

Presidents and the Status Quo

Kenneth Lowande*
Princeton University

May 23, 2018[†]

Abstract

The dominant paradigm for policymaking by chief executives is that they are first-movers who unilaterally alter the status quo. Though presidents are subject to legislative and judicial veto points—along with administrative difficulties and the judgement of the public—most empirical work finds consistent support for models of unilateral action. I re-evaluate these models by leveraging recent advances in the measurement of status quo positions. Though theories of executive unilateralism predict whether a given status quo will change, empirical studies rely on counts of presidential directives and dubious secondary assumptions about the spatial distribution of policies. I analyze 39 policy areas from the 103rd to the 112th Congress and demonstrate that unilateral action theories poorly predict the status quos addressed by presidential initiatives.

*Postdoctoral Research Associate, Center for the Study of Democratic Politics. Contact: lowande@princeton.edu

[†]Jesse Richman generously provided the NPAT data for this study. I also thank Project Vote Smart for access to their survey archive, as well as Chuck Cameron, Thomas Gray, and seminar participants at the Center for the Study of Democratic Politics, Princeton University for helpful comments and suggestions.

The Trump administration started like most contemporary presidencies: with a series of “executive actions” signed in front of cameras and designed to signal that the new president had come to change the status quo. Asked about what actions the president would take, White House Press Secretary Sean Spicer said “it’s just a question of which ones he feels like doing, and when.”¹ The president went on to sign dozens of directives, some of which addressed national monuments, public healthcare, federal funding for abortions, immigration, regulatory reform, and federal hiring. Executive-driven initiatives like these are a hallmark of modern government.

To understand these policy changes and the broader questions about presidential power they raise, scholars have developed and refined unilateral action theory (UAT). Like most presidential candidates, party activists, journalists, and the typical voter, this perspective sees chief executives as first-movers in democratic systems with ample opportunity to change the status quo. Through administrative directives, they break legislative gridlock (Howell 2003), reverse the policies of predecessors (Thrower 2017), and service key constituencies. The new status quo prevails unless it is invalidated by overwhelming legislative majorities or the Judiciary (Moe and Howell 1999). Though most often applied to the American presidency, versions of UAT have been leveraged to understand sub-national (e.g. Cockerham and Crew 2017; Barber, Bolton, and Thrower 2018) and comparative politics (e.g. Neto 2006; Shair-Rosenfield and T. Stoyan 2017).

Despite UAT’s intuitive appeal and ubiquity, the evidence that supports it depends on dubious assumptions. Since the theory predicts the movement of individual status quo policies, predictions about “executive productivity” in the aggregate depend on assumptions about their distribution. To measure productivity, studies turn to counts of various directives that are missing theoretically relevant actions and include irrelevant ones. To measure legislative constraints, researchers most often turn to dichotomous indicators for divided government—which is only loosely related to the theory itself. Finally, in the previous two decades of research on UAT, nearly every quantitative study relies on the same research design, a time-series analysis of total directives issued in a given period.

Given these limitations, I present an analysis of unilateral actions taken in 39 policy areas

¹Quoted in Shear, Michael D. and Julie Hirschfeld Davis. “Trump’s Improvised Path to a Month of Executive Action,” *New York Times* Jan. 21, 2017. <https://www.nytimes.com/2017/01/21/us/politics/trump-presidency-executive-action.html>

from the 103rd to the 112th Congress. This analysis has several appealing features. First, the narrower scope allows me to estimate the spatial position of the status quo by leveraging Project Vote Smart's National Political Awareness Test (NPAT) of congressional candidates (Richman 2011). Importantly, this allows me to identify the policies that *should* be ripe for unilateral action by the president, while avoiding secondary assumptions about the distribution of potential policies to move.

Second, I construct a comprehensive list of unilateral action in each policy area. This list surveys all directives signed by the president—including executive orders, presidential memoranda, proclamations, determinations, and others. But importantly, it also includes unilateral initiatives previously omitted by past work because of arbitrary differences in the administrative implementation. These omissions are not minor. State waivers from the requirements of the No Child Left Behind (NCLB) Act, IRS regulations impacting corporate taxation, and the Deferred Action for Childhood Arrivals (DACA) program were all announced and implemented by the Obama administration—but do not appear in counts of executive orders (or any other type of directive). Finally, the structure of the dataset and increased statistical power (relative to other research designs) permits modeling under numerous alternative assumptions. This is critical for an area of research with inherent limitations on causal identification. Absent standard approaches to design-based inference, UAT's credibility depends on how well its multiple predictions organize the data.

In contrast to past research, I find no evidence in favor of UAT. This persists across different versions of the theory itself, leveraging variation within or between policy areas, and various strategies for taking into account status quo measurement error and missingness. Overall, I find that presidents act unilaterally in policy areas across the full range of liberalism and conservatism. In other words, their actions seem to systematically ignore “pivotal” legislators in Congress. This naturally leads to a discussion of why UAT poorly explains presidents' relationships with the status quo. Beyond considering the limitations of this study, I raise two possibilities. The first is that other actors (e.g. bureaucrats, interest groups or the public) enable or constrain the president in ways that severely limit the predictive power of pivotal actors in Congress. A second is that UAT has previously unrecognized scope conditions that many policy areas fall outside of.

The findings raise key issues for the study of executive power. While UAT suggested that Congress imposed a relatively modest constraint on the president, this study finds that even those

constraints may not operate systematically. This is particularly important given the time series analyzed (1993-2012), a period of high political polarization in which the American president has accumulated substantial statutory and implied powers. In short, those in search of obstacles to presidential power must look beyond Congress.

Presidents and Policy Change: Theory to Testing

Models of unilateral action fundamentally shifted how scholars study chief executives (Moe and Howell 1999; Mayer 1999; Howell 2003). They are built on two important points. First, presidents act as first-movers with relative freedom from the collective action or agency problems faced by other institutions. Second, constraints on these moves are mostly a function of separation of powers. Other actors—namely, Congress and the Judiciary—must challenge the new status quo. To incorporate these features, Howell (2003) extended theories of “pivotal” politics, replacing their focus on lawmaking with unilateral action (Krehbiel 1998; Brady and Volden 2006). The studies containing theoretical refinements and empirical tests of this perspective are too numerous to review in the context of this paper.²

But by borrowing from theory-driven empirical work in Congress, studies of unilateral action also inherited several limitations. Some of these are shared with scholarship trying to understand legislative productivity. The core question addressed by the theory is whether the proposer will successfully improve upon some current status quo in a one-dimensional policy space. The core question addressed by the standard empirical approach is what predicts the level of productivity in a given period. Getting from theory to testing, then, requires some assumption about the distribution of status quo policies in that period. This leads to expectations about how productive, on average, presidents and legislatures will be. But, as most previous work on legislative productivity acknowledges, there are a variety of reasons any distributional assumption will be incorrect.³ If policies are uniformly distributed at the start of a Congress, for example, the theory

²Reviews and commentary on unilateral action account for three chapters of the *The Oxford Handbook of the American Presidency* (Edwards and Howell 2009), a recent special issue of a journal (see Rottinghaus 2015), and at least one dedicated panel at every annual meeting of the *American Political Science Association* for the last 10 years.

³Some of these have been discussed by Peress (2013) and Woon and Cook (2015).

explicitly predicts this will no longer be the case at the end—so there is time-dependence between distributions. Moreover, policy agendas appear to be driven by “shocks”—sudden events, technological developments, or decay (e.g. Callander and Krehbiel 2014)—that shift the distribution and are difficult to incorporate.

Other limitations are particular to the presidency. Congress’ rules and structure mean that legislative productivity is easily observable. Congress produces laws. Refining measures of what laws are important and constitute accomplishments (e.g. Clinton and Lapinski 2006) and even which lawmakers are effective at producing them (Volden and Wiseman 2014) are themselves frequent topics of studies. Measuring executive productivity is far less straightforward. Few formal institutions govern the president’s power of unilateral action. This means observable outputs vary dramatically. They plausibly include written and verbal directives, regulations, contracts, grants, troop deployments, and voluntary agreements with stakeholders. Moreover, unlike Congress—which labels non-binding resolutions and other bills that accomplish little—parsing what “counts” as an executive accomplishment is comparatively difficult.

Studies typically regress counts of presidential directives on various predictors.⁴ This is vulnerable to two sources of error. It may omit cases of unilateral action and include cases that are not. The most obvious source of omission is that there are at least 25 types of presidential directive, and most studies collect a single variety (e.g. executive orders, memoranda, proclamations, signing statements, etc.) to study (Relyea 2005). If unilateral action can occur via multiple means, this constitutes missing data and will lead to bias. If the missing cases are plausibly random, there will be attenuation bias. But if the selection of one “tool” over another is strategically related to factors like support in Congress, presidential popularity, or anything else researchers include in their analyses—they may come up with false positives.

An additional source of omission is that some unilateral actions have no presidential directive attached to them. In 2012, the Obama administration began implementing portions of the failed DREAM act by instructing the Department of Homeland Security to dramatically increase the number of undocumented immigrants granted “deferred action” designation. As of the most recent quarterly report, there were nearly 700,000 immigrants with active status. Republicans over-

⁴This setup is so widespread, Howell (2009) refers to it as “formulaic” and “unsustainable.”

whelming opposed the move, with dozens of state attorneys generals challenging it in court, and a Republican-led congress symbolically defunding the program.⁵ This is a “textbook” case meant to be explained by UAT—featuring both important policy change and separation of powers conflict. But there is no DACA presidential directive, because the president never signed one.⁶ Though few omitted cases rise to this level of importance, there are enough anecdotes non-directive based initiatives to warrant concern.

Another source of error—including irrelevant cases—has received far more attention. Research has applied approaches designed to assess the “significance” of laws to presidential directives (e.g. Mayer and Price 2002; Howell 2005; Chiou and Rothenberg 2014). This likely removes many “house-keeping” directives that most would consider either unimportant or clearly outside the scope of UAT.⁷ But measuring significance with raters has limitations. First, executive orders are typically the only type of directive mentioned by name in most raters (e.g. news organizations). So scholars trade off parsing the irrelevant for omitting potential relevant, non-executive order cases (but see Kaufman and Rogowski 2018).

Second, some salient directives do not propose a change to the status quo. Many create commissions, working groups or task forces that may or may not propose change at some later date. The Trump administration provides some recent, instructive examples. The establishment of a now-defunct advisory commission on voter fraud led to no policy proposals.⁸ Had it not faced legal challenges, its mandate still left open the deadline for a vague report on the subject. Even when this variety of directive leads to policy change, the change is often delayed. President Trump ordered a review of national monuments in April 2017.⁹ The first policy change as a result of that review came in December 2017.¹⁰ Additional re-designations of public lands could continue to occur into the next Congress.

⁵It is funded by fees.

⁶Likewise, President Trump’s move to rescind the policy was not enacted via presidential directive.

⁷Examples include: amending orders of succession in agencies, exempting officials from mandatory retirement, and letting federal employees go home early for Thanksgiving.

⁸Executive Order 13799. “Establishment of Presidential Advisory Commission on Election Integrity,” May 11, 2017.

⁹Executive Order 13792. “Review of Designations Under the Antiquities Act,” April 26, 2017.

¹⁰Proclamation 9681. “Modifying the Bears Ears National Monument,” December 4, 2017.

In summary, though unilateral action presents an intuitive and powerful way of understanding presidential policymaking, the standard approach to testing theories of unilateral action may be insufficient. To begin to address these limitations, I extend recent efforts to measure the position of status quo policies, and present a new measure of unilateral action.

Expectations

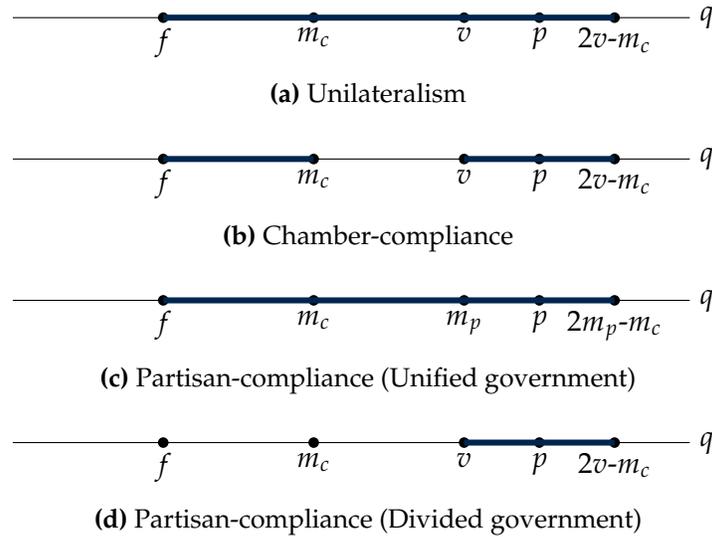
To re-evaluate UAT, I rely on predictions developed by Chiou and Rothenberg (2017). Chiou and Rothenberg provide a comprehensive theoretical and empirical account of unilateral action. Most importantly, they present numerous alternative models that incorporate various assumptions about presidents' discretion and the role of parties. In so doing, they cleanly synthesize arguments present in the previous two decades of research and provide several important extensions. To provide a general empirical evaluation of unilateral action, I test their three core models: unilateralism, chamber-compliance, and partisan-compliance. I review each briefly below, but refer the reader to their work for proofs and complete discussion.

The basic features of each model will be familiar. Policies and single-peaked preferences are arranged on a unidimensional policy space. The president is a first-mover (à la Romer and Rosenthal 1978), Congress is represented as a median and "pivotal" actors (Krehbiel 1998; Brady and Volden 2006), and the resulting predictions describe spatial regions where the president breaks gridlock in equilibrium. In brief: Nature determines some status quo, q , and the level of discretion given to the president. The president decides whether to act unilaterally. A proposer in Congress decides whether to overturn the policy, subject to the limitations imposed by the filibuster pivots, f . The president has the opportunity to veto, and Congress has the opportunity to override—subject to the approval of the veto-override pivot (v).¹¹

The presidents' proposal rule varies by model. This is the key assumption that alters the action regions in Figure 1. In the *unilateralism* model depicted in Figure 1a, the president can move policy in any direction. For the *chamber-compliance* model in Figure 1b, the president's proposal is restricted to movement towards the congressional median (m_c). The *partisan-compliance* model

¹¹The models also include the potential for invalidation by the Judiciary. But since this final veto point does not change the comparative statics with respect to the president and Congress, I leave it for future work.

Figure 1 – Models of Unilateral Action (Chiou and Rothenberg 2017)



Note: Depicts regions of expected unilateral action (darkened lines) for all values of discretion and status quo policies (q); f , m_c , m_p , v , and p denote ideal points for the filibuster pivot, median legislator, party median, veto-override pivot, and president, respectively. Omits regions where the probability of unilateral action is not zero, but less likely. For proofs and discussion, see Chiou and Rothenberg (2017: 45-62, 192-198)

replaces m_c with m_p , the majority party median. Not surprisingly, relaxing proposal restrictions results in more equilibrium opportunities for changing the status quo. *Unilateralism* allows the president to move policy within the canonical gridlock region, $[f, v]$, along with the veto-override and its inflection point, $[v, 2v - m_c]$. *Chamber-compliance* amends this region by gridlocking all policies between the median and the veto-override pivot. *Partisan-compliance* implies unilateral action depends heavily on majority party control. Under divided government (Figure 1d), the president's action region is severely constrained, whereas under unified government, the size of the action region will likely exceed that of the *unilateralism* model.

These regions lead to straightforward expectations about public policies the president should change. For a given status quo in the Figure 1 regions, a strategic president should propose some alternative that will lead to change. We observe that alternative as an executive order, proclamation, or other tool leveraged by the president's administration.

Research Design

To test each model, I use dichotomous indicators for spatial location to predict unilateral action in a given policy area and Congress. This is implemented with least squared regressions that include Congress fixed effects, so the point estimates should be interpreted as describing variation across policy areas within a given Congress. Following Chiou and Rothenberg (2014), I limit these models to the inclusion of theoretically relevant variables. Notably, many of the factors that scholars have considered, such as periods of war, legislative capacity, or time-in-administration, will be accounted for by Congress intercept shifts, and do not vary by policy area. The key task, then, is providing adequate measurement of unilateral action and the status quo—rather than providing an exhaustive specification that “explains” the most variation.

Status Quos

To measure status quo policies, I leverage legislator responses to Project VoteSmart’s NPAT survey. For a given policy area, the survey asks congressional candidates whether funding, taxes, or fees are too high, too low, or about right. Responses are recorded on a 5-point Likert scale. When paired with estimates of the legislator’s ideal point, this directional information can be used to approximate the current spatial position of the policy. This method was developed by Richman (2011, 2015) to test competing theories of lawmaking. Responses to the NPAT have also been used to estimate the preferences of state legislators (Shor and McCarty 2011), party influence on roll-call voting (Ansolabehere, Snyder, and Stewart 2001*b*), and candidate positions in elections (Ansolabehere, Snyder, and Stewart 2001*a*). The basic procedure is:

1. Predict NPAT response with measure of legislator preference using an ordinal probit.¹²
2. Estimate predicted probability of “maintain status quo” response by legislator.
3. Assign status quo as the legislator score with the maximum predicted probability.
4. Repeat 1–3 with 1,000 bootstrapped replicates to obtain standard errors.

¹²For the analyses reported in text, I use 1st-dimension common space DW-NOMINATE scores as measures of legislator preferences (Carroll et al. 2015), but the results do not differ substantially if alternative measures, such as DIME scores (Bonica 2013) are used.

5. Repeat 1–4 for each policy area and Congress.

The survey has a few limitations. First, the survey defines the set of status quo policies that can be estimated. I report the full set of policies in Figure 2. This means there will be some areas of public policy (e.g. immigration, gun control, trade liberalization, and civil rights) that fall outside of the scope of this study. In addition, the survey includes several areas of policy on which presidents have never taken action. These issues are often related to excise taxes or deductions—areas where unilateral action is sometimes explicitly beyond the presidents’ statutory and constitutional authority. I discuss several exceptions in the following section.

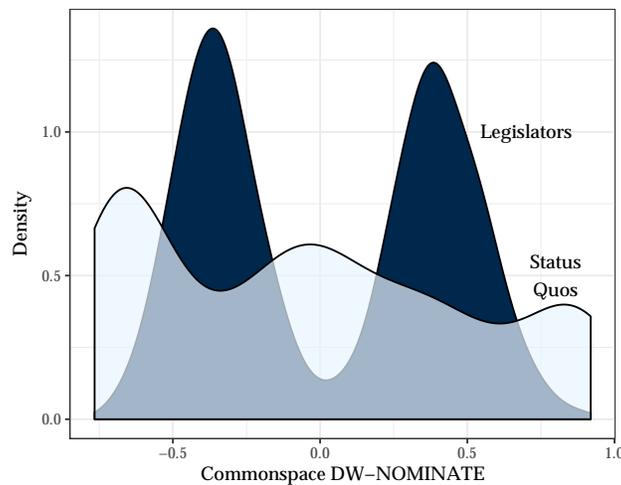
Second, survey questions within the same policy issues vary slightly over time, raising the possibility that changes in responses could be an artifact of wording. The strongest argument counter to this concern is that legislators are sophisticated survey respondents who know their responses will be publicly available. Thus, changes in their responses are plausibly influenced by actual policy, rather than the instrument.

Third, response rates have declined over time, particularly among Republicans. Project Votesmart still conducts this survey (now known as the Political Courage Test), but in the most recent Congresses, fewer than 25 sitting legislators participated. I plot the number of responses by question and Congress in Figure 2. This raises a few potential concerns. Fewer responses means the status quo will be estimated with more uncertainty. Responses from more liberal legislators could lead to bias. Specifically, the imbalance of legislators may lead moderate conservative policies to be estimated as more extreme than the “true” status quo.

To partially address these concerns, I estimate each model using various strategies for taking into account for missing and uncertain status quos. For the latter, I use the percentage of responses correctly predicted, the number of responses, or their standard errors as regression weights. As Figure 2 suggests, re-weighting by response density or standard error means discounting later status quo policy estimates. Re-weighting by prediction, on the other hand, prioritizes policy areas that map cleanly onto roll-call voting records. To reduce potential bias induced by missing status quos, I also present models that include multiply imputed values for the empty cells in Figure 2. The imputed values account for time and policy-specific dependencies (Honaker and King 2010), and also incorporate features known to social scientists to impact the likelihood of policy change:

plete time series. Though the status quo estimates are a replication of Richman (2011), there are several points relevant to unilateral action theory. Figure 3 provides an empirical assessment of the uniform distribution of status quo policies often assumed implicitly or explicitly by studies of unilateral action. Instead, the distribution is multi-modal, with clusters at the political extremes and around the congressional median. It is nonetheless reassuring that the distribution does not appear to be normal—which might have been the result of polarized parties pooling on the same opposed, extreme responses. Most importantly, there is substantial variation whether status quo policies are located in the unilateral action regions in Figure 1.

Figure 3 – Status Quos in Congress, 103-112th Congress



Moreover, the estimates exhibit “face” validity and respond intuitively to circumstances. Education policy is estimated to be conservative at the start of the Bush presidency, but gradually becomes more liberal after the enactment of the No Child Left Behind (NCLB) act and the Obama administration’s “Race to the Top” initiative. The status quo in environmental policy moves right following a series of “third-way” compromises during the Clinton administration and through the Bush administration, but then shifts dramatically left in the aftermath of the return of Democratic majorities and Barack Obama’s first term. Welfare shifts right following the introduction of work-requirements during the Clinton administration. Overall, though I note several concerns with this measurement strategy above, the measures themselves appear to exhibit meaningful variation directly relevant to UAT.

Presidential Initiatives

What counts as unilateral action? The procedure for constructing a list of presidential actions differs from past work in several important respects. First, rather than collecting all unilateral actions within a given period, I restrict attention to the policies covered in the NPAT responses. Second, the universe of actions goes beyond directives published by the White House that contain the president's signature. This means that what "counts" as action is free of arbitrary distinctions between presidential documents or the administrative means of policy change. For each policy area and Congress, I produce a dichotomous indicator for unilateral action from the complete list of actions over the full time-series.

I collect unilateral actions in a given policy area by first searching to the universe of presidential directives published between 1993-2016. The source is the GPO's *Weekly Compilation of Presidential Documents*. This is the most comprehensive source for all presidential directives (e.g. executive orders, proclamations, determinations, military orders, memoranda, and unnamed directives) and also includes documents not published in the *Federal Register (FR)*.¹⁴ This is important, because presidents may strategically select documents to publish in the *FR* (Cooper 2002). During this period, the *Compilation* contains 5,567 directives. Each policy area is assigned a dictionary, and word frequencies are obtained from the full text of each document. These most probable matches assist hand-coding, as documents with zero or infrequent occurrences (relative to their total word count) are discarded.

For many areas of policy, the procedure above will be sufficient to produce an accurate depiction of unilateral action on the part of the president. All expansions or contractions of national parks and monuments, for example, are enacted via proclamation on the basis of the president's authority under the Antiquities Act. Changes to active duty military base pay are enacted yearly via executive order. Since the early 1960s, default military pay raises have been tied to the employment compensation index (ECI). The president, however, has been given the authority to

¹⁴The *Compilation* omits several types of directives classified at the time of signing. These 112 documents typically deal with national security: Presidential Policy Directives, Presidential Review Directives, Homeland Security Presidential Directives, and National Security Presidential Directives. The full text of most of these documents have yet to be declassified, so most had to be coded on the basis of their title.

propose national security exceptions (up or down) to the default raise.¹⁵ That proposal prevails unless vetoed by Congress. George W. Bush proposed raises larger than ECI, whereas the Obama administration proposed lower. In accordance with UAT, I code this as an action if there is a presidentially proposed change to the status quo—regardless of whether Congress overrules it.

For a few areas of policy, however, lists of presidential directives miss important cases or inaccurately depict the timing of a change. The gradual rollback of the NCLB requirements through the issuance of waivers was announced by the Obama administration in conjunction with the “Race to the Top” initiative, but there is no directive to mark this unilateral action. Presidents have also used their statutory authority to implement changes to the internal revenue code that impacted taxes on corporate earnings and wealthy individuals who use family limited partnerships as shelters (Hemel 2017). These occurred through Treasury department notices, rulings and regulations—but had been previously proposed in the president’s “greenbook” of tax revisions sent annually to Congress. Regulations proposed in 2016 by the Obama administration were even highlighted in by the president in a White House press conference.¹⁶

Though the majority of unilateral actions can be traced to some directive, it is important to include initiatives like the ones above. To do so, I consulted secondary sources. *CQ Almanac* provided contemporaneous accounts for each policy area and often contain contextual information about the actions of the sitting president. For example, the 2011 entry for congressional efforts to reform NCLB includes the Obama waivers.¹⁷ For retrospective accounts, I consulted law reviews. For each policy area and president, I conducted database searches for relevant articles that mention the president. Since the non-directive actions were restricted to the policy areas describe above, in each case, contemporary and retrospective accounts overlapped in their descriptions of presidential action.

Figure 4 plots unilateral action in the 39 policy areas from 1993-2016. The variation reproduces several recurring findings in studies of unilateral action. First and foremost, unilateral action during this contemporary period is frequent and covers diverse areas of public policy. The baseline

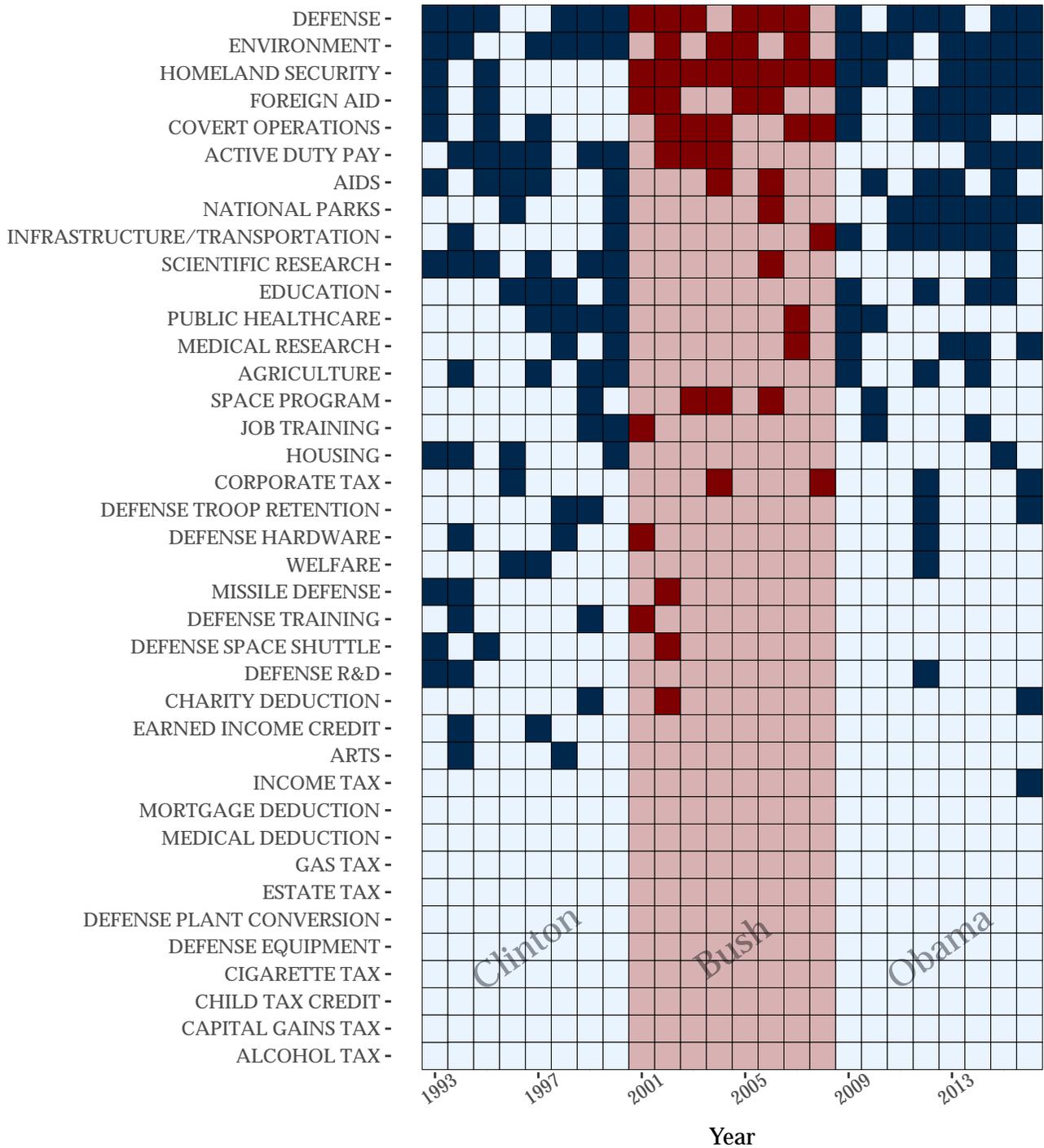
¹⁵See 37 U.S.C. 203(a).

¹⁶For video, see “The Corporate Inversions Tax Loophole: What You Need to Know”: <https://goo.gl/QXuZM3>

¹⁷“Congress Stymied on Education Law.” In *CQ Almanac 2011*, 67th ed., edited by Jan Austin, 8-6-8-7. Washington, DC: CQ-Roll Call Group, 2012. <http://library.cqpress.com/cqalmanac/cqa1-1390-77518-2462230>.

probability of action is 21%, and 74% of policy areas include at least one action. Second, in line with studies of aggregate counts, both Democratic presidents issue more actions than George W.

Figure 4 – Unilateral Action, 1993-2016



Note: Darkened cells indicate unilateral action taken.

Bush. Finally, the policy areas acted upon by each president comport with stylized accounts of their preferences. George W. Bush's actions are concentrated in defense, homeland security, and covert operations. Whereas Clinton and Obama were active in scientific and medical research, public healthcare, education, and national parks.

Though this measure of unilateral action improves upon some aspects of past research, it is important to note that I forgo any attempt to estimate the "significance" of initiatives. This is for reasons relating to the theory itself and past empirical work. The goal of this study is to test deductive versions of UAT with explicit assumptions. Put simply, there is no "significance" parameter in any of these theories. However, measuring significance is likely appropriate when the dependent variable is a count. Culling numerous mundane or irrelevant directives is necessary because referring to those directives as meaningful proposals to change to the status quo strains credulity. By starting with the policy area in question and working backwards to collect all relevant actions, the dependent variable never includes chaff.

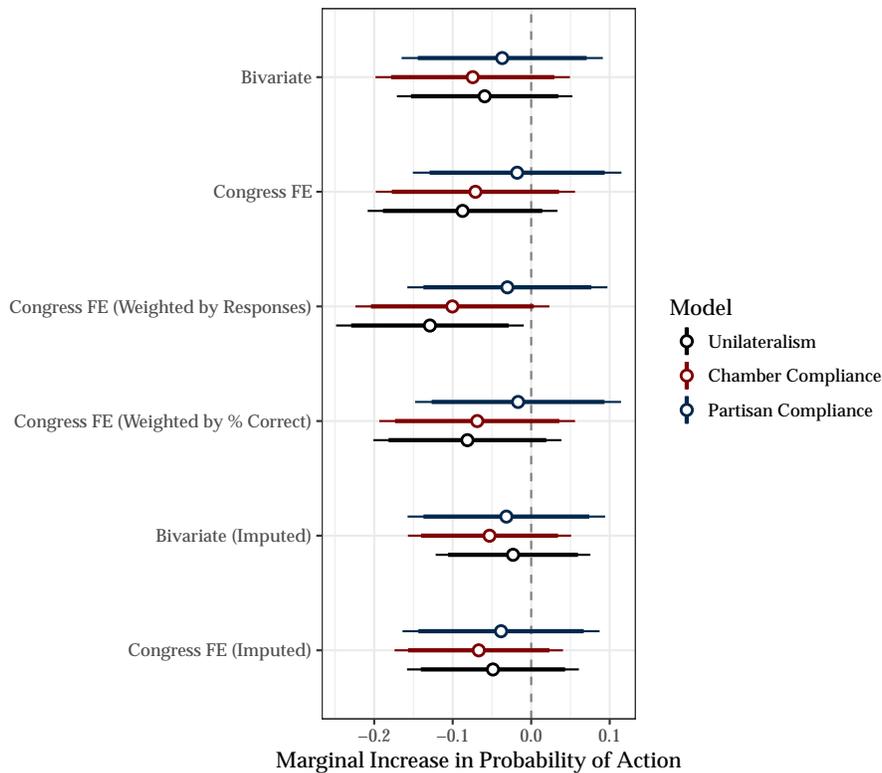
Finally, sophisticated attempts to measure directive significance suggest that arbitrarily raising the bar for what "counts" as an important action does not meaningfully alter the relationship between action and key independent variables. Chiou and Rothenberg (2014, 2017) applied a hierarchical item response model to rate executive order significance; key point estimates vary only at the highest level of directive significance. Kaufman and Rogowski (2018) measure the significance of additional directives over a wider time series using supervised text analysis. Similarly, they find that at the highest level of directive significance, the effect of divided government approaches zero. This implies that, if order importance does matter substantially, the results in the next section should bias *in favor* of support for UAT.

Findings

Overall, I find no systematic support for models of unilateral action. The action regions depicted in Figure 1 do not seem to be associated with an increase in presidential initiatives—and in some cases, they may even be negatively associated. These results are consistent across each version of UAT, and are not sensitive to model specification. Since this stands in contrast to most empirical work on the unilateral presidency, this study discusses potential sources of this inconsistency.

Figure 5 plots the key results for each specification and theory. For a given status quo policy, the point estimates are the marginal effect of being located in the theory’s action region on the probability of unilateral action. Most strikingly, there is no specification for which the estimate is in the predicted direction. This is considerably at odds with the spatial models from which these predictions are derived—which suggest that the president will act in these regions with probability 1. Moreover, few of the upper bounds of the 95% confidence intervals exceed a 10 percentage point *increase* in the probability of action, suggesting that the effect of these regions is either negligible or negative.

Figure 5 – Presidential Action and Unilateral Intervals



Note: Plots the marginal effect on the likelihood of unilateral action for a policy area in a given Congress; reports coefficients from a linear probability model, along with 90 and 95 % confidence bands calculated from conventional standard errors; for each regression, theory indicator variables are the only independent variables unless otherwise noted; full regression results and imputation diagnostics are reported in Appendix C and Appendix D.

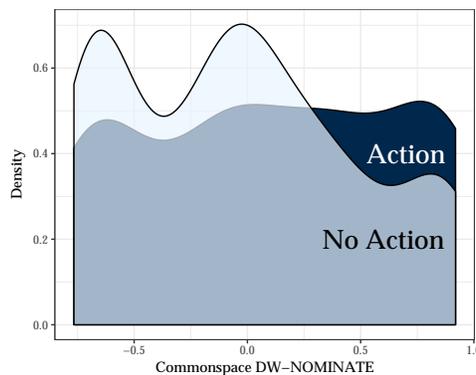
These results are consistent across various attempts to account for the inherent weaknesses of the measures. Weighting by response density or the predictive power of DW-NOMINATE

produces similar estimates. In fact, in the model that gives more weight to policy areas with more question responses, the effect of the unilateralism region is *negative* and distinguishable from zero at conventional levels. Imputing missing status quo positions increases the efficiency of these estimates, which tend to be closer to zero. As Appendix C indicates, imputed policies reflect plausible variation when the policies are viewed over time, and the distributions of observed and imputed policies are not markedly different.

These findings substantially differ from benchmark tests of unilateral action. Howell (2003) finds aggregate support for his unilateral politics model, which is closely related to the chamber-compliance model.¹⁸ These results are somewhat more consistent with Chiou and Rothenberg (2014), who find little support for both the unilateralism and chamber-compliance models. However, this study does not replicate their critical finding—support for the partisan compliance model. In each model, the partisan compliance region is nearest to zero, and the most imprecisely estimated, but it is never in the expected, positive direction.

Though theoretically derived action regions do not predicted actions, there *are* systematic patterns of actions by status quo positions. Figure C2 plots kernel densities for status quo policies that Clinton, Bush and Obama did and did not take unilateral action on. Though the distribution of unilateral actions is roughly uniform, the distribution of non-actions is not. In general, extreme conservative status quos are more likely to be addressed by unilateral actions—whereas extreme liberal and moderate policies are more likely to remain unchanged.

Figure 6 – Unilateral Actions and Status Quo Policies

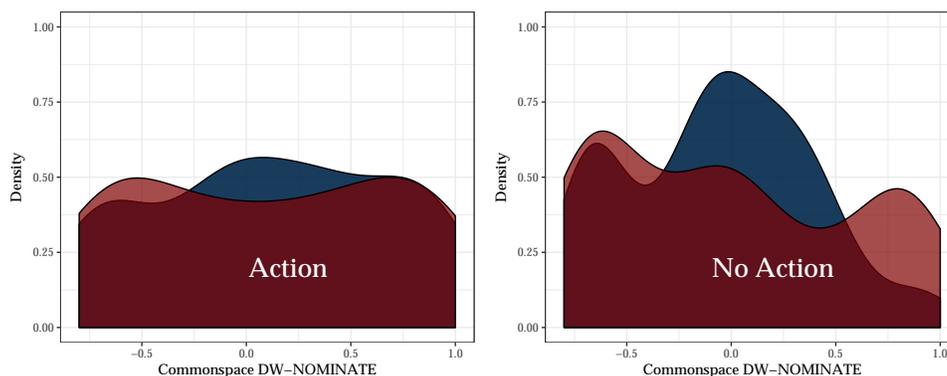


Note: Kernel density plots for the distribution of status quo policies with and without unilateral actions, 1993-2012.

¹⁸Howell uses the size of majority party, rather than the size of the gridlock interval, as a key test of this hypothesis.

As Figure C3 suggests, this is largely driven by—but not exclusive to—the Democratic presidents. The figure plots the same densities from Figure C2 by presidential partisanship. Clinton and Obama were systematically more likely to issue unilateral initiatives that targeted extreme, conservative status quos, and less likely to address extreme liberal or moderate policies. This tendency drives the consistently negative point estimates for each model of unilateralism, since these policies tend to fall in the extreme region beyond the filibuster pivot, f . Notably, the reverse is not true: George W. Bush did not seem to favor addressing extreme liberal policies during his tenure. So this descriptive look is not consistent with the thesis that Presidents simply select status quo policies that are distant and act on them at will.

Figure 7 – Unilateral Actions and Partisanship



Note: Kernel density plots for the distribution of status quo policies with and without unilateral actions among Clinton/Obama (blue) and Bush (red), 1993-2012.

Discussion

Naturally, these findings raise a question: why does UAT poorly organize observed unilateral actions in the preceding decades? One answer might be that measurement of the status quo policy or of unilateral action is seriously flawed. I have discussed and attempted to address limitations of the method for estimating the status quo position. But it is also worth noting this measurement technique has demonstrated affirmative evidence in favor of pivotal and party-based theories of lawmaking (Richman 2011, 2015), which are closely related to the models tested in this study. I have also argued that the measure of unilateral action presented in this study improves upon existing measures by excluding irrelevant actions and avoiding omissions driven by arbitrary

document differences. Most importantly, however, aggregate patterns of unilateral action in this measure largely replicate those found in past research. Consistent with Chiou and Rothenberg (2017) and others, I find more total actions in presidents' first terms. There are also more actions by Democrats, which is consistent with past descriptive findings. Given this, I discuss three alternative explanations for the findings that cut against the now-conventional view of presidential action.

First, it may be that the 39 policy areas selected by this analysis fall outside the scope of UAT. Specifically, the inclusion of taxation and exclusion of immigration and energy policy may influence the predictive power of existing perspectives. Nonetheless, it is worth noting that the policy areas covered by this analysis have been used as examples of areas of unilateral action in the past. If these policies fall outside the scope conditions of the theory—those conditions have gone unrecognized. So the findings in this study may help to calibrate expectations about what the theory can and cannot explain. This is only possible because this study analyzes actions by issue area—rather than total actions in a given period.

Two other possibilities relate more explicitly to limitations of the theory. As constructed, UAT takes into account presidential action and separation of powers conflict. For all practical purposes, in these models, presidents act unilaterally the way Congress enacts laws. Downstream consequences from the public and administrative agents are omitted from consideration. But a recent and growing area of research suggests that unilateral action may garner predictable reaction from the mass public (Kriner and Christenson 2015; Christenson and Kriner 2016; Reeves and Rogowski 2015, 2018). Moreover, like legislation, presidential directives can be thought of as delegation “contracts” with agents in the bureaucracy (Lowande 2018). The risk of shirking or policy deviation is non-trivial (Kennedy 2015). Public backlash (or praise) and the likelihood of faithful implementation may impact the president's decision to initially act.

Finally, the phenomenon of unilateral action may be ill-suited to models that imply the ultimate outcome is most often zero-sum policy movement. Many actions—even those that receive attention from careful observers—lead to no policy change. Even a cursory look at the initial wave of Trump administration executive orders bares this out. The first order to acquire the president's signature appeared make the president the first-mover in the repeal of the Affordable Care Act

(ACA).¹⁹ But its ambiguity is telling. It ordered applicable cabinet secretaries to provide “greater flexibility” to states in implementation without providing direct orders to remove or reduce subsidy payments. Any action under the vague directive would need to be delayed, moreover, because the relevant officials would not take office for over 3 weeks. Action to end key subsidies eventually came later in the year under a different executive order, after repeated failures to repeal the ACA wholesale.²⁰ The administration also ordered immediate construction of the campaign’s promised “border wall” via executive order, which was empty without appropriations from Congress.²¹ The frequency of order issuance was even touted as an accomplishment in a press release at the 100 day mark.²² This kind of action is not limited to the Trump administration. A naive reading of President Obama’s directives would lead an observer to conclude that the prison at Guantanamo Bay was closed and that gun violence research has been publicly funded. Neither directive led to the policy change specified in their preamble.

Yet, it is not difficult to make the case that presidents benefit from *signaling* action—even if the status quo remains unchanged. The act itself may have consumptive value that outweighs the minimal cost of issuing a directive. Alternatively, these actions may be primarily designed to convince supporters the president has followed through on key promises (e.g. Kang 2018). These ideas point to a different family of models in which presidents attempt to persuade constituents. The fact that the action leaves the status quo intact may be irrelevant, as voters have difficulty observing the details of implementation, and confirmation bias predisposes them toward believing the president they voted for has acted in their interest. In short, unilateral action may be more performative than substantive.

¹⁹Executive Order 13765. “Minimizing the Economic Burden of the Patient Protection and Affordable Care Act Pending Repeal,” Federal Register, January 20, 2017.

²⁰Executive Order 13813. “Promoting Healthcare Choice and Competition Across the United States,” Federal Register, October 12, 2017.

²¹Executive Order 13767. “Border Security and Immigration Enforcement Improvements,” Federal Register, January 25, 2017.

²²See: <https://goo.gl/RrHnp9>

Conclusion

The idea that presidents leverage the power to unilaterally change public policy is critical to how scholars, pundits, and the public view the presidency. In the context of studying executive power, it is difficult to overstate its importance. It has motivated a research agenda and led to numerous attempts to systematically evaluate hypotheses derived from theory. Most of this empirical work, however, suffers from some common limitations. The variable to be explained—a count of directives—is disconnected from the underlying theories of status quo movement. Moreover, this measure of executive productivity is subject to numerous sources of error. To address these limitations I replicate methods to measure the positions of individual status quo policies, and present a new and comprehensive measure of unilateral action. I find that unilateral action theory appears to poorly predict status quo movement at this more granular level of analysis. This is at odds with numerous empirical tests and refinements of unilateral action.

Far from being limited by the spatial configuration of pivotal actors in Congress, presidents appear to take unilateral action across the full spectrum of liberal and conservative status quo policies. The explanation for this finding has profound implications for understandings of executive power. The core constraints on that power are supposed to be legislative and judicial. Others have proposed additional constraints—namely, bureaucratic and public—but these have yet to be incorporated into theories meant to predict unilateral action. Alternatively, unilateral action may flout conventional models tailored to understanding substantive changes in public policy. Naturally, adjudicating between these explanations is left for future research.

References

- Ansolahehere, Stephen, James M. Snyder, and Charles Stewart. 2001a. "Candidate Positioning in U.S. House Elections." *American Journal of Political Science* 45(1): 136.
- Ansolahehere, Stephen, James M. Snyder, and Charles Stewart. 2001b. "The Effects of Party and Preferences on Congressional Roll-Call Voting." *Legislative Studies Quarterly* 26(4): 533.
- Barber, Michael, Alexander Bolton, and Sharece Thrower. 2018. "Legislative Constraints on Executive Unilateralism in Separation of Powers Systems." *Working Paper* .
- Bonica, Adam. 2013. "Mapping the Ideological Marketplace." *American Journal of Political Science* 58(2): 367–386.

- Brady, David W., and Craig Volden. 2006. *Revolving Gridlock: Politics and Policy from Jimmy Carter to George W. Bush*. 2nd ed. Westview Press.
- Callander, Steven, and Keith Krehbiel. 2014. "Gridlock and delegation in a changing world." *American Journal of Political Science* 58(4): 819–834.
- Carroll, Royce, Jeff Lewis, James Lo, Nolan M. McCarty, Keith Poole, and Howard Rosenthal. 2015. "'Common Space' DW-NOMINATE Scores with Bootstrapped Standard Errors."
- Chiou, Fang-Yi, and Lawrence S. Rothenberg. 2014. "The Elusive Search for Presidential Power." *American Journal of Political Science* 58(3): 653–668.
- Chiou, Fang-Yi, and Lawrence S. Rothenberg. 2017. *The Enigma of Presidential Power: Parties, Policies and Strategic Uses of Unilateral Action*. Cambridge University Press.
- Christenson, Dino P., and Douglas L. Kriner. 2016. "Constitutional Qualms or Politics as Usual? The Factors Shaping Public Support for Unilateral Action." *American Journal of Political Science* 00(0): 1–15.
- Clinton, Joshua D., and John S. Lapinski. 2006. "Measuring Legislative Accomplishment, 1877–1994." *American Journal of Political Science* 50(jan): 232–249.
- Cockerham, Alexandra G., and Robert E. Crew. 2017. "Factors Affecting Governors' Decisions to Issue Executive Orders." *State and Local Government Review* 49(1): 6–14.
- Cooper, Phillip J. 2002. *By Order of the President: The Use and Abuse of Executive Direct Action*. University Press of Kansas.
- Edwards, George C., and William G. Howell, eds. 2009. *The Oxford Handbook of the American Presidency*. Oxford University Press.
- Hemel, Daniel J. 2017. "The President's Power to Tax." *Cornell Law Review* 102: 633–720.
- Honaker, Author James, Gary King, Matthew Blackwell, and Maintainer Matthew Blackwell. 2011. "Amelia II: A Program for Missing Data." *Journal of Statistical Software* 7.
- Honaker, James, and Gary King. 2010. "What to Do About Missing Values in Time-Series Cross-Section Data." *American Journal of Political Science* 54(2): 561–581.
- Howell, William G. 2003. *Power without Persuasion: The Politics of Direct Presidential Action*. Princeton University Press.
- Howell, William G. 2005. "Unilateral Powers: A Brief Overview." *Presidential Studies Quarterly* 35(3): 417–439.
- Howell, William G. 2009. "Quantitative Approaches to Studying the Presidency." In *The Oxford Handbook of the American Presidency*, ed. George C. Edwards, and William G. Howell. pp. 10–29.
- Kang, Myunghoon. 2018. "Presidential Unilateral Action as a Tool of Voter Mobilization." *Working Paper*.
- Kaufman, Aaron R., and Jon C. Rogowski. 2018. "The Unilateral Presidency, 1933–2017." *Working Paper*.

- Kennedy, Joshua B. 2015. "'Do This! Do That!' and Nothing Will Happen: Executive Orders and Bureaucratic Responsiveness." *American Politics Research* 43(1): 59–82.
- Krehbiel, Keith. 1998. *Pivotal Politics: A Theory of U.S. Lawmaking*. University of Chicago Press.
- Kriner, Douglas L., and Dino P. Christenson. 2015. "Political Constraints on Unilateral Executive Action." *Case Western Reserve Law Review* 65(4): 897–931.
- Lowande, Kenneth. 2018. "Delegation or Unilateral Action?" *Journal of Law, Economics, and Organization* 34(1): 54–78.
- Mayer, Kenneth R. 1999. "Executive Orders and Presidential Power." *The Journal of Politics* 61(2): 445–466.
- Mayer, Kenneth R., and Kevin Price. 2002. "Unilateral Presidential Powers: Significant Executive Orders, 1949–99." *Presidential Studies Quarterly* 32(jun): 367–386.
- Moe, Terry M., and William G. Howell. 1999. "The presidential power of unilateral action." *Journal of Law, Economics, and Organization* 15(1): 132–179.
- Neto, Octavio Amorim. 2006. "The Presidential Calculus: Executive Policy Making and Cabinet Formation in the Americas." *Comparative Political Studies* 39(4): 415–440.
- Peress, Michael. 2013. "Estimating proposal and status Quo locations using voting and cosponsorship data." *Journal of Politics* 75(3): 613–631.
- Reeves, Andrew, and Jon C. Rogowski. 2015. "Unilateral Powers, Public Opinion, and the Presidency." *The Journal of Politics* 78(1).
- Reeves, Andrew, and Jon C. Rogowski. 2018. "The Public Cost of Unilateral Action." *American Journal of Political Science* 62(2): 424–440.
- Relyea, Harold. 2005. "Presidential directives background and overview." *Congressional Research Service* .
- Richman, Jesse. 2011. "Parties, Pivots, and Policy: The Status Quo Test." *American Political Science Review* 105(01): 151–165.
- Richman, Jesse. 2015. "The Electoral Costs of Party Agenda Setting: Why the Hastert Rule Leads to Defeat." *The Journal of Politics* 77(4): 1129–1141.
- Romer, Thomas, and Howard Rosenthal. 1978. "Political Resource Allocation, Controlled Agendas, and the Status Quo." *Public Choice* 33(4): 27–43.
- Rottinghaus, Brandon. 2015. "Assessing the Unilateral Presidency: Constraints and Contingencies." *Congress & the Presidency* 42(3): 287–292.
- Shair-Rosenfield, Sarah, and Alissandra T. Stoyan. 2017. "Constraining Executive Action: The Role of Legislator Professionalization in Latin America." *Governance* 30(2): 301–319.
- Shor, Boris, and Nolan McCarty. 2011. "The ideological mapping of American legislatures." *American Political Science Review* 105(3): 530–551.
- Thrower, Sharece. 2017. "To Revoke or Not Revoke? The Political Determinants of Executive Order Longevity." *American Journal of Political Science* 61(3): 642–656.

Volden, Craig, and Alan E. Wiseman. 2014. *Legislative Effectiveness in the United States Congress*. Cambridge University Press.

Woon, Jonathan, and Ian Palmer Cook. 2015. "Competing gridlock models and status quo policies." *Political Analysis* 23(3): 385–399.

Supporting Information

Presidents and the Status Quo

A Directive collection and coding procedure	A2
B Estimating status quo policies	A3
C Imputation diagnostics	A5
D Model results	A7

A Directive collection and coding procedure

The dependent variable is a dichotomous indicator for unilateral action in a given Congress. This appendix provides additional detail about how this is constructed.

Definition:

“Unilateral action” is an attempt by presidents and their agents to change existing public policy through administration. It can occur via presidential directive (e.g. executive order, proclamation, memoranda) or through internal discussions and initiatives that lead to non-presidential directives (e.g. departmental memoranda, agency rulings, regulations, or notices). Exclusions:

- Commemorative directives or initiatives, including designated “weeks” or “days” focused on particular policies.
- Regulatory actions not directed by presidents.
- Amendments to orders of succession and adjustment of rates of pay (except in the case of active duty military).
- Task forces and commissions ordered to deliver recommendations for proposed legislation.

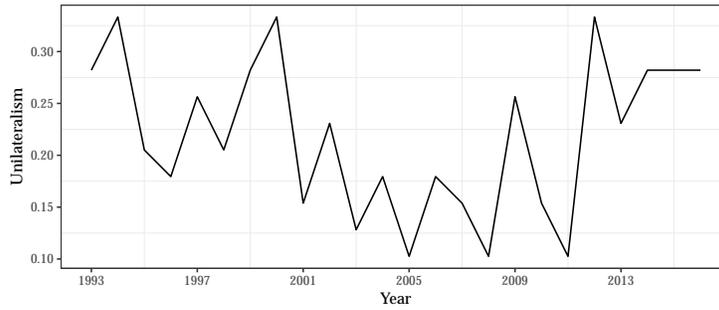
Procedure:

Presidential directives: the universe of presidential directives from 1993-2016 were obtained from two sources. The primary source is the *Compilation of Presidential Documents*, published online (<https://www.gpo.gov/fdsys/browse/collection.action?collectionCode=CPD>) by the GPO. I obtained a list of directives by scraping every entry. The *Compilation* contains more than 30,000 entries during this period, and includes appointee nominations, speeches, press releases, legislative commentary, reorganization plans, and more. The list was then subset to all identifiable directives. I identified several types: executive orders, letters, presidential memoranda, proclamations, determinations, military orders, directives, and those labeled as “other.” The second source was declassified lists of national security directives, which can be found here: <https://fas.org/irp/offdocs/direct.htm>. To obtain most likely matches for hand coding, I used the full text of each entry and a policy-specific dictionary to generate match frequencies. In general, all relevant actions were contained in the first 20 matching entries. The vast majority of unilateral actions were sourced to at least one presidential directive.

Non-presidential directives: Non-directive initiatives were collected via two sources. First, I used keyword searches to obtain relevant entries for each policy area in the *CQ Almanac*. Second, I used keyword searches to obtain relevant articles referencing presidential actions in a given policy area in the *Harvard Law Review*, *Yale Law Journal*, and *Cornell Law Review*.

The sources above were consolidated and duplicates were removed.

Figure A1 – Proportion of Policies Acted on Unilaterally, 1993-2016



Note: Denominator is 39 policy areas depicted in Figure 4.

B Estimating status quo policies

To place status quo policies on a common scale, I replicated the procedure described in Richman (2011) using Project Votesmart's NPAT response data. Table B1 reports diagnostic information by policy area. Commonsense DW-NOMINATE scores correctly predict between 36% and 77% of observations, depending on the model. Notably, this is generally far lower than the diagnostic values reported in Richman (2011). Note that reported status quos will diverge from Richman because the underlying measure of preferences has been updated.

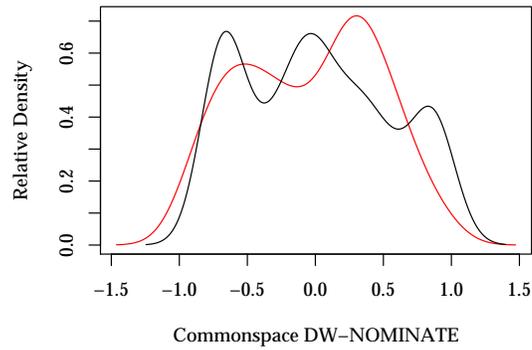
Table B1 – Status Quo Positions and Diagnostics

Policy Area	q	Stan. Error	N	% Correct
DEFENSE TROOP RETENTION	-0.70	0.31	96.20	0.53
MEDICAL DEDUCTION	-0.69	0.35	110.17	0.45
CHARITY DEDUCTION	-0.68	0.14	117	0.53
DEFENSE TRAINING	-0.68	0.35	125.67	0.52
MORTGAGE DEDUCTION	-0.68	0.50	116.17	0.77
TAX 0-25K	-0.68	0.36	122.33	0.38
TAX 25-75K	-0.68	0.04	121.50	0.56
TAX RETIREE	-0.68	0.01	104.20	0.61
DEFENSE EQUIPMENT	-0.65	0.05	106.25	0.48
TAX 75-150K	-0.59	0.06	120.33	0.64
ESTATE TAX	-0.55	0.04	104.88	0.57
CHILD TAX CREDIT	-0.43	0.64	110.33	0.44
CAPITAL GAINS TAX	-0.39	0.05	104.80	0.54
COVERT OPERATIONS	-0.32	0.06	115.43	0.48
DEFENSE R&D	-0.24	0.08	117.14	0.45
FOREIGN AID	-0.22	0.07	100.89	0.47
GAS TAX	-0.21	0.12	90	0.66
DEFENSE HARDWARE	-0.20	0.07	115	0.43
DEFENSE	-0.20	0.09	94.50	0.47
HOMELAND SECURITY	-0.17	0.67	76.83	0.49
TAX 150-OVER	-0.15	0.04	118.83	0.56
WELFARE	-0.13	0.06	100.78	0.57
CORPORATE TAX	-0.08	0.05	95.78	0.57
ARTS	-0.04	0.05	103.22	0.54
ALCOHOL TAX	0.002	0.12	101.70	0.66
HOUSING	0.08	0.05	159.50	0.44
AGRICULTURE	0.12	0.56	84.29	0.50
MISSILE DEFENSE	0.13	0.04	115.29	0.47
ACTIVE DUTY PAY	0.22	0.29	116.57	0.60
AIDS	0.26	0.05	161.33	0.53
ENVIRONMENT	0.29	0.06	107.90	0.55
JOB TRAINING	0.30	0.04	158.67	0.56
CIGARETTE TAX	0.33	0.11	104	0.58
DEFENSE SPACE SHUTTLE	0.36	0.10	153.67	0.54
DEFENSE PLANT CONVERSION	0.42	0.13	153	0.57
PUBLIC HEALTHCARE	0.44	0.17	118.67	0.60
NATIONAL PARKS	0.58	0.11	106	0.61
EARNED INCOME CREDIT	0.59	0.11	114.86	0.55
EDUCATION	0.61	0.07	108	0.66
SPACE PROGRAM	0.65	0.50	102.78	0.57
SCIENTIFIC RESEARCH	0.71	0.11	86	0.56
MEDICAL RESEARCH	0.77	0.10	86.86	0.52
INFRASTRUCTURE/TRANSPORTATION	0.86	0.08	114.83	0.53

Note: mean status quo position, standard error, number of NPAT responses, and percent correctly predicted by policy area.

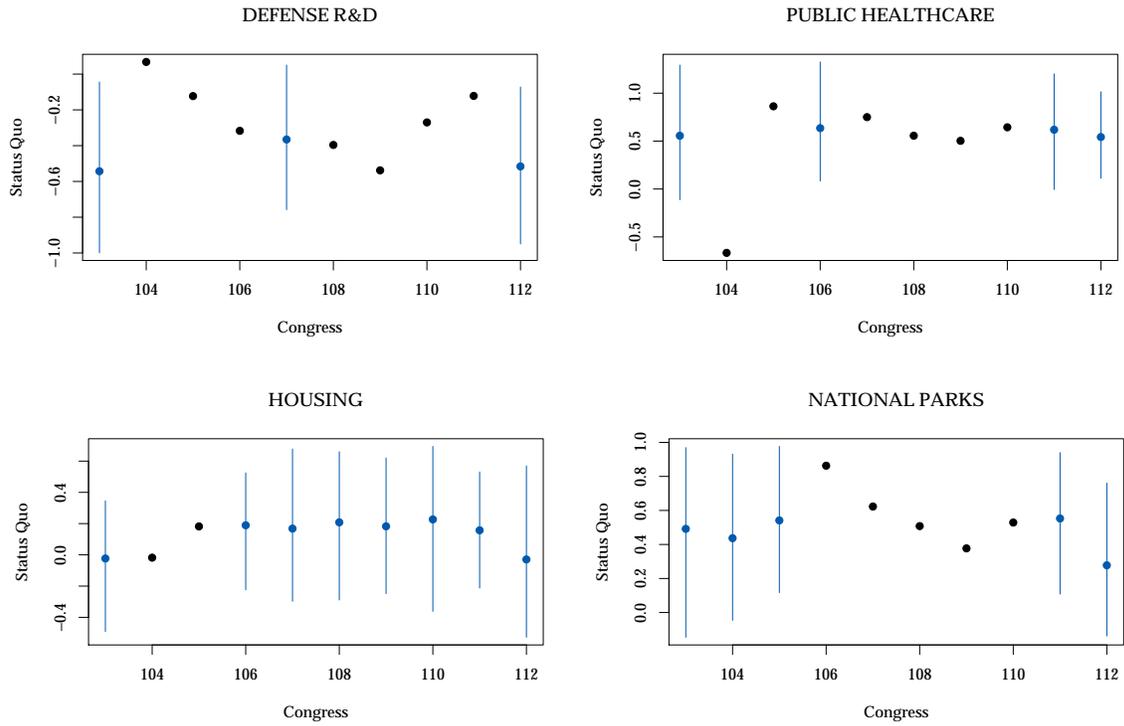
C Imputation diagnostics

Figure C2 – Observed and Imputed Status Quo Policies



Note: Kernel density plots for the distribution of status quo policies observed (black) and imputed (red), 1993-2012; missing status quo policies are imputed using lagged status quo, Congress and policy indicators, presidential approval, co-partisan support in Congress, and the DW-NOMINATE scores of pivotal actors; implemented with `Amelia()`.

Figure C3 – Multiple Imputation of Missing Status Quos



Note: Plots observed values, imputed values and 90% confidence intervals; missing status quo policies are imputed using lagged status quo, Congress and policy indicators, presidential approval, co-partisan support in Congress, and the DW-NOMINATE scores of pivotal actors; implemented with `Amelia()`.

D Model results

Tables D2 and D3 report the results of least squared regressions. These point estimates are plotted in Figure 5. Beyond the unexpected relationships with each key independent variable, it is also worth noting that these models account for very little overall variation—even after the inclusion of Congress fixed-effects.

Table D2 – Presidential Action and Unilateral Intervals: Least Squared Estimates

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Unilateralism	-0.059 (0.057)			-0.087 (0.062)			-0.129 (0.061)			-0.081 (0.061)		
Chamber-compliance		-0.074 (0.063)			-0.071 (0.065)			-0.100 (0.063)			-0.069 (0.064)	
Partisan-compliance			-0.037 (0.065)			-0.018 (0.068)			-0.030 (0.065)			-0.017 (0.067)
Constant	0.327 (0.038)	0.321 (0.033)	0.310 (0.033)	0.509 (0.145)	0.507 (0.145)	0.502 (0.145)	0.514 (0.121)	0.511 (0.121)	0.504 (0.122)	0.454 (0.143)	0.453 (0.143)	0.448 (0.144)
N	263	263	263	263	263	263	263	263	263	263	263	263
Adjusted R ²	0.0003	0.001	-0.003	0.010	0.007	0.002	0.017	0.009	-0.0001	0.008	0.006	0.002
Congress FE				✓	✓	✓	✓	✓	✓	✓	✓	✓
Weighted by Responses							✓	✓				
Weighted by % Correct										✓	✓	✓

Note: Least squared estimates with standard errors in parentheses; dependent variable is an indicator for unilateral action taken in a given issue area during a particular Congress; independent variables are indicators for whether the status quo is located in the action regions specified in Figure 1.

Table D3 – Presidential Action and Unilateral Intervals: Least Squared Estimates (Imputation)

	(1)	(2)	(3)	(4)	(5)	(6)
Unilateralism	-0.097 (0.049)			-0.131 (0.053)		
Chamber-compliance		-0.081 (0.052)			-0.083 (0.053)	
Partisan-compliance			-0.048 (0.053)			-0.046 (0.055)
Constant	0.363 (0.031)	0.345 (0.028)	0.333 (0.026)	0.477 (0.074)	0.474 (0.075)	0.465 (0.075)
<i>N</i>	390	390	390	390	390	390
Adjusted R ²	0.008	0.004	-0.0004	0.026	0.017	0.013
Congress FE				✓	✓	✓

Note: Least squared estimates with standard errors in parentheses; dependent variable is an indicator for unilateral action taken in a given issue area during a particular Congress; independent variables are indicators for whether the status quo is located in the action regions specified in Figure 1; missing status quo policies are imputed using lagged status quo, Congress and policy indicators, presidential approval, co-partisan support in Congress, and the DW-NOMINATE scores of pivotal actors; this is implemented with `Amelia()`.