Studies of unilateral power typically analyze a single tool of presidential action (e.g. executive orders, memoranda, proclamations, and signing statements) in relative isolation. But scholars have long recognized presidents boast a diverse toolkit with particular actions possessing variable suitability for a given political circumstance. We investigate one mechanism by which presidents may choose one tool over another: political cost. Specifically, we ask: does public perception of policy movement vary with the means used to alter the status quo? Leveraging a survey experiment conducted after the 2014 midterm elections, we find support for the idea that presidents have strong incentives to take action—any action—but that more salient means like executive orders have the potential damage respondents’ evaluations of policy change. We report initial evidence that the means of “unilateral” action are endogenous to political circumstances and that studies which analyze them in isolation may be vulnerable to bias.
1 Introduction

Scholars typically study a single “tool” of presidential action in relative isolation. But presidents boast a diverse toolkit with particular actions possessing variable suitability for a given political circumstance.¹ The list of means by which presidents initiate policy change is both extensive and malleable: executive orders (Mayer, 2001; Howell, 2005), presidential memoranda (Cooper, 2002; Lowande, 2014), signing statements, proclamations (Rottinghaus and Maier, 2007; Rottinghaus and Lim, 2009), national security presidential directives, and more.² Though studies have made progress aggregating data and analyzing the use of these tools from year to year, a theoretical treatment of why presidents use one tool over another is noticeably absent. To examine one potential mechanism that may drive this decision calculus, we investigate public response to various unilateral actions. Specifically, we ask whether public perception of policy movement varies with the means used to alter the status quo.

Until recently, a paucity of public opinion research on the subject made the precise relationship between public opinion and unilateral action unclear. This is no longer the case. Recent work finds consistent evidence that approval for unilateral action is strongly tied to presidential approval (Reeves and Rogowski, 2015⁴, 2015; Christenson and Kriner, 2016). Suggesting that public opinion provides a conditional, “informal” constraint on unilateral action (Kriner and Christenson, 2015). In addition, this new stream of research provides divergent findings on the independent influence of unilateral action on presidential approval. Whereas Christenson and Kriner (2016) find no evidence that unilateral action influences approval, work by Reeves and Rogowski (2016) finds precisely the opposite. Our study builds on this recent work by examining several means of unilateral action simultaneously. We argue that presidential tools vary in their level of salience, which results in variation in how the public responds to policy change. More specifically, public awareness, semantic differences and historical connotations associated with each directive type mean that executive orders—the exclusive subject of prior research—will depress approval of both the policy and the president.

¹To the best of our knowledge, the description of the president’s set of policymaking options as a “toolkit” appears first in (Rockman, 2000).
²For a full list, see Relyea (2005).
To evaluate this argument, we conducted a survey experiment following the 2014 midterm elections. We presented respondents with a fictional account of a change in federal regulation of unmanned aircraft systems (UAS, or, hereafter “drones”)—varying the means of policy change. Respondents were randomly assigned to view news accounts describing policymaking either by the Federal Aviation Administration, or presidential policymaking via either executive order or memoranda. We find support for the conventional notion that presidents have strong incentives to take action. When respondents favor the policy in question, respondents rate the president higher when the policy change comes directly from the president. We also find mere use of the term “executive orders” (as opposed to memorandum) depresses approval for the policy change itself. However, we find no evidence that respondents penalize presidents for issuing an executive order—or taking unilateral action, more generally.

2 Presidential Action and Public Response

Though existing work focuses on public response to the issuance of executive orders, there are several reasons a broader treatment of the presidential toolkit is necessary. First and foremost, the unilateral politics paradigm does not distinguish between means by which the president might change the status quo. Howell (2003) develops a general theory of unilateral action and uses executive orders as a plausible dependent variable. There is nothing unique about Howell’s depiction of spatial movement in policy that confines it to executive order use. Research on the issuance of presidential directives takes this generalization seriously. Ostrander and Sievert (2013) write, for example, that signing statements often “take on a character similar to executive orders or line-item veto [...] and can be characterized in the tradition of Howell (2003) as examples of power without persuasion.” (143) In addition, according to Bailey and Rottinghaus (2013), presidential proclamations “involve substantive matters of policy and carry significant legal weight because they are often specifically authorized by statute.” (188) They go on to use proclamations as an opportunity to evaluate theories of unilateral power in the context of “pre-modern” presidencies. Thus, scholars have worked to integrate presidential documents beyond executive orders into the unilateral action paradigm—acknowledging that, at a minimum, these actions have been used to alter public policy.
In addition, though there may be non-strategic reasons presidents choose one means of action over another, in many circumstances, presidents possess substantial discretion—not just to change policy—but how to accomplish that change.\(^3\) This is evident in typical examples of this kind of policy change, as well as in historical trends in directive issuance. Presidential memoranda, for example, are now published in the Federal Register with frequency comparable to executive orders (Lowande, 2014). Given the generality of the unilateral politics paradigm and observed variance in the means used to accomplish policy change “alone,” it is important to examine mechanisms that might lead presidents to select one tool over another.

Though there are a variety of strategic mechanisms that could explain the means of unilateral action, we investigate potential political costs generated by public perception.\(^4\) To illustrate presidential discretion and potential strategic considerations associated with public response, consider the three immigration-related directives below. The first excerpt is part of Executive Order 12324, issued by Ronald Reagan in 1981. The second is taken from the well known “prosecutorial discretion” memorandum issued by then Secretary of Homeland Security, Janet Napolitano. The third comes from a recent presidential memorandum issued by Barack Obama. In the first two cases, presidents claimed credit for the policy changes they brought about. Though the use of “prosecutorial discretion” in the Napolitano case was recommended by John Morton, the Director of ICE a year earlier, it was largely embraced by the White House as a means of partially implementing

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\(^3\)Legislation may require the president issue a particular kind of directive when implementing a statute. Cases in which this kind of constraint would apply may fall outside of the scope conditions of the unilateral politics model. Additionally, a signing statement is only issued (by definition) following the enactment of a piece of legislation. So the circumstances in which the president may issue a signing statement will be limited. But it should be noted that the policy prescriptions contained in signing statements could also be accomplished via other directives. So the institutional circumstance only limits when a signing statement may be issued—it does not determine when it will be issued.

\(^4\)For example, as Mayer (2001) and Howell (2003) both show, there are well-established precedents for overturning executive orders which are deemed to go beyond the scope of the president’s authority. Other directives, like presidential memoranda, have not been successfully challenged—or simply have never been the subject of a lawsuit. This is not to say that the president’s directives are more legally resilient when they are not executive orders. The judiciary could, in theory, expand its review of presidential directives, or begin overriding new categories of actions. It may be that interested parties opposed to the directive’s policies may be less likely to litigate, given the lack of precedent.
the DREAM Act. In addition, though the third was issued via memorandum, presidents have issued dozens of executive orders accomplishing similar tasks. Moreover, the codification of specific policies in the second excerpt, has also been accomplished by memorandum and executive order.5

The Secretary [...] shall issue appropriate instructions to the Coast Guard in order to enforce the suspension of the entry of undocumented aliens and the interdiction of any defined vessel carrying such aliens.6

[U.S. Immigration and Customs Enforcement] should exercise prosecutorial discretion, on an individual basis, for individuals who meet the above criteria by deferring action for a period of two years, subject to renewal, in order to prevent low priority individuals from being removed from the United States.7

[The Secretaries] shall develop: (i) in consultation with private and nonfederal public actors, including business people, labor leaders, universities, and other stakeholders, recommendations to streamline and improve the legal immigration system – including immigrant and non-immigrant visa processing – with a focus on reforms that reduce Government costs, improve services for applicants, reduce burdens on employers, and combat waste, fraud, and abuse in the system.8

None of the cases above required the president (either by constitutional mandate or legislative statute) to issue a particular kind of directive. The second and third excerpt contain policy prescriptions that could have been accomplished by an executive order, but this may have been sub-optimal given the political climate. In the months leading up to the memorandum, the President and his advisors repeatedly answered charges from Republicans about “imperial overreach” by noting that the president had issued the fewest executive orders of any president in the last 100 years.9 This raises an important question, namely: does the means used to change the status quo

5See, for example, E.O. 10940, 13639, and 12071.
9“The truth is, even with all the actions I’ve taken this year, I’m issuing executive orders at the lowest rate in more than 100 years. So it’s not clear how it is that Republicans didn’t seem to mind when President Bush took more executive actions than I did.” Statements made by President Obama on July 10, 2014.
meaningfully alter public perception of unilateral action? That is, should presidents consider the message sent to the public by the means of unilateral action itself?

We argue presidential actions vary based upon public salience, and that this salience primes negative attitudes toward policy and the president by framing policy in the context of presidential overreach. Previous work does not distinguish between directive types and agency actions, but we believe relatively subtle differences across these options may produce substantively meaningful effects for several possible reasons. First and foremost, directive-specific coverage of unilateral action has dramatically increased during the Obama administration. From 2009-2012, executive orders were mentioned in, on average, 79.8 *New York Times* articles per year. This figure dwarfs coverage of George W. Bush’s executive orders, which were written about in 18.25 articles per year in his first term, and 19.5 articles per year in his second term.\(^{10}\) Public exposure to specific directives, then, may be unmatched in recent history. Moreover, partisan elites have largely seize this opportunity to provide cues about unilateral action to the mass public.

Second, there might be accumulated historical connotations associated with a particular tool. For instance, as Copeland (1983) argues, several antebellum presidents did not use the power of the veto—in part, because of the personal and public conception of what was an “appropriate” use of the tool itself. Presidents began using the veto more frequently after use of the veto based on pure policy-related rationale became publicly appropriate. Contemporary use of executive orders bares a similar kind of historical attachment. Media efforts to explain these directives to viewers inevitably involve discussions of the most infamous executive orders: 9066, which ordered Japanese internment during World War II; and 10340, which ordered the seizure of steel mills during the Korean War. Any in-depth investigation of the tool itself has the potential to invoke this immediate negative connotation. Additionally, as Reeves and Rogowski (2015a,b) argue, underlying beliefs about the rule of law might induce negative attitudes about unilateral action. Finally, mere semantic differences between the directives may negatively prime citizens. As considerable research has shown, semantic (as opposed to substantive) differences in the content of news stories influences how respondents evaluate candidates and issues (e.g. Nelson, Clawson, and Oxley, 1997). The

\(^{10}\)This difference is similar for other news outlets, like the *Wall Street Journal*, whose articles mention executive orders 19.8 times per year in George W. Bush’s first term, 19 times per year in his second, and 56.8 times per year for Barack Obama’s first term.
language of “proclamations”, “executive orders”, “decrees” will undoubtedly appear more assertive than “memoranda”, “statements of administrative policy”, and “signing statements.”

2.1 Expectations

Building on recent work by Christenson and Kriner (2016) and Reeves and Rogowski (2015a), we begin with the initial hypothesis that actions which explicitly name the president as the source of policy movement will inevitably tie one’s evaluation of the policy change to one’s approval of the president. For example, when the public disapproves of the policy, and the president claims credit for it, we should expect that relationship to depress approval. While this hypothesis is fairly intuitive, it makes an important point. Presidents often claim credit for policy movement, but they are equally capable of obfuscating the source of policy movement. Policy changes often occur at a lower administrative level, even if they are authorized and approved by the White House.

Next, we advance two more novel expectations related to the type of presidential directive. Specifically, we suggest that executive orders will depress approval of policy change and presidential approval, whereas memoranda (an equivalent tool) will not. That is, we argue that respondents will penalize president (and the policy itself) for taking unilateral action through more salient means. In essence, we argue that by issuing a memoranda (rather than an executive order), the president can avoid priming negative attitudes.

3 Public Response Study

To test the impact of the method of executive-branch policy-making on public opinion about the executive and the policy, we conducted a randomized survey experiment about United States policy on commercial use of unmanned aircraft systems (hereafter, “drones”). We chose drone policy because it meets a “Goldilocks” standard of being neither so obscure that it is unreasonable to expect an average voter to be able to form an opinion, nor so salient that existing opinions would be overwhelming and largely determined by factors unrelated to our survey. For example, a policy

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11While we find each of these reasons plausible, we do not adjudicate between them within the context of this study. Our intent is to take the more incremental step of investigating whether perceptions differ in the first instance—rather than investigate the underlying motivation behind them.
change related to healthcare or the Affordable Care Act might invariably tie respondent’s opinions to partisan identification or ideology.

Each participant was presented with a fictional article that appeared to be from CNN.com, which offered a very brief summary of a new policy in which the government would be limiting licenses for private and commercial drone use. Discussions of commercial drone regulation have been covered by major news outlets (e.g. Lowy 2014). The survey took place prior to the promulgation of the FAA’s final rule, which took effect in August 2016. Thus, the policy was researcher-invented, but the presentation was crafted to seem as realistic as possible. Because the focus of the experiment is how the policy was enacted, we sought to create a “control” and set of treatment articles that would be identical (verbatim, where possible) except in identifying how the policy came to be.

The control article does not identify any source or method for the policy’s genesis, simply that the “government” issued the policy. This approach has limitations. Identifying the government generically as the source may imply different things to different people. Some may read into this a particular or most common method (for example, an act of Congress). Though it is explicitly imprecise, that does not mean it is content-less. Thus, the effect of any intervention must be properly understood not as an absolute effect but rather the effect relative to how voters assess policy making in the absence of details about methods of policy formation.

The first treatment is the “Agency” treatment, in which the source of the policy is an FAA regulation. The FAA stands in for agencies more generally because of its topical relevance, but this also means that this treatment brings in specific feelings and assessments respondents may have had about the FAA. We do not believe that the FAA comes pre-loaded with sufficient information to impact our result, but it is worth mentioning. More salient agencies, such as the Department of Health and Human Services, the Environmental Protection Agency, or the Food and Drug Administration may prime existing attitudes. Our issue selection side-steps this potential confounder.

The final two treatments analyze two different “tools” in the Presidents executive arsenal. In the first, the new drone policy is credited to a presidential memorandum signed by President Obama. In the second, the policy is attributed to the President signing an executive order. These treatments pose an obvious attribution problem. President Obama is a highly polarizing figure in American

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12 A reproduction of the survey treatments and questions appears in the Appendix.
politics and previous scholarship shows that his attachment to a policy may substantially alter the public’s response to it (Tesler, 2012). Therefore, if two treatments say “President Obama issued” and two others make no mention of President Obama, then the two presidential action treatments become a test not just of directives, but also of the respondents’ opinions of the current president himself. To account for this, we included a simple line stating that President Obama approved of the new policy in both the Control and Agency treatments.

The respondents were obtained from Survey Sampling International, INC. (SSI), which paid respondents in terms set by SSI. The respondents were directed by SSI to a University of Virginia website with a survey set up using LimeSurvey software. SSI used demographic quotas to create a nationally representative sample of 640 respondents. Generally the quotas were successful in creating a sample balanced across age, gender, race, and partisanship, though the sample does over represent Democrats, as is common in online surveys. In addition to our survey, respondents completed additional, unrelated survey questions within the ten minutes allotted. Because of the randomization of treatments and heterogeneity of subjects in the treatments, we do not believe that there are any systematic spillover effects between surveys. Table 1 provides an overview of the content of each treatment, with the differences relative to the “Control” italicized.

<table>
<thead>
<tr>
<th>Group</th>
<th>Content</th>
</tr>
</thead>
<tbody>
<tr>
<td>Control</td>
<td>Generic “government” source, Obama approval</td>
</tr>
<tr>
<td>Agency</td>
<td>FAA source, Obama approval</td>
</tr>
<tr>
<td>Memo</td>
<td>Presidential Memorandum source</td>
</tr>
<tr>
<td>Order</td>
<td>Executive Order source</td>
</tr>
</tbody>
</table>

After receiving the stimulus, respondents were then asked a short series of questions that form the dependent variables of subsequent empirical testing. First, all respondents were asked whether they approved of the new drone policy. The responses allowed were “Approve Strongly,” “Approve

13 The actual numbers of respondents to any particular question varies based on incompletion rates and non-responsiveness.

14 Sample characteristics are reported in the Appendix.
Somewhat,” “No Opinion,” “Disapprove Somewhat,” and “Disapprove Strongly.” They were also asked whether they approved of the President and whether they approved of the Executive Branch’s overall performance under the current President. Finally, they were all asked how often President Obama stays within the limits of the Constitution, with options “Rarely,” “About Half of the Time,” “Often,” and “No Opinion.” Respondents were also asked a battery of demographic questions about age, race, gender, education level, as well as ideological and partisan self-placement. Finally, we included an attention check to test whether they could correctly identify the stimulus. We discuss this check in the following section and include it in our reproduction of the survey in the Appendix.

4 Results

An important strategic decision for executive policy making is how “high” up the executive pyramid the policy will originate from. Some policies emerge obscurely from a long, quiet process in an agency sub-department. Other policies are issued by agency heads. The President may also choose to claim credit for the policy through a directive. We initially test whether the President’s choice to be personally responsible for the policy has ramifications for voter evaluations of the policy and the President. Recall that we argue personal involvement (via directive) by the president will tie the president’s approval rating to the policy’s approval rating.

To test this, we collapse the four treatment groups into two: those actions taken by the President (Memo and Order) and those taken by anyone else (Control and Agency). We use T-tests to compare the differences across question responses between these two groups. To allow for simpler testing, we dichotomize the results for the policy, president, and executive-branch performance questions. In each, both “Approve Somewhat” and “Approve Strongly” become simply “Approve.” Likewise, both “Disapprove Somewhat” and “Disapprove Strongly” were coded as “Disapprove.” Those who selected “No Opinion” were dropped.

For the question about how often the president remains within his constitutional limitations, we present the average response, with higher numbers corresponding to strong belief in the president’s adherence to constitutional limitations. Additionally, respondents who failed the attention check were dropped. In our view, the attention check question is the best means to isolate those who actually received the treatment. That is, those who cannot recall an obvious feature of the story
they read less than a minute ago may have not read the article at all. While it may be the case that our treatments also operate on an implicit basis, we have opted to maintain the most attentive sample of survey respondents.\textsuperscript{15}

\begin{table}[h]
\centering
\begin{tabular}{lcccc}
\hline
Group & Policy Approval & Presidential Approval & Executive Functioning & President Within Constitution \\
\hline
Non-Presidential & 74.4 & 45.2 & 38.0 & 2.09 \\
Presidential & 70.4 & 56.7 & 46.8 & 2.31 \\
\textbf{Difference (S.E.)} & -4.0 (5.8) & 11.5 (5.7)* & 8.8 (5.9) & 0.22 (0.09)* \\
N & 242 & 303 & 276 & 314 \\
\hline
\end{tabular}
\caption{Impact of Personal Presidential Involvement in Executive Policy-Making on Voter Evaluations}
\end{table}

Standard errors in parentheses. Differences may appear incorrect due to rounding in cells.

\* = \(p < 0.05\), two-sided tests.

In Table 2, we present the group-level averages for all four questions and T-tests on the between-group differences. When the president is the direct source of the policy change, respondents were generally more positive in their evaluations of the president. They were about 11.5 percent more approving of the president and were almost more likely to say that the president stays within his constitutional limitations. The policy received high approval ratings (above seventy percent) in each treatment group. When the policy was attributed to the President, the president’s approval rating was significantly higher. Recall that each treatment indicated that the president’s support for the policy, thus these gains are tied directly to the president taking the action, not simply because the president supported the policy respondents favored.

When respondents were told that the president approved of the new policy but not that the president himself had created it, they were more likely to think the president sometimes oversteps his constitutional limitations. This presents an interesting and counterintuitive finding: when the president was seen as acting unilaterally, the respondents thought the president remained within his constitutional requirements. There is a similar, but statistically insignificant result (\(p < 0.2\))

\textsuperscript{15}In the resulting sample, four respondents completed the survey from duplicate IP addresses. Not surprisingly, dropping them does not alter any of the results below.
for the question of whether the executive is functioning well under President Obama. Finally, the President’s personal involvement had no meaningful effect on overall policy approval.

Comparing Presidential Memoranda to Executive Orders

Next, we evaluate our more novel expectations, which predicted that more overt or salient actions would depress policy approval. If the president chooses to claim explicit credit for the action, a second-level strategic choice is which of his unilateral tools to use. Does the choice of method impact voter assessments? As an initial descriptive check on our ex ante specification of executive orders as more salient, we examined whether respondents reported having some prior knowledge of the FAA, executive orders, and presidential memoranda. According the self-reporting among those who had received the corresponding treatments, 83 percent had at least “heard of” the FAA, whereas 75 percent had heard of executive orders, and only 44 percent claimed to have heard of presidential memoranda. Thus, the executive order treatment, as expected, was the most salient means of action which could be taken directly by the president.

To test whether being more overt decreases policy support, we compare the evaluations of the policy by those who received the Memo treatment to those who received the Order treatment. Again, these treatments provide a useful comparison, because there is little difference (in terms of legal effect) between presidential memoranda and executive orders. We have maintained the simplified, dichotomous coding used in Table 2.

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16 Note that the difference between these executive order and memo self-reports is statistically significant (p < 0.05).
## Table 3 – Impact of Choice of Presidential “Tool” on Voter Assessments of Policy-Making and Presidential Performance

<table>
<thead>
<tr>
<th>Group</th>
<th>Policy Approval</th>
<th>Presidential Approval</th>
<th>Executive Well Functioning</th>
<th>President Within Constitution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Memorandum</td>
<td>80.0</td>
<td>62.3</td>
<td>56.1</td>
<td>2.33</td>
</tr>
<tr>
<td>Order</td>
<td>61.5</td>
<td>51.3</td>
<td>38.4</td>
<td>2.29</td>
</tr>
<tr>
<td><strong>Difference (S.E.)</strong></td>
<td><strong>-18.5 (8.1)</strong></td>
<td><strong>-11.1 (7.9)</strong></td>
<td><strong>-17.7 (8.4)</strong>*</td>
<td><strong>-0.04 (0.12)</strong></td>
</tr>
<tr>
<td>N</td>
<td>125</td>
<td>157</td>
<td>139</td>
<td>163</td>
</tr>
</tbody>
</table>

Standard errors in parentheses. Differences may appear incorrect due to rounding in cells.

* = p < 0.05, two-sided tests.

The results provide support for our policy-related expectations, but no support for those related to presidential approval. Participants in this survey responded very differently to the new policy when it originated from an Executive Order compared to when it came from a Presidential Memorandum, offering significantly less approval when the policy originated in an Executive Order.\(^\text{17}\) In addition, their evaluations of how the President managed the Executive Branch were also much more negative. Each of these results was statistically significant, despite the small sample size. Importantly, however, our results do not suggest that the president is directly penalized by issuing an executive order—as opposed to a memoranda.

### Additional Considerations

Though outside the intent of our original research design, we recognize that our study allows us to probe a number of additional questions. For instance, we may have observed no difference in presidential approval because unilateral polarized attitudes about the president himself. That is, presidential actions may prime respondents to take more extreme positions on the president’s job approval—resulting in a net-negative observed change. Those who would have (counterfactually) weakly approved of the president could have observed the overt action and approved with greater intensity. To investigate this, we reform the questions to measure intensity of response rather than

\(^{17}\)As sample statistics in the Appendix show, there are fewer Democrats in the executive order treatment group, however, our finding here is robust to the inclusion of party controls (p < 0.1).
simple approval. Recall that the three approval questions were asked with a 5-point scale. We collapse this to three points: “0” for those who responded “No Opinion,” “1” for those who responded either “Somewhat Approve” or “Somewhat Disapprove,” and “2” for those who responded either “Strongly Approve” or “Strongly Disapprove.” This creates a measure of response intensity. If the president’s involvement drives polarization, we expect it would create more rather than less extreme reactions in our respondents. For the constitutionality question, we collapse it into a dichotomous variable which takes the value “0” when respondents claimed that the president remained within his constitutional bounds “About half of the time” and “1” when they said “Rarely” or “Often.”

Table 4 – Impact of Personal Presidential Involvement in Executive Policy-Making on the Intensity of Responses

<table>
<thead>
<tr>
<th>Group</th>
<th>Policy Approval</th>
<th>Presidential Approval</th>
<th>Executive Well Functioning</th>
<th>President Within Constitution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Presidential</td>
<td>0.98</td>
<td>1.36</td>
<td>1.29</td>
<td>0.74</td>
</tr>
<tr>
<td>Presidential</td>
<td>0.93</td>
<td>1.32</td>
<td>1.11</td>
<td>0.72</td>
</tr>
<tr>
<td><strong>Difference (S.E.)</strong></td>
<td><strong>-0.05 (0.08)</strong></td>
<td><strong>-0.05 (0.07)</strong></td>
<td><strong>-0.18 (0.08)</strong>*</td>
<td><strong>-0.02 (0.05)</strong></td>
</tr>
<tr>
<td>N</td>
<td>343</td>
<td>345</td>
<td>276</td>
<td>314</td>
</tr>
</tbody>
</table>

Standard errors in parentheses. Differences may appear incorrect due to rounding in cells.

*= p < 0.05, two-sided tests.

Table 4 does not show any polarization of responses for those who believed the policy was created through a presidential action. In fact, responses to all four questions were less extreme for those in the presidential group. For responses to the president’s handling of the executive branch, this was statistically significant. This is not limited to presidential and non-presidential groupings. We re-ran the analysis of Table 4 between those in the Memo group and those in the Order group. The results are presented in Table 5, which indicates that there are no statistically significant differences between the two groups in the extremity of their responses. While responses were always more polarized for those in the Order treatment, most differences were small and all were insignificant. We are therefore unable to draw any conclusions in support of the hypothesis that the president’s involvement in executive branch policy-making or the use of executive orders

18Note that this measure only runs from zero to one, while the first three measures run from zero to two.
polarizes attitudes.

**Table 5** – Impact of Method of Presidential Action on the Intensity of Responses

<table>
<thead>
<tr>
<th>Group</th>
<th>Policy Approval</th>
<th>Presidential Approval</th>
<th>Executive Well Functioning</th>
<th>President Within Constitution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Memo</td>
<td>0.92</td>
<td>1.26</td>
<td>1.03</td>
<td>0.70</td>
</tr>
<tr>
<td>Order</td>
<td>0.93</td>
<td>1.37</td>
<td>1.19</td>
<td>0.73</td>
</tr>
<tr>
<td><strong>Difference (S.E.)</strong></td>
<td><strong>0.01 (0.11)</strong></td>
<td><strong>0.12 (0.10)</strong></td>
<td><strong>0.15 (0.11)</strong></td>
<td><strong>0.03 (0.07)</strong></td>
</tr>
<tr>
<td>N</td>
<td>179</td>
<td>180</td>
<td>180</td>
<td>163</td>
</tr>
</tbody>
</table>

Standard errors in parentheses. Differences may appear incorrect due to rounding in cells.

*= p < 0.05, two-sided tests.

Finally, we investigated whether Democrats respond differently than Republicans, given the means of policy change. Following the procedure in previous analyses, there is no statistically distinguishable difference between the response of Democrats and Republicans to the Order treatment, when compared to the Memoranda treatment. So, the negative effect uncovered earlier may not be driven by differential effects on the opposition and co-partisans. However, subsetting the data to Democrats in these treatment groups who recalled the treatment reduces the sample size to 98, further limiting our ability to draw reasonable inferences.

**An Accidental Test: Measuring the Effects of President Obama’s 2014 Immigration Action Speech**

Conducting an experimental survey takes planning, drafting and re-drafting of stimuli, IRB approval, pilot testing, and so on. After all of these preliminary phases, the researchers are still subject to the randomness of the universe to throw up the unexpected and compromise the initial intentions of the survey. And so it was that our survey went live in the week of November 17, 2014. On November 20, 2014, President Obama unveiled his long-awaited executive actions on immigration. In conjunction with the actions, he gave a speech on national television that evening. Roughly the second half of our respondents took the survey after executive action became suddenly hyper-salient with extensive news coverage of the nationally televised speech.
While this raises an important caveat for our above tests, it also presents an interesting opportunity to measure potential effects of the president’s speech. Did those who came after the speech react to the executive order treatment differently? We test this by separating out those who took the survey before 8 pm on November 20, 2014 from those who took it after. First, we measure whether there is evidence that those who took it after were actually aware of the coverage or speech. Because we did not have specific questions about the speech in the survey, we resort to an indirect test: had the person heard of executive orders before? If they had been exposed to news coverage or the speech, they likely would have. And that bears out. Only 63 percent of respondents before the speech had heard of executive orders while a full 91 percent in the “after speech” group reported hearing of them. This difference is statistically significant at the $p < 0.001$ level.\footnote{The results in this section are robust to multiple specifications of “before and after” the speech. There were reports about the speech in the preceding day. Moreover, some respondents may have received this “treatment” the following morning. The results do not substantively change if the break is specified in either fashion.}

With some evidence that watching the speech had some effect, we now analyze whether the speech impacted the way the respondents reacted to the executive order treatment. To do this, we break down evaluations of the policy for those who received the Order treatment. The first group is those from before the speech and the second group is those from after the speech. Again, we use the dichotomized responses with those who failed the attention check dropped. Table 6 shows the results. Even with the small sample size, the speech shows a significant effect on responses to the policy approval for those in the Order group. After hearing the speech, respondents were far more positive. This implies that the speech may have given overt actions a bit of “good press” or extra legitimacy. Having seen the president defend unilateral action in a different context may have been persuasive for evaluations in the drone context.\footnote{One additional limitation of this analysis is that assignment to “before” and “after” was not random. Because of the use of quotas, some groups were more likely to get into the sample before rather than after. Multivariate regression may weaken these results, but there is insufficient data to give a thorough testing.}
Table 6 – Impact of November 20 Presidential Speech on Effect of Order Treatment

<table>
<thead>
<tr>
<th>Group</th>
<th>Policy Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>Before</td>
<td>0.50</td>
</tr>
<tr>
<td>After</td>
<td>0.74</td>
</tr>
<tr>
<td>Difference (S.E.)</td>
<td>0.24 (0.12)*</td>
</tr>
<tr>
<td>N</td>
<td>65</td>
</tr>
</tbody>
</table>

Standard errors in parentheses.

*= p < 0.05, two-sided tests.

5 Discussion

When presidents choose to “go it alone”, they face important strategic decisions about the means by which they change the status quo. Our study has investigated one dimension of that strategic decision: anticipated public response. Importantly, by leveraging an experimental research design, we have shown that the public may respond to policy change differently, depending upon the means by which it was accomplished. Specifically, we find that though explicitly presidential actions tie approval of the policy to the approval of the president (in this case, raising approval), more salient means of action like executive orders may have a negative impact on respondents’ view of the policy. How the president initiates policy change sends an important political message to the media and to the public.

However, there are important limitations to the findings we present here. First, roughly half of our respondents were receptive enough to the treatment to recall it minutes later. It is possible that this is simply a limitation of our topic of interest, in that the means of unilateral action may be ignored by most respondents. Our experiment attempted to reproduce the circumstance in which a typical person would consume news, but there are limits to our approach. Moreover, it may be the case that the group who paid attention are qualitatively different, in which case, our results only travel as far as similarly attentive viewers in the public at large. Additionally, the reduction in sample size implies that replication and expansion of these tests is necessary. Second, the results of the survey may have been impacted by circumstances beyond our control. SSI recruited the
respondents as President Obama focused momentary, intense media attention on political issues associated with unilateral action. We have attempted to look into possible contagion effects, but there is ultimately no way to determine who received this rogue treatment.

Despite these limitations, we have taken an important step toward demonstrating that the “tool” selected by the president has implications for how the public perceives policy change and the president. Importantly, this implies that the means of unilateral action—in addition to the more general decision to “act alone”—may be endogenous to political circumstances. It is important to note that the degree to which presidential administrations have made choices based on upon this kind of political messaging is likely limited by historical scope. After all, it may be that executive orders’ apparent stigma only operates within the context of heightened polarization and contemporary news reporting. Experiments, after all, are immediate historical artifacts once they are fielded. However, in an environment with considerable reporting of Washington-related news (especially stories which concern the president), we would expect the relationships uncovered here to continue for future administrations. Ultimately, substantively equivalent means of action may carry variable suitability based upon political circumstance and anticipated public response.

References


**Appendix: Survey Treatments and Questionnaire**

**Figure 1 – Treatment Conditions**

(a) Condition: Control

(b) Condition: Agency
President’s Memorandum limits commercial drone use

Washington (CNN) – On Wednesday, President Obama signed a memorandum creating new rules for the use of drones by private actors including corporations. The new policy places limits on the number of companies that may own and operate drones.

The memorandum states that the federal government may only issue the required licenses and permits to non-federal organizations conducting approved development, testing, or research on drone technology. The memorandum explicitly prohibits awarding licenses to for-profit corporations that do not meet the "development, testing, or research" standard.

The memorandum also caps the overall number of new licenses at 250 for 2015, increasing by 50 each year until it reaches a final maximum of 500 in 2020. The memorandum will take effect January 1, 2015, when the new licensing system is in place.

President’s Executive Order limits commercial drone use

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(a) Condition: Executive Order

(b) Condition: Memoranda

Table 7 – Treatment Groups

<table>
<thead>
<tr>
<th>Group</th>
<th>N</th>
<th>Passed Attention</th>
<th>Age (1-7)</th>
<th>Female</th>
<th>White</th>
<th>Democrat</th>
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<tbody>
<tr>
<td>Control</td>
<td>165</td>
<td>0.46</td>
<td>4.08</td>
<td>0.47</td>
<td>0.75</td>
<td>0.30</td>
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<tr>
<td>Agency</td>
<td>146</td>
<td>0.61</td>
<td>3.40</td>
<td>0.51</td>
<td>0.61</td>
<td>0.43</td>
</tr>
<tr>
<td>Memorandum</td>
<td>153</td>
<td>0.58</td>
<td>3.51</td>
<td>0.58</td>
<td>0.60</td>
<td>0.48</td>
</tr>
<tr>
<td>Executive Order</td>
<td>176</td>
<td>0.52</td>
<td>3.97</td>
<td>0.52</td>
<td>0.69</td>
<td>0.36</td>
</tr>
</tbody>
</table>
## 2014 Election Study

### Do you approve or disapprove of the new policy on commercial drones?
- Approve strongly
- Approve somewhat
- No Opinion
- Disapprove somewhat
- Disapprove strongly

### Do you approve or disapprove of the way Barack Obama is handling his job as President?
- Approve strongly
- Approve somewhat
- No opinion
- Disapprove somewhat
- Disapprove strongly

### The Executive Branch of government is working well since President Obama took office.
- Agree strongly
- Agree somewhat
- No opinion
- Disagree somewhat
- Disagree strongly

### How often does President Obama stay within the limits of what the Constitution says a president may do?
- Rarely
- About half of the time
- Often
- No opinion

### In the news story you read, what changed the government’s policy on drones?
- The Federal Aviation Administration (FAA)
- The President’s Memorandum
- The President’s Executive Order
- The article didn’t say.