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American Politics Research 2011 39: 724 originally published online 13 December 2010
DOI: 10.1177/1532673X10390447

American Politics Research
39(4) 724–753

DOI: 10.1177/1532673X10390447
http://apr.sagepub.com

Institutional Context and Party Power: Member Participation and Leadership Strategy in the Lame-Duck Congressional Era

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Abstract

The authors examine how institutional context affects political decision making in Congress by investigating party leaders' agenda construction strategies and members' roll-call participation across regular and lame-duck sessions in the pre-Twentieth Amendment House (1877-1933). The authors find evidence to suggest that party leaders pursued relatively more partisan agendas in lame-duck sessions and did so successfully. Next, we investigate the effects such agendas had on roll-call participation. The authors find that returning (reelected) members significantly *decreased* their abstention levels, while departing (defeated and retiring) members significantly *increased* their abstention levels. Yet the authors also find that departing members could be drawn to participate on certain types of roll-call votes even in the face of strong incentives to shirk. Party leaders rely on the generally higher levels of participation by returning members as well as the selective participation of departing members to overcome "participatory agency loss" and pass surprisingly partisan lame-duck agendas.

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Keywords

U.S. Congress, roll-call voting, roll-call participation, abstention, Lame Duck era, party leadership, agenda setting

Introduction

On September 21, 2010, Senate Democrats failed to invoke cloture (56 in favor, 43 opposed) on a motion to proceed on S. 3454, the National Defense Authorization Act. While appropriations bills are generally considered to be noncontroversial, the opposition on this proposal stemmed from the decision by Senator Harry Reid (D-NV), the Majority Leader, to use the military appropriation bill as the vehicle with which to attach the DREAM Act, which, if adopted, would have permitted openly gay men and women to serve in the military as well as provided an avenue to citizenship for the children of illegal aliens who attend college or served in the armed forces (Donnely, 2010, p. 2232). The successful effort by Republicans to stop consideration of a bill that included the DREAM Act does not necessarily kill the prospects for its ultimate passage. Proponents of the measure, including Senator Reid, hinted that it could be considered in a lame-duck session, after the November elections. On its face, a lame-duck strategy of that sort has a certain appeal for the bill's supporters, as the reelection incentive (and potential constituency fallout) is not paramount on members' minds. It does not, however, come without a risk of failure, as Senator Carl Levin (D-MI) points out when he states that "Anyone who tries to predict what will happen in [a] lame duck [session] has got a lot more courage than I do" (Greenblatt, 2010).

Levin's statement regarding uncertainty over outcomes in a lame-duck session is not without foundation, especially in the current political environment. Anti–lame-duck session sentiment is strong among the political right. Republicans are well positioned to retake control of Congress and worried that the congressional Democrats may try to use a lame-duck session to ram though an array of liberal legislation. Conservative Tea Party groups such as Freedom Works and Americans for Prosperity are campaigning actively against lame-duck sessions, while former speaker of the House Newt Gingrich (R-GA) is encouraging conservative followers to send a preprinted petition to their representatives pressuring them to pledge that they will not participate in a potential lame-duck session (Weigel, 2010).

These vignettes convey the strategic considerations faced by party leaders when deciding how to proceed in a postelection session. For example, lame-duck sessions may serve as a means to pursue a partisan agenda by drawing

upon the support of departing (defeated and retiring) members. Successfully executing such a strategy is far from certain, however. First, leaders must navigate the lame-duck waters with care, as they cannot be certain about members' willingness to do much in these sessions outside of passing relatively benign or "must-pass" legislation. These sessions are typically marked by increased abstention on roll-call votes, especially among departing members. An additional concern for the majority is a highly unified minority party that is opposed to a lame-duck agenda that would significantly change policy. That opposition may be stoked by groups encouraging members not to participate in a lame-duck session. Thus, it is not clear what type of agenda will emerge in such a political environment.

Concerns of this sort are not limited to the potential lame-duck session agenda of the current Congress. Party leaders faced these same problems throughout much of American history when the lame-duck session was a regularly occurring part of the Congressional calendar. In this article, we investigate how the increased uncertainty surrounding the lame-duck session—specifically, increased uncertainty regarding members' roll-call participation—affected the ability of the majority party to assemble a legislative agenda that could achieve policy victories. We focus on the period between the end of Reconstruction and the implementation of the Twentieth Amendment (1877-1933), when the lame-duck session was in full flower. A more detailed "roadmap" appears at the end of the following section.

Historical Background and Empirical Predictions

Despite being a regular part of the congressional calendar for nearly a century and a half, lame-duck sessions have elicited little systematic scholarly attention across time. Instead, anecdotal accounts have abounded, most claiming that lame-duck sessions were fraught with agency problems (see Jenkins & Nokken, 2008b). For example, many reformers, like Senator George W. Norris (R-NE), believed the mix of different member types (with their different incentives) in lame-duck sessions created incentives for corruption; indeed, Norris often argued that a logroll between the president and departing members operated openly in lame-duck sessions, as lame ducks eagerly did the president's bidding in the hopes of receiving a lucrative executive appointment (Crowe, 1969; Norris, 1926, 1945).

The motivation for Norris' efforts to eliminate lame-duck sessions was an unpopular ship subsidy bill considered in 1922 in a special lame-duck session of the 67th Congress (Crowe, 1969; Norris, 1945). Republican leaders in the

House refused to bring the matter to the floor for consideration prior to the November elections because of intense public opposition. After suffering heavy losses in the midterms—114 Republicans would be departing—Republican leaders brought up the bill and were able to secure passage in the House largely because of support from lame-duck Republicans (Goodman & Nokken, 2004). Norris argued that House action on the bill exemplified the problems inherent in the lame-duck sessions. First, defeated members, despite being repudiated by the electorate, could provide potentially pivotal support for unpopular legislation. Second, promises of executive appointments could prove especially effective at securing the votes of departing members. Arguments like these, made over the next decade, eventually helped Norris win passage of the Twentieth Amendment, which among other things eliminated the regularly occurring lame-duck session.

Norris' perception of the lame-duck session as rife with vote trading and political intrigue was not universally held. Opponents of the elimination of the lame-duck session note that while the ship subsidy bill passed the House, it eventually died in the Senate.[1] Senator James Reed (D-MO) defended the lame-duck session from critics: "I challenge any man in this body to tell me a single law that was passed at a short session that illustrates in any striking manner the evils of the short session" (Reed, 1926, p. 229). Reed goes on to argue that even had such legislation passed in a lame-duck session, the subsequent Congress was free to change it or any other law it deemed necessary. The primary function of such sessions was, as former House Speaker Thomas B. Reed (R-ME) stated, "a business session, it is one in which a great deal of business is transacted; and that happens because everybody knows that the time is limited, and everybody sets to work" (quoted in Kennedy, 1926, p. 236). Members' views of the lame-duck session seem to reflect an opinion that the effectiveness (or ineffectiveness) of such sessions varied from Congress to Congress. Some notable pieces of legislation, such as the Pendleton Act in 1883 (Theriault, 2003) and the Interstate Commerce Act in 1887, did pass in lame-duck sessions. Generally, though, members spent a significant amount of time in lame-duck sessions disposing of more routine matters such as the consideration of annual appropriations bills—sometimes completing the work by session's end, sometimes not (Rogers, 1919, 1925).

The arguments advanced by both supporters and opponents of the elimination of the lame-duck session offer some useful insight into the session's unique procedural setting. Lame-duck sessions could be characterized by an environment of political intrigue and shenanigans resulting from the participation of departing legislators, as Norris contended. However, they were also

accurately described as intense sessions in which legislators sought to finish work—or impede progress—on remaining agenda items. In this article, we investigate how party leaders went about devising a legislative agenda in the potentially disruptive setting of the lame-duck session and then assess how the different types of votes on that agenda influenced the participation of member across sessions.

Much of the existing scholarly studies of lame-duck sessions focus exclusively on roll-call voting behavior, concluding that departing members did not necessarily vote differently, they simply voted less often (Loomis, 1995; Poole & Rosenthal, 1997). Recently, a systematic examination of the politics of lame-duck sessions has emerged, focusing on a variety of topics, including member voting, party pressure, agenda control, and agency issues. We briefly review some of the main findings. First, Jenkins and Nokken (2008b) investigate various arguments about "agency loss" in lame-duck sessions, the clearest example of which is related to the elimination of the electoral connection—which constituted the basis for Norris' claims about corruption. Despite Norris' strong rhetoric, they found no systematic evidence that departing members shirked excessively or supported the president at significantly higher levels in their last terms of office. Agency issues potentially affected party leaders as well, as departing members were freed not only from electoral constraints but party constraints as well, making them decidedly less responsive to leaders' arm-twisting efforts. As Jenkins and Nokken (2008a) show, the proportions of pressure votes varied predictably across sessions: A *lower* proportion of positive pressure votes and a *higher* proportion of negative pressure votes took place in lame-duck sessions compared to regular sessions.[2] In regular sessions, when members were largely beholden to them, party leaders actively turned the screws, which resulted in positive pressure. In lame-duck sessions, with a mix of members that included a sizeable group no longer beholden to them, party leaders responded with a "light touch," which resulted in negative pressure.

The elimination of the partisan connection for departing members carried with it additional implications for party leaders' efforts to craft a legislative agenda. A key component of such agenda control is *negative agenda control*, the ability of majority-party leaders to prevent issues opposed by a majority of their members from reaching the floor (see Cox & McCubbins, 2005). Jenkins and Nokken (2008a) analyze roll rates on final-passage votes across sessions and find that the frequency of majority-party rolls in lame-duck sessions *increased* prior to changes in majority control. They argue that such increases were the result of "strategic rolls," whereby the party leadership allowed bills to reach

the floor that split the majority coalition but also minimized future policy losses by beating the incoming majority to the punch. They interpret these results to mean that lame-duck sessions were characterized by more consensual legislation (as indicated by lower minority-party roll rates relative to regular sessions), as majority-party leaders realized that they had a relatively weak hand to play.

The pre–Twentieth Amendment lame-duck era provides a useful venue with which to assess how important institutional and contextual factors were in influencing the nature of the legislative agenda. If lame-duck sessions were characterized generally by a greater level of uncertainty, miscalculations in the construction of the agenda could lead to perverse outcomes for the majority party. The leadership must then account for such uncertainty and construct an agenda appropriate for that specific institutional context. We do not necessarily expect to see dramatic overhauls in the agenda as the House moved from regular to lame-duck sessions, but would expect to find adjustments to the agenda along the lines of those described by Jenkins and Nokken (2008a).

We build on this recent lame-duck-related research by exploring in more detail the agenda strategies adopted by party leaders in postelection sessions. In particular, we analyze a variety of factors that tap, albeit indirectly, the content of the legislative agenda. Agenda construction decisions of this sort likely carried with them important implications for members' voting behavior. One of the questions we address is whether variation in roll-call participation is a function of the nature of the lame-duck agenda. It strikes us that the leadership's agenda construction strategies are closely tied to concerns about roll-call participation.

The linkage between lame-duck sessions and roll-call participation is clear: Departing members voted less often (Loomis, 1995; Nokken, 2007; Poole & Rosenthal, 1997). Departing members possessed fewer incentives to cast roll calls in lame-duck sessions. Participation on the part lame-duck members was likely influenced by the type of roll call under consideration, putting additional pressures on the leadership's task of constructing an agenda. Encouraging the participation of returning members was relatively easy. They retained significant incentives to turn out and vote in the hopes of receiving party-controlled benefits such as committee assignments in the subsequent Congress. Departing members, on the other hand, no longer possessed such incentives and thus were much tougher targets. Unless lame ducks decided to stop voting completely, their participation was likely influenced by some form of selective responsiveness to the type of vote under consideration.

Such participation effects, however, need not be limited to members' status as returning or departing. Partisan considerations likely mattered too,

especially in lame-duck sessions that preceded a change in party control. Majority and minority status could serve to affect turnout. While the agenda under consideration was largely shaped by the majority party, minority-party leaders were not necessarily helpless bystanders. They often sought to pressure members to participate on roll calls and proved particularly effective at doing so (Forgette & Sala, 1999). It is plausible that such factors may explain changes in participation across regular and lame-duck sessions generally as well as to explain *when* lame ducks actually showed up to vote.

The article proceeds as follows. In the next section, we incorporate more than 50 years of House roll-call data and utilize a variety of measures to evaluate whether the content of the legislative agenda changed from regular to lame-duck sessions in a manner consistent with what we described above. We then conduct a series of analyses to determine whether roll-call participation is responsive to agenda-specific characteristics. We assess how the agenda changed across regular and lame-duck sessions and then proceed to evaluate members' roll-call participation in the move from the regular to lame-duck session. We conclude by summarizing our findings and discussing their implications.

Evaluating Agenda Construction Across Legislative Sessions

Our first set of analyses focus on the content of the legislative agenda in lame-duck sessions. We investigate whether the change in the composition of House membership from regular to lame-duck sessions affected the agenda strategies used by party leaders. Lacking a direct measure of the legislative agenda across sessions, we utilize specific categories of roll-call votes to draw some conclusions about how leaders adapted to the postelection sessions in the pre–Twentieth Amendment era. We focus specifically on the period between 1877 and 1933 (45th-72nd Congresses), which represents the post-Reconstruction, pre–New Deal era in U.S. history; this period was stable politically, as a durable two-party system was in operation, and should provide a suitable venue for our set of analyses.[3]

As Table 1 shows, Congress often tackled a significant workload after the November elections. Over the time period we study, nearly 29% (2,044 of 7,060) of House roll calls were held in lame-duck sessions. The proportion of votes in these short sessions ranged from a low of 13.1% in the 53rd Congress to a high of 62.7% in the 57th, yielding a per-Congress average of 30.2%. Quite clearly, these were substantive congressional sessions and not mere afterthoughts.

Table 1. Frequency of Roll-Call Votes, by Session

Congress	Votes: Regular session.	Votes: Lame-duck session	Unity votes: Regular session.	Unity votes: Lame-duck session
45	261	116	190	87
46	320	119	248	85
47	249	100	163	77
48	188	146	121	97
49	203	103	132	73
50	207	112	100	70
51	414	173	342	149
52	224	80	110	31
53	324	49	146	29
54	100	62	74	39
55	146	37	118	27
56	87	62	65	50
57	69	116	56	68
58	55	32	51	27
59	102	34	70	30
60	268	44	138	39
61	132	70	114	47
62	194	68	130	28
63	214	68	144	32
64	96	61	64	27
65	203	63	86	34
66	247	89	106	48
67	297	65	174	44
68	125	54	78	29
69	81	33	39	13
70	54	18	27	11
71	70	33	42	19
72	86	37	50	22

Agenda construction in lame-duck sessions can be a tricky endeavor for party leaders. Much of the difficulty stems from the change in roll-call behavior exhibited by departing members—they may make adjustments to the ideological tenor of their roll-call behavior, and they may abstain more often. When constructing that agenda, leaders seek to advance policies that make

the majority party better off and see them passed. In light of such constraints, leaders might pursue one of three possible paths when devising a lame-duck session agenda. First, leaders may consider the lame-duck session a mere extension of the preceding regular session and make no changes to the types of proposals sought for floor consideration. Second, leaders could push a more partisan or ideologically extreme agenda on the backs of departing members immune from constituent pressures and thus free to support the party line with no electoral cost. Lastly, leaders might prove somewhat risk averse in the face of the increased uncertainty surrounding lame-duck sessions and opt to pursue a more moderate agenda that could succeed while making the party no worse off in policy terms.

As a first step to evaluate what the agenda looked like in regular and lame-duck sessions, we compare the percentage of winning roll calls across sessions. Comparing the passage rates across sessions provides a simple yet important evaluation of our characterization of agenda construction strategy—that winning on the floor is an important concern. In this regard, leaders prefer *not* to allow items to reach the floor when the outcome is not known with a high degree of certainty. This preference for success leads us to expect consistent passage rates across sessions.

As Figure 1 illustrates, the session-level passage rates tend to track together for most of the series. Both the regular and lame-duck sessions have average passage rates of 67%. An equality of proportions tests reveals that difference is statistically insignificant using a two-tailed test ($z = -0.11$).[4] Accounting for the partisan context—whether the majority in the impending Congress will change or remain the same—uncovers no notable change in passage rates across sessions. In those Congresses in which the current majority would retain control, the regular session average was 70% compared to 68% in lame-duck sessions ($z = 0.87$). When majority control would change, the regular session passage rate was 62% compared to a lame-duck average of 65% ($z = -1.05$).[5]

While passage rates speak to one important aspect of agenda construction—concern about winning—they do not provide information about an important element of leaders' agenda construction strategy: the mix of particular types of votes. We, therefore, undertake additional analyses to determine whether we observe differences in the types of roll calls held, and the ideological tenor of the roll-call votes across regular and lame-duck sessions. To evaluate the agenda content further, we compare the relative frequency of party-unity votes—votes in which a majority of Democrats voted in opposition to a majority of Republicans—across sessions.

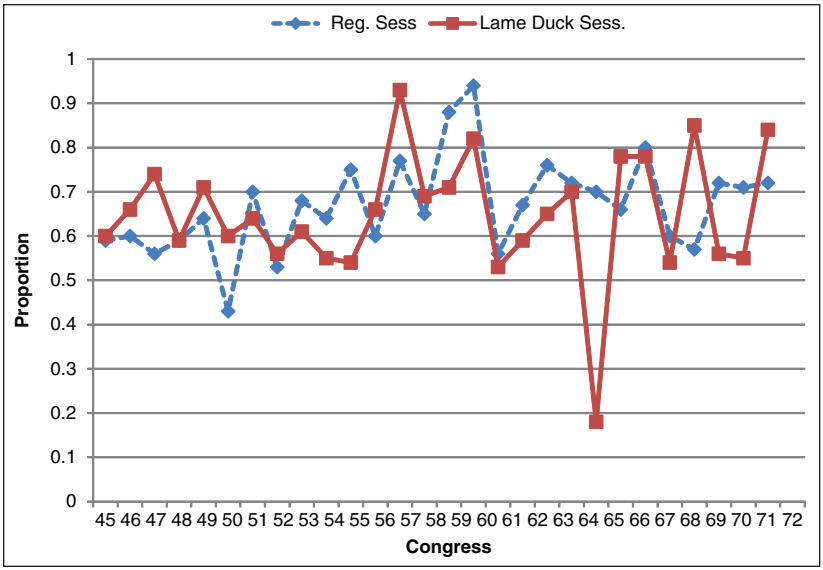

Figure 1. Roll-call passage rates by session, 45th through 72nd Congresses

The time series plot of the percentage of regular and lame-duck session party-unity votes is displayed in Figure 2. The plots provide little in the way of visual evidence to suggest systematic differences between regular and lame-duck sessions. Next, we use equality of proportions tests to assess the significance of potential differences in the share of party-unity votes across regular and lame-duck sessions for the entire series and then by whether or not party control of the House would change.[6] The percentage of party-unity votes in lame-duck sessions nominally exceeds that of the regular session, 65.2% compared to 63.4%, but that difference is not significant ($z = -1.44$, $p < .15$, two-tailed test). In lame-duck sessions that preceded a change in party control of the House, however, we find a significantly *greater* percentage of party-unity votes (70.9% vs. 64.7% in the corresponding regular sessions; $z = -3.03$, $p < .002$, two-tailed test).[7]

The higher proportion of party-unity votes in lame-duck sessions preceding changes in party control could indicate the outgoing majority is attempting to push a more ideologically extreme agenda. Alternatively, it could indicate a more highly unified minority party opposing the outgoing majority not solely in spatial terms, but an active minority trying to stop them from passing anything before they cede majority control. Our next set of tests provide a more direct assessment of the nature of the agenda in both regular and lame-duck

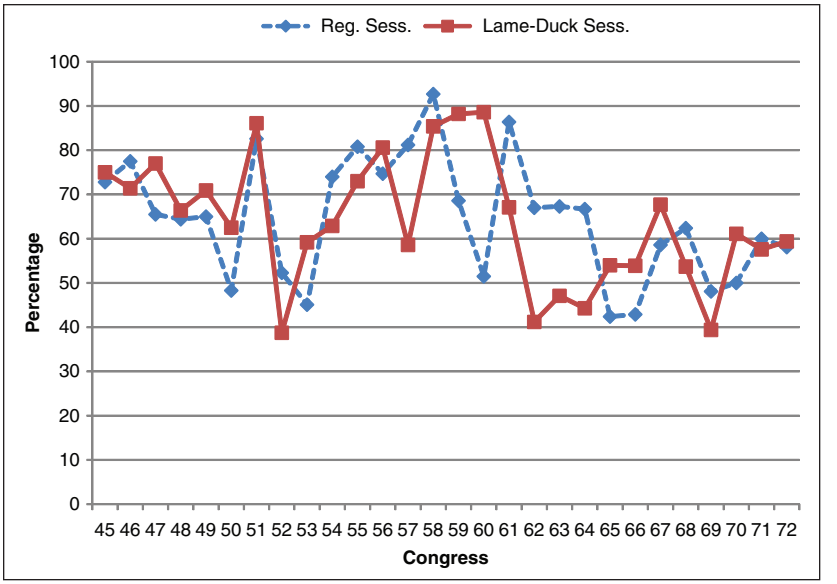

Figure 2. Percentage of party-unity votes by session, 45th through 72nd Congresses

sessions. We run a set of regression analyses to estimate the relative positions of the cutpoints on each scalable roll call in an effort to identify the type of agendas crafted by party leaders across sessions. In particular, the regressions will reveal whether the relative location of cutpoints moves toward the ends, toward the middle, or remain unchanged.

The dependent variable for our two regression models is the first dimension DW-NOMINATE spatial coordinate of the roll-call cutpoint for each scalable roll-call vote.[8] To determine whether parties pursue more extreme or moderate agendas, we need to specify the model to account for potential shifts, recognizing that the direction of those shifts likely varies by party. We take advantage of an estimation strategy utilized by Monroe and Robinson (2008).[9] Because we are interested in session-based effects, we include a dummy variable coded 1 for lame-duck sessions, 0 otherwise. We include a dummy variable coded 1 for Republican majorities, 0 otherwise. Next, we include an interaction of the GOP majority and lame-duck variables. In a second estimation, we include a chamber median variable. It takes the value of the first dimension DW-NOMINATE coordinate of the median legislator for each Congress and serves as a control to determine whether statistically significant effects are driven by the location of the chamber median.

Table 2. Regression Results, DW-NOMINATE Cutpoints

Variable/Model	1	2
Constant	–0.058 ***	–0.008
	(0.008)	(0.017)
Lame-duck session	–0.042***	–0.042***
	(0.014)	(0.014)
Republican majority	0.051***	–0.091**
	(0.011)	(0.038)
Republican majority * Lame-Duck Session	0.065***	0.066***
	(0.020)	(0.020)
Chamber median	—	0.279***
	—	(0.070)
Linear combination	–0.007	–0.094***
	(0.007)	(0.0023)
F	23.76***	22.46***
N	6,334	6,334
R^2	0.014	0.014

Note: OLS estimates with robust standard errors in parentheses.
*$p < .10$. **$p < .05$. ***$p < .01$.

Model 1. Predicted Cutpoints

Variable	Democratic majority	Republican majority
Regular session	–0.058	–0.007
Lame-duck session	–0.100	0.016

Model 2. Predicted Cutpoints

Variable	Democratic majority	Republican majority
Regular Session	–0.002	–0.093
Lame-duck session	–0.016	0.001

Note: Chamber Median set at mean value (0.102).

The two variables in which we are most interested are the lame-duck dummy variable, which captures the effect on the cutpoint in lame-duck sessions under Democratic majorities, and the interaction term, which captures the same effects under Republican majorities. The results, displayed in Table 2 indicate statistically significant lame-duck effects under *both* Democratic

and Republican majorities. In particular, these results indicate that the agenda pursued by the parties' leaders in lame-duck sessions are actually *more ideologically extreme* than in regular sessions. The statistically significant negative coefficient on the lame-duck variables indicates leftward shifts in cutpoints during lame-duck session roll calls with Democratic majorities. The statistically significant positive coefficient on the interaction term indicates rightward shifts in cutpoints on votes in lame-duck sessions under Republican majorities. To provide some insight into the magnitude of the effects, which is of particular importance due to the inclusion of the interactive term, the bottom portion of Table 2 presents the predicted cutpoints for the two regression models.[10] In the move from regular to lame-duck sessions, Democrats move the cutpoints to the left and Republicans move them to the right. Those shifts, however, are rather modest: 0.042 and 0.014 for Democrats, and 0.23and 0.008 for Republicans.

These results shed some light on the types of roll calls held in lame-duck sessions. Rather than simply trying to pass a benign or more moderate agenda, party leaders actually appear to pursue a modestly more partisan agenda, and, as we show, do so quite successfully. A partisan agenda strategy of this sort requires leaders to work to ensure that agenda passes. That, in turn, requires leaders to assemble a reliable coalition of members to do the heavy lifting and cast what could be potentially difficult votes. Identifying who those members are in the lame-duck session could prove rather challenging. As returning members cared about future benefits the party leadership could provide (like committee assignments, privileged positions for their pet bills on the legislative calendar, etc.), they would seem the most likely to comprise the group of supporters. Relying on departing members, on the other hand, would seem to be a risky bet because they are less likely to participate and may vote differently in the lame-duck sessions. Leaders would tend to rely on the votes of their returning members to pass the agenda, expecting only sporadic assistance from departing members who *might* be persuaded to participate in certain circumstances. The leaders' task, therefore, was to determine which items reached the floor while recognizing that their choices had potentially significant effects on the participation of different categories of members.

In some instances, the participation of lame ducks was of little concern, while in other cases lame-duck participation was potentially pivotal. In the next section, we investigate roll-call participation across sessions. We focus on two elements of participation: how lame-duck status influenced participation rates, and how roll-call specific factors influenced overall participation rates.

Legislative Agenda and Roll-Call Participation Across Legislative Sessions

The link between lame-duck status and roll-call participation is well noted and not surprising—departing MCs' vote significantly less often. Indeed, the continued participation of departing members was one of the key reasons why Senator Norris lobbied for the elimination of the lame-duck session. The story generally ends there, which leaves out some important contextual settings. First, and most notably, we analyze the roll-call participation of both departing and *returning* members. Second, even with the increased participatory shirking of lame-duck members, most still continue to cast *some* roll-call votes in their final days. It strikes us that leaders understood how certain factors influenced the roll-call participation of both departing and returning members. That understanding was especially important given they pushed a relatively extreme agenda that passed in the lame-duck session.

In this section, we analyze roll-call participation rates. In particular, we compare abstention rates of different categories of members across sessions to determine how these different sets of members respond in lame-duck sessions. Next, we specify a series of regression models to evaluate how particular roll-call characteristics influenced the participation of different sets of members across sessions.

Our first set of analyses looks at the average abstention rates across sessions for returning and departing members. We expect increased abstention among departing members in the lame-duck sessions. The anticipated effect on returning members, however, is not as clear. One might expect essentially constant abstention rates across session for returning members for two reasons. First, and most simply, many of them will already be in Washington since they will be serving in the subsequent Congress that convenes the following March. Second, they possess greater incentives to be good partisans and participate on roll call votes.

The average abstention rates by session for returning and departing members are displayed in Figures 3 and 4, respectively. Both series exhibit notable variation over time, but Figure 3 reveals a number of observations in which regular session abstention rates for returning members exceed lame-duck session rates. As expected, the series for departing members in Figure 4 reveals a number of instances in which the lame-duck abstention rates exceed those of the regular session. As a more rigorous test, we utilize a difference of means test to determine whether average abstention rates differ significantly across sessions. Among returning members, we find significantly *lower* levels of abstention rates in lame-duck sessions: 28.3% in regular sessions compared

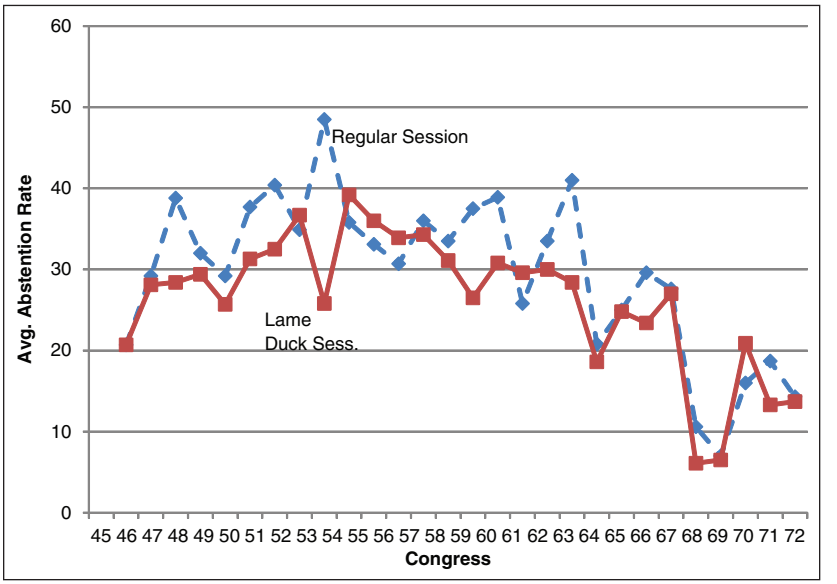

Figure 3. Returning members' average abstention rates by session, 45th through 72nd Congresses

to 25.1% in lame-duck sessions ($t = 10.02$, $p < .001$, two-tailed test).[11] On a Congress-by-Congress basis, we found 18 instances of statistically significant differences in abstention rates. In 13 of those, returning members exhibited significantly lower levels of abstentions in lame-duck sessions.

As expected, departing members exhibit statistically significant increases in abstentions, moving from an average of 33.9% in regular sessions to 37.3% in lame-duck sessions ($t = -5.72$, $p < .001$, one-tailed test).[12] Looking at individual Congresses, a majority of them—15 of the 28 we analyze—are marked by statistically significant increases in lame-duck abstention for departing members.[13]

The political context in which lame-duck sessions convened also influenced abstention rates. Looking first at those Congresses in which majority control of the chamber would remain the same, we find that returning members exhibited lower average abstention rates in lame-duck sessions while departing members significantly increase their abstention. The abstention rates of returning members drop from an average of 27.5% in regular session to 24.9% in lame-duck sessions ($t = 6.85$, $p < .001$, two-tailed test). The average for departing members increases from 33.2% in regular sessions to 37.9% in

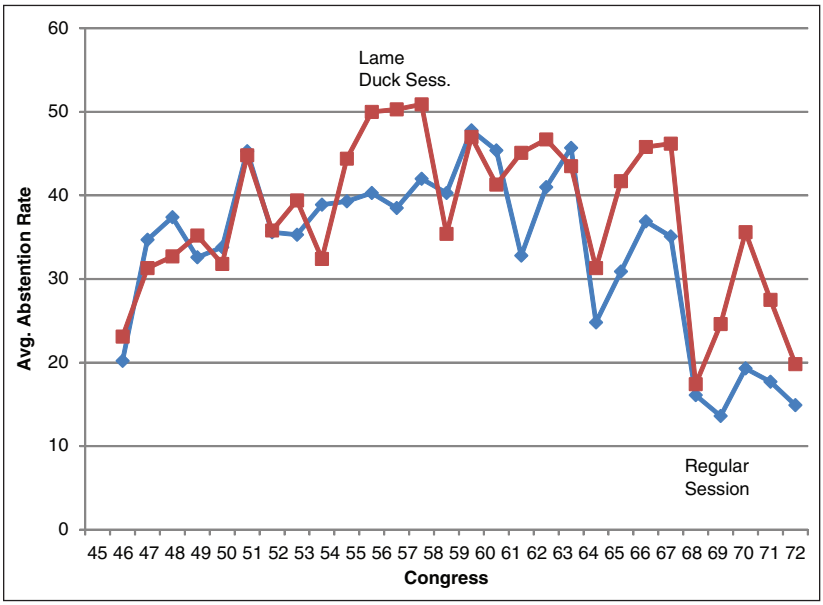

Figure 4. Departing members' average abstention rates by session, 45th through 72nd Congresses

lame-duck sessions ($t = -6.22$, $p < .001$, one-tailed test). A somewhat different picture emerges in the lame-duck sessions preceding a change in party control. Returning members continue to exhibit lower abstention rates in lame-duck sessions (30.7% in regular sessions vs. 25.5% in lame-duck sessions ($t = 8.39$, $p < .001$, two-tailed test). The cross-session differences in abstention rates among departing members in these Congresses (35.3% in regular sessions vs. 36.4% in lame-duck sessions) fail to reach standard levels of statistical significance ($t = -1.06$, $p < .15$, one-tailed test).

Generally, returning members appear to ratchet up participation to compensate somewhat for the increased participatory shirking exhibited by lame-duck members. Changes in partisan control exert notable effects on the participation of *both* departing and returning members. Returning members increase their participation, while departing members maintain a constant rate of participation across sessions. Both sets of findings bolster our assertion that the institutional context of particular lame-duck sessions serve to shape the behavior of both types of members. Returning members clearly retain

partisan responsiveness while lame ducks appear to possess some residual levels of responsiveness triggered by this particular context.

These analyses provide a fairly clear picture of significantly higher lame-duck session abstention rates for departing members when compared to returning members. Clearly, our expectation is that the number of departing members voting in lame-duck sessions should, *ceteris paribus*, decline. These findings though, provide an avenue with which to investigate the nature of roll-call participation more extensively. For instance, our difference in means tests show that returning members increase roll-call participation in lame-duck sessions. In addition, we find that participation was influenced by the roll-call type and by the partisan setting in which the lame-duck sessions convened. Our task, then, is to specify a test that allows us to assess potential effects on participation across sessions on different vote types and different partisan contexts for different categories of members.

We specify a series of regression models to predict the proportion of members abstaining *on individual roll-call votes* from the 45th through 72nd Congresses.[14] The unit of analysis for these regressions is the individual roll call, and the data set is comprised of all roll-call votes from the 45th through 72nd Congresses (a total of 7,060 votes). These regression analyses provide us with leverage to investigate the participatory effects resulting from three factors: the move to lame-duck sessions, different types of roll-call votes, and the institutional context in which the lame-duck session convenes. In addition, we are interested in examining the changes in abstention rates among departing and returning members generally and by majority- and minority-party status. As such, we construct the following dependent variables: the proportion of abstentions among departing members (Model 1); returning members (Model 2); departing minority-party members (Model 3); departing majority-party members (Model 4); returning minority-party members (Model 5); and returning majority-party MCs (Model 6).[15] This coding provides for a direct comparison of departing and returning members, on the one hand, as well as a means to assess how partisan status influences the abstention rates of the two types of members across sessions.[16]

The independent variables capture important characteristics thought to influence participation on each vote. The variables of primary interest are those that capture potential lame-duck session effects. The first is a lame-duck dummy variable coded 1 for votes held in lame-duck sessions, and zero for votes in regular sessions. Next, we account for a number of specific types of roll-call votes. We created dummy variables to identify party-unity votes, positive party pressure votes, and negative party pressure votes. In order to isolate any lame-duck effects, we create a series of interactions variables. We multiply

each of the three vote-type variables by the lame-duck dummy. To account for important contextual differences across Congresses, we include a variable coded 1 for those Congresses preceding a change in majority control, 0 otherwise. Once again, we expect that lame-duck sessions preceding changes in partisan control of the chamber create a different political environment; therefore, we interact the change in majority control variable with the lame-duck variable.

We also include a series of control variables. When votes are held influences the relative costs of participation, so we include a variable coded 1 for votes that take place midweek (Tuesday, Wednesday, or Thursday), and 0 otherwise. To account for the relative closeness of the vote, we include a variable that measures the margin of victory/defeat, operationalized as [|yeas—nays| / (yeas + nays)]. Finally, we include an outcome variable coded 1 for victorious measures and 0 otherwise.

The results of the various models are presented in Table 3. First, as indicated in Column 1, we find that a larger proportion of departing members abstain on roll calls held in lame-duck sessions, per our expectations. In each of the three specifications for departing members, the percentage of departing MCs participating on roll calls held in lame-duck sessions declines between 3.9% (Model 4) and 4.6% (Model 1). Once again, we find that *fewer* returning members abstain in lame-duck sessions and that finding is robust across specifications. Our aggregate model (Model 2) shows a 3.3 percentage-point increase in lame-duck session participation by returning members. When broken down by party status, turnout is 3.9% greater in lame-duck sessions for returning members regardless of majority/minority status.

Though statistically significant, the magnitude of change is relatively modest. To illustrate, we use the results from the aggregate models to calculate the number of members voting and not voting. If we assume 100 departing members and 335 returning members—these are arbitrary, yet representative values for this time period—the move from regular to lame-duck session results in an additional 4.6 members abstaining among departing members and an additional 11 votes on from returning members. We identify an interesting dynamic: While departing members, regardless of majority/minority status, decrease their participation in lame-duck sessions, returning members seem to make up for that "agency loss" by *increasing* their participation. Returning members had strong incentives to respond accordingly, lest they risk losing out on the resources distributed by the party or even possible being subjected to sanctions by leaders.

Table 3. Proportion of Roll-Call Abstentions, 45th Through 72nd Congresses

	Departing members	Returning members	Departing members minority party	Departing members majority party	Returning members minority party	Returning members majority party
	(1)	(2)	(3)	(4)	(5)	(6)
Lame-duck session vote	0.046***	–0.033***	0.044***	0.039***	–0.039***	–0.039***
	(0.007)	(0.006)	(0.008)	(0.007)	(0.008)	(0.006)
Positive pressure vote	–0.030**	–0.028**	–0.043***	–0.032**	–0.033**	–0.025*
	(0.006)	(0.010)	(0.014)	(0.011)	(0.012)	(0.010)
Negative pressure vote	0.006	0.028***	0.057***	–0.014	0.063***	–0.019*
	(0.008)	(0.008)	(0.011)	(0.009)	(0.010)	(0.008)
Party-unity vote	0.015**	0.043***	0.088***	–0.017**	0.099***	–0.026***
	(0.005)	(0.005)	(0.007)	(0.006)	(0.006)	(0.005)
Lame duck * Positive Pressure	0.017	0.008	0.001	0.027	0.003	0.016
	(0.020)	(0.019)	(0.026)	(0.021)	(0.023)	(0.018)
Lame Duck * Negative Pressure	–0.004	0.011	–0.009	–0.002	0.005	0.017
	(0.013)	(0.013)	(0.018)	(0.014)	(0.016)	(0.013)
Lame Duck * Unity Vote	0.004	0.022**	0.018	0.003	0.022***	0.021**
	(0.007)	(0.007)	(0.010)	(0.008)	(0.009)	(0.007)
Tuesday–Thursday vote	–0.015***	–0.013***	–0.012***	–0.013***	–0.012***	–0.014***
	(0.003)	(0.003)	(0.004)	(0.003)	(0.004)	(0.003)
Change in majority status	0.171***	0.101***	0.162***	0.197***	0.0001	0.201***
	(0.015)	(0.015)	(0.019)	(0.015)	(0.017)	(0.014)
Majority Change * Lame Duck	–0.035***	–0.035***	–0.066***	–0.020**	–0.052***	0.010
	(0.007)	(0.007)	(0.010)	(0.008)	(0.009)	(0.007)
Percent margin	0.095***	0.195***	0.300***	0.011	0.331***	0.014
	(0.008)	(0.008)	(0.010)	(0.008)	(0.009)	(0.007)
Outcome	–0.017***	–0.015***	–0.014***	–0.018***	–0.010**	–0.020***
	(0.003)	(0.003)	(0.005)	(0.004)	(0.004)	(0.003)
N	7,060	7,060	7,060	7,060	7,060	7,060
R^2	0.88	0.86	0.86	0.86	0.83	0.83
F	1,339.1***	1,106.5***	1,120.7***	1,065.2***	893.2***	858.4***

Note: OLS estimates with standard errors in parentheses. Model estimated with Congress fixed effects, constant suppressed.
*$p < .10$. **$p < .05$. ***$p < .01$.

Next, we find that different types of votes have statistically significant effects on participation levels. As one would expect, positive pressure votes are marked by higher levels of participation across all six models. The effects of negative pressures votes, however, differ across specifications. When parties decide that some votes warrant especially scant attention, the participatory effects could vary across categories of members. Some are more likely to choose to abstain (Models 2, 3, and 5), some exhibit no significant changes in participation (Models 1 and 4), while some participate more (Model 6). The participatory effects on unity votes exhibit some interesting partisan results. Both departing and returning members from the majority party show modest but statistically significant increases in the share of members who participated on unity votes (Models 4 and 6), while each of the other four specifications show higher levels of abstentions.

In order to assess the effects associated specifically with lame-duck sessions, we turn to vote-type/lame-duck session interactions. None of the positive or negative pressures vote interactions reach standard levels of statistical significance. That lack of statistical significance, however, is notable. It suggests that members, regardless of electoral status and majority/minority status, remain somewhat responsive with respect to participation. In particular, while departing members are generally expected to abstain more in lame-duck sessions, the presence of positive pressure votes leads to higher levels of turnout, and that effect is not affected by lame-duck status.

The coefficient on the unity-vote interactions, however, varies across member types. Returning members—regardless of party status—exhibit increased abstention rates on unity votes in lame-duck sessions, while departing members of all types exhibit no statistically significant changes. Table 4 displays comparisons of the linear combinations the lame-duck and unity-vote coefficients with linear combination of the lame-duck, unity-vote, and lame-duck/unity interaction coefficients and provides information about the effect of the interaction term (Kam & Franzese, 2007, p. 61).[17] In Model 2, the linear combination of the lame-duck and unity votes are not statistically significant, but the addition of the interaction term generates a larger and statistically significant effect of 0.032, indicating that the interactive effect leads to a 3.2 percentage-point increase in the number of returning members who decide not to participate on those votes. Substantively, assuming a total of 335 returning members means nearly 11 additional returning members opt not to cast votes. Among the returning members we analyzed in Models 4 and 5, we find that the interactive effect leads to a larger share of members abstaining, with the linear combination that includes the interactive term increasing by 0.022

Table 4. Assessing Interactive Effects, Linear Combinations of Relevant Variables

Variables/model	1	2	3	4	5	6
Lame duck + unity vote	—	0.009	—	—	0.059***	–0.066***
	—	(0.010)	—	—	(0.012)	(0.009)
Lame duck + unity vote + Lame duck * unity vote	—	0.032***	—	—	0.081***	–0.044***
	—	(0.007)	—	—	(0.008)	(0.007)
Lame duck + majority-party change	0.382***	0.185***	0.350***	0.399***	0.087***	—
	(–0.012)	(0.012)	(0.016)	(0.013)	(0.014)	—
Lame duck + majority-party change + lame duck * majority-party change	0.346***	0.151***	0.283***	0.379***	0.035***	—
	(0.012)	(0.012)	(0.016)	(0.13)	(0.014)	—

Note: Values generated using "lincom" function in Stata 11. Model numbers correspond to those in Table 3. Standard Errors in Parentheses
***$p < .01$.

(0.059 vs. 0.081 for minority members and –0.066 vs. –0.044 for those in the majority).

To illustrate the effect of the interaction, we use the 67th Congress as an example. The majority Republicans had 188 returning members, and the minority had 115 returning members. The 2.2 percentage-point increase in abstentions among these groups resulted in nearly 7 additional abstentions (4.1 among the majority and 2.5 from the minority side). While unity votes are generally marked by slightly higher levels of abstention for departing members, we do not find additional lame-duck-induced participation effects on unity votes. One can interpret the lack of statistical significance as a form of lame-duck responsiveness. Even in the face of significantly greater levels of abstention among departing members, along with a reduced incentive to vote, they actually maintain a steady level of participation across regular and lame-duck sessions on certain categories of votes.

Consistent with our expectations, participation is also responsive to important partisan and institutional contexts, as indicated by the significant effect on participation in lame-duck sessions preceding a change in majority control. The coefficient on the interaction between the lame-duck session and change in majority control variables is statistically significant and negative (indicative of fewer abstentions) across 5 of the 6 specifications. Only returning members of the majority party exhibit no specific lame-duck participation effect,

essentially continuing to vote at a constant level regardless of session type. In each of those five cases, the interactive effect served to dampen abstention rates. In other words, the interactive effect was to stem the tide of non-voting. The effect, as one would expect, was strongest among minority members (the incoming majority MCs) and held for both departing and returning minority members (Models 3 and 5). The linear combination that includes the interactive term shows a reduction in the proportion of members abstaining. The difference between the two linear combinations for outgoing members was 0.067 (0.350 for the linear combination without the interaction compared to 0.283 with the interaction). For the returning minority-party members who would ascend into the majority in the next Congress, the difference was 0.052 (a linear combination 0.087 without the interaction compared to 0.035, including the interactive term). That same dampening effect holds for the departing members generally, and for departing majority-party members (Models 1 and 4). The interaction contributes an additional 3.6 and 2.0 percentage-point increase in participation, respectively.

Clearly, the stakes in such sessions are perceived to be higher than in sessions in which partisan control will not change. Returning majority-party members participate at roughly the same rate across categories, while each of the other groups of members vote in greater numbers. In other words, returning members of the outgoing majority maintain their relatively high participation levels in these lame-duck sessions, while those in the other categories "ramp up" participation in anticipation of a new partisan regime in the months ahead.

What we show in our analyses is that the conventional wisdom of increased roll-call abstention among departing members in lame-duck sessions of Congress might be a bit simplistic. Lame ducks certainly do vote less often in their final days in office, but they do continue to cast some votes. We show that such participation is contingent on a variety of factors. Based on our measures of the nature of the legislative agenda, we find that leaders tend to pursue relatively ambitious agendas in lame-duck sessions. That strategy is somewhat surprising for two reasons. First, the presence of departing members leads to increased uncertainty about whether and how lame ducks would vote. Second, in some setting the minority party appears to be more highly energized in their opposition to the majority party. Despite these factors, reliably higher levels of participation among returning members coupled with the selective participation by departing members appears to provide the leadership with enough support to pursue a relatively ambitious agenda.

Discussion

Our goal in this article has been to examine how institutional context affects political decision making in Congress. We accomplish this by focusing on the pre–Twentieth Amendment congressional era, when the institutional context varied across sessions of Congress, thanks to the inter-session timing of congressional elections. This created two very different institutional settings, with lame-duck sessions (in which two member types, departing and returning, existed, each possessing different incentives) contrasting with regular sessions (in which largely one member type existed, as nearly all members planned to run for reelection and thus were constrained by the reelection incentive).

We conduct a series of analyses to gain a better understanding of how agendas and participation rates vary from regular to lame-duck sessions. Our analyses provide a refinement to those from previous works (Jenkins & Nokken, 2008a, 2008b), which find lame-duck sessions to be a less fertile environment for party pressure relative to regular sessions. We find that leaders tended to craft relatively ambitious agendas in lame-duck sessions, as indicated by the significantly higher levels of party-unity votes and by the statistically significant shifts in the roll-call cut points in a direction that favored the majority party. Next, we show that members' participation on roll-call votes responded to agenda-specific items and to the partisan context in which the lame-duck session convened. Our results suggest that studies of roll-call participation in lame-duck sessions need to progress beyond a simple story of participatory shirking by departing members. Departing members continue to cast roll calls in their final terms. The key is to explain when and why they do so. Likewise, future studies must account for the *increased* participation of returning members in lame-duck sessions. It would seem party leaders relied upon—or successfully exploited—the participation of returning members to alleviate some of the "participatory agency loss" created by departing members.

Acknowledgment

A previous version of this article was presented at the Annual Meetings of the Midwest Political Science Association. We thank Brian Gaines, Jim Gimpel, Craig Goodman, Tim Hellwig, Dennis Patterson, and anonymous reviewers for a number of helpful suggestions. Nathan Hosey provided valuable research assistance.

Appendix Table 1. Difference in Proportions, Percentage of Roll Calls Passing by Session, 45th Through 72nd Congresses

		Percentage of roll calls passed		
Congress	Years	Regular session average	LD session average	*z* score
45	1877-79	0.59	0.60	–0.18
46	**1879-81**	0.60	0.66	–1.06
47	**1881-83**	0.56	0.74	–3.15***
48	1883-85	0.59	0.59	0.03
49	1885-87	0.64	0.71	–1.28
50	**1887-89**	0.43	0.60	–2.79***
51	**1889-91**	0.70	0.64	1.28
52	1891-93	0.53	0.56	–0.55
53	**1893-95**	0.68	0.61	0.93
54	1895-97	0.64	0.55	1.16
55	1897-99	0.75	0.54	2.55***
56	1899-1901	0.60	0.66	–0.79
57	1901-03	0.77	0.93	–3.19***
58	1903-05	0.65	0.69	–0.31
59	1905-07	0.88	0.71	2.42**
60	1907-09	0.94	0.82	2.68***
61	**1909-11**	0.56	0.53	0.44
62	1911-13	0.67	0.59	1.22
63	1913-15	0.76	0.65	1.86*
64	1915-17	0.72	0.70	0.19
65	**1917-19**	0.70	0.18	–1.13
66	1919-21	0.66	0.78	–2.08**
67	1921-23	0.80	0.78	0.37
68	1923-25	0.60	0.54	0.78
69	1925-27	0.57	0.85	–2.85***
70	1927-29	0.72	0.56	1.31
71	**1929-31**	0.71	0.55	1.69*
72	1931-33	0.72	0.84	–1.38
No change in majority-party control		0.70	0.68	0.87
Change in majority-party control		0.62	0.65	–1.05
Overall: 1877-1933		0.67	0.67	–0.11

Note: *z* score reflect difference of means tests (two-tailed). Congress and years in BOLD print indicate an impending change in majority-party control.
*$p < .10$. **$p < .05$. ***$p < .01$.

Appendix Table 2. Percentage of Party-Unity Votes by Session, 45th Through 72nd Congresses

Congress	Years	Regular %	Lame-Duck %	z score
45	1877-79	72.8	75.0	–0.45
46	**1879-81**	77.5	71.4	1.32
47	**1881-83**	65.5	77.0	–2.10**
48	1883-85	64.4	66.4	–0.40
49	1885-87	65.0	70.9	–1.03
50	**1887-89**	48.3	62.5	–2.42**
51	**1889-91**	82.6	86.1	–1.05
52	1891-93	52.3	38.75	2.10**
53	**1893-95**	45.1	59.2	–1.85*
54	1895-97	74.0	62.9	1.49
55	1897-99	80.8	73.0	1.05
56	1899-1901	74.7	80.6	–0.85
57	1901-03	81.2	58.6	3.15***
58	1903-05	92.7	85.4	1.23
59	1905-07	68.6	88.2	–2.24**
60	1907-09	51.5	88.6	–4.61***
61	**1909-11**	86.4	67.1	3.23***
62	1911-13	67.0	41.2	3.75***
63	1913-15	67.3	47.1	3.00***
64	1915-17	66.7	44.3	2.77***
65	**1917-19**	42.4	54.0	–1.62
66	1919-21	42.9	53.9	–1.79*
67	1921-23	58.6	67.7	–1.36
68	1923-25	62.4	53.7	1.09
69	1925-27	48.1	39.4	0.85
70	1927-29	50.0	61.1	–0.82
71	**1929-31**	60.0	57.6	0.23
72	1931-33	58.1	59.4	–0.14
No change in majority-party control		62.7	62.0	0.43
Change in majority-party control		64.7	70.9	–3.03***
Overall average (1877-1933)		63.5	65.2	1.35

Note: z scores reflect difference of proportions tests (two-tailed). Congress and years in BOLD print indicate an impending change in majority-party control.
*$p < .10$. **$p < .05$. ***$p < .01$.

Appendix Table 3. Average Abstention Rates by Session, 45th Through 72nd Congresses

		Returning Members			Departing Members		
Congress	Years	Regular session average	LD session average	*t* statistics	Regular average	LD session average	*t* stat
45	1877-79	20.7	20.7	0.002	20.2	23.1	−1.49*
46	**1879-81**	29.2	28.1	0.70	34.7	31.3	1.24
47	**1881-83**	38.8	28.4	5.06***	37.4	32.7	1.91
48	1883-85	32.0	29.4	1.49	32.6	35.2	−1.18
49	1885-87	29.2	25.7	2.09**	33.8	31.8	0.79
50	**1887-89**	37.7	31.3	4.08***	45.3	44.8	0.15
51	**1889-91**	40.4	32.5	4.21***	35.6	35.8	−0.07
52	1891-93	34.9	36.7	−1.01	35.3	39.4	−1.52*
53	**1893-95**	48.5	25.8	10.19***	38.9	32.4	2.74
54	1895-97	35.8	39.2	−2.01**	39.3	44.4	−2.01**
55	1897-99	33.1	36.0	−1.91*	40.3	50.0	−3.38***
56	1899-1901	30.7	33.9	−2.18**	38.5	50.3	−3.55***
57	1901-03	36.0	34.3	0.98	42.0	50.9	−2.54***
58	1903-05	33.5	31.1	1.47	40.3	35.4	1.33
59	1905-07	37.5	26.5	6.30***	47 .8	47.0	0.19
60	1907-09	38.9	30.8	4.59***	45.4	41.3	0.96
61	**1909-11**	25.8	29.6	−2.31**	32.8	45.1	−4.20***
62	1911-13	33.5	30.0	2.02**	41.0	46.7	−1.84*
63	1913-15	41.0	28.4	7.82***	45.7	43.5	0.60
64	1915-17	20.8	18.6	1.88*	24.8	31.3	−1.83**
65	**1917-19**	25.0	24.8	0.16	30.9	41.7	−2.97***
66	1919-21	29.6	23.4	3.89***	36.9	45.8	−2.58***
67	1921-23	27.6	27.0	0.85	35.1	46.2	−3.80***
68	1923-25	10.6	6.1	6.21***	16.1	17.4	−0.47
69	1925-27	7.0	6.5	0.91	13.6	24.6	−2.74***
70	1927-29	16.0	20.9	−4.04***	19.3	35.6	−3.53***
71	**1929-31**	18.7	13.3	5.11***	17.7	27.5	−2.82***
72	1931-33	14.3	13.7	0.59	14.9	19.8	−2.58**
No change in majority-party control		27.5	24.9	6.85***	33.2	37.9	−6.22***
Change in majority-party control		30.7	25.5	8.39***	35.3	36.4	−1.06
Overall: 1877-1933		28.3	25.1	10.02***	33.9	37.3	−5.72***

Note: *t* statistics reflect difference of means tests. Congress and years in BOLD print indicate an impending change in majority-party control. Departing Members: One-tailed tests, as we have a strong expectation regarding direction. Returning Members: Two-tailed tests, as we have no strong ex ante expectation about direction.
*$p < .10$. **$p < .05$. ***$p < .01$.

Appendix Table 4. Summary Statistics, Dependent Variables From Regression Equations

Variable	*M*	*SD*	Min.	Max.
Regressions - Table 2				
DW-nominate cutpoint	–0.036	0.364	–1	1
Regressions - Table 3				
% Absent—departing MCs	0.344	0.154	0	0.867
% Absent—returning MCs	0.306	0.161	0	0.910
% Absent—departing majority MCs	0.323	0.160	0	0.867
% Absent—departing minority MCs	0.405	0.220	0	1.00
% Absent—returning majority MCs	0.258	0.139	0	0.815
% Absent—returning minority MCs	0.314	0.202	0	0.990

Note. MC = Member of Congress.

Declaration of Conflicting Interests

The authors declared no potential conflicts of interest with respect to the authorship and/or publication of this article.

Funding

The authors received no financial support for the research and/or authorship of this article.

Notes

1. See Wawro and Schickler (2006) for a discussion of how lame-duck sessions in the Senate influenced the frequency and effectiveness of the filibuster.
2. For a description of the methodology of "pressure votes," see Cox and Poole (2002).
3. We begin with the 45th Congress (1877-79), as it corresponds to the end of Reconstruction and signals the return to "normal politics" in the United States. We end with the 72nd Congress (1931-33), as it corresponds to the last regularly-occurring lame-duck session of the pre–Twentieth Amendment era.
4. We use a two-tailed test as we lack strong priors about the direction of possible changes.
5. Looking at the Congress-by-Congress differences, we find 10 instances of significant differences in cross-session passage rates, with 5 instances of greater regular session passage rates, and 5 of greater lame-duck session passage rates. See Appendix Table 1.
6. Once again, we adopt two-tailed tests, as we do not posses strong priors regarding the direction of changes.

7. On a Congress-by-Congress basis, 12 of the 28 Congresses exhibit significant differences across sessions, notably 7 of the 8 Congresses between the 57th (1901-1903) and 64th (1915-1917). A bare majority of the significant shifts (7 of the 12) reveal higher proportions of party-unity votes in regular sessions. Full results are reported in Appendix Table 2.
8. The cutpoint coordinates are measured on the same scale in the same issue space as the DW-NOMINATE coordinates for individual legislators. Cutpoint values range from −1 to 1, with negative values representing more liberal scores, and positive values represent more conservative scores. The NOMINATE scaling procedure requires at least 2.5% of those voting vote in opposition. As a result, the regression estimates do not include the 726 unanimous or nearly unanimous roll-call votes. Summary statistics for the dependent variable are provided in Appendix Table 4. See Poole and Rosenthal (1997, 2007) for additional information on the roll-call coordinate estimates. The cutpoint data are available at Keith Poole's website: ftp://voteview.com/junkord/HC01111D21_PRES_PRE_DATES_2009.DAT
9. Like Monroe and Robinson (2008), we are interested in the potential differences in the spatial location of roll-call cutpoints across two different conditions. In their case, the condition is the adoption of a restrictive rule. For us, it is the lame-duck session. To assess how restrictive rules affected cutpoints, they utilized a two-by-two factorial design (p. 227). Their dependent variable is the DW-NOMINATE 1st dimension spatial coordinate of the roll-call cutpoint. The independent variables in their models include a dummy variable coded 1 for a restrictive rule, a dummy variable coded 1 for a Republican majority, and an interaction of those two variables. In a second specification, they include the DW-NOMINATE coordinate for the floor median (see their Table 2, p. 229).
10. Presenting the substantive effects of an interactive term can be done in a number of ways. We follow the example of Kam and Franzese (2007, pp. 27-29, see especially Table 4) and present the predicted outcomes in a 2 x 2 table thereby accounting for each of the possible combinations of congressional session (regular or lame duck) and majority control (Democratic or Republican).
11. We do not have clear directional expectations for changes in participation for returning members and thus use two-tailed tests when examining them.
12. Because we have a strong expectation that departing members will increase their abstention rates in the lame-duck session, we use a one-tailed test.
13. The Congress-by-Congress results appear in Appendix Table 3.
14. We use percentage of members abstaining because House membership size changes 9 times for the Congresses we study.
15. Summary statistics for each of these dependent variables are listed in Appendix Table 4.

16. This time frame also encompasses an era of institutional maturation in the House marked in part by increased length of service for member and lower turnover (Polsby, 1968). One potential consequence could be a reduction in participatory pressures upon returning members. We do not explicitly test that proposition in this article, but recognize the supply of lame ducks could influence the demands placed upon them.
17. Table 4 lists the linear combination values only for those variables and models in which we found statistically significant coefficients on an interactive term.

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