control group and a *Cover Bill* treatment group. After a brief description of a policy debate that divided the parties, the two groups were informed that legislation could only pass with bipartisan support due to divided government but some members of their own party were nevertheless seeking an extreme policy. They were then informed that one member of their party, Representative Parker, voted for a bipartisan compromise that led to a more moderate policy becoming law. Representative Parker was fictitious, but respondents were not informed of this

until they were debriefed. The *Cover Bill* treatment group was provided with the additional information that before voting for the bipartisan compromise, Representative Parker voted in favor of a bill that would enact the more extreme policy, but the bill failed to pass the chamber controlled by the opposing party. The vignettes presented to respondents can be seen in Table 1 below.

**Table 1.** Informational condition vignettes

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<b>Vignettes presented to Republican respondents</b>
<p>“Republicans argue that the government is spending too much money, and they refuse to raise the debt ceiling without significant spending cuts. Democrats would rather raise the debt ceiling without making any spending cuts. Republicans control the House and Democrats control the Senate, so no law can be passed without the support of both Republicans and Democrats.</p> <p>Some conservative commentators argue the spending cuts do not go far enough. They say Republicans should not vote to raise the debt ceiling unless Congress passes a balanced budget amendment. Supporters of a balanced budget amendment argue that it is the only way to discipline the government to live within its means.</p> <p><i>{Representative Parker voted for a proposal that would raise the debt ceiling, cut spending, and add a balanced budget amendment to the Constitution. Although the proposal got enough votes to pass in the House of Representatives, it was not able to get enough votes in the Democrat-controlled Senate, so it did not become law.</i></p> <p><i>Afterward,}</i> Representative Parker voted for a compromise proposal that raised the debt ceiling in exchange for significant cuts to federal spending. However, it did not include a balanced budget amendment. This proposal narrowly passed both the Republican-controlled House and the Democrat-controlled Senate, so it ultimately became law.”</p>
<b>Vignettes presented to Democratic respondents</b>
<p>“Democrats argue that gun violence is a pressing issue that should be addressed immediately by requiring stricter background checks for people who want to purchase a firearm. Most Republicans do not want any additional gun control. Democrats control the Senate and Republicans control the House, so no law can be passed without the support of both Republicans and Democrats.</p> <p>Some liberal commentators argue that stricter background checks do not go far enough. They say that as long as people can legally acquire assault weapons, mass shootings will continue to take place. Supporters of an assault weapons ban argue that it is the only way to prevent mass shootings.</p> <p><i>{Representative Parker voted for a proposal that would enact universal background checks and ban assault weapons. Although the proposal got enough votes to pass in the Senate, it was not able to get enough votes in the Republican-controlled House, so it did not become law.</i></p> <p><i>Afterward,}</i> Representative Parker voted for a compromise proposal that enacted significantly more restrictive background checks. However, it did not ban assault weapons. This proposal narrowly passed both the Democratic-controlled Senate and the Republican-controlled House, so it ultimately became law.”</p>

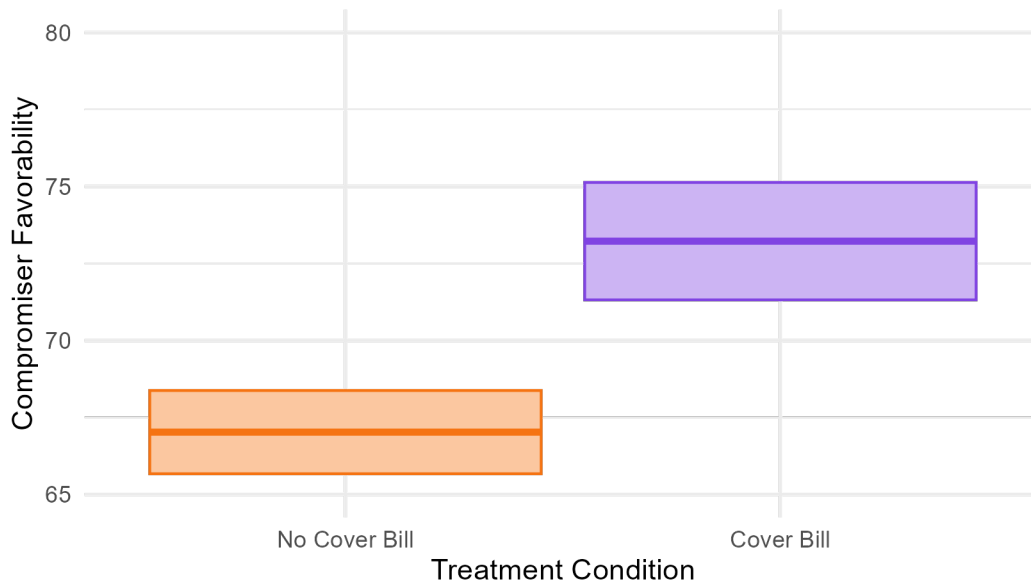
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*Notes:* The *Cover Bill* condition information is presented inside the braces. All respondents were informed what the extreme policy entailed when capturing prior policy preferences prior to experiment.

Following the vignettes, we ask respondents to rate Representative Parker, the compromising lawmaker, on a 100-point feeling thermometer. Figure 1 shows that primary voters were significantly more favorable toward Parker if she voted for the cover bill before agreeing to the compromise. Measured on the 100-degree feeling thermometer, cover bill information caused favorability to increase by more than 6 degrees, which is about 0.3 standard deviations.

**Figure 1. Effect of Cover Bill on Favorability Toward Compromiser**



*Notes:* Primary voters evaluate a compromising lawmaker more favorably when informed the lawmaker first voted for a more extreme cover bill. Responses are limited to self-reported primary voters who supported moderate and extreme policies.  $N = 1,733$ . The outcome variable is a 100-point feeling thermometer with higher values indicating more favorability toward compromising lawmaker. The *Cover Bill* treatment condition informed respondents that the compromising lawmaker voted in favor of a more extreme measure that failed to pass the chamber before voting for the successful bipartisan compromise.

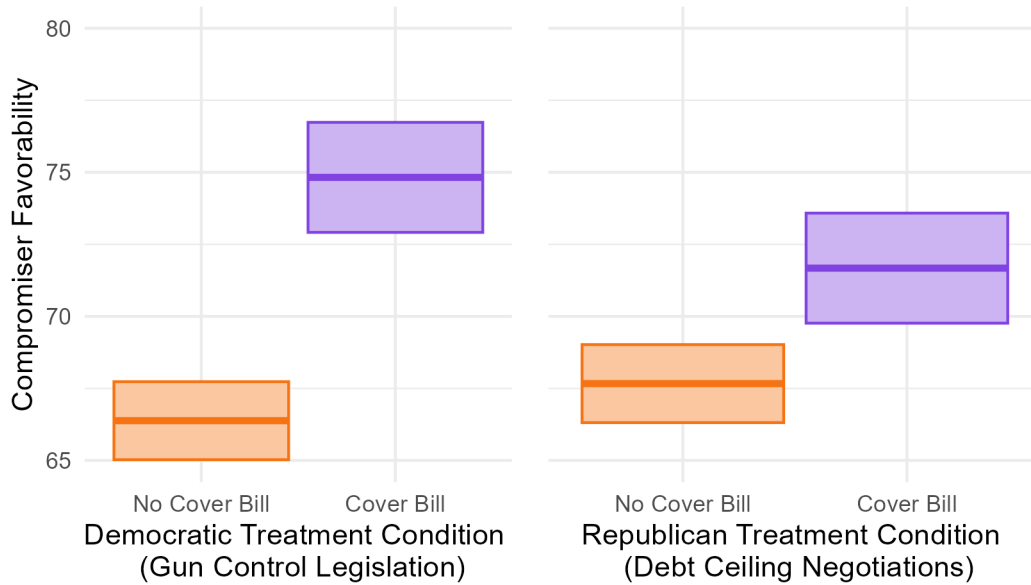
Figure 2 presents the results for Democrats and Republicans separately.<sup>2</sup> The effect was over 8 degrees in the Democratic version and 4 degrees in the Republican version. Republicans and Democrats saw different vignettes, so this does not establish that Democrats are generally more responsive to cover bills than Republicans are.<sup>3</sup> The key point is that both Democrats

<sup>2</sup>This party-by-party analysis was not a part of our pre-analysis plan and should be interpreted as exploratory rather than confirmatory.

<sup>3</sup>Appendix A tests for heterogeneous treatment effects based on demographic and dispositional factors.

and Republicans responded favorably to voting for the cover bill across two very different kinds of issues.

**Figure 2. Effect of Cover Bill on Favorability Toward Compromiser (by Party)**



*Notes:* Both Democratic and Republican primary voters evaluate a compromising lawmaker more favorably when informed the lawmaker first voted for a more extreme cover bill. Responses are limited to self-reported primary voters who supported moderate and extreme policies.  $N_{Dem.} = 861$ ;  $N_{Rep.} = 872$ . The outcome variable is a 100-point feeling thermometer for which higher values indicate more favorability toward compromising lawmaker. The treatment condition informed respondents that the compromising lawmaker voted in favor of a more extreme measure that failed to pass the chamber before voting for the successful bipartisan compromise. Because Democrats and Republicans saw vignettes that were about different policies, the results from the two parties are not directly comparable to one another.

While this analysis shows the cover bill had the expected causal effect, it does not explain why the cover bill was effective. Through post-treatment survey questions we tested three possible explanations:<sup>4</sup>

- *Commitment:* The cover bill allows legislators to take a position that resonates with primary voters, even if the cover bill fails and even if the legislator eventually settles for a

<sup>4</sup>We tested for one mechanism that might lead cover bills to be ineffective: whether the respondent believes passing the compromise now makes it more difficult to pass a more extreme bill later, consistent with Buisseret and Bernhardt (2017) and Dziuda and Loeper (2018). Appendix A shows that there is no evidence that cover bills affected perceptions of whether compromise now would make it more difficult to make progress later.



more moderate proposal. This is closely related to Gelman’s (2017) empirical findings of interest groups’ response to dead-on-arrival legislation: Rather than blame a lawmaker for not making a substantive policy change, interest groups take the position as a signal that the legislator is committed to their cause. We measured respondents’ perceptions of the lawmaker’s commitment by asking whether “Representative Parker is committed to addressing [the national debt/gun violence].”

- *Strategy*: The failure of the cover bill informs respondents that more extreme proposals do not have enough support in Congress to become law. The compromising legislator took the best deal anyone could hope for. We measured respondents’ views on strategy by asking whether the respondent’s party “could have gotten [a balanced budget amendment/assault weapons ban] signed into law if they had tried harder.”
- *Fairness*: A cover bill is a way for voters who have extreme policy preferences to feel their views received due consideration in the legislative debate. This explanation would speak to Warren, Mansbridge, et al.’s (2013) point that deliberations earn legitimacy when they include affected parties. We measured respondents’ views on fairness by asking whether the respondent’s “point of view got fair consideration in Congress, even if Congress did not pass the exact policy I wanted.”

We test these mechanisms through causal mediation analysis (Imai, Keele, Tingley, & Yamamoto, 2010). The goal of mediation analysis is to understand whether any intermediary variables accounted for part of the treatment effect. Does the cover bill increase perceived commitment? If so, then causal mediation analysis estimates what part of the 6-point favorability boost from cover bills comes from the cover bill increasing perceived commitment. The same logic applies to our other potential explanations. Causal mediation analysis allows us to estimate how much of our 6-point effect comes from each of these mediators.

Causal mediation analysis requires sequential ignorability, a much stricter assumption than is required for simply estimating the overall treatment effect of cover bills. In our experiment, sequential ignorability would be violated if, for example, the kinds of the people who

responded to the cover bill by believing the legislator is more committed are the kinds of people who would've been more favorable toward the compromiser with or without the cover bill. People with higher levels of trust might be more inclined to believe that the legislator's support for the cover bill represents their real preferences rather than a cynical ploy to gain public support. Those people might also be more favorable toward the compromiser because they are more trusting, independent of whether they compromiser voted for the cover bill or not. If we blithely proceed with our causal mediation analysis without accounting for this possibility, we might conclude that the cover bill increases favorability by increasing commitment, when all that is really happening is that the cover bill is helping us to identify the people who are the most trusting.

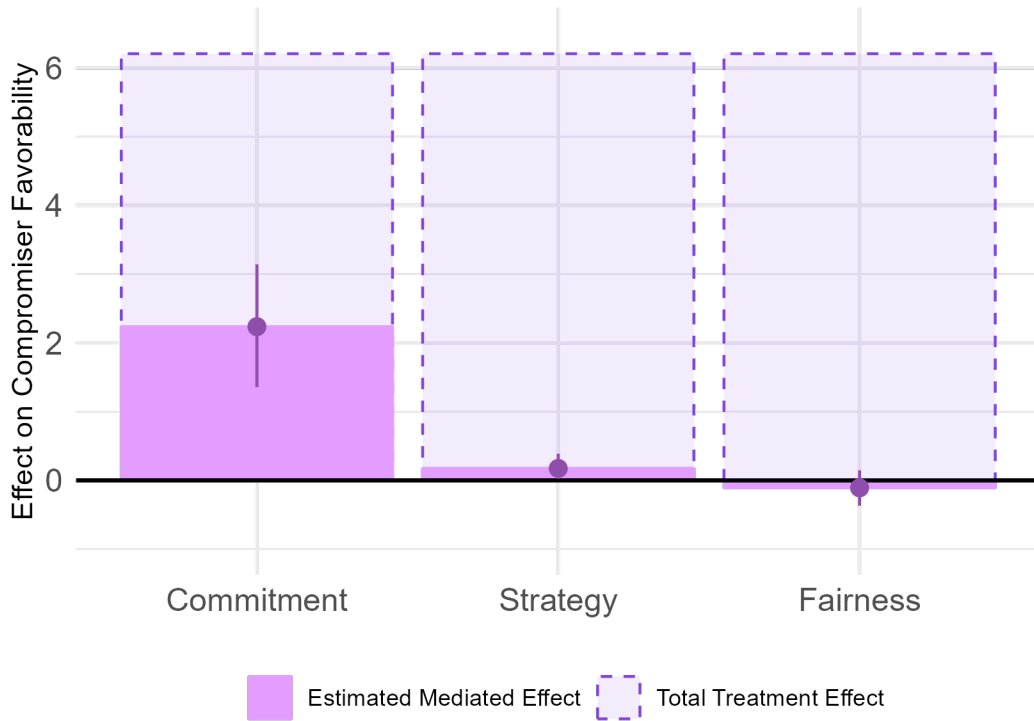
To make the sequential ignorability assumption more plausible, the mediation analysis must control for characteristics of the respondent that could affect the mediators and the outcome. We control for sociopolitical characteristics like race, age, gender, education, income, political interest, political knowledge, ideology, partisanship, and favorability toward the in-party and out-party. We also controlled for attitudes that could affect how respondents approach bargaining such as risk tolerance, optimism, agreeableness, political trust, and political cynicism. We control for policy-specific opinions like the personal importance, relevance, and moralization that respondents placed on either addressing the national debt (for Republicans) or reducing gun violence (for Democrats) and the level of agreement with a moderate policy (Republicans: spending cuts; Democrats: expanded background checks) and a more extreme policy (Republicans: balanced budget amendment; Democrats: assault weapons ban) to do so. Finally, given the uniqueness of debt ceiling negotiations we asked Republican respondents whether they believed that only a crisis like reaching the debt ceiling would prompt bipartisan policymaking.

We then fit two linear models for each mediator: (1) a model that predicts the observed outcome given the treatment, mediator, and covariates and (2) a model that predicts the mediator given the treatment and covariates. From there, we use simulations to infer the direct effect

the treatment had on the outcome as well as the effect the treatment had on the mediator and that mediator's effect on the outcome. This procedure allows us to explore whether any of our proposed explanations played a significant role in the causal effect of the cover bill on compromiser favorability.

Figure 3 reports the estimated effects from our three main causal mediation analyses. As the figure shows, only our *commitment* mediator produced a strong mediated effect of statistical significance. It suggests that of the approximately 6-degree effect that cover bill information had on primary voters' favorability of a compromising lawmaker, about 2 degrees can be attributed to the cover bill information causing respondents to view the compromiser as more committed to addressing the policy issue in question. *Strategy* had a statistically significant but very small mediated effect of about 0.17 degrees and with smaller statistical significance, while the *Fairness* mediator had an effect statistically indistinguishable from zero. All told, the mediation analysis indicates that voters view legislators who support cover bills more favorably in considerable part because supporting the cover bill proves the legislator is committed to addressing the policy problem.

**Figure 3.** Three suggested mediators’ effect on the causal relationship between cover bill information and compromiser favorability



*Notes:* Primary voters’ belief that the compromising lawmaker is committed to the issue has a significant average mediation effect on the causal relationship between cover bill information and compromiser’s favorability. Neither “Strategy” nor “Fairness” variables play a significant intermediary role in shaping the causal relationship. Responses limited to self-reported primary voters who supported moderate and extreme policies. Mediated and Direct effects and 95% confidence intervals estimated through 5,000 simulations on 1,580 observations. Benjamini-Hochberg correction of mediated effect p-values only changed the “Strategy” mediator p-value from 0.0144 to 0.0216. Causal mediation analysis sample size is smaller than the experiment sample size due to non-responses for covariates.

## Cover Bills in Congressional Rhetoric

Our first experiment indicates have a lot to gain by ensuring that primary voters find out about their support for the cover bill. In reality, do they invoke the cover bill as they justify their vote for the compromise? We conducted an empirical content analysis of congressional press releases during the resolution of the 2023 debt ceiling crisis discussed above. Press releases

reflect lawmakers' policy priorities, reach constituents, and are used to communicate a broader set of legislators' reelection-seeking messages than something like floor speeches (Grimmer, 2013) .

We focus on House Republicans' press releases surrounding the roll call vote on the Fiscal Responsibility Act, the negotiations' ultimate compromise. At this stage, Republican House had an opportunity to justify a salient roll call vote to their constituents. One way they could do this is by invoking the Limit, Save, Grow Act. The Fiscal Responsibility Act (the compromise) passed the House of Representatives with 149 Republican in favor and 71 opposed. In contrast, the Limit, Save, Grow Act (the cover bill) earned 217 Republican votes, just five votes shy of the entire Republican majority. We divide lawmakers into *compromisers* who voted for both the cover bill and the compromise and *non-compromisers* who voted for the cover bill but not the compromise.<sup>5</sup>

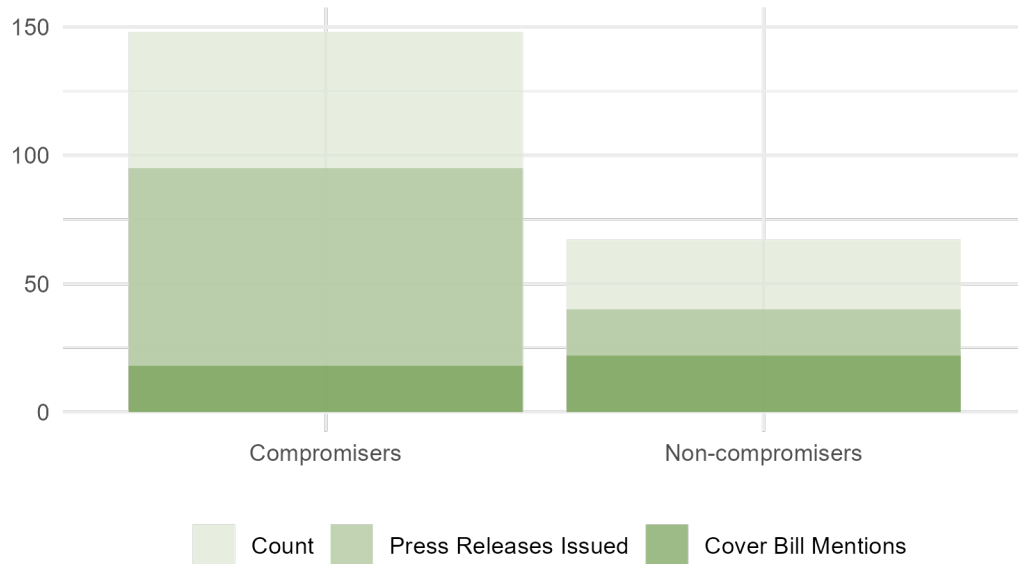
Of the 222-member Republican majority, 139 (62.6%) issued a press release regarding their roll call vote on the compromise. Compromisers and non-compromisers issued press releases at similar rates: 64.2% and 59.7%, respectively.

Of the 139 press releases issued by Republican members, 42 (30.2%) mentioned the Limit, Save, Grow Act. Figure 4 shows that, surprisingly, non-compromisers were much more likely to mention the cover bill than compromisers were. Among non-compromisers who issued a press release, 55.0% mentioned the cover bill. Only 18.9% of the compromisers who issued press releases did the same.

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<sup>5</sup>The vast majority of representatives fall into these two categories. We label those who voted against both bills as *extemists* and those who did not cast a vote in either roll call vote as *non-votes*. There are a total of only 7 *extemists* and *non-votes* combined. No member of Congress voted for the compromise but not the cover bill. Appendix C provides additional details.

**Figure 4.** House GOP Press Releases on the Resolution of the 2023 Debt Ceiling Crisis



We are unsure why the compromisers did not mention the cover bill more often <sup>6</sup>. Perhaps the message about the cover bill is less effective if it comes from the compromisers themselves. Perhaps the cover bill is a useful tool to parry attacks on their support for the compromise, but it is better not to inform voters that there was a controversy if it can be avoided. Perhaps they simply did not know how helpful it is to mention the cover bill.

What is clear is that, in at least this negotiation, people who heard about the cover bill from legislators often heard about it from people who supported the cover bill but opposed the compromise. These non-compromisers used the cover bill to highlight places where the compromise fell short by comparison. Does the cover bill still increase support for the compromisers, even when voters find out about it alongside a criticism of the compromise?

<sup>6</sup>Appendix D presents results from an analysis of press release behavior

## Cover Bills in the Context of Criticism

Our second survey experiment studies how primary voters’ evaluate legislators in a real, recent policy negotiation: the 2023 debt ceiling debate from our analysis of congressional rhetoric. Since Republicans were the most skeptical of compromise in these negotiations, we restricted this survey experiment to just Republicans who have voted in a Republican primary within the last ten years.

The experiment features three treatment arms. In the first, the *No Criticism* condition, voters read a brief outline of the 2023 debt ceiling negotiations. They learn that Representative Parker (a Republican) supported the Fiscal Responsibility Act compromise that ultimately became law, but Representative Eastman (also a Republican) opposed it because he believed it did not go far enough. This baseline condition does not mention the cover bill. The second treatment arm, the *Criticism* condition, is the same as the No Criticism condition, except that at the end it includes a message from Representative Eastman about why he opposed the Fiscal Responsibility Act compromise. The third treatment arm, the *Criticism + Cover Bill* condition, describes the Limit, Save, Grow Act cover bill. It discloses that both Parker and Eastman voted for this cover bill. It then presents a critique attributed to Representative Eastman that specifically refers to the cover bill. Table 2 illustrates the design.<sup>7</sup> We ask how favorably the respondent feels toward both Representative Parker, the compromiser, and Representative Eastman, the non-compromiser, among other questions.

**Table 2.** Vignettes for Second Survey Experiment

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<b>No Criticism condition</b>
“Last year, House Speaker Kevin McCarthy and President Biden negotiated a bipartisan compromise to raise the debt ceiling called the Fiscal Responsibility Act. In exchange for raising the debt ceiling, the compromise cut federal budget deficits by \$2.1 trillion, cut funding for new IRS agents by \$1.4 billion, and ended Biden’s pause on federal student loan payments. Because Republicans control the House of Representatives and Democrats control both the White House and the Senate, no law could pass without bipartisan agreement.

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<sup>7</sup>We exclude the logical fourth treatment arm, no explicit criticism alongside a mention of the cover bill, because that has already been covered by our first survey experiment.

## Table 2. Vignettes for Second Survey Experiment

Representative Parker, along with most Republicans and Democrats in the House, voted for the compromise bill. It passed the Democrat-led Senate and was signed into law by President Biden.

Representative Eastman, along with some other Republicans in the House, voted against the compromise for not going far enough to rein in government spending. They argued their party should have insisted on greater cuts, especially to the IRS's budget, and more forceful action on Biden's student loan forgiveness program."

### Criticism condition

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Representative Parker, along with most Republicans and Democrats in the House, voted for the compromise bill. It passed the Democrat-led Senate and was signed into law by President Biden.

However, some Republicans voted against the compromise for not going far enough to rein in government spending. They argued their party should have insisted on greater cuts, especially to the IRS's budget, and more forceful action on Biden's student loan forgiveness program.

Representative Eastman, a Republican who voted against the compromise bill, explained his decision:

{*CRITICISM WITHOUT COVER BILL HERE*}

### Criticism + Cover Bill condition

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"Last year, House Speaker Kevin McCarthy and President Biden negotiated a bipartisan compromise to raise the debt ceiling called the Fiscal Responsibility Act. In exchange for raising the debt ceiling, the compromise cut federal budget deficits by \$2.1 trillion, cut funding for new IRS agents by \$1.4 billion, and ended Biden's pause on federal student loan payments. Because Republicans control the House of Representatives and Democrats control both the White House and the Senate, no law could pass without bipartisan agreement.

Representative Parker, along with most Republicans and Democrats in the House, voted for the compromise bill. It passed the Democrat-led Senate and was signed into law by President Biden.

However, some Republicans voted against the compromise for not going far enough to rein in government spending. They argued their party should have insisted on greater cuts, especially to the IRS's budget, and more forceful action on Biden's student loan forgiveness program.

Before House Republicans passed the compromise bill, Speaker McCarthy and other Republican leaders proposed the Limit, Save, Grow Act, which would have cut the deficit by \$4.8 trillion instead of \$2.1 trillion, cut funding for IRS agents by \$80 billion instead of \$1.4 billion, and blocked Biden from forgiving federal student loan payments.

Representative Parker, along with nearly every other Republican in the House, voted for the Limit, Save, and Grow Act. The Democrat-led Senate refused to even bring it up for a vote, so it failed to pass Congress.

Representative Eastman, a Republican who voted for the Limit, Save Grow Act but not for the compromise bill, explained his decision:

{*CRITICISM WITH COVER BILL HERE*}

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A major challenge with testing the effect of a cover bill when it is accompanied by a criticism of the compromise is that the effect might depend on the criticism. Perhaps the cover bill is actively helpful if voters encounter it alongside a milquetoast critique of the compromise but completely useless if it is accompanied by a scathing denunciation of the compromise and all who are craven enough to support it. Moreover, critiques cannot be neatly sorted from softest to harshest. They can attack the compromise in different ways using different arguments, and these different tactics could influence the effectiveness of the cover bill.

To overcome this challenge, we adopt a modular design recommended by Fong and Grimmer (2023) that features an additional layer of randomization in the two *Criticism* treatment arms. The second layer of randomization comes in how we generate the criticisms. A conventional experiment would engineer one criticism for the *Criticism + Cover Bill* condition and show it to all respondents assigned to that treatment arm. It would then engineer a nearly identical criticism that does not mention the cover bill for the *Criticism* condition and show that to all respondents assigned to that treatment arm. The results of the experiment would be sensitive to the particular criticism we engineered.

To avoid this, we adopt Fong and Grimmer's suggestion to present many different texts for each treatment arm. We lightly edited the twenty-two press releases from our analysis of the congressional rhetoric above that came from non-compromisers and explicitly mentioned the Limit, Save, Grow Act. Each respondent who is assigned to the *Criticism + Cover Bill* is randomly assigned to see one of these criticisms. We edited each of these twenty-two press releases so that they did not mention the Limit, Save, Grow Act. Each respondent who is assigned to the *Criticism* condition is randomly assigned to one of these criticisms edited to remove mention of the Limit, Save, Grow Act and any rhetoric that directly follows from its mention. Table 3 presents three pairs of criticisms as examples.

**Table 3.** Examples of quotes included in criticism conditions

Criticism	Criticism + Cover Bill
<p>“President Biden’s latest debt ceiling gimmick will send the United States over another fiscal cliff and fails to chart a responsible fiscal future for our nation. It’s a missed opportunity that adds \$4 trillion to our national debt, keeps \$1.2 trillion in unreliable green energy giveaways, and forces 87% of hardworking Americans without federal student loan debt to pay for those that do. Congress cannot keep mortgaging the future of our children and grandchildren; this bill failed to meet the moment.”</p>	<p>“House Republicans passed the Limit, Save, Grow Act to avoid a default and chart a responsible fiscal future for our nation, but President Biden’s latest debt ceiling gimmick will send the United States over another fiscal cliff. It’s a missed opportunity that adds \$4 trillion to our national debt, keeps \$1.2 trillion in unreliable green energy giveaways, and forces 87% of hardworking Americans without federal student loan debt to pay for those that do. Congress cannot keep mortgaging the future of our children and grandchildren; this bill failed to meet the moment.”</p>
<p>“The debt ceiling bill should be titled the Sleight of Hand Spending Bill. It contains a \$4 trillion debt ceiling increase. That is more than double what Congress should have accepted. Bottom line: The Sleight of Hand Spending Bill continues the headlong rush of out-of-control spending toward fiscal disaster, putting our republic in dire jeopardy.”</p>	<p>“The debt ceiling bill should be titled the Sleight of Hand Spending Bill. It contains a \$4 trillion debt ceiling increase. That is more than double the increase in the Limit, Save, Grow bill passed by the House. Bottom line: The Sleight of Hand Spending Bill continues the headlong rush of out-of-control spending toward fiscal disaster, putting our republic in dire jeopardy.”</p>
<p>“I appreciate the hard work of Speaker McCarthy and the others to reach an agreement on this bill, and I support several of the components included in it. Clawing back unused COVID funds, adding rules to ensure an appropriations process that avoids out-of-control spending, restarting student loan repayments, and providing for the first actual reduction in spending by Congress in decades are all steps in the right direction. However, this bill fell short by maintaining a Biden/Pelosi/Schumer spending baseline and failing to adequately reform the regulatory process.”</p>	<p>“I appreciate the hard work of Speaker McCarthy and the others to reach an agreement on this bill, and I support several of the components included in it. Clawing back unused COVID funds, adding rules to ensure an appropriations process that avoids out-of-control spending, restarting student loan repayments, and providing for the first actual reduction in spending by Congress in decades are all steps in the right direction. However, this bill fell short by maintaining a Biden/Pelosi/Schumer spending baseline and failing to reform the regulatory process as was included in the Limit, Save, Grow Act.”</p>

The outcomes for the *Criticism + Cover Bill* condition tell us how favorably primary voters feel toward the compromiser averaged over all of the real criticisms from the debate that mentioned the cover bill. If those criticisms tend to be harsh, then our experiment will tell us how the cover bill works in the context of harsh criticism. If they tend to be soft or to question the compromiser’s commitment or to attack the Speaker’s judgment, then our experiment will tell us how the cover bill works in the contexts of those sorts of criticisms instead. In short, it tells us how favorably primary voters feel toward these politicians in the context of the criticisms the non-compromisers actually made, compared to how favorably they’d feel if the non-compromiser made a nearly identical criticism that didn’t mention the cover bill or if

the non-compromiser did not make a public statement at all.

This design allows us to estimate two distinct quantities of interest. The first comes from comparing the Criticism + Cover Bill condition to the Criticism condition. Since these pools of criticisms are identical except for the mention of the cover bills, this comparison reveals how favorably primary voters feel toward the compromiser given what actually happened in the debt ceiling negotiation, compared to how they would have felt if there were no cover bill and non-compromisers had made the exact same criticisms, save for the mention of the cover bill. This approach assumes non-compromisers would have made the exact same criticisms in the absence of the cover bill. If the cover bill leads the non-compromisers to make much nastier criticisms than they otherwise would have, then this approach could overestimate how much cover bills help, but our results will suggest the criticisms were not particularly nasty. If the cover bill leads the non-compromisers to make much gentler criticism than they otherwise would have, then this approach might underestimate the effectiveness of cover bills.

The second quantity of interest comes from comparing the Criticism + Cover Bill condition to the No Criticism condition. This comparison reveals how favorable primary voters feel toward the compromiser given what actually happened, compared to how they would have felt if there were no cover bill and the non-compromisers kept quiet. If we find higher favorability in the Criticism + Cover Bill condition, that means that the messages from the non-compromisers are actively helping the compromisers. Criticizing the compromise, so long as it stimulates discussion of the cover bill, is a net positive for the compromise.

We conducted our experiment through the survey firm Dynata from April to May of 2024, sampling 1,858 registered voters. In this experiment we restricted our analysis to respondents who identified with the Republican Party (including leaners) and who reported voting in a Republican primary election in the last ten years. Once we remove nonresponses to our outcome variables, we have 1,799 responses. We further restrict our analysis to the subset of respondents who, prior to the treatment, reported approval of the policy positions featured in both

the cover bill and the bipartisan compromise.<sup>8</sup> As with the first study, these restrictions on experimental subjects allow us to focus on the audience cover bills should be effective for, primary voters who *should* be in favor of half-loaf policy compromises. 1,357 of 1,799 respondents (75.4%) met this final criterion and were included in our study population.<sup>9</sup>

This experiment also tests other outcomes of cover bill information. First, following from the results from our causal mediation analysis that suggested perceptions of compromise are significantly affected by cover bill information, we measure perceptions of commitment explicitly as a binary variable. Second, we measure voters' attitudes toward the non-compromiser and Speaker McCarthy. This allows us to test whether the respondent feels more favorably toward the compromiser or non-compromiser, which in turn tells us whether the cover bill makes it better to support the compromise than oppose it or merely reduces the costs of supporting the compromise. It also allows us to test whether primary voters are more likely to agree that Speaker McCarthy treated non-compromisers more fairly in the *Cover Bill + Criticism* condition as well as whether the treatment improves his standing with primary voters.<sup>10</sup>

Figure 5 shows that primary voters are more favorable to the compromiser in the Cover Bill + Criticism condition than in either of the other two conditions. On a 100-degree feeling thermometer, the *Criticism + Cover Bill* group rated the compromiser nearly 17 degrees more favorably, on average, than the baseline *No Criticism* group. Rescaled to run on a 100-point range, the *Criticism + Cover Bill* group were about 15 points more likely to see the compromiser as committed compared to the *No Criticism* group. Both results were statistically significant at a 0.001 significance level. If criticism of the compromise injects a discussion of the cover bill and who supported it into the public debate, then these results imply that compromisers ought to welcome that criticism.

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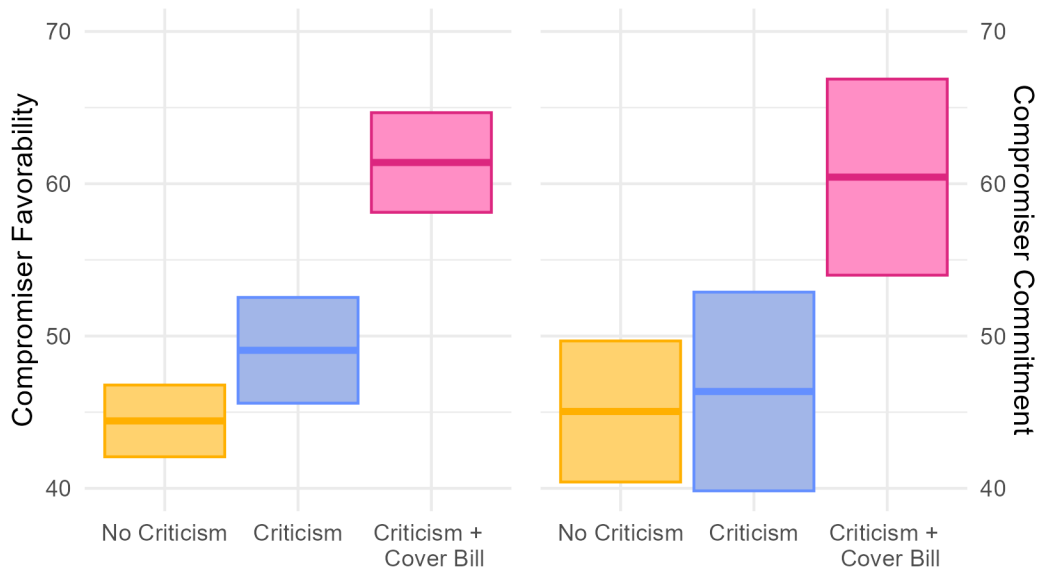
<sup>8</sup>Respondents were included in the final analysis if they reported agreeing with at least one and disagreeing with none of the three following positions: (1) "Congress should reduce deficit spending by as much as possible." (2) "Congress should repeal as much of President Biden's \$80 billion of extra IRS funding as possible." (3) "Congress should block President Biden from forgiving student loans." These policy domains featured in both the cover bill and bipartisan compromise with the former proposal including more extreme positions.

<sup>9</sup>Appendix F provides offers some analysis on how the "policy disagreeers" are affected differently by the cover bill treatment.

<sup>10</sup>Appendix E presents additional exploratory hypotheses regarding the relative favorability of compromisers and non-compromisers to extremists, who opposed both the cover bill and the compromise.

The criticism, for its part, does not seem to have done much more damage than simply acknowledging that there was a difference of opinions within the party. Merely mentioning that some people thought the Fiscal Responsibility Act did not go far enough, without any charged rhetoric at all, was enough for primary voters to, on average, feel negatively toward the compromiser and doubt their commitment. The fact that the criticism was not especially damaging should reassure us that the cover bill did not lead non-compromisers to level particularly nasty criticisms than they otherwise would have, which would have biased our results.

**Figure 5. Effect of Cover Bills on Compromisers When the Cover Bill is Used to Criticize the Compromise**



*Notes:* Primary voters rate a compromising lawmaker more favorably and as more committed when informed the lawmaker first voted for a more extreme cover bill, even when the cover bill is used to criticize the compromise. Responses are limited to self-reported primary voters who supported moderate and extreme policies. The Compromiser’s Favorability outcome variable is a 100-point feeling thermometer with higher values indicating more favorability toward compromising lawmaker. The Compromiser’s Commitment outcome variable is a binary indicator of whether respondents believed the compromising lawmaker was “committed to addressing the national debt” rescaled for this figure to run from 0 to 100.

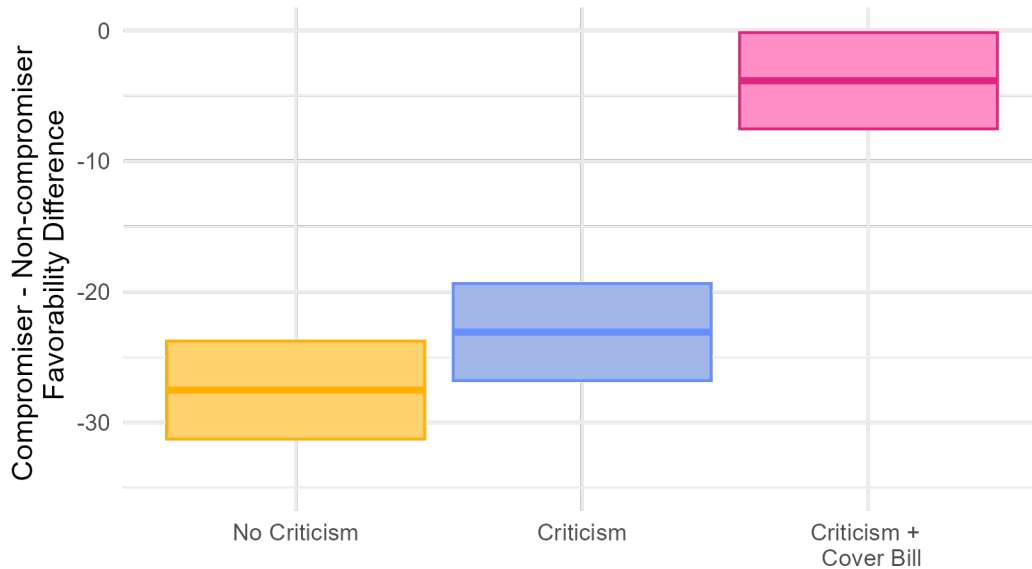
This experiment is a hard test of this hypothesis. As our first survey experiment showed, Republican primary voters evaluating a scenario based on the 2011 debt ceiling negotiations were less swayed by the cover bill than Democratic voters evaluating gun control. This experi-

ment also featured a more recent legislative negotiation, named real politicians (McCarthy and Biden), and included professionally crafted political communication from non-compromisers. All of these probably work against any attitudinal change. The treatment itself actively pushed against the compromise and in some versions, specifically attacked people who supported the compromise. In spite of all these obstacles, the cover bill strategy still managed to significantly improve perceptions of the compromiser.

That does not mean that the cover bill makes compromise electorally beneficial. Figure 6 shows that, even with a cover bill, legislators still incur a penalty for agreeing to compromise. It compares how favorably primary voters feel toward the compromiser compared to how favorably they feel toward the non-compromiser. Negative numbers mean they feel more favorably toward the legislator who opposed the compromise. In all three conditions, they felt more favorably toward the non-compromiser. Even with a cover bill, legislators still incur a penalty for agreeing to compromise. The cover bill serves to dramatically reduce that penalty.

The bulk of this effect comes from the cover bill making primary voters like the compromiser more rather than liking the non-compromiser less. The noncompromiser suffers a small popularity hit of 2 degrees in the *Cover Bill + Criticism condition*, which is statistically significant at the 0.1 level (see Appendix F). However, this pales in comparison to the 17-point popularity boost that the compromiser enjoyed as a result of primary voters learning about the cover bill.

**Figure 6.** Effect of Cover Bill on Favorability Toward Compromiser Compared to Non-Compromiser

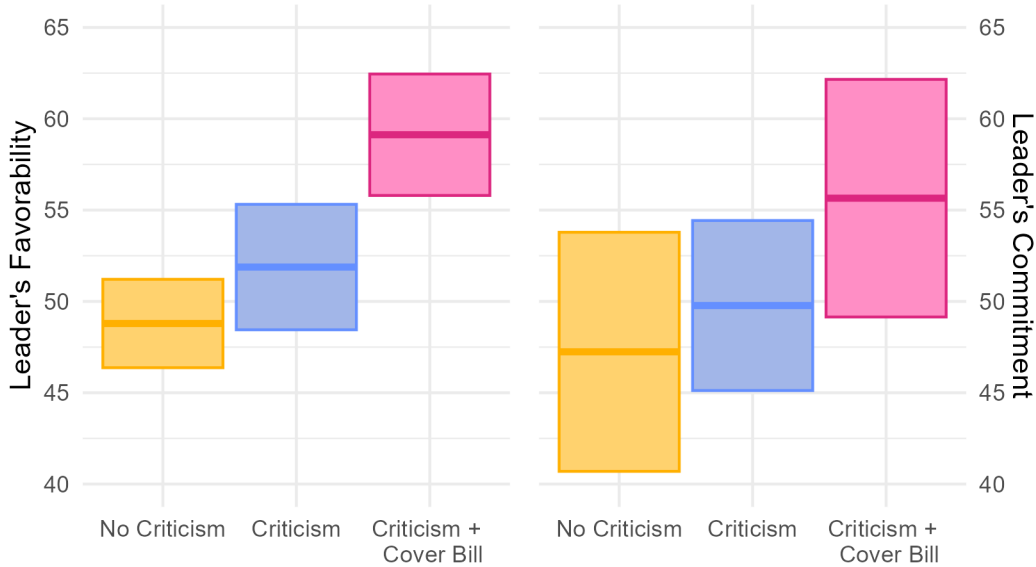


*Notes:* The gap between compromiser and noncompromiser’s favorability among primary voters is smallest when voters are informed of the extreme cover bill, but is not closed. Responses are limited to self-reported primary voters who supported moderate and extreme policies. The Compromiser and Non-Compromiser Favorability Difference outcome variable is the difference between a 100-point feeling thermometer gauging favorability toward the compromiser and a 100-point feeling thermometer gauging favorability toward the non-compromiser.

Across legislative negotiations, partisan contexts, and rhetorical conditions, we have found repeated support for our main argument: cover bills reduce backlash from primary voters and therefore enable compromise. But the decision about whether to bring a cover bill up for a vote rests largely in the hands of the majority party’s leader - in this case, Speaker Kevin McCarthy. In the lead up to Kevin McCarthy’s removal as speaker, his Republican detractors cited McCarthy’s handling of fiscal negotiations on both the debt ceiling crisis and budget negotiations as reasons to remove him from office. Their complaints frequently alleged that he had not treated the most conservative wing of his party fairly. Perhaps voting for the cover bill allows rank-and-file legislators to demonstrate their commitment, but bringing it to a vote and failing to get it passed could reflect poorly on McCarthy’s negotiating ability.

We find no evidence of this in our experiment. Figure 7 shows that the cover bill leads primary voters to evaluate McCarthy more favorably and to become more convinced of his commitment. Respondents who found out about the cover bill, on average, actively liked McCarthy, whereas in the other two conditions they were close to the center of the scale.

**Figure 7. Effect of Cover Bill on Attitudes toward Speaker McCarthy**



*Notes:* Learning about the cover bill made respondents substantially more favorable toward McCarthy and led them to view him as more committed to reducing government spending. Responses are limited to self-reported primary voters who supported moderate and extreme policies. Favorability and commitment are using the same instruments that were used to measure these for the compromiser and non-compromiser. Leader's Commitment rescaled from a binary variable to a 100-point scale.

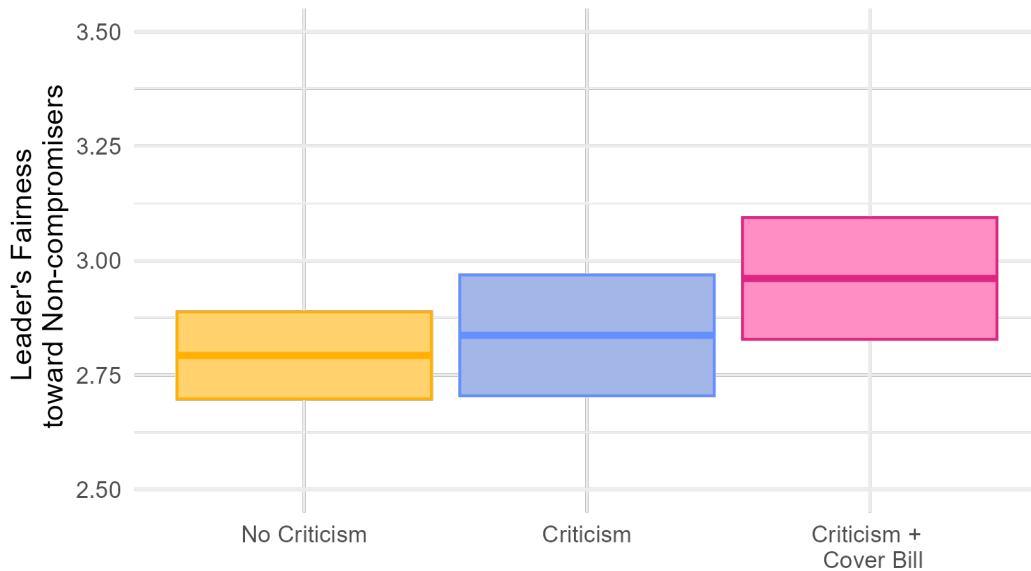
While we cannot directly test whether it improved his standing among dissidents in the House Republican Conference, we asked our respondents whether they believe that McCarthy treated the legislators who opposed the bipartisan compromise fairly. Our respondents are, on average, more sympathetic to these non-compromisers than they are to the compromisers or to McCarthy themselves, so it is at least plausible that they would be sensitive to any way in which McCarthy might have mistreated the non-compromisers. We asked respondents the degree to which they agree with the following statement on a five-point scale: "Speaker McCarthy treated



Republicans who opposed the compromise fairly.”

The effects here, shown in Figure 8, are much more muted than they are for favorability or commitment, but still suggest the cover bill was helpful. On average, respondents lean slightly toward disagreeing with the claim that McCarthy treated the non-compromisers fairly. The cover bill moves them to neither agreeing nor disagreeing, on average. On a 5-point agreement scale, respondents in the *Criticism + Cover Bill* condition were about 0.17 points more likely to agree McCarthy treated non-compromisers fairly, a statistically significant result at a 0.05 significance level.

**Figure 8.** Perceptions that McCarthy Treated Non-Compromisers Fairly



*Notes:* Primary voters were more likely to perceive that Speaker Kevin McCarthy treated noncompromisers fairly in the Criticism + Cover Bill condition. Responses are limited to self-reported primary voters who supported moderate and extreme policies. The Leader's Fairness toward Noncompromisers outcome variable is a 5-point scale measuring agreement toward the statement "Speaker McCarthy treated Republicans who opposed the compromise fairly," with higher values indicating more agreement.

Unlike our previous outcome questions, these questions ask them to evaluate a major political figure, Speaker Kevin McCarthy. Republican primary voters' opinions about McCarthy

are presumably less malleable than their opinions about the fictional Representatives Parker and Eastman. We nevertheless find that the cover bill treatment substantially improved attitudes toward McCarthy. Appendix F shows that this is true even if we restrict our analysis to rhetoric that was especially harsh toward the compromise and its supporters.

## **Discussion and conclusion**

Lawmakers fear that their primary voters will punish them if they compromise. We have found consistent evidence that cover bills — a form of intended legislative failure — can protect legislators from such punishment. Using high-quality survey data with a representative sample of the electorate lawmakers most fear will punish compromise, we show that supporting a more ideologically extreme, yet legislatively doomed, bill makes those voters more favorably disposed toward compromisers, in significant part because it makes compromisers appear more committed to addressing the issue. The cover bill effect is resilient enough to protect compromisers even when the cover bill is used to attack the compromise. It does not altogether eliminate the punishment for compromise, but it is strong enough to dramatically reduce the favorability gap between lawmakers who do not compromise and those who do.

These results offer a new perspective on some of the most enduring issues in congressional politics. First, intended legislative failure is often derided as a symptom of a legislative branch more interested in campaigning than in governing. We do not dispute that legislative failure often comes at the expense of serious attempts at lawmaking, but our results identify one species of legislative failure that facilitates compromise. Second, the discipline often views strategic agenda-setting as a process by which procedurally powerful ideologues can maneuver the legislative process to produce policy outcomes more extreme than what the floor median would prefer. We show at least one case in which a party leader can set an agenda strategically in order to achieve policy closer to the median voter's ideal point by providing legislators with electoral cover from an extreme audience.

There are important questions about the cover bill strategy that this article only begins to answer. The most intriguing finding from our content analysis of the 2023 debt ceiling negotiation press releases was that legislators who supported the compromise usually did not mention the cover bill. Given how much of a reputational boost information about their support for that cover bill provides, it is puzzling that so many compromisers did not mention it in their press releases. A possible explanation could be that compromisers themselves are not an effective source of cover bill information. If they cite their own support for the cover bill, primary voters might suspect that their vote for the cover bill was an insincere political ploy. Further studies could conduct content analyses of other similar legislative negotiations to gauge whether our finding is consistent with how lawmakers communicate about cover bills more generally and test whether the cover bill information effect depends on who provides the information.

Our experiments document many benefits that follow from cover bills but few drawbacks. The compromiser and the leader both seem to benefit, and if the non-compromisers suffer any penalty at all, it is modest. If there were truly no meaningful drawbacks, the agenda setter would offer a cover bill before every compromise, but the fact is that sometimes agenda setters use cover bills and other times they do not. For example, after the House Republican Conference deposed Speaker McCarthy in October of 2023, the newly elected House Speaker Mike Johnson soon faced his own challenging fiscal negotiation. This time, failure to reach a bipartisan compromise would lead to a government shutdown. The two parties ultimately reached a compromise in the Further Continuing Appropriations and Other Extensions Act of 2024, which passed both chambers of Congress with bipartisan support. While compromise eventually prevailed, it garnered even more Republican opposition than the Fiscal Responsibility Act. Yet Johnson never brought a cover bill to the House floor. Why didn't he?

To develop a theory of the conditions under which party leaders use cover bills to enable compromise, we must identify the ways they can backfire. Perhaps the other chamber tends to ignore cover bills, which could put the chamber that passed the cover bill in the awkward position of having to pass a second bill without receiving a response on their first. This is

exactly what happened to House Republicans in the 2023 debt ceiling response, and many non-compromisers specifically complained about it in justifying their votes. In that case, the looming deadline of default forced the House to take action, but for issues that do not have a clear expiration date, attempting to pass a cover bill could lead to legislative inaction. Alternatively, cover bills might backfire if they fail to unify the majority party and pass the chamber. If the attempted cover bill failed, one of two things would have to be true: either moderates rejected the bill for going too far or extremists rejected the bill for not going far enough. In either case, the attempted cover bill would have the opposite of its intended effect. It would magnify the distance between the compromisers and the non-compromisers. This risk of failure could deter party leaders from pursuing cover bills in the first place.

Finally, cover bills offer some insights into the larger discussion of the role of blame in politics. Many of the discipline's most influential studies take a single proposal as their unit of analysis to study policymaking in Congress and other legislative bodies, and those that do not often focus on amendments or on provisions that get recycled across bills. We instead followed legislative bargaining sessions that include multiple proposals, often spread across different bills. For example, looking at the Limit, Save, Grow Act and the Fiscal Responsibility Act as two separate units would have prevented us from finding the evidence that we did that the former made support for the latter safer. The cover bill helped to deflect any blame for the shortcomings of the compromise.

Our survey experiments showed that primary voters do not just care about the policy Congress ultimately enacts. They care about the details of the negotiation that led to its passage. When provided procedural context, primary voters became more charitable in their views toward a bipartisan compromise and the copartisan politicians who forged it, even in the face of rhetorical attacks on the compromise from ideological allies. This underscores the importance of studying audience effects on legislative bargaining.

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