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**Sample Characteristics**

|  |  |  |
| --- | --- | --- |
|  | **% TESS (N=801)** | **%CCES (N=490)** |
| **Education** |  |  |
| No High School Diploma | 7.5 | 2.0 |
| High School Diploma | 28.3 | 31.4 |
| Some College | 20.5 | 23.5 |
| Associate Degree | 10.2 | 11.2 |
| Bachelor Degree | 20.1 | 20.2 |
| Post College | 13.3 | 11.6 |
| **Race** |  |  |
| White | 71.0 | 67.6 |
| Black | 9.0 | 10.8 |
| Hispanic | 10.5 | 13.9 |
| Mixed | 4.0 | 3.5 |
| Other | 5.5 | 4.2 |
| **Partisanship** |  |  |
| Democrats (w/Leaners) | 50.0 | 48.3 |
| Independents | 3.4 | 18.4 |
| Republicans (w/Leaners) | 46.6 | 32.0 |
| **Ideology** |  |  |
| Liberals | 29.1 | 36.3 |
| Moderates | 33.5 | 25.9 |
| Conservatives | 37.5 | 35.2 |
| **Gender[[1]](#footnote-1)** |  |  |
| Males | 52.7 | 40.0 |
| Females | 47.3 | 60.0 |
| **Age** |  |  |
| 18-25 | 14.5 | 22.0 |
| 30-44 | 22.7 | 23.7 |
| 45-49 | 26.6 | 23.9 |
| 60+ | 36.2 | 31.4 |

**A. Experimental Scenarios**

Legislative Authority Scenarios

GUN RIGHTS SCENARIO WITH MANIPULATIONS

New Federal Gun Regulations Raise Constitutional Concerns

(AP - 12/1/14) Congress is considering federal legislation that would require background checks for all gun buyers, including those who purchase from private sellers, currently exempt from such regulations. The proposed legislation would also limit the sale and manufacture of ammunition in automatic magazines to ten rounds. A recent public opinion poll indicates **(over 85%/under 15%)** of Americans support federal legislation addressing gun violence in these specific respects.

Gun rights advocates say that the proposed legislation is a violation of their Second Amendment rights.  They also argue that the federal law infringes on States’ police powers to regulate for the health, safety and morals of local citizens. James Lott, a representative from the National Rifle Association says, “this is just another example of Congress trying to impose its will on the citizens of the several states.” Matthew Lorne, a gun control advocate is quick to point out, “the bill only fills loopholes in current laws and bans extremely dangerous weapons.  No sportsman needs more than ten rounds to kill a deer.”

**Clear Congressional Authority**

Legal experts overwhelmingly agree that Congress has the constitutional authority to enact such legislation in our federal system. “The Supreme Court would surely uphold this statute,” said Robert Farber, a constitutional law scholar at George Washington University.  “Article I gives Congress broad discretion to regulate goods shipped through interstate commerce, including firearms. While it is true that most gun safety regulations are passed as a matter of state authority under the Tenth Amendment, this law does not represent an impermissible intrusion on state police powers.”

**Unclear Congressional Authority**

Legal experts are currently divided about whether or not Congress would be overstepping its constitutional authority by enacting such legislation in our federal system.  “It is hard to say how the Supreme Court would rule on this issue,” said Robert Farber, a constitutional law scholar at George Washington University.  “Article I gives Congress broad discretion to regulate goods shipped through interstate commerce, including firearms. But most gun safety regulations are passed as a matter of state authority under the Tenth Amendment.  It is unclear whether this law represents an impermissible intrusion on state police powers.”

**Clearly no Congressional Authority**

Legal experts overwhelmingly agree that Congress does not have the constitutional authority to enact such legislation in our federal system. “The Supreme Court would surely strike down this statute,” said Robert Farber, a constitutional law scholar at George Washington University.  “Article I gives Congress broad discretion to regulate goods shipped through interstate commerce, including firearms. But most gun safety regulations are passed as a matter of state authority under the Tenth Amendment, this law clearly represents an impermissible intrusion on state police powers.”

IMMIGRATION SCENARIO WITH MANIPULATIONS

New Federal Law Regarding Tuition Benefits Raises Constitutional Concerns

(AP - 12/7/14) Federal lawmakers may make it significantly harder for undocumented college students to get the same tuition benefits as classmates they have grown up with.  Congress is considering a bill providing that no school that receives federal funding may allow undocumented students to receive in-state tuition benefits; any school that makes this sort of allowance will immediately loose all federal money that they receive.

Schools use federal dollars for everything from building research facilities to funding student scholarships.  “This is a hit that no state university can afford to take,” said Matthew Lorne, president of Irving State University in Rhode Island. “It effectively forces state schools to punish undocumented students, and there is nothing we can do about it.” James Lott, the Congressman from Virginia who is sponsoring the bill, was quick to point out, “the law does not prevent anyone from attending college, it just requires undocumented students to pay the same as out of state students.  It stops those here illegally from getting the special treatment rightfully reserved for legal state residents.”

Currently it is up each state to decide whether undocumented students can receive in-state tuition.  Eighteen states allow such benefits for undocumented students, while three states specifically prohibit undocumented students from receiving in-state tuition.  A recent public opinion poll indicates that **(over 85%/ under 15%)** of Americans support congressional action that restricts tuition benefits to undocumented students as a matter of national policy.

**Clear Congressional Authority**

Legal experts overwhelmingly agree that Congress has the constitutional authority to enact such legislation in our federal system.  “The Supreme Court would surely uphold this statute,” said Robert Farber, a constitutional law professor at George Washington University. “Article I gives Congress broad discretion in saying how federal funds should be spent and making laws pertaining to immigration.   While it is true states are independent entities under the Tenth Amendment, this is not an unfair intrusion on each state’s ability to decide how to allocate their own tuition benefits.”

**Unclear Congressional Authority**

Legal experts are currently divided about whether or not Congress would be overstepping its constitutional authority by enacting such legislation in our federal system.  “It is hard to say how the Supreme Court would rule on this issue,” said Robert Farber, a constitutional law professor at George Washington University. “Article I gives Congress broad discretion in saying how federal funds should be spent and making laws pertaining to immigration, but states are independent entities under the Tenth Amendment. "It is unclear whether this legislation is a unfair intrusion on each state’s ability to decide how to allocate their own tuition benefits.”

**Clearly no Congressional Authority**

Legal experts overwhelmingly agree that Congress does not have the constitutional authority to enact such legislation in our federal system.  “The Supreme Court would surely strike down this statute,” said Robert Farber, a constitutional law professor at George Washington University. “Article I gives Congress broad discretion in saying how federal funds should be spent and making laws pertaining to immigration, but states are independent entities under the Tenth Amendment. This is clearly an unfair intrusion on each state’s ability to decide how to allocate their own tuition benefits.”

EXECUTIVE AUTHORITY SCENARIO (WITH MANIPULAIONS)

**Headline: Sanctuary Cities Raise Debate About Executive Authority**

AP -  Earlier this year President Trump issued an executive order that would take away federal funds from police departments in cities who refuse to fully comply with immigration laws by reporting undocumented individuals to federal immigration authorities. There is some controversy about whether the President can do so, or whether it should be Congress that takes this action. The administration cites the President’s constitutional authority as “Chief Executive” in Article I, and the wide discretion presidents are generally given over budgetary issues as sufficient authority for this action.

2nd Paragraph (consensus manipulation Clear/Unclear/Clearly no Authority)

Several cases are working the way up the federal legal system, but the Supreme Court has yet to rule on this issue. \... **Clear Authority Consensus Manipulation: /…***Most constitutional law scholars agree that the President has clear authority deny funds to sanctuary cities without consulting Congress. Professor Andrew Holmes, a noted authority on government powers says, "it is clear the Supreme Court will uphold this exercise of unilateral executive authority."*

**Unclear Consensus Manipulation:/…***Constitutional law scholars are currently divided about whether the President has the authority to deny funds to sanctuary cities without consulting Congress. Professor Andrew Holmes, a noted authority on government powers says, "it is unclear whether the Supreme Court would uphold or strike down this exercise of unilateral executive authority.”*

**No Authority Consensus Manipulation:/...***Most constitutional law scholars agree that the President does not have authority to deny funds to sanctuary cities without consulting Congress. Professor Andrew Holmes, a noted authority on government powers says, "it is clear the Supreme Court would strike down this exercise of unilateral executive authority."*

3rd Paragraph – Majority Support Manipulations (over 85 v. under 15% support loss of funds)

Our immigration problem is not going away any time soon.  A recent opinion poll indicates that ***over 85% (or under 15%)***of Americans agree that sanctuary cities should lose money for failing to report individuals to federal authorities. It is sure to be an important issue in the coming months raising questions about the means available to the President to deal with such problems.

**B. Question Wording**

TESS Administration Questions

Policy Views: Gun Regulation

Some people think guns are dangerous weapons that should be strictly regulated by the government, others believe guns are not inherently dangerous and it is up to individuals to control their own actions.  To what extent do you agree with the following statement?

**Please indicate the extent to which you agree with the following statement**

Guns should be strictly regulated by the government.

 1-Strongly Disagree 2-Disagree Slightly 3-Disagree 4-Slightly Agree 5-Agree 6-Strongly Agree

Policy Views: Immigration Reform

Some people believe that government should limit benefits like welfare and public education to people who are legally in this country, others believe that the denial of basic services to undocumented immigrants and their children is wrong. To what extent do you agree with the following statement?

**Please indicate the extent to which you agree with the following statement**

The government should limit basic services to United States citizens and legal aliens.

1-Strongly Disagree 2-Disagree Slightly 3-Disagree 4-Slightly Agree 5-Agree 6-Strongly Agree

Credible Expert Question

Do you think that Constitutional Law scholars are credible experts with regard to this issue of Congressional Authority?

1-Yes 2-No 3-Don't Know

Legislative appropriateness

Which of the following reflects your views about whether it would be a legitimate (or appropriate) exercise of authority for Congress to pass this legislation?

1-Clearly Legitimate 2-Probably Legitimate 3-Perhaps Legitimate 4-Neutral 5-Perhaps Not Legitimate 6-Probably Not Legitimate 7-Clearly Not Legitimate

How would you describe your ideology?

1- Very Conservative 2- Conservative 3-Slightly Conservative 4-Moderate 5-Slightly Liberal 6-Liberal 7-Very Liberal

What about your political party affiliation?

1-Strongly Republican 2-Republican 3-Leans Republican 4-Independent 5-Leans Democrat 6-Democrat 7- Strongly Democrat

CCES Administration Questions

Variable: Opinion Sanctuary Cities (relevant in Executive Scenario)

Some people believe that because undocumented individuals are likely to commit serious crimes, municipal law enforcement agencies have an obligation to report them to federal immigration authorities. Others think these individuals are not more likely to commit crimes, so it is not up to local law enforcement to report undocumented individuals to immigration authorities. To what extent do you agree with the following statement, or haven’t you thought about it much?

Local law enforcement agencies should report undocumented individuals to federal immigration authorities.

1 -strongly disagree 2- somewhat disagree 3- slightly disagree 4- slightly agree 5- somewhat agree 6- strongly agree 9 - haven’t thought about it

Variable: Credible experts (Executive Scenario]

Do you think that Constitutional Law scholars are credible experts with regard to this issue of Executive Authority?

1 – Yes 2 – No 3 – Don’t Know

Variable: appropriateness

Do you think the President’s action described in the article represents a legitimate (or appropriate) exercise of Executive authority?

1- clearly not legitimate 2- probably not legitimate 3- perhaps not legitimate 4- neutral 5- perhaps legitimate 6- probably legitimate 7- clearly legitimate

Political Party

1- strong democrat 2-not so strong democrat 3-leans democrat 4-independent-5-leans republican 6-not so strong republican 7-strong republican 8- don’t know 9- no answer

Ideology

1-very liberal 2-liberal 3-neurtal 4-conservative 5-very conservative 8-don’t know 9- no answer

Responses by Partisanship and Agreement Category

Table A.1: Percentages of Expert Credibility by Partisanship Across Administrations

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| TESS 2016 | | | | CCES 2017 | | |
|  | Expert  Credible | Not  Credible | Don’t  Know | Expert  Credible | Not  Credible | Don’t  Know |
| Democrat  (n=401, 227) | 47% | 15% | 37% | 55% | 15% | 28% |
| Republican  (n= 372, 154) | 38% | 26% | 34% | 37% | 31% | 32% |

Table A.2 Percentages of Expert Credibility by Condition Agreement Across Administrations

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| TESS 2016 | | | | CCES 2017 | | |
|  | Expert  Credible | Not  Credible | Don’t  Know | Expert  Credible | Not  Credible | Don’t  Know |
| Consistent  (n=267, 156) | 46% | 17% | 35% | 53% | 14% | 32% |
| Inconsistent  (n=273, 156) | 37% | 23% | 39% | 44% | 23% | 32% |
| Unclear (n=254, 164)  (Divided Consensus) | 45% | 22% | 34% | 41% | 29% | 29% |

Supplemental Regression Analyses

Here I code “consistency” as an ordinal variable. It is 1 if the expert consensus about government authority is inconsistent with a participant’s policy views, 2 for participants in the divided authority conditions and 3 where the expert consensus cited is consistent with the respondent’s policy views about the relevant measure. All other variables are identical to analyses in the main paper. Table A.3 shows as expert consensus becomes more consistent with participants’ expressed views, they demonstrate less skepticism about the credibility of experts.

Table A.3: Ordered Probit Skepticism Across Administrations (Consistency Measure)

|  |  |  |
| --- | --- | --- |
| Variable | TESS 2016 | CCES 2017 |
| Consistency | -.13\*\*  (.05) | -.16\*  (.07) |
| Republican | .11\*\*\*  (.02) | .09\*\*\*  (.03) |
| White | -.35\*\*\*  (.10) | -.27\*  (.12) |
| Female | .03  (.08) | .01  (.11) |
| Birthyear (Younger) | .00  (.002) | -.01+  (.003) |
| Education | -.24\*\*\*  (.04) | -.23\*\*\*  (.04) |
| % Support Condition | .01  (.08) | .05  (.11) |
| Issue | -.13  (.08) | -- |
|  |  |  |
| N | 792 | 450 |
| LR Chi2 | 76.39\*\*\* | 58.27\*\*\* |

+ p<.10, \*p<.05, \*\*p<.01, \*\*\*p<.001

Table A.4: Probit Credible Response Across Administrations (Consistency Measure)

|  |  |  |
| --- | --- | --- |
| Variable | TESS 2016 | CCES 2017 |
| Consistency | .13\*\*  (.06) | .17\*  (.08) |
| Republican | -.10\*\*\*  (.02) | -.08\*\*  (.03) |
| White | .37\*\*\*  (.11) | .24+  (.14) |
| Female | -.15  (.09) | -.16  (.13) |
| Birthyear (Younger) | .00  (.002) | .00  (.004) |
| Education | .26\*\*\*  (.05) | .24\*\*\*  (.04) |
| % Support Condition | .01  (.09) | -.02  (.12) |
| Issue | -.13  (.09) | -- |
| Constant | -1.58  (.32) | -9.39  (7.00) |
|  |  |  |
| N | 792 | 451 |
| LR Chi2 | 64.73\*\*\* | 50.92\*\*\* |

+ p<.10, \*p<.05, \*\*p<.01, \*\*\*p<.001

Table A.5: Probit Not Credible Responses Across Administrations (Consistency Measure)

|  |  |  |
| --- | --- | --- |
| Variable | TESS 2016 | CCES 2017 |
| Consistency | -.11+  (.06) | -.16+  (.09) |
| Republican | .12\*\*\*  (.03) | .09\*\*  (.03) |
| White | -.30\*  (.12) | -.29+  (.16) |
| Female | -.14  (.11) | -.21  (.14) |
| Birthyear | .00  (.003) | -.01+  (.004) |
| Education | -.22\*\*\*  (.05) | -.19\*\*\*  (.05) |
| % Support Condition | .00  (.10) | .08  (.14) |
| Issue | -.13  (.10) | -- |
| Constant | 1.01  (.37) | 14.69  (8.00) |
|  |  |  |
| N | 792 | 451 |
| LR Chi2 | 47.42\*\*\* | 38.34\*\*\* |

+ p<.10, \*p<.05, \*\*p<.01, \*\*\*p<.001

Table A.6: Probit “Don’t Know” Response Across Administrations Consistency Measure

|  |  |  |
| --- | --- | --- |
| Variable | TESS 2016 | CCES 2017 |
| Consistency | -.05  (.06) | -.04  (.08) |
| Republican | .01  (.02) | .03  (.03) |
| White | -.18+  (.11) | -.06  (.14) |
| Female | .24\*\*  (.09) | .35\*\*  (.13) |
| Birthyear | .00  (.003) | -.00  (.004) |
| Education | -.11\*  (.05) | -.11\*\*  (.04) |
| % Support Condition | .01  (.09) | -.02  (.12) |
| Issue | -.03  (.09) | -- |
| Constant | -.27  (.32) | -4.01  (7.19) |
|  |  |  |
| N | 792 | 451 |
| LR Chi2 | 17.39\* | 15.21\* |

+ p<.10, \*p<.05, \*\*p<.01, \*\*\*p<.001

1. Gender split in CCES sample is skewed due to assignment of sample to experiments on either executive or judicial authority. [↑](#footnote-ref-1)