

**Forcing Their Hands?
Explaining Trends in Retirement Announcement Timing in the U.S. Congress**

Congressional retirements affect representation and campaigns. Accordingly, scholars have long sought to identify the individual characteristics and contextual factors that explain cross-sectional and longitudinal variation in Members of Congress' decisions to retire. However scholars have ignored the *timing* of retirement decisions within a given Congress. In an analysis dating back to 1920 I show that Members of Congress now announce their retirements far earlier in their final term than they used to. I find this is especially true for retiring Senators, who now typically spend nearly two years as lame-ducks. Beyond documenting this little-noted trend, I discuss possible explanations for these findings including changes in the electoral calendar driven by state laws and the increasing fundraising burden borne by Members of Congress. I discuss implications for representation and the growth of the "permanent campaign."

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On January 13, 2011 Senator Kay Bailey Hutchison (R-TX) announced that she would not seek re-election in 2012.¹ Hutchison, the first Senator to announce her retirement in the current Congress, will spend nearly two years as a lame duck. While Hutchison might be seen as a special case following her loss to Rick Perry in the 2010 Texas Republican Gubernatorial primary, she was not alone for long. In the weeks following her announcement other Senators followed suit. The median announcement date among the eleven Senators retiring at the end of 2012 was February 18th 2011.

Such behavior is puzzling. Members of Congress (MCs) who announce their retirement become lame ducks. The “shadow of the future” that encourages cooperation is receding for those who interact with them. Why then would MCs make early retirement announcements that would seem to limit their influence in Congress? Have things always been this way? If not when and why have they changed? What are the implications for campaigns, representation and governance?

In addressing these questions this paper makes a contribution by describing a phenomenon not covered in the literature. I also offer an explanation of why Senators – whose behavior has diverged from Representatives in recent decades- make earlier retirement announcements than they once did. The demands of campaigning have changed, in part due to campaign finance laws. As a result Senators can no longer maintain ambiguity about their intentions as they once did. We may be observing a compression of the time between Senators’ actual decisions to retire and their retirement announcements.

¹ “Hutchison First Retirement of 2012 Cycle” *Roll Call* January 13, 2011 (Online)

The rest of this paper proceeds as follows. I discuss retirement announcement timing in connection with the existing literature on the decision to retire. I draw connections to other debates for which a better understanding of retiring announcement timing is useful; its effect on political competition, the discussion about “shirking” and the growing literature about the “permanent campaign.” I discuss differences in House and Senate elections. I present an argument for why we now see earlier retirement announcements than we once did. I then turn to evidence about the trends in retirement timing and multivariate analyses of Senators’ and Representatives’ retirement decisions. I identify

Why Retirement Timing Matters

Even if the marked trend toward earlier retirement announcements has been ignored in the literature on Congressional elections this is only a problem if this development is of importance. I argue that the trend is potentially important for a number of lines of inquiry. In an interesting recent study, - the only one I have found that uses retirement timing as an independent or dependent variable-Swearigen and Jatkowski (2011) find that in open-seat House races the incumbent party’s chance of holding the seat is better the earlier in the cycle the incumbent announces his retirement. The logic is straightforward; the out party knows it has to recruit a candidate, but the in party may not be aware of this until the MC makes known his intentions. If he delays the incumbent party may have difficulty fielding the best challenger or campaign. This study is focused exclusively on House races in recent years and its authors do not seek to understand the reasons for the variation in retirement announcement timing they do observe.

The timing of retirement announcements may have implications not only for campaigns, but for representation as well. Scholars have long been interested in the consequences for representation when the “electoral connection” (Mayhew 1974) between legislators and their constituents is severed. Do MCs vote differently when they no longer have to fear voters? Do they become less diligent legislators? Scholars differ on the extent to which such “shirking” occurs, with more agreement concerning the ways retiring legislators behave beyond the question of how they vote. Retiring MCs sponsor and co-sponsor fewer bills, return to their districts less often and miss more votes (Herrick, Moore and Hibbing 1994, Rothenberg and Sanders 2000b). Some also assert that the correspondence between MCs’ voting patterns and constituency factors also diminishes in their final term (Rothenberg and Sanders 2000a, 2000b, 2007 Tien 2001), although others disagree (Carson et al 2004, Lawrence 2007.)

Retirement announcement timing is relevant for this debate. Scholars investigating shirking have typically *not* partitioned MC’s terms into the period before and after the retirement announcement, instead using a variety of measurement strategies including comparing retiring legislators to those not retiring in a given Congress (Herrick, Moore and Hibbing 1994), comparing retiring MCs’ behavior in part or all their last term to that in their penultimate one (Rothenberg and Sanders 2000b) or examining differences between part or all of the first and second sessions of their final terms (Tien 2001.)

Scholars have argued that what matters for an MC’s behavior is not the date of the announcement per se, but the timing of the unobserved decision to retire, which might occur well before it is made public. There is merit to this view, yet an announcement has consequences, often leading aspirants to become active candidates and other legislators to

treat the retiree differently. Thus there are important differences between MCs who think they will probably not seek another term for some time before announcing this and those who make their intentions known in a way that is typically irrevocable. An MC who intends to retire but does not wish to broadcast this intention at an early stage may accordingly behave differently from one who has made an early announcement.

If retirement announcements are coming earlier and earlier in the campaign cycle in either House of Congress the potential for shirking, both in terms of voting and other forms of participation, is increased since a greater number of MCs spend a longer period of time as lame-ducks. This status may also have consequences for their effectiveness in Congress, even if they do not shirk.

Scholars have increasingly focused on a set of developments known as the “permanent campaign” (Ornstein and Mann 2000, Cook 2002, Heberlig and Larson 2005, Doherty 2007, Lee 2010.) In these authors’ views the traditional division between seasons of campaigning and governing has dissolved. Elected officials, especially Presidents, are perpetually in the field, seeking news coverage and campaign funds and this is increasingly true of MCs as well. Even when politicians are in Washington the legislative process is dominated by gamesmanship (Lee 2010), i.e. more focused on position-taking and trying to embarrass the other party than making public policy. Various causes of the permanent campaign have been suggested including the decline of traditional party organizations, the growth of polling and the demands of fundraising due to the rise of electronic media and campaign finance laws.

The increasing tendency of MCs, especially Senators, to make retirement announcements early in the electoral cycle can be seen as another aspect of the permanent

campaign, yet it has not been the focus of attention within this literature. In sum retirement announcement timing is relevant for several other questions that have engaged students of Congress.

House vs. Senate Elections

In the study of Congressional retirement, the focus has usually been on the House of Representatives rather than the Senate.² This focus is typical of the Congress literature more generally, but the inter-cameral gap is perhaps even greater in the study of retirement. The smaller size of the Senate and Senators' longer terms mean that in a given year there may be relatively few retirements. In the most extreme example no Senators retired in 1942 while eighteen Representatives did. 1942 is unique among the years included in this study in that *no* Senators retired, but as late as 1998 only four Senators retired, while 21 Representatives did.

Senate elections are certainly different from House ones. Senators' re-election rate is lower than that of Representatives. Senators typically represent more diverse constituencies and attract more serious challengers. Senators seeking re-election raise and spend more money than Representatives. In 2000 the ratio between the spending of the average Senator and Representative was approximately 5 to 1 (Herrnson 2002,71.)³ In part this is due to Senators' generally larger constituencies, but Senate races are more expensive even in the smallest states and in most cases can do much less in terms of personal contact with constituents. As a result, many scholars have studied the two sets of elections separately, either focusing exclusively on House elections (the choice of

² Exceptions include Livingstone and Friedman (1993) and Bernstein and Wolak (2002).

³ While Senators have far longer to raise funds between elections, in practice they still raise the majority of their funds in the last two years of their terms.

most scholars), studying Senate elections on their own (Abramowitz and Segal 1992, Westlye 1991) or presenting separate models for two types of contests (Livingstone and Friedman 1993, Krasno 1994, Carson 2005.)⁴

The differences between House and Senate are especially relevant where the question of retirement timing is concerned. The longer terms Senators enjoy allow them to decide several years before they must next face the voters that they will not seek re-election and, in principle, to announce this decision at any time. By contrast the shorter terms Representatives serve mean this is not possible for them except in rare cases when Members announce that they will limit their terms (pledges that do not remove all ambiguity because they are not always kept) or the special and infrequent cases in which an elderly Representative promises to serve just one more term.⁵

In practice it is rare for MCs in either chamber to announce their retirement more than two years before the next election. Still, one would not ordinarily expect a newly elected, or re-elected Representative to announce her retirement only a few weeks or months after winning office. Doing would raise questions as to why the Representative even ran for re-election. By contrast, a Senator announcing his retirement near the beginning of his final Congress is still doing so more than four years after he last faced the voters. All this said, differences in term length are a constant and cannot explain a growing gap between the chambers in terms of retirement announcement timing.

Why Earlier Retirement Announcements?

⁴ But see Gronke (2000.)

⁵ House Speaker Tip O’Neill is an example. “Tip O’Neill Speaks of Leaving House” *Palm Beach Post*, March 1, 1984 A2

I argue that the chief reason we see earlier retirement announcements, especially in the Senate, in recent decades is that campaigning has become more demanding. The increasing role of electronic media and their rising costs are widely known. However, the strictures of campaign finance law in place since the mid 1970s also play an important role. The FECA statute limits campaign contributions. The limits were actually becoming more stringent in real dollars until the passage of McCain-Feingold in 2002 indexed contribution limits to inflation. The fact that contributions can only be raised in relatively small amounts means legislators must raise funds from more people, a time-consuming task most MCs do not relish.

Another important provision of FECA that relates to retirement timing announcements is that fact that it mandates candidates file quarterly reports with the Federal Election Commission detailing how much they have raised in the past three months. This information is part of the public record and is the subject of news coverage, especially, but not only, in publications focused on politics.⁶ For example as early as 2009 Joe Lieberman's limited fundraising prompted discussion about whether the Connecticut Senator would seek re-election in 2012.⁷ Ultimately he chose to retire, making his announcement on January 19,2011.⁸

Similarly, when U.S. Rep. Dennis Cardoza (D-CA) announced his retirement in October 2011, five months before the filing deadline for the 2012 primary, the

⁶ "FEC Reports Put Pressure on Candidates" *The Hill* October 4,2009 FEC Reports Show Competitive Senate Primaries Throughout the Nation" *The Hill* February 2,2010 (Online), "Rep. Schauer Raising Money for Showdown" *Detroit News* July 16,2009 (Online)

⁷ http://blogs.courant.com/capitol_watch/2009/09/joe-lieberman-keeps-his-eyes-o.html

⁸http://www.boston.com/news/nation/articles/2011/01/20/lieberman_announces_he_will_not_see_k_a_fifth_term/

Sacramento Bee reported, “Cardoza's decision did not surprise his colleagues or other political professionals, who had been reading the tea leaves for months. Tellingly, Cardoza's fundraising slowed considerably since July, and newly filed statements show his campaign treasury currently has only \$62,471 available.”⁹

Conversely, MCs who are active fundraisers can signal that they will seek re-election. *Politico* reported in 2010 that Rep. Ike Skelton (D-MO)’s “blockbuster quarter of fundraising should put to rest rumors that he’s seeking to retire.”¹⁰ Skelton did seek re-election but was defeated.

The combined effect of these two FECA provisions in conjunction with the increasing cost of campaigns means that incumbents are forced to “show their hands” earlier than they once were. An MC intending to retire may not wish to broadcast that fact early in their final term. Yet he now faces the choice of engaging in the expected level of fundraising activity or raising questions about whether he is in fact seeking re-election. If he fails to create the impression that he is seeking re-election this encourages other aspirants to test the waters, further increasing pressure on MCs to make clear their intentions to supporters, who may themselves be coming under pressure to commit to other candidates.

All this was much less true until recent decades. Campaigns cost far less and a handful of donors could provide the needed funds for many legislators. In those days then it was easier for an MC to camouflage his intention to retire from the public and to a lesser extent even from those active in politics than it now is.

⁹ <http://blogs.sacbee.com/capitolalert/latest/2011/10/dennis-cardoza-announces-retirement.html>

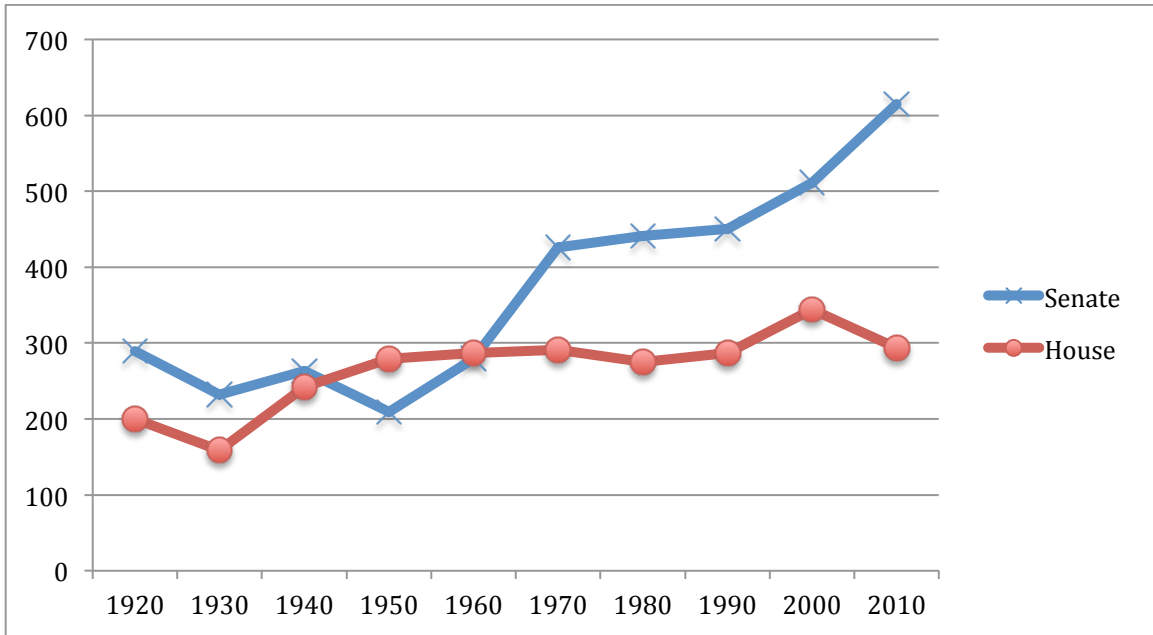
¹⁰ “4th Quarter Totals Offer 2010 Clues” *Politico* February 2, 2010 (Online)

Trends in Retirement Announcement Timing

Figure 1 reports the median number of days before the general election that Senators and Representatives announced their retirement by decade from 1920 to 2012. (The final point represents the 2010 and 2012 cycles.) The figure reveals a few important points. There has been a trend toward earlier retirement announcements in both Houses of Congress. However, this trend is far more marked in the Senate. In the most recent elections Senators have announced their retirements almost a year earlier in the campaign cycle than they did in the 1950s or 1960s.

By contrast, there has been less much change in House retirement announcement timing. As a result a gap opened up between the chambers in the 1970s with Senators making their announcements much earlier than Representatives. This was not true in the mid-20th century. As late as the 1960s there was almost no difference between the retirement announcement timing of Senators and Representatives. In the 1950s Senators actually retired later than Representatives, although the difference was small.

Figure 1
Retirement Announcements in Congress 1920-2012
Median Days Before General Election for Senators and Representatives by Decade



The trend depicted in Figure 1 is not a monotonic one. There is actually a slight downward trend in the first few decades depicted. Not too much should be made of smaller decade-to-decade differences in the early period however, as retirements were less common during this era. More strikingly, there is a big jump in the 1970s and a plateau after that. Only in the most recent cycle has the length of Senators' self-induced lame-duck status begun to increase again. These last results merit some caution since the 2010s observation is based on only two campaign cycles, but it is clear that Senators and to a lesser extent Representatives have been spending more and more time as lame-ducks.

While the general election date is relevant from the standpoint of representation, it is *not* the critical one for legislators considering retirement. Rather, the key date for them is the filing deadline for the primary election in their state. If an MC is to be re-elected he

must first be re-nominated and to do that he must file with local authorities by a certain date, that varies greatly from state to state and from year to year.

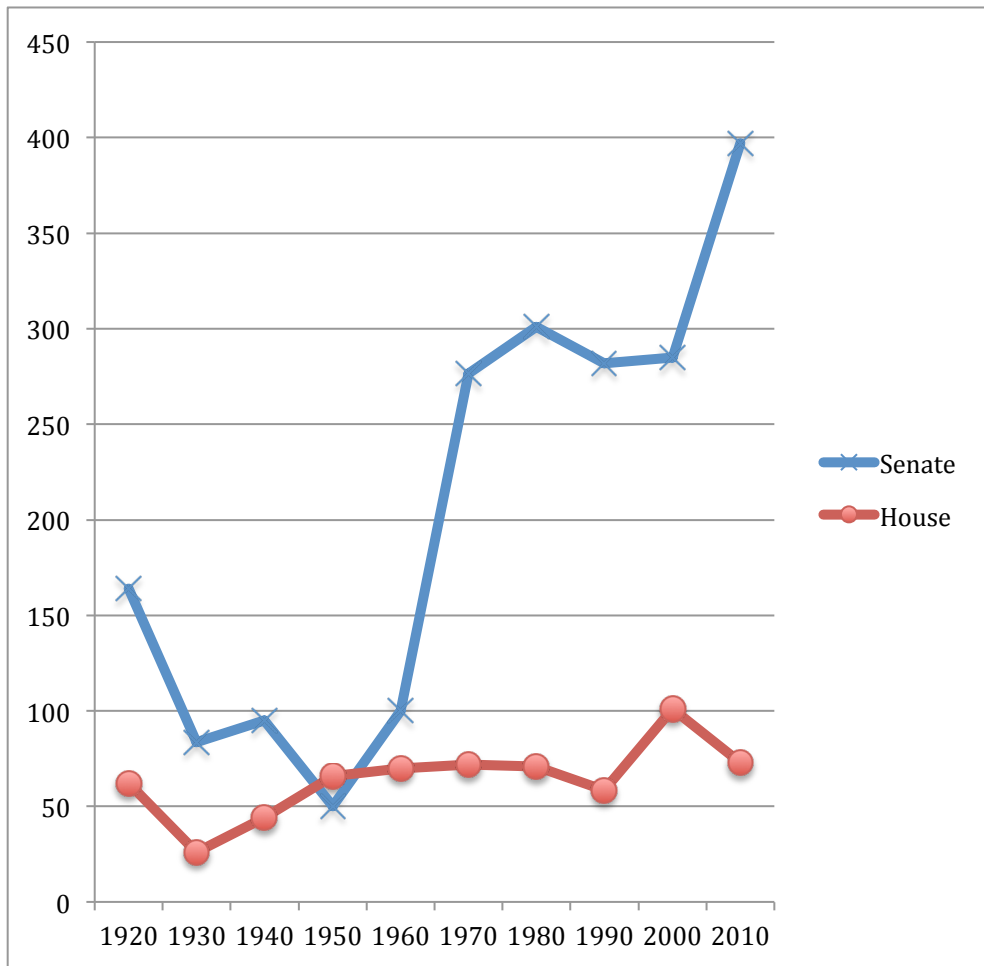
The trend over many decades is for filing deadlines to come earlier in the year. In 1920 the median filing deadline for those MCs retiring came 139 days before the general election. By 1960 the analogous figure was 189 days and in 2008 it was 228 days. To some extent this is a function of primary dates being moved up, but filing deadlines also come earlier vis-à-vis primaries than they once did.

The reasons for this little-noted trend are beyond the scope of this study, but it is an important factor to take into account. It is necessary to assess whether MCs are announcing their retirement earlier simply because filing deadlines are forcing them to declare their intentions sooner than they otherwise would. If so the trend in retirement announcements might still be an important phenomenon with implications for representation, the cost of campaigns and other developments, but we would have to look entirely outside the Congress for its causes.

Figure 2 addresses this concern. While Figure 1 reported the median number of days Senators and Representatives retired before the general election in each decade, Figure 2 reports the median number of days each MC announces his or her retirement before the filing deadline s/he is subject to in the year in question.¹¹

Figure 2
Retirement Announcements in Congress 1920-2012
Median Days Before Filing Deadline for Senators and Representatives by Decade

¹¹ In a handful of cases there is no filing deadline. These are cases, chiefly in earlier years, in which Senators and Representatives are nominated via convention. In such cases well-known figures sometimes did not make public their intentions even when they ran for re-election, seeking to simulate a draft. In order to include these cases in my analyses I assign a deadline of two weeks prior to the opening of the state or district convention.



The results presented in Figure 2 are clear. The trend toward earlier retirement announcements is *not* merely a function of earlier filing deadlines forcing Senators' hands. If anything, the trend depicted in Figure 2 is sharper than in Figure 1. By contrast, the results for the House, as in the previous figure, are far less dramatic. A slight trend toward earlier retirement announcements vis-à-vis filing deadlines is evident, but it is dwarfed by changes in the Senate.

Data and Variables

The dependent variable in the analyses I report is the number of days before the general election that a Senator or Representative announces his or her decision to not seek re-election. These data are not available in a dataset that I am aware of and were collected from news accounts, both from digital newspaper archives available online such as Newspaper Archive and Proquest Historical Newspapers, and various papers available only on microfilm in the Library of Congress and elsewhere.

The results for the Senate are complete with two exceptions.¹² Unfortunately, there are many missing cases for the House at this point. At present 126 of the 862 retiring Representatives announcements are undated. In some cases no formal announcement may have been made. Coverage of retirement announcements is now standard. Leading newspapers and their associated websites report every retirement announcement whether it is a prominent Senator or a backbench Representative. This was not always the case. Even when retirement announcements appeared in regional papers they were often a mere squib or a line near the end of a long story focused on other topics. Searching in regional newspapers has revealed some dates. The main way in which the currently missing cases are distinctive vis-à-vis Representatives whose retirement announcements I have found is the year in which they retired. The median year of retirement for the missing cases is 1932 while that for the Representatives whose retirement I could date is 1978.

A small number of cases also take extreme values and could distort results. Just six weeks after his re-election in 1916 Senator John Sharp Williams of Mississippi

¹² Senator Bill Frist appears to have never deviated from his pledge to serve two terms. See “Aspirations Dashed, Frist Says Farewell” *New York Times* December 8, 2006. It is unclear how he should be coded and he is excluded from the results I present. (I do the same for the Representatives who never wavered from term limits.) I also have so far been unable to date the decision of Senator Davis Elkins (R-W.V.) to retire beyond spring 1924.

announced he would not seek re-election in 1922 (Osborn 1943.) Strom Thurmond similarly announced –to no one’s surprise- in May of 1997 that he would not be a candidate in 2002.¹³ For this reason I use the log of the number of days in the models reported below.

There are a number of variables that may be considered as predictors of the retirement announcement. As noted above the filing deadline places a lower bound on MCs’ decisions and it must be included in models. *Deadline* is simply the number of days before the general election that the state or state party requires candidates to file papers, submit petitions, pay fees or otherwise attempt to qualify for candidacy. In recent years these dates are available from the Federal Election Commission. For earlier years I find the dates via newspaper coverage of elections in the states for various years.

Beyond the filing deadline an obvious starting place is the variables that have been shown, in some or all studies, to predict the decision to retire per se. To the extent that variation in announcement timing reflects real variation in the times MCs made their decisions, those with more characteristics predisposing them to retire may make earlier announcements.

Among these the most consistent effects have been found for MCs’ age, with older legislators in both House and Senate unsurprisingly most likely to retire in a given cycle (Hibbing 1982, Hall and Van Houweling 1995. Moore and Hibbing 1998, Theriault 1998, Bernstein and Wolak 2002). The variable *Age* is simply the MCs’ age in years as of the general election at the end of his or her term.

¹³ “Strom Thurmond, 94, Rules Out Re-Election” *San Jose Mercury News* May 22, 1997 P. 10A

Another commonly significant variable in retirement studies is MCs' performance at the last election, with those whose margins of victory were narrower being more apt to retire (Hibbing 1982, Hall and Van Houweling 1995, Theriault 1998, Clarke et al 1999). I take the log of this variable, *Last Vote*, because the distribution is skewed due the fact that some MCs are unopposed, or, more frequently, face only token opposition.

In many Congresses Republicans have retired at higher rates than Democrats. Moore and Hibbing (1999) and Carson (2005) find that Representatives are more likely to retire when their party is in the minority Hence I incorporate an indicator variable *Minority* in models. Murakami (2009) finds that conservatives are more likely to retire than other MCs. I include the D1 Common Space DW-NOMINATE score for MCs in order to test this claim.

Scholars have also argued that moderate MCs may be disproportionately likely to retire, especially in recent decades as polarization has grown. Such MCs are I include a variable *Moderate* in models that is simply the absolute value of the difference between the MC's D1 NOMINATE score and the median score in the chamber.

Some other factors not typically included in retirement studies also merit exploration in a study of retirement announcement timing. The filing deadline is a necessary control variable, being a factor that varies greatly across districts and states and over time. A measure of campaign spending, while available only in recent decades, also merits inclusion since fundraising is now a critical part of campaigns. I use the log of this variable. Fundraising totals are taken from opensecrets.org and, for earlier years, various editions of the *Almanac of American Politics*.

Relatedly, the regulatory regime surrounding campaign fundraising has radically changed during the time period I explore. So I include an indicator variable for retirement announcements occurring the period after MCs were subject to the strictures of the Federal Election Campaign Act or FECA. This law imposed reporting requirements on campaigns and limited the size of individual contribution. The variable *FECA* is coded as one for all elections from 1976 to the present and zero for previous years.

One of the major differences between Senate and House races, and among Senate races is the size of the legislators' constituencies. Lee and Oppenheimer (1999,84) note that Senators from larger states have to raise more money and that they have to start fundraising earlier. They also find that in large states elections tend to be more competitive. While some other scholars find that incumbency advantage is greater in small states¹⁴ (Hibbing and Brandes 1983, Abramowitz and Segal 1992, 110-111), Krasno (1994,45) sees this effect as small. Lee and Oppenheimer also report that the greater diversity of larger states makes for more competitive elections regardless of whether an incumbent is running, but conclude that Senators representing larger states "can expect close races for reelection more frequently than Senators from smaller states."

In any case, scholars agree that Senators in larger states have to expend more effort in campaigning for a less certain result. Knowing that a re-election bid would require an earlier start and harder work might make large-state Senators especially apt to make early retirement announcements. So I include a variable, *State Population*, measuring the size of the population a Senator represents. I use the state population found

¹⁴ But see Squire (1989)

in the census taken closest in time to the retirement announcement. As the distribution of this variable is highly skewed, I use the log here as well.

I also include an indicator variable, *South*, defined here as the eleven states of the Confederacy plus Kentucky and Oklahoma. Elections diverged radically from the national norm in the South during much of the time period under investigation here. The most dramatic difference between the South and the rest of the U.S. was the de facto disenfranchisement of many U.S. citizens. For this study however the key distinction between the South and other regions is its lack of party competition. Victory in the Democratic Primary was long “tantamount to election” in a region where the GOP was largely absent (Key 1949). The one-party nature of Southern politics during the early decades of this study might mean that Southern pre-election political activity took place on a different timetable from that in the rest of the country and this could have influenced the timing of MCs’ retirement announcements.

Finally I include variables measuring MCs’ positions in Congress. We might expect those in leadership positions as well as Chairs and Ranking Minority Members to behave differently from ordinary MCs. The variables *Leader*, *Chair* and *R.M.M.* allow for the exploration of that possibility.

Results

In Tables 1 and 2 below I present several ordinary least squares models of the retirement announcement timing decision in the House and Senate. In all models the dependent variable is the log of the number of days MCs announced their retirements before the general election they would have had to contest had they not retired.

In Table 1 I include a model covering all the Representatives who have retired since 1920, the first election in which all Senators up for re-election had been directly elected, as well as models covering other shorter time periods. The combined model including observations for all years is the only one that includes the *FECA* indicator variable, since others are comprised of cases from before or after that law came into force. I include a time trend variable *Year* to insure that the *FECA* coefficient does not capture a time trend that can be caused by other factors roughly correlated in time. I cannot include fixed effects for election years in this model, because they would sum to the *FECA* variable, but I include them in all other models.

The next model covers the period from 1920 to 1974, the last election before the modern campaign finance law era began. The third model covers the period from the beginning of the FECA campaign contribution limits to the present, in 1976-2012. The fourth one is focused on a slightly more recent period, from 1988-2012. This model is intended to capture dynamics in the modern, more polarized Congress.

Table 1
OLS Models of Representatives' Retirement Announcement Timing
1920-2012

Variables	1920-2012	1920-1974	1976-2012	1988-2012
FECA	2.32(2.44)	**	**	**
Deadline	.002(.000)	.003(.000)	.002(.000)	.002(.000)
South	.048(.035)	.140(.060)	.008(.042)	-.007(.051)
Last Vote	-.033(.074)	-.147(.117)	-.013(.106)	-.102(.132)
Minority	-.009(.033)	-.026(.054)	.024(.043)	.003(.051)
Leader	-.093(.139)	-.057(.211)	-.207(.183)	-.044(.262)
Chair	.015(.050)	-.064(.076)	.018(.067)	-.063(.264)
R.M.M.	.102(.046)	.200(.063)	-.007(.067)	-.031(.080)
D1 NOMINATE	.014(.042)	.028(.072)	.038(.053)	.022(.062)
Moderate	-.002(.093)	.258(.145)	-.200(.123)	-.288(.146)
Age	-.001(.001)	-.001(.002)	.001(.002)	.002(.002)
Year	-.055(.058)	**	**	**
Spending	**	**	.006(.025)	.029(.035)
Constant	113.2(.114.3)	5.62(.52)	5.40(.025)	5.66(.91)
N	715	318	397	268
R-sq.	.36	.45	.28	.32

Coefficients significant at the .05 level in bold.

The results from Table 1 demonstrate some change over time in the predictors of House retirement announcement timing. In the first model, including observations from the entire period surveyed (1920-2012), the coefficient for the *FECA* indicator variable is not significant. *Deadline* however is positive and significant in all models, showing that, unsurprisingly, Representatives subject to earlier filing deadlines announce their retirements earlier in all decades.

The results for the second model, covering the pre-FECA period (1920-1974) are somewhat different. As in the model for all years, *Deadline* has a positive, significant coefficient. So does *R.M.M.*, indicating that Ranking Minority Members were more likely to announce retirements early. Hall and Van Houweling (1995) report a similar finding,

albeit for a later time period. They speculate that Representatives who had stayed in Congress hoping to rise to this position could be disillusioned with the empty prize they find it to be.

The results from more recent years are different in some respects. In the third and fourth model, covering the period from 1976 to 2012 when FECA is in force and the era of polarization (1988-2012), *Deadline* plays the same role it did in the first two models, but no other variables are significant predictors. The *R.M.M.* coefficient shrinks and is no longer significant. In these model I include the logged dollar amount the Representative spent in his 1974 campaign. The *Spending* coefficient, not present in the earlier models, is not significant and the inclusion or exclusion of this variable does not greatly alter any of the other coefficients.

The variables capturing Representatives' voting records play a different role than in previous models, however. In the more recent decades *Moderate* has a significant negative coefficient, indicating that moderates announce retirements later. While one might think that moderates would be especially unhappy in the Congress of recent years and more likely to throw in the towel earlier the results do not support this view. Nor is there evidence via the *D1 NOMINATE* coefficient that conservatives quit early because of a lack of belief in government (Murakami 2009.)

Senate Results

Table 2 includes the same models presented in Table 1, but for Senators instead of Representatives. The only differences is that there are models from 1976 to present and 1978 to present since 1978 is the first year in which fundraising totals for all Senators' previous campaign are available for inclusion in models, b/c the reporting requirement

and contribution limits were effective only beginning in the 1974 campaign. In addition I include a variable measuring the size of Senators' constituency reflecting the log of state population at the census closest to the Senator's retirement announcement *State Population* which is not appropriate for the House results.

Table 2
OLS Models of Senators' Retirement Announcement Timing
1920-2012

Variables	1920-2012	1920-1974	1976-2012	1978-2012	1988-2012
FECA	.404(.117)	**	**	**	**
Deadline	.001(.001)	.003(.001)	-.001(.001)	-.001(.001)	-.001(.001)
South	.139(.082)	.219(.189)	-.000(.087)	.002(.088)	.112(.091)
Last Vote	-.082(.022)	.881(.367)	-.449(.236)	-.494(.273)	-.384(.250)
Minority	.047(.071)	-254(.138)	.042(.072)	.075(.077)	.126(.072)
Leader	-.009(.170)	.688(.454)	-.132(.150)	-.043(.185)	-.173(.175)
Chair	.059(.096)	-.086(.200)	-.065(.101)	-.035(.104)	.172(.100)
R.M.M.	.272(.093)	.338(.193)	.098(.089)	.084(.093)	.007(.088)
D1 NOMINATE	-.045(.089)	.225(.166)	.071(.089)	.098(.094)	.280(.096)
Moderate	-.526(.175)	-.303(.344)	-.644(.193)	-.667(.208)	-.457(.212)
Age	.004(.003)	-.008(.007)	.012(.003)	.012(.004)	.010(.003)
Spending	**	**	**	.002(.037)	.020(.032)
State Population	.001(.034)	-.046(.053)	.075(.037)	.065(.40)	.098(.038)
Year	-.001(.002)	**	**	**	**
Constant	5.99(4.40)	3.15(1.80)	6.75(1.25)	7.07(1.57)	5.64(1.40)
N	200	79	121	112	85
R-sq.	.34	.71	.5	.51	.59

Table 2 reveals that several factors predict the timing of retirement among Senators. In some respects the results of the Senate models are similar to those found for the House, but the differences between the chambers are noticeable as well. If we look at the first model covering all years the importance of the *FECA* indicator variable is

marked in the Senate results. Unlike Representatives, Senators retiring in the era when FECA is in force make earlier announcements. This is the case despite the presence of the *Year* or time trend variable in the model.

By contrast the *Deadline* variable is not as predictive of Senators' announcement timing as it is for Representatives. It is significant only in the period from 1920-1974 for the Senate covering the years when Senators and Representatives announced their retirement at roughly the same time. This variable had a positive significant coefficient for all House models, indicating that Representatives are still influenced by filing deadlines and Senators no longer are. Of course filing deadlines are binding on MCs from both Houses of Congress, but the fact that Senators routinely retire eighteen to twenty-four months before they would have to face the voters makes the precise date of filing deadlines far less relevant than they were in earlier decades when Senators made their intentions known later in the cycle.

In the model covering all years Ranking Minority Members make earlier retirement announcements. This coefficient is significant in the Senate as it was in the House for the combined model. Another difference between the chambers emerges: moderate Senators announce their retirement significantly later than their colleagues on the right and left throughout the years examined. In recent years the variable *Moderate* also behaves similarly in the models for both chambers, taking a significant and negative coefficient, indicating that moderates are slower to announce retirement in both chambers..

However some other differences between House and Senate are evident. There are a few variables that are significant predictors of retirement announcement timing in the

Senate results for recent decades that were not predictive for Representatives. The most notable of these is *Age*, which has a positive and significant coefficient in all of the models for the post-reform Congress; older Senators announce their retirements earlier than others. One would expect this variable to have a similar impact on MCs' actual retirement decisions across time. One interpretation of the fact that we only see a positive and significant coefficient for age only in the Senate results, and even then only for recent decades, is that Senators are now under greater pressure to make known their intentions and face more arduous campaigns so that factors that incline them to retire also lead them to make earlier retirement announcements.

In the most recent model (1988-2012) the D1 NOMINATE variable was also significant and has a positive coefficient, indicating that Senators who vote a conservative line have become more likely to announce retirement early. This finding, unlike the results from the House, is consistent with Murakami's (2009) claims. From the 1920s through the 1970s the variable *Last Vote* has a positive coefficient, indicating, surprisingly, that Senators who won their races by wider margins were more likely to make earlier announcements. The coefficients for the more recent decades take a negative sign, suggesting, more intuitively, that those Senators who had tough races were more likely to make early retirement announcements, although these coefficients fall just short of significance at conventional levels.

The most interesting and initially surprising null finding for the recent Senate results concerned the *Spending* variable included in the two most recent models. There is much reason to believe that the onerous fundraising demands facing Senators seeking re-election in recent years are a major inducement for them to announce their retirements

early. If they do not raise funds at a considerable clip this fact is observed and produces speculation that they are not in fact seeking re-election, encouraging other potential candidates to test the waters.

How then can this null result be understood? The retirement announcement is a prospective decision. Previous fundraising totals are in part a function of the opposition a Senator faced in his last campaign. He may have reason to believe that competition in the next race will be tougher or weaker than that which he faced before.

One variable that may affect the timing of Senators' announcements is the size of their state. We know that in many respects Senators from larger states behave differently from those representing smaller ones (Lee and Oppenheimer 1999.) Senators from larger states typically have more difficult campaigns. Their states are often more diverse, making it hard to please a large majority. Their constituency service is less likely to make an impact. The larger state will typically have a bigger pool of potential quality challengers. Finally, Senators from larger states must raise more money, making campaigning that much more arduous.

Table 2 reveals that the *State Population* variable works differently over time. Its coefficient is positive in all models, but it is largest and statistically significant in two of the last three models. From 1976 to present and 1988 to present Senators from larger states make earlier retirement announcements. To some extent Senators from large states have always faced more challenging campaigns so the fact that this variable is only significant for recent decades suggests that there is now a smaller gap between the actual decision to retire and the announcement of it. However, it may also be that the difference

between small and large state campaigns has grown under the pressures of fundraising and FECA restrictions.

Directions for Future Research

This paper is a first cut at this question, which has been almost entirely ignored in the literature. Subsequent iterations should include at least two more features. One is some examination of the role of redistricting. There is no question that many retirements in the House have their roots in redistricting decisions (Theriault 1998, Carson 2005.) Remapping plans may eliminate a Representative's district entirely or alter it in ways that reduce or even eliminate her realistic hopes of re-election. Yet while redistricting years typically produce more retirements, it is not clear that redistricting per se should result in earlier or later retirement announcements. However, it seems possible that an interaction term measuring the timing of redistricting plan approvals might have some predictive power, with MCs in states with late redistricting perhaps delaying retirement announcements and those in states that remap quickly reacting earlier in the cycle.

One additional factor that requires further investigation is the role of party campaign committees in encouraging legislators to make their intentions clear earlier in the campaign cycle. In 2012 Democratic Senate Campaign Committee Chair Sen. Patty Murray reportedly decided to "push members whose terms expire in 2012 to announce their intentions early on"¹⁵ Nor was Murray alone. A reporter noted that "Both Republicans and Democrats have put a greater emphasis in recent cycles on encouraging potential retirees to make their decisions sooner rather than later."¹⁶ Interviews with former Members of Congress and campaign committee staffers could reveal how long

¹⁵ "Bingaman Won't Run for Senate in 2012" *Washington Post*. February 18,2012

¹⁶ "The Retirement Season" *National Journal Daily* (online) November 16,2011.

this practice of encouraging members to show their hands has been going on. It might also give some sense of whether such efforts really have much impact on MCs' decisions about when to go public regarding their intentions.

Conclusions

The many studies of Congressional retirement have neglected the question of retirement announcement timing. Yet this is an important topic, with connections to concerns about representation and shirking, competitiveness of campaigns and the rise of the permanent campaign. Examination reveals several important developments in retirement announcement timing since 1920. Members of Congress announce their retirements earlier than they used to. However, this trend is much more pronounced in the Senate than the House, creating a large inter-cameral gap in retirement announcement timing that was not evident in the mid-20th Century.

A big jump in the timing of Senate retirement announcements is visible in the 1970s. This is the time when federal campaign finance laws came into force and there is reason to believe that Senators, who raise far more funds than Representatives, were disproportionately affected by this reform. In a multivariate model an indicator variable for FECA was a significant predictor, with Senators announcing their retirement after the law came into force doing so earlier in the campaign cycle than those retiring in earlier years, even holding constant many other factors.

Analyses revealed that different predictors were important in different eras. In the early pre-FECA period the only significant predictors of retirement announcement timing for Senators was the filing deadline they were subject to while for the Representatives or a Ranking Minority Member also was associated with earlier retirement announcements

Different variables have predictive power in recent decades. The most reliable of these is age, with older Senators announcing their retirements earlier in the cycle. Senators from states with larger populations were also more likely to make early announcements in recent decades. Moderate MCs in both chambers have been less likely to make early announcements. Conservatives have been more likely to do so in the Senate since the late 1980s.

These factors, especially *age*, which is associated with the decision to retire in many studies, suggest that in recent decades Senators have had to make clear their intentions earlier in the campaign cycle. It is not as though age should not have impelled Senators to retire in earlier decades as well. Yet older retirees were *not* more likely to make earlier announcements prior to the 1970s. In the old days Senators of advanced years might simply have been able to keep their intentions to themselves for longer.

By contrast, the demands of the permanent campaign are now such that a Senator who is planning to retire has more incentive to make his intentions known earlier in the cycle. Creating an impression that one may be seeking re-election, even to keep one's options open, requires a great deal of fundraising and campaign activity that was not necessary in earlier decades. MCs typically view such activity as a cost and not a benefit of their positions. So it is no surprise that many of them choose to not to pay it, even though the price is the loss of some ambiguity about their intentions and a longer lame-duck phase at the end of their Congressional careers. The severing of the electoral connection for many Senators two years before their term ends and the furthering of the "permanent campaign" were no doubt far from the intentions of the architects of FECA, but they may have been the result anyway.

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