The Domestic and International Sources of Legislative Action on Economic Sanctions

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When does the U.S. Congress move to impose sanctions on foreign countries? While prior research highlights Congress's influence on sanctions policy, little is known about what drives legislators to act. This paper investigates factors driving the introduction and approval of sanctions legislation, arguing that the factors shaping sanctions policymaking vary across the different stages of the legislative process. Using a dataset of U.S. sanctions legislation from 1987 to 2014, we run a series of logistic regressions to analyze this two-staged process. While prior work emphasizes the role of domestic interests in driving legislative behavior on sanctions, we find that legislators are also responsive to international conditions. Our analysis shows that legislators are more likely to propose sanctions against countries violating international norms or threatening global security, but less likely to approve them when those countries are major recipients of U.S. exports.

Quand le Congrès des États-Unis choisit-il d'imposer des sanctions aux pays étrangers ? Bien que des travaux de recherche antérieurs soulignent l'influence du Congrès sur la politique de sanctions, nous en savons peu sur les facteurs qui poussent les législateurs à agir. Cet article s'intéresse aux facteurs motivant l'introduction et l'approbation d'une législation de sanctions, affirmant que les facteurs qui façonnent la politique de sanctions diffèrent aux différents stades du processus législatif. À l'aide de données sur la législation de sanctions états-unienne entre 1987 et 2014, nous menons une série de régressions logistiques pour analyser ce processus en deux étapes. Tandis que des travaux antérieurs soulignent le rôle des intérêts nationaux lorsqu'il s'agit de motiver le comportement législatif par rapport aux sanctions, nous remarquons que les législateurs réagissent

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aussi aux conditions internationales. Notre analyse montre que les législateurs proposent plus souvent des sanctions contre des pays qui violent les normes internationales ou qui menacent la sécurité mondiale, mais les approuvent plus rarement quand il s'agit d'importants destinataires des exportations états-uniennes.

¿Cuándo se pone en marcha el Congreso de EE. UU. con relación a imponer sanciones a países extranjeros? Si bien existen investigaciones anteriores que destacan la influencia del Congreso en lo relativo a la política de sanciones, existe poca información con respecto a lo que motiva a los legisladores a actuar. Este artículo investiga los factores que impulsan la introducción y la aprobación de la legislación en materia de sanciones. Para ello, el artículo argumenta que los factores que moldean la formulación de la política de sanciones varían a lo largo de las diferentes etapas del proceso legislativo. Utilizamos un conjunto de datos referentes a la legislación de sanciones de EE. UU. de entre 1987 y 2014 con el fin de llevar a cabo una serie de regresiones logísticas que nos permiten analizar este proceso en dos etapas. Aunque existen trabajos anteriores que enfatizan el papel de los intereses nacionales en lo relativo a impulsar el comportamiento legislativo en materia de sanciones, en este artículo concluimos que los legisladores también responden a las condiciones internacionales. Nuestro análisis demuestra que los legisladores tienen más probabilidades de proponer sanciones contra países que violan las normas internacionales o amenazan la seguridad global, pero que existen menos probabilidades de que estas sean aprobadas cuando esos países son grandes receptores de exportaciones de Estados Unidos.

Introduction

What factors influence the introduction and approval of U.S. legislative proposals to impose economic sanctions on other countries? This question is important because legislators play a central role in many U.S. sanctions and the United States, in turn, plays an outsized role in the global use of sanctions. U.S. legislators have initiated 38 percent of U.S.-led sanctions threats or impositions, and the United States has been the primary sanctioning country in about half of all international sanctions episodes (Morgan et al. 2014). Moreover, U.S. sanctions laws can be quite consequential, generating a variety of economic, diplomatic, and humanitarian effects (Haass 1998; Hufbauer et al. 2007; Tama 2020). Given these realities, understanding the drivers of U.S. sanctions legislating is a key part of understanding sanctions dynamics more generally.

In this paper, we investigate the determinants of sanctions action by U.S. legislators. Some influential prior work suggests that legislative behavior on sanctions is driven entirely by domestic interest groups (Kaempfer and Lowenberg 1992). We agree that interest groups are central to much legislative activity on sanctions, and our argument highlights, in particular, the roles of ethnic diaspora groups and economic interest groups in the legislative process. But we argue that legislators are also responsive to two key international conditions when introducing or considering sanctions proposals. First, legislators are responsive to the behavior of prospective sanctions targets. In particular, they are more likely to introduce legislation targeting a country if that country's behavior violates international norms or threatens international peace and security, as such behavior tends to lead legislators and interested constituents to think that the target should be penalized. Second, legislators are responsive to the extent of economic interdependence between the United States and the prospective target. In particular, a higher level of U.S. exports to the target reduces the likelihood of sanctions legislation being approved by increasing the economic costs that would be incurred by the United States if the sanctions were to go into effect.

We test this argument by analyzing a dataset of legislative sanctions proposals considered by the U.S. Congress between 1987 and 2014. Unlike other sanctions datasets, this dataset distinguishes between the introduction and the approval of sanctions legislation, enabling separate analyses of these two key phases of the legislative process. This distinction is important because, as our analysis shows, the factors influencing the introduction of sanctions legislation differ from the factors influencing the approval of sanctions legislation. In an additional empirical innovation, our two-staged analysis tests for target behavior on a variety of issues, such as human rights, democracy, nuclear and weapons proliferation, terrorism, and drug trafficking. This allows us to evaluate how violations of international norms and threats to international peace and security influence sanctions legislation activity.

Overall, our findings suggest that legislators respond to domestic and international factors when formulating sanctions policy, while showing that these factors vary across stages of the legislative process. To be sure, legislators are often driven by parochial pressures when it comes to the use of sanctions, but reducing legislative motivations to interest group pressure leaves out some important international contributors to legislative action. These findings add some important complexity and nuance to pre-existing understandings of legislative behavior on sanctions. In addition, our findings contribute to a long-standing debate about the relationship between economic interdependence and state behavior (Barbieri 1996; Pevehouse 2004; Cox and Drury 2006; Hegre et al. 2010) by showing that interdependence tends to mitigate nonmilitary disputes between the United States and other countries.

Contributors to the Use of Sanctions

A vast literature has developed in recent decades on the use and outcomes of economic sanctions. Most of this literature has focused on sanctions outcomes, including the influence of sanctions on target behavior; the economic, political, and humanitarian impacts of sanctions; and reasons why sanctions succeed or fail (Allen 2005; Barry and Kleinberg 2015; Biersteker et al. 2016; Drezner 1999; B. Early 2015; Farrell and Newman 2019; Giumelli 2016; Grauvogel et al. 2017; Hufbauer et al. 2007; Jentleson 2022; Lektzian and Souva 2001; Marinov 2005; McLean and Whang 2010; Moret 2015; Peksen 2019).

Scholars have also examined contributors to the use of sanctions. Some of this research highlights international motivations for a government's imposition of sanctions, such as a desire to influence the behavior of the target, shape the relationship between the sanctioning state and the target, constrain the target's capacity, signal resolve, or underscore the importance of an international norm (Biersteker et al. 2016; Drezner 1999; Drury 2005; Giumelli 2011). Other work identifies domestic motivations for the use of sanctions, such as accommodating demands from interest groups, satisfying voter expectations, or boosting the approval ratings of leaders (Kaempfer and Lowenberg 1992; Lindsay 1986; McLean and Whang 2014; Whang 2011).

There also exists some research on the role of legislators in designing or approving sanctions (Böller and Herr 2020; Elshehawy et al. 2022; Hatipoglu 2014; Martin 2000). On the question of why legislators support or oppose sanctions, scholars have mainly emphasized the responsiveness of legislators to domestic pressures. Based on game theoretic modeling, Kaempfer and Lowenberg (1992) argue that sanctioning decisions are determined by the relative effectiveness of pro-sanctions and anti-sanctions economic interest groups in generating pressure on elected officials. Some other work focused on domestic pressures highlights the role of ethnic diaspora groups (Haney and Vanderbush 1999; Rubenzer and Redd 2010) or voters

(Hatipoglu 2014) in influencing legislative activity on sanctions. At the same time, some work suggests that legislative activity on sanctions is influenced by overseas developments. Cutrone and Fordham (2010) find that legislators are more likely to support the placement of sanctions on a country if human rights conditions in that country are worse, and Walldorf (2008) shows that democratic legislatures are more likely to impose sanctions on a country if it engages in illiberal behavior.

In this paper, we extend this debate by testing the influence of domestic and international conditions on legislative activity through statistical analysis of a dataset of U.S. congressional sanctions proposals. We further go beyond prior work by explaining how the incentives facing legislators lead them to be responsive to different pressures during different stages of the legislative process with respect to the use of sanctions. The first stage of the legislative process involves the introduction of a sanctions proposal by a member of Congress. In this first stage, the personal and public appeal of taking a stand against objectionable behavior makes members of Congress more likely to introduce sanctions legislation targeting a country whose behavior violates international norms or threatens international peace and security. However, in the second stage of the legislative process, when Congress as a whole considers whether to approve sanctions legislation, the legislation's potential economic costs to the United States become more politically salient, thanks in part to lobbying by economic interest groups who would be affected by the proposed sanctions. In this stage, Congress becomes less likely to approve sanctions legislation if it targets a major destination of U.S. exports. Overall, these findings suggest that legislative activity on sanctions is influenced by target behavior and economic interdependence, but that the influence of these international factors is itself mediated by domestic pressures.

Our focus on the introduction and approval of sanctions legislation is not intended to suggest that other activity by legislators, such as the making of public statements or the convening of hearings, is not important. However, legislation often offers the greatest potential for influencing policy, and so we choose to focus on it in this study.

The Introduction of Sanctions Legislation

In the first stage of the legislative process—in which a member of Congress introduces a proposal to impose sanctions on a country—we expect legislators to be influenced by the behavior of the prospective sanctions target. While the expectation that legislative activity is influenced by the behavior of other countries may seem intuitive, it cuts against the grain of much scholarship on American politics and international relations. Most research on the U.S. Congress does not consider external events to be a significant driver of congressional activity. Instead, legislative activity is generally seen as a function of electoral, partisan, or ideological incentives (Davidson et al. 2022; Lee 2009; Mayhew 2004). Many studies of U.S. foreign policy also depict Congress as being highly parochial. In this view, legislators have less incentive than presidents to take international developments seriously because, unlike presidents, they are not considered by voters to be responsible for the protection of national security or the overall state of national welfare (Krasner 1978; Meernik and Oldmixon 2008). Most international relations studies that analyze drivers of legislative activity in areas such as trade and cooperation also do not directly consider how the behavior of trading partners or other countries influences legislative action (Broz and Hawes 2006; Hiscox 2002; Kleinberg and Fordham 2013; Milner 1997).

On the other hand, some work suggests that legislators are in fact responsive to overseas developments. Henehan (2000) finds that Congress is more active in foreign policy when a major new international issue emerges or after a foreign policy failure. Moreover, as noted earlier, while some sanctions scholarship only highlights the role of domestic pressures in shaping legislative activity (Haney and Vanderbush 1999; Hatipoglu 2014; Kaempfer and Lowenberg 1992), other sanctions scholarship shows that human rights violations and illiberal governance by other countries also contribute to legislative support for sanctions (Cutrone and Fordham 2010; Walldorf 2008).

Consistent with this latter set of findings, we argue that the behavior of foreign countries influences legislative sanctions activity—specifically, by influencing decisions by legislators to *introduce* sanctions proposals. We expect that legislators will be more likely to propose the imposition of sanctions on a country if that country is not complying with international norms or threatens international peace and security. This expectation stems in part from the reality that many legislators routinely act on foreign policy based on their own principled views (Carter and Scott 2009; Lindsay 1994). Legislators who believe the United States should stand for the protection of human rights or the preservation of international peace, for instance, are likely to favor the imposition of penalties on foreign governments that become more repressive, initiate a military conflict, or begin to engage in weapons proliferation. The introduction of sanctions legislation targeting such governments can offer a clear and compelling way to act on that belief. While legislators may also take other steps to express their dissatisfaction with a foreign government's behavior, introducing legislation is one of the most powerful means available to a legislator of applying pressure for policy change.

At the same time, domestic political dynamics can reinforce the inclination of legislators to seek the imposition of sanctions on countries whose behavior is worsening. Interested voters, like legislators, will tend to support the use of sanctions against such countries, as public attitudes on foreign policy regularly evolve in rational ways in response to international events (Aldrich et al. 2006; Shapiro and Page 1988). Given the close eye that legislators keep on constituent views, such shifts in public attitudes should be reflected in congressional activity. In addition, the behavior of a prospective sanctions target may lead pro-sanctions interest groups to step up their advocacy, as interest groups often focus their advocacy on issues where there exist both an important problem and a window of opportunity for policy change (Walldorf 2008). Such a window is most likely to open when new events suggest that existing policy is ineffective (Kingdon 1995). In these ways, foreign government behavior can influence legislators both directly and indirectly—directly by influencing the views of legislators regarding the merits of sanctions and indirectly by creating more favorable domestic political conditions for sanctions legislating. For example, drastic trigger events, such as coups d'états and terrorist attacks, send a strong signal to the international community that peace is being threatened and democratic norms are being violated, justifying the use of sanctions as a response (Peksen et al. 2014; von Soest and Wahman 2015). For all of these reasons, we expect legislators to be responsive to international events when it comes to the introduction of sanctions proposals.

Hypothesis 1: Legislators will be more likely to propose the imposition of sanctions on a country if that country's behavior violates international norms or threatens international peace and security.

We also expect members of Congress to be more likely to introduce sanctions legislation targeting a country whose ethnic diaspora community is connected to a foreign policy lobbying group in the United States. Other work has highlighted the influence of ethnic diaspora groups on the use of sanctions and other instruments of U.S. foreign policy (Ambrosio 2002; Haney and Vanderbush 1999; Paul and Paul 2009; Rubenzer and Redd 2010). Our expectation is that diaspora groups connected to foreign policy lobbying groups will be particularly influential on legislative activity on sanctions because they tend to have close ties with individual members of Congress. These close ties between diaspora groups and individual legislators stem in part from the geographic concentration of many diaspora groups in certain states or congressional districts. For instance, there exist large concentrations of Cuban-Americans in South Florida; Vietnamese-Americans in Orange County, California; and Armenian-Americans in Watertown, Massachusetts (Haney and Vanderbush 1999; D. King and Pomper 2004; Uhlaner and Le 2000). Such geographic concentrations facilitate strong ties between diaspora communities and the legislators who represent the states or districts in which the communities are concentrated, and the introduction of a sanctions proposal can allow legislator to demonstrate that they support the community's agenda. Since lobbying by diaspora groups often centers on policies connected to their country of origin, this incentive should make it more likely for lawmakers to introduce sanctions legislation targeting such countries.

Hypothesis 2: Legislators will be more likely to propose the imposition of sanctions on a country with an ethnic diaspora community that is connected to a foreign policy lobbying group in the United States.

The Approval of Sanctions Legislation

During the second stage of the legislative process on sanctions, we expect political dynamics surrounding the legislation to shift. This second stage involves the consideration by Congress of the proposal that a legislator has introduced, potentially culminating in legislators voting on it. With the possibility looming that the sanctions could be approved by Congress, groups that stand to be harmed by the proposed sanctions have a strong incentive to get mobilized in opposition to the proposal. Our contention is that anti-sanctions advocacy by such groups will be most influential when the United States is more highly dependent on the target economically.

The existing literature generates contrasting expectations regarding whether higher levels of interdependence make the use of sanctions or other conflictual activity between countries more or less likely. Liberal international relations theory argues that interdependence gives firms, consumers, and governments a greater incentive to avoid conflicts that could restrict economically beneficial exchange. In line with that perspective, some research finds that greater interdependence reduces the incidence of armed conflict or the use of sanctions (Hafner-Burton and Montgomery 2008; Hegre et al. 2010; Maoz 2009). However, other scholars, including many realists, argue that interdependence can increase the likelihood of conflict, by causing the emergence of more contentious issues between countries, heightening concerns about relative gains or the loss of economic autonomy, or creating hostility toward a trading partner among people harmed by trade (Gowa 1994; Fordham and Kleinberg 2011; Mastanduno 1993). Consistent with these lines of argument, some studies suggest that interdependence raises the likelihood of armed conflict or the employment of sanctions (Barbieri 1996; Cox and Drury 2006).

Other work bridges these two schools of thought or offers more nuanced conclusions. Copeland (2015) finds that interdependence fosters peace when countries have positive expectations of the future trade environment, but contributes to conflict when those expectations are negative. De Vries (1990) shows that high levels of interdependence intensify both processes of cooperation and conflictual processes between countries. Pevehouse (2004) determines that interdependence makes nonmilitary disputes more likely, but reduces the likelihood that such disputes escalate in intensity. Drury et al. (2014) find that interdependence increases the probability of sanction threats, but has no clear effect on sanctions imposition.

Our expectation is that the pacifying influence of interdependence highlighted by liberal theory should kick in during the second phase of the legislative process. As legislators consider a sanctions proposal, the proposal's likely cost to the United States will become more salient, and legislators will be more reluctant to approve sanctions that would impose large economic costs on the United States or result in harmful economic retaliation by the target. In this second phase, increased interdependence will also give domestic economic constituencies who stand to be hurt by the sanctions a stronger incentive to resist them. In particular, greater interdependence should increase opposition to sanctions from firms that export to the target country. Just as export-reliant firms tend to resist protectionism generally (Milner 1988), they will typically have a strong incentive to resist sanctions that would restrict economic activity in a target with which they conduct a lot of business or that would prompt retaliation by such a target. Since firms are generally the most influential lobbying groups in American politics (Hafner-Burton et al. 2015; Jacobs and Page 2005), strong opposition from a major segment of the business community will usually make the approval of a sanctions proposal less likely. Importantly, such business opposition is likely regardless of the type of sanctions being proposed, since even sanctions that do not directly implicate trade relations, such as restrictions on foreign aid, are likely to harm the political relationship between the sanctioning country and the target, thereby raising the possibility of retaliation or other steps by the target that will disadvantage U.S. firms (Attia and Grauvogel 2023).

Hypothesis 3: The U.S. Congress will be less likely to approve the imposition of sanctions on a country that receives a larger amount of U.S. exports.

At the same time, we expect diaspora communities that are connected to foreign-policy lobbying organizations to continue to influence Congress during the second stage of the legislative process on sanctions. Just as such groups may influence legislators to introduce sanctions bills, they may also influence legislators to vote for those bills. While diaspora communities may sometimes advocate against the adoption of sanctions legislation, prior work on diaspora activity connected to sanctions has usually pointed toward diaspora groups advocating for, rather than against, legislative sanctions. For instance, studies have shown that particular diaspora communities have influenced the approval of legislation placing sanctions on countries including Cuba, Iran, and South Africa (Haney and Vanderbush 1999; Nesbitt 2004; Rubenzer 2011; Tama 2020). We therefore expect that diaspora lobbying on sanctions legislation under consideration in Congress will usually be in support of the legislation, facilitating its approval.

Hypothesis 4: The U.S. Congress will be more likely to approve the imposition of sanctions on a country with an ethnic diaspora community that is connected to a foreign policy lobbying group in the United States.

Empirical Analysis

To test the formulated hypotheses, we analyze two different stages of the U.S. legislative process. First, we analyze the likelihood of a country being targeted by introduced sanctions legislation. We run a logistic model on the country-year level using a sample of 194 countries from 1987 to 2014. Given that the introduction of sanctions legislation is shown to be a rare event in our sample (see Table 1 in Appendix for the descriptive statistics) and standard logistic regressions have been shown to significantly underestimate the probability of rare events occurring, we opt for a rare event logit to estimate the first stage of the legislative process. The rare event logit estimates the same model as a standard logistic regression, while correcting for the bias that occurs when the observed events are infrequent (G. King and Zeng 2001).[1]

Second, we limit our analysis to sanctions legislation introduced in Congress and explore the likelihood that legislation is approved during the 2-year Congress in which it is considered. We rely on a standard logit model as the sample for the second stage is limited to 115 country-year observations (see section on robustness checks

[1] We use STATA's relogit command.

for the results of alternative model specifications, including a Heckman probit).[2] We cluster standard errors at the country level and control for the time since the last piece of legislation targeting that country was introduced or approved, to account for time dependency.[3], [4]

Dependent Variables

We consider two binary dependent variables: first, whether or not a country is targeted by a legislative sanctions proposal; and second, whether or not introduced legislation targeting this respective country is approved by Congress during the 2-year period in which it is considered.

To capture the introduction and approval of sanctions legislation by Congress, we use information from a dataset of U.S. legislative sanctions proposals (reference omitted for review). The dataset includes all proposals between 1983 and 2014 that targeted specific countries with sanctions and were mentioned in *CQ Weekly*, a publication that covers the U.S. Congress in depth (Table 11 in Appendix for a list of the cases.) Since data for some of the main independent variables in our study are unavailable prior to 1987, we run our empirical analyses for all observations between 1987 and 2014.[5]

Using this approach, we find that foreign countries were targeted by introduced sanctions legislation 92 times and by approved sanctions legislation 49 times (figure 1 in Appendix).[6] Most of the legislation can be clearly attributed to the following five political issues: human rights violations, armed conflicts, nuclear and missile proliferation, drug trafficking, and terrorism (figure 1 below). We use this dataset (reference omitted for review), rather than other existing sanctions datasets (Attia and Grauvogel 2022; Elshehawy et al. 2022; Felbermayr et al. 2020; Morgan et al. 2009; Weber and Schneider 2022) to test our hypotheses because the distinction it contains between introduced and approved legislation allows for separate analyses of the two stages of the legislative process.[7]

Independent Variables

To test the first hypothesis, which centers on a country's behavior in terms of its compliance with international norms and threats to international peace and security, we rely on five variables that respectively capture the five main issues we identified in the sanctions legislation above. First, to capture human rights violations we use a country's annual human rights protection score (Fariss 2019). We multiply the

[2] A session of Congress lasts 2 years. If legislation is introduced in the first year of Congress and is not approved in the same year, then this variable takes the value of 1 in the second year as well. Thus, the number of observations for the second stage is higher than the number of introduced pieces of legislation reported below.

[3] The available sanctions data (reference omitted for review) start from 1983. Thus, the variables capturing the time since the last piece of legislation targeting that country was introduced or approved account for the period since 1983.

[4] Our research design focuses on congressional behavior at the institutional level, rather than the level of individual legislators, because we are ultimately interested in the circumstances that can facilitate or impede action by Congress as a whole. Congress tends to exercise the greatest influence over foreign policy when it acts as an institution to advance legislation. Understanding the conditions that contribute to such action is therefore particularly important, and we seek through our research design to take a step toward fostering such understanding.

[5] The data set includes legislation introduced in the U.S. House of Representatives or the U.S. Senate. In cases where different versions of legislation targeting the same country were considered in each body during the same 2-year Congress, only the version of legislation that advanced furthest in the legislative process is included in the data set.

[6] Many U.S. sanctions laws mandate penalties on "any" country engaging in a certain undesirable behavior, rather than mandating penalties on specific countries (Elshehawy et al. 2022, 880). Such legislation is not included in our dataset given our interest in testing hypotheses that concern the behavior of specific country targets and the characteristics of bilateral relationships.

[7] Although the Threat and Imposition of Economic Sanctions (TIES) dataset distinguishes between sanctions that are threatened and sanctions that are imposed, that dataset does not distinguish between proposed and approved legislation, and it's unclear how the dataset codes legislative proposals that do not get approved (Morgan et al. 2014).

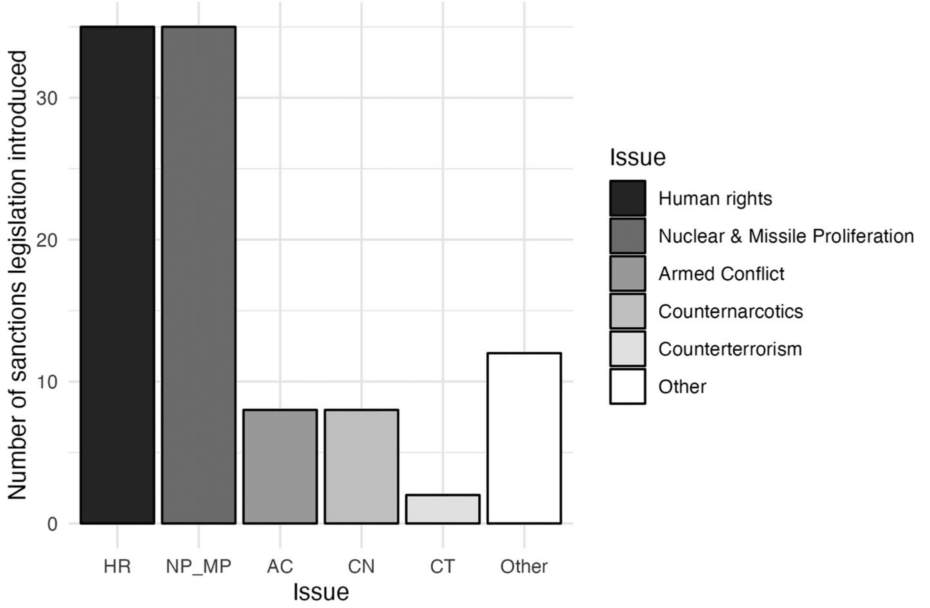

Figure 1. Introduced U.S. sanctions legislation (1987–2014) by issue.
Notes: The figure shows the number of sanctions-related legislative measures introduced across five issue areas. Human rights and nuclear and missile proliferation account for the largest number of bills introduced. These are followed by legislation addressing armed conflict and counternarcotics, while counterterrorism accounts for the fewest measures. A substantial share of legislation addresses issues (e.g. support for adversaries, financial policies, currency policies, and terms of trade) that cannot be classified within the five issue areas identified above and is therefore grouped under the category "Other".

score by –1 so that higher scores reflect higher levels of human rights violations. Second, we capture the onset of militarized disputes (Ghosn et al. 2004; Gleditsch et al. 2002). The variable takes a value of 1 if an inter- or intra- state armed conflict is initiated in the respective year. Third, to capture concerns over a country's nuclear program and the proliferation of weapons we use a tally of foreign countries' annual nuclear testing (Arms Control Association 2022).[8] Finally, we use annual U.S. State Department reports to capture information on a country's drug trafficking and terrorism activity (U.S. Department of State 2022a, b). The variables take the value of 1 if a country is reported to be noncompliant with US anti-trafficking and counterterrorism standards, respectively. In sum, we use five indicators to capture the five main issues we identified in sanctions legislation from 1987 to 2014.

To test the second and fourth hypotheses, which center on the influence of diaspora advocacy groups on sanctions legislation, we include a dummy that takes the value of 1 if a diaspora from the target country is associated with a formal foreign policy lobby group in the United States (Prasad and Savatic 2021).[9] To test the third hypotheses regarding the influence of economic interdependence, we use data on

[8]As a robustness check, we aggregate data from the Global Distribution of Military Capabilities Database on a country's missile program to capture information on missile proliferation (Gannon 2021). While this dataset allows us to capture the acquisition of certain arsenal types, such as long-range missiles, that may support offensive military strategies, these acquisitions in themselves are not prohibited. Thus, we do not rely on this measure in our main analysis.

[9]Ideally, we would use a measure that also captures the size, intensity, and direction of diaspora lobby activities. However, due to data limitations we rely on the dataset by Prasad and Savatic (2021) that was used in other work on sanctions (Schneider et al. 2025).

disaggregated import and export volumes, between the United States and the foreign country (U.S. Census Bureau 2019).

Control Variables

We include a series of control variables representing features of the U.S. political environment, the target country, and the target's relationship with the United States that might reflect competing explanations for why sanctions legislation is introduced or approved.

Starting off with the introduction stage, we first control for further target-related characteristics. We account for the economic vulnerability of the foreign country measured by annual GDP per capita levels (United Nations Statistics Division 2018). Economically weak foreign countries have been shown to face an increased risk of sanctions as senders usually want to engage in successful endeavors (von Soest and Wahman 2015) and economically weak targets have less leeway to resist (Barber 1979; Drury 1998; Hufbauer et al. 2007; Jing et al. 2003). We control for the political alignment (Voeten et al. 2009) and bilateral trade in imports and exports (U.S. Census Bureau 2019) between the United States and the target in the first stage of the legislative process.

Second, we control for U.S. institutional features that may affect the legislative process. These include whether the respective year is a congressional election year—as upcoming elections may incentivize more legislative action to signal leadership and competence—and the number of years since sanctions legislation targeting the same country was last introduced in Congress.[10]

Moving on to the approval stage, we include all control variables listed in the first stage. Moreover, we account for two more U.S. institutional features and one target-specific feature that may further affect the approval of sanctions legislation. Starting with the U.S. institutional features, we account for the unity of the U.S. government in terms of party control during the consideration of legislation. This is operationalized by a variable representing whether the same party controls the presidency and both chambers of Congress. Other work has shown that divided party control of government can alter the likelihood that legislation is approved (Binder 2004; Howell et al. 2000; Rogers 2005). Relatedly, we control for whether Congress is controlled by the same party as the bill sponsor, as this may influence the prospect of legislative success.[11] As for the additional target-related features, we account for a country's liberal democracy score (Coppedge et al. 2018), as prior work on sanctions shows that senders are more likely to prematurely lift sanctions when the target is a democracy (Attia et al. 2020).[12] We also control for whether the country is already under U.S. sanctions using data from the Global Sanctions Database (Felbermayr et al. 2020). The presence of U.S. sanctions against the target can pre-empt or dissuade new sanctioning efforts by Congress (Tama 2020). Finally, and similar to the first stage, we also control for the amount of time that has transpired since previous sanctions legislation targeting the same country has been approved by Congress.

We lag all independent and control variables to alleviate reverse-causality concerns with four exceptions. The first three exceptions are the variables capturing congressional election year, control of Congress by the party of the bill sponsor, and unified government. For example, the latter captures information on a 2-year Congress and thus should not be lagged. The third exception involves the variables capturing target behavior, as theoretical and empirical considerations alleviate

[10] This variable relies on the sanctions dataset (reference omitted for review), which covers the time frame from 1983 and 2014.

[11] There were two instances in which sanctions legislation sponsored by members of different parties—targeting the same country—was introduced (Russia in 2019 and China in 2005). We gave the variable the value of 1 if at least one of the multiple bills was sponsored by a member of the party that controlled Congress.

[12] We multiply the score by –1 so that higher scores reflect higher levels of democracy violations.

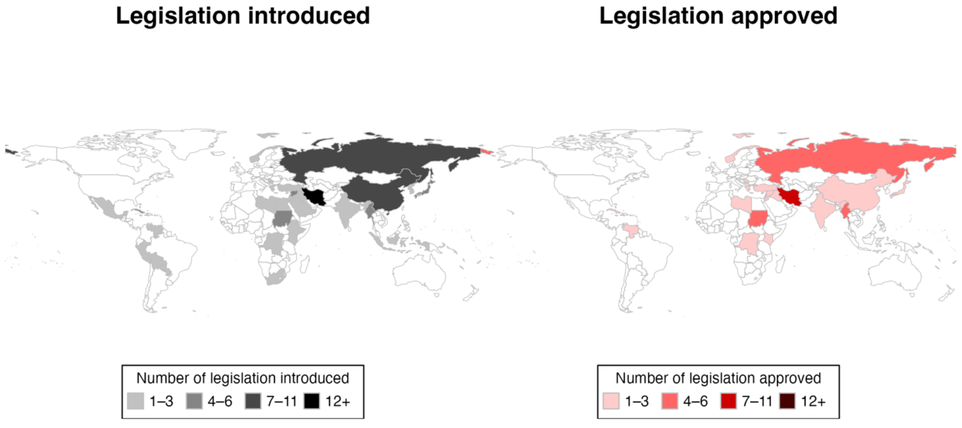

Figure 2. Geographic scope of U.S. legislative sanctions (1987–2014). Notes: Two side-by-side world maps compare countries targeted by sanctions legislation. The left map, titled "Legislation introduced," shades countries according to the number of sanctions bills introduced against them. The right map, titled "Legislation approved," shows the number of approved sanctions measures. Darker shading indicates a higher number of legislation. A comparison of the two maps reveals that while many countries are targeted by introduced sanctions legislation, not all of these are subsequently approved.

reverse-causality concerns here. Theoretically, it seems implausible that a country's behavior in terms of international norm compliance or threats to peace and security would worsen simply because legislation was introduced by members of the U.S. Congress. Empirically, evidence shows that members of Congress often introduce sanctions legislation in a timely manner in reaction to developments in foreign countries.[13] Nevertheless, we lag the target behavior variables in the robustness check section to probe the stability of our results to alternative temporal specifications.

Descriptive Statistics

As mentioned above, most of the introduced U.S. sanctions legislation included statements of concern about target country behavior in one or more of the following five issue areas: human rights violations, nuclear and missile proliferation, armed conflicts, drug trafficking, and terrorism. Human rights violations, as well as countries' missile and nuclear programs were mentioned the most often among all issue areas in introduced legislation, followed by the initiation of militarized disputes (see figure 1).

To probe the plausibility of the five measures we rely on for capturing target behavior, we run simple bivariate regressions that provide preliminary tests of whether our measures are correlated with introduced sanctions legislation. We find significant positive correlations between our five measures and introduced legislation (see Table 2 in Appendix)—yet more systematic analyses are needed. Thus, we proceed by using these five measures in our multivariate statistical analysis below.

A final descriptive look at the introduced sanctions legislation reveals additional descriptive trends (figure 2). First, introduced legislation targets some of the world's worst violators of human rights, such as China and Sudan, as well as countries threatening international peace and security, such as Iran and Russia. Second, introduced legislation also targets countries with sizeable diasporas in the U.S., such as Cuba,

[13]More details are reported in the robustness check section.

Mexico and Ethiopia. Third, some countries, such as China, Russia, and Iran, are frequent targets of sanctions legislation. Fourth, only about half of the introduced legislation is approved by Congress. Thus, we turn to the regression results to analyze the determinants of the two stages more carefully.

Regression Output for Stage 1: Sanctions Legislation Introduced

We start by looking at the results of the logistic regression that estimates the likelihood of a country being targeted by sanctions legislation that is introduced in Congress. Column 1 in Table 1 (below) estimates our outcome of interest using a rare event logit as a function of a change in the target's behavior, the bilateral relations between the U.S. and the target, the U.S. political environment, and characteristics of the target country.

Looking at the results in Column 1, we find support for the first hypothesis that a country's poor behavior increases the likelihood that sanctions legislation targeting that country will be introduced. Four out of our five target behavior measures seem to be statistically significant in that respect: higher levels of human rights violations, the initiation of a militarized dispute, a country's nuclear program, and engagement in activities that sponsor terrorism. Thus, our statistical results emphasize that the introduction of sanctions legislation is more likely if a foreign country's behavior is negative in the four aforementioned issues of concern leading legislators to think that the target should be penalized.

Some anecdotal examples illustrate the responsiveness of legislators to negative target behavior. In September 1991, a military coup in Haiti overthrew the democratically elected government of Jean-Baptiste Aristide. After taking power, the military engaged in widespread human rights violations, including the use of violence to intimidate political opponents (Fuller and Wilentz 1991; Taft-Morales 1993). In this context, a member of Congress introduced legislation in April 1992 mandating sanctions against Haitian nationals who had provided support for the military coup.[14] Around the same time, legislators also responded to military aggression in the Balkans. In the newly independent state of Bosnia, Bosnian Serb forces backed by the government of Serbia began using violence in April 1992 to seize territory and establish an ethnically homogenous Bosnian Serb republic (Garding 2019). One month after this aggression began, a member of Congress introduced legislation withdrawing most-favored-nation trading status from Serbia.[15]

More recently, legislators have responded to actions by North Korea and Russia that involved threats to international peace and security by introducing sanctions legislation. In February 2013, North Korea conducted a nuclear weapons test—the third such test that it had ever conducted (Omestad 2013). Two months later, a member of Congress introduced legislation mandating sanctions on any government, corporation, or individual that engaged in transactions with North Korea that contributed to the development of weapons of mass destruction or missiles by North Korea.[16] On February 2014, Russia invaded and occupied parts of Ukraine. Within two weeks of this invasion, members of Congress introduced legislation mandating sanctions on any Russian individuals who were involved in or responsible for violations of Ukraine's territorial integrity.[17]

Moving on, we find a positive correlation between diasporic interest groups and the introduction of sanctions legislation. Yet, the finding fails to reach statistical significance at the 10 percent level providing no support for Hypothesis 2. As for the

[14] H.R. 4761, Democracy in Haiti Act of 1992 (102nd Congress).

[15] H.R. 5258, An Act to provide for the withdrawal of most-favored-nation status from Serbia and Montenegro and to provide for the restoration of such status if certain conditions are fulfilled (102nd Congress).

[16] H.R. 1771, North Korea Sanctions Enforcement Act (113th Congress).

[17] H.R. 4152, Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (113th Congress).

Table 1. Logistic regression estimating the likelihood of U.S. sanctions legislation.

Variables	(1) Introduced	(2) Approved
Target behavior		
Human rights violations	0.502**	
	(0.229)	
Onset armed conflict	0.738**	
	(0.329)	
Nuclear tests	1.283***	
	(0.314)	
Drug trafficking	0.606	
	(0.648)	
Sponsor of terrorism	1.400***	
	(0.358)	
Geo-strategic considerations		
Log imports lagged	0.114*	0.084
	(0.067)	(0.089)
Log exports lagged	−0.004	−0.283**
	(0.084)	(0.123)
Domestic/institutional factors		
Diasporic FP groups	0.411	-0.521
	(0.265)	(0.546)
Controls		
Log GDP per capita lagged	0.202	0.577
	(0.131)	(0.388)
Political alignment lagged	−0.231	0.371
	(0.193)	(0.603)
Other US sanctions lagged		1.281**
		(0.575)
Lagged democracy score		0.283
		(2.720)
Congressional election year	0.086	1.652***
	(0.260)	(0.432)
Unified government		0.554
		(1.452)
Congress controlled by party of bill sponsor		−0.655
		(1.067)
Time since last legislation introduced	-0.171***	
	(0.033)	
Time since last legislation approved		−0.079**
		(0.040)
Constant	−5.657***	−3.162
	(1.366)	(3.157)
Observations	4,968	115

Notes: Column 1 reports the results of a rare event logit model estimating the likelihood sanctions legislation will be introduced. Column 2 reports the results of a logit model estimating the likelihood sanctions legislation will be approved. Robust standard errors clustered on the target level ($n = 194/29$) in parentheses. *** $P < 0.01$, ** $P < 0.05$, * $P < 0.1$.

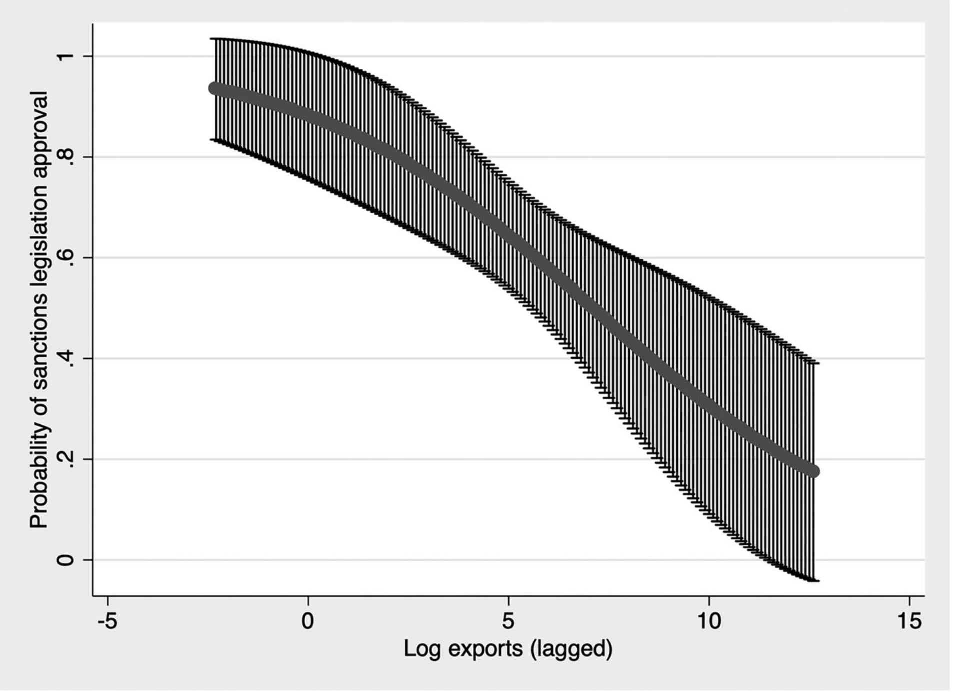

Figure 3. Marginal effect of trade relations on approval. Notes: This marginal effects plot visualizes the predicted probability of sanctions legislation approval across different levels of lagged exports. The x-axis represents lagged log exports, and the y-axis represents the predicted probability of approval, ranging from 0 to 1. A thick gray line shows the estimated relationship, indicating that the probability of approval declines as export levels increase.

controls, we find that countries previously targeted by sanctions legislation are more likely than other countries to be targeted by future sanctions legislation.

Regression Output Stage 2: Sanctions Legislation Approved

Turning to the results of the logistic regression estimating the approval of sanctions legislation, reported in Column 2 in Table 1 above, we find support for Hypothesis 3: higher levels of economic interdependence in terms of export flows between the United States and the target country significantly reduce the likelihood that sanctions legislation will be approved (figure 3). In contrast, import sanctions are positively correlated with the approval of sanctions legislation, yet the effect fails to reach statistical significance. Theoretical arguments support these findings. Import sanctions may be perceived to be less harmful, as they benefit certain domestic industries, thereby gaining some political support. On the other hand, export sanctions are typically more detrimental to U.S. businesses and thus, tend to be less popular, attracting opposition from domestic economic stakeholders that are affected by these restrictions. Based on our analysis, the probability of legislation targeting a country with the mean level of exports to the United States being approved is 0.67.[18] If the level of exports increases by one standard deviation from the mean, then the probability of legislation being approved decreases to 0.42. These results are consistent with existing research showing that sanctions senders account for the potential

[18] We hold all other variables constant to their mean or median values, respectively.

cost of their action to their own economy (Attia and Grauvogel 2023; von Soest and Wahman 2015; Schneider et al. 2025).

The statistical results for the second stage should be interpreted with caution, due to the low number of observations. Thus, we turn to anecdotal examples to illustrate these statistical findings. Indeed, economic constituencies that rely on close ties with another country have often played an important role in preventing the approval of sanctions legislation. This dynamic has frequently been evident in the U.S. relationship with China, a country about which the United States has had many concerns but has also had high levels of economic interdependence (Weiss and Wichowsky 2013). In February 2005, U.S. senators introduced legislation that would sanction imports from China, based on concern that China was giving its exporters a trade advantage by keeping its currency at a level significantly below the currency's fair market value (Morrison and Labonte 2013).[19] Major U.S. business associations worried that the sanctions would cause economically harmful Chinese retaliation and successfully urged Congress not to approve the legislation. As the U.S. Chamber of Commerce said in a lobbying report: "[T]he Chamber educated the Senate on the potentially destructive consequences of this bill on the U.S.-China economic and commercial relationship."[20] Several years later, in 2011, Congress considered a new legislative proposal to impose sanctions on China based on its currency policies.[21] Journalists reported that business associations again made it a high priority to oppose the legislation, and the legislation again was not approved (CQ Weekly 2011).

On the other hand, the results do not support our expectation (Hypothesis 4) that the approval of sanctions legislation is more likely when the legislation targets a country whose diaspora group community is linked to a U.S. foreign policy lobbying group. The lack of support for our diaspora group-related hypotheses may reflect shortcomings of our measure of diaspora group lobbying, as it does not allow us to account for heterogeneity within diaspora communities, where lobbying efforts both for and against sanctions coexist and effectively cancel each other out in aggregate measures.

As for the controls, institutional factors such as control of Congress by the party of the bill sponsor do not seem to influence the probability that legislation will be approved. This finding is consistent with research showing that foreign policy legislation—particularly on sanctions—tends to attract bipartisan support in Congress (Tama 2024). However, we do find that other institutional factors affect the approval stage. For example, sanctions legislation is more likely to be approved during congressional election years. This may reflect the popularity of these coercive measures in that legislators may see the imposition of sanctions as a means to bolster their political standing during election season (Whang 2011). Congress is also more likely to approve legislation that targets countries already subject to U.S. sanctions. Relatedly, we find that the longer the time since legislation targeting a particular country was approved, the less likely that new legislation targeting that country will be approved.

Robustness Checks

We run a series of empirical tests to probe the robustness of our results (Table 2 below). First, the sanctions legislation process follows, as noted, a two-staged process. Thus, we rerun our analysis using a bivariate probit model with selection also known as the Heckman probit (see Tables 3 in Appendix for the regression output).

[19] S. 295, A bill to authorize appropriate action if the negotiations with the People's Republic of China regarding China's undervalued currency are not successful (109th Congress).

[20] Open Secrets, "Specific Issues Reports for S.295 by US Chamber of Commerce, 109th Congress," http://www.opensecrets.org/lobby/billsum.php?id=s295-109.

[21] S. 1619, Currency Exchange Rate Oversight Reform Act of 2011 (112th Congress).

Table 2. Overview of robustness checks.

	Stage 1: Introduction						Stage 2: Approval
Main independent variables	Human rights violations	Onset armed conflict	Missile proliferation	Drug trafficking	Sponsor of terrorism	Lobby groups	Log exports (lagged)
Robustness check							
R1: Heckman probit	0.293***	0.299**	0.727***	0.397	0.809***	0.227	−0.186**
R2: Controlling for unemployment	0.498**	0.741**	1.278***	0.607	1.405***	0.408	−0.283**
R3: Controlling for economic aid	0.517**	0.725**	1.168***	0.544	1.367***	0.413	**−0.258***
R4: Controlling for missile proliferation	0.451**	0.738**	1.224***	0.619	1.264***	0.388	
R5: Lagging target behavior	0.571**	**−0.376**	1.164***	0.525	1.230***	0.369	
R6: Controlling for polarization							−0.300**
R7: Controlling for committee lead							−0.317**
R8: Controlling for sanctions type (aid sanctions dummy)							−0.301**

Notes: Table 2 presents the coefficients of the main independent variables from the regression output of each robustness check. Bolded coefficients indicate deviations from the main results in the empirical section due to a loss of statistical significance at the 10 percent level.
*** $P < 0.01$, ** $P < 0.05$, * $P < 0.1$.

The results of the main analysis hold. The likelihood of sanctions legislation being introduced increases when the target engages in the following types of misconduct: human rights violations, onset of armed conflict, nuclear tests, and engagement in terrorist activities. Yet, once sanctions legislation is introduced, the prospect of such legislation being approved is significantly lower for export partners—a finding that is in line with our main results presented above (Hypothesis 3). Similar to the main analysis, we find no support for Hypotheses 2 or 4, centered on the influence of diasporic lobby groups on sanctions legislative activities. We decide to foreground the results presented in the main analysis for two reasons: First, the Heckman probit does not allow us to run a rare event logistic regression for the first stage, yet the introduction of sanctions legislation constitutes a rare event in our sample. Second, the Heckman probit's test statistics indicate that the models can be estimated as two separate logistic regressions as opposed to a Heckman probit.

Second, we run supplementary models that include additional control variables that may serve as competing explanations for U.S. sanctions legislation activity. We start with accounting for U.S. domestic factors, such as the level of polarization in the U.S. Congress (see Table 4 in Appendix), the state of the U.S. economy measured by annual unemployment levels (Table 6 in Appendix), and a dummy variable capturing whether the member of Congress who introduced the bill was the chair or ranking member of a committee of jurisdiction for the bill, or was the Democratic or Republican leader of the chamber in which the bill was introduced (Table 5 in Appendix). Then, we also control for target-related features by using an alternative indicator for missile proliferation (Gannon 2021, Table 9 in Appendix) and account for the level of U.S. financial assistance levels to the target (USAID 2018, Table 7 in Appendix) as it has been shown to affect the materialization of sanctions threats (B. R. Early and Jadoon 2019). Relatedly, we include a dummy variable that captures whether the sanctions legislation only concerns the suspension of foreign assistance, as the decision-making behind foreign aid withdrawal may be distinct (Table 8 in Appendix). The results presented in the main analysis largely hold and the additional controls have no significant effect on the introduction or approval stage.

Third, we rerun the models estimating the likelihood that sanctions legislation will be introduced using different temporal measures of the variable that captures changes in the target's behavior. The goal of this exercise is to understand whether the introduction of legislation is influenced by target behavior change that occurred during the year before legislation is introduced (Table 10 in Appendix). Looking at the results, we find that the results presented in our main analysis hold for all variables apart from the onset of armed disputes. We stick to the unlagged variables as empirical case evidence suggests that Congress responds to these issues in a timely manner. As noted above, within two weeks of Russia's 2014 invasion of Ukraine, a member of Congress introduced legislation to impose sanctions on Russian nationals involved in the invasion. Similarly, within two weeks of Russia's larger 2022 invasion of Ukraine, a member of Congress introduced legislation suspending normal trade relations treatment for Russia. Moreover, only two months after North Korea conducted nuclear weapons tests in 2013, Congress responded by passing sanctions legislation that addressed the matter. Thus, behavioral changes on such salient issues do not seem to have a lagged effect on our outcome of interest.

Conclusion

An extensive line of literature has highlighted the direct and indirect influence of Congress in a range of different U.S. foreign policy areas (Auerswald and Campbell 2012; Howell and Pevehouse 2007; Kriner 2010; Lindsay 1994). Some prior work has discussed the role of Congress on U.S. sanctions policy more specifically (Hatipoglu 2014; Miller 2014; Tama 2020). But when considering determinants of congressional action on sanctions, scholars have generally focused only on the role of domestic interest groups (Kaempfer and Lowenberg 1992; Paul and Paul 2009; Rubenzer and Redd 2010; Smith 2000).

In this paper, we posit that legislators are also responsive to international conditions when taking actions involving sanctions. We also argue that the factors shaping sanctions policymaking vary across the different stages of the legislative process. We run a two-staged analysis on U.S. legislative sanctions proposals introduced and approved by the Congress from 1987 to 2014 and find support for our argument. First, objectionable target behavior makes the introduction of legislative sanctions proposals more likely. Second, higher levels of U.S. dependence on exports to a target make the approval of such proposals less likely. Third, we do not find support for an effect of a mobilized diaspora community on the introduction or approval of sanctions legislation, though this finding may be driven by data limitations. We complement the findings of our logistic regressions with anecdotal examples from cases including China, Russia, and Haiti. Collectively, our findings reinforce the findings of other studies showing that legislative behavior on foreign policy is responsive to international developments (Cutrone and Fordham 2010; Henehan 2000; Walldorf 2008), and that interdependence tends to reduce the likelihood of nonmilitary disputes escalating in intensity (Pevehouse 2004).

In sum, the paper adds to our understanding of U.S. sanctions policy and U.S. foreign policy more generally. Existing work shows that the U.S. executive avoids the implementation of human rights sanctions against geostrategic partners, a practice often criticized—even by groups in Congress (Attia and Grauvogel 2023). Our results contribute to this line of literature by showing that Congress also avoids approving sanctions legislation targeting countries that are major recipients of U.S. exports. The results emphasize efforts to minimize the potential costs of sanctions to the U.S. by carefully selecting the sanctions targets.

Future research could build on our findings in six ways. First, our paper is concerned with the determinants of legislation being approved by Congress and the question of whether international as well as domestic factors influence this aggregate process. As a consequence, the results do not apply to individual members of Congress. Future research can investigate how the characteristics of individual legislators influence their respective sanctions-related activities. Second, our analysis centers on the consideration of legislation and does not consider other activities by members of Congress. Further work could investigate the domestic and international drivers of congressional statements calling for sanctions or purely symbolic resolutions criticizing other countries. Third, we focused on a specific type of domestic groups, namely, diaspora groups, yet a variety of other domestic groups may also influence legislative activity on sanctions, from values-based nongovernmental organizations to defense contractors. Future work could advance this line of inquiry by coding more detailed data on diaspora activity, as well as by investigating the influence of non-diaspora advocacy, such as lobbying by human rights groups, religious organizations, or business associations. Fourth, future research could investigate whether legislative sanctions are more effective than executive ones in terms of extracting concessions from the targeted countries. Fifth, scholars could investigate whether and to what extent legislation influences the behavior of other countries when it is introduced but not approved. Sixth and finally, scholars could investigate when legislators in other countries move to propose or impose sanctions on foreign nations to assess the generalizability of this paper's findings.

Supplementary material

Supplementary material is available at *Foreign Policy Analysis* online.

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