

# Media Attention and Strategic Timing in Politics: Evidence from U.S. Presidential Executive Orders

**Milena Djourelova** University of Chicago  
**Ruben Durante** Universitat Pompeu Fabra

**Abstract:** *Do politicians tend to adopt unpopular policies when the media and the public are distracted by other events? We examine this question by analyzing the timing of executive orders signed by U.S. presidents over the past four decades. We find robust evidence that executive orders are more likely to be signed on the eve of days when the news is dominated by other important stories that can crowd out coverage of executive orders. This relationship only holds in periods of divided government when unilateral presidential actions are more likely to be criticized by Congress. The effect is driven by executive orders that are more likely to make the news and to attract negative publicity, particularly those on topics on which president and Congress disagree. Finally, the timing of executive orders appears to be related to predictable news but not unpredictable ones, which suggests it results from a deliberate and forward-looking PR strategy.*

**Verification Materials:** The data and materials required to verify the computational reproducibility of the results, procedures and analyses in this article are available on the *American Journal of Political Science* Dataverse within the Harvard Dataverse Network, at: <https://doi.org/10.7910/DVN/ZLAJP6>.

Mass media play a crucial role in informing citizens about government policies, allowing them to hold politicians accountable for their actions (Besley and Burgess 2002; Snyder and Strömberg 2010). Yet, due to limited news space and audience attention, other newsworthy events can crowd out information that is relevant to evaluate government's behaviour (Eisensee and Strömberg 2007). Taking this aspect into account, a sophisticated politician may have an incentive to time unpopular measures to moments when the me-

dia and the public are distracted by other news, so as to minimise public scrutiny of her actions.

There are many examples of political actions carried out or announced in coincidence with other newsworthy events, both in the U.S. and abroad. For example, on 25 August 2017—the day North Korea launched several ballistic missiles and the day before hurricane Harvey struck Texas—president Trump enacted several controversial measures including pardoning Joe Arpaio, a former sheriff accused of racial profiling, and issuing a ban against

---

Milena Djourelova, University of Chicago (mdjourelova@uchicago.edu). Ruben Durante, ICREA-UPF, BSE, IPEG, CESifo, and CEPR (ruben.durante@upf.edu).

We thank Giovanni Andreottola, Bruno Caprettini, Ruben Enikolopov, Armin Falk, Aina Gallego, Francisco Gallego, Brian Knight, Maria Petrova, Zhaoxin Pu, David Skarbek, Jim Snyder, and Freek van Gils for helpful comments, seminar participants at Bonn, UAB, UPF, and PUC Chile and participants in the 2018 Conference on Media Bias, the 2018 EBE Summer Meeting, the 16th Media Economics Workshop, the 2018 Petralia Sottana Workshop, the 2nd UZH Workshop on Political Economy and Development, and the TILEC/GovReg Workshop in Tilburg for valuable discussion. We thank Nikola Kiprijanovski, Marco Lo Faso, and Giulia Tosetti for their help with coding the content of executive orders and TV news segments. We acknowledge financial support from the Spanish Ministry of Economy and Competitiveness through the Severo Ochoa Programme for Centres of Excellence in R&D SEV-2015-0563 (Durante), and through Predoctoral Grant BES2016-076728 (Djourelova). This project has received funding from the European Union's Horizon 2020 research and innovation program under grant agreement No 759885.

*American Journal of Political Science*, Vol. 00, No. 0, October 2021, Pp. 1–22

© 2021 The Authors. *American Journal of Political Science* published by Wiley Periodicals LLC on behalf of Midwest Political Science Association DOI: 10.1111/ajps.12683

This is an open access article under the terms of the Creative Commons Attribution-NonCommercial-NoDerivs License, which permits use and distribution in any medium, provided the original work is properly cited, the use is non-commercial and no modifications or adaptations are made.

transgender soldiers in the military.<sup>1</sup> In Russia, Putin's government announced a rise in the retirement age and an increase in the value added tax on the day of the inauguration of the 2018 FIFA World Cup which the country was hosting.<sup>2</sup> In Italy, Berlusconi's passed an emergency decree that freed hundreds of politicians with pending corruption charges on the day Italy qualified for the final of the 1994 FIFA World Cup.<sup>3</sup> Trying to anticipate and exploit the structure of the news cycle is also a well-known practise among political spin doctors.<sup>4</sup>

In this article we examine and study the strategic behaviour of United States presidents focusing on one particular type of policy action: the signing of presidential executive orders (henceforth EOs). The ability of U.S. presidents to direct government through EOs derives from Article II of the U.S. Constitution which states that the president has the power to "take care that the laws be faithfully executed" that is, to guide the execution of existing legislation. However, since EOs have the same value as federal laws and do not require Congressional ratification, in practise they have been often used to "guide" policy in a direction other than that intended by Congress, especially when the latter is not politically aligned with the president.

The signing of presidential EOs represents an ideal setting to analyse the question of strategic timing for at least two reasons. First, unlike other types of legislation, U.S. presidents have full discretion over *when* EOs are issued, so that there is ample scope to actively manipulate their timing. Second, though legislating through EOs offers the president a way to push his agenda and circumvent Congress, it can also generate criticism from Congress. The potential negative publicity associated with such criticism can create an incentive for the president to avoid media attention. Since the newsworthiness of an EO is usually short-lived, timing its signing to coincide with other news worthy events may be one viable strategy to minimise such negative publicity.

<sup>1</sup><https://www.theatlantic.com/politics/archive/2017/08/trump-news-dump-transgender-arpaio-gorka-harvey/538116/> (accessed on 3 March 2021).

<sup>2</sup><https://www.bloomberg.com/news/articles/2018-06-14/russia-plans-to-raise-retirement-age-increase-value-added-tax> (accessed on 3 March 2021).

<sup>3</sup>[http://www.archiviolaStampa.it/component?option=com\\_lastampa/task=search/mod\\_avanzata/action/viewer/Itemid,3/page,1/articleid,0746\\_01\\_1994\\_0190000115725553/aneWS,true/](http://www.archiviolaStampa.it/component?option=com_lastampa/task=search/mod_avanzata/action/viewer/Itemid,3/page,1/articleid,0746_01_1994_0190000115725553/aneWS,true/) (accessed on 3 March 2021).

<sup>4</sup>Ronald Reagan's communications assistant, David Gergen, once stated that "...if you've got some news that you don't want to get noticed, put it out Friday afternoon at 4:00 PM" (cited in Gibson 1999).

To test this hypothesis empirically we collect information on the timing and content of every EO signed by U.S. presidents between 1979 and 2016, and combine it with data on the content of daily evening news on the major U.S. broadcast TV networks. Following previous work on U.S. media (Durante and Zhuravskaya 2018; Eisensee and Strömberg 2007), we capture the presence of other important stories that may crowd out news about EOs with a daily measure of "news pressure". This is defined as the total airtime devoted to the top three stories featured on each news channel, excluding any stories related to EOs, and adjusting the length to keep the total duration of a newscast constant. Hence, higher levels of news pressure indicate days on which other important stories dominate the news cycle and on which EOs are more likely to go unnoticed.

We start by analyzing the relationship between news pressure, news coverage of EOs, and presidential approval ratings. First, we document that EOs tend to get covered by the media, although the majority of them namely those that are relatively less significant or contentious—do not make the news. The news coverage of EOs is concentrated on the day an EO is signed and the following day and, importantly, is crowded out by other important stories proxied by news pressure.

Looking at how the public reacts to EOs, we find that EO-related news is associated with a decline in presidential approval ratings only in periods of divided government, i.e., when the Congress majority and the president belong to different parties, but not in periods of unified government. This is consistent with the idea that the public may react negatively to the president's use of EOs *if* Congress expresses criticism against it (Christenson and Kriner 2017b), and that criticism of a president by a Congressional majority for overstepping Congress authority may be more damaging than criticism by a congressional minority. Indeed, we document that EOs signed under divided government are substantially more likely to concern topics of prior disagreement between president and Congress, so that the scope for such criticism is arguably greater.<sup>5</sup>

We then turn to the analysis of the determinants of the timing of EOs. Our empirical strategy is based on daily time series regressions of an indicator for the signing of at least one EO in a given day, on lags and leads of news pressure, controlling for seasonality and the

<sup>5</sup>One plausible explanation for these differences is that under divided government, if the president wants to legislate on issues on which Congress disagrees, he can only do so through unilateral action while under unified government he can push his agenda through a friendly Congress.

president's time in office.<sup>6</sup> We find that EOs are significantly more likely to be signed on the eve of days characterised by high levels of news pressure, and this effect is only present in periods of divided government. The magnitude is sizeable: a standard deviation increase in next-day news pressure ( $\approx 2.5$  min) is associated with a 1.1% point increase in the probability that at least one EO is signed on a given day, which corresponds to a 11% increase from a baseline probability of 10%. This result is robust to the use of different specifications, different measures of news pressure, and to the inclusion of a range of controls.

We then examine what type of EOs and what type of news are driving the relationship between news pressure and the timing of EOs under divided government. We find no effect for EOs that are routine or ceremonious in nature, i.e., those on government operations, and those with low significance (as estimated by Chiou and Rothenberg (2014)). Similarly, we find no effect for EOs that are unlikely to make the news, i.e., those that are not reported by the Associated Press news wire which generally covers all newsworthy stories. Instead, the effect is driven by EOs that are *ex-ante* more likely to attract criticism for over-stepping presidential authority—that is on topics on which the president and Congress have disagreed more frequently in the prior months.

In terms of the type of news, the hypothesis of *forward-looking* strategic timing implies that only predictable news events can be targeted strategically to sway public opinion, while the same should not occur with unpredictable news. To test this prediction, we use dictionary-based text analysis methods to classify each news segment as being associated with anticipation (e.g., political campaign events, economic news, sports) or with surprise (e.g., accidents, natural disasters, violent crime), and construct two separate measures of news pressure. We find that the timing of EOs coincides with high levels of next-day news pressure related to anticipation but not to surprise. This finding is corroborated by a placebo exercise which exploits the occurrence of unpredictable events—such as major earthquakes, terrorist attacks and mass shootings. While these events lead to high news pressure, they are not associated with a higher probability of EO signing.

Finally, to shed light on why presidents may time EOs to next-day rather than same day news pressure, we examine the systematic differences in the type of news

coverage EOs receive on the day they are signed versus the following day. We document that next-day coverage is significantly more likely to feature reactions from Congress (which, under divided government, tend to be negative), less likely to feature statements by the president, and is overall more negative in tone. Hence, targeting next-day news may be a sensible strategy if the goal is to minimise the publicity of such negative reactions.

Our work relates to several streams of literature. First, it contributes to previous work on limited attention (Gabaix et al. 2006), and to recent studies on the use of strategic timing by corporations (DellaVigna and Pollet 2009), NGOs (Couttenier and Hatte 2016), the military (Durante and Zhuravskaya 2018), and regulators (Garz and Maass 2020; Potter, 2017, 2019). Our article provides the first systematic evidence that similar tactics are employed by elected officials to limit public scrutiny of their actions.

Second, our research contributes to a large literature in political economy on the role of mass media in democratic societies, which documents that well-functioning media are key to discipline politicians and bolster political accountability (Besley and Burgess 2002; Ferraz and Finan 2008; Snyder and Strömberg 2010). Our findings suggest that, even in the presence of free and independent media, politicians' strategic behaviour can hinder citizens' ability to effectively monitor elected officials.<sup>7</sup>

Finally, our article relates to a large literature in political science on the use of presidential executive powers, and on the institutional factors that drive or constrain it. One view in this literature is that, since the threat of Congressional or judicial overturn is not credible (except for extreme cases of overreach), public opinion is the main factor that limits president's unilateral action (Baum 2004; Christenson and Kriner 2019; Posner and Vermeule 2010; Reeves and Rogowski 2018).<sup>8</sup> Several studies based on survey experiments have explored how the public reacts to the use of executive power, finding strong support for the view that EOs carry a risk of public backlash. For example, Reeves and Rogowski (2018) show that the same policy proposal draws significantly less support if enacted through

<sup>6</sup>Other work has focused on more general drivers of the use of unilateral power that are at play at higher levels of aggregation (Chiou and Rothenberg 2014; Howell 2003; Moe and Howell 1999). In our high-frequency specification these more aggregate factors are largely absorbed by calendar fixed effects.

<sup>7</sup>In this regard, our results also relate to recent findings by Balles, Matter, and Stutzer (2018); Kaplan, Spenkuch, and Yuan (2018) which document that, when media attention is captured by non-political events, U.S. representatives are more likely to vote in line with the preferences of special interests as opposed to those of their constituents.

<sup>8</sup>Related work studies unilateral action at the state-level, in this case highlighting the constraining role of legislatures and the strategic incentives arising from these constraints (Bolton and Thrower 2021; Sellers 2017).

executive order than through a federal law.<sup>9</sup> Crucially for the interpretation of our results, public opinion is not always opposed to the use of EOs (Christenson and Kriner 2017a), but is rather activated by Congressional criticism (Christenson and Kriner 2017b).<sup>10</sup> While there is evidence that public opinion—and the ability of Congress to influence it—constrains unilateral power, our article enriches this framework by documenting that presidents may attempt to circumvent this constraint through strategic behaviour.

The rest of the article is organised as follows. In Data section we describe the data and the construction of our main variables. Preliminary Evidence section presents preliminary evidence on the news coverage of EOs. In Empirical Strategy and Results section we discuss our empirical strategy and present the main evidence of strategic timing. Heterogeneity section presents heterogeneity analysis of the main effect. In Mechanism section we discuss possible mechanisms. Conclusion section concludes.

## Data

Our analysis combines a wide range of data. First, we gather comprehensive information on the signing date and content of all EOs issued by U.S. presidents over the past four decades. Second, to investigate the relationship between the timing of EOs and the news cycle, we collect data on the news stories featured in the daily evening newscasts of the major U.S. broadcast TV networks. In various parts of the analysis, we also use data on: (i) presidential positions and roll call voting on bills considered in Congress, (ii) coverage of EOs on the Associated Press news wire, (iii) the occurrence of major earthquakes, terror attacks and mass shootings, (iv) the volume of Google searches related to EOs, v) president's approval ratings. Table A1 presents summary statistics for all main variables.

## Sample

The sample period of our analysis spans from 1979 to 2016. Throughout the analysis we distinguish between periods of divided versus unified government, i.e., aligned versus misaligned party control of White House and Congress (detailed in Table A2). In Appendix 9

(pp. 6) we show that the main difference between EOs issued under unified versus divided government is that in the latter case EOs are substantially more likely to concern topics of prior disagreement between president and Congress.

## Executive Orders

**Date, Subject and Topic.** Comprehensive data on the universe of EOs are available from the American Presidency Project<sup>11</sup>. The data include information on the date of issuance, a short summary and the full text of each EO. From the text we identify a set of keywords indicative of the subject of each EO, which we then use to find related news stories. To do so we use two distinct procedures. First, we instructed a research assistant to read the summary of each EO and identify two to three words or phrases particularly descriptive of the subject matter. Second, we consider the entire corpus of EO-s texts in our sample, and perform an automated keyword selection based on term-frequency/inverse document frequency (tf-idf)—a standard statistic used to identify terms descriptive of a document within a corpus.<sup>12</sup> For each EO, we consider as “keywords”, the five uni- or bi-grams with highest tf-idf score. Table A3 presents examples or the (stemmed) keywords obtained using these two alternative procedures. We use manually coded keywords in our baseline analysis, and keywords from the automated procedure in robustness checks.

We also use information on the broad topic of each EO, as well as the topics of Congressional bills, coded into 20 categories by the Comparative Agendas Project<sup>13</sup>. Figure 1 reports the topic distribution of the 1647 EOs in our sample.

**Executive Order Significance.** For a measure of the political significance of each EO we use the index proposed by Chiou and Rothenberg (2014), available for EOs signed before 2003. The index is based on a hierarchical item response model, applied to data from 19 sources including historical overviews of EOs, na-

<sup>11</sup><http://www.presidency.ucsb.edu/> (accessed on 3 March 2021).

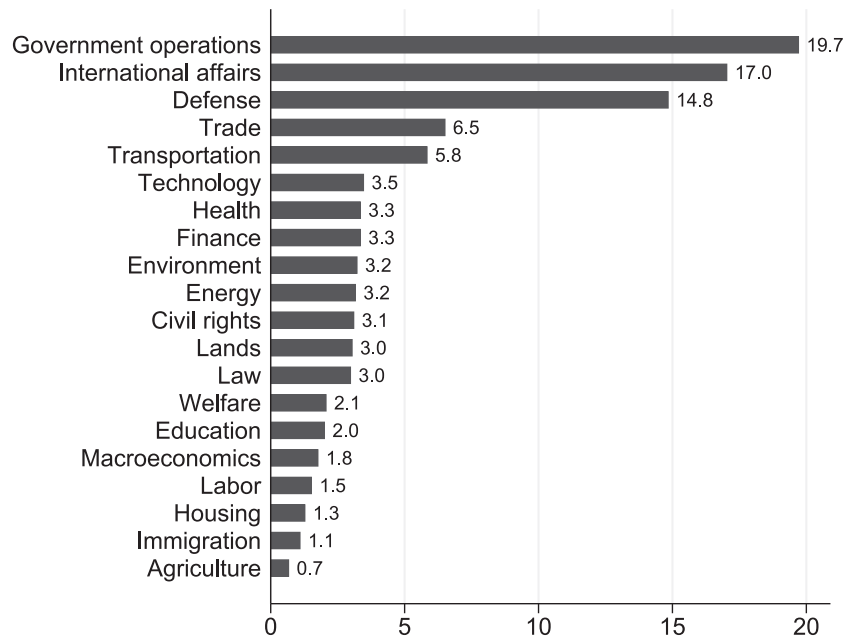
<sup>12</sup>Intuitively, tf-idf increases with the frequency of the term within a document but decreases with the number of documents in the corpus in which the term appears, thereby discounting terms that are less useful to distinguish one document from the rest. In the case of EOs, procedural terms commonly used in EOs (e.g., “executive”, “amendment”, “continuation”) are heavily discounted. For a lengthier discussion of the tf-idf method see Gentzkow, Kelly, and Taddy (2018) and Grimmer and Stewart (2013).

<sup>13</sup><https://www.comparativeagendas.net> (accessed on 3 March 2021).

<sup>9</sup>Other studies by the same authors further corroborate these findings (Reeves and Rogowski, 2015, 2016; Reeves et al. 2017).

<sup>10</sup>Similar evidence is available from Christenson and Kriner (2017c) on the impact of criticism of EOs by the judiciary.



**FIGURE 1 Distribution of Executive Orders by Topic**

Note: Distribution of Executive Orders by major topic, as classified by the Comparative Agendas Project.

tional newspapers, general news magazines, politics and policy-focused magazines, and top law reviews.

**Congressional Voting and Presidential Positions.** To proxy the degree of disagreement between Congress and president on the topic of a given EO, we measure differences in the support for bills on that topic recently considered by Congress. Rollcall votes and presidential positions (clear public statements by the president on specific bills) are available from Vote view.<sup>14</sup> Overall, our sample includes 1148 votes on the final passage of new legislation. For each bill, we construct a dummy variable for whether the vote of the congressional majority went against the presidential position, and then compute the rolling six-month average by topic.<sup>15</sup> We label an EO-topic as one of “high disagreement” if the average frequency of disagreement over the previous six months is above the median value (66.6% for periods of divided government).

## News Content

Our main source of data on TV news content is the Vanderbilt News Archive (VNA).<sup>16</sup> The VNA includes

<sup>14</sup><https://voteview.com/data> (accessed on 3 March 2021).

<sup>15</sup>The results we present are robust to a 12-month or a 3-month window.

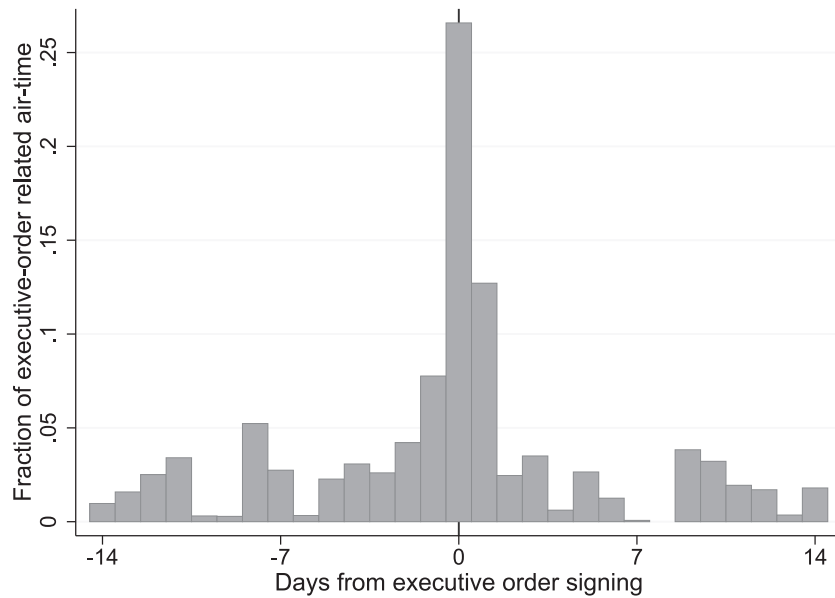
<sup>16</sup><https://tvnews.vanderbilt.edu/> (accessed on 3 March 2021).

comprehensive information the news stories featured on the daily evening newscasts of the three main U.S. broadcast networks (ABC, CBS, NBC) since 1968, and for CNN, since 1992. We focus on the years after 1979 for which daily data are available. For each news story the VNA reports the order, the length, the headline, and a short summary.

**News Coverage of Executive Orders.** To measure news coverage of EOs, we search the VNA database for news containing the following combinations of keywords: “executive” + (“order(s)” or “action(s)” or “authority”), or “presidential” + (“order(s)” or “action(s)” or “authority”). According to this measure, the majority of EO-related airtime is concentrated on the day of the signing and on the following day (Figure 2).

**News Pressure.** Following previous related work (Durante and Zhuravskaya 2018; Eisensee and Strömberg 2007), we capture the availability of other news that may crowd out coverage of EOs with a measure of daily “news pressure”. This is defined as the airtime devoted, on a given day and given channel, to the top three news stories not related to EOs. The intuition behind this measure is that, to the extent that the top three stories capture most of the attention, and given the constraint of the 30 min format of evening news, the more time is devoted to these stories, the less time there is to cover other news,

**FIGURE 2 Executive Order News Coverage by Distance from Closest Executive Order Signing**



Note: Volume of Executive Order-related airtime in evening newscasts by day from the closest Executive Order signing. Normalized by total Executive Order-related airtime.

including EOs.<sup>17</sup> Therefore, *ceteris paribus*, on days with higher news pressure news coverage of EOs should be lower.

To compute news pressure accurately, it is important to identify and exclude any news that may be related to an EO or to its subject matter. We therefore first exclude all news segments that explicitly mention the phrase “executive order” or synonyms. Yet, this step would omit news that discuss the policy and its consequences without explicitly mentioning that it was enacted through EO. To capture these instances, we also exclude all news segments that contain any EO-subject specific keywords and that were aired around the time an EO is signed. In our baseline specification we consider the window of  $-1/+1$  days from the signing of the EO, but our results are robust to alternative windows.

Table A4 illustrates this approach for the example of executive order # 13505 on “Removing Barriers to Responsible Scientific Research Involving Human Stem Cells” signed by President Obama on 9 March 2009. In this case, our procedure excludes a story that mentions the expression “executive order”, but also a story aired on the same day which, though not referring to executive order, clearly covers the same issue using words such as “stem cells” and “research”.

<sup>17</sup>We exclude from the analysis 11 September 2001 for which news pressure is undefined because evening newscasts on that day far exceeded 30 min.

Crucially, to be able to compare days with and without EO-related news, when excluding any news segment we adjust for the diminished total length of the newscast. This is important because, as shown by Durante and Zhuravskaya (2018), under mild assumptions the measure of news pressure adjusted for total length has no mechanical correlation with the excluded news.<sup>18</sup> In contrast, the un-adjusted measure has mechanically lower values on days when news about EOs is featured (and hence, on days with EOs).

Once news pressure for each network/day is computed, we take the median across all networks to derive aggregate daily news pressure.

**Surprising versus Anticipated News.** To investigate whether EOs are more likely to coincide with predictable news, we apply a dictionary method to decompose the news pressure variable into two components: one driven by surprising news and another driven by anticipated news. We use the NRC Word-Emotion Association Lexicon which provides a dictionary of words associated with anticipation (e.g., investigation, inauguration) and ones associated with surprise (e.g., earthquake,

<sup>18</sup>Specifically, this is the case if, upon arrival of EO-related news, the length of other top-3 and nontop 3 news is reduced proportionately. Durante and Zhuravskaya (2018) test and confirm the validity of this assumption using the case of disaster-related news.

FIGURE 3 Word Clouds of News Associated with “Surprise” and “Anticipation”



Note: Fifty most frequent words (excl. names of people and places) in the headlines of TV segments classified as associated with surprise or with anticipation.

explosion).<sup>19</sup> We compute “surprise” news-pressure using the sample of segments containing strictly more “surprise” words than “anticipation” words. We compute an analogous measure of “anticipation” news pressure based on segments containing strictly more “anticipation” words. Figure 3 reports the most frequent terms in the headlines of “surprise” and “anticipation” news segments, respectively.

**Unpredictable Newsworthy Events.** To validate the text-based measures of “surprise” and “anticipation” news pressure introduced above, we collect data on the occurrence of unpredictable newsworthy events, i.e., major US mass shootings<sup>20</sup>, worldwide earthquakes<sup>21</sup>, and worldwide terrorist attacks<sup>22</sup>. To ensure that we look at events that are newsworthy from the standpoint of U.S. media, we focus on U.S.-based events in which at least 10 people were killed or injured, and on foreign-based events in which at least 50 people were killed or injured. We consider all countries for earthquakes and the U.S. and Western Europe for terrorist attacks.<sup>23</sup> Overall, our sample

includes 48 shootings, 130 earthquakes, and 113 terror attacks, for a total of 286 days with at least one event.

**Associated Press Coverage of Executive Orders.** As a proxy for newsworthiness, we construct a measure for whether the Associated Press (AP) news wire released EO-related news on the date of signing of each EO. To the extent that AP has a constant presence in the White House and since, compared to 30 min TV newscasts, it faces fewer constraints on the volume of news it can cover, EOs that are not covered by AP are arguably less important and less likely to be featured on national TV. To identify AP coverage of EOs, we apply the same keyword search queries used for the VNA to the Dow Jones Factiva database restricted to “Associated Press Newswires”<sup>24</sup>. These data are available from 1988 onwards. We label an EO as *not* covered by AP if no wire articles matching our search criterion was found on the day the EO was signed. This is the case for about 35% of EOs.

## Public Reactions to Executive Orders

**Google Trends.** To gauge how news coverage of EOs influences public awareness and interest, we collect data on the volume of Google searches related to EOs from Google trends. These data are available from 2004 onwards. We focus on the daily volume of searches for the topic “executive order” as defined by Google, which aggregates several related queries.

<sup>19</sup><http://saifmohammad.com/WebPages/NRC-Emotion-Lexicon.htm> (accessed on 3 March 2021).

<sup>20</sup>FBI’s Supplementary Homicide Reports: <https://ucr.fbi.gov/nibrs/addendum-for-submitting-cargo-theft-data> (accessed on 3 March 2021). Available from 1982 onwards.

<sup>21</sup>EM-DAT: <https://www.emdat.be/>. Available up to 2013.

<sup>22</sup>Global Terrorism Database: <https://www.start.umd.edu/gtd/> (accessed on 3 March 2021). Available up to 2015.

<sup>23</sup>Indeed, attacks in other countries do not generate enough interest by U.S. media to significantly increase news pressure.

<sup>24</sup><https://www.dowjones.com/products/factiva/> (accessed on 3 March 2021).

TABLE 1 News Coverage of Executive Orders: News Pressure and Google Searches

	All Days		Days with EO in t or t−1		2004–2016	
	(1) Any EO-news	(2) Length EO-news	(3) Any EO-news	(4) Length EO-news	(5) Log Google Searches for EO	(6) Log Google Searches for EO
EO in t or (t−1)	0.014** (0.004)	3.093** (0.424)				
NP (t)			−0.014 (0.015)	−2.757* (1.262)		
EO news (t or t−1)					1.023** (0.237)	
Length of EO news (t or t−1)						0.002** (0.000)
EO topic in t or (t−1)	No	No	Yes	Yes	Yes	Yes
Weeks in office	Yes	Yes	Yes	Yes	Yes	Yes
Year, month, DOW FEs	Yes	Yes	Yes	Yes	Yes	Yes
Observations	13,880	13,880	2600	2600	4685	4685
(Pseudo) $R^2$	0.014	0.018	0.042	0.077	0.267	0.278

Full sample in columns (1) and (2), sample restricted to days with Executive Order signing in t or (t−1) in columns (3) and (4), and sample post 2004 in columns (5) and (6). Dependent variable: indicator for, and length of, Executive Order-related news in columns (1)–(4), and log Google trends volume in columns (5) and (6). OLS in columns (1), (3), (5) and (6), maximum likelihood negative binomial in columns (2) and (4). Standard errors clustered by month  $\times$  year. “Any EO-news” refers to a dummy equal to 1 if any executive-order related news are featured, 0 otherwise; “Length EO-news” refers to the length of such news in seconds. Significance levels:  $^{\dagger} p < .1$ ,  $^* p < .05$ ,  $^{**} p < .01$ .

**Presidential Approval Ratings.** To assess how EOs affect the president’s popularity, we use data on presidential approval ratings collected by Gallup and available from the American Presidency Project. Gallup conducts periodic multiday polls asking the following question: “Do you approve or disapprove of the way [president name] is handling his job as president?”. Poll are carried out with on average weekly frequency (daily in more recent years) and each poll spans one to four days. We convert the share of respondents to a given poll who disapprove of the president’s performance to a daily time series by assigning the reported poll-level average to the days over which the poll was conducted, and taking the mean in the case of overlap between polls.

## Preliminary Evidence

Before analysing the relationship between news pressure and timing of EOs, we discuss some preliminary evidence related to the news coverage of EOs and verify the premise that the publicity of president’s unilateral actions is lower on days with high news pressure.

We first document that EOs can make the news. In the first column of Table 1 we consider our entire sample period and regress a dummy variable for whether stories about EOs are featured in the news on a given day on a dummy for whether any EO was signed on the same or the previous day. The result indicates that about 1.4% of all EOs get covered on the same or following day. On such days, the airtime devoted to EO-related stories increases twenty-fold relative to days with no EOs (when EO-related airtime is just 2 s). In Table A8 we show that TV coverage is substantially greater for relatively more politically significant or contentious categories of EOs, i.e., ones of higher significance, on topics other than government operations, on topics of disagreement between president and Congress, and those covered in the Associated Press wire.

In columns 3 and 4 of Table 1 we test whether news pressure crowds out news on EOs. In this case, we restrict the sample to days with EO-signing in the same or previous day, and examine the relationship between news pressure and the presence and length of EO-related news, conditional on fixed effects for EO-topic. While for the indicator for any EO-related news. We find a negative, though imprecisely estimated coefficient for



**TABLE 2 News Coverage of Executive Orders: Association with Approval Ratings**

	Unified Government		Divided Government	
	(1) Gallup Disapproval	(2) Gallup Disapproval	(3) Gallup Disapproval	(4) Gallup Disapproval
EO news (t or t−1)	−0.001 (0.561)		0.660* (0.321)	
Length of EO news (t or t−1)		−0.000 (0.001)		0.001** (0.000)
Disapproval past 30 days	0.870** (0.034)	0.870** (0.034)	0.943** (0.028)	0.944** (0.028)
EO topic in t or (t−1)	Yes	Yes	Yes	Yes
Weeks in office	Yes	Yes	Yes	Yes
Year, month, DOW FEs	Yes	Yes	Yes	Yes
Observations	1444	1444	4318	4318
R <sup>2</sup>	0.943	0.943	0.971	0.971
Mean dependent variable	42.8	42.8	40.8	40.8

Sample: unified government in columns (1) and (2), divided government in columns (3) and (4). Dependent variable: percent of Gallup respondents who report that they disapprove of the performance of the incumbent president. OLS in all columns. Standard errors clustered by month  $\times$  year. Significance levels:  $^{\dagger}p < .1$ ,  $*p < .05$ ,  $**p < .01$ .

the indicator for any EO-related news and a negative coefficient significant at the 5% level for the length of EO-related news—one standard deviation increase in news pressure ( $\approx 2.5$  min) reduces the time devoted to EO-related news by 50%.

Furthermore, the news coverage of EOs appears to draw public attention, proxied by the daily volume of EO-related Google searches. Such searches increase two-fold if news about EOs are aired on the same or previous day or by 12% for an additional minute of coverage, controlling for the occurrence of EO signing and for EO-topic fixed effects (columns 5 and 6).

Finally, in Table 2 we examine the association between news coverage of EOs and president's popularity, measured by (dis)approval ratings in Gallup polls. While we find no relationship when government is unified (columns 1 and 2), in periods of divided government the presence of EO-related news or an additional minute of EO-related coverage is associated with a significant increase in disapproval of the president's performance of 0.7% points or 0.06% points, respectively, controlling for EO-topic fixed effects and lagged approval (columns 3 and 4).<sup>25</sup>

<sup>25</sup>The increase in disapproval is stronger for EOs on topics on which president and Congress disagree (0.84% points for an additional minute of coverage). These results are available upon request.

While only correlational, these patterns are in line with previous findings by Christenson and Kriner (2017b) and Reeves and Rogowski (2018) showing that, if given publicity, EOs can be politically costly for the president, especially in the presence of a hostile Congress.

## Empirical Strategy and Results

### Empirical Strategy

To examine the relationship between the timing of EOs and the presence of potentially distracting news, we conduct a time-series analysis at daily frequency, regressing an indicator for the signing of at least one EO on leads and lags of news pressure. We control for various dimensions of seasonality which are relevant for the political cycle and for the news cycle.

The following equation summarizes our econometric strategy:

$$EO_t = \alpha_0 NP_t + \beta_0 NP_{t+1} + \sum_{\tau=1}^7 \alpha_{\tau} NP_{t-\tau} + \sum_{\tau=2}^7 \beta_{\tau} NP_{t+\tau} + \gamma W_t + \eta_d t + \psi_m t + \nu_y t + \epsilon_t \quad (1)$$

$EO_t$  is a dummy variable for whether at least one EO is signed on day  $t$ ;  $NP_t$  indicates news pressure on day  $t$ ;  $W_t$  is the number of weeks since the start of the presidential

**TABLE 3 News Pressure and the Timing of Executive Orders: Divided versus Unified Government**

	Full Sample				Divided Government			Unified Government		
	(1) EO	(2) EO	(3) EO	(4) EO	(5) EO	(6) EO	(7) EO	(8) EO	(9) EO	(10) EO
NP	0.007 (0.012)	0.004 (0.013)	0.005 (0.013)	0.003 (0.024)	−0.002 (0.014)	0.003 (0.016)	0.004 (0.016)	0.028 (0.021)	0.003 (0.023)	0.004 (0.024)
NP (t+1)	0.023 <sup>†</sup> (0.013)	0.023 <sup>†</sup> (0.013)	0.024 (0.014)	−0.038 (0.026)	0.042** (0.015)	0.045** (0.015)	0.045** (0.017)	−0.029 (0.023)	−0.039 (0.025)	−0.037 (0.027)
NP (t−1)		−0.000 (0.014)	−0.001 (0.014)	0.023 (0.027)		−0.010 (0.016)	−0.011 (0.016)		0.026 (0.028)	0.024 (0.028)
NP × divided				0.002 (0.029)						
NP (t+1) × divided				0.084** (0.031)						
NP (t−1) × divided				−0.033 (0.032)						
7 lags of NP	No	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes
7 leads of NP	No	No	Yes	Yes	No	No	Yes	No	No	Yes
Weeks in office	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Year, month, DOW FEs	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
7 leads and lags of NP × divided	No	No	No	Yes	No	No	No	No	No	No
Observations	13875	13854	13836	13836	10133	10126	10114	3742	3728	3722
R <sup>2</sup>	0.042	0.042	0.042	0.043	0.042	0.042	0.042	0.047	0.048	0.049
Mean dependent variable	0.100	0.099	0.099	0.099	0.098	0.098	0.097	0.105	0.104	0.105
EOs in sample	1645	1637	1635	1635	1157	1156	1154	488	481	481

Full sample in columns (1)–(4), divided government in columns (5)–(7), unified government in columns (8)–(10). Dependent variable: indicator for the signing of an Executive Order. OLS regressions in all columns. Standard errors clustered by month × year. Significance levels: <sup>†</sup>  $p < .1$ , \*  $p < .05$ , \*\*  $p < .01$ .

term;  $\eta_{dt}$ ,  $\psi_{mt}$  and  $\nu_{yt}$  are day-of-week, calendar month, and year fixed effects, respectively.

There are two possible sources of endogeneity in this regression: 1) EOs may generate news that increase news pressure (reverse causality) and 2) EOs may be related to other events that generate news and increase news pressure (omitted variable bias). As explained in detail in section Data, we address both of these concerns by focusing on variation in news pressure that is unrelated to the direct coverage of EOs or to the subject matter of recent and forthcoming EOs.

In our baseline analysis we assume a linear probability model for the indicator of any EO (though the results are robust to Probit). Alternatively, we consider the number of EOs signed and estimate maximum likelihood negative binomial regressions. To account for serial correlation in EO signings and news pressure we cluster standard errors by month × year, but obtain similar results applying the Newey-West estimator or more aggregate clusters.

## Baseline Results

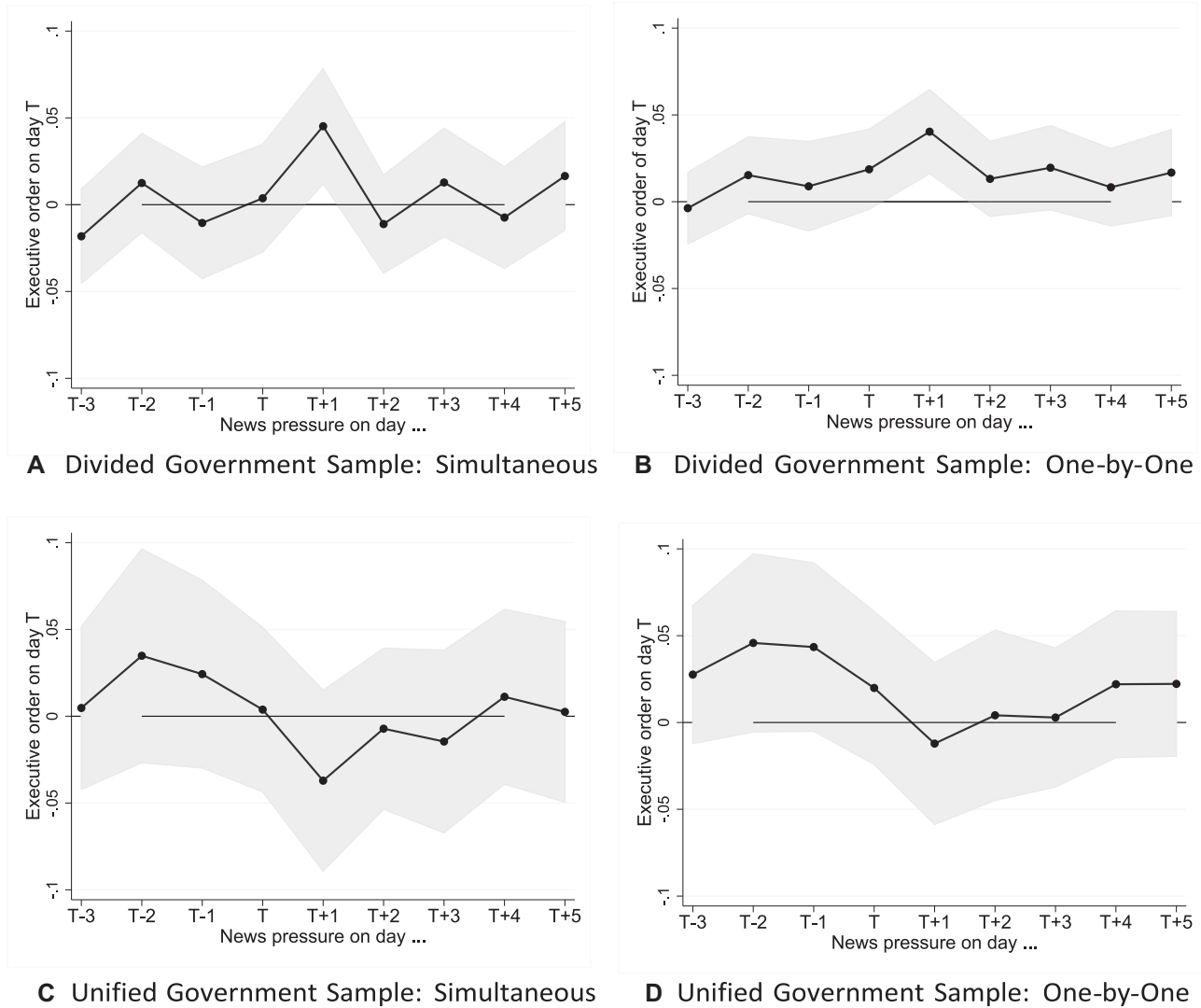
We start by estimating Equation (1) for the entire sample period from 1979 to 2016. In column 1 of Table 3 we regress a dummy for the signing of at least one EO on a given day on same-day and next-day news pressure, con-

trolling for weeks in office and calendar fixed effects. In the following specifications we gradually include seven lags of news pressure (column 2) and seven leads of news pressure (column 3).<sup>26</sup> The results indicate a positive, though only marginally significant relationship between next-day news pressure and the likelihood of EO signing.

As discussed above, presidents should arguably have a stronger incentive to time EOs strategically when facing a hostile Congress than a friendly one. This could be due, for example, to the desire to minimise criticism of presidential unilateral action by the Congressional majority for overstepping Congress authority, which can be particularly damaging for the president's popularity. To test this hypothesis, in column 4 we interact same-day and next-day news pressure, as well as all other lags and leads, with a dummy for periods of divided government. The coefficient on the interaction between next-day news pressure and divided government is positive, large, and statistically significant (at the 1% level), while all other interaction terms are insignificant. These results suggest that presidents are more likely to sign EOs on the eve of days with high news pressure, but only when Congress is not politically aligned with them.

<sup>26</sup>The number of observations changes between columns due to missing new pressure for 11 September 2001 and its respective leads and lags.

**FIGURE 4 Leads and Lags of News Pressure and the Timing of Executive Orders**



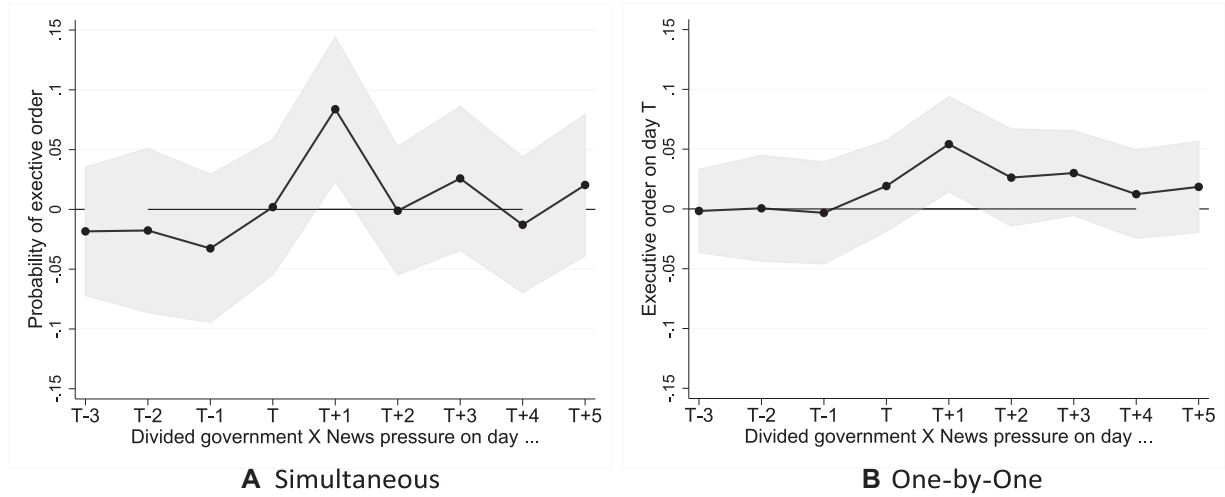
*Note:* Coefficients on leads and lags of news pressure in the samples of unified vs divided government, estimated either simultaneously (corresponding to columns (7) and (10) of table 3 respectively.), or one-by-one.

To corroborate the key distinction between divided and unified government, we reestimate the first three columns separately for these different samples (columns 5–7 and 8–10, respectively). The results are consistent with those from the interacted model. The coefficient on next-day news pressure in the divided government sample suggests that a standard deviation increase ( $\approx 2.5$  min), is associated with a 1.1% point increase in the likelihood of an EO signing, or an 11% increase relative to the mean likelihood of 10%. It is robust to controlling for lags and leads, and statistically different from the coefficient estimated for unified government at the 5% level. We also find a significant increase in the *number* of EOs issued, in the order of 16% (Table B1), which suggests that strategic timing

may also affect presidents' decisions on the intensive margin.

In Figure 4 we plot the coefficients for different leads and lags of news pressure estimated either simultaneously (left panel) or one by one (right panel), separately for divided government (top) and unified government (bottom). For divided government, the coefficient on news pressure at  $t+1$  (i.e., next-day) is larger than the ones on other lags and leads and is the only statistically significant one. Instead, no clear pattern emerges for unified government (Figure 5).<sup>27</sup>

<sup>27</sup>We obtain consistent results pooling together periods of divided and unified government and plotting the interaction of each lead/lag of news pressure with an indicator for divided government (Figure 5).

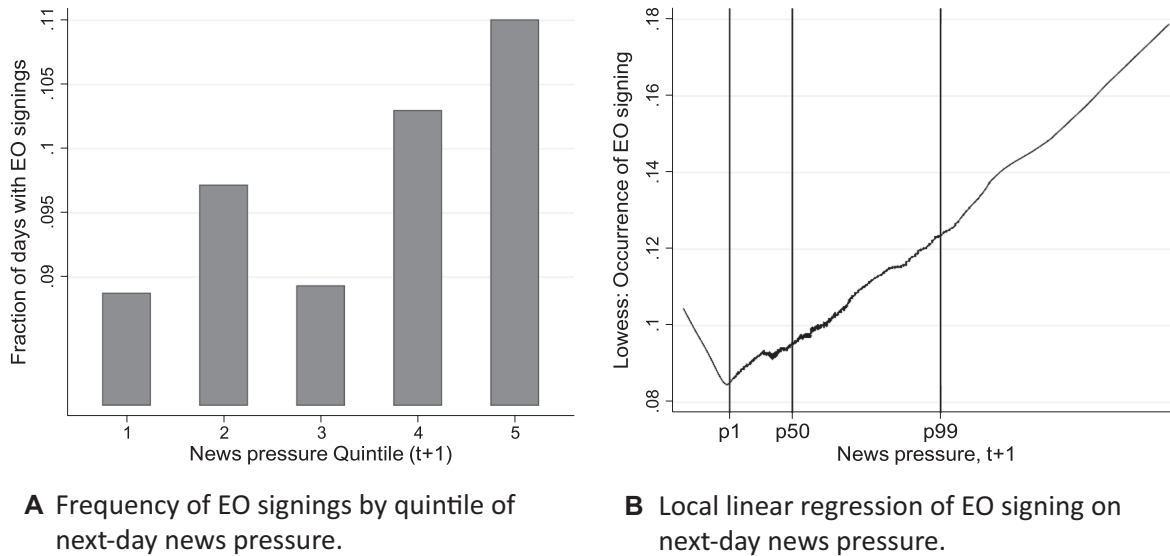
**FIGURE 5 Leads and Lags of News Pressure x Divided Government**

Note: Coefficients on the interaction of divided government with leads and lags of news pressure, estimated either simultaneously (corresponding to column 4 in Table 3), or one-by-one.

In Table A9 we explore how the association of next-day news pressure with the timing of EOs varies with the *degree* of political misalignment between Congress and the president. In line with the view that presidents are more likely to act strategically when facing a hostile Congress, we find that the effect is generally more pronounced when the party opposing the president controls

both chambers of Congress rather than one (though the difference is not statistically significant).

Taken together, these results suggest a pattern in the timing of EOs that is in line with targeting of distracting newsworthy events. Crucially, and also in line with our hypothesis, this only applies to periods of divided government. In light of this finding, in the remainder of the

**FIGURE 6 Timing of Executive Orders: Nonparametric Estimation**

Note: Sample: divided government. Panel (a): Average fraction of days with at least one EO signing, by quintile of the next-day news pressure distribution. Panel (b): Nonparametric locally weighted regression of an indicator for EO-signing on next-day news pressure. Vertical lines indicate the median, the 1st, and the 99th percentile of the news pressure distribution.

analysis we will restrict our focus to periods of divided government.

## Robustness

**Alternative Specifications and Controls.** Next, we show that the findings presented above are robust to various alternative specifications, estimation models and controls.

First, the relationship between next-day news pressure and the timing of EOs holds in the raw data and is not driven by any particular functional form assumption. In Figure 6 we report the share of days with EO signings by quintile of next-day news pressure (panel a), as well as a nonparametric locally weighted regression (panel b).

Second, the results are not sensitive to alternative estimation of the standard errors or to the inclusion of alternative controls. Table A5 reports results using the Newey-West estimator to adjust for serial correlation, and with clustering at the more aggregate level of calendar year or Congressional term (columns 1–3).<sup>28</sup> We also find similar results controlling more flexibly for number of weeks in office, i.e., allowing the effect to vary by President, or including number of week-in-office fixed effects (columns 3 and 4).

In Table A6 we report the following additional checks: i) probit instead of a linear probability model, ii) omitting any calendar controls, iii) controlling for year  $\times$  month fixed effects, iv) controlling for lagged EO signings, and v) controlling for federal holidays<sup>29</sup> and days of presidential foreign visits.<sup>30</sup>

**Alternative Measures of News Pressure.** As discussed in section Data, our preferred measure of news pressure is computed in two steps. First, we exclude any news segments that mentions the phrase “executive order” or synonyms and correct for their length. Second, we exclude any news aired in proximity to an EO-signing that mention EO-specific keywords and correct for their length. In the left-hand side panel of Table A7 we estimate our baseline specification with news pressure computed following only the first step, without correction for length of the excluded segments (column 1), and with correction (column 2). In column (3) we add the second step, thus obtaining our baseline result. The fact that both

the magnitude and precision of the coefficient increase in this step confirms the importance of capturing news that, despite not mentioning EOs explicitly, talk about their subject matter. This also suggests that the observed association is likely driven by news that are entirely unrelated to EOs.

In the right-hand side of Table A7 we show that the results are robust to alternative versions of news pressure: i) using the top three news stories ranked by length, rather by order of appearance (column 4), ii) using keywords from automated text-analysis rather than human-coded ones (column 5), iii) excluding any keywords within  $+7/-7$  days from EO-signing rather than within  $-1/+1$  days (column 6).

## Heterogeneity

Up to now we have documented a strong empirical relationship between the timing of EOs and next-day news pressure in periods of divided government. In what follows, we investigate what type of EOs and what type of news are driving this relationship.

### Types of Executive Orders

We hypothesise that the incentive for strategic timing is more pronounced for EOs that are i) politically significant, ii) *ex ante* more likely to generate criticism, and iii) *ex ante* more likely to be covered in the news.

To test for heterogeneity with respect to these characteristics, we estimate a series of multinomial logit regressions comparing the association between next-day news pressure and the probability of issuance of an EO of one type versus the opposite type, relative to the likelihood of no EO (Figure 7). Alternatively, we estimate a series of linear probability regressions where the dependent variable an indicator equal to one if EOs of a particular type are issued on a given day, and equal to zero for days with EOs of the opposite type or no EOs (Table 4).

Looking at various proxies for the above characteristics, we find results consistent with our predictions.<sup>31</sup> Regarding political significance, we find that the

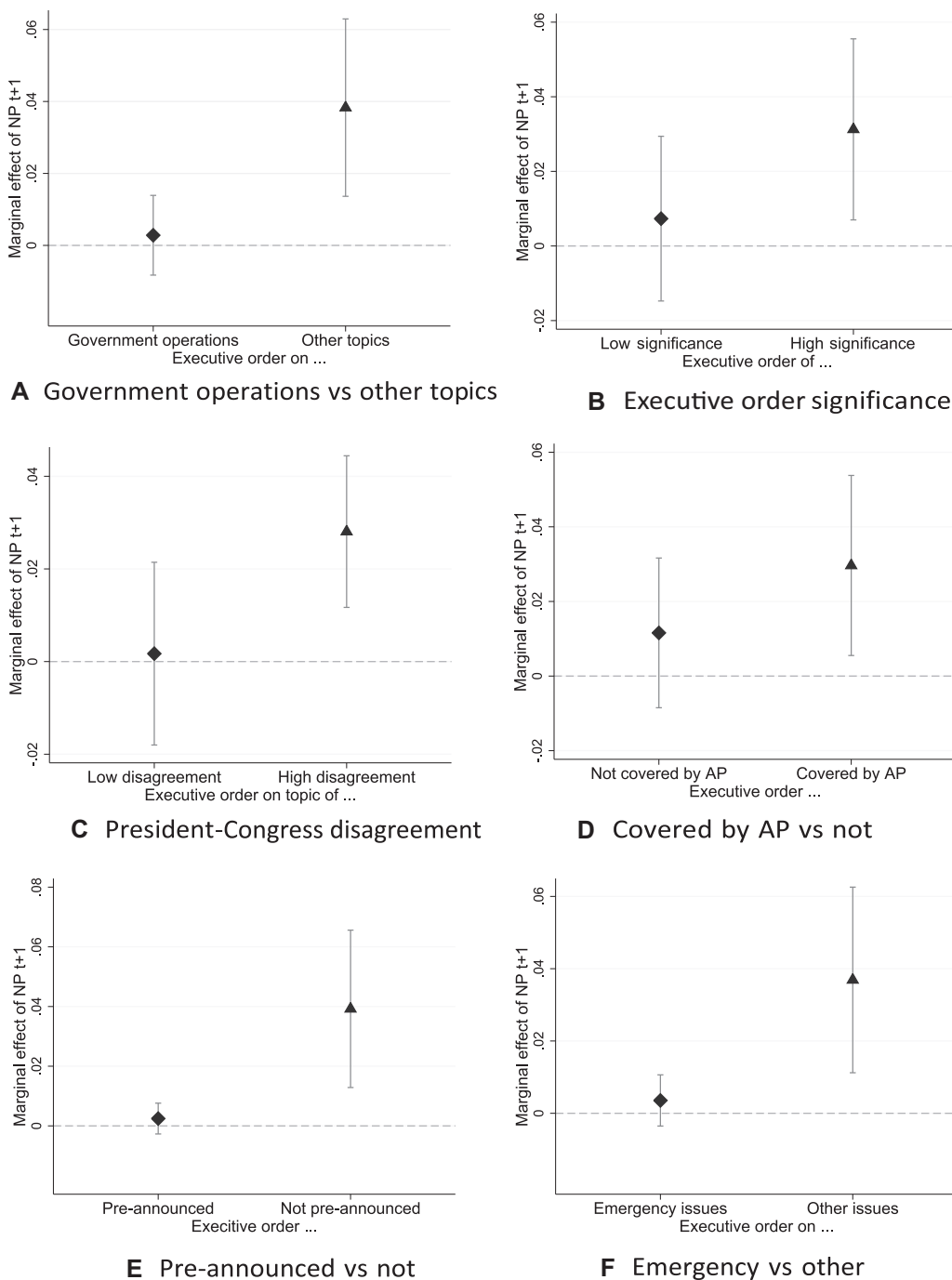
<sup>28</sup>This comes with the caveat of a substantially smaller number of clusters—31 in the case of calendar years and 16 in the case of Congressional terms.

<sup>29</sup>Available from <https://www.calendar-365.com/2019-calendar.html> (accessed on 3 March 2021).

<sup>30</sup>Available from <https://history.state.gov/departmenthistory/travels/president> (accessed on 3 March 2021).

<sup>31</sup>As detailed in section Data, most of these measures are defined based on the date in which the EO was signed, its topic, or a combination of the two. An exception is the measure of significance from Chiou and Rothenberg (2014) which is EO-specific, but has the limitation that one of its components is potentially endogenous news coverage.



**FIGURE 7 Heterogeneity by Type of Executive Order: Multinomial logit**

*Note:* Sample: divided government. Marginal effects (along with 95% confidence intervals) of a change in next-day news pressure on the probability of signing of an EO of a certain type. The marginal effects are estimated in multinomial logit regressions conditional on baseline controls, with 3 mutually exclusive outcomes in each regression: no EO signing, signing of an EO of a certain type, signing of an EO of the opposite type. No EO signing is the baseline (comparison) outcome. Standard errors clustered by month  $\times$  year.

**TABLE 4 Timing by Type of Executive Order**

	(1) EO Not Government Operations	(2) EO High Significance	(3) EO Covered by AP	(4) EO High Disagreement
NP	0.006 (0.015)	0.004 (0.015)	0.007 (0.014)	−0.002 (0.010)
NP (t+1)	0.042** (0.014)	0.035* (0.015)	0.032* (0.015)	0.030** (0.011)
NP (t−1)	−0.005 (0.015)	−0.014 (0.016)	−0.011 (0.015)	−0.005 (0.012)
Weeks in office	Yes	Yes	Yes	Yes
Year, month, DOW FEs	Yes	Yes	Yes	Yes
7 lags of NP	Yes	Yes	Yes	Yes
Observations	10,126	7189	7581	7954
R <sup>2</sup>	0.034	0.023	0.045	0.029
Mean dep. var.	0.081	0.050	0.057	0.034
Mean dep. var. if EO = 1	0.835	0.483	0.616	0.529
	(1) EO Government Operations	(2) EO Low Significance	(3) EO Not Covered by AP	(4) EO Low Disagreement
NP	−0.002 (0.007)	−0.002 (0.013)	0.013 (0.011)	0.012 (0.011)
NP (t+1)	0.003 (0.006)	0.007 (0.012)	0.010 (0.011)	0.004 (0.010)
NP (t−1)	−0.005 (0.008)	−0.011 (0.013)	−0.003 (0.012)	−0.014 (0.011)
Weeks in office	Yes	Yes	Yes	Yes
Year, month, DOW FEs	Yes	Yes	Yes	Yes
7 lags of NP	Yes	Yes	Yes	Yes
Observations	10,126	7189	7581	7954
R <sup>2</sup>	0.013	0.032	0.053	0.025
Mean dep. var.	0.016	0.054	0.035	0.030
Mean dep. var. if EO = 1	0.165	0.517	0.384	0.471

Sample: divided government. Dependent variable: indicator equal to one if an EO of a certain type was signed in the respective day, and zero if not. OLS regressions in all columns. Standard errors clustered by month  $\times$  year. Significance levels:  $^{\dagger}p < .1$ ,  $*p < .05$ ,  $**p < .01$ .

association with news pressure is driven by EOs on topics other than government operations and EOs of high significance (panels a and b of Figure 7)—one standard deviation increase in next-day news pressure increases the likelihood of such EOs by 13% and 18%, respectively. The likelihood of an EO that is likely to generate criticism—i.e., on a topic of high disagreement between president and Congress—increases by 22% (panel c). The likelihood of a newsworthy EO—one covered by the AP—increases by 14% (panel d). We find no correlation

with news pressure when looking at EOs of the opposite, less contentious types.

Additionally, we examine two smaller categories of EOs for which we would *not* expect the president to have the incentive or ability to act strategically. First, some EOs are discussed in the news prior to their signing, which is unlikely to happen if the administration aims to “conceal” them. We find no effect EOs issued when EO-related news was aired in the prior 7 days, which are about 6% of the total (panel e). Second, some EOs are

**TABLE 5 Placebo: Earthquakes, Mass Shootings, and Terror Attacks**

	First Stage				Second Stage				Reduced Form			
	(1) NP	(2) NP	(3) NP	(4) NP	(5) EO	(6) EO	(7) EO	(8) EO	(9) EO	(10) EO	(11) EO	(12) EO
Mass shooting	0.129† (0.066)											
Terrorist attack		0.099** (0.036)										
Earthquake			0.072* (0.031)									
Earthquake, shooting, or attack				0.075** (0.020)								
NP (t+1)					-0.280 (0.307)	-0.374 (0.320)	0.037 (0.436)	-0.222 (0.269)				
Mass shooting (t+1)									-0.036 (0.038)			
Terrorist attack (t+1)										-0.039 (0.026)		
Earthquake (t+1)											0.003 (0.032)	
Earthquake, shooting, or attack (t+1)												-0.017 (0.019)
Weeks in office	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Y, M, DOW FEs	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
First stage F-stat.					3.76	7.71	5.50	13.58				
Observations	9411	9769	9039	8694	9411	9768	9038	8694	9412	9769	9039	8695
R <sup>2</sup>	0.087	0.086	0.090	0.096	0.069	0.031	0.137	0.093	0.040	0.041	0.041	0.040

Sample: divided government. Dependent variable: indicator for EO signing. The table shows results of using an indicator for the occurrence of *unexpected* events—mass shootings, terrorist attacks and earthquakes—as instruments for news pressure. Columns (1)–(4): first stage, OLS. Columns (5)–(8): second stage, 2SLS. Columns (9)–(12): reduced form, OLS. Standard errors clustered by month  $\times$  year. Significance levels: †  $p < .1$ , \*  $p < .05$ , \*\*  $p < .01$ .

signed in response to emergency situations which call for swift presidential action—their timing is hence likely dictated by urgency rather than media considerations. We find no effect for EOs whose description contains the keyword “emergency”, which are about 5% of the total (panel f).

### Predictable versus Unpredictable News

The hypothesis of *forward-looking* strategic timing implies that EO-signing should only coincide with news that can be anticipated. This prediction is reinforced by the result that only *next-day* news pressure ( $t+1$ ) exhibits a significant correlation with the probability of EO signing.

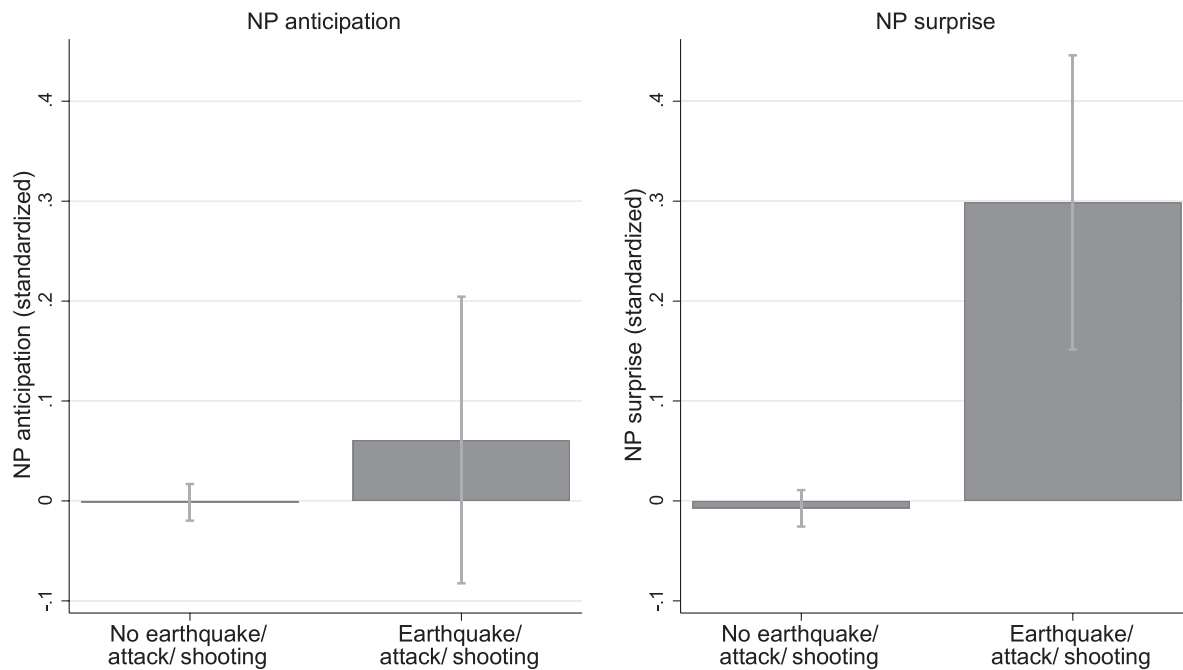
To test this prediction, in Table 5 we conduct a placebo exercise exploiting the timing of arguably unpredictable events—earthquakes, terror attacks and mass shootings. We document that each of these events significantly increases news pressure in the day of its occurrence (columns 1–4). However, we find no significant relationship between the occurrence of an unpredictable event on the following day and EO signing (columns 9–12). Furthermore, using next-day unpredictable events as an instrument, we find no evidence that the corresponding

unexpected increase in next-day news-pressure is related to EO signing (columns 5–8). Hence, the variation in news pressure generated by unpredictable news does not seem to be what is driving our result.

As a more comprehensive test, we use a dictionary-based text analysis procedure to classify all news segments in our sample into two mutually exclusive categories: those associated with surprise and those associated with anticipation. To validate this approach, and to relate it to our previous exercise, in Figure 8 we document that the news pressure associated with surprise increases in coincidence with major unpredictable events while the news pressure associated with anticipation does not.

Exploiting this decomposition, in Table 6 we examine what type of news drives the relationship with EO-signings. Looking separately at the two components of next-day news pressure, we find, if anything, a negative correlation with the surprise component (columns 1–3), while the positive baseline relationship is driven entirely by the anticipation component (columns 4–6).<sup>32</sup> In

<sup>32</sup>Since each news-segment is classified into either the surprise or anticipation category (or neither), the two components of news pressure are mechanically negatively correlated. This likely explains the negative coefficient on surprise news pressure.

**FIGURE 8 News Pressure on Days with and without Unexpected Events**

Note: Mean levels of surprise and anticipation news pressure (standardized), along with 95% confidence intervals, on days with major unexpected events - earthquakes, terror attacks or mass shootings - vs days with no such events.

columns 7–9 we include lags and leads of both variables simultaneously and confirm that only the news pressure related to anticipation is associated with the timing of EOs. Interestingly, when focusing on the relevant dimension of news pressure, i.e., that driven by predictable news, the coefficient on same-day news pressure also becomes statistically significant, though generally smaller and less precisely estimated than the one on next-day news pressure. A standard deviation increase in the anticipation component of next-day news pressure ( $\approx 2.6$  min) is associated with a 12% increase in the likelihood that an EO is signed that day, and a 7% increase in the likelihood that an EO is signed in the next day.

In Figure 9, we plot the coefficients on all the lags and leads of the two news pressure components (corresponding to column (9) in Table 6). It is clear that, when focusing on news related to anticipation, the estimated effect of news pressure on the timing of EOs becomes more precise.

### Time in the Electoral Cycle and Popularity

In Table A10, we examine whether the relationship between the timing of EOs and next-day news pressure varies over the electoral cycle or depending on the president's popularity.

Interestingly, we find no evidence of strategic timing in the first 100 days of the presidential term (column 1)—a period in which EOs are commonly used to address issues raised during the campaign that the president has little incentive to conceal. The correlation with news pressure is instead more pronounced in periods of high disapproval—i.e., when the average disapproval rating over the previous month is higher than the median rating for the same president (column 4). We do not find any difference in timing depending on whether the president is a “lame-duck” (column 2), between first and second presidential terms (column 3), depending on the approval rating of Congress (column 5), or between election years and nonelection years (columns 5 and 6).

Finally, in Table A13 we estimate our baseline specification separately for different administration and for Republican and Democratic presidents. Our results indicate that no administration or party alone is driving the results.

## Mechanisms

### Same-Day versus Next-Day News Coverage

The results discussed above indicate a significant relationship between the likelihood of EO signing and next-day news pressure, while evidence of a similar

**TABLE 6 Decomposition by News Sentiment**

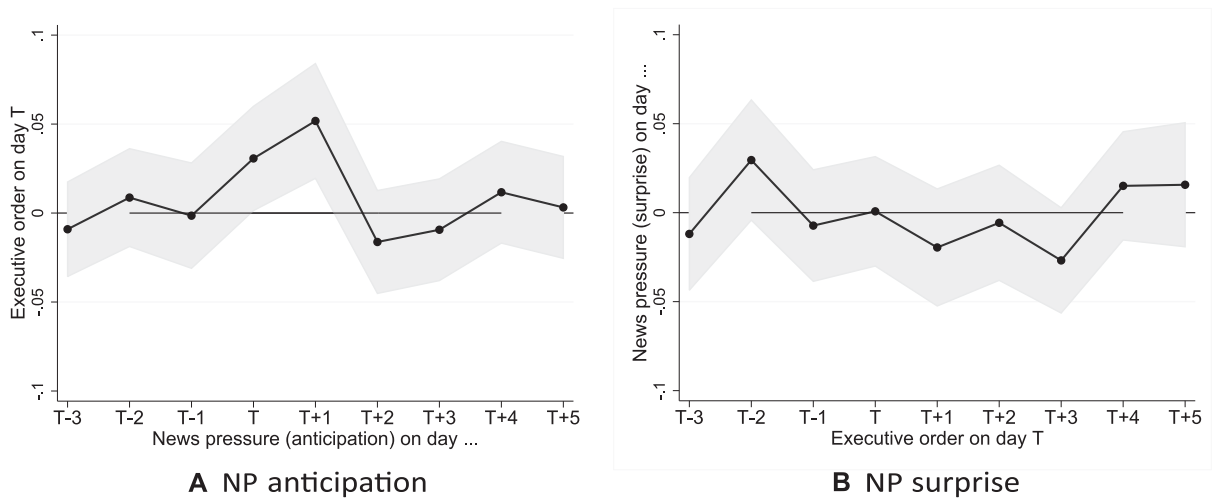
	NP: Surprise Sentiment			NP: Anticipation Sentiment			Both		
	(1) EO	(2) EO	(3) EO	(4) EO	(5) EO	(6) EO	(7) EO	(8) EO	(9) EO
NP <i>surpr.</i>	−0.008 (0.015)	−0.012 (0.015)	−0.006 (0.015)				−0.001 (0.015)	−0.004 (0.015)	0.001 (0.016)
NP <i>surp.</i> (t+1)	−0.024 (0.015)	−0.030 <sup>†</sup> (0.015)	−0.034* (0.016)				−0.011 (0.015)	−0.016 (0.016)	−0.020 (0.017)
NP <i>surp.</i> (t−1)		−0.011 (0.015)	−0.008 (0.016)					−0.009 (0.016)	−0.007 (0.016)
NP <i>anticip.</i>				0.022 <sup>†</sup> (0.013)	0.028* (0.014)	0.031* (0.015)	0.022 <sup>†</sup> (0.013)	0.027 <sup>†</sup> (0.014)	0.031* (0.015)
NP <i>anticip.</i> (t+1)				0.047** (0.014)	0.049** (0.015)	0.055** (0.016)	0.045** (0.014)	0.047** (0.015)	0.052** (0.016)
NP <i>anticip.</i> (t−1)					0.005 (0.014)	0.001 (0.015)		0.002 (0.015)	−0.001 (0.015)
7 lags of NP	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes
7 leads of NP	No	No	Yes	No	No	Yes	No	No	Yes
Weeks in office	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Y, M, DOW FEs	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Observations	9967	9416	9026	9967	9416	9026	9967	9416	9026
R <sup>2</sup>	0.041	0.042	0.044	0.043	0.044	0.045	0.043	0.044	0.047

Sample: divided government. Dependent variable: indicator for EO signing. OLS regressions in all columns. Columns (1)–(3): regressions on news pressure from segments associated with surprise, and its leads and lags. Columns (4)–(6): regressions on news pressure from segments associated with anticipation, and its leads and lags. Columns (7)–(9): regressions including both measures and their leads and lags simultaneously. Standard errors clustered by month  $\times$  year. Significance levels: <sup>†</sup> $p < .1$ , \* $p < .05$ , \*\* $p < .01$ .

relationship with same-day news pressure is weaker. To interpret these results, it is important to better understand why presidents may be more concerned with minimizing next-day coverage of EOs rather than same-day coverage.

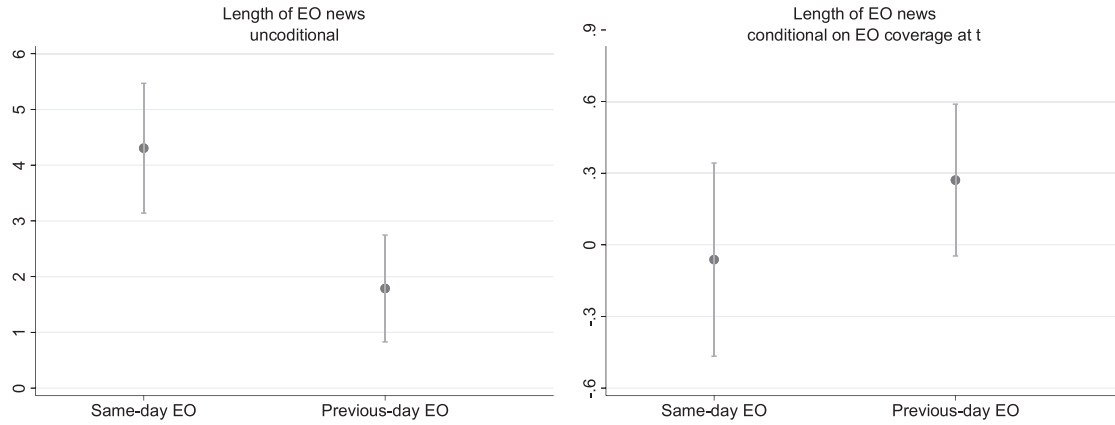
One potential explanation is that stories about EOs are more likely to be featured with a one-day lag due to

a delay in news gathering. This hypothesis does not find support in the data—EOs receive twice as much airtime on the day they are issued than on the following day (left hand-side panel of Figure 10). Interestingly, however, conditional on EOs getting covered in the news, next-day coverage is on average longer (right hand-side panel).

**FIGURE 9 Decomposition by News Sentiment: Leads and Lags**

Note: Coefficients on leads and lags of the anticipation vs surprise component of news pressure <sup>†</sup> corresponding to column (9) in Table 6.



**FIGURE 10 Media Coverage of Executive Orders in Same- versus Next-Day**

Note: Coefficients from negative binomial maximum likelihood regressions of length of EO-news on an indicator for same-day EO and an indicator for previous-day EO, conditional on baseline controls. Standard errors clustered by year  $\times$  month.

An alternative explanation is that coverage of EOs may be *qualitatively* different between same and next day. For instance, shorter (though more frequent) news on the same day may provide basic information, while a lag of one day may allow reporters to produce in-depth analysis of the policy and to gather other, possibly critical, reactions.

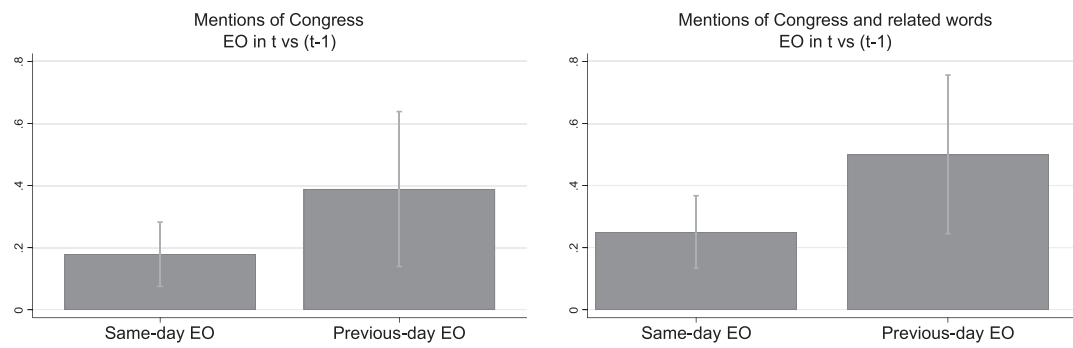
As a simple test of this hypothesis, in Figure 11 we examine how same- and next-day news on EOs differ with respect to the frequency with which they mention reactions from Congress. We first analyse the headlines and transcripts of 84 VNA segments that contain the phrase “executive order” or synonyms and were aired on the day of, or one day after, an EO signing. We look for

**TABLE 7 News Related to President versus Other News**

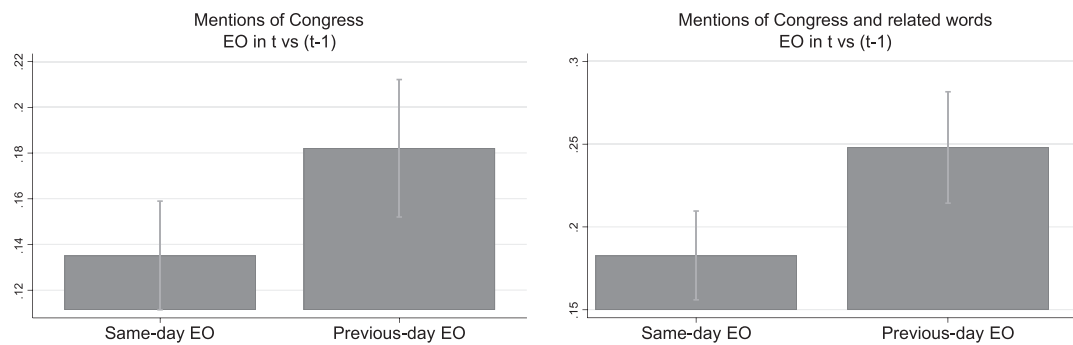
	NP: Anticipation & President Mentioned			NP: Anticipation & President not Mentioned			Both		
	(1) EO	(2) EO	(3) EO	(4) EO	(5) EO	(6) EO	(7) EO	(8) EO	(9) EO
NP <i>president</i>	0.002 (0.013)	0.005 (0.013)	0.003 (0.014)				0.003 (0.013)	0.007 (0.014)	0.007 (0.014)
NP <i>president</i> (t+1)	0.037** (0.014)	0.040** (0.014)	0.038* (0.015)				0.047** (0.014)	0.051** (0.015)	0.049** (0.016)
NP <i>president</i> (t-1)		-0.016 (0.014)	-0.017 (0.014)					-0.014 (0.014)	-0.015 (0.014)
NP <i>other news</i>				0.019 (0.013)	0.018 (0.014)	0.018 (0.013)	0.018 (0.014)	0.020 (0.014)	0.020 (0.014)
NP <i>other news</i> (t+1)				0.051** (0.015)	0.050** (0.015)	0.051** (0.015)	0.061** (0.015)	0.062** (0.016)	0.062** (0.016)
NP <i>other news</i> (t-1)					0.018 (0.014)	0.017 (0.014)		0.014 (0.014)	0.013 (0.014)
7 lags of NP	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes
7 leads of NP	No	No	Yes	No	No	Yes	No	No	Yes
Weeks in office	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Y, M, DOW FEs	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Observations	10128	10121	10109	10133	10126	10114	10128	10121	10109
R <sup>2</sup>	0.041	0.042	0.042	0.042	0.042	0.043	0.043	0.045	0.045

Sample: divided government. Dependent variable: indicator for EO signing. OLS in all columns. Columns (1)–(3): regressions on news pressure from segments associated with anticipation that mention the name of the incumbent president, and its leads and lags. Columns (4)–(6): regressions on news pressure from segments associated with anticipation that *don't* mention the name of the incumbent president, and its leads and lags. Columns (7)–(9): regressions including both measures and their leads and lags simultaneously. Standard errors clustered by month  $\times$  year. Significance levels:  $^{\dagger} p < .1$ ,  $* p < .05$ ,  $** p < .01$ .

**FIGURE 11 Mentions of Congress in the Text of Same- versus Next-Day TV News Segments**



**A Share of Executive Order-related news segment mentioning Congress: VNA**



**B Share of Executive Order-related news segment mentioning Congress: GDELT TV Archive**

*Note:* Mean share of EO-related TV segments mentioning Congress (along with 95% confidence intervals). Panel (a): text of headlines and descriptions of VNA segments (covering 1979-2016). Panel (b): text of snippets of GDELT TV Archive segments (covering 2009-2016).

mentions of words with the root “Congress”, or other related words such as “Senate”, “House” (but not “White House”), “representative”, and “speaker”. With both measures the share of news segments mentioning Congress is significantly higher in next-day news (40–50% of segments) than in same-day news (20–22% of segments).

To validate these findings in a larger sample, we replicate the exercise using data from the *GDELT TV Archive*, which are more detailed and include a much larger number of news, though limited to the post 2009 period (see Appendix 9, pp. 14–15). We perform the same automated keyword search described above on the transcripts of 1497 15 s long segments. The results, presented in panel b, are consistent with those found for the VNA sample: next-day news are significantly more likely to mention Congress than same-day news.

To evaluate more qualitative aspects of news coverage we instruct research analysts to watch and rate the GDELTs segments following a questionnaire (Table A11). The results, described in Appendix 9, pp. 14–15

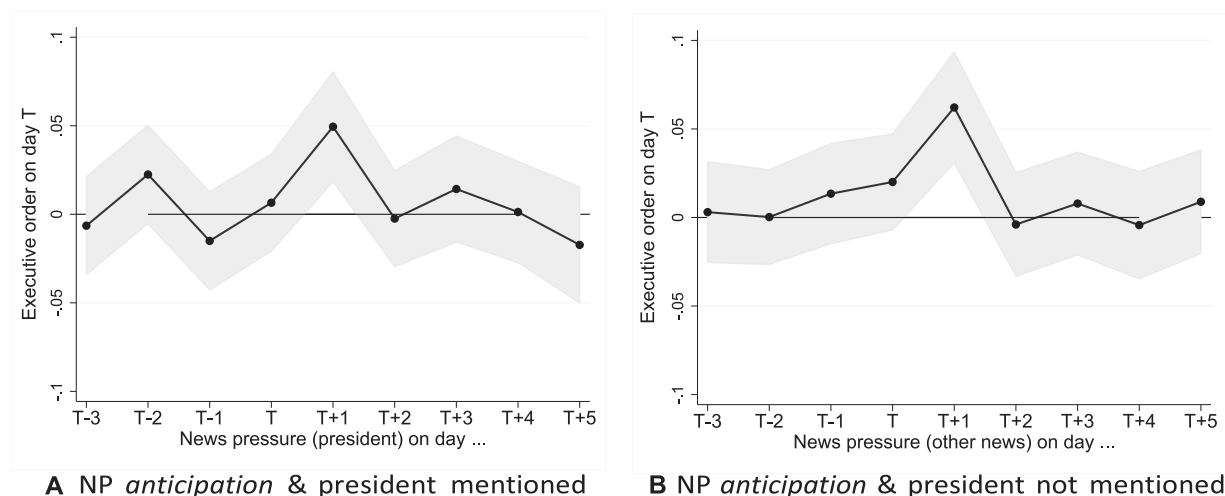
confirm that next-day news coverage is significantly more likely to take the perspective of Congress, rather than that of the White House. We also find that the tone of Congress reactions is on average negative (in line with our expectation given our focus on divided government). In result, the distribution of tone to skews more negative for next-day coverage compared to same-day coverage.

### Using Exogenous Events versus Producing Distracting News

The results presented thus far are consistent with more controversial EOs being timed strategically to newsworthy events that are exogenous from the standpoint of the policy-maker.<sup>33</sup> However, our findings are also consistent with an alternative hypothesis, i.e., that the distracting

<sup>33</sup>This conceptual framework is analogous to that used by Durante and Zhuravskaya (2018), who assume that the Israeli army cannot

**FIGURE 12 Decomposition by News Related to President versus Other News: Leads and Lags**



*Note:* Coefficients on leads and lags of the president-related vs president-unrelated component of anticipation news pressure - corresponding to column (9) in Table 7.

news may, themselves, be deliberately induced by the policy-maker. Although separating these two mechanisms is beyond the scope of this article, in Table 7 and the corresponding Figure 7 we attempt to provide some *prima facie* evidence in this regard by splitting the anticipated component of news pressure into news that mention the incumbent president (15% of the total), and news that do not. The results suggest that EO signings are strongly correlated with both components. One standard deviation increase in the president-related component of next-day (anticipated) news pressure ( $\approx 2.4$  min) is associated with a 12% increase in the likelihood of an EO signing, while a standard deviation increase in the remaining component ( $\approx 2.2$  min) is associated with a 14% increase in this likelihood (Figure 12).

## Conclusion

In this article we investigate whether politicians strategically choose to implement policies in coincidence with other important events, so as to minimise media coverage and public scrutiny of their actions. To shed light on this general question, we analyse the timing of the signing of executive orders by U.S. presidents over the past four decades, and its relationship with the news cycle.

We show that executive orders are disproportionately likely to be signed on the eve of days when the news cycle is dominated by other events. This relationship

only holds during periods of divided government—when the presence of a hostile Congress increases the president's incentive to conceal controversial unilateral actions—and only for categories of EOs that are likely to make the news and to generate criticism. Furthermore, EO-signings tend to coincide with predictable news but not with surprising ones, and appear to be timed to minimise next-day coverage of EOs which, we document, is generally less favourable to the president. This evidence is consistent with a forward-looking PR strategy aimed at minimizing negative publicity via distraction, and suggests that, even in the presence of a free press, strategic behaviour by politicians can limit public scrutiny of government policies and political accountability.

While politicians may exploit distracting events occurring outside their control, it is also possible that they may actively try to influence the media agenda through their actions or statements so as to “create” distracting news. While our analysis only provides limited evidence as to which of these scenarios is more likely, this certainly represents an interesting venue for future research.

Finally, our research documents the strategic behaviour of top-level elected officials characterised by a high degree of sophistication and abundant PR resources. Another question for future research is whether this type of behaviour may generalise to lower level politicians and what might be the broader implications for political accountability.

influence the U.S. news cycle and take it as given when deciding on when to carry out attacks.

## References

- Balles, P., U. Matter, and A. Stutzer 2018. Special Interest Groups Versus Donors and the Political Economics of Attention.
- Baum, M. 2004. "How Public Opinion Constrains the Use of Force: The Case of Operation Restore Hope." *Presidential Studies Quarterly* 34: 187–226.
- Besley, T., and R. Burgess 2002. "The Political Economy of Government Responsiveness: Theory and Evidence from India." *Quarterly Journal of Economics* 117(4): 1415–51.
- Bolton, A., and S. Thrower 2021. "Legislative Constraints, Ideological Conflict, and the Timing of Executive Unilateralism." *Legislative Studies Quarterly*.
- Chiou, F.-Y., and L. S. Rothenberg 2014. "The Elusive Search for Presidential Power." *American Journal of Political Science* 58(3): 653–68.
- Christenson, D. P., and D. K. Kriner 2017a. "Constitutional Qualms or Politics as Usual? The Factors Shaping Public Support for Unilateral Action." *American Journal of Political Science* 61(2): 335–49.
- Christenson, D. P., and D. L. Kriner 2017b. "Mobilizing the Public Against the President: Congress and the Political Costs of Unilateral Action." *American Journal of Political Science* 61: 769–85.
- Christenson, D. P., and D. L. Kriner 2017c. "The Specter of Supreme Court Criticism: Public Opinion and Unilateral Action." *Presidential Studies Quarterly* 47(3): 471–94.
- Christenson, D. P., and D. L. Kriner 2019. "Does Public Opinion Constrain Presidential Unilateralism?" *American Political Science Review* 113(4): 1071–7.
- Couttenier, M., and S. Hatte 2016. "Mass Media Effects on Non-governmental Organizations." *Journal of Development Economics* 123: 57–72.
- DellaVigna, S., and J. Pollet 2009. "Investor Inattention and Friday Earnings Announcements." *The Journal of Finance* 64: 709–49.
- Durante, R., and E. Zhuravskaya 2018. "Attack When the World is not Watching? U.S. Media and the Israeli-Palestinian Conflict." *Journal of Political Economy* 126(3): 1085–133.
- Eisensee, T., and D. Strömberg 2007. "News Droughts, News Floods, and US Disaster Relief." *Quarterly Journal of Economics* 122(2): 693–728.
- Ferraz, C., and F. Finan 2008. "Exposing Corrupt Politicians: The Effects of Brazil's Publicly Released Audits on Electoral Outcomes." *Quarterly Journal of Economics* 123(2): 703–45.
- Gabaix, X., D. Laibson, G. Moloche, and S. Weinberg 2006. "Costly Information Acquisition: Experimental Analysis of a Boundedly Rational Model." *American Economic Review* 96(4): 1046–68.
- Garz, M., and S. Maass 2020. Cartels in the European Union, Antitrust Action, and Public Attention.
- Gentzkow, M., B. T. Kelly, and M. Taddy 2018. "Text as Data." *Journal of Economic Literature* forthcoming.
- Gibson, J. 1999. "Political Timing: A Theory of Politician's Timing of Events." *Journal of Theoretical Politics* 11(4): 471–96.
- Grimmer, J., and B. M. Stewart 2013. "Text as Data: The Promise and Pitfalls of Automatic Content Analysis Methods for Political Texts." *Political Analysis* 21(3): 267–97.
- Howell, W. 2003. *Power without Persuasion: The Politics of Direct Presidential Action*. Princeton, NJ: Princeton University Press.
- Kaplan, E., J. L. Spenkuch, and H. Yuan 2018. Natural Disasters, Moral Hazard, and Special Interests in Congress.
- Moe, T. M., and W. G. Howell 1999. "The Presidential Power of Unilateral Action." *Journal of Law, Economics, and Organization* 15: 132–97.
- Posner, E., and A. Vermeule 2010. *The Executive Unbound: After the Madisonian Republic*. New York: Oxford University Press.
- Potter, R. A. 2017. "Slow-rolling, Fast-tracking, and the Pace of Bureaucratic Decisions in Rulemaking." *The Journal of Politics* 79(3): 841–55.
- Potter, R. A. 2019. *Bending the Rules: Procedural Politicking in the Bureaucracy* University of Chicago Press.
- Reeves, A., and J. C. Rogowski 2015. "Public Opinion Toward Presidential Power." *Presidential Studies Quarterly* 45(4): 742–59.
- Reeves, A., and J. C. Rogowski 2016. "Unilateral Powers, Public Opinion, and the Presidency." *Journal of Politics* 78(1): 137–51.
- Reeves, A., and J. C. Rogowski 2018. "The Public Cost of Unilateral Action." *American Journal of Political Science* 62: 424–40.
- Reeves, A., J. C. Rogowski, M. H. Seo, and A. R. Stone 2017. "The Contextual Determinants of Support for Unilateral Action." *Presidential Studies Quarterly* 47(3): 448–70.
- Sellers, M. 2017. "Gubernatorial Use of Executive Orders: Unilateral Action and Policy Adoption." *Journal of Public Policy* 37(3): 315–39.
- Snyder Jr, M. J., and D. Strömberg 2010. "Press Coverage and Political Accountability." *Quarterly Journal of Economics* 117(4): 1415–51.

## Supporting Information

Additional supporting information may be found online in the Supporting Information section at the end of the article.

### Appendix A: Additional Results