

AMERICAN DREAMS: HOW DEFERRED ACTION FOR CHILDHOOD  
ARRIVALS SHAPED THE POLITICS OF IMMIGRATION POLICY

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AMERICAN DREAMS: HOW DEFERRED ACTION FOR CHILDHOOD  
ARRIVALS (DACA) SHAPED THE POLITICS OF IMMIGRATION POLICY

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Scholars of the politics of public policy show that policy change has the potential to shift politics. Moreover, politicians often seek to secure favorable political outcomes through this dynamic, which is known as “policy feedback.” Yet, both elites and scholars have devoted insufficient attention to how policy can have different, confounding feedbacks on different “levels” of policy. To remedy this, I develop a multi-level, dynamic theory of how policy change shapes the politics of beneficiaries, the public at large, and elite political actors. I test this theory by applying it to Deferred Action for Childhood Arrivals (DACA), a prominent immigration initiative in the Obama administration that, I argue, sought to harness policy feedback to break the immigration politics stalemate. I trace three feedbacks in this dissertation. First, DACA identified a population of young, integrated, and vulnerable undocumented immigrants in the United States—the “Dreamers”—as a discrete community defined by common barriers and deservingness. Despite its connecting and helping the Dreamers, DACA had little impact on their attitudes or identities. Second, Obama’s rhetoric around DACA emphasized the conformity and vulnerability of the Dreamers, which primed new considerations about immigrants in the public, briefly bolstering support for immigration. Finally, by leading immigration policymaking in the face of Congressional inaction, Obama signaled his willingness to barter regularization (a more secure—but not legal—status for the Dreamers) for enforcement, and reshaped the politics of immigration policymaking, both shifting short-term electoral dynamics,

and providing unequivocal guidance to bureaucracies that were often at cross purposes. Tracing these diverse feedbacks builds understanding of DACA's consequences. DACA's effects varied greatly across each level: positive at the institutional level, positive to neutral in the mass public, and neutral to negative among beneficiaries. In short, policy shaped politics at different levels of politics in different, sometimes contradictory ways. By considering each level distinctly, I am better able to account for the equivocal, limited impacts of DACA, and its failure to remake American immigration policy. I conclude by discussing how the institutional investments that made DACA possible played a limited role in Donald Trump's draconian immigration policy.

## BIOGRAPHICAL SKETCH

Colin Joseph Gaunt Cepuran holds a Ph.D. in Government from Cornell University, with a specialization in American politics. He graduated *magna cum laude* with a B.A. in political science and German from Kalamazoo College in 2015, receiving honors in political science. Prior to graduate school, Colin worked in electoral politics in Southwest Michigan.

To my parents, Larry and Laura Cepuran. I will carry their courage and honesty in the face of adversity with me forever.

## ACKNOWLEDGMENTS

This dissertation started as the hunch that public policy has the potential to tell us who belongs in a political community, who matters in that community, and how we refer to the groups of people subject to the policy. Readers will have to evaluate whether this dissertation actually accomplished the lofty goal of testing that hunch.

That hunch, though, is certainly the place to start when thanking the people who made this work possible. That hunch flowed from an uncertainty about where the “who” in politics came from—an uncertainty that grew out of spending all of my childhood and most of my adulthood feeling irrevocably different (especially religiously and politically) from my peers. Now that I’m not in elementary school anymore, I can see that that difference, actually, emerged from the incredible people who have surrounded me, supported me, and shaped who I am. The greatest honor in my life is to reflect their goodness back on the world. I, loosely, will try to thank them in the order that they arrived to support this project.

The first person who inspired this project is my grandfather, Dr. Joseph Cepuran. He passed away at the very end of the process of producing this dissertation. He was also a scholar of the politics of public policy, but influenced this dissertation on a far deeper level by providing consistent, idiosyncratic insight about the world. He was the first political scientist I ever met and the first one who actually defined the term “political science” to me. More to the point, he was undoubtedly the strangest academic I ever met. I carry that strangeness, many of his classics of American politics, and several pieces of excellent and unheralded advice wherever I go.

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I've been lucky enough to teach many students at Cornell who have inspired (for good and for ill) my thinking on many subjects. The students in my seminar on Identity Politics are especially important: teaching them forever changed how I think about identity. Teaching also let me meet Ellie Pfeffer, who helped me get re-acquainted with local politics, and remains one of the most inspiring people I've ever met.

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Finally come my parents, Larry and Laura Cepuran, to whom this dissertation is dedicated. My beginning grad school coincided with a period of enormous stress and uncertainty in our family. Throughout it, my parents have been beacons of courage and moral purpose. This dissertation is about identity—in the past several years, I have discovered myself becoming more and more like them. Each day I find

some new identity that I have obviously inherited or learned from them, and I am overwhelmed with gratitude for that. Each of the steps on the journey that includes this dissertation has brought us physically further apart, but has made it clear to me how much of both of them I will carry with me for the rest of my life. I cannot describe the peace, joy, pride, and love I feel at being able to call myself their son. Mom and Dad, thank you.

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CHAPTER 1  
THEORIZING IMMIGRATION POLICY FEEDBACK

*Introduction*

In the past 25 years, political scientists have generated compelling insights about the ways in which policy change shapes political outcomes and civic life more generally in the United States (Mettler 2005; Michener 2018). These insights have been developed through numerous methodologies and cases, at different levels of government, and with numerous forms of politics. Yet, within these diverse studies, policy either instigates positive feedbacks and entrenches (Campbell 2003; Mettler 2005), or accrues negative feedbacks and retrenches (Patashnik 2008). I attribute this to scholars' tendency to study a single area (I term this a "level") of policy feedback: usually the political behavior of beneficiaries, less frequently the function of policy institutions, still less frequently the political behavior of the mass public. These scholars have shown, compellingly, that positive (negative) feedbacks increase (decrease) the probability of policy entrenchment or of future, related policy reforms. In this dissertation, I assert that this view overlooks the potential for policy feedbacks to have distinct, sometimes divergent effects on different levels. Positive feedbacks on one level, then, may not be able to overcome absent or negative feedback effects on other levels. This, I argue, complicate commonplace efforts to prognosticate on the political consequences of policy change.

Developing this insight advances understanding about the impact of policy change. In the past decade, many ambitious policy initiatives initiated early in the Obama administration (eds. Skocpol and Jacobs 2011) seem to have run aground on rampant polarization and gridlock, failing to catalyze positive feedbacks (Galvin and Thurston 2017; Hacker 2019). Viewed from other angles, those same programs appear to have invigorated real, if limited, feedback effects (Jacobs and Mettler 2018;

Haselswerdt 2017). This shows that contemporary understanding about which policies can instigate political change is too murky. I suggest here that academic (and elite) uncertainty about which policies are political *and* policy successes will be advanced by considering the political consequences of policy on all “levels” of politics. Doing so, as I will show in this dissertation, illuminates the equivocal, multi-level effects of policy on politics.

In conducting this study, I examine the politics of immigration policymaking in the twenty-first century. I consider the effect of one of the most important policy initiatives of the era: Deferred Action for Childhood Arrivals (DACA). My choice of immigration policy is, itself, an advancement of policy studies in the American political science. The bulk of the scholarship on policy feedback is derived from studies of social welfare policy (Filindra and Wallace Goodman 2019), and, recently, criminal justice policy (Weaver and Prowse 2020; Lerman and Weaver 2014; Baumgartner, Epp, and Shaub 2018). I discuss this choice throughout this dissertation.

In this dissertation, I trace how DACA emerged from President Barack Obama’s efforts to sidestep Congressional deadlock on immigration policy, while defusing short-term electoral pressures. To do so, Obama made use of Presidential powers held by most post-World War II Presidents, but also of powers unique to post-9/11 Presidents. Many Presidents have sought to construct grand bargains on immigration policy: I argue DACA is a particularly prominent example of such an attempt. In his speech announcing the policy’s enactment, Obama made several rhetorical appeals to Congress, and to the public more generally, about his motivations for crafting DACA. Obama, first, prioritized the unique vulnerability and deservingness of the Dreamers. Second, Obama argued that by highlighting a uniquely deserving group for regularization, all while indicating his willingness to ramp up immigration law enforcement, he might draw Congressional Republicans to the

bargaining table (2012). In working to harness these feedback effects, Obama had to struggle against partisan-ideological conflict over immigration unmatched in postwar America, and a rising tide of anti-immigrant (especially anti-Latinx) sentiment that, if not higher than in the past, was more relevant to elite political divisions than at any point in postwar American history.

I argue that Obama worked to harness three distinct policy feedback effects. First, he sought to identify a population of young, highly integrated, and extremely vulnerable undocumented immigrants in the United States—the “Dreamers” (Abrego 2008; Gonzales 2016; Gonzales, et al. 2013; 2020; Li and Jones 2019; Venkataramani and Tsai 2017), as a discrete *community* defined by common barriers and deservingness. In Chapter 3 I consider whether this grouping-together restructured the Dreamers’ political identities. Second, Obama argued that this community, by virtue of their integration, adherence to American social norms, and extreme precarity, merited the government intervening on their behalf: DACA indicated his belief that the American public could be persuaded that the Dreamers’ problems were the problems of the American state, and its people more generally. I consider how this claim, by priming different considerations about immigrants, refigured Americans’ attitudes about immigration in Chapter 4. Finally, by taking initiative on immigration policymaking in the face of Congressional inaction, Obama sought to shift the status quo on immigration policymaking. This effort occurred as years of growing elite-level polarization and mass-level sorting on immigration policy began to crest, attaining its status as a central cleavage between the parties. Obama worked to surmount this division as past Presidents have: He signaled his willingness to barter regularization for enforcement and created and emphasized a sympathetic constituency in his efforts to persuade Republicans to endorse immigration reform. In Chapter 2, I consider how Obama’s taking the initiative and making striking immigration reforms in the

Executive Branch reshaped the politics of immigration policymaking, both in terms of prompting Congressional action, and reshaping other Presidents' orientation toward immigration policymaking. I conclude by discussing how these countervailing effects relate to the Trump administration's embracing an infamously harsh immigration policy, which culminated in ethnic cleansing at the Southern border.

In doing so, I will outline (especially in this chapter) how this examination of three aspects of DACA's effect on the politics of immigration policy expands academic understandings on the subject. While I will not, in the strictest sense, deductively test a single theory of the politics of immigration policy, I will show the virtue of an intellectual framework that allows for policy to have different impacts at different levels of politics. While other scholars have identified many of the *mechanisms* for policy's impact on politics that I explore here (Pierson 1993), they have not shown that policy could cause those mechanisms to operate distinctly on multiple levels of politics.

### ***Why Immigration Policy?***

As noted above, policy feedback scholars overwhelmingly study social welfare policy, and, increasingly, criminal justice policy. I discuss the theoretical basis for studying immigration policy feedback later in this dissertation, and here merely note that the two policy areas are politically important (Tichenor 2001), similarly sensitive to the global political economy (Zolberg 2006), shaped by many of the same powerful institutional actors (King 2000), and both are essential to the construction of *racial orders* in American politics (Smith 1993; King and Smith 2005). Most importantly, though, understanding immigration policy is essential to building knowledge about contemporary American politics. This is clear for several reasons: first, changing levels and kinds of immigration, with changing immigration policy, has reshaped postwar American politics. Second, Americans increasingly prioritize immigration

policy as a political problem. Finally, immigration policy preferences increasingly divide Democrat from Republican, and conservative from liberal. In the coming pages, I chart these three developments.

### U.S. Immigrant Population

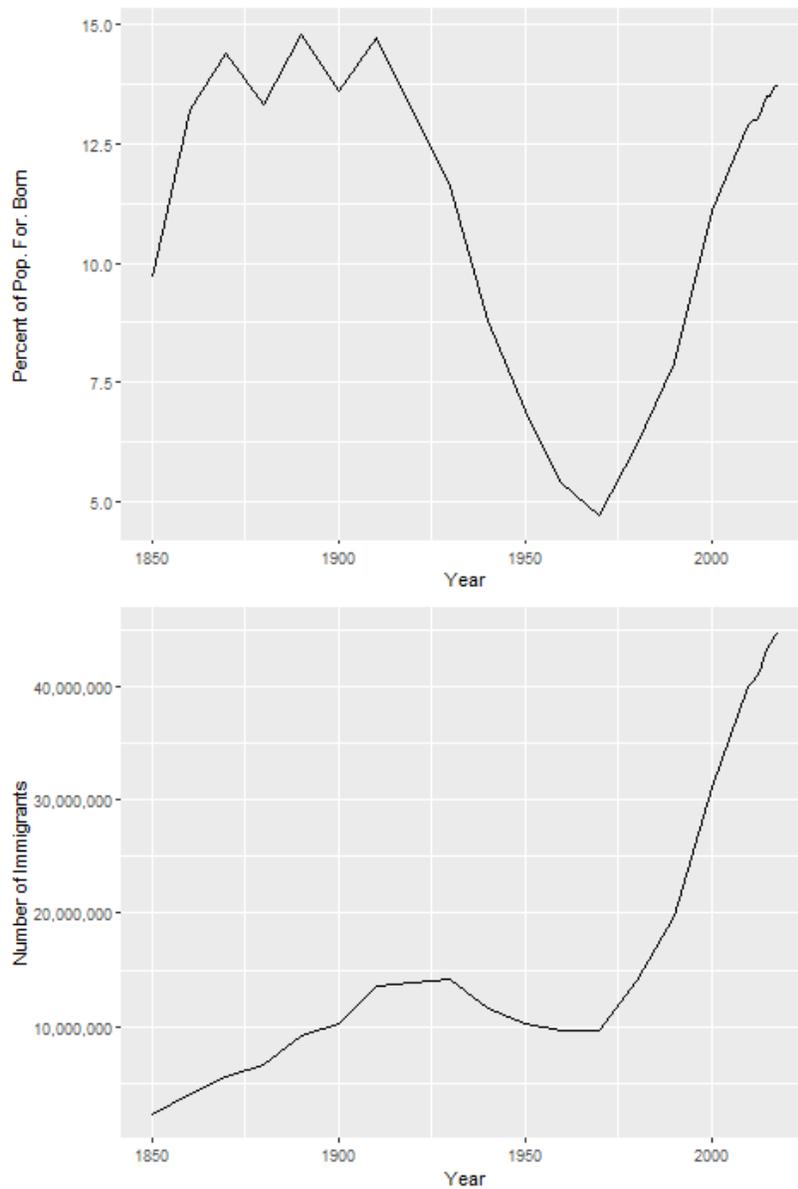


Figure 1: Top Panel: Percent of American population classified as foreign-born. Bottom Panel: total number of immigrants in United States. Source: Migration Policy Institute 2020.

Figure 1 charts the shifting immigrant population and changes in the quotient of the American population that is foreign-born. It also, more importantly, exhibits the importance of immigration policy: the demographic swings depicted in the figure have remade American civic identity (Smith 1997; King 2000; Tichenor 2002; Ngai 2004; Masuoka and Junn 2013) several times over. Moreover, this is an auspicious *time* to study immigration policy: a 75-year-old consensus around liberal immigration policy, stemming from a growing economy, Cold War geopolitics, and political consensus may be fracturing, as will be seen below. Finally, immigration policy, and the questions of civic status immigration policy is implicated in, has become a powerful cleavage in American politics, collinear with, and in similar magnitude to social welfare policy (see below; see also: Parker and Barreto 2013; Sides, Tesler, and Vavreck 2018; Jardina 2019; Berry, Cepuran, and Garcia-Rios 2020). This point is exemplified by Figure 2, which shows the growing prominence of immigration policy in the minds of the American public. In short, immigration policy shares enough attributes with social policy to suggest that theories may travel, is certainly important enough to merit study, and has become an increasingly prominent policy-political question, relative to its position in the politics of public policy literature. To contextualize how immigration policy came to form a potent political cleavage in the US, and to identify trends that will inform subsequent institutional analyses, next, I retell a brief history of immigration policy and policymaking in the US.

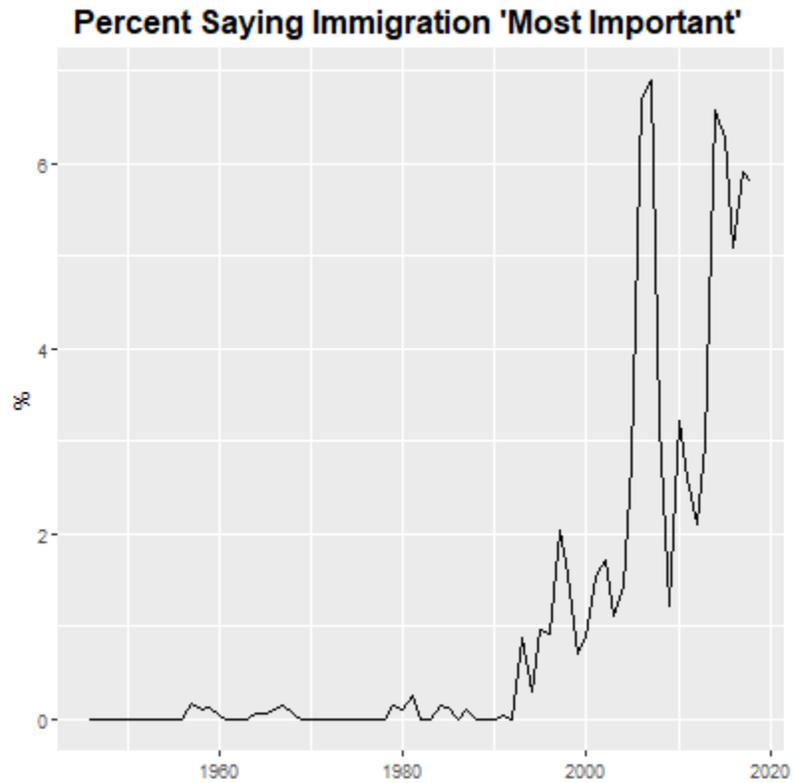


Figure 2: Percent of Americans saying immigration “most important problem” facing US. Percents listed per year. Source: Gallup Most Important Problem time series, provided by Comparative Agendas Project.

### *American Immigration Policy*

Immigration policy has shaped American politics since—at least—the founding. Indeed, the signers of the Declaration listed George III’s “endeavor[ing] to prevent the population of these states” among their grievances. Despite Britain’s efforts, frequent immigration defined the early United States. White settlement in the colonies was accelerated by Britain’s offshoring convicted people to the US (Zolberg 2006, 35). The colonies also worked to make naturalization easier than in Great Britain (25), often with explicit political aims. For example, some colonial governments worked to facilitate immigration from Ulster to change the sectarian—and thus, partisan—balance of power in heavily Catholic states (36). Despite its obvious importance to the

early republic, there is no consensus about the character of its immigration politics. Tichenor argues that the politics of immigration policy was broadly liberal (2002), whereas Zolberg emphasizes its nativism (2006). In any case, there was substantial *emigration* from the young US as loyalists fled political reprisal to Canada (ch. 3). Conversely, ongoing tension with Britain destabilized shipping routes, and thus eroded the market for white indentured servants, slowing immigration to the US (70-71). Federalism strongly conditioned arrivals in this period.

As European arrivals slowed, the trade in enslaved people forced “at least 114,600” African Americans to the US, mostly before 1808’s Act Prohibiting Importation of Slaves. At least 250,000 more were brought illegally to the Antebellum South (Tichenor 2002, 78). This illustrates a theme that will reverberate throughout this dissertation: race and racial inequality shape, and are shaped by, the politics of immigration policy. State-level policy variation—shaped by the availability of land in each state, and even states’ recruitment efforts abroad (46)—produced uneven rates of European arrivals. In states with more immigrants, generous naturalization policies produced a politically active first generation, largely at the expense of Federalist politicians. The intuition that European immigration electorally advantaged Republicans over the Federalists precipitated a decade of restrictive legislation, culminating (Zolberg 2006, 85-92) in 1798’s Alien and Sedition Acts, which made naturalization more difficult and deportation easier. The act embodied Federalists’ restrictive notions of belonging (Smith 1997; Mettler and Lieberman 2020), but also efforts to isolate the US from geopolitical conflict between Britain and France.

The Jeffersonians’ performance in 1800 swept away both the Federalists and the Alien and Sedition Acts (Tichenor 2002, 46) and entrenched the Republicans’ expansive vision of white men’s citizenship, eliding white interethnic inequalities that were politically meaningful in the early republic. Nascent political clubs helped

integrate new arrivals (Bateman 2018, 80), while plentiful land confiscated from indigenous Americans and a shortage of male labor integrated arrivals into the economy (Tichenor 2002, 46). While the remaining Federalists (later Whigs) opposed immigration, the economic boon conferred by Antebellum arrivals muted opposition (Gerring 1998). This soft consensus produced the “open door” noted by European observers in America, like Tocqueville (Smith 1993). While “[r]egulation of entry remained largely a state affair...” the 1819 Passenger Act gave Congress authority to regulate ships to the US (Zolberg 2006, 99). The Act inaugurated federal influence over migration and expanded centralized economic influence (112). In the heyday of the Jacksonian state, “courts and parties” (Skowronek 1982) proved “pivotal” (Tichenor 2002, 11) to politically integrating immigrants, deflecting the power of broad-based nativist movements (Zolberg 2006, 137). Re-opened Atlantic shipping lanes incentivized corporations to facilitate new arrivals still lured by land. Even densely-populated coastal states retained an incentive to ease immigration, driven by competition for head tax revenue (117; Robertson 2016). Politically, bipartisan emphasis on multi-ethnic, white men’s settler democracy helped sublimate political conflict over slavery (Bateman 2018, 139). When nativist politicians were sporadically elected, they prioritized regulations that slowed arrivals by taxing or limiting the capacity of the ships on which immigrants arrived. They also sought to preclude naturalization and participation from foreign-born Americans who favored the Democratic party (Zolberg 2006, 140). Those efforts were largely unsuccessful (see: Figure 1).

Prior to the Civil War, growth of the migrant population in the United States began to play a far greater role in American politics. Threats to the congruence between white Anglo-Saxon Protestantism and American identity proved the most salient. In 1854, Democratic Senator Stephen Douglas speculated that “the...

immigrant question might replace the slavery question as the focal issue in American political life” (Zolberg 2006, 155). An economic crisis, war-fractured European shipping infrastructure, migration to Australia, and approaching war all slowed arrivals (see: Figure 1). Moreover, Lincoln’s clout among nativists (165) inaugurated an almost 100-year turn toward nativism. A postwar trend of Chinese arrivals gained attention, as did occasional mutinies of Chinese immigrants brought in squalid conditions (ch. 6). Postwar conflict over Reconstruction would strongly shape the potential for Chinese American citizenship, along with that of African Americans. Despite Radical Republicans’ efforts to enshrine a concept of citizenship without requirements of race or ethnicity (181), restrictionism, and especially Chinese exclusion, became the dominant face of post-Reconstruction immigration policy.

Late 1800s restrictionism began with the Immigration Act of 1875, which excluded sex workers and criminals, and expanded with the Act of 1882, which barred, "convicts," "lunatics", "idiots", and those "likely to become a public charge” (Tichenor 2002). Those changes embodied the growing power of scientific expertise in immigration policy (9). At its most effective, that expertise relied on empirical demography, reflecting the post-1850 availability of census data on immigration status. More commonly, this expertise came from eugenicists (Zolberg 2006, 190-191), who championed restriction to the large Republican constituency of reformers concerned for social and racial “hygiene” (Gerring 1998). Those were born out most notoriously in the Chinese Exclusion Act—passed in 1882 and expanded in 1888. While earlier acts barred the entry of Chinese women, the Exclusion Act also closed the door to Chinese laboring men (Tichenor 2002), though economically and politically powerful Chinese immigrants were still able to gain entry (Zolberg 2006, ch. 7).

Concern for economic nationalization (Bensel 2000) and imperialism (Frymer

2017; Smith 1993, 560) dominated Gilded Age Republican politics. Industrialization brought demand for immigrant labor. European instability meant that the countries which most prominently “sent” those laborers shifted to Southern and Eastern Europe (Zolberg 2006, 203). This shift befuddled Republicans: imperialism and economic expansion spurred some tenuous GOP support for immigration; yet, most nativists greeted the changing ethnicities of immigrants with “dread” (Tichenor 2002, 12). Nativists responded with two reforms. The 1891 Immigration Act created much of the federal immigration bureaucracy and authorized the deportation of undocumented immigrants. Next, conservatives succeeded in adding more questions on immigration status on the 1890 Census (Zolberg 2006, 224). Having prevailed on Chinese Exclusion, eugenic arrival standards, and the 1890 reforms, Gilded Age nativists were frustrated by three factors. The large, fractured Republican party made construction of a Congressional majority to halt the “new” arrivals difficult (Zolberg 2006, 221). The growth of politically engaged “ethnic lobbies” helped create an active constituency against restriction (222). Finally, organized labor’s late 1800s stance against immigration (223) did little to shift national policy, given northern labor’s fractious relationship with the GOP.

The early 1900s saw the apex of efforts for exclusion, bolstered by Republican dominance, Congressional reform, consensus around eugenics, and several exogenous shocks (King 2000). Anxieties about left wing activists in Europe precipitated a ban on polygamists and “anarchists” in 1903 (Tichenor 2002). An earthquake and fire in San Francisco destroyed many Chinese Americans’ citizenship records (Ngai 1998, 4-5), allowing legal challenges to even native-born Chinese Americans’ citizenship, helping to ensure that Chinese Exclusion was “virtually total” by 1917 (Smith 1993, 560). The 1907 Immigration Act increased the head tax, restricted the number of arrivals to the US, required immigrants to pass through an official port of entry with

authorization (Lytle Hernández 2010) and, finally, chartered the Dillingham Commission (1907-1910). The bipartisan commission—nativist Senators, Members of Congress (MCs), and intellectuals, imbued restrictive policy with an aura of scientific expertise (Tichenor 2002). Theodore Roosevelt, strikingly, appointed (128) the political scientists, economists, and statisticians (Blatt 2018; Zolberg 2006, 232) who provided it. Despite ethnic lobbies' opposition (230), the commission's reports undergirded the folk belief that the Eastern and Southern European arrivals were not, in fact, white, and were compromising the moral and economic health of the US. No longer the sole prerogative of northern reformers, nativism became an essential plank in the demands of a broad coalition of reformers, eugenicists, and Southern Democrats (Zolberg 2006, 214; Smith 1993, 553).

Finally, post-1910 Congressional Reform removed the last Congressional veto points that had frustrated nativists. Revolt against the Cannon speakership empowered committee chairs and senior MCs at the expense of leadership (Jenkins and Stewart 2013). Southern Democrats running in rigged elections (Mickey 2015) and conservative Republicans created the conservative coalition in Congress (Schickler 2001), partly motivated by desire to restrict immigration (Tichenor 2002, 31). The struggle over immigration policy thus shifted from Congressional, partisan conflict to inter-branch, non-partisan conflict. Because Presidents were not insulated from immigrant-origin electoral constituencies (133), they served as the latest roadblock against nativist legislation. Surprisingly, avowed racist Woodrow Wilson used patronage appointments to slow the implementation of nativist legislation (134), in the hope of securing voters mobilized by ethnic machines (137).

Presidential resistance slackened when Wilson left office. The resulting National Quota Law (1921) and Origins Act (1924) set “radically effective” (Zolberg 2006, 243) annual quotas for admission, limiting all arrivals to a sliver of the

population of European ethnic Americans living in the US in 1890 (Tichenor 2002). These acts “excised all nonwhite, non-European peoples” from American nationality (Ngai 1999, 72), tying whites’ civic membership to their country of origin, and people of color’s to their race (2004, 27). Conservative politicians deemed the enshrinement of Southern and Eastern European immigrants’ citizenship as a worthy price for the “whitening” of the US (Smith and King 2005, 89). Identifying American’s heritage required enormous statistical and demographic expertise, leaving it to nativists—especially in the Census Bureau (Thompson 2016) to “...agonize... over methodological problems in determining national origins” (Ngai 1998, 78). Ethnic lobbies exploited this uncertainty, demanding *further* study of existing population levels, seeking to replicate their sway over Wilson by pressuring Calvin Coolidge (Zolberg 2006, 263). Ethnic lobbies also sponsored lawsuits that also exploited the fungibility of ethnic and racial labels: Bhagat Singh Thind, an Indian immigrant, argued that Indo-European and Caucasian migration to the Indian subcontinent meant he was, literally, “Aryan,” and as such could not be excluded from citizenship based on his “race” (Ngai 1999, 85). Despite these barriers, the Quota Law and Origins Act, coupled with the effects of the Great Depression, radically reduced the foreign-born population in the US.

With Congressional activity on immigration largely halted, conservatives made policy through the bureaucracy. The Immigration and Naturalization Service (INS) was moved out of the Labor department, in the face of World War II-era national security concerns (Tichenor 2002, ch. 5). Arrivals from Europe and Asia were regulated as security concerns, “administered by new State Department agencies... who eagerly employed broad exclusionary powers.” North American migrants were loosely regulated by the Immigration Bureau and Labor Departments that were captured by sympathetic Southern and Western Members of Congress (150). Large

numbers of guestworkers from Mexico, British Honduras, and Jamaica were admitted as guestworkers under the Bracero program, reflecting the power of the Southwestern agricultural lobby (Lytle Hernández 2010). Cheap agricultural labor (needed North and South) and the costs of mass deportation, on the one hand, precipitated uneven removals. On the other hand, the southwestern border was a site of ethnic cleansing: Mexican workers were typically denied Depression relief (270), and the federal government handsomely compensated railroad companies that assisted removal. The “exodus” of Mexican Americans amounted to 1,000,000 people, some Americans, forcibly removed from the US. The presumed “deportability” of Mexicans and Mexican Americans prompted Southwestern Corporations to seek their labor, and perpetuated Latinxs’ status being treated as a labor, rather than security concern (ch. 3). The dominant trend in this period, then, was ethnic groups’ status being governed by particular policymaking institutions. Mexicans’ and Mexican Americans’ status was governed by labor bureaucracies. The State Department continued to work to challenge the citizenship of Chinese Americans, including using blood tests and x-rays to attempt to determine the birthplace of Chinese Americans (Ngai 1998, 8). State department officials worked to stop the admission of Jewish refugees—even when resisted by the Department of Labor—foreclosing humanitarian intervention in the Holocaust (Tichenor 2002, ch. 6).

The end of World War II inaugurated a radically distinct American immigration policy. Cold War-era immigration was defined by economic migrants and political refugees, and determined by Executive Branch powers. I discuss this trend in greater detail in Chapter 2. Broader political developments also mattered: eroding committee power, and a growing liberal coalition for racial justice produced receptiveness to immigration policy change. If committee government empowered nativists, a slow return to party government rolled that power back. Organized labor

also, began to advocate against restriction: Schickler's (2016) alliance of race and labor meant, in the halcyon days of the New Deal coalition, that organized labor could pressure sympathetic elected branches for liberalized immigration policy (Tichenor 2002, ch. 7). Chinese Exclusion was repealed in 1943. A "Confession" program allowed Chinese Americans who used the destruction of citizenship records in 1903 to claim citizenship to receive amnesty, legal status, and often citizenship, while INS used the process to expel leftist activists (Ngai 1998). At the Southern border, the AFL-CIO's liberal stance faltered: unions had little aspiration to unionize farm workers (Zolberg 2006, 297). Seasonal flows of people across borders, prompted now-familiar panics over drugs and culture—the concomitant enforcement regime wedded, for the first time, US immigration and law enforcement politics (Lytle Hernández 2010, ch. 9).

The early days of the Cold War brought new concerns to the fore. The Displaced Persons Act of 1948 admitted Christian and (to a lesser extent) Jewish refugees, and individuals fleeing the Eastern bloc, birthing the fusion of liberal humanitarianism and Cold War *realpolitik* that would define the rest of the century. The Internal Security (1950) and McCarran-Walter Acts (1952) echoed this, solidifying grounds for exclusion and removal based on ethnicity, sexual orientation, and leftism. Restrictions formed one side of the coin; the other side was embodied by several Acts (1953-1963) that granted status and assistance to European migrants, especially those fleeing Communism. These laws were supplemented by unilateral Presidential action: Eisenhower "paroled" additional political refugees, arguing that "the attorney general [held] discretionary authority to 'parole' any alien into the US for reasons of emergency or if 'deemed strictly in the public interest'" (Zolberg 2006, 323). Later Presidents used parole to transform immigration into security policy, especially for arrivals from contested regimes like Cuba. Domestically, the New Deal

coalition's turn toward universalism (Gerring 1998; Schickler 2016), the fusion of anti-communism and humanitarianism (King and Smith 2011, 238), and perhaps memories of the Holocaust, all had inspired sweeping expansions of postwar American immigration. Those actions, however, only slowed decades-long decline (see: Figure 1). However, they signaled an unheralded element of the early postwar years: the dominant political coalition's embrace of a generous immigration policy.

1965's Hart-Celler Act would go beyond slowing the decline of arrivals, becoming easily the most important immigration policy of the 20<sup>th</sup> century. As the Democratic base shifted north, into more racially and ethnically diverse cities (Schickler 2016), renewed pressure from ethnic lobbies (Ngai 2013) either reversed Democrats' support (Johnson) or crystalized their opposition to (Kennedy) quotas (Zolberg 2006, 324-329). NAACP Anti-discrimination litigation solidified the notion that national origin quotas were discriminatory (King and Smith 2005, 89). This coalition produced Hart-Celler, a pathbreaking law that knitted together "Cold War competition and civil rights reform" (Tichenor 2002, 14). Hart-Celler (1965) dismantled national origin quotas, shifted emphasis to family reunification, professionals, and laborers whose skills were in demand. These categories were without numerical limit. Finally, a preference was reserved for individuals fleeing Communist persecution, with special focus on Christian activists (221).

By prioritizing family unification, skilled economic immigrants, and refugees displaced by American imperialism and oppression by communist regimes, Hart-Celler opened the door to immigrants from Asia and Latin America. Mexico, however—as Zolberg notes—"assumed singular significance, evoking that of Ireland a century and a half ago" (2006, 340). While a great deal of the immigration from Mexico occurred through family unification, popular attention to Mexican migration centered on undocumented immigration. This, also, heralded the fracture of the New

Deal coalition (Frymer 2008), as labor's decades of support for immigration began to waver. Northern liberals and organized labor pivoted, especially, on undocumented immigration (Tichenor 2002, 225). The use of undocumented immigrants as strikebreakers meant that the Farm Workers Association was joined by SNCC and CORE activists advocating for the deportation of scabs (226). However, the rights of undocumented immigrants were increasingly advocated for by the nascent Chicano movement, funded in part by powerful foundations (Zolberg 2006, 342). The growing divide between labor and advocates for regularization<sup>1</sup> was exacerbated by a patchwork of nativist interest groups "comprised of environmentalists, population control activists, and cultural protectionists" (Tichenor 2002, 220-221; King 2004).

In the 1970s and 1980s American imperialism collided with electoral swings. As anti-communist violence killed and displaced millions of people in Africa, Latin America, and Southeast Asia (Bevins 2020), asylum-seeking and emigration to the US from these states grew drastically. While these arrivals were greeted with hostility from citizens, consensus held in Washington. Sputtering arms control talks during *détente* often included refugee agreements (Zolberg 2006, 345). Liberal post-Watergate Congresses demanded greater Presidential action on refugee admissions (Zolberg 2006, 347), and passed two Acts (1975, 1977) to admit refugees, finally adopting the UN definition of "refugee" in 1980. Two Amendments to Hart Celler re-established per-country limits (1976) and worldwide annual ceilings (1978). Northern liberals and neoconservative Republicans formed another unlikely coalition in favor of

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<sup>1</sup> By regularization, I mean advocating for formalized protections for undocumented immigrants. Legal status entails a legal right to remain in the country for some period of time. Immigrants whose status was regularized would have no such right, but would have no danger of being deported.

refugee and asylum admissions throughout the 1980s, allowing, for the first time, for individuals fleeing persecution, rather than strictly *communist* persecution, to settle in the US, receive public assistance, and gain permanent residency (Tichenor 2002, 244). Inter-branch cooperation on humanitarian admissions, coupled with a large and growing foreign-born population, frustrated the swelling popular movement for immigration restriction. Ronald Reagan skillfully used nativists to deflect the immigration debate to center “illegal immigration,” making Democrats choose between courting Latinx voters or alienating the mass public (Zolberg 2006, 361). The most effective of these “wedge issues” were efforts to deny public benefits to undocumented immigrants (Fox 2019), culminating in Proposition 187 in California (King and Smith 2011, 245).

The Reagan revolution threw immigration politics into gridlock for much of the next 40 years. Aggressive critics of immigration within the GOP struggled to agree with Republican Evangelicals and libertarians, much less with Democrats (240). Inter-branch cooperation on refugee and asylum policy ground to a halt, and immigration policymaking became defined by legislation written behind closed doors by party leadership (Skrentny 2012). Most prominent was 1986’s Immigration Reform and Control Act (IRCA), which bartered modest sanctions on employers of undocumented immigrants for a sweeping regularization of undocumented immigrants (Tichenor 2002, 261). The IRCA, broadly, failed to accomplish any of its goals, as employer restrictions were easily shirked, and undocumented immigration did not decline. Moreover, the enactment of the North American Free Trade Agreement (NAFTA) mooted the IRCA. In the short term, NAFTA brought punishing inflation and surging unemployment to Mexico (Zolberg 2006, 383), prompting decades of increased migration to the US, which was beginning a long cycle of high growth and employment. The growth of Mexican migration to the US, the culmination of two

decades of high refugee and asylum entries, coupled with the end of the Cold War (which had knitted together humanitarians and neoconservatives) fractured the wavering pro-immigration coalition. 1994 swept in a new Republican leadership “open to restrictionist proposals” (Tichenor 2002, 15). That revolution would mostly occur at the state level (i.e. Prop. 187 in California), and as afterthoughts in broader Republican projects, like “Welfare Reform” (which limited immigrants’ access to TANF). In a darkly ironic turn, both the Clinton and George W. Bush administrations rejected proposals to gather greater data on entry and exit into the US in the late 1990s and early 2000s (Zolberg 2006, 444). While Tichenor emphasizes the broad failure of the Gingrich Congresses to enact nativist legislation, he points to the Democrats’ again enjoying substantial support from immigrants after the 1996 election (2002, 285). Thus, the immigration politics became increasingly partisan-polarized, despite a lack of pathbreaking legislation on the subject.

9/11 prompted a total overhaul of the immigration bureaucracy, and a reshaping of the role that race played in American politics. While the tragedy “had little or nothing to do with immigration proper” it gave policymakers an unparalleled mandate to restrict the movements of people and goods across US borders (Zolberg 2006, 442). INS issued student visas to two hijackers after their deaths in the attacks, sealing the fusion of immigration and security policy (447). Post-9/11 reforms were of two sorts: first, prominent efforts to regulate people and goods crossing American borders, and second, a massive investment in the American state’s capacity to surveil, detain, torture, and kill—practices used on suspected terrorists but occasionally on citizens. The former reforms are of more relevance to this dissertation, but the latter changes are essential and understudied. Several proposals popular among opponents of immigration were “repackaged” as counterterrorism measures (Jones 2012, 27), animated by florid hypotheticals of immigrants from “state sponsors of terrorism”

crossing the Rio Grande (46-47). Bundled into the USA PATRIOT (Patriot) Act, these enactments redrew immigration policy. First, the Patriot Act reorganized immigration departments into the national security state (Adler 2006). Thus, the Act delegated powers previously held by the security state (indefinite detention and rendition, especially), to agencies now tasked with immigration control (Pious 2007, 77-78). Most abstractly, the issue of border security, which, as noted above, was previously a local concern dominated by economic interests in the Southwest and (to a lesser extent) Northwest, became a concern across the country (Jones 2012, ch. 8). This worked to partially dislodge the parochial influence of employers and bureaucrats over immigration policy. Most concretely, the expanded and invigorated immigration bureaucracy was widely employed to surveil and profile Muslim Americans, and those of putative Middle Eastern descent (Zolberg 2006, 445-446).

Beyond marshalling the political will for reforms to the immigration bureaucracy, 9/11 remade race's role in American immigration policy. Particularly, after 9/11, immigrants of certain ethnicities and nationalities became understood, by citizens and policymakers alike, as a risk to the domestic security of the US. This development echoed early 1900s anxieties about European immigration causing political instability. As in the early 1900s, those political anxieties were met with institutional investments to scrutinize and ultimately restrict immigration. In sharp contrast to perceptions of a European anarchist threat a century ago, the immigrants targeted by this new mobilization—while again classified as white—were subject to an enduring campaign of racialization, surveillance, and discrimination, prompting a generation of political alienation and dislocation in Arab and Muslim Americans.

### ***The Contemporary Politics of Immigration Policymaking***

The enormous institutional investments that occurred after 9/11 were not, and have not been, strongly politically contested. Yet, immigration policymaking has, indeed,

become a prominent cleavage in contemporary American politics. Democrats' again enjoying the support of a large generation of immigrants (especially among those not regarded to be white) re-shaped American politics at the turn of the century. The sorting of immigrants of color into the Democratic party prompted escalated nativism from the Republican party (Parker and Barreto 2013; Abrajano and Hajnal 2015; Wong 2018; Jardina 2019), and escalated ideological and procedural conflict between the parties (Mason 2018; Mettler and Lieberman 2020). The polarization that began in American politics in the 1970s was late in arriving to immigration politics—the ANES only began asking questions about immigration in the 1990s. However, around the 2004 elections, partisans (see: Figure 3) and ideologues (see: **Error! Reference source not found.**), after exhibiting striking parallelism until the mid-2000s, began to sharply diverge, indicating partisan sorting and polarization on issues of immigration policy. Divides between liberals/conservatives and Democrats/Republicans were not, moreover, confined to questions of immigration policy: those groups, after decades of parallelism, also began to be divided by their affect toward Latinx (see: **Error! Reference source not found.**) and Asian Americans (see: Figure 6). I conclude by pointing to the timing of this divergence: voluminous research has documented the growth in elite and mass polarization in the 1970s (McCarty, Poole, and Rosenthal 2006) and the 1990s, respectively (Iyengar, et al. 2018).

My descriptive findings corroborate more recent research in political science identifying that the parties have polarized, and citizens have sorted, on questions of immigrants', African Americans, Latinxs, and to a lesser extent Asians' civic status in the US (Sides, et al. 2018; Jardina 2019; Berry, Cepuran, and Garcia-Rios 2020). I discuss these trends in greater detail later in the dissertation. In the next section, I review the literature on the politics of public policy that provide insight into how shifting immigration policy would affect American politics.

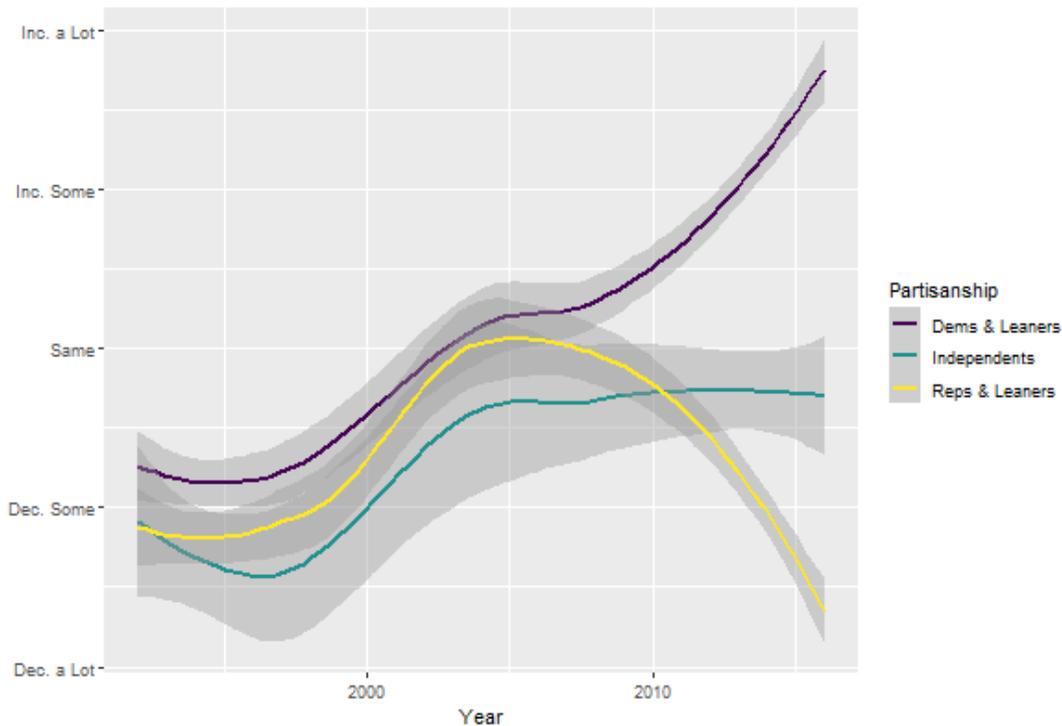


Figure 3: Average immigration policy preference (with 95% CIs) by partisanship (leaners included) and year. Y-axis indicates immigration preferences ranging between “Increase a Lot” and “Decrease a Lot.” Source: ANES Cumulative Data File.

***How does a new policy create a new politics?***

Scholars of the politics of policy have revised traditional understandings that policy is an *outcome*, rather than a *cause*, of political change, building a literature on the subject termed “policy feedback” (Pierson 1993; Skocpol 1992). These insights have generated many fruitful lines of inquiry where policy is studied as an independent variable, rather than a dependent variable. For example, policy influences the public's policy preferences at subsequent time points (Erikson, Stimson, and MacKuen 2002; Enns 2016; Fording and Patton 2019; Kelly 2009). Moreover, political conflict in one policy domain can “spill over” into other domains of policy conflict, shaping outcomes in those spheres (Weaver 2007; Tesler 2016; Fox 2019). Policy change can

even strengthen or weaken organizations that do policy advocacy (Campbell 2003; Skocpol 1992; Frymer 2008; Goss 2013). Policy also shapes the state's capacity to implement other policies (Hacker 2002; Kingdon 2011; Lieberman 2005; Patashnik 2008). These insights have, as noted above, largely been generated in discrete research sub-programs, like American Political Development (APD)(i.e. Weaver 2007), macro-behavior (i.e. Erikson, et al. 2002), or REP (Fox 2019). Still more commonly, these insights are often produced by out-and-out scholars of policy (i.e. Kingdon 2011). As such, these multiple arcs of policy feedback scholarship are rarely united in top-to-bottom analyses of the political consequences of policy change.<sup>2</sup> Before elaborating on my theory, I review what I term<sup>3</sup> the three “levels” of policy feedback: beneficiary effects, mass public effects, and elite/institutional effects.

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<sup>2</sup> The possible exception is Erkulwater (2019).

<sup>3</sup> Identification of these levels is not, itself, new (i.e. Mettler and Soss 2004), my terming them “levels” is, as far as I know.

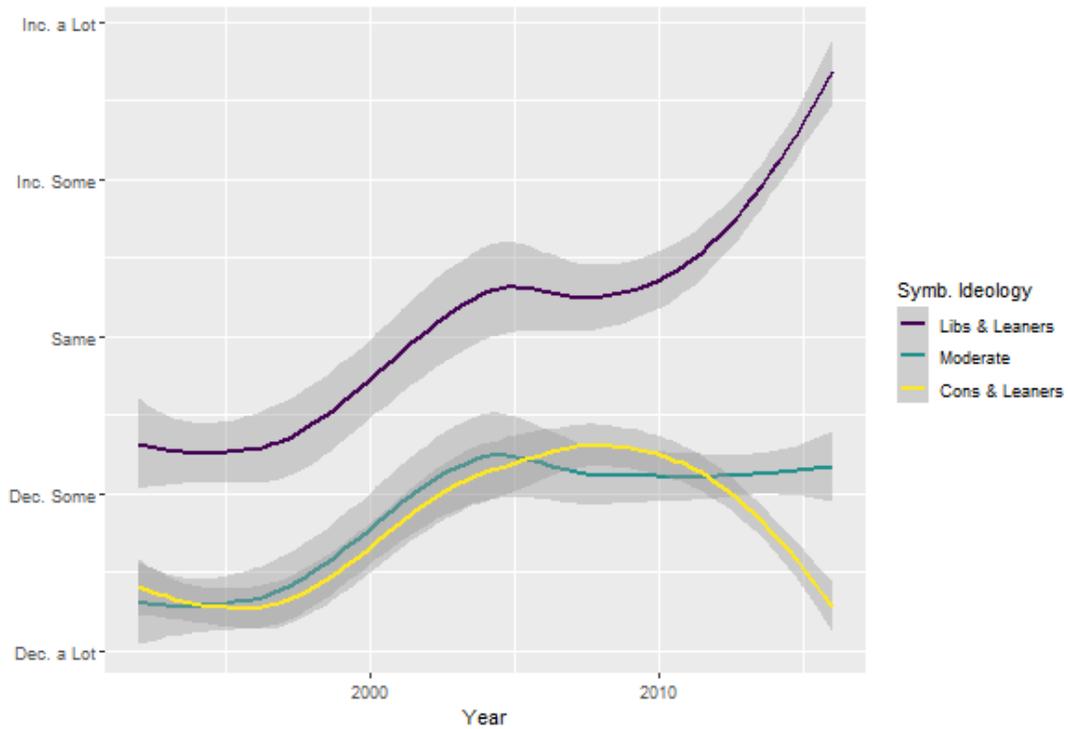


Figure 4: Average immigration policy preference (with 95% CIs) by partisanship (leaners included) and year. Y-axis indicates immigration preferences ranging between “Increase a Lot” and “Decrease a Lot.” Source: ANES Cumulative Data File.

In this dissertation, I develop a theory of immigration policy feedback that builds academic understandings of how policy change shapes politics. Previous studies of “policy feedback” (Skocpol 1992; Pierson 1993) have acknowledged multiple mechanisms of feedback of policy feedback. Scholars typically note that these mechanisms operate on elites (e.g., Patashnik 2008), beneficiaries (e.g., Campbell 2003; Mettler 2005; Michener 2018), and, to a lesser extent, on the public generally (Mettler and Soss 2004; Soss and Schram 2007). I advance the scholarship on policy feedback by showing that these mechanisms can operate on different levels of politics, in different ways, with different effects. I expect, and below, will present evidence showing, that policy can influence politics at the levels of elites, beneficiaries, and the mass public in different ways.

## 'Hispanic' FT

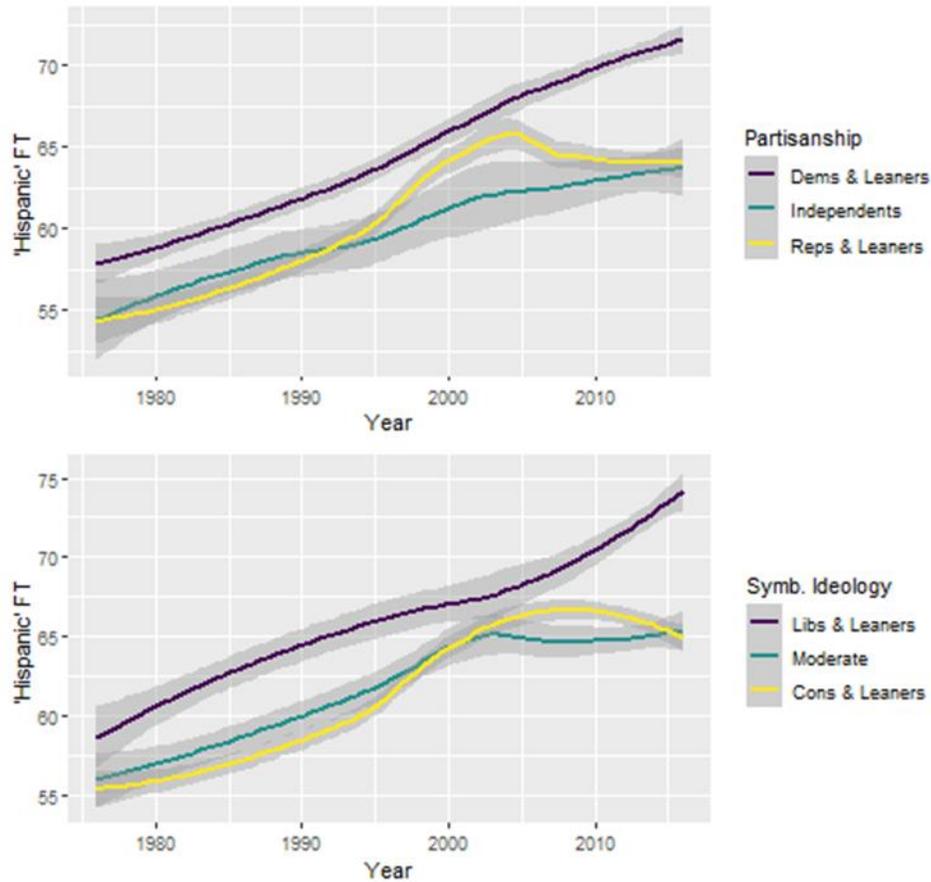


Figure 5: Average position on "Hispanic" Group Thermometer, by year and by Partisanship and Symbolic Ideology. Source: ANES Cumulative Data File.

The first insight derived from policy feedback studies was that policy shaped *beneficiaries'* political attitudes and behavior. Most simply, policy design shapes individuals' evaluation of a policy (Jacobs and Mettler 2018; Michener 2018). The most influential scholarship on policy feedback focuses on how variation in policy design shapes the political behavior of beneficiaries. Specifically, generous policies prompt political participation (Skocpol 1992; Campbell 2003; Mettler 2005), while restrictive and burdensome policies reduce engagement (Soss 1999; Michener 2018;

Soss, Fording and Schram 2011). The link between politics and individuals' senses of their citizenship is sensitive to the details of policy design: delivery mechanisms, eligibility criteria, and the behavior of bureaucrats all shape individuals' perceptions of the state (Mettler 2011; 2018; Michener 2018; Soss 1999), especially when beneficiaries are politically uninformed (Lerman and McCabe 2017). These effects, most commonly, are studied through their influence on civic engagement (Skocpol 1992; Campbell 2003; Mettler 2005; 2011; 2018; Weaver and Lerman 2010; Michener 2018; 2019; Skocpol Erkulwater 2018). Other scholars study closely related constructs like political efficacy (Erkulwater 2018; Mettler 2005; Skocpol 1992; Soss 1999). The link between policy design and citizenship/civic engagement is mediated, in the most recent accounts, by organizations, who shape members' understanding of policies, and bolster their efficacy when engaging with policy bureaucracies (Goss, Barnes, and Rose 2019; Michener 2018; 2019; Thurston 2018).

## 'Asian' FT

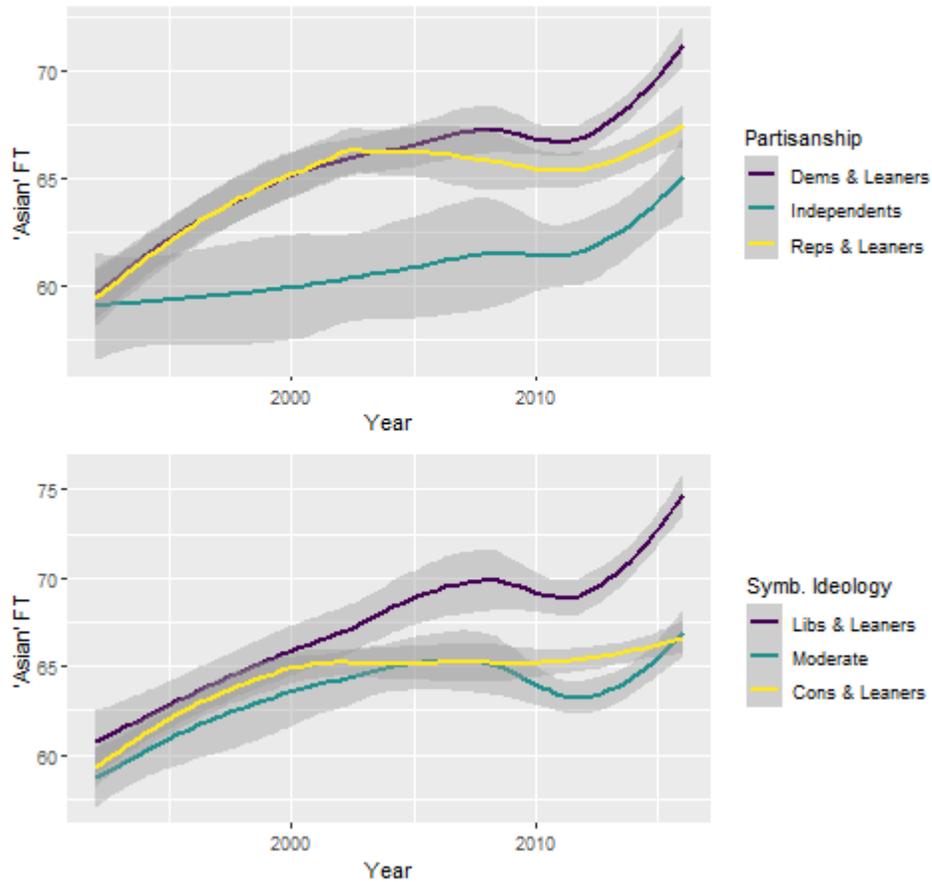


Figure 6: Average position on "Asian" Group Thermometer, by year and by Partisanship and Symbolic Ideology. Source: ANES Cumulative Data File.

The mechanisms of these effects are less clearly drawn in the literature. Beneficiary-level feedbacks are typically conceptualized as occurring through beneficiaries of policy (usually social welfare policy) receiving material resources (Campbell 2003), which, themselves, bolster their political engagement (*à la Verba*, Schlozman, and Brady 1995). However, other scholars have identified “interpretive” (Pierson 1993) effects on individuals’ behavior. These effects occur when policies shape individuals’ understanding of the state (Mettler 2005; Soss 1999) or their selves, identities, and personal capacities (Michener 2018; Erkulwater 2018). Most

commonly, these effects are so interrelated (Mettler 2005; Michener 2018) that studying them separately may not be analytically tractable.

Policy changes, I argue, also have impacts on the political attitudes of the public at large—I term these *mass-level* effects. This link is far less tested than the relationship between policy and beneficiary. However, there are some theoretical works (Mettler and Soss 2004; Hacker 2019; Mettler 2019) and some empirical applications (Jacobs and Mettler 2018) that suggest that policy change shapes how citizens understand “...the meanings and origins of societal problems, by identifying target groups for government action and defining solutions” (Mettler and Soss 2004, 62). Skocpol, for example, cites the striking gap between white men’s and white women’s suffrage in the US as source of the late 1800s-early 1900s consensus around women’s relative education and virtue (1992). Erkulwater, similarly, shows how contestation over disability policy persuaded portions of the mass public of the deservingness, and, at times, very *humanity* of disabled people in the US (2019). Similar studies have theorized (though not always tested) that the generosity of benefits bequeathed to veterans (Mettler 2005) and the elderly (Campbell 2003) have shaped the positive stereotypes, and relative political power associated with those groups. Conversely, other scholars have found that immigration policy change, and especially the rhetoric around those changes, can influence which considerations the public uses to evaluate immigration policy (Collingwood, Lajevardi, and Oskooii 2018). Other studies have found that particularly effective policies can become more popular over time, as the public comes to appreciate the broad social benefit conferred by general-interest legislation (Jacobs and Mettler 2018).

The common mechanism of those changes is that they operate through common, popular understandings of the stereotypes of target groups that benefit from policy (Schneider and Ingram 1993). In this telling, the mass public’s policy attitudes

flow from their affect toward “reference groups:” citizens evaluate a policy based on their warmth or hostility toward the groups that benefit (Kinder and Kam 2009). Thus, by changing the population of beneficiaries, citizens’ senses of warmth or hostility toward beneficiaries will, logically, change. Thus, their evaluations of the changed policy will change, making the political environment more amenable to entrenchment or further reforms (Skocpol 1991; Soss and Schram 2007; Patashnik 2019). Another potential mechanism flows from the deduction that policies can provide citizens—who might otherwise know relatively little about the vagaries of policy (Delli-Carpini and Keeter 1996; Patashnik 2019)—a sense of “whose” problems matter to government (Mettler and Soss 2004; Mettler 2018). An alternative mechanism is posited in other works: the generous resources offered to some groups *allow* for collective benefit and achievement, which updates social stereotypes about those groups (Schneider and Ingram 1993), allowing them to attain higher status (Campbell 2003; Mettler 2005; Erkulwater 2019). Finally, particularly prominent policy change may shift citizens’ political attitudes by demonstrating the effectiveness of a policy (Patashnik 2008; Mettler and Jacobs 2018).

Thus, policy can shape the attitudes of the mass public in several ways: by shifting the pool of beneficiaries and thus harnessing new stereotypes about reference groups, by giving citizens a sense about which citizens’ problems matter to government, by facilitating stereotype-contradicting achievement in marginalized or vulnerable communities of citizens, and, finally, by demonstrating to citizens which policies “work.” These mechanisms are not clearly established in the literature on the politics of public policy, but rather in literatures on APD, REP, and public opinion. In Chapter 4, especially, I suggest how those insights could produce a framework for understanding for how policy feedback could act on the mass politics of public policy. Most importantly, I will show that both politicians and contemporary observers

understand policy initiatives to have feedback-like effects on the mass public.

Third, and finally, policies also have *elite-level* impacts on the institutional politics of policymaking. Elite level feedbacks were the initial “link” in the policy-to-politics chain identified by scholars. They are often conceptualized as changes to the capacities and resources of institutions (Pierson 1993; Skocpol 1992; Patashnik 2008; Patashnik 2019). Policy change, generally, endows institutions with resources to address problems, resources which are then available to be re-deployed for other ends (Tichenor 2002; Thompson 2016). The institutions and political entrepreneurs that implement the policy, then, may be more influential (Patashnik 2008), or simply have a better reputation (Skocpol 1992; Carpenter 2001; 2010), at later time points. Conversely, poorly implemented or unsuccessful policies may undermine subsequent efforts in the policy arena (Skocpol 1992; Patashnik 2019; Hacker 2019) and disempower policy entrepreneurs at later time points (Weaver 2010; Patashnik and Zelizer 2013). More recent scholarship suggests that elite-level policy feedback occurs through policies conferring power, or at least influence, on organizations (Goss, et al. 2019). Those organizations, then, can lobby for greater reform (Michener 2019b), or against efforts for retrenchment (Campbell 2003; Patashnik 2008; Thurston 2018). Alternatively, organizations might *mediate* mass-level feedbacks, by illustrating to their members how and why to care about policy (Campbell 2003; Goss 2013).

The mechanisms for elite or institution-level effects are most commonly derived from “new institutionalist” economics (North 1991). These scholars suggest that policy structures costs for elite actors, catalyzing learning effects (particularly relevant in novel policy areas), causing policy actors to coordinate their behavior, and adapting the political expectations of stakeholders, and the public at large (Pierson 1993; 2004). Cost-structuring is typically operationalized as re-shaping incentives for institutional actors (Patashnik 2008) and is typically thought to be exceedingly

difficult in fragmented political institutions (Lowi 1978; Arnold 1990; Hacker 2002). Coordination is typically also traced in studies that examine cost-structuring, as organizing is, itself, understood to be a costly institutional action (Pierson 2004). Learning effects, simply, capture policy entrepreneurs' learning "what works", and are possibly the most widely studied institutional effect (Skocpol 1992; Thompson 2016; Mettler 2019; Michener 2019a; Hacker 2019). Studies less commonly trace the influence of policy on actors' subsequent expectations, or, typically, conceptualize decreased uncertainty as a learning effect, or as a reduced cost.

Studies of policy feedback occasionally attest that policy's impact on a particular political group can shape broader politics, without acknowledging the potential for multi-faceted, equivocal feedback effects. Scholars only occasionally note that a particular feedback effect might reverberate out, shaping politics in general. For Campbell, old-age insurance politically activated senior citizens, changing the mass public's perceptions of seniors' deservingness, and causing ambitious politicians to build electoral strategies on not angering the elderly (2003). In other accounts, there is even less attention to such potential: for Patashnik, aligning the strategic incentives of elites is sufficient to secure positive feedback and entrenchment (2008). For Skocpol, shifting the mass public's stereotypes about cash assistance beneficiaries, alone, would unlock positive feedbacks, entrenching (what would ultimately be called) TANF and locking in a politics more favorable to Democrats (1991). Thus, I emphasize this: in the overwhelming majority of accounts of policy feedback, policy's effect on politics is linear and monolithic: that is, confined to a specific area. In the most equivocal accounts, policy shapes the politics of beneficiaries, the public, and elites separately, but in the same way. In the subsequent section, I discuss why this conception falls short, and propose an alternative.

### ***A Theory of Immigration Policy Feedback***

Here, I trace the theoretical framework that informs the analyses conducted throughout this dissertation. On the broadest level, I argue that *policies can shape politics on different levels in different ways*. That is, a policy can shift how beneficiaries participate, how the public forms policy preferences, and how policymakers seek to build support for reform. Those processes, intuitively, flow from a common starting point: policy change. Yet, they, necessarily, will look differently on each “level.” I sketch a conceptual model of this process in Figure 7 that frames the primary contribution of this dissertation. In brief, policy effects different levels of politics in different ways. Pierson, already, notes that policy effects different levels of the polity through different mechanisms (1993, 626)—I advance this conception by noting that these divergent mechanisms can *also* produce qualitatively different outcomes. In the rest of this chapter, I outline why scholars of policy should expect policy feedbacks operate in this way. I proceed by outlining why each level of policy feedback should be expected to operate somewhat independently of the others.

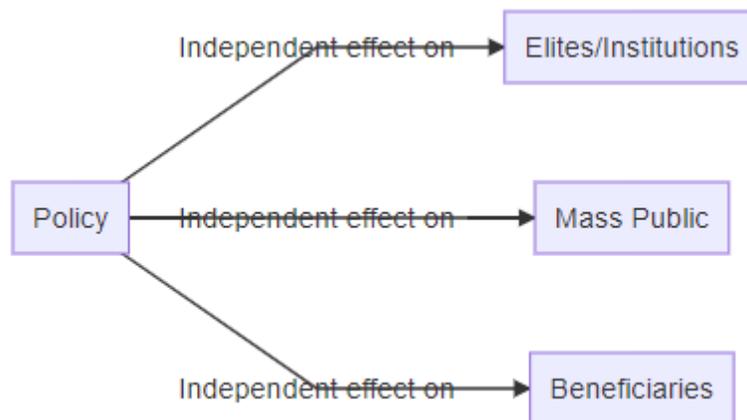


Figure 7: Multi-Level Policy Feedback: Policy effects different levels of politics in different ways.

*Why might policy impact the behavior of elites/institutions differently from other levels?* In brief, policy might have unique and independent effects on political

elites and institutions because elites and institutions are not straightforwardly accountable to the public at large, and to beneficiaries generally. One straightforward reason is the presence of many institutional breakwaters between tides of popular (i.e. mass public) and particularistic (i.e. beneficiaries) influence and elites and institutions (Stepan and Linz 2011; Robertson 2013). Numerous scholars of policy have argued against a “functional” understanding of the American state (Skopel 1985; 1992), meaning (among other things) that scholars should not conceive of policymakers as being straightforwardly accountable to popular or particularistic pressures. Moreover, political elites and institutional actors are well-known to act strategically, an attribute less frequently attributed to the mass public or beneficiaries. Finally, and most importantly, policy feedback researchers have traced strikingly different mechanisms for elite/institutional feedbacks (learning, cost-structuring, and reputational effects) than mass public or beneficiary-level feedbacks (resource effects and interpretive effects)(see especially: Pierson 1993, 626). In short, policy should—or at the very least *could*—have a different effect on institutions and policymakers than on beneficiaries, above all, because institutional actors have a unique set of incentives, and have been widely found to be impacted by policy in different ways. The Immigration Act of 1907 had strong, positive institutional feedbacks, but little mass or beneficiary effects. The short term consequences of the act were slight, but the act created the Dillingham Commission, which would endow Congressional nativists with social-scientific expertise. By expanding Congressional restrictionists’ knowledge of and access to demographic methods and racist pseudo-science, the unheralded act, as noted above, built momentum that would later produce the much more prominent Quota Acts (Tichenor 2002).

*Why might policy impact the attitudes and behavior of the public differently from other levels?* There are several reasons why the public—at large—might respond

different to policy change than policymakers or beneficiaries. Microeconomic theories of the policy process, in particular, understand the mass public to be far less responsive to policy change than those effected, and those making policy (Olson 1965; Moe 1980). Other accounts emphasize that the public, at large, knows relatively little about the policy process (Delli-Carpini and Keeter 1996; Mettler 2011). Thus, policy changes that are salient for elites and deeply felt by beneficiaries may not reverberate in the mass public, blunting the impact of feedbacks at other levels. In sum, there are reasons to expect institutional and beneficiary feedbacks *not* to extend to the mass public. There are, however, other reasons to expect policy to shift the attitudes and behavior of the mass public independently of effects on other levels. The mass public often espouses objective misperceptions about public policy, especially around social welfare, but also around foreign policy (Mettler 2018; Delli-Carpini and Keeter 1996). As such, policy changes that would have little impact on beneficiaries, or on institutions, may interact profoundly with citizens' misperceptions, producing a strong impact on their sense of public policy. Mettler and Jacobs note that the enactment of the ACA seems to have significantly bolstered public support for the law (2018), though it seems likely that the convoluted rollout and opaque structure of benefit disbursement ground to a halt any potential for institutional and beneficiary effects (Hacker 2019). Thus, I cite the ACA as an example of a policy with positive mass-level feedback effects, and more equivocal impacts at other levels.

*Why might policy impact the attitudes and behavior of beneficiaries differently from other levels?* Policy's potential to particularly impact the attitudes and behavior of beneficiaries is particularly intuitive: unlike political elites or the mass public, beneficiaries are all, definitionally, impacted by a policy. Even policy changes that do not shift the electoral fortunes of a policy entrepreneur or reshape the public's preferences can—e.g. welfare reform—can have life-or-death import for beneficiaries.

I argue that this is particularly likely to happen when the pool of beneficiaries is less prominent for the modal citizen (Soss and Schram 2007). The political experiences of seniors, or of veterans immediately after WWII might be unmissable for public and elite. For numerical minorities of the polity (both powerful and oppressed minorities), strong feedbacks may not shape broader politics. In short, beneficiary pools can be sufficiently small that a good policy does not, necessarily, make good politics (Arnold 1990; Patashnik 2008). Joe Soss' research indicates the potential for policies to have strong feedback effects on beneficiaries, but little impact on the broader political system: welfare reform exposed cash assistance beneficiaries to more rigorous and demeaning standards (i.e. Soss 1999) but had little impact on the broader politics of race and social policy at the mass or elite level (Soss and Schram 2007).<sup>4</sup> Thus, policy can have a strong effect on beneficiaries, but leave the broader politics of that policy domain unmoved.

*What do equivocal, multi-level feedback effects look like in practice?*

I conclude the elaboration of my theory by discussing what it “looks like” when a policy has an equivocal impact on politics. Developing a precise, causal story of how contradictory feedback effects shape policy is beyond the scope of this dissertation. While I do not go on to test these assertions, I conclude by stating my theoretical expectations of how equivocal, multi-level feedback effects shape the politics of policy. Sometimes, effects on one level might matter more than others. Generally speaking, I expect that any negative feedback on any level of politics will strongly compromise the potential for a policy reform to entrench, and “widen the

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<sup>4</sup> Soss' (1999) study of cash assistance beneficiaries studied AFDC, rather than TANF, but his theory strongly suggests that the negative feedback effects of AFDC should generalize to TANF.

door” to future such reforms. Overwhelming evidence suggests that the incremental, veto-point-rich, strongly thermostatic American policy state biases policy reforms toward failure (Arnold 1991; Skocpol 1992; Hacker 2002; Patashnik 2008). In this telling, any negative feedback will be likely to “drown out” other, more positive effects: the most important level of policy feedback may, quite simply, be the most negative one. Effects limited to the mass public or beneficiaries may also have only an equivocal impact. Effects on particularly vulnerable subgroups may well leave other levels of the polity unmoved (see above). Positive effects limited to the mass public may also have meager influence on the politics of policy, given the difficulty of translating electoral majorities into public policy in the US. When policy feedbacks are still more mixed—that is, positive on one level and negative on another—the results will be still more unpredictable. I explore such an account in this dissertation.

I expect that the influence of multi-level policy effects will have different substantive impacts on different policies, beyond my claim that negative feedbacks will tend to matter most. In particular policy areas, feedbacks on a particular level will be of unique importance, consistent with well-established theories developed in research into the politics of public policy. Scholars have long shown that certain policy areas are particularly shaped by specific institutional and political actors (Lowi 1978; Hecl 1978). I concur with these scholars without claiming to extend their insights: policy feedbacks that effect particularly influential actors or institutions will be the most politically meaningful for these policies. Agriculture policy, in a classic example, is famously accountable to particularistic business interests and to the Congressional committees and bureaucracies that oversee them. Thus, policy change regarding agriculture policy will be most sensitive to negative feedbacks, beneficiary feedbacks upon the corporations that so influence policy, and institutional effects on bureaucracies and committees. Mass-level effects would, I expect, be of tertiary

importance. I maintain that these ideas are clearly implicit in decades of research into the politics of public policy, and are not advanced here.

Before proceeding to discuss the contributions of this conceptualization of policy, I note an additional point about my conceptualization of policy feedback that is not novel, but rather distinct from some (especially early) scholarship on policy feedback (Michener 2019c). Throughout this dissertation, I develop an account of the politics of policy in which racial inequality, racial identity, and racial politics are inseparable from the development, politics, and consequences of policy. Each of the links described above should—explicitly—be understood to be irrevocably conditioned by racial inequality. That is to say, my theory and the insights I deduce from it is the product of a policy state and a political history so structured by racial inequality that some hypothetical, non-racialized version of my theory cannot be extricated from that history. The actors depicted in Figure 7 are sorted into beneficiary, political elite, and even “the public” though processes that are strongly racialized and conditioned by racial inequality. The effects of policy on individuals (shown in Chapter 3) and the mass public (shown in Chapter 4) are filtered through existing racial categories, inequalities, identities, and stereotypes. Moreover, the institutional effects of policy occur atop a foundation of policy structured by and implicated in white supremacy (Williams 2003; Lipsitz 2006). This is a dissertation about policy, so this is a dissertation about race policy.

This point is of particular importance when discussing immigration policy. In my narrative discussing immigration policy history, I emphasized how groups of immigrants to the US were classified, scrutinized, and afforded entrance/exclusion based on their racial/ethnic classification. The character and outcomes of immigration policy are, thus racialized to the extent that efforts to identify a non-racialized immigration policy are typically untenable. Immigration policy, in the previous

narrative, was shaped dynamically by racial inequality. Capitalist demand for cheap, exploitable labor paradoxically facilitated the migration of racial and ethnic minority groups across American borders, but also facilitated those groups' exclusion from the polity. While the Dreamers' presence in the US is less directly tied to extractive agriculture, their political predicament stemmed from multifaceted racial, economic, and political disadvantages that are, simply put, unimaginable for a white political constituency. This point will be discussed in greater detail throughout this dissertation.

In this dissertation, I undertake a study of the multi-level effects of DACA on the politics of immigration policymaking. That analytical lens allows me to identify the equivocal, time-bounded effects of DACA across the American polity. My central finding is that DACA failed to create a "new" politics of immigration policy, instead, it primarily entrenched existing policy gridlock—and, in doing so, solidified the vulnerability of the Dreamers. My multi-level analytical account, however, allows me to make sense of numerous, overlapping factors that helps explain DACA's surprising failure. In brief, by considering multi-level policy feedbacks, my account helps explain while DACA's surge in popularity with the public at large (see: Chapter 3; Matos 2020), and its broad success in reorienting the immigration bureaucracy did not unlock a more favorable immigration politics for the Obama administration. Despite its being good electoral and institutional politics, DACA seems to have little positive effect on the political attitudes and behavior of the Dreamers. While I am not able to identify precise causes for the stasis of American politics, I speculate that this is the overriding reason why the door has not been opened to broader immigration reform.

### ***An Argument, and a Path Forward***

In the coming pages, I present a multi-faceted consideration of the politics of DACA, a pathbreaking initiative undertaken by the Obama Administration in the summer of 2012. This study is conducted through a series of mixed-method analyses that combine

a consideration of contemporaneous documents, reports, and speeches, naturally experimental causal inference, basic regressions, and text analysis. In the coming pages, causality will occasionally be tested through identifying discontinuous changes across policy eligibility cutoffs, individuals' randomly being exposed to information about a policy, and by inferring causality from the testimony of contemporaneous actors.

Moreover, there is no one deductive test of a solitary theory in this dissertation. Rather, a number of different potential effects are extrapolated from an underlying framework and tested based on historical accounts, existing social science research, and related political developments. In Chapter 2, I examine the political-institutional contexts and feedback effects of DACA using numerous qualitative and quantitative data sources, providing a holistic assessment of how DACA fits in with immigration policymaking more broadly. Next, in Chapter 3, I use regression discontinuity designs to examine how imputed DACA eligibility shaped the political identities of immigrant Americans. I justify this study based on existing theories of policy feedback and political identity. Finally, in Chapter 4, I trace the effect of the announcement of DACA on the immigration policy attitudes of the mass public, exploiting variation in the fielding of a probability survey of Americans' social attitudes. I supplement that analyses with regressions on cross-sectional and panel data. I justify those analyses by drawing on literature on immigration policy attitudes, priming effects, and campaign effects. I justify that study by drawing on institutional theories of policymaking and research into executive-centered policymaking.

In brief, I present evidence that several secular trends in American politics reached a critical juncture in the summer of 2012. The political parties' polarization on immigration policy and the public's sorting on immigration left the Obama administration with a seemingly clear mandate to enact comprehensive immigration

reform in the first term. Despite the seeming clarity of that mandate, partisan-political divisions, and a Republican base increasingly consistent in, and motivated by, hostility toward Latinx immigrants, complicated Democrats' task. The unity of their Republican opposition necessitated an impossibly united front from a Democratic majority reeling from defeat and the death of a legislative champion. Due to a combination of long-term institutional trends, and short-term electoral pressures, the onus to act fell on Obama. Thus, Obama capitalized on a half-century of precedent, and several powerful, new, post-9/11 bureaucracies to coordinate and centralize federal policy on immigration law enforcement. He used this centralization to grant the Dreamers a temporary reprieve, and attempt to force Congressional Republicans to the bargaining table. While the immigration stalemate endured in subsequent years, Obama was able to successfully outflank his immediate opponents, and, indeed, briefly secured a positive response from the mass public. While the medium-term *political* effects of DACA may have been underwhelming, Obama was far better able to organize and direct immigration bureaucracies that had previously confounded his policy goals. Nevertheless, DACA failed to mobilize its community of beneficiaries in defense of liberal immigration policy.

Thus, DACA had diverse, sometimes contradictory effects on the politics of policymaking at different levels of politics. Indeed, the most enduring consequence of DACA, I argue, was the centralization—and more programmatic deployment—of the powerful institutions of immigration law enforcement: DHS and ICE. Examining multi-level feedback effects enables me to identify how the authority structures of the immigration law apparatus could persist, even as the mass-level effects of DACA dissipated, and the impact of the policy on beneficiaries eroded into nothing. Thus, by the beginning of the Trump administration, the Dreamers remained a distinct, policy-constructed class, indeed, a class held in broadly high esteem by the American public

(Matos 2020). Yet, they had seen their protections challenged and undermined by the Trump administration—making it still more unlikely that their political activism could continue to reshape the debate over immigration policy. Indeed, the final legacy of DACA appears to have been its establishing precedent for executive unilateralism in immigration policy, and for centralizing and empowering bureaucracies that, as we have seen, so often operated at cross purposes. With the Dreamers’ vulnerability renewed, and the Trump administration’s immigration institutions emboldened, the erosion of the promise of DACA seems complete. I discuss DACA’s influence on the Trump administration’s draconian immigration policy in my concluding chapter.

### ***Framing Contributions, and Zooming Out***

Tracing this account, as stated at the start of this dissertation, advances understanding about the impact of policy change. First, it demonstrates the importance and novelty of examining the multi-level, equivocal consequences of policy’s impact on politics. This dissertation shows that, beyond policy having multiple potential mechanisms for refiguring politics, that policy has the potential to shift the behavior of many different actors in the state in different ways. In recent decades, liberal policy intellectuals and policymakers have either endorsed, or actively attempted to refigure political impasses through policy change. Soss and Schram cite welfare reform as one example (2007; Skocpol 1991); Galvin and Thurston identify the stimulus package and the Affordable Care Act as more contemporary examples (2017). Many of these ambitious politics-oriented policy initiatives undertaken during the Obama administration (eds. Skocpol and Jacobs 2011)—above all the ACA—have an uncertain political legacy. Some scholars impugn the ACA as a failure, as an example of “how not to do it” (Galvin and Thurston 2017). Other scholars identify the ACA as a long-term, cross-ideological political winner (Jacobs and Mettler 2018; Haselswerdt 2017). Still others acknowledge the relatively mixed political fate of the initiative, citing it as a late-

coming, modest success (Hacker and Pierson 2019). Academic and elite uncertainty about which policies are political *and* policy successes (i.e. Soss and Schram 2007; Patashnik 2008; Mettler 2018; Michener 2019a) will be advanced by considering the political consequences of policy on all levels of government. Only by doing so, I argue, can the full, equivocal, and local effects of policy and politics be fully understood. Throughout this dissertation, I demonstrate this, by identifying unique, level-specific effects of DACA on the politics of immigration policymaking.

I conclude by breaking, to some extent, with conventions in American political science (but see: Campbell 2014; Rosenfeld 2017), by noting that my studies illuminate a broader *story* of the failure of immigration policy reform. In brief: a new “kind” of American is created on a sunny day in June, invoked as both vulnerable, needy young people embodying the American Dream, and as a constituency to be celebrated for never having knowingly violated American law. Over the course of the next several years, the legal constraints placed on the Dreamers appeared to erode the potential that they would come (or be allowed to) defend their benefits as staunchly as other policy-constructed groups have done (Chapter 3). The same strict conditions that may—so briefly—have won over some Americans (Chapter 4), then, may have irreparably constrained the invocation of this new American Dreamer. These reforms failed to refigure political stalemates around immigration policy, while nevertheless increasing immigrants’ exposure to the American state. That failure has reinforced the sense of permanent limbo<sup>5</sup> that continues to define the lives of immigrants without status (Chapter 5).

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<sup>5</sup> The word is Gonzales’ (2015).

## CHAPTER 2

### DACA'S INSTITUTIONAL CONTEXT AND FEEDBACKS

#### *Introduction*

In the previous chapter, I elaborated a theory of how DACA shaped the politics of immigration policymaking. In this chapter, I emphasize both the institutional context in which DACA was enacted, and the policy feedbacks DACA imparted on institutional and elite actors in immigration policymaking. In this chapter, I explore how DACA emanated from, and reshaped, long-, medium-, and short-term dynamics in federal immigration policymaking. I trace the intersecting trends of ideological-partisan polarization and Congressional gridlock, and, to a lesser extent, the growth of the post-9/11 security state. I use an inductive, mixed-method approach to consider how DACA shaped the elite, institutional politics of immigration policymaking. I, similarly, draw on contemporaneous discussion from public officials, public opinion data, Presidential rhetoric, and data on lawmaking activity to provide evidence that, I argue, shows increased Presidential efforts to provide leadership on immigration policy.

DACA was floated as a last-minute alternative after negotiations around comprehensive immigration reform and the DREAM Act both foundered. Senatorial ambivalence was bound up with Obama's prioritizing immigration after stimulus, health care, and climate legislation. When Senator Ted Kennedy died, Senator Chuck Schumer took his place, and proved unexpectedly hostile to immigration reform. When Obama realized he would likely have to go it alone, he found it difficult to redeploy immigration law enforcement institutions that he had pushed hard toward strict enforcement. Efforts to implement prosecutorial discretion in the year before DACA's enactment were prominent failures that frustrated legislators and activists alike. This frustration created a critical juncture in the summer of 2012, where

Obama's support among Latinxs cratered, and prominent Latinx legislators and activists broke with him. That June, Romney appeared to be flirting with liberalizing his immigration platform and nominating Marco Rubio to Vice President. In that decisive moment, Obama eclipsed his previous efforts on immigration policy—directing the head of DHS (rather than the heads of ICE and CBP) to provide regularization to the would-be beneficiaries of the DREAM Act. While Obama failed to refigure Congressional impasses, his initiative was celebrated immediately as an electoral winner in the mass public. Popular accounts written in national newspapers, and some evidence presented in Chapter 4, suggests that Obama was able to briefly sidestep the growing ideological-partisan polarization on questions of Latinx status in the US by holding up the Dreamers as an example of those who were undocumented “through no fault of their own.” (Murray 2015).

Obama's emphasis on the Dreamers' unique situation was also a sharp critique of Congressional dysfunction: the legal limbo they found themselves in grew out of years of fruitless wrangling in Congress. Obama's actions also emerged out of a context of increased public attention to the “problem” of immigration (see also: Figure 2). Each of these echo expectations laid out by scholars of Presidential policymaking (Howell and Moe 2016). Moreover, a confluence of electoral pressures incentivized Obama to bypass Congress. Below, I present evidence that those popular and electoral pressures have been met with increased Presidential attention, and to some extent, with more active Presidential rhetoric around immigration. That Presidential attention has coincided with somewhat increased funding for immigration law enforcement, and, especially, growing centralization and coordination within the immigration bureaucracy. The growth of the immigration law enforcement state has, as in previous decades, proven the only immigration reform that

could consistently overcome growing polarization and gridlock in Congress (Skrentny 2012). The history of IRCA outlined in the previous chapter, coupled with the history reviewed below, provides evidence that those reforms are only likely when the incumbent perceives that immigration reform will prove a political, and especially electoral winner. However, institutional changes initiated by the President can endure far beyond the end of the political changes when they were electorally advantageous. The electoral dynamics that birthed DACA were, thus, outlived by the policy-institutional changes it breathed into life.

Prior to enacting DACA, Obama initiated a historically large deportation campaign (Street, Zepeda-Millán, and Jones-Correa 2015). He, also, repeatedly called for greater investments in immigration law enforcement. Obama far outstripped his predecessors in apprehensions and removals, but also in rhetoric. Obama's rhetoric on immigration emphasized border security above George W. Bush's. The power and prerogative bequeathed to the agencies tasked with deportation was a hard-won policy accomplishment, that occurred after more than a year of bureaucratic jockeying. In setting prosecutorial policy from the highest and most central position in American politics, Obama both conferred regularization on the Dreamers, and finally corralled the famously decentralized executive institutions of immigration policymaking. I draw on existing literature to make those claims. However, I identify post-9/11 political developments as being instrumental to Obama's ability to corral the immigration bureaucracy. While conventional wisdom emphasizes Presidential power in foreign policy, 9/11 has made the distinction between foreign and domestic power irrelevant, expanding Presidential power. As I showed in Chapter 1, the Patriot Act fused immigration and security policy, placing the President at the head of an opaque and violent bureaucracy of dizzying power: DHS, tasked with implementing both

immigration and security policy. Obama, I argue, worked to mirror past Presidents (especially Reagan) by bartering stronger enforcement for greater regularization. Prior to DACA, those efforts were confounded by his difficulty in coordinating ICE (Immigration and Customs Enforcement) and CBP (Customs and Border Protection). Thus, the “price” of DACA was unparalleled coordination between the institutions of the immigration bureaucracy.

The long-term consequences that emerged out of this critical juncture was the strong centralization of executive immigration policymaking. Post-9/11 reforms had housed numerous immigration agencies under a single bureaucracy: DHS. However, that centralization did not amount to uniform, top-down policymaking, as Obama’s struggle to implement prosecutorial discretion in 2011 shows. By working with the head of DHS to push ICE and CBP to implement discretion uniformly, Obama was able to implement DACA uniformly. Thus, the power of DHS, which had been channeled into several organizations that regularly operated at cross-purposes (see: Chapter 1), was finally channeled into a single policy direction, motivated by Obama’s focus for re-election. Thus, I argue that DACA successfully a) grouped together and programmatically guided disparate immigration law enforcement agencies, and b) provided vital post-Cold War precedent for executive leadership on immigration policy, couched in the legitimacy of Presidential power and the force of post-9/11 executive power. This indicates that DACA did not merely emerge from the monotonic growth of postwar Congressional abdication and executive power: while Obama claimed typical Presidential powers, he used powerful new bureaucratic tools in several different attempts to bring Republicans to the bargaining table. These powers had not, yet, been widely used in structuring policy toward immigrants at the Southern border, as indicated by the difficulties Obama faced in corralling the agencies.

In making these claims, I will contribute to institutionally-focused public policy research, especially on innovations produced by scholars of American Political Development (APD). First, I will present evidence that extends classic studies of social welfare policy, which show that existing political institutions complicate the enactment of new policy (Skocpol 1992; Hacker 2002) to immigration policy. I do this by showing how post-9/11 security and immigration institutions both increased the potential power of Obama’s immigration policy, but also drastically increased coordination costs. By providing a centralized directive in DACA, Obama was able to provide that coordination. However, that coordination was only possible in the context of real electoral peril on the part of the President—consistent with theories that Presidents most commonly make use of executive power in pursuit of re-election (Lowi 1985). Presidents’ abilities to confer positive benefits are much weaker than those held by Congress and state governments: in this chapter, I show that Presidents’ postwar (and especially post-9/11) ability to take the lead on immigration policy is often constrained to their ability to head the law enforcement state. Thus, I advance scholarship on Presidential “problem-solving” by showing that while Presidents may hold unique abilities and mandate to act decisively in the face of Congressional inaction (Howell and Moe 2016; Cohen 1997), that the *character* of that action is shaped by the tools Presidents hold—specifically, their unique influence over the foreign policy and law enforcement state.

### ***The Politics of Immigration Policy in the United States***

Before analyzing the historical evidence that points to the potential for executive leadership over immigration policy, I—briefly—review scholarship on immigration policymaking, and then turn to a discussion of executive branch policymaking in general. The bulk of scholarship on immigration policy emphasizes the attitudes of native-born citizens, particularly drawing on social-psychological explanatory

variables. Xenophobia or ethnocentrism are often identified as antecedents of support for restrictive immigration policies. However, opposition to immigration is mediated by other factors. Individuals' context (Frasure-Yokeley and Wilcox-Archuleta 2019; Maxwell 2019; Hopkins 2010; Enos 2014), segregation from immigrants (Arora 2019; Jones-Correa 1998), or abrupt foreign-born population changes (Enos 2017; Hopkins 2010) all can catalyze opposition to immigration. Opposition to immigration is, often, traced to individuals' perceptions of immigrants' skills (Hainmueller and Hiscox 2010; Newman and Malhotra 2018), filtered through stereotypes about sending countries and their inhabitants (Brader, et al. 2008; Berinsky, et al. 2018; Nassar 2019; Oskoi, et al. 2019; Beydoun 2013), exacerbated by media portrayals (Farris and Silber Mohamed 2018) and rhetoric (Oskoi, Lajevardi, and Collingwood 2019; Jäger 2019; Jardina 2019; Jardina and Traugott 2018). These stereotypes are tightly bound to individuals' senses of their racial group status, and their anxieties that immigrants could compromise it (Masuoka and Junn 2013).

This fact lies at the core of debates about immigration in the United States: immigration policy shapes the contours of the racial order in the United States (Hochschild, Weaver, and Burch 2012; Smith and King 2004). That is, immigration policy shapes public understandings about prevailing trends of racial identity, inequality, and power in the United States. However, the factors that shape immigration policy are understudied relative to discussions about the behavioral antecedents of immigration attitudes, or the relationship between immigration and racial inequality (Filindra and Wallace Goodman 2019). One potential reason for this could be the diffuse nature of immigration policymaking, which is spread across branches and levels of government (Reich 2019). Breakthrough reforms to federal immigration policy are not uncommon (Tichenor 2002), though they are often not recognized as such when they occur (Masuoka and Junn 2013). Like other American

policy domains (Schickler 2001; Mayhew 1991), sweeping changes in immigration policy are typically enacted by “strange bedfellows” (i.e. cross-partisan, non-ideological) coalitions (Tichenor 2002). Since the pathbreaking work of Rogers Smith, those policy shifts are more commonly studied to identify their implications for political construction of community (1997; King 2000; Tichenor 2002; Zolberg 2006; Bateman 2018) than for their implications for the various agencies, organizations, and street-level bureaucrats that implement immigration policy.

Perhaps for that reason, relatively little scholarship traces the influence of executive branch action on immigration policy. Thus, to frame a theory, I draw—in part—on scholarship on Executive Branch policymaking. Much of the research in this domain examines the degree of Congressional control over the bureaucracy (i.e. McCubbins, Noll, and Weingast 1987), the preferences of agencies and legislatures (Ferejohn and Shipan 1990), and the political power of bureaucracies (Carpenter 2001). However, there are clearly reasons to expect the Executive Branch to have particular power over immigration policymaking. The sheer influence of the immigration law enforcement apparatus upon the immigrant experience (Chapter 2) alone indicates the Executive’s power over immigration policy. Moreover, Congressional deadlock on immigration policy, coupled with the tendency for Congress to request greater enforcement in exchange for regularization in immigration reform deals (Skrentny 2012), indicates the power Presidents enjoy in immigration policymaking.

The growth of Presidential influence on policymaking is an oft-noted development of American politics (Mettler and Lieberman 2020), which is often traced to polarization and/or Congressional dysfunction (Jacobs, King, and Milkis 2019; Azari 2014; Howell 2003). Presidential influence on policymaking is, traditionally, understood to be indirect, and is usually conceptualized as problem

identification (Cohen 1997), position-taking (Cameron 2000; Cohen 1997; Kamarck 2016; Kernell 1997; Lee 2008; Lowi 1985), or legitimation (Azari 2014; Cohen 1997; Lowi 1985; Neustadt 1990). Scholars of APD have emphasized additional policymaking roles for the President, such as concretely developing policy (Whittington and Carpenter 2003) and leading political (Edwards 2012; Skowronek 1993), and especially partisan coalitions (Galvin 2010; Milkis 1993; Heersink 2018). That leadership is, of course, especially strong in foreign policy (Howell, Jackman, and Rogowski 2013), but, increasingly, it may take the form of deploying the administrative state for the benefit of ideological patronage groups (Jacobs, et al. 2019). The ability of the President to shape policy is constrained by the durability of their partisan and ideological coalition (Skowronek 1993), their approval ratings (Christenson and Kriner 2019), and other actors' perceptions of their performance (Neustadt 1990; Kriner and Shen 2020).

Why would we expect Presidential policymaking to be different than that of any other branch? An extensive institutional research program on policymaking traces how the agent that develops policy structures outcomes provides insight into why: I term this concept localization. The US' Madisonian system distributes policymaking authority widely across branches and levels of government (Stepan and Linz 2011). Policymaking is usually thought of as being localized on the state vs. federal level (Mettler 1998; Michener 2018; Musgrave 2020; Skocpol 1992) or in one branch vs. another (Lowi 1978; Frymer 2008). Some scholars conceptualize localization as occurring between the state and market (Stone 1989; Soss, Fording, and Schram 2011) or even between the state and the family (Strach 2007). Those branches have substantially different constitutional powers mean that the localization of policymaking authority shapes the tools available to policymakers (Lowi 1978; Frymer 2008). Furthermore, different branches and levels of government have

different incentive structures (Arnold 1990) and are often expected to have different preferences (Krehbiel 1998; Cameron 2000; Heclo 1978). Different branches and agencies will likely produce vastly different policy outcomes. For example, different policymakers are influenced by different organized interests (Hertel-Fernandez 2019; Lowi 1978; Collingwood, El-Khatib, and O'Brien 2019; Miller 2007). Policymakers, necessarily, also have different political constituencies (Erikson, Wright, and McIver 1994; Lowi 1978), with unique political dynamics and contexts (Creek and Yoder 2012; Filindra 2012; Key 1977; Musgrave 2020). The degree of difference in power, preferences, and resources held by different policymaking actors means that policy demanders like intellectuals, activists, and partisans may strategically choose venues based on the policy outcome sought (Bensel 2000; Fox 2019; Frymer 2008; Hacker and Pierson 2010; Ming Francis 2014; Weaver 2007).

### ***How can Presidents shape immigration policy?***

While research into American politics consistently emphasizes Presidents' ability to shape policymaking (e.g., Howell and Moe 2016), that research rarely studies immigration policy. I identify four ways in which the President can lead immigration policy: through legislative bargaining, by leading the executive branch agencies tasked with enacting immigration policy, by serving as the leader of an electoral coalition in which immigrants figure, and by using commander-in-chief powers to lead the security state. Reviewing the bases of Presidential power will necessitate some degree of repetition from Chapter 1. I begin with the source of Presidential power that are already best established within political science research—legislative bargaining.

Presidents have, historically, made extensive use of their power to use the threat of a veto to extract policy concessions from Congresses (Cameron 2000). This power has proved vital to securing the President's role in immigration policymaking. Historical evidence shows that this tool was less used when restrictive legislation was

less salient (i.e., during the Antebellum republic). However, post-Reconstruction Presidents prominently used vetoes to block legislation outright, or to secure concessions. Chester Arthur attempted to use a veto threat to secure exceptions to Chinese Exclusion for laborers, ultimately unsuccessfully (Tichenor 2002, 106-107). Woodrow Wilson used those powers most effectively (214), most prominently striking the literacy test twice (Zolberg 2006, 217; 240). Below, I detail in greater detail how (committed white supremacist) Wilson worked to oppose nativism, aware of his electoral need for the “ethnic vote.” Presidential legislative powers were not, however, uniformly used to protect immigrants. Grover Cleveland vetoed provisions for more generous naturalization, arguing that doing so would import European disorder to the US (227)—a theme that will be discussed in greater detail below. Tichenor’s account of the development of quota legislation emphasizes the power of Presidential resistance to attenuate, and especially, slow, Congressional impulses for quotas (2002). Presidential leadership in postwar refugee policy expanded the power of the veto: Truman’s negotiation earned concessions in the Immigration and Naturalization Act of 1952, though his veto was ultimately overridden (194-195; Zolberg 2006, 414-417). Congressional reform empowered leadership, giving post 1970’s Presidents a negotiating opponent. This was particularly salient during the Reagan administration, where Reagan’s threat of vetoes helped define the contours of the IRCA (Skrentny 2012; Tichenor 2002, ch. 9). Presidential leadership on humanitarian issues ended with tragicomic abruptness after the Cold War, with Bush threatening to veto immigration acts if they included planks for refugee admissions (274). Finally, Clinton repeatedly used the threat of his veto to great effect, stripping some (but not all) anti-immigrant provisions from welfare reform (Zolberg 2006, 414-417), and blocking efforts to enact a federal version of Prop. 187 (Tichenor 2002, 284).

Presidents were particularly invested in immigration policymaking when they

deemed it of electoral significance. Despite the implementation of quotas, the foreign-born electorate was particularly large in the early 20<sup>th</sup> century. As discussed in Chapter 1, immigrant-origin Americans strongly leant Democratic, often incentivizing Woodrow Wilson to slow the implementation of restrictive legislation, with the goal of bolstering the Democratic cause. Democratic partisanship among Southern and Eastern European immigrants did not always produce liberal immigration policy: FDR, notoriously, felt little pressure to admit refugees from the Holocaust due to his striking popularity among American Jews. Alternatively, Lyndon Johnson's support for Hart-Celler (which contradicted his past positions) flowed from the Democrats' continued investment in securing the votes of immigrant-origin Americans (see above). Eisenhower, similarly, deemed liberalization on immigration an electoral winner: despite the Anglo-Saxon composition of his base, his administration connected humanitarianism to realist foreign-policy concerns. In most recent years, George W. Bush was widely noted to have translated Latinx support in Texas into a powerful, national electoral constituency—widely tied to his moderate immigration policy (Fraga, et al. 2011). Finally, Obama's success among Latinx voters was widely tied to his impressive success in the South and West. Indeed, his efforts to push for a path to citizenship are commonly attributed (i.e. Skrentny 2012), to his anticipation of a locked-in Democratic majority if Latinxs were legalized writ large (see also: Barreto and Segura 2014).

Presidential power over the bureaucracy also proved essential to crafting early immigration policy. The Wilson administration mounted much of the early resistance to the quota system through bureaucratic obfuscation, packing important commissions with patronage appointments willing to slow implementation (see: Chapter 1). Truman did the same, tasking nativists with onerous and complicated demographic research tasks, gumming up the bureaucracy (Tichenor 2002, 198). Presidential power was,

again, not always a boon for liberalization. Franklin Roosevelt's popularity amongst American Jews left him with little incentive to intercede in 1930s Germany—allowing State Department subordinates to block Jewish refugees (ch. 6). In Chapter 1, I discussed in detail how New Deal-era labor bureaucracies were particularly effective in stymying restrictions that could slow arrivals from Mexico. Finally, Presidential power to lead immigration policymaking swelled to its apex after 9/11, as the President's bureaucratic and foreign policy powers were fused and vested in DHS.

This points to the avenue for greatest Presidential power over immigration—the fusion of immigration and security/foreign policy concerns. Early uses of these powers were halting at best, as Presidents used diplomatic privileges to work to encourage Eastern and Southern European countries, as well as China, to slow emigration (Zolberg 2006, 190-191). After WWII, memories of American failure during the Holocaust, and a desire to project generosity to neutral countries prompted a fusion of realist and humanitarian foreign policy motivations. Starting with Eisenhower, Presidents claimed the power to parole refugees above quota limits—if “deemed in the public interest” (Zolberg 2006, 323). Later Presidents used this authority to favor immigration from contested regimes like Cuba. Kennedy and Johnson used this power to great effect (Tichenor 2002, 178). Presidential power over the security state was used with darker effect as well: Presidents successfully claimed the power to exclude, detain, and deport any non-citizen deemed a security threat (200). The bulk of Presidential action, however, centered around the admitting of refugees from Communist countries, with special preference granted to Jews, Christians, and especially Evangelical Christians (Zolberg 2006, 400). 9/11, as noted above, coalesced the President's bureaucratic and security powers over immigration, allowing the President more direct authority over the exclusion and surveillance of immigrants through DHS. These powers have remained in place as the party in the

White House changed, and proved essential to the politics of DACA's enactment, which I trace now.

### ***The Politics of DACA's Enactment***

Several historians trace the winding, fitful road to DACA all the way back to *Plyler v. Doe* (1982), a Supreme Court case that granted undocumented immigrants rights that were allocated based on residency—specifically, rights to benefits connected to education. The ruling precipitated two broad families of legislative response. The first was the patchwork of state-level policies to confer benefits like access to in-state tuition, some professional licenses, and, eventually, drivers' licenses, to undocumented immigrants, especially those who arrived in the United States as children (Olivas, et al. 2020, ch. 2). These policies have since become colloquially known as State DREAM Acts. They are so named, of course, because of their attempt to emulate the second legislative initiative build on *Plyler v. Doe's* foundation: the proposed DREAM Act.

First proposed in 2001, the DREAM Act would grant applicants who arrived in the US without documentation as children temporary legal status, provided that they maintained a clean criminal record and attained a high school education. If they continued with higher education or served in the military, they would be granted legal permanent residency. The DREAM act had a fitful legislative history: it was reintroduced in 2003 and 2005 and was the subject of Senate Judiciary Committee Hearings in 2004. The DREAM Act was widely assumed to be an amiable plank in the in the negotiations around comprehensive immigration reform, and only after high-level negotiations broke down in summer 2007 did proponents realize their window of

opportunity was closing.<sup>6</sup> Thus, the Democratic Senate majority attached the DREAM Act to a DOD reauthorization<sup>7</sup>, which, in a now-familiar turn, failed to even garner a vote on the Senate floor (Olivas, et al. 2020, 38). The House continued hearings that Fall, and eventually the Senate returned to the proposal. That fateful vote failed to overcome cloture, and, indeed, failed to garner “yeas” from many of its biggest supporters. Erstwhile supporter Senator John McCain, busy campaigning for President and anxious about dividing his party, did not vote. Two prominent Democratic supporters, Barbara Boxer and Chris Dodd, did not travel to Washington for the vote, and moderate Republican Arlen Specter voted no, concerned that the measure might be vetoed and, simultaneously, that it might undermine broader negotiation on immigration (Olivas, et al. 2020, 39-42).

The Obama administration worked to realize the decades-long dream of immigration reform after entering office. Their efforts to do so, however, largely washed out in the whirlwind of legislative activity that defined the brief Democratic supermajority that stretched from inauguration day 2009 to Ted Kennedy’s death. Congress’ agenda reflected their preoccupation with stimulus and the ACA; however, the Obama administration took the lead by repeatedly and publicly underlining the urgency of immigration reform. As can be seen in Figure 8, the legislative stasis on immigration policy on immigration policy that continued into the Obama administration prompted executive action. Not, importantly, with unilateral executive

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<sup>6</sup> This series of events will become familiar to readers, indicating that many prominent legislators may not have realized the extent of legislative polarization and gridlock on immigration until it was too late.

<sup>7</sup> Senator Dick Durbin, in particular, hoped to bolster recruitment to the military, flagging as the Iraq and Afghanistan occupations languished.

actions that could materially change the status quo on immigration policymaking, but rather with articulations of broad-strokes principles that could (but ultimately did not) inform Congressional initiative<sup>8</sup>. This, as I will show below, reflected Obama’s sense that he had expended his political capital by the time of the crushing Tea Party wave.

### The Changing Politics of Immigration Policymaking

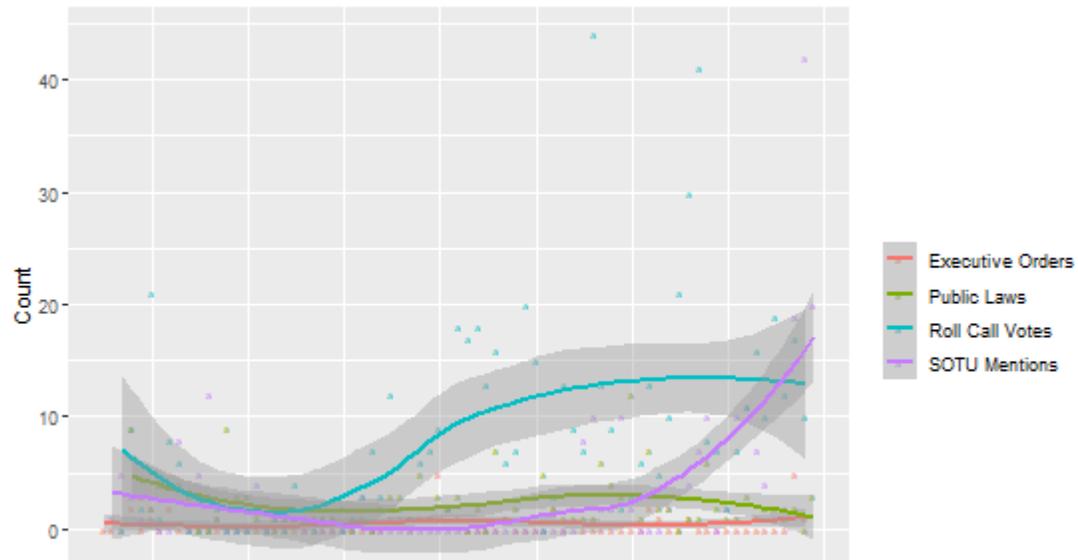


Figure 8: The changing politics of immigration policymaking. Annual counts of executive orders, public laws, roll call votes, and State of the Union mentions (indicated by color) by year. Scatterplots of Counts smoothed with locally-weighted polynomial lines and 95% confidence intervals. Source: Comparative Agendas Project.

Obama’s head of DHS, Janet Napolitano, most clearly outlined the administration’s position: that the comprehensive immigration reform required maintenance of a “three-legged stool,” comprised of “effective enforcement,” “...legal flows for families and workers, and a firm but fair way to deal with those already

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<sup>8</sup> This, broadly, reflects Obama’s leadership style on other prominent policy projects (Skocpol and Jacobs 2012).

here” (quoted in Olivas, et al. 2020, 43). Like much of Obama’s ambitious legislative agenda, the plans to build each leg of that stool in Congress (as with the ACA) fell apart with Senator Ted Kennedy’s death. Kennedy, like his brother, had long articulated a responsibility, as a liberal Irish American, to champion status for immigrants. Senator Chuck Schumer took up Kennedy’s position as the chief negotiator on immigration after Kennedy’s death, and hewed to a new path. Brushing aside the “three-legged approach, he made it “clear that his first priority was to secure the border” and openly rubbished Obama’s use of “undocumented,” in favor of “illegal” (44).

With his chief legislative ally dead, and replaced with an unexpected opponent, Obama appeared to realize that his window to act was (at best) closing, or (at worst) already shut. After Senator Scott Brown won Kennedy’s old seat, Obama invited Schumer and Graham for a meeting to encourage them “to at least produce a blueprint” modeled after the erstwhile DREAM Act. Allies recognized Obama’s caucus as strongly divided: many northern and white legislators proved reluctant to push for a liberal reform on immigration (Nicholas 2010), given the growing momentum in the Tea Party movement (Abrajano and Hajnal 2015; Parker and Barreto 2013; Skocpol and Williamson 2013). This corroborates my findings from Figures 3-5, which presented evidence that the sharpest political polarization around immigration occurred *during* the Obama administration. On the other hand, Representative Raul Grijalva, a Democrat from Arizona, argued that Obama stood to fritter away his electoral support among Latinxs if he deferred on immigration policy (Nicholas 2010; see also: Barreto and Segura 2014). Perhaps motivated by that same concern, Senator Harry Reid took the initiative, re-introducing the DREAM Act as a rider to the Annual Defense Authorization Act, along with a measure to repeal “Don’t Ask, Don’t Tell,” and procedural reforms in the Senate. The gambit failed, and—again

showing a touch of tragicomedy—Reid ultimately voted against cloture for his own proposal. Despite the House’s having passed a version of the DREAM Act with comparative ease, the 2010 session ended with no Senate votes on the DREAM Act itself (only cloture votes)(Olivas, et al. 2020, 43).

Faced with the task of marshalling support for immigration reform in a legislature listing toward conservatism, Obama returned to the first leg of the stool. First, he sought to signal his willingness to replicate Reagan’s enforcement-for-regularization bargain (i.e. Skrentny 2012), by almost doubling the rate of deportations achieved under the George W. Bush Presidency (Street, et al. 2015). This emphasis was buttressed with striking emphasis on enforcement in Obama’s rhetoric on immigration policy. Obama spoke comparably to George W. Bush, and to a lesser extent Trump, of the construction of walls<sup>9</sup>, of security, and of the foreignness of

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<sup>9</sup> While many of Obama’s references to “walls” in his speeches actually referred to “Wall Street,” the same is true of George W. Bush, and of Trump.

immigrants in the US (see: Figure 9).<sup>10</sup>

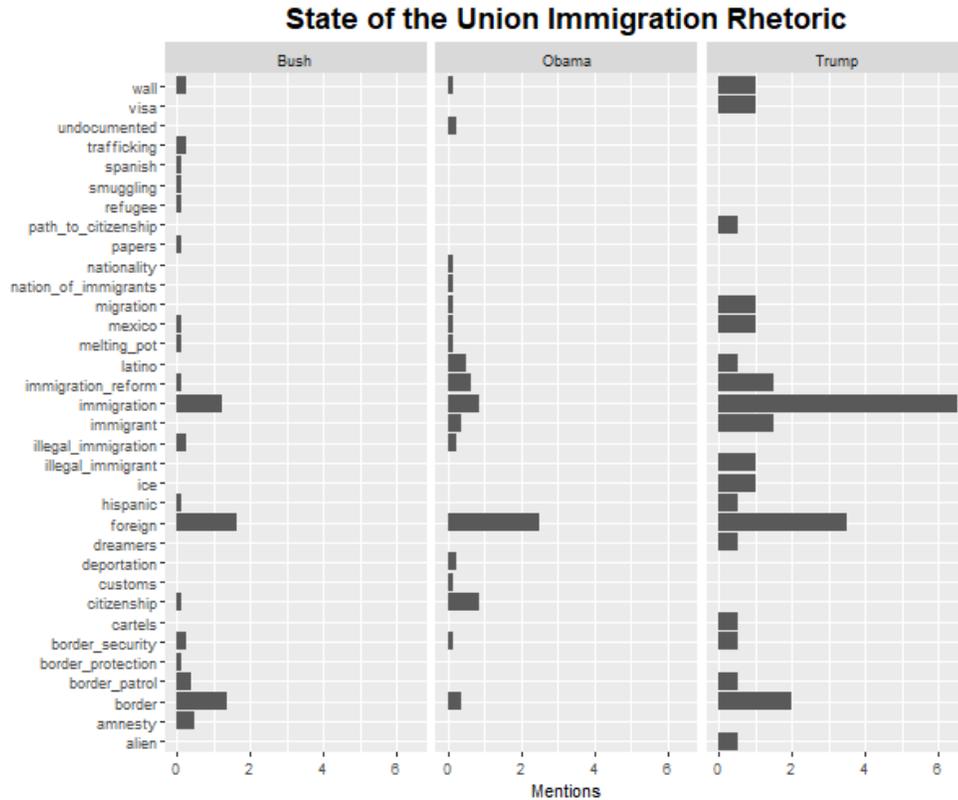


Figure 9: State of the Union remarks on immigration, by President. Annualized counts of references to words relating to immigration: words selected by author; counts calculated from Tatman, Rachael and Liling Tan. 2019. “State of the Union Corpus (1790-2018).” <https://www.kaggle.com/ratatman/state-of-the-union-corpus-1989-2017>

<sup>10</sup> Figure 9: State of the Union remarks on immigration, by President. Annualized counts of references to words relating to immigration: words selected by author; counts calculated from Tatman, Rachael and Liling Tan. 2019. “State of the Union Corpus (1790-2018).” <https://www.kaggle.com/ratatman/state-of-the-union-corpus-1989-2017> Figure 9 does not, of course, provide the definitive record of any President’s thinking, record, or preferences regarding immigration policy. However, I take it as evidence of Obama’s reliance on the prospect of bargaining enforcement for regularization. That assertion, importantly, is corroborated both by claims made by

While this almost certainly does not indicate a belief on Obama's part that walling-off the Southern border was a good in itself, it reflects a willingness to barter far greater enforcement, and to show himself as a willing champion of border security, to attain status for 10 million undocumented immigrants. This willingness is reflected by Obama's frank rhetoric in a 2014 address on immigration:

“When I took office, I committed to fixing this broken immigration system. And I began by doing what I could to secure our borders. Today, we have more agents and technology deployed to secure our southern border than at any time in our history. And over the past six years, illegal border crossings have been cut by more than half” (Obama 2014).

These remarks illustrate Obama's orientation toward border security: whether or not Obama understood the militarization of the southern border as a good in itself, he understood “fixing [America's] broken immigration system as a process that would begin (whether as a practical or political necessity) by securing the southern border. Obama's rhetoric is not dissimilar to George W. Bush's words on immigration:

“We must begin by recognizing the problems with our immigration system. For decades, the United States has not been in complete control of its borders. As a result, many who want to work in our economy have been able to sneak across our border and millions have stayed... Once here, illegal immigrants live in the shadows of our society. Many use forged documents to get jobs, and that makes it difficult for employers to verify that the workers they hire are legal... These are real problems, yet we must remember that the vast majority of illegal immigrants are decent people who work hard, support their families, practice their faith, and lead responsible lives. They are a part of American life but they are beyond the reach and protection of American law” (Bush 2006).

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other scholars (Skrentny 2012; Matos 2020), and by the interpretations of contemporary observers cited throughout this chapter.

In these remarks, border security and rhetoric that valorizes immigrants are fused. While Obama clearly aspired to a broader reconfiguration of the politics of immigration policymaking, he took for granted that that political journey began with a new vintage of the enforcement-for-regularization bargain.

Rather than demonstrate his credibility to wavering moderate Democrats, or to Republicans months away from a House majority, this emphasis on enforcement played Obama into a corner. In the days before the inauguration of the Tea Party Congress, Obama met with Latino lawmakers, including Senator Robert Menendez, who expressed frustration at the DREAM Act's failure to even receive a Senate vote during the Obama administration (Wallsten 2012a). The lesson of the previous two years was clear—there was no Senatorial supermajority for reform—there may not even have been a majority. However, in seeking to demonstrate credibility to Republicans, Obama succeeded in making the status quo unpalatable to his own allies, especially Latinx lawmakers and activists. Indeed, even more moderate allies, like the *New York Times* editorial board, began to pressure Obama to uphold his promises and excoriated him for “swiftly racking up a million deportations” (Rosenthal, et al. 2012). Both public observers and legislative allies encouraged Obama to seek a new strategy: the use of prosecutorial discretion.

Since summer 2011, the administration was semi-publicly floating a “modest” reform (Khim 2011) that would bypass the legislature, and instead emphasizing “administrative review and discretionary deferred action” (Olivas, et al. 2020, 68-69). Paradoxically, Obama's stepped-up deportation regime actually made this modest solution *more* palatable, as the threat of deportation had so grown in the mind of potential beneficiaries. The proposal, moreover, was greeted with some optimism within the Democratic Caucus. That June, ICE director John Morton issued a series of memos encouraging ICE agents to exercise “prosecutorial discretion” and thus avoid

initiating removal procedures against undocumented Americans without criminal records, and above all those who would have benefited from the DREAM Act. By January 2012, two pilot programs—in Denver and Baltimore, had shown to the agency that “many low-priority cases could be identified,” allowing resources to be diverted to removing immigrants with criminal records (Olivas, et al. 2020, 70). However, the policy had strikingly little effect: “fewer than 2 percent” of active removal processes were closed, numbers which fell “far short of expectations...” (Preston 2012a). Moreover, other agencies actually worked to undermine ICE’s initiatives, such as CBP working to impose “more serious consequences” on people it apprehended (Olivas, et al. 2020, 73), including “deep repatriation,” or deporting immigrants to unfamiliar cities in Mexico to deter future migration (Redmon, Guevara, and Compton 2012). In sum, the “Morton Memos” were an embarrassing failure. CBP and ICE were again deporting immigrants apace by June, with consensus from immigrants and “[s]enior-level managers” within ICE agreeing that the surge was motivated by concerns for re-election (Bennett 2012).

I argue that this moment in mid-June 2012 proved politically pivotal, as the failure of discretion within ICE collided with the dynamics of the Presidential election. With Latinxs widely expected to be pivotal in November elections (Barreto and Segura 2014), Jeb Bush publicly urged the GOP to moderate on immigration, in articles that ran alongside reports of ratcheted-up deportation efforts (Rutenberg 2012). The next day, a team of conservative Evangelical notables pressured Romney to endorse a version of the DREAM Act, framing it as a humanitarian and Christian duty (Gabriel 2012). Most importantly, Senator Marco Rubio was, at least in those weeks, considered a contender for Romney’s Vice Presidential nomination. Some observers speculated that, in short order, Rubio would introduce a version of the DREAM Act, and receive the VP nod (Simon 2012; Weiner 2012; Cooper and Gabriel

2012). At that moment, Obama's support amongst Latinos was at its lowest ebb (Newport 2014): his uncertainty on reform was derided as "too little, too late" in a *Washington Post* headline, and the President was visibly frustrated by public challenges from Senator Menendez and immigrants' rights activists. If Obama could be outflanked by Romney on immigration, he was privately warned by Latino lawmakers, he would be vulnerable in November (Wallsten 2012a; Cooper and Gabriel 2012).

Obama's response was suggested to him, at least in part, by a team of legal scholars, who had written to Obama in late May to encourage him to seek "deferred action" for those who would have been eligible for the DREAM Act (Motomura, et al. 2012). DACA, announced on June 15, thus granted that Deferred Action for Childhood Arrivals. The initiative allowed individuals who arrived in the US before age 16, who were under 30, who had resided in the US for at least five continuous years, had attained a high school education and/or an honorable discharge, and had no significant criminal record to apply for deferred action (Napolitano 2012). Beyond regularization, DACA, like the DREAM Act, would allow beneficiaries to receive work permits. Publicly, Obama's announcement of the policy, emphasized beneficiaries' Americanness, good behavior, adherence to social norms, and vulnerability. Toward Congress, Obama was more blunt, emphasizing that DACA was "temporary," and, thus: "Congress needs to act," encouraging "Congress to pass the DREAM Act this year, because these kids deserve to plan their lives in more than two-year increments" (2012). Within the executive branch, DACA also subtly chastised much of the immigration bureaucracy, instructing *both* ICE and CBP to "immediately" begin exercising discretion, in a clear reference to previous ICE agency memos that were actively contradicted by CBP (Napolitano 2012, 2).

Public reaction reflected existing divisions on the policy. Reporters found

jubilant Dreamers, announcing their plans to apply, in local high schools and colleges. A conservative activist publicly challenged the initiative, interrupting Obama’s speech in the Rose Garden (Nakamura 2012). His points were echoed by most elected Republicans (Preston and Cushman 2012). Latinx activists were more skeptical: the executive director of the National Association of Latino Elected Officials said “[p]eople are getting more excited than what really is there.” Other activists celebrated the policy, but acknowledged (in a point echoed by even potential beneficiaries) that the proximate cause of the initiative was the coming November election (Wallsten 2012).

Obama’s most vocal support came from the press. Columnists referred to DACA as a “brilliant” strategic ploy: Obama had signaled his commitment to collecting taxes and securing borders while protecting the Dreamers. But above all, Obama had disarmed the threat of Romney tacking left on immigration (Simon 2012; Weiner 2012). While others argued Romney might still tap Rubio, a Romney moderating on immigration would be *chasing* Obama (Cooper and Gabriel 2012). Contemporaneous coverage prioritized the political strategy of the initiative, with the *Times* and *Post* drastically disagreeing on the number of individuals who could, potentially benefit.<sup>11</sup> Observers, tellingly, focused on the political aptitude of the enactment: it was heralded as “bluntly political,” a “play for a key voting bloc...” in swing states (Wallsten 2012b). DACA, in these columnists’ telling, took the wind out of Romney’s sails (Cooper and Gabriel 2012), who notably avoided discussing DACA on the campaign trail in the first weekend after enactment (Wheaton 2012).

### ***Discussion***

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<sup>11</sup> 800,000 in the former (Preston and Cushman 2012) and 1.4 million in the latter (Constable 2012).

In this re-telling, I emphasize several features of Presidential lawmaking that defined the opportunities and constraints faced by Presidents working to reform immigration policy. Above, I presented a number of avenues that Presidents can use to shape the policymaking process and outlined historical evidence to suggest which can be most relevant for immigration policymaking. I discuss these powers in ascending order of importance.

Obama's legislative powers had deserted him by the time immigration reform returned to the political agenda, and especially after Ted Kennedy's death. Partisan and ideological sorting on immigration policy (see: Figure 3 and Figure 4) had begun apace, and Democratic legislators sensing the coming Tea Party wave proved remarkably unwilling to alienate their moderate, white bases. That is not to say that Obama worked to shepherd the DREAM Act through an unwilling legislature: an important fraction of Democrats—perhaps a near-majority—ultimately supported the President's ambitions. Most prominent among these groups were liberals (who nevertheless shirked key votes) and above all Democrats with family histories of migration. While Obama will be remembered as DACA's champion, Senators Kennedy (an Irish American) and Menendez (a Cuban American) were the DREAM Act's champions. These individual-level explanations, unfortunately, pale in comparison to the numerical determinants of legislative power. As Cameron (2000) notes, Presidential power to shape the legislative process is at its maximum when a narrow Congressional majority works to circumvent a potential Presidential veto. The political negotiations that led to the enactment of DACA were just one example of a broad lesson about Presidential legislative influence learned from 2009 to 2016: the President has relatively little power to change the behavior of an entrenched minority of out-partisan Senators, if the President's party refuses to end the filibuster. The President's capacity to brandish the veto as a threat comes to nothing, in other words,

if Congress cannot even secure cloture on a bill the President would happily sign. With the electoral disaster of 2010 looming, that barrier proved insurmountable.

The unworkable congressional math Obama faced by the end of his first term does not just reflect an unforgiving ideological and partisan climate, but also growing political conflict over the status of immigrants—especially Latinx immigrants. Obama’s choice in timing immigration reform clearly had a role in the failure of the various DREAM acts: Latinx activists were obviously frustrated by their policy concerns “going last,” that is, after prominent initiatives on climate, the economy, and health care. Their suspicions that their panethnicities may have influenced that sequencing are borne out by my narrative of the politics of immigration politics: immigrant groups often found their electoral loyalty did not translate into policy gains. Race, then, compromises the often straightforwardly partisan accounts of the politics of immigration policymaking during the Obama era (e.g. Skrentny 2012). Moderate Democrats, Democrats from monolithically white jurisdictions, or Democrats with less personal commitment to immigration reform, all proved inconsistent—at best—allies in the efforts to enact the DREAM Act. Race—or constituency pressures when race was salient—then, attenuated some mixture of Congressional partisanship, polarization, or party discipline.

To overcome Congressional reticence, and to take the initiative as President, Obama clearly sought to “securitize” immigration policy during the negotiations over the DREAM Act. This is most apparent in Obama’s emphasis on border security during his State of the Union addresses (see: Figure 9). However, Obama gained relatively little from his emphasis on border security. There are three potential reasons for this. The first, and simplest, explanation: Republican demands for greater border security were not motivated by authentic concerns, and were rather an attempt to divide Democrats attempting to tack between Latinx and white voters (as Reagan had

done decades before). A second explanation stems from the difficulty in voters actually apprehending the impact of policy change on issues of border security: many of the white voters pressuring the Democratic party to invest in border security lived in areas that had seen comparatively little immigration, and, as such, were both geographically and contextually insulated from identifying any effects of enforcement (i.e. Hopkins 2010). I emphasize a third explanation: Obama had little ability to emphasize Commander-in-Chief powers during the negotiations that produced DACA, because those powers had already been claimed and centralized by George W. Bush (Skowronek 1993). Obama, thus, *already* enjoyed centralized control of the immigration bureaucracies over and above his predecessors. Precisely because he held that power because of post-9/11 policy changes, Obama's initiative on securitizing immigration policy went largely unnoticed and unremarked on, except by Latinx activists critiquing him from the left.

Obama's successful use of Presidential power occurred in response to electoral pressures and flowed from the universally-accepted point that he bore responsibility for keeping his party's electoral coalition together. His use of Presidential power was, especially, confined to his harnessing and coordinating the immigration bureaucracy. Given the interrelated nature of these powers, I discuss them together. Obama's 2008 election snapped a long trend of declining Latinx Democratic support (Barreto and Segura 2014). As discussed above, that support was eroding by the summer of 2012 (Newport 2014), in a trend that was widely connected to Obama's deportation policy, coupled with the faltering job growth under the Obama administration (Barreto and Segura 2014; see also: Fraga, et al. 2011). When it became clear to Obama that Republican concessions on comprehensive immigration reform or the DREAM Act were unlikely, he worked to modify his heavy deportation regime. As discussed above, Obama's initial efforts to align ICE and CBP faltered, with ICE only halfheartedly

implementing prosecutorial discretion, and CBP agency ramping up more punitive deportation efforts. Indeed, these early efforts to reshape the politics of immigration policy via the bureaucracy proved electoral losers, with Obama being publicly challenged on his deportation record in several prominent instances, including when a Latino member of Congress was arrested for displaying a banner reading “1 million deportations under Obama” (Wallsten 2012a).

As discussed above, Obama routed DACA through the head of DHS, rather than the head of sub-agencies like ICE or CBP, and as such was able to bring both agencies in line. It was bureaucratic centralization, then, that was able to secure the policy change that was so widely celebrated as a political winner in the months that followed. The relative obscurity of the administrative wrangling in the years that preceded DACA, coupled with the lack of a clear judicial resolution on DACA’s constitutionality (Olivas, et al. 2020) meant that the administrative precedent set by DACA was never as widely remarked on, or perceived as politically consequential, when compared to the material consequences for the Dreamers, or for Obama’s political standing within the mass public. I discuss each of these in the subsequent chapters. But first, I review the broader implications of the elite-level politics of DACA’s enactment for this dissertation, and for the study of the politics of public policy.

### ***Conclusion***

In this chapter, I identified how the long-term shift toward Presidential influence on immigration policy collided with several other trends, including partisan/ideological sorting on immigration policy, Congressional stalemate on the question, a diversifying electorate concerned with immigration policy, and the growth and centralization of the national security state after 9/11. These intersecting trends empowered the Obama administration to act, but also meant that they held the lion’s share of responsibility for

addressing both public and elite pressures to break the immigration stalemate.

Obama's initiative caused a number of policy feedbacks. I emphasize the institutional changes in this chapter and consider the policy's impact on beneficiaries in Chapter 3, and on the mass public in Chapter 4. The institutional effects were limited but of great importance. DACA succeeded in harmonizing two agencies that, as can be seen, were often at cross purposes. In doing so, DACA enabled Obama to centralize enforcement of immigration policy to the extent that he was able to implement prosecutorial discretion far more than in the abortive Morton Memos.

Scholars of the politics of public policy have emphasized that, given the numerous veto points, strong decentralization, and overlapping policy institutions that define the American policymaking state, that building durable policy reforms is a rare and defining accomplishment in American politics (Skocpol 1992; Hacker 2002; Patashnik 2008; Mettler 2016). DACA is, I emphasize, not one of those trailblazing reforms. Nevertheless, it redirected the behavior of several large, powerful bureaucracies. In American politics, this represents a real policy achievement on Obama's part, despite the assault the initiative has been under since then. Securing cooperation between the various DHS sub-agencies is a well-established institutional policy feedback, a clear "coordination effect" outlined by Pierson in his seminal review essay outlining policy feedback mechanisms (1993, 607).

Identifying coordination between two executive branch agencies is not, again, a particularly striking or novel policy feedback. As outlined in the previous chapter, this dissertation contributes to understanding of the politics of public policy by tracing the potential for policy to operate differently on different levels of the polity. In subsequent chapters, I will unspool how these limited, positive institutional effects had negligible-to-negative beneficiary effects, and positive effects in the mass public that dissipated almost instantaneously. Thus, while DACA reoriented briefly political

institutions in a manner that befitted Obama’s long-term policy goals, it clearly ran aground as a broader political project—despite near-universal understanding that DACA was electorally and politically motivated. In short, the contribution of this chapter to policy feedback scholarship will become clearer when the altogether different feedback effects that occurred in other parts of the political system are reviewed in subsequent chapters.

This chapter lacks the space and scope to discuss whether the expanded and coordinated efforts of CBP and ICE shaped immigration politics leading into the Trump administration. There are reasons to expect that they would: expanding the power of the immigration security apparatus to apprehend and deport undocumented immigrants is, perhaps, the most readily identifiable policy priority of the Trump administration. There are, however, reasons to expect that those institutional investments could unravel in subsequent years. The Trump administration’s abrupt, capricious efforts to repeal DACA (Olivas, et al. 2020) illuminate the difficulty of cross-branch coordination in the best of times. The slapdash, inexpert, and understaffed policy efforts of the Trump administration (Rabe, Thompson, and Wong 2020) could well have been enough to prevent the administration from harnessing the consolidated (if not actually increased) powers of DHS to implement the administration’s immigration law enforcement preferences. I consider both of these possibilities in greater detail in the conclusion of this dissertation.

## CHAPTER 3

### HOW DACA SHAPED THE POLITICAL IDENTITIES OF THE DREAMERS

#### *Introduction*

DACA's effects on the Dreamers differed strongly from its influence on the political elites who devised the policy and the institutions who carried it out. In this chapter, I unspool a more familiar account of policy feedback—identifying and tracing a causal link between public policy beneficiary status and political attitudes and behavior. As in the previous chapter, those effects occurred within the context of existing political dynamics (in this case, long-enduring, intersectional inequalities). Unlike the previous chapter, there is little evidence that—despite DACA's enormous importance for the political, social, and economic position of the Dreamers—DACA shaped the politics of those who benefited from it. In this chapter I trace how DACA shaped the political attitudes and identities of the vulnerable, marginal community of young Americans that benefited from the policy. In doing so, I present the first piece of evidence of DACA's deeply equivocal, multi-level feedback effects.

Scholars in the social sciences increasingly study the multidimensional forms of inequality faced by the population of young undocumented immigrants to the United States. Most members of this group did not intentionally migrate to the United States, and many do not learn they lack legal status until adolescence (Gonzales 2016). Yet, they face increasingly prominent social inequality, such as economic marginality, social precarity, and poor reported health (Enriquez, Morales, and Ro 2018; Gonzales 2016; Gonzales, Suárez-Orozco, and Cecilia 2013; Vaquera, Aranda, and Sousa-Rodriguez 2017). Despite these vulnerabilities, the young and undocumented often avoid seeking support from the state, instead concealing their status to reduce risk of deportation (Prieto 2018; Asad 2020).

President Obama's 2012 Deferred Action for Childhood Arrivals (DACA),

explicitly sought to remedy these manifold inequalities, by providing a tenuous path to legal status and workplace protections for these young Americans (since termed the Dreamers)(Obama 2012). The initiative began when Janet Napolitano, then Homeland Security Secretary, issued a memorandum directing prosecutors to defer prosecution of individuals who had been in the US without authorization, were under the age of 30, had arrived in the US under the age of 16, and lacked a criminal record, among other criteria (see: Chapter 2). The order, additionally, provided for those eligible, who had not yet had removal orders initiated by the US, to apply for work permits (Napolitano 2012). The initiative has had positive public health (Hainmueller, et al. 2017; Patler and Pirtle 2018; Venkataramani, et al. 2017) and labor market (Amuedo-Dorantes and Antman 2016; 2017; Pope 2016) effects on the Dreamers. However, subsequent uncertainty about DACA's future—coupled with wide anticipation of its rescission—seems likely to have compromised these benefits (Patler, et al. 2019; Venkataramani and Tsai 2017). Such studies, though, provide limited insight into whether DACA shaped the senses of marginality, efficacy, and fractured identities that structured the precarious position of the Dreamers. Extensive research into public policy has provided evidence that policies that work to ameliorate inequality shape the political attitudes and identities of beneficiaries. Generous enactments can inculcate feelings of efficacy and belonging in beneficiaries (Campbell 2003; Mettler 2005); while burdensome and paternalistic policies can undermine those feelings (Soss 1999; Michener 2018). DACA, undeniably, exhibits both qualities, leaving open my research question: how has DACA's efforts to attenuate immigrant marginality shaped the political attitudes and identities of those eligible?

To resolve these contradictions, I analyze public opinion data from surveys that over-sample people of color in the United States. I use methods common in studies of the effects of DACA to identify individuals who meet eligibility criteria in

existing datasets (Hainmueller, et al. 2017; Amuedo-Dorantes and Antman 2017). As discussed above, DACA's age of arrival eligibility criteria enable me to most directly identify the effect of DACA eligibility on individuals' political identities. Moreover, the enactment and retrenchment of the program enable me to test the stability of that effect over time. Thus, I employ two primary methodologies in my analyses. I implement regression discontinuity designs, which identify causal effects by comparing levels of various dependent variables across nearest neighbors (here, those with narrowly different ages of arrival). I also examine over-time variation, by conducting those same tests shortly prior to DACA's enactment (i.e. placebo tests) and in the years after DACA's enactment and retrenchment, which enable me to measure the stability of those effects. Comparing similarly situated individuals across eligibility windows (Hainmueller, et al. 2017) and subsetting datasets to identify potential beneficiaries (Amuedo-Dorantes and Antman 2017) are common analytical strategies among scholars who study DACA. Furthermore, they enable me to concretely identify the causal effect of eligibility on individuals' political attitudes, and thus, the influence of DACA on the Dreamers' perceptions of the manifold inequalities they face.

I present tentative evidence of insignificant-to-negative beneficiary-level effects there is no evidence that DACA eased political incorporation of immigrants (either by increasing American identity or solidarity with other immigrant groups). In contrast, DACA appears to have potentially catalyzed political alienation in some beneficiaries, relative to those most narrowly ineligible. The caution with which I approach these conclusions is not due to the inconsistency of the results, but rather the size of the ns that produce them. Taken together, I argue that these pieces of preliminary evidence gesture toward the conclusion that DACA—and potentially the political quagmire that emerged after enactment (discussed in greater detail in Chapter 5)—alienated an already marginalized and precarious community of young

Americans, while fracturing the potential for immigrant solidarity. In so doing, the policy may have solidified existing inequalities within the community of immigrants, further entrenching burdens faced by Mexican Americans (Garcia-Rios N.D.). These results, of course, come with numerous caveats, which are discussed at greater length below.

The results here trace how racial/ethnic difference is solidified by policy, as even relatively advantaged immigrants (i.e. immigrants officially targeted by the state as deserving tenuous legalization) can be politically alienated by their policy experiences. This chapter—less through the results that it indicates than the theoretical framework in which it operates—illustrates how policy design delineates American civic membership, advancing research into legal definition of “Americanness.” Previous research in American politics has, extensively, presented evidence that belonging in America, group identities, and linked fate, are all shaped and constrained by discrimination and group conflict/threat. This chapter presents preliminary evidence that those constructs, additionally, respond to the (uneven) implementation of policies that *include*, rather than exclude or discriminate against, immigrant Americans. Above all, however, this chapter suggests that the dynamics cited in Chapter 2, wherein DACA was celebrated as a political winner for the Obama administration, and perhaps for Congressional Democrats, did not redound to the benefit of the Dreamers. Thus, my multi-level account of policy feedback allows me to identify the equivocal effect of DACA. While Obama was able to escape out of a political quagmire for a time, there is far less evidence to suggest that the community of young Americans he named in the Rose Garden were, indeed, able to “come out of the shadows.”

***Policy feedback effects on beneficiaries***

This chapter begins with much of the literature cited in Chapter 1, which identified how policy shapes politics. On the broadest possible level, policy change shapes the public's policy preferences (Erikson, Stimson, and MacKuen 2002; Kelly 2009; Fording and Patton 2019). Moreover, political conflict over one kind of policy can instigate contestation over another policy (Fox 2019). Scholars increasingly study how policy shapes activist organizations: policy change can strengthen or weaken organizational actors that participate in policy conflict (Campbell 2003; Skocpol 1992; Frymer 2008; Goss 2013). Policy also shapes the state's capacity to implement other policies (Hacker 2002; Kingdon 2011; Lieberman 2005; Patashnik 2008). Most relevant for this chapter is scholarship that shows that policies create political constituencies. Specifically, policies create mass-level political constituencies (Campbell 2003), and meso-level constituencies of activists and organizations (Schmid, Sewerin, and Schmidt 2019), even when they fail (Druckman, Rothschild, and Sharrow 2018). These actors can advocate against retrenchment, for expansion of benefits, or for entirely different kinds of policy. The design of one specific policy can, for example, shape individuals' perceptions of the broader policy landscape (Ellis and Faricy 2019). These latter strands of scholarship—that traces how individuals come to understand the state, their relationship with the state, and the character of American public policy—most shape my theory of the beneficiary-level consequences of immigration policy, so I review them in subsequent paragraphs.

Policy design, most intuitively, shapes individuals' evaluation of a policy (Jacobs and Mettler 2018). However, pervasive myths and misunderstandings about a policy can survive attempts at reform (Soss and Schram 2007; Michener 2018). The most influential scholarship on policy feedback, especially, focuses on how variation in policy design shapes the political behavior of beneficiaries. Specifically, generous policies prompt political participation (Skocpol 1992; Campbell 2003; Mettler 2005;

Erkulwater 2019), while restrictive and burdensome policies decrease it (Soss 1999; Michener 2018; Soss, Fording and Schram 2011). The link between politics and individuals' senses of their citizenship is sensitive to policy design: delivery mechanisms, eligibility criteria, and the behavior of bureaucrats all shape individuals' perceptions of the state (Mettler 2011; 2018; Michener 2018; Soss 1999), especially when they are relatively uninformed about politics (Lerman and McCabe 2017). These effects, most commonly, are studied through their influence on civic engagement (Mettler 2005; Weaver and Lerman 2010; Michener 2018). The link between policy design and citizenship/civic engagement is mediated, in the most recent accounts, by organizations, who shape members' understanding of policies, and bolster their efficacy when engaging with policy bureaucracies (Goss, Barnes, and Rose 2019; Michener 2018; 2019a).

Much of the scholarship on the relationship between policy experiences and citizenship are derived from studies of social welfare policy, and, more recently, criminal justice policy (Lerman and Weaver 2014; Baumgartner, Epp, and Shaub 2018). Experiences with restrictive and burdensome policies, as discussed above, diminish civic engagement. Those experiences, moreover, undermine individuals' perceptions of the democratic character of the state (Lerman and Weaver 2014; Soss and Weaver 2017; Weaver, Prowse, and Piston 2020). These policy experiences, of course, are strongly related to institutionalized white supremacy, patriarchy, and ethnonationalism in the US. As such, demeaning experiences with policy reinforce racial (Weaver 2003; Lipsitz 2006; Soss, Fording, and Schram 2011), gendered (Skocpol 1992), and intersectional inequality (Mettler 1998; Erkulwater 2019). Generous policies--that is those that bequeath valuable and prominent benefits, while *also*, avoiding overly intricate eligibility criteria, inculcate feelings of deservingness in beneficiaries (Skocpol 1992; Soss 1999; Campbell 2003; Schneider and Ingram 1993;

Mettler 2005). Because such policies are, often, allocated based on individuals' social group memberships (age, gender, physical ability, etc.), policies can politicize group identities (Skocpol 1992; Campbell 2003; Erkulwater 2019). In such cases, individuals come to believe that their benefits/protections are emblematic of their deserving social status more broadly—a belief that shapes how they engage in politics.

Above, I emphasized that these insights were generated primarily from research into social policy. Why might these relationships also be expected when immigration policy, rather than social policy is considered? Even as scholarship on immigration policy has grown, the research program has remained quite separate from policy studies generally, which has, in particular, considered the welfare state (Filindra and Wallace Goodman 2019, 3). There are numerous reasons to expect insights from the politics of social policy to generalize to immigration policy. First, and most simply, social policy and immigration policy are intertwined: hostility toward immigrants has shaped the character of the American welfare state for decades (Fox 2019; King 2000). Second, both families of policy are made at the local, state and federal level simultaneously (Creek and Yoder 2012), responding to changes in both the policy environment, partisanship, and ideology (Reich 2019). Similarly, both policy domains formed important elite-level political cleavage throughout American history, requiring complex coalitional politics for reform (Tichenor 2002). At the state level, immigration policy responds to similar organized influence as social policy (Collingwood, El-Khatib, and O'Brien 2019). Those state-level policy changes appear sensitive to racial demographics, similarly in magnitude, though in different ways (Filindra 2012) to social welfare policy (Soss, Fording, and Schram 2011). Though there is evidence that some Americans know little about immigration policy (Hopkins, Sides, and Citrin 2018) like other policy domains (Delli-Carpini and Keeter 1996; Achen and Bartels 2016; Mettler 2011), undocumented immigrants exhibit broadly

high knowledge about immigration policy (Ybarra, Perez, and Sanchez 2019).

Moreover, extensive evidence suggests that immigration policy shapes immigrants' political behavior. Immigration policy—especially—structures immigrant incorporation. At the broadest level, immigration policy structures the definition, requirements, and limits of immigrant incorporation (Jones-Correa 1998; Tichenor 2002; Ngai 2004; Zolberg 2006). Similarly, immigration policy structures how those subject to it conceive of, and interact with, the state (Prieto 2018; Wong, et al. 2020). More evidence exists demonstrating that immigration policy shapes the lives of those subject to it (Gonzales 2016; Gonzales, et al. 2020; Prieto 2018; Asad 2020): as Aptekar puts it. "[a] constellation of recent policies has eroded the rights of immigrants who are not citizens" (2015). Consistent evidence demonstrates that restrictive immigration policy leads to poor self-reported health (Vargas, Sanchez, and Juarez 2017); generous immigration policy can improve health outcomes (Hainmueller, et al. 2017). Finally, there is some evidence that immigrant political attitudes and identities respond to immigration policy (Vargas, Sanchez, and Valdez 2017). For example, restrictive immigration policy can mitigate immigrants' willingness to make legal claims (Abrego 2011; Prieto 2018). Below, I review how scholars have conceptualized and operationalized such variables, which are the dependent variables of this study. Many of those identities are facets of social identity, which I discuss briefly here.

Postwar social science examined identity in great detail, especially as an independent variable (Campbell, et al. 1960). That research grew enormously in recent decades, sparking uncertainty about the measurement and conceptualization of identity (Abelal, et al. 2009; Brubaker and Cooper 2000; Chandra 2006; Lee 2008; Sanchez and Vargas 2016). More consensus exists, however, in the abstract consequences of social identity. When salient, social identity causes pro-group social behavior--

operationalized as discrimination in early studies (Tajfel, et al. 1971; Tajfel and Turner 1979). Studies shaped by this paradigm found that social identity shaped pro-group political behavior (Conover 1988), measured as candidate evaluation (Conover 1984), policy preferences (Conover 1984; Cramer 2016), and political participation (Lacombe 2019). Social identity, importantly, is not unitary: scholars study numerous forms of identities. I review these identities (and related attitudes), their antecedents, and their consequences.

*American identity* encapsulates individuals' emphasis upon, and attachment to, their status as Americans, or American citizens. What, exactly, these identities *mean* is the subject of enduring political contestation (Schildkraut 2010; Sides, et al. 2018; Abrajano and Hajnal 2015). American identity is quite high among the native-born (Schildkraut 2010), and develops reliably among immigrants to the US, correlated with generation in the United States (Garcia-Rios N.D.; Fraga, et al. 2011). Feelings of exclusion may (Schildkraut 2010; Garcia-Rios, N.D.) or may not (Fraga, et al. 2011) moderate this acquisition. Individuals' panethnic group memberships shape their attachments to the *content* of their American identity--i.e. nationalism, ethnonationalism, or patriotism (Pérez, Deichert, and Engelhardt 2019; Jardina 2019). American identity causes different political behaviors in identifiers, contingent upon group position in the racial hierarchy (Carter and Pérez 2016), and individuals' beliefs about how national identity can be attained (Wallace Goodman and Alarian 2019). American identity denatures political conflicts between Americans (Levendusky 2018) but can have amorphous policy-preference consequences (Schildkraut 2010).

*Ethnic or Panethnic group identity* is one of the most essential measures of social identity in political science. In several influential studies, ethnic or panethnic identities have been conceptualized as individuals' perceptions of their group's utility in economic and political competition (Dawson 1994; Weller and Junn 2018).

Individuals' attachment to, and the salience of, their ethnic/panethnic identities is often understood to stem from perceived discrimination (Gest 2016; Junn and Masuoka 2008). Differences in groups' perceived discrimination (Berry, Cepuran, and Garcia-Rios 2020) structure the group differences in panethnic identity (Junn and Masuoka 2008). Group identity may flow from individuals' exposure to coethnic social movements (Lee 2002; Zepeda-Millán 2017; Garcia Bedolla 2005), or their daily experiences of contact with co-ethnics (Wilcox-Archuleta 2018). These attachments substantially shape Americans' political behavior. Partisanship (Green, Palmquist, and Schickler 2002; Hajnal and Lee 2011; Jardina 2019; Kuo, Malhotra, and Mo 2016; Ocampo, Dana, and Barreto 2018) and group-oriented policy preferences (Masuoka and Junn 2013; Jardina 2019) are catalyzed by these identities. Vote choice (Jardina 2019), especially in elections featuring co-ethnic or co-racial candidates (Petrow, Transue, and Vercellott 2017) also respond to racial/ethnic identity. Those constructs also predict participation (Garcia Bedolla 2005), and especially turnout (Barreto 2007; Valenzuela and Michelson 2016; Ocampo, Dana, and Barreto 2018). Recent scholarship suggests that, to be politically meaningful, Americans must negotiate the salience of racial/ethnic identities alongside other identities (Cortez 2017; Garcia-Rios N.D.).<sup>12</sup>

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<sup>12</sup> This chapter, primarily examines the levels of ethnic and panethnic identities exhibited by foreign-born Americans. Ethnic (Anderson 1990) and panethnic (Ngai 2004; Beltrán 2010) categories are, themselves, outcomes of intense political contestation. Examination of these identities is not meant to reify these categories, but rather to examine how each of these categories matters in complicated ways to Americans.

*Ethnic or Panethnic group consciousness* is another, much older variable measuring politicized group identity. Much of the scholarship on the subject was originally developed to explain the breadth of African Americans' concern for group equality in the face of white supremacy. Group consciousness captures an individual's sense of "loyalty, devotion, and pride" (Brown 1931, 90) to their social group. More recent formulations emphasize consciousness as an individuals' sense of shared status among group members, and a sense that collective action should redress it (Chong and Rogers 2005). Individuals espousing group consciousness feel similar to fellow group members, differentiated from out-group members, and believe that inequality exists between members and non-members (Cramer 2016). Individuals high in group consciousness are more likely to be co-partisans with coethnics (Dawson 1994; Hajnal and Lee 2011; Jardina 2019), to endorse policies that help the group (Chong and Kim 2005; Jardina 2019), and to participate in politics (Garcia Bedolla 2005; Chong and Rogers 2005).

A closely related (Lee 2008; McClain, et al. 2009) construct, *linked fate*, captures individuals' sense that their personal individual fate is linked with the fate of the group (Dawson 1994). Individuals avowing this link are particularly likely to engage in pro-group collective action. Senses of linked fate can be compromised by heterogeneity in group status (Gay 2004; Cohen and Dawson 1993; Lopez Bunyasi and Smith 2019). Recent scholarship has suggested that, across large racial/panethnic groups, levels of linked fate are quite high (Gershon, et al. 2019). While I focus on racial/ethnic linked fate due to the policy in question, gender (Ruppanner, et al. 2019), and intersectional linked fate (Cohen 1998; Campi and Junn 2019; Moreau, Nuño-Pérez, and Sanchez 2019) have important political consequences. Racial/ethnic linked fate, most commonly, is anteceded by inequality (Dawson 1994; Masuoka and Junn 2013). Thus, Black and Latinx Americans espouse the most (Gay, Hochschild, and

White 2016; Marsh and Ramírez 2019). Political incorporation is associated with lower levels of linked fate (Sanchez, Masuoka and Abrams 2019), as are differential policy experiences within panethnic groups (Zepeda-Millán 2017). Intuitively, negative policy experiences bolster linked fate (Vargas, Sanchez, and Valdez 2017), suggesting why levels of linked fate fluctuate generationally (Smith, et al. 2019), and throughout the life span (Cohen 2010). Linked fate shapes people of color's partisanship (Dawson 1994; Lei, Conway, and Wong 2004), and whites' voting behavior (Berry, et al. 2019; Petrow, Transue, and Vercellott 2017; Schildkraut 2017). Linked fate increases support for policies that help the group (Dawson 1994; Masuoka and Junn 2013; Jardina 2019; Chong and Kim 2006; Masuoka and Junn 2013). Linked fate can bolster participation (Tate 1993), especially among marginalized Americans (Walker and Garcia-Rios N.D.)

*Political alienation* and *interest* are—intuitively—widely used measures of individuals' engagement with politics and orientations toward the state. The two variables are often seen as measuring the spectrum of orientations toward the state, with interest measuring positive orientations, and alienation negative orientations. Most simply, inequality catalyzes a sense of political alienation (Benjamin 2019). Group consciousness (see above) is broadly theorized to bolster political interest (Lee 2002). However, that link not present in Native Americans (Herrick and Morehouse Mendez 2019). This, coupled with influential survey research, seems to suggest that extreme racial and economic inequality (Cohen and Dawson 1993) can denature the relationship between group consciousness and political interest. Moreover, exposure to predatory and punitive state institutions undermines interest in formal state institutions and exacerbates political alienation (Lerman and Weaver 2014; Weaver and Soss 2017; Weaver, et al. 2020). Strong senses of group solidarity may moderate that relationship (Walker and Garcia-Rios N.D.). The fact that young adults

disproportionately face these antagonists (i.e. the carceral state) produce reliable age differences in political interest/alienation in people of color (Cohen 2010). Perceptions of belonging increase political interest (Ocampo 2018; Schildkraut 2010). Individuals who are interested in politics, and who have not suffered intense alienating experiences are more likely to participate (Verba, Schlozman, and Brady 1995; Cohen and Dawson 1993; Ocampo 2018; Cohen and Luttig 2019), consume political media (Zaller 1992; Bail, et al. 2019), and run for office (Lawless and Fox 2015).

### ***A theory of beneficiary-level immigration policy feedback***

In this paper I argue that no matter the precise formulation of DACA, or how it was ultimately perceived by potential beneficiaries, that DACA would be uniquely poised to structure the attitudes and identities of the Dreamers. First and foremost, DACA would structure the future deportability of recipients: numerous accounts point to perceived risk of deportation as structuring immigrants' relationship with the state (Menjívar and Abrego 2012; Gonzales 2016; Prieto 2018; Asad 2020; Gonzales, et al. 2020). Next, DACA would be many of the Dreamers' most formative engagement with the American bureaucratic state (Gonzales 2016; Gonzales, Terriquez, and Rusczyk 2014). As such, the initiative would be uniquely poised to inform how the Dreamers engaged with the American state in the future. Finally, DACA would, I argue, structure the Dreamers' understandings of racial/ethnic inequality in the US. Extensive research indicates that Asian and especially Latinx immigrants understand their position in the United States as contingent upon American immigration policy (Masuoka and Junn 2013; Zepeda-Millán 2017; Berry, et al. 2020). In short, DACA eligibility would structure the Dreamers' perceptions of commonality with, or distance from, co-ethnics. As such, I argue that a reform as significant as DACA would, for good or for ill, structure the Dreamers' understandings of their place in racial/ethnic categories and hierarchies in the United States.

Why do I expect DACA to have equivocal effects on respondents' racial/ethnic identities (that is, effects on some identities but not others)? Scholars of racial/ethnic identity (see especially: Zepeda-Millán 2017; Garcia-Rios N.D.) have emphasized that policy threats, by placing greater threats on some racial groups than others, constrain and inform the identifications of racial/ethnic groups in heterogenous ways. In a classic example, Zepeda-Millán found that anti-immigrant legislation that was understood to target Mexican Americans most strongly shaped the social identities of Mexican Americans, sometimes influenced social group solidarities in Latinx Americans, and only rarely influenced the social identities of (even foreign born) Asian Americans. Here, I extend this logic—that racial identities shape and constrain how individuals within racial/ethnic groups in different ways—to policy feedback models. Like Garcia-Rios and Zepeda-Millán, I expect DACA to influence the racial/panethnic/ethnic identities individuals feel the policy implicated. As in both of those studies, if individuals perceived DACA as structuring the group status of (for example) Mexican Americans, I would expect individuals' solidarities and identification with that group to change. I expect the effects documented by these scholars to generalize to other racial/panethnic/ethnic groups. This extends the literature of policy threats to policy feedback research, itself an advancement of REP and research into the politics of public policy.

If Dreamers of a particular ethnic/panethnic group experienced this crucial initiative as empowering, beneficial, and welcoming, I induce that it would have aided their political incorporation. I draw on the policy feedback scholarship reviewed above to make this claim, as well as scholarship on the political behavior of immigrant Americans who feel "welcomed" to the US (Ocampo 2018; Schildkraut 2010). Of course, how policy is perceived influences its effect on beneficiaries. To allow for this effect, I examine different ethnic/panethnic groups' responses to the policy separately.

If those Dreamers experienced DACA as a generous and beneficial policy, I would expect to observe the following implications:

- **Higher reported American Identity** in beneficiaries relative to those most narrowly ineligible. I would expect the Dreamers to respond to a generous and beneficial policy granted to them by the American government with a sense of gratitude and welcome. This would be consistent with scholarship identifying American identity in immigrants as responding to an absence of felt hostility from the state (Ocampo 2018; Schildkraut 2010).
- **Lower reported Panethnic Identity** and **Higher reported Ethnic Identity** in beneficiaries relative to those most narrowly ineligible. If the Dreamers had their lot in life significantly eased by their newfound legal status, I would expect their sense of implication in hostile immigration politics to decrease. Existing research suggests that Ethnic and Panethnic identities compete for salience in Asian and especially Latinx Americans (Wong, et al. 2011; Garcia-Rios N.D.), and that sense of panethnic identity respond, in these groups, to the most urgent anxieties around discrimination (Zepeda-Millán 2017).
- **Higher reported political interest** in beneficiaries relative to those most narrowly ineligible. I would expect the Dreamers to take a generous and beneficial policy granted to them by the American government as a tacit permission to engage in American politics. Existing research indicates generous policies bolster political engagement (Mettler 2005; Campbell 2003) in citizens, and that extending welcomes to immigrants bolsters their political interest (Ocampo 2018; Schildkraut 2010).

If the Dreamers experienced DACA as hostile, burdensome, and paternalistic, I induce that it would have hindered their political incorporation. I draw on the "policy feedback" scholarship reviewed above to make this claim, as well as scholarship on

the political behavior of immigrant Americans responding to "policy threats" (Zepeda-Millán 2017). If the Dreamers experienced DACA as a burdensome, threatening policy, I would expect to observe the following implications:

- **Lower reported American Identity** in beneficiaries relative to those most narrowly ineligible. If the Dreamers felt that the policy that most strongly structured their life chances in the US did so for the worst, I would argue that they would experience that policy change as a form of hostility, or even violence (Menjívar and Abrego 2019). Existing scholarship indicates that such feelings reduce American identity (Ocampo 2018; Schildkraut 2010; Pérez, et al. 2019).
- **Higher reported Panethnic Identity** in beneficiaries relative to those most narrowly ineligible. If the Dreamers felt that DACA added unwelcome burdens to their lives, I would expect them to experience DACA as part of a burgeoning climate of anti-immigrant policies (Aptekar 2015) experienced by Latinx (Beltrán 2010) and Asian (Ngai 2004; Espiritu 1992) American panethnic constellations. Experiencing these shared threats as a group would, I argue, bolster Dreamers' senses of situation in those panethnic groups, and thus, their identification with this category.
- **Lower reported political interest** in beneficiaries relative to those most narrowly ineligible. I would expect the Dreamers to take a burdensome and hostile policy as a sign that they were not valued by the American state. Existing research indicates generous policies that disseminate such messages undercut political efficacy in beneficiaries (Soss 1999; Michener 2018), and that experiences with exclusion reduce political interest in immigrants (Schildkraut 2010). I would expect these effects to generalize to DACA, were it experienced as burdensome and paternalistic.

There is, of course, a strong possibility that individuals within at least some ethnic/panethnic groups would experience DACA as of equivocal benefit. My analyses included here cannot, it must be said, differentiate between a policy with strong, yet equivocal effects (deeply beneficial for some individuals, deeply harmful for others) from a policy with null effects. While I acknowledge this limitation, I emphasize that the extensive research cited above on the importance of DACA for beneficiaries prompts me to term this limitation a relatively minor one.

### ***Data and Methods***

A central challenge in analyzing the impact of DACA eligibility on the political attitudes and identities of the Dreamers is the difficulty of surveying that population. All of the analyses included above, to my knowledge, are based on administrative data, or, more commonly, on in-depth qualitative research with Dreamers, typically contacted through an advocacy organization. However, the Dreamers are surveyed relatively often in public opinion surveys that oversample people of color (especially Latinx immigrants)—provided that the population of interest is adults in the United States, rather than citizens. One such survey, the American Identity and Representation Survey (AIRS), fits neatly into this category. Furthermore, the survey is uniquely well-served to examine the effects of DACA on the political attitudes of beneficiaries. The survey was fielded in October of 2012 (Schildkraut 2012), a few months after Obama's announcement of the initiative (2012). Participants were recruited from a GfK "probability-based web panel" aiming to represent non-institutionalized adults in the US To oversample Black and Latinx Americans, the survey targeted individuals living in "high density minority communities." (Schildkraut 2012, 18). 57% of individuals sampled by GfK to take the survey completed the survey (2015), for a total of 1702 interviews. Of those interviews, 434 were Latinx, and 407 were Asians. In the next subsection, I describe how I subset this

survey (Amuedo-Dorantes and Antman 2017) to identify DACA-eligible individuals, and the most narrowly ineligible.

I also include analysis of the 2016 Collaborative Multi-racial Post-Election Survey (CMPS). The CMPS offers numerous additional benefits, including substantial questions about political attitudes and identity fielded to large samples of people of color in the US. The sample consists of 10,145 respondents contacted by e-mail, including large subsamples of Latinx (2,674), and Asian Americans (2,842) (Barreto, et al. 2018, 201). Because I model groups separately, I analyze individuals who identified as multiracial in all races/(pan)ethnicities with which they identify. Other analyses (Patler, et al. 2019; Venkataramani and Tsai 2017), and a rapidly shifting political environment (Garcia-Rios, et al. 2018; Newman, et al. 2020; Collingwood, Lajevardi, and Oskooii 2019) suggest that the initial interpretive effects of DACA may have shifted strongly over time. Thus, I analyze these datasets separately throughout this chapter.

The analytical strategy of this analysis (described in greater detail below), leverages eligibility cutoffs in DACA to identify the program's causal effect on political attitudes and identities (Hainmueller et al 2017). That analysis, necessarily, conflates the effect of eligibility with the causal effect of the demographic characteristics that criterion measures. For example, differences across the age-of-arrival eligibility criterion could emerge from the effect of the policy, or from differences caused by an individual's age of arrival in the US. To account for this effect, I conduct a placebo test using the 2006 Latino National Survey (LNS). The LNS was a pioneering study of Latinx politics, comprising of 8634 completed interviews of self-identified Latinx/Hispanic Americans residing in the United States. The survey includes similar measures of political attitudes and behavior as the AIRS, and was fielded between November 2005 and August 2006, well before the events and

enactments described early in this manuscript. As such, the survey enables me to identify whether there are causal effects of the demographic variables that determine DACA eligibility independent of the policy itself. As such, I term the analyses derived from the LNS as a placebo test, in that they identify whether the determinants of DACA eligibility, rather than DACA eligibility, are responsible for the causal effects identified here.

As in the above-cited sources, the analyses are subset to include only individuals who meet DACA's non-age of arrival eligibility criteria (e.g. age, levels of education, not already being a citizen). For individuals in the remaining subset, eligibility is measured by being under the age of arrival eligibility cutoff. Individuals whose age of arrival was below 16 were eligible, those whose age of arrival was at or above 16 were ineligible for that reason alone. In the AIRS, 16 Asian American respondents (8 eligible, 8 ineligible), 18 Latinx respondents (8 eligible, 8 ineligible), and 11 Mexican respondents (7 eligible, 4 ineligible) were analyzed. In the CMPS, 347 Asian American respondents (72 eligible, 275 ineligible), 144 Latinx respondents (67 eligible, 77 ineligible), and 87 Mexican respondents (50 eligible, 37 ineligible) were analyzed. In the LNS, 671 Latinx respondents (212 eligible, 459 ineligible), and 237 Mexican respondents (44 eligible, 193 ineligible) were analyzed. Weights were not used in these analyses, as the surveys were weighted toward different populations of interest..

As discussed above, DACA's sharp age-of-arrival-based eligibility cutoff creates sharp differences in program eligibility based on natural, quasi-arbitrary differences in potential beneficiaries. This makes analyses of the effects of DACA eligibility an ideal candidate for a Regression Discontinuity Design (RDD), which "exploit precise knowledge of the rules determining treatment" (Angrist and Pischke 2009, 189). In such circumstances, the absence of an "untreated" control group is

accounted for by making "ex post facto" (Thistlethwaite and Campbell 1960) assumptions about the behavior of individuals who most narrowly missed "treatment" assignment. This analytic method enables me to make use of my knowledge of the criteria that determine receptivity to the effect I study (i.e. DACA eligibility). Other scholars have also implemented regression discontinuity designs to examine the causal effect of DACA eligibility (Hainmueller, et al. 2017), though with different running (i.e. independent) variables. I discuss the limitations of this method in greater detail later in the "limitations" section.

### ***Analysis***

I present tables depicting detailed analyses of my findings in-text. Because the table compares the treatment effect of crossing the eligibility discontinuity at age of arrival = 16, (going from eligible to ineligible, the treatment effects are reverse coded). For example, a positive estimated treatment effect, depicted in the tables below, means that DACA-eligible individuals were lower in the variable in question than those that were nearest and ineligible.

My analysis of the effects of DACA eligibility reveal inconsistent effects of DACA eligibility on American identity (see Table 1). DACA-eligible Asian Americans reported insignificantly increased American identity relative to those ineligible in 2012 and 2016. Among Latinx Americans generally, DACA appears to correlate negatively with American identity; the effect was positive but indistinguishable from zero in 2016. Among Mexican Americans, American identity is lower in the eligible than the ineligible, though the point estimates are not statistically significant. The signs on the placebo tests for Latinxs (estimates calculated using the 2006 LNS) are insignificant and carry the opposite signs as the other estimates.

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**Table 1: American Identity (Note: Treatment Effects reverse-coded)**

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	CMPS: Asians	CMPS: Latinxs	CMPS: Mexicans	LNS: Latinxs	LNS: Mexicans
Treatment Effect	-0.247	-0.073	0.341	-0.319	-0.368
	(0.183)	(0.259)	(0.363)	(0.242)	(0.314)
Observations	358	162	96	314	237
R <sup>2</sup>	0.024	0.012	0.019	0.040	0.029
Adjusted R <sup>2</sup>	0.016	-0.007	-0.013	0.031	0.016
F Statistic	2.908** (df = 3; 354)	0.628 (df = 3; 158)	0.597 (df = 3; 92)	4.361*** (df = 3; 310)	2.306* (df = 3; 233)

Note:

\*p<0.1; \*\*p<0.05; \*\*\*p<0.01

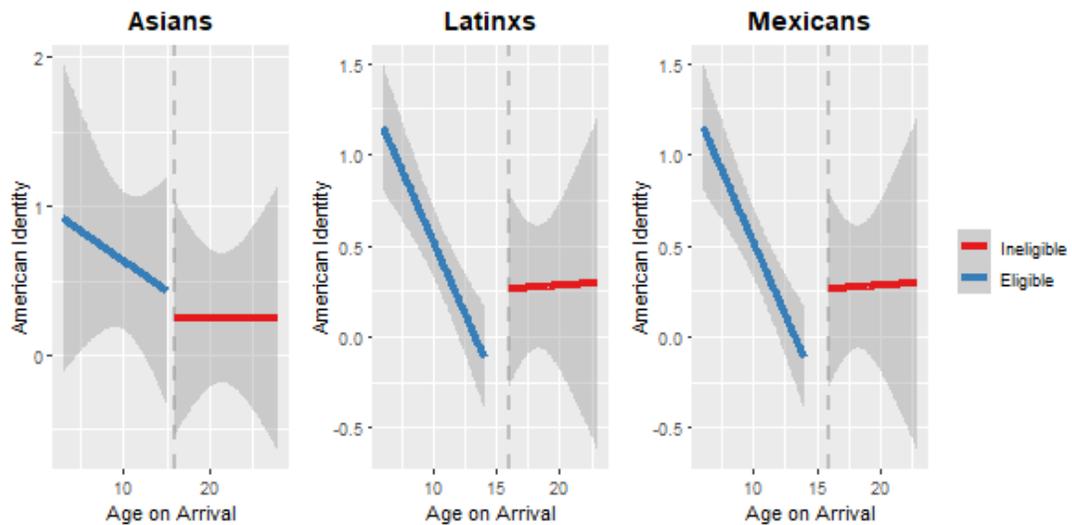


Figure 10: Descriptive analysis of the relationship between American identity and DACA eligibility. Source: 2012 AIRS.

DACA eligibility does not appear to cause significant changes in respondents' panethnic identities (see Table 2). DACA-eligible Asian Americans reported insignificantly lower American identity relative to those ineligible in 2012 and 2016. The relationships are identical among Latinx Americans. The signs of each test differ among Mexican Americans. The signs on the placebo tests for Latinxs (estimates calculated using the 2006 LNS) are insignificant and carry the same signs as the other

estimates.

**Table 2: Panethnic Identity (Note: Treatment Effects reverse-coded)**

	CMPS: Asians	CMPS: Latinxs	CMPS: Mexicans	LNS: Latinxs	LNS: Mexicans
Treatment Effect	0.057	0.204	0.218	0.220	0.221
	(0.192)	(0.195)	(0.241)	(0.164)	(0.211)
Observations	358	162	96	314	237
R <sup>2</sup>	0.007	0.009	0.049	0.027	0.028
Adjusted R <sup>2</sup>	-0.002	-0.010	0.018	0.018	0.016
F Statistic	0.813 (df = 3; 354)	0.468 (df = 3; 158)	1.589 (df = 3; 92)	2.871** (df = 3; 310)	2.258* (df = 3; 233)

Note:

\*p<0.1; \*\*p<0.05; \*\*\*p<0.01

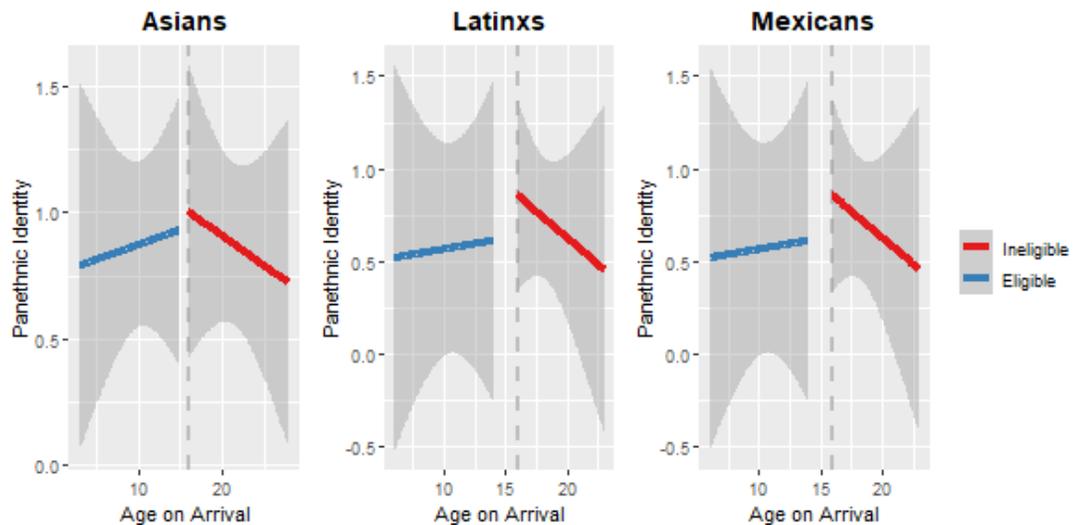


Figure 11: Descriptive analysis of the relationship between panethnic identity and DACA eligibility. Source: 2012 AIRS.

DACA eligibility does not appear to cause significant changes in respondents' ethnic identities (see: Table 3). DACA-eligible Asian Americans reported insignificantly higher national heritage identity attachments relative to those ineligible in 2012 and 2016. The relationships are similarly inefficient, but of opposite signs

among Latinx and Mexican Americans. The signs on the placebo tests for Latinxs (estimates calculated using the 2006 LNS) are insignificant and carry the same signs as the other estimates.

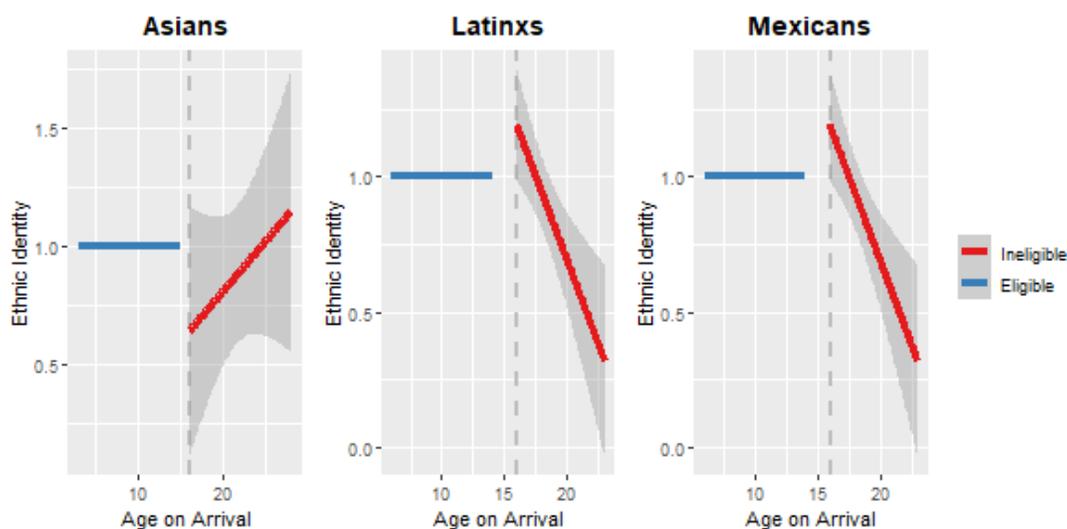


Figure 12: Descriptive analysis of the relationship between ethnic identity and DACA eligibility. Source: 2012 AIRS.

**Table 3: Ethnic Identity (Note: Treatment Effects reverse-coded)**

	CMPS: Asians	CMPS: Latinxs	CMPS: Mexicans	LNS: Latinxs	LNS: Mexicans
Treatment Effect	-0.002 (0.184)	0.327 (0.210)	0.286 (0.250)	0.186 (0.161)	0.226 (0.196)
Observations	358	162	96	314	237
R <sup>2</sup>	0.010	0.028	0.067	0.005	0.006
Adjusted R <sup>2</sup>	0.001	0.010	0.037	-0.005	-0.007
F Statistic	1.178 (df = 3; 354)	1.528 (df = 3; 158)	2.202* (df = 3; 92)	0.483 (df = 3; 310)	0.488 (df = 3; 233)

Note:

\*p<0.1; \*\*p<0.05; \*\*\*p<0.01

DACA eligibility does not appear to cause significant changes in respondents' panethnic linked fate (see: Table 4). In 2012, DACA-eligible Asian, Latinx, and Mexican Americans reported insignificantly higher panethnic linked fate than those

ineligible. The effects were similarly insignificant in 2016, though of opposite sign. The results of the 2006 placebo tests were insignificant and inconsistent between Latinx and Asian Americans.

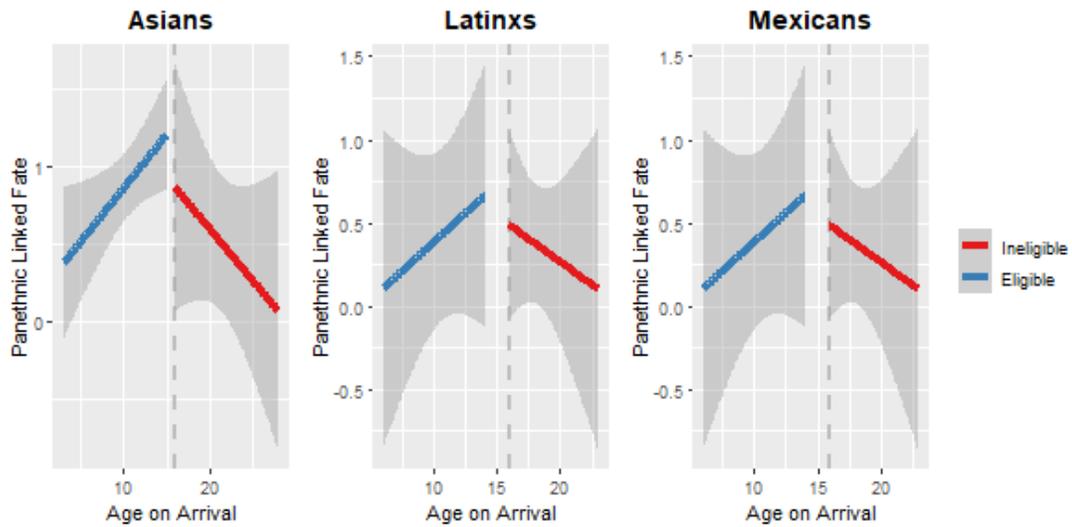


Figure 13: Descriptive analysis of the relationship between panethnic linked fate and DACA eligibility. Source: 2012 AIRS.

**Table 4: Panethnic Linked Fate (Note: Treatment Effects reverse-coded)**

	CMPS: Asians	CMPS: Latinxs	CMPS: Mexicans	LNS: Latinxs	LNS: Mexicans
Treatment Effect	0.118 (0.116)	0.070 (0.145)	0.193 (0.180)	0.020 (0.243)	-0.028 (0.308)
Observations	358	162	96	304	229
R <sup>2</sup>	0.041	0.099	0.038	0.006	0.010
Adjusted R <sup>2</sup>	0.033	0.082	0.007	-0.004	-0.003
F Statistic	5.102*** (df = 3; 354)	5.787*** (df = 3; 158)	1.225 (df = 3; 92)	0.575 (df = 3; 300)	0.742 (df = 3; 225)

Note:

\*p<0.1; \*\*p<0.05; \*\*\*p<0.01

While I lack 2012 data on ethnic linked fate, DACA appears not to have had a significant effect on the construct (see: Table 5). In 2016, Asian, Latinx, and Mexican

Americans who were DACA eligible reported insignificantly higher linked fate with their national heritage groups. The LNS placebo tests are of opposite signs, and both are insignificant.

**Table 5: Ethnic Linked Fate (Note: Treatment Effects reverse-coded)**

	CMPS: Asians	CMPS: Latinxs	CMPS: Mexicans	LNS: Latinxs	LNS: Mexicans
Treatment Effect	-0.160 (0.249)	-0.120 (0.370)	-0.336 (0.508)	0.042 (0.217)	-0.006 (0.281)
Observations	358	162	96	298	225
R <sup>2</sup>	0.004	0.047	0.039	0.002	0.005
Adjusted R <sup>2</sup>	-0.005	0.029	0.008	-0.008	-0.009
F Statistic	0.420 (df = 3; 354)	2.595* (df = 3; 158)	1.240 (df = 3; 92)	0.200 (df = 3; 294)	0.359 (df = 3; 221)

*Note:*

\*p<0.1; \*\*p<0.05; \*\*\*p<0.01

My analysis of the effects of DACA eligibility reveal inconsistent effects of DACA eligibility on political interest (see: Table 6). DACA-eligible Asian Americans reported insignificantly lower political interest relative to those ineligible in 2012 and 2016. Among Latinx Americans generally, DACA eligibility correlated negatively with political interest in 2012 (see: Figure 14); the effect was again negative but indistinguishable from zero in 2016. Among Mexican Americans, political interest appears higher in the ineligible than the eligible in 2012 but not 2016 (not significant). The signs on the placebo tests for Latinxs (estimates calculated using the 2006 LNS) are insignificant and carry the opposite signs as the other estimates.

**Table 6: Political Interest (Note: Treatment Effects reverse-coded)**

	CMPS: Asians	CMPS: Latinxs	CMPS: Mexicans	LNS: Latinxs	LNS: Mexicans
Treatment Effect	0.175	0.067	-0.236	-0.105	-0.141

	(0.180)	(0.275)	(0.355)	(0.163)	(0.200)
Observations	358	162	96	305	229
R <sup>2</sup>	0.003	0.013	0.032	0.001	0.003
Adjusted R <sup>2</sup>	-0.005	-0.006	-0.0001	-0.008	-0.010
F Statistic	0.379 (df = 3; 354)	0.700 (df = 3; 158)	0.998 (df = 3; 92)	0.150 (df = 3; 301)	0.232 (df = 3; 225)

*Note:* \*p<0.1; \*\*p<0.05; \*\*\*p<0.01

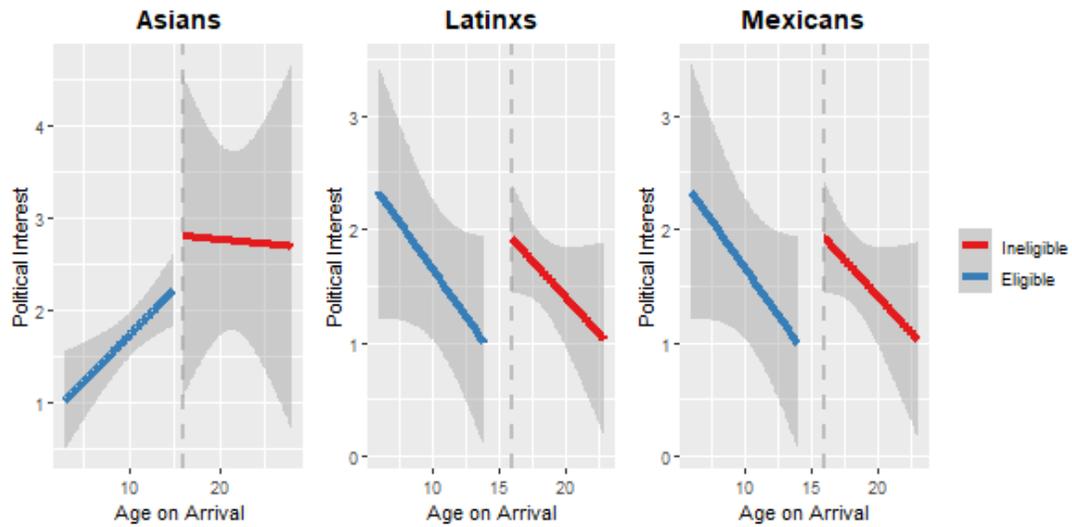


Figure 14: Descriptive analysis of the relationship between political interest and DACA eligibility. Source: 2012 AIRS.

### ***Discussion***

These analyses present tentative evidence that DACA failed to shifted the political incorporation, attitudes, or identities of the Dreamers. The influences of DACA on the political identities of the Dreamers appears to be confined to some broadly inconsistent effects on the political interest of the Dreamers. Those effects, inconsistent as they are, are negative. I present preliminary evidence that DACA eligibility appears to have reduced the political interest of Latinx Americans, and potentially also Mexican Americans, relative to those most narrowly ineligible. The

most immediate implications of these findings are threefold. First, there are no immediate positive effects associated with DACA on the political attitudes, identities, or incorporation of those eligible. Second, there is some preliminary evidence that DACA eligibility caused diminished political interest and American identification in Latinx Americans, and potentially also Mexican Americans. Third, the inefficient and inconsistent effects identified here point to the importance of direct measurement of DACA uptake, with better-powered estimates. Finally, they point to the importance of greater examination on the effects of DACA eligibility on the political and civic engagement of the Dreamers—a common research agenda in immigration politics (Jones-Correa, Al-Faham, and Cortez 2018), but not in studies of DACA.

More generally, these analyses—but more importantly, the theoretical integration of the immigration, identity, and policy literatures that precedes them—point to DACA’s having different effects on different levels of the polity. While these designs lack the capacity to identify precisely *why* DACA failed to catalyze feedback effects, or catalyzed limited, negative feedback in its beneficiaries, I note that these designs present some evidence *that* DACA shaped the politics of beneficiaries quite differently than the elites that set it to paper. I broadly speculate—drawing on existing scholarship—that the absence of a mobilizing, uniting effect of DACA stems from the policy’s high burdens (Soss 1999; Michener 2018), and the sense of broader instability and “limbo” that defined the political lives of beneficiaries within a few short years of enactment (Gonzales 2016; Gonzales, et al. 2016).

This chapter presents some findings that, occasionally, challenge existing findings from beneficiary-level studies of policy feedback: DACA, broadly, benefited beneficiaries, but appears to have some negative effects on group identification and political efficacy. This could reflect the strong constraints for eligibility placed on beneficiaries, and the difficult application process (Gonzales, et al. 2020). I resist

over-interpreting these findings due to the extensive limitations of these analyses, which are described below.

### *Limitations*

There are numerous obvious limitations to this analysis. The first of these is, intuitively, the difficulty of ensuring that the survey reports of DACA eligibility were accurate throughout the surveys analyzed here. My analyses share this difficulty with other scholarship examining socially desirable behavior—though these problems may be compounded by the vulnerable population being surveyed (see above). A second, more unique difficulty, is that my analyses do not allow me to differentiate the causal effect of eligibility from the causal effect of the underlying demographic characteristics that determine eligibility. Phrased differently, my research design’s focus on eligibility criteria means I am unable to differentiate between—for example—the effect of the difference between an individual’s arriving at age 15 vs. 17 from the effect of DACA eligibility itself. I discuss these in turn.

First, the difficulty of quantitatively surveying a vulnerable and elusive population of interest is difficult to remedy after the survey in question has been fielded. I, thus, acknowledge these limitations of my analyses, but maintain that they are a necessary consequence of my population of interest. Moreover, for the overwhelming majority of the period in which the research for this dissertation was being conducted, face-to-face interviews<sup>13</sup> were impossible due to public health constraints. The analyses conducted here should not be thought of as the ideal deductive test of the theory presented in this chapter, but as the best-possible empirical study of an under-studied (and difficult to study) political group, conducted under

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<sup>13</sup> Of the sort conducted in other studies of the attitudes and identities of the Dreamers (Abrego 2008; Abrego and Negrón-Gonzales 2020).

severe constraints.

Secondly, the difficulty of disaggregating the latent effects of program eligibility from the effects of demographics that shape eligibility will be addressed with subsequent research. Specifically, I am in the process of participating in the 2020 CMPS, contributing questions to explicitly identify respondents' DACA eligibility. The 2020 CMPS, moreover, would have included substantial oversamples of young Latinx Americans, increasing the number of Dreamers who would have been interviewed. The small ns here, then, both express political and public health constraints, but also the timing of this dissertation relative to the most recent election.

Finally, the most obvious limitation of my analyses here is that the ns I use are, at times, quite small. As mentioned above, that limitation flows from a series of overlapping, unavoidable constraints, and will be addressed with future research that is currently in the data collection process. This, of course, points to the need for caution when interpreting the results that I present. I do, however, maintain the consistency of the results I present, inefficient as they are, presents a reason to temper that caution.

### ***Conclusion***

This chapter presents several discrete contributions to the study of American politics. First, this study advances studies of immigrant incorporation. Specifically, this study presents tentative evidence that some aspects of immigrant incorporation can be attenuated by policies that are complicated and burdensome, even if they bequeath real benefits to those eligible. This evidence, and especially the theoretical framework from which they are generated, then, advances scholarship, primarily developed to study the welfare state (Mettler 2005; Campbell 2003; Soss 1999; Michener 2018) that social policy can bolster or attenuate civic and political engagement: this chapter provides preliminary evidence that immigration policy can provide similar—if deleterious—effects. Additionally, this chapter builds on existing studies that indicate

that scholarship on immigrant incorporation is the result of a combination of forces, dynamics, and changes that structure individuals' attitudes and behavior: innovative methodological strategies are required to disaggregate these factors (Li and Jones 2019; Garcia-Rios N.D.). Moreover, this chapter contributes to a program of research into political identity formation, the development of linked fate, and individuals' understanding of their belonging in the US (Garcia-Rios, et al. 2018; Ocampo 2018; Masuoka and Junn 2013). Those studies, as I noted above, prioritized the influence of group discrimination and threat (to a lesser extent policy threats) as causes of these identity variables. I present some quantitative evidence—underpowered and inconsistent as it is—and still more reason to theoretically expect that these senses of group identification and belonging actually can respond to policy, not just policy that functions as threat.

This chapter, additionally, contributes to understandings about race and racial inequality in the US. Existing scholarship has shown persuasively how membership in the American polity is strongly conditioned by citizenship law (Smith 1997), or by voting rights (Skocpol 1992; Vallely 2004; Bateman 2018). This chapter presents evidence that immigration policy also conditions individuals' senses of membership and belonging in the US. Future scholarship should explore, in greater detail, how policy, more generally, shapes the potential for various groups to attain civic membership in America. This chapter, additionally, provides limited evidence that immigration policy can structure the social, and especially racial/ethnic identities of beneficiaries. Existing scholarship has shown, compellingly, that racial *categories* were structured by law and policy (King 2000; Ngai 2004): further research should examine how social *identities* are constructed by policy. Finally, this chapter provides numerous pieces of evidence that Mexican Americans respond differently to the policy environment than Latinx Americans more generally. This chapter, then, presents

evidence—echoing the historical research identified in Chapter 1—that Mexican Americans experience immigration policy, and the immigration legal bureaucracy, differently than other Latinx Americans.

This chapter, moreover, has important political implications for the fate of the Dreamers. There is little evidence, within these pages, that DACA eased the political incorporation of the Dreamers, as it did their financial, psychological, and physical health. Indeed, there is some, admittedly tentative evidence, that DACA may have hindered the political incorporation of the Dreamers. This has disturbing implications for American politics more broadly. Scholarship reviewed above has documented the unique vulnerabilities faced by the Dreamers. In these pages, I present evidence that those unique senses of vulnerability and alienation may have been exacerbated with their experiences of the foremost policy designed to bolster their well-being in the US. Next, the fact that this finding primarily occurs among Latinx and especially Mexican American immigrants, presents evidence that DACA's negative consequences might be reifying existing inequalities between immigrants: further marginalizing Mexican Americans (Masuoka and Junn 2013; Garcia-Rios, et al. 2018).

This chapter, above all, contributes to the study of the politics of public policy. Above all, as discussed throughout this dissertation, this chapter indicates that policy feedback effects can operate differently on different levels of the polity. This fact, ultimately, complicates the assertion of the media and political observers who celebrated DACA as a strategic victory, and a medium- to long-term winner for the Democratic Party. Obama's being pushed to act by immigration activists—even within Congress—naturally, would be assumed to be invigorated, rather than muted, by some of the most vocal advocates gaining regularization in the US. Indeed, much of the classic scholarship on policy feedback would, I argue, present the same expectation. In this chapter, I presented evidence that this link was much more equivocal than either

contemporary observers, or scholars of public policy would expect. As such, I emphasize that this chapter traces my overarching contribution to the study of public policy: that policy can have strikingly different effects on one subset of the polity than on another. I present still greater evidence for this assertion in the next chapter, which traces DACA's similarly equivocal (but clearly more positive) effects on the mass public.

CHAPTER 4  
DACA'S TEMPORARY PRIMING EFFECT ON IMMIGRATION POLICY  
ATTITUDES

*Introduction*

Throughout this dissertation, I have traced how DACA shaped the capacities and orientations of elite political actors and the attitudes and identities of beneficiaries. In doing so, I presented evidence that disparate feedback mechanisms, disparate political incentives, and different patterns of inequality led to different feedback effects at different levels of the polity. In this chapter, I present evidence that these differences also hold when the mass public is considered. To do so, I present evidence that many of the same barriers to the Dreamers' activation as a political constituency may have, in fact, facilitated a brief surge in the popularity of the initiative in the mass public.

Americans' policy attitudes flow from their stereotypical attitudes about policy's beneficiaries (Schneider and Ingram 1993). Comparing the design of policies that target valorized groups (like seniors or veterans, see: Campbell 2003; Mettler 2005) to those that target stigmatized groups (like poor people of color, see: Michener 2018; Soss 1999) validates this axiom. The logic of Schneider and Ingram's insight suggests that changing the universe of a policy's beneficiaries might—by prioritizing the needs of more valorized identity groups—make the public more amenable to expanding the welfare state. Centrist policy activists and intellectuals (see: Skocpol 1991) have suggested either expanding or more closely regulating the beneficiaries of income-targeted social welfare policies. Doing so might, in this telling, sidestep whites' skepticism of income-targeted programs (Kinder and Sanders 1996; Williams 2003; Kinder and Sears 1981; Gilens 1999, etc.), which flows from anti-Black racism. Denaturing the power of these prejudices, would, thus, sidestep the principle barrier to a more generous welfare state. The Clinton “welfare reform” initiative remains the

most prominent test of this proposition: reform is understood to have failed to preempt the role of white racism in hindering welfare state expansion (Mettler and Soss 2004; Soss and Schram 2007). These scholars, broadly, maintain that pre-conceptions about beneficiaries proved a) too entrenched, and b) too unmoored from real policy design to be changed by reform.

In this chapter, I consider how efforts to reform immigration policy could shift Americans' broader orientations to immigration. President Obama's Deferred Action for Childhood Arrivals (DACA) initiative, I argue, should be considered alongside welfare reform as an effort by a center-left policy entrepreneur to untangle a racialized, partisan-political policy impasse. By shifting the "target group" through which Americans conceptualize immigration, Obama sought to build public support for comprehensive immigration reform. I argue that he did so in two ways. First, it reframed the decades-long debate about immigration policy in the US as being "about" the needs of a sympathetic and vulnerable constituency (young, highly integrated Americans and their families). My evidence for this claim flows, intuitively, from Obama's own discourse on the Dreamers, and from evidence that the public, broadly, has internalized those stereotypes (Matos 2020). Moreover, the fact that the fate of the Dreamers has remained, throughout even the process of writing and revising this dissertation, a continued and essential question of immigration policy further validates this assertion. Thus, I test whether Obama was able to refigure the mass public's orientation toward immigration policy by changing "who" the public thought of when they considered immigration policy. I echo scholars of the politics of social welfare policy who argue that targeted policy conveys messages to the public at large about whose problems are worthy of redress by the state (Mettler and Soss 2004), and thus, by shifting the universe of beneficiaries, politicians *may* be able to reshape stubborn policy attitudes (Soss and Schram 2007).

I contribute to these theories by suggesting why these effects may be particularly likely in immigration policy: my deductions flow from research into the role of identity in immigration politics. First, immigrants bear innumerable identities (Garcia-Rios N.D.), some of which, when emphasized by policy elites, may garner sympathy from a public who did not yet think of immigrants in those terms (Matos 2020). Second, immigrants, necessarily, share many identities with the native-born: increased attention to these identities could check opposition to immigration (Berinsky, et al. 2018) consistent with the common in-group model in social psychology (Gaertner, et al. 1993). Finally, shifting immigration policy has the potential to cause citizens to draw on different identities of their own when evaluating immigrants (Garcia-Rios, et al. 2018). I, however, outline reasons to expect that the ability of immigration policy feedback to re-structure immigration attitudes will be limited. First, some evidence suggests that citizens' attitudes toward immigrants may be informed by entrenched myths about immigrants (Hopkins, et al. 2020), like social policy (Soss and Schram 2007; Mettler 2018). Second, extensive evidence suggests that citizens' ideological and partisan identifications are increasingly influential in conditioning immigration policy attitudes (Abrajano and Hajnal 2015). These commitments are famously resistant to change (Green, et al. 2002), constraining the potential for feedback. Finally, and most importantly, citizens' immigration attitudes flow from prejudice about immigrants that is divorced from material and policy reality (Nassar 2019). In short, I expect significant, but limited effects of immigration policy change on public support for immigration.

I test my theory using various data from the General Social Survey (GSS). The 2012 GSS was in the field as DACA was announced, providing me with a strategy for identifying the effect of DACA announcement on Americans' immigration attitudes. I, primarily, implement a regression discontinuity design (RDD) centered around the

announcement of DACA. I supplement these analyses by comparing controlled regressions including respondents interviewed before and after DACA, and by comparing the correlates of respondents' immigration attitudes in the 2010, 2012, and 2014 waves of a GSS panel.

I find evidence in favor of my theory: Americans' average desired immigration levels significantly increased after DACA was announced, and diminished to their existing mean within two weeks. Evidence from a non-parametric RDD indicates that this increase amounted to slightly less than a half-point increase on a 1-5 likert scale. I also present tentative evidence that this change emerged from a priming effect: social conservatism was more positively correlated with support for immigration after DACA's enactment than before, and was more positively correlated in 2012 than in other waves. These effects are consistent in direction across racial groups, but differ in magnitude.

These findings constitute my final examination of the diverse effects of policy on different levels of the polity. Obama, in announcing DACA, was able to achieve a level of centralization and coordination in immigration policymaking as yet unattained in his administration. Yet, whether because of strong restrictions, an uncertain future for the policy, or some other reason, that initiative was unable to refigure and activate the political identities of recipients. However, by placing those restrictions on Dreamers, and emphasizing their integration into the US, Obama was able to secure a strikingly different feedback effect in the public at large: Obama, by priming considerations about the Dreamer's adherence to social norms, vulnerability, and assimilation, was able to prime new attitudes in the mass public, and secure a brief surge in support for immigration. That surge in support, as can be seen both in my analyses, and the political events that so prominently followed the Obama administration, dissipated quickly. While it did not remake the broader politics of

immigration policy, DACA, then, illustrates the core argument of this dissertation, evidencing policy's potential for equivocal, multi-level impacts on politics.

These findings, additionally, present evidence of the limited ability of ambitious re-formers to “de-racialize” immigration policy debates. These analyses indicate that there is some potential to shift the immigration policy preferences of Americans who are hostile toward immigration policy by emphasizing the “Americanness” of a small, vulnerable subset of immigrants (see also: Matos 2020). This chapter, however, presents evidence of the limitations of such a strategy. The brevity and/or small magnitude of the effects identified here suggests that the priming effects identified here were too weak to overcome a tide of hostility to immigrants that crested in the mid-2010s. Alternatively, the failure of DACA to expand into a broader, more generous reform could present evidence that Americans will accept some limited protections (with strong restricts) for the most “deserving” immigrants but will not endorse broader protections for Dreamers.

### ***How policy shapes citizens' political attitudes***

A classic insight into the politics of policy indicates that stereotypes about the characteristics of groups that could benefit from a hypothetical policy shapes the design and generosity of that policy (Schneider and Ingram 1993). The durability of those stereotypes may be one source of the oft-noted inertia of the American policy state (e.g. Skocpol 1992; Hacker 2002). However, scholars have documented instances where both the self-conceptions of and mass-level stereotypes about beneficiaries of policy have proven politically consequential. Social welfare policy, for example, shifting popular understandings of the deservingness of veterans (Skocpol 1992; Mettler 2005), disabled people (Erkulwater 2019), and the elderly (Campbell 2003). Scholars of the politics of public policy argue that the legislation that conferred benefits upon these target groups was able to escape the famous instability of policy

reform in the US (Hacker 2002; Patashnik 2008) because those policies refigured mass-level understandings and stereotypes of beneficiaries.

Subsequent (especially theoretical) scholarship has traced these effects to several mechanisms. The most prominent mechanism, and the one that most closely informs the analyses here, is that Americans' attitudes toward public policy are shaped by their orientations toward the groups subject to it (Schneider and Ingram 1993; Kinder and Kam 2009). The public, however, exhibits radically different levels of "warmth" or "coldness" to different groups within the polity—indeed, groups may have several interrelated, and contradictory stereotypes (Schneider and Ingram 1993). Thus, by changing the population of beneficiaries, citizens' senses of warmth or hostility toward beneficiaries will, logically, change. Thus, their evaluations of the changed policy will change, making the political environment more amenable to entrenchment or further reforms (Skocpol 1991; Soss and Schram 2007; Patashnik 2019).

Another potential mechanism for policy's influence on the mass public's attitudes flows from the deduction that policies can provide citizens—who might otherwise know relatively little about the vagaries of policy (Delli-Carpini and Keeter 1996; Patashnik 2019)—a sense of "whose" problems matter to government (Mettler and Soss 2004; Mettler 2018; Haselswerdt 2020). Yalidy Matos, in a recent account, presented evidence that the DREAM Act's broad-based support flows from precisely this relationship: because the DREAM Act emphasized the plight of vulnerable, norm-conforming immigrants, otherwise racially resentful, conservative, and Republican whites were predisposed to support it (2020). Thus, a prominent proposed policy reform was able to change these respondents' understandings of "who benefits" from public policy, and, thus, the public's support for the reform (Haselswerdt 2020).

Some commentators on the American welfare state (i.e. Skocpol 1991)

speculated that this phenomenon might be used strategically to expand the American welfare state. The growth of the American welfare state has, for example, been constrained by durable myths that it disproportionately enriches African Americans (Kinder and Sanders 1996; Williams 2003; Kinder and Sears 1981; Gilens 1999, etc.), and perhaps even immigrants (Fox 2019; Haselswerdt 2020). Those commentators suspected that, by either expanding the universe of, or more closely regulating, beneficiaries, those racist myths about the deservingness of the American poor might be sidestepped, enabling expansion. This triangulation is most associated with Clinton's welfare reform efforts (Soss and Schram 2007), though scholars continue to speculate about bringing such an approach to health politics (e.g., Hacker 2019).<sup>14</sup> In short, efforts to triangulate the politics of social welfare policy have failed. Scholars have speculated that this failure occurred because the architects of reforms to American social welfare policy could not overcome the power of entrenched, racialized myths about poor Americans, and, relatedly, that those myths were too divorced from reality to respond to policy change (Soss and Schram 2007; Haselswerdt 2020; Gilens 1999).

Scholars continue to maintain that policy conveys messages to the public about which problems (and whose) problems merit political solutions (Mettler and Soss 2004). Concretely, policy change can re-shape how Americans understand "...the meanings and origins of societal problems, by identifying target groups for government action and defining solutions" (62). In this chapter, I explore the possibility that this re-definition could occur through the identity politics of

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<sup>14</sup>Anti-Black stereotypes continue to structure Americans' attitudes toward the welfare state and may be constraining the possibility of reforming health care policy (Tesler 2016).

immigration policy. Existing scholarship has emphasized how changing immigration policy, and especially the rhetoric around policy change, can influence which considerations the public uses to evaluate immigration policy (Collingwood, Lajevardi, and Oskooii 2018; Matos 2020). Americans' immigration attitudes are predicted by stubborn stereotypes about potential immigrants (Hopkins, et al. 2018; Lajevardi and Abrajano 2018). These stereotypes, above all, flow from the fact that immigrants to the US tend to be people of color. Americans—especially white Americans—build understandings of immigrants through their stereotypes about Asian, Black, and Latinx people (Masuoka and Junn 2013). For this reason, immigration policy remains, for the majority of Americans, a distant (Hopkins 2010), but deeply meaningful (Abrajano and Hajnal 2015; Parker and Barreto 2013; Skocpol and Williamson 2011) policy (Soss and Schram 2007). Below, I outline the reasons why I expect immigration policy might prove more amendable to feedback effects than cash assistance. First, I briefly review scholarship on Americans' attitudes about immigration policy.

### *Americans' Immigration Attitudes*

Americans' immigration policy preferences are a central, commonly studied element of Americans' political beliefs. Immigration policy has two essential and related influences on American politics. Immigration policy, by delineating individuals' potential for citizenship, structures American civic identity (Smith 1997; King 2000; Carter 2019). Thus, immigration policy has shaped, and been shaped by, the American racial hierarchy, and notions of racial difference (Hochschild, Weaver, and Burch 2012; Masuoka and Junn 2013; Carter 2019).

Despite its recent prominence in American political conflict, American immigration policy plays a complicated role in scholarship on public opinion. Immigration policy divided ideological and partisan elites (Gerring 1998; King 2000;

Tichenor 2002) in the decades immediately prior to recognizable, systematic survey research (Herbst 1993). In Post-World War II America, the parties did not give coherent, polarized positions on immigration policy (Abrajano and Hajnal 2015), such that—for example—the Immigration and Nationality Act of 1965 (which re-shaped the demographics of immigration to the US) passed with little fanfare and no obvious partisan cleavage (see: Chapter 1). Today, immigration politics divides parties and partisans, with Democrats broadly supporting immigration, and Republicans broadly opposing (see: Figure 3; Figure 4). While immigration policy has always structured “who belongs” in the polity, in recent years that question has returned as a central plank in partisan conflict, after almost a century of sublimation. Given that elite cues on immigration have become coherent only in the past few decades, what else shapes Americans’ immigration policy attitudes?

Given the historical legacy and contemporary influence of ethnonationalism in American politics, a great deal of research into immigration policy preferences emphasizes xenophobia. Xenophobia or ethnocentrism are often identified as antecedents of support for restrictive immigration policies (Kinder and Kam 2009). However, opposition to immigration is clearly activated by other factors. Individuals’ local context (Frasure-Yokley and Wilcox-Archuleta 2019; Maxwell 2019), specifically, their exposure to immigrants (Hopkins 2010; Enos 2014), segregation (Arora 2019; Jones-Correa 1998), or abrupt population changes (Enos 2017; Hopkins 2010) are all understood to interact with xenophobia to produce opposition to immigration. Opposition to immigration is, often, traced to individuals’ attitudes or expectations regarding the skills of the immigrants in question (Hainmueller and Hiscox 2010; Hainmueller and Hopkins 2015). These expectations, however, are inseparable from individuals’ preconceptions about the sending country, and stereotypes about the people who live in it (Brader, et al. 2008; Berinsky, et al. 2018;

Newman and Malhotra 2018; Nassar 2019; Oskoi, et al. 2019; Beydoun 2013). These stereotypes might be exacerbated by media portrayals (Farris and Silber Mohamed 2018), or partisan rhetoric on the subject (Oskoi, Lajevardi, and Collingwood 2019; Jäger 2019; Jardina and Traugott 2018). Opposition to immigration is tied to, but analytically distinct from, nationalism (Carter and Pérez 2016; Schildkraut 2010). Individuals' race and racial identities influence their attitudes toward immigration law and policy (Masuoka and Junn 2013; Wong 2018; Collingwood, O'Brien, and Tafoya 2019; Carter 2019). Recent scholarship, especially, traces white Americans' opposition to immigration to concern for their racial group status: some whites believe immigration will compromise whites' numeric and political dominance in the United States (Craig and Richeson 2014; Gest 2016; Jardina 2019). From this sprawling research program, I derive the following broad conclusions: Americans' support for immigration flows from ideological/partisan cues, understandings about the cultural and economic characteristics of immigrants, both of which are deeply filtered through racial inequality, racial identities, and ethnonationalism.

***How could immigration policy shape immigration attitudes?***

In this dissertation, I consider how efforts to reform immigration policy could reshape the politics of immigration policy. Moreover, I incorporate insights from political science research on identity to explain why changes that effect a relatively small quotient of the polity have real political influence. Here, I prioritize DACA's influence on the immigration attitudes of Americans in general. In doing so, I develop a theory of immigration policy feedback, and, thus, develop a set of expectations for the limited, equivocal opportunities for politicians seeking to triangulate the politics of immigration policy.

DACA, though quite narrowly targeted, explicitly sought to “[create] a comprehensive framework for legal immigration” (Obama 2012), a broad aspiration of

the administration. This effort was not, importantly, a subtle, unremarked-upon objective on the horizon of Democrats' political aspirations. DACA was widely understood as the thin end of a broader wedge of immigration reform—commentator, supporter, opponent, and beneficiary alike stated as much in Chapter 1.

In this dissertation, I have presented reason to expect, and evidence for feedback effects from DACA at the level of political elites, beneficiaries, and the mass public. As discussed in Chapter 1, considering the dynamic, interrelated, multi-level feedbacks of DACA is, itself, a primary contribution of this dissertation. For beneficiaries, DACA provided a community of Americans with tenuous legal status, and messages about their belonging in the United States. In the mass public, DACA re-framed the about immigration policy in the US as being “about” the needs of a sympathetic and vulnerable constituency: young, highly integrated Americans and their families. In doing so, Obama aspired to harness exactly the sort of mass-level policy feedbacks postulated here, and reshape broader political contestation about immigration policy in the United States. If that effort were successful, Americans would perceive immigration policy as being a question “about” the status of sympathetic, vulnerable, highly-integrated young people.

Why would DACA succeed in disrupting the stalemate around immigration reform when “welfare reform” failed? My theories as to why flow from research into the identity politics of immigration policy. First, immigrants bear innumerable identities (Garcia-Rios N.D; Garcia-Rios, Wilcox-Archuleta, and Pedraza 2018). Many of these prompt hostility from the native-born, but, importantly, not all (Hainmueller and Hopkins 2015, see also: Schneider and Ingram 1993). Second, immigrants share many identities with the native-born: increasing the salience of these identities could outflank opposition to immigration consistent with the *common in-group model* in social psychology (Gaertner, et al. 1993). Both of these observations

are, of course, true of any identity group, let alone community of policy beneficiaries. Elite efforts to harness the positioning and construction of identity groups (Schneider and Ingram 1993; Masuoka and Junn 2013) are conditioned on policy entrepreneurs changing policy design to the extent that new stereotypes about beneficiaries are primed. Later in this section, I describe most explicitly how and why DACA caused this priming. Finally, shifting immigration policy has the potential to cause citizens to draw on different identities of their own when evaluating immigrants (Williamson, et al. 2020). I argue, simply, that policy and rhetoric shapes what citizens understand immigration policy is “about.” Citizens might have very different considerations about the perceived economic, cultural, humanitarian, or even religious implications of immigration. DACA, I will argue, briefly redirected senses of the character of immigration.

The ability of immigration policy feedback to re-structure immigration attitudes will, however, be limited. Citizens’ attitudes toward immigrants are significantly informed by entrenched myths and stereotypes about immigrants (Hopkins, et al. 2020) that may prove as resistant to revision as those surrounding cash assistance beneficiaries (Soss and Schram 2007; Mettler 2018; Haselswerdt 2020). Second, partisan and ideological sorting around immigration policy (Abrajano and Hajnal 2015; Berry, et al. 2020), and the policy’s association with the Obama administration (Tesler 2016), may constrain the potential for feedback effects. Concretely, growing correlation between partisan identity and immigration attitudes (documented in Chapter 1) may “crowd out” the effect of considerations primed by policy feedback. Finally, and perhaps most importantly, citizens’ immigration attitudes flow from prejudice about immigrants that is divorced from material and policy reality (Nassar 2019). To whatever extent citizens’ immigration attitudes flow from a xenophobia that resists rational updating (i.e. contact theory, see: Allport 1954;

Pettigrew and Tropp 2006), their attitudes rest being influenced by feedback effects.

I, then, theorize that Obama's enactment of DACA sought to redirect the debate over immigration policy, and, in so doing, to persuade citizens that the *subjects* of immigration policy were young, highly integrated Americans who adhered to social norms, and deserved protection from deportation and economic precarity. This emphasis would, briefly, bolster support for immigration among the native-born. I argue that the mechanism of this change would occur through the priming of new considerations associated with immigration policy. In emphasizing the conformity, deservingness, and vulnerability of the Dreamers, Obama would, I argue, briefly redirect the influence of social conservatism on immigration attitudes. I expect anticipate that these effects would not just occur amongst whites, but also among people of color. I discuss these expectations below.

White social conservatives, I argue, would be inclined to express fear about immigrants changing values and norms they would argue defined American life (Parker and Barreto 2013). Extensive political science research traces white social conservatism to a generalized anxiety about shifting social roles and especially power relationships (see: Jost, et al. 2003; Cramer 2016). Extensive evidence suggests that social conservatism can shape the politics of people of color, but that the influence of the construct on political attitudes and behavior is constrained by entrenched racial inequality (Philpot 2017; Hajnal and Lee 2011). Above, I presented evidence that white Americans' social conservatism could, normally, reduce support for immigration. Such links are far more tenuous in people of color: for example, while opposition to immigration is, to a limited extent, common among African Americans, it responds to different considerations than in whites (Carter 2019; Lopez Bunyasi and Smith 2019). In African Americans, Muslim Americans, In Asian and Latinx Americans, social conservatism is particularly predicted by religious-doctrinal

conservatism, but typically has weak connection to real-world adherence to conservative attitudes or parties, as racial group solidarity moderate the link (Wong 2018). Other studies have yielded similar findings about Muslim Americans (O'Brien and Abdelhadi 2020). I expect that, by working to emphasize the Dreamers' adherence to "traditional" norms about family structure, Obama—perhaps accidentally—primed particular sympathy from conservatives of color, who might otherwise have been more ambivalent about the position of the Dreamers.

While social conservatism is typically understood to generate monolithic opposition to immigration (Sniderman, et al. 2004), other evidence suggests that that link could be more qualified. Other evidence suggests that the numerous social identities born by immigrants (Garcia-Rios N.D.; Garcia-Rios, et al. 2018), when primed, can cause even socially conservative Americans to express more contingent attitudes toward immigrants (Hainmueller and Hopkins 2015; Newman 2018). A compelling study by Yalidy Matos presents evidence that even conservative Americans can simultaneously express opposition to immigration and support for the Dreamers. While conservative Americans typically oppose immigration, Matos presents evidence of equivocal support for regularization for the Dreamers, for two reasons. First, she emphasizes that "DREAMers' legitimacy stems from the meritocratic values Americans place on individual hard work" (2020, 2). Second, the strong, restrictive eligibility conditions placed on would-be DACA beneficiaries reassures conservative Americans that norms around individual conformity and striving for the American Dream are not being violated.

In arguing that regularization would a) reward a community that adhered to stereotypical and individualist norms, b) by reducing economic precarity, enable future conformity to those norms, and c) enable law enforcement to be better targeted toward non-conforming immigrants, DACA would, briefly, recast the attitudes of the

native-born. I, however, expect these effects to be brief. DACA was announced in the heat of a Presidential campaign, meaning that partisan and ideological commitments would, in the weeks after announcement, come to dominate citizens' immigration attitudes. Moreover, DACA's feedback effects would wash out in the growing polarization on race, immigration, and civic identity that defined post-2012 American politics (Tesler 2016; Sides, et al. 2018; Jardina 2020; Berry, et al. 2020). Below, I outline how I test these observable implications.

### ***Data and Methods***

I test my theory using various data from the GSS, a prominent probability survey of Americans' social and political attitudes. I conduct three primary tests; the first—my primary analysis—uses the 2012 GSS. That survey was in the field as DACA was announced, providing me with a strategy for identifying the effect of DACA announcement on Americans' immigration attitudes. I implement a regression discontinuity design (RDD) centered around the date of the announcement of DACA. Thus, this design allows me to compare individuals interviewed before and after the announcement (Angrist and Pischke 2009, 189; Fan and Gijbels 1996). I use a non-parametric regression discontinuity design. The non-parametric design is theoretically and practically essential for use in this case: the non-parametric RDD, because it uses observations closest to the “cutpoint” of the RDD to estimate the size of the discontinuity, provides estimates of the effect of DACA's announcement on Americans' immigration attitudes in the “small... neighborhood” just around the program announcement (Angrist and Pischke 2009, 193). This approach has the distinct advantage of allowing me to calculate the effect of program announcement without including as much information from the months before and after program enactment (see: Lee and Lemieux 2010). This design introduces limitations to my analyses, which are discussed in greater detail below. There are theoretical reasons to

specify my principal analysis as I do, and, most importantly, that choice is validated by the findings presented in previous chapters of my dissertation.

I expect the effects that I identify here to have dissipated quickly soon after DACA. The main reason why I stipulate this expectation can be found in the qualitative evidence put forward in Chapter 2: even in the days immediately after enactment, DACA was understood to be a short-term political winner, one that faded from the front pages shortly after enactment.<sup>15</sup> Similarly, other studies identifying the impact of exogenous shocks on public opinion find that the effects diminish soon after the shock (Cepuran and Khanna N.D.). By using a non-parametric RDD, I can model the effect of DACA on the respondents interviewed closest to announcement, without considering respondents interviewed months before or after. I supplement these analyses by comparing controlled regressions including respondents interviewed before and after DACA. These comparisons allow me to gain a sense of the mechanism of opinion change caused by DACA's enactment and announcement: a drawback of the RDDs is that they only provide me with means, leaving the mechanism of changes opaque. These designs, again make use of data from the 2012 GSS. My study design compares the correlates of respondents' immigration attitudes in the 2010, 2012, and 2014 waves of a GSS panel. This design allows me to compare the correlates of support for immigration in the same individuals in different years. Unfortunately, this design lumps together individuals interviewed in 2012 who were interviewed before and after DACA, meaning its value for identifying the effect of announcement/enactment is limited. Again, I reiterate that these analyses serve primarily to supplement, and aid in interpretation, of the RDD analyses.

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<sup>15</sup> This claim is bolstered (unfortunately in a way that cannot easily be cited) by DACA's broad absence from memoirs produced by Obama administration figures.

## Results

As stated above, I implement a non-parametric RDD examining the relationship between respondents' survey interview dates and their immigration attitudes. The specific dependent variable is a standard measure of respondents' preferences for immigration levels: a response of "5" indicates respondents would prefer greatly increased immigration, "4" indicates a preference of a slight increase, "3" indicates a preference for keeping things about the same, "2" indicates a preference for a slight decrease, and "1" indicates a preference for a great decrease. I use this variable as my dependent variable throughout these analyses. In my first design, the independent variable is respondents' survey interview dates: each unit increase in that variable, substantively, corresponds with a respondent's being interviewed one day later.

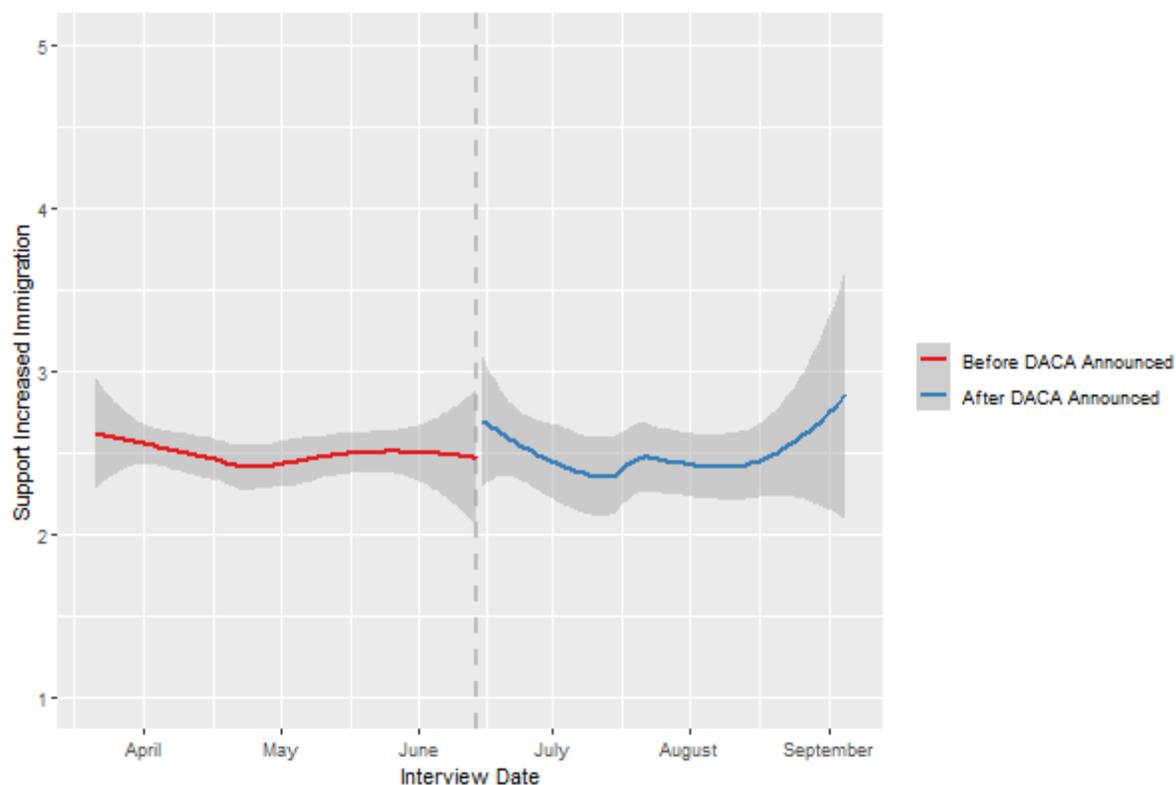


Figure 15: Immigration attitudes liberalized immediately after DACA; the effect dissipated within weeks. Source: 2012 GSS. Omitted scatterplot fitted with locally-

weighted smoothing lines.

In Figure 15, I depict the mean immigration level preferences of GSS respondents in the weeks leading up to and after the announcement of DACA. Those averages are smoothed with locally-weighted regression lines. As can be seen, there is a slight, discontinuous jump (i.e. increase in preferred immigration level) exhibited by respondents interviewed immediately after DACA. This jump is not apparently statistically significant: as described above, however, this design constructs over-large bins for data, and is thus poorly-suited to test for the presence of discontinuous change that quickly abates. As such, I include Figure 3 to aid in respondents’ visualizing the changes in Americans attitudes I concretely test with an RDD.

In Table 7, I depict the results of the RDD. The treatment effect indicates the magnitude and direction of changes in respondents’ immigration levels associated with being interviewed immediately after DACA, relative to those interviewed just before. The difference amounts to about .40 on the five-point ordinal scale described above. This change is significant at the  $p < .05$  level. The rest of the cells in the table validate the use of a non-parametric RDD: the discrepancy between the “training points” and the observations indicates that the observations most local to treatment assignment were used to calculate the effect of treatment.

**Table 7: Effect of DACA Announcement on Preferred Immigration Level**

Treatment Effect	0.395921* (0.183510)
Observations	315
Training Points	123
<i>Note:</i>	* $p < .05$

Source: 2012 GSS. Non-Parametric RDD

The mere presence of a significant causal relationship between survey timing and respondents’ interview dates leaves the mechanism of that relationship opaque. As

such, I present several pieces of evidence that, I argue, present tentative evidence that the liberalizing effect of DACA announcement/enactment on Americans' immigration attitudes occurred through priming conservatism. Thus, in several controlled regressions, I examine the effect of social conservatism upon Americans' immigration attitudes. I measure social conservatism through the GSS item which asks respondents whether it is preferable for women to take care of children in the home than to do paid work outside of the home (FEFAM). I argue that concern for the ability of women to balance work and child care is a core concern of contemporary social conservatism, and use the former as an imperfect proxy for the latter. Concern for changing family structure has long been studied as an important measure of social conservatism (Hetherington and Weiler 2009; Fitzgibbons Shafer and Malhotra 2011; Norris and Inglehart 2019), validating my choice of that measure.

As can be seen in Table 8, my measure of social conservatism is not statistically significantly associated with Americans' immigration attitudes before DACA's announcement/enactment. However, among respondents interviewed after DACA was announced, social conservatism became a positive, narrowly significant predictor ( $p < .1$ ) of support for increase immigration to the US. While these estimates are not statistically significant from each other, they may provide some tentative validation of my claim that emphasizing a new community of beneficiaries of immigration caused Americans to use different considerations when evaluating immigration overall. I note that, in these analyses, the coefficients on several control variables (particularly education) contradict expectations. That said, the most consistent control variable: symbolic ideology, has a strong and consistent effect in the expected direction. I discuss potential reasons for these incongruous findings in the subsequent section.

Finally, I compare the predictors of support for increased immigration across

multiple years of the 2010-2012-2014 GSS panel. This study is ideal in that it compares the same individuals across multiple ways, but has the significant drawback that DACA was not announced until well into the second half of the 2012 wave, meaning the effect of DACA on immigration attitudes is likely to be drowned out among other respondents interviewed before DACA's announcement.

**Table 8: Social Conservatism's Influence on Immigration Attitudes**

	Pre-DACA	Post-DACA
Gender Conservatism	0.037 (0.109)	0.221* (0.117)
Age	-0.005 (0.005)	-0.006 (0.005)
Education	0.022 (0.028)	-0.107*** (0.034)
Female	-0.284* (0.166)	0.139 (0.197)
Married	-0.045 (0.168)	-0.091 (0.212)
Party ID	-0.026 (0.047)	-0.026 (0.055)
Symbolic Ideology	-0.148** (0.066)	-0.224*** (0.073)
Constant	3.222*** (0.553)	4.832*** (0.641)
Observations	189	126
R <sup>2</sup>	0.088	0.220
Adjusted R <sup>2</sup>	0.052	0.174
F Statistic	2.482** (df = 7; 181)	4.762*** (df = 7; 118)

*Note:* \* p<0.1; \*\* p<0.05; \*\*\* p<0.01

Source: 2012 GSS. OLS Regressions.

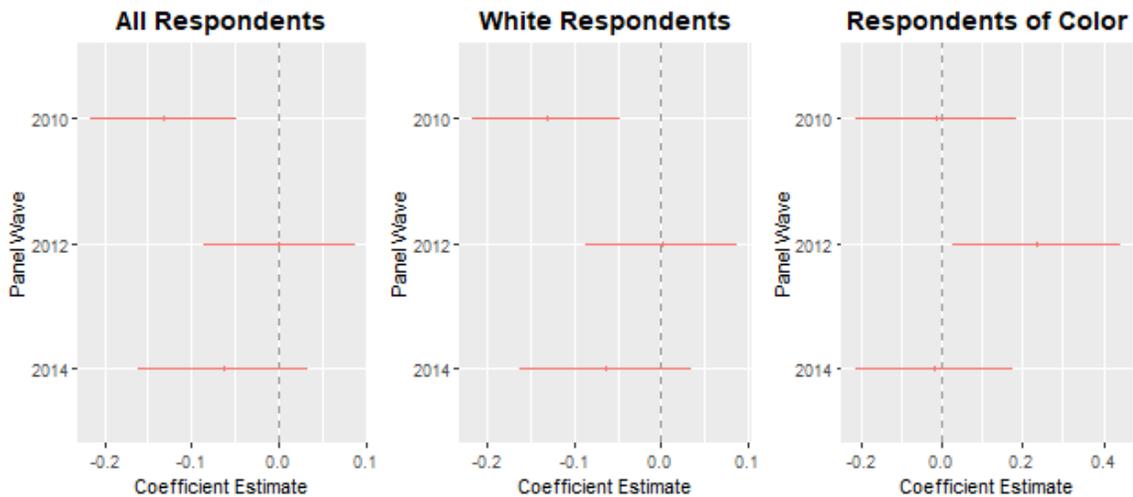


Figure 16: Effect of social conservatism on immigration attitudes. Regression coefficients from OLS regressions specified identically to those in Table 28. Panels depict results disaggregated by race. Source: 2010-2012-2014 GSS Panel.

I conduct regressions identical to those specified above, save that the regressions include all respondents interviewed, and are specified for the 2010, 2012, and 2014 waves separately. I also disaggregate white respondents and respondents of color, and depict them in separate panels. Many scholars have argued that the salience of social conservatism in mainstream politics is largely limited to whites (Parker and Barreto 2013), or may be qualitatively different in whites and people of color (Wong 2018), validating my choice to examine them separately. Unfortunately, the inferences generated from these analyses is limited by the availability of GSS data on respondents' race/ethnicity. First, the GSS did not differentiate the racial/ethnic identities of respondents of color. Second, the GSS, as a relatively small-n probability survey, did not interview many people of color, even if their specific panethnic identities were captured. Thus, I am only able to differentiate between white respondents and respondents of color. Due to the number of regressions specified, I

plot the results of this test in several coefficient plots depicted in Figure 4.

In Figure 16 I present further tentative evidence that support for stereotypical gender roles within the family became more associated with support for immigration in 2012. Prior to 2012, this variable was—among whites—negatively associated with a respondent’s level of support for immigration. Among people of color, social conservatism was unassociated with immigration policy preferences prior to 2012, and became more, and positively, associated with immigration policy preferences in 2012. I discuss the heterogeneity of these effects across racial groups in the subsequent section.

### ***Discussion***

In sum, I provide evidence that the announcement of DACA was associated with an abrupt, short-lived increase in Americans’ preferred levels of immigration to the United States. In several other designs, I present tentative evidence that this causal change may have occurred through prompting Americans to reconsider how they evaluate the link between social conservatism and their immigration attitudes. To make these claims, I begin from the accepted premise that Americans evaluate immigration policy through their understanding of who benefits from it. I, then, present a dynamic model of how Americans’ immigration policy preferences respond to policy-catalyzed shifts in the “who” of immigration policy (e.g. Mettler and Soss 2004; Haselswerdt 2020). While these effects are limited (e.g. Soss and Schram 2007), they present further evidence that citizens’ immigration attitudes change when they use different considerations to evaluate policy (e.g. Collingwood, Lajevardi, and Oskoi 2018). This effect is significantly limited by dynamics of ideological and partisan polarization (Mettler 2019), and potentially by the dynamics of campaign effects (Cepuran and Khanna N.D.).

This effect is, additionally, shaped dynamically by Americans’ race and

position (Carter and Pérez 2016; Carter 2019; Schildkraut 2010). Social conservatism has prominently been thought to produce opposition to immigration (Sniderman, Hagendoorn, and Prior 2004; Klein 2020), especially in whites (Parker and Barreto 2013). I argue that, given their diversity, their likelihood of having experience with immigration, and their positioning below white, social conservatism has different consequences in people of color (e.g. Wong 2018). Social conservatism does not appear to have a significant, negative relationship with immigration attitudes in people of color. However, immediately after DACA, support for stereotypical gender roles abruptly became a significant predictor of support for immigration in people of color. Concern for the gender-stereotypical nuclear family structure exists in people of color, and only occasionally shapes their immigration politics. Concretely, it does so when elites signal to them that immigration policy can better the lots of stereotypical, norm-conforming family units in the US. A similar dynamic may have occurred among socially conservative whites, who were significantly reassured of the “merit” of the Dreamers that social conservatism lost its independent, negative effect on immigration attitudes.

Just as the effects of DACA on Americans’ immigration attitudes were shaped dynamically by Americans’ race and position, DACA’s influence was straightforwardly constrained by Americans’ ideological and partisan identities. Figure 15 presents evidence that the effect of DACA was felt among liberals and conservatives—the slight discontinuity identified diminishes when only liberals or conservatives are examined. That said, both before and after DACA’s announcement, symbolic ideology strongly conditions Americans’ immigration policy preferences. This presents strong evidence that DACA did not, even briefly, diminish ideology’s starring role in structuring American’s immigration policy preferences. On the broader level, this presents evidence of the difficulty of the task facing President Obama as he

worked to sidestep ideological/partisan divides on immigration.

### ***Limitations***

There are, of course, limitations to these analyses. First, the identification strategy used in this paper necessitates the comparison of a relatively narrow subset of interviews in the 2012 wave of the GSS panel being considered. The relatively small number of interviews, again, means that the regression coefficients in Table 8 are inconsistent. Thus, I resist over-interpreting counter-intuitive coefficients. The other control variables in the regressions depicted in Figure 4, where the *ns* are much higher are, conversely, much more theoretically consistent. Second, the analyses, as discussed above, compare respondents of color to whites, yet, the relatively small number of respondents of color in the GSS a) means the scope of these comparisons is limited, and b) the comparison of different groups of color is all but impossible. Finally, these analyses assume that GSS respondents were aware of DACA's enactment. The most straightforward test of this assumption would be to either control for or subset the analyses based on a measure of political interest or attention. Unfortunately, that variable is absent in the GSS panel used here, except for the 2014 wave, making both of those possibilities untenable. These limitations, I maintain, are the results of the data used in this chapter, which provides a unique opportunity to analyze the effects of DACA on the immigration attitudes of the mass public, yet introduce a number of unavoidable limitations.

The second limitation emerges from the specification of the model used to calculate the treatment effects listed here. As can be seen in Figure 15, the estimates of the effect of the announcement of DACA are sensitive to the specification of the model used: the large standard errors close to the discontinuity indicate the lack of degrees of freedom of the RDD estimator: only 123 training points are used to calculate the treatment effect in Table 7. There are two ways to interpret this

discrepancy. The first is that the “true effect” of DACA is a brief, substantively small change that quickly was washed out by longer-term trends of ideological and partisan polarization and political uncertainty. The second interpretation is that the sensitivity of these estimates to model specification indicates that there is no underlying treatment effect of DACA’s announcement, short-lived or otherwise.

Determining which of these interpretations is correct (if, in fact, they are not largely reconcilable) is beyond the scope of the data used, and the research design employed here. Thus, I maintain that the additional, supplemental analyses included here provide additional tentative, yet corroborating evidence that DACA briefly recast Americans attitudes toward immigration. That interpretation emerges not just from the empirical tests included in this chapter, but from the qualitative evidence presented in Chapter 2, which presents far less equivocal evidence that DACA was treated as a short-term political winner that, nevertheless, failed to untie the knot of the politics of immigration policymaking. Thus, I conclude by inviting the reader to note the serious limitations of these analyses, but to examine them as part of a multi-level analysis of the politics of DACA, that does not use one single deductive test: the equivocal and at-times underpowered analyses conducted here are corroborated, rather than contradicted, by analyses presented earlier in this dissertation.

### ***Conclusion***

In these pages, I present compelling evidence that Obama’s effort to reframe the immigration debate as being *about* a unique constituency did, indeed, briefly unlock an electorate more amiable to liberal immigration policy reform. This presents the final piece of evidence in support of the broadest claim in this dissertation: that policy changes bring about distinct political changes at each level of the policy. In this chapter, I presented evidence that, in emphasizing a unique constituency of vulnerable, norm-conforming immigrants, Obama was able to—briefly—sidestep powerful and

entrenched stereotypes about immigrants. Changing policy design is, alone, rarely enough to displace citizens' sedimented understanding of how groups are helped or hurt by the state (Mettler 2011; 2018; Haselswerdt 2020). Similarly, Obama's rhetorical emphasis on the plight of the Dreamers, on its own, could merely have been drowned out by Republican arguments that immigrants are disproportionate low-skilled, dangerous men (Farris and Silber Mohamed 2018). When Obama pursued both strands of policy feedback simultaneously, he could briefly unlock policy feedbacks. The restrictions that were placed on the Dreamers, perhaps crucial in securing public support (Matos 2020), are one potential reason why the initiative had such strikingly different effects on Dreamers as on the mass public.

Soss and Schram's (2007) study of Bill Clinton's failure to triangulate the politics of cash assistance emphasized the failure of the policy to displace entrenched, racialized myths about beneficiaries. Placing increased burdens on beneficiaries may, itself, have been a political winner (119), but that did not change the fact that, for whites, welfare was *about* working-class Black Americans, albeit more stringently, cruelly regulated Black Americans (117; see also: Soss, Fording, and Schram 2011). In introducing a new, differently-targeted policy, Obama made immigration policy *about* a new constituency (i.e. Matos 2020). This chapter, then, corroborates a key finding from Chapter 2: that Obama was able to, in the short term, successfully triangulate the politics of immigration policy. That success was, however, equivocal, and paled in comparison to the consistent, inescapable influence of ideological and partisan identities.

That said, what does it mean, on the broadest political level possible, to say that the Dreamers allowed Democrats to triangulate debates over immigration policy? The equivocal, temporary liberalizing effect DACA had on Americans' immigration attitudes has come at a significant cost. First, in making the Dreamers a pivotal

political symbol, the Democrats have thrown several hundred thousand young Americans into a unique political fray, both uniquely privileged due to their relatively permanent regularization, and also uniquely vulnerable to political challenges to that status. Second, one of the core provisions of DACA—deferring the Dreamers from prosecution and deportation—allowed Obama to use executive power to sidestep legislative gridlock in immigration politics. The innovation of using executive powers related to law enforcement to break legislative stalemate around immigration, surely, increased the utility of law enforcement as a political tool in the immigration impasse (i.e. Jacobs, et al. 2019). In Chapter 5, I consider whether this strategy may have, in part, prompted Trump’s subsequent efforts to re-shape immigration policy by adopting a more draconian immigration law enforcement strategy. Moreover, this strategy further solidifies the bipartisan consensus that migration is to be regulated, above all, by the violent, militarized, face of the state (Castañeda Pérez 2020; Scott 1998; Soss and Weaver 2017).

Lastly, Obama’s invocation and legal creation of the Dreamers emphasized their integration, education, and familial ties as justification for their regularization. The political logic of this strategy is clear: as seen above, it proved briefly successful, and, moreover, enabled hundreds of thousands of young Americans who fell into those categories to attain legal status. However, the creation of one class of immigrant, necessary, entails the creation of a second category: the less-educated, less-integrated immigrant, bearing less ties to the United States. If the former class deserved regularization, and, potentially, a path to citizenship, it seems plausible that the latter class might deserve far less. Indeed, during the heat of the controversy brought on by increased scrutiny of the US family separation policy, then White House Chief of Staff John Kelly argued that family separation was a deterrent necessary to repel “overwhelmingly rural people” with “fourth, fifth, sixth grade educations,” who “don’t

“speak English... don’t integrate well, [and] don’t have skills” (NPR 2018). In my conclusion, I discuss whether efforts to triangulate immigration policy by highlighting the benefits to a deserving subset of immigrants invite efforts to proscribe more rigorous and punitive restrictions on less “deserving” migrants. This justification, perversely, was used during the family separation controversy to justify the detention, concentration, and extermination (Southern Poverty Law Center 2020) of immigrants on American soil.

## CHAPTER 5

### CONCLUSION

Above, I unspooled an account of the multi-faceted politics of DACA, a pathbreaking initiative undertaken by the Obama Administration in June 2012, after numerous attempts to circumvent the immigration policymaking impasse ran aground in Congress. By tracing the endogenous, multi-level politics of immigration policymaking, this dissertation, I argue, illuminates the reasons for viewing enterprising immigration reform with optimism and pessimism. My findings are, in brief: despite strong reasons to expect that DACA influenced the political identities of the Dreamers, DACA appears to have broadly failed to re-shape the panethnic and ethnic identities, or systemic political attitudes of the Dreamers. However, DACA did, briefly, recast the attitudes of Americans writ large, but in unexpected ways: by emphasizing the vulnerability and norm-conformity of the community, Obama was able to activate social conservatism as a brief, unexpected predictor of support for immigration. These brief, mass-level feedback effects, I broadly argue, indicated the—admittedly marginal—potential of triangulating immigration policy by emphasizing the Dreamers’ situation, re-framing powerful stereotypes about immigrants (Brader, et al. 2008). This top-down approach had equivocal results: while Obama certainly created a political constituency which was invoked, attacked, and defended in subsequent political debates. The weakness of DACA’s identity effects on the Dreamers—spurred by the policy’s status as generous but extremely precarious (Gonzales, et al. 2020)—may have been one reason for the uncertainty of the mass public’s response. More concretely, DACA’s policy design, which emerged out of almost a decade of stalemate in immigration policymaking, reinforced a trend toward executive-centered immigration policymaking (Jacobs, King, and Milkis 2019).

This dissertation draws heavily on insights from research into the politics of

policy that show—through extensive studies with diverse methodologies—that the political tides that propel policy initiatives forward condition the sustainability and political tenability of those undertakings. Furthermore, policy feedbacks shape the success or failure of those reforms, by partly determining whether reforms can surmount the travails of the fragmented American political system. In this dissertation, I show that those political dynamics and policy feedbacks operate differently at different levels of the polity; thus, policy can have diverse, equivocal effects on politics. I argue that DACA’s equivocal fate flowed from these complex, multi-level feedbacks. Tracing exactly which of these feedbacks proved decisive for structuring the equivocal long-term fate of the policy is, unfortunately, beyond the scope of this dissertation. Research designs which pose such questions are, I argue, a logical next step for research into the politics of policy. I outline such opportunities for future research below.

### ***Limitations***

Throughout this dissertation, I have made reference to a number of specific limitations of particular analyses conducted here. A further, underlying challenge constraining all of the work done here is the uniqueness of the policy and social group being studied here. Immigration is, surprisingly, still a relatively unique subject of study in political science, as evidenced by the absence of ANES questions on immigration prior to the mid-1990s. This dissertation is also complicated by the empirical difficulty of combining research into public policy with REP research. Survey items, and pages in policy histories, are far harder to find for questions regarding the immigration policy of Latinx Americans than “general interest” issues such as Health Care.

These difficulties are exacerbated by the difficulty of funding research as a graduate student: the cost of surveying or interviewing difficult-to-reach populations is essentially prohibited for all but the best-supported graduate student researchers. Much

of that funding is contingent upon students' abilities to travel (typically internationally), which can be made impossible by teaching obligations—which are determined far in advance—or exigencies like global pandemics. That pandemic, moreover, made the already fraught ethical choice of interviewing Dreamers untenable: the deeply personal face-to-face research done by Asad Asad and Greg Prieto became impossible within a few months of the approval of this dissertation proposal.

This dissertation, also, and perhaps most importantly, was limited by the amount of time available to complete it. That limitation stems both from the unexpected pressure of a world-historical pandemic, but also too-familiar constraints on graduate student workers. Like many other graduate student workers, my family required two incomes to pay for housing in an expensive university town. COVID-19 made that arrangement untenable for my family. An additional six months of work on this dissertation (which would have brought with it extensive data on DACA program usage from the 2020 CMPS) would have entailed six months of hourly labor with minimal protections from COVID transmission on my partner's part. My dissertation is not the first to have been limited by this problem, but it will not be the last.

### ***Implications for future research***

As mentioned immediately above, this dissertation indicates the potential for further studies which unspool multi-level policy feedback effects. These designs could identify multi-level feedbacks which are consistently positive or negative yet have different mechanisms. Such research projects could, alternatively, identify feedbacks that are present on one level, or absent on another. Finally, such projects could unearth, as is the case in this dissertation, feedback effects that are contradictory—that is to say, are positive on some level(s) and negative on other level(s). Presenting further instances of such equivocal, multi-level policy feedbacks would bolster

understandings of precisely which positive feedback effects are necessary to lock-in policy reforms.

Moreover, my identification of the importance of equivocal, multi-level policy feedbacks presents a clearer opportunity to determine *which* policy feedbacks are most directly essential to the entrenchment of a policy reform. Thus, I call for multi-dimensional, long-run qualitative research to present a causal account (Bateman and Langan Teele 2019) of *which* feedbacks prove decisive for sealing the fate of the politics of a certain policy reform. Such detailed case studies could build on existing accounts of prominent policy feedbacks (like old-age insurance, or the G.I. Bill) or negative feedbacks (like Tax Reform, or perhaps even the IRCA) to build an understanding of *which* level of policy feedback proved most essential for determining the initiative's success or failure. It could be that beneficiary, mass, or elite-level effects, alone, started a positive (negative) chain reaction that compounded the policy's entrenchment (retrenchment). However, it could also be that each feedback level was equally essential in determining the longer-term fate of the initiative. Whatever the case may be, undertaking the methodology suggested here would build understanding about the politics of American public policy.

Finally, I suggest further exploration of the politics of immigration policymaking in the US. Several classic studies of immigration policy were undertaken by scholars of the politics of policy (e.g. Smith 1997; King 2000) or their students. Other studies make elliptical references to concepts from policy studies, yet are primarily read as APD or historical accounts (i.e. Tichenor 2002). Research into the politics of public policy has, of course, made extensive theoretical, methodological, and conceptual advances in the intervening years, yet it remains safe to say that the two research programs have each grown substantially in the twenty or so years they have been sundered. Throughout this dissertation, I have pointed to calls

from scholars sitting at the intersection of the research programs<sup>16</sup> as a motivating factor for this project. I argue that the insights regarding both areas generated here, coupled with the contributions produced by other scholars sitting at the intersection<sup>17</sup> of policy studies and immigration research, indicates the promise of greater synergy between the two programs.

### ***DACA after the Obama Administration***

With theoretical contributions and implications for future research now firmly established, I turn now to broader conclusions about the longer-term fate of DACA, and the implications of this work for collective understanding about the policy. Speaking definitively about the political fate of DACA confounds political observers. The initiative has been pronounced dead on numerous occasions, been apparently resurrected by courts, and limped on unexpectedly, sustained by the perseverance of activist Dreamers and sympathetic litigators. Throughout the writing of this dissertation, political developments have frustrated any attempt to speak definitively about the long-term politics of DACA. In the previous chapters, I focused primarily on DACA's discrete impacts on different levels of the polity: considering whether DACA was able to break Congressional stalemate in 2012, to alter the Dreamers' identities in 2012 or 2016, or to shift the attitudes of the mass public in 2012 or 2014. Here, I consider to what extent DACA persisted into the Trump administration.

Trump's victory in 2016 has been widely attributed to his harnessing of xenophobic or anti-immigrant sentiment in white Americans, especially directed

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<sup>16</sup> See, especially: Filindra and Wallace Goodman (2019).

<sup>17</sup> See: the broader research agenda of Edwards Vargas and co-authors, also Roman (N.D.). Though the bulk of her book prioritizes criminal justice policy, some of Walker's (2020) insights also fall into this category.

toward Latinx and Mexican Americans (Berry, et al. 2020; Reny, et al. 2019; Sides, et al. 2018), but also toward Muslim Americans (Lajevardi and Abrajano 2018). After the completion of the first year of the Trump administration, political scientists had begun to note that, despite Trump’s promises to remake or “disrupt” the American political system, the actual *initiatives* of the administration paralleled those of either contemporary (Lewis 2019; Potter, et al. 2019) or Republican (Jacobs, et al. 2019) administrations. These accounts prioritize the administration’s environmental deregulations (unremarkable in quantity though arguably not quality) and haphazard efforts to shift the health care status quo. Some authors, remarkably, simply bypass an account of the administration’s immigration policy (Thompson, et al. 2020). Trump’s unilateral actions on immigration policy were certainly more numerous than those of his predecessors (Potter, et al. 2018), and faced a sharper and more prominent public backlash than other unilateral actions (Jacobs, et al. 2019; Collingwood, et al. 2018). Most relevant here, the Trump administration ended DACA in late 2017, a move that sparked a flurry of litigation still ongoing at the time of writing (Olivas, et al. 2020, ch. 7). The rescission, moreover, returned the Dreamers to the center of political debate and Congressional horse-trading. As before, placing the fates of the Dreamers on the Congressional bargaining table failed to break the multi-dimensional obstacles to comprehensive legislative action on immigration. Neither a government shutdown, nor strong shifts in the balance of power in the House broke the stalemate: proposals for a Dream Act have “died ignominiously...” (Olivas, et al. 2020, 115). In their unparalleled study of the “long-term impact of DACA,” Roberto Gonzales and his co-authors conclude that the program conferred undeniable benefits to the Dreamers, despite real costs borne by the Dreamers stemming from the uncertainty attached to their status.

Those conclusions aside, any appraisal of the effects of DACA must note that

the Dreamers rendered themselves far more accessible to the state by applying for DACA. While their feeling alienated by their experience with the policy is an unfortunate finding, they could experience far greater threat in the coming years. The Dreamers' DACA eligibility necessitated substantial disclosure of their personal situation and background to the American state: not doing so has, for many scholars, been a cornerstone of immigrants' efforts to avoid deportation (Gonzales 2016; Prieto 2018; Asad 2020). Increasing vulnerability to deportation for the Dreamers would be a disturbing consequence of the policy. It may, finally, force young Americans to shirk future opportunities to seek legalization, regularization, and protection from the American state. Given that shifting the longer-term dynamics of the politics of immigration policymaking was a fundamental goal of the initiative, I conclude by briefly examining the longer-term impact of DACA on the politics of immigration policy during the Trump administration.

### ***Immigration policy in the Trump era***

I dispute above-cited claims of some scholars regarding the character of Trump's immigration policy: executive branch actions pertaining to immigration under Trump were harsher in quality and broader in implementation than under recent Presidents. Qualifying Trump's immigration policy frustrates observers for several reasons. First, the details of Trump-era immigration policy may not be obvious at this time, given that some of the grislier policies or practices put in place by the administration were implemented in relative secrecy.<sup>18</sup> Second, the diffuse sense that the administration was radically remaking immigration policy flows in part, I argue, from the numerous instances of policy ambitions being implied through innuendo, trial balloon, tweet

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<sup>18</sup> For example, the apparent practice of applying forced sterilizations to some women in ICE custody (Treisman 2020).

storm, or 24-hour media cycle. The brief firestorm created by the administration's toying with the idea of seeking to end birthright citizenship clearly falls into this category. Such instances confound efforts to assess Trump immigration policy: the Trump administration, like others before it, made no formal changes to the core of citizenship law. Does that mean that the administration's interest in doing so ceases to matter? If not, how should it factor into retrospective considerations of Trump-era policy? Despite these difficulties, I work to consider Trump-era immigration policy, how to consider it alongside broader political developments, and its relationship to the politics of immigration policymaking during the Obama administration.

Several Trump-era policies that could be said to differ from precedent in "quantity" but not quality are the stepped-up workplace raids, increased deportations, and sharp cuts to TPS. These policies made use of existing executive powers and points of discretion to implement the administration's preferences, expanding (in the former cases) or contracting (in the latter case) existing practices. These initiatives were relatively free from Constitutional constraint and litigation, and were, at least, quite popular amongst the President's electoral base (Matos 2020). In fact, the greatest constraint on Trump's ability to implement such initiatives appears to have been the often-bumbling implementation efforts that dogged the White House (Olivas, et al. 2020, 119). These policies were clearly personal priorities for Trump, were roundly supported by the policy notables in the administration, were not challenged by conservative media, and appeared not to alienate the administration's base in the mass public. Their clear constitutionality, the presence of mass- and elite-based support, and the relative ease of implementation make them the clearest straightforward consequences of Trump's election. That is to say: they clearly do not flow from any recent institutional changes in executive branch policymaking and could have been implemented quite easily by any post-Reagan executive.

The increase in deportations under Trump could have made use of the centralization of immigration law enforcement policy effected under the Obama administration as discussed in Chapter 1. Obama, as discussed in that chapter, made substantial efforts to coordinate the practices of ICE and CBP in the years leading up to DACA, when deportations reached their Obama-era peak. Unfortunately, I lack the space and resources to explore this question in detail, given the focus of this dissertation on DACA, and the difficulty in systematically studying the notoriously opaque immigration law enforcement bureaucracy (see: Cortez 2020). Above all, I argue that a through line between the Obama-era coordination of the arms of immigration law enforcement and vigorous Trump-era enforcement is plausible, but researchers currently lack sufficient evidence to evidence a link.

The other facets of Trump immigration policy have more complicated origins. The militarization of the border in response to the pantomime threat of the “migrant caravan” “deploy[ed] more military personnel than have been deployed overseas since the post-9/11 wars and police actions...” (Olivas, et al. 2020, 116). The massive deployment of force would, in all likelihood, have been a political impossibility prior to the consolidation of military/foreign policy and immigration powers under DHS via the Patriot Act. DHS head Kirstjen Nielsen, appeared to take the initiative on the administration’s response to the caravan, including making a number of press appearances where she mulled the idea of rebuffing the caravan with military force (Serwer 2018). Thus, I deem the massive mobilization that headed off the alleged threat of the caravan to have been enabled by the striking consolidation of foreign policy and immigration law institutions after 9/11. The administration’s militarization of the border in response to nebulous threats associated with migration would be unimaginable without the continuous mobilization of force that constitutes the endless War on Terror.

Family separations proved one of the most prominent and notorious initiatives undertaken during the Trump administration, during which families apprehended at the Southern border facing removal were detained separately in squalid conditions. The practice of family separation as identifiable today appears to have begun after 9/11, prior to which families were generally either released together on their own recognizance or detained as a unit (Jordán Wallace and Zepeda-Millán 2020, 33). The pre-9/11 status quo was, nevertheless, extraordinarily punitive, with reports of child abuse rampant throughout the 80s into the late 90s (32). Family separation spiked during the George W. Bush administration, with DHS briefly detaining families separately until a Congressional outcry halted the policy (34). Family separation again became United States policy during the period of increased migration from Central America in 2014. Facing increased migration of unaccompanied minors, Obama began citing such migration as a “‘threat to national security’ that necessitated confinement [of children] as a deterrence strategy” (35). The Trump administration’s expansion of the policy prompted more public awareness of the policy, and a substantial backlash followed, after which the policy was wound down (ch. 3, ch. 4). Nevertheless, hundreds of children have yet to be reunited with their families. The administration cited Obama-era separation policy as a precedent, and used that precedent to challenge the veracity of criticism (Caldwell and Frosch 2018). In this case, the Trump administration’s punitive turn on family separation was not empowered by Obama-era policy, but rather by the expansion and consolidation of the immigration law enforcement state under the Patriot Act. The argument that Obama-era precedent was a foundational justification for family separation requires an unproductive suspension of disbelief, and a willingness to overlook Trump’s advisors’ support for the policy (NPR 2018). While Obama’s limited use of separations provided a rhetorical cudgel for Trump administration figures tasked with implementing a far more draconian

version, it did little more than that.

Finally, and in the most direct break with prior policy, the Administration sought to enact a “Muslim Ban” early in 2017. The series of slapdash proposals sought to exclude arrivals from several majority-Muslim countries. The series of initiatives were without precedent in recent immigration policy, hearkening back previous efforts at Chinese Exclusion more than any modern policy. The Ban’s almost total lack of precedent helps explain its tortured history with judicial review (Potter, et al. 2019; Olivas, et al. 2020). Moreover, the lack of precedent negates any through line between previous policy enactments and the Muslim Ban. While the executive’s power over immigration has grown since the end of World War II, the Muslim Ban marked a discontinuous policy change that moots comparison with postwar political developments.

Trump’s political strategy regarding immigration policymaking, on the other hand, more clearly sought to emulate Obama’s example, specifically by attempting to use stepped-up enforcement at the border to make an enforcement-for-regularization bargain more palatable to Congressional liberals. Given that this strategy echoed back to Reagan-era practice (Skrentny 2012), it is doubtful that Trump’s erratic efforts to persuade the Democrats to fund the border wall in exchange for permanent status for the Dreamers emerged out of some conscious effort to emulate Obama’s strategy. On the other hand, the Dreamers’ status as a bargaining chip in Congressional haggling over immigration policy was, quite concretely, a direct legacy of Obama’s immigration policy initiatives.

Thus, just as Obama’s efforts to reshape the gridlock that defined immigration policy after the second George W. Bush term largely failed, they also had relatively little to do with the punitive turn taken by Obama’s successor. Trump’s immigration policymaking was, if anything, far more influenced by institutional investments made

during the prior Republican presidency. Family separation and militarization of the border, in particular, were directly made possible by the expansion of the immigration law enforcement state after 9/11, an aspect of American political development that, to my knowledge, is under-remarked-upon in American political science.<sup>19</sup>

### ***The Partisan Politics of Immigration Policy***

In this conclusion I label DACA, despite its undeniable benefits for beneficiaries, a broad political failure. One of the essential reasons for that failure, of course, is the growing ideological-partisan divide between political elites, and between liberals/Democrats and conservatives/Republicans in the mass public. I present evidence that this divide occurred somewhat later than other scholars do: Abrajano and Hajnal identify ideological divisions on immigration as beginning with Hart-Celler (2015); Tichenor traces contemporary divides over immigration to the Republican revolution (1994). Roughly corroborating ideas presented by Michael Tesler (2016), John Sides, et al., and Justin Berry, et al. (2020), I present evidence that ideological and partisan divides grew apace in the late 2000s, perhaps most strongly during Obama's first term. These divides, as much as any other dynamic, appear to have conditioned the near-decade of legislative wrangling that made executive unilateralism, and thus DACA, a feasible political solution.

These divides, confusingly, appear to have taken the politicians they constrained at unawares. Senate Democrats, most notably Harry Reid, and to a lesser extent Chuck Schumer, appear to have been somewhat surprised when efforts to secure immigration reform through logrolling or the creative use of riders failed. It seems that Democrats may have overlooked the extent to which immigration proved

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<sup>19</sup> This could be due, in part, to George W. Bush's relative electoral success among Latinx Americans.

an animating concern amongst mass and elite Republicans in the late 2000s. These growing divides appear, moreover, to have caught Obama by surprise. Obama's frustration with the recalcitrance of the Republican Congressional opposition (especially after Scott Brown's victory) comes through in his remarks—formal and informal—during the history recounted here. Existing theories of legislative politics do little to explain how legislators could be surprised by the tactics of their opponents: research into elite policymaking in the United States would be advanced by an account that explored how and why Democrats were so unprepared for the rigor of Tea Party opposition.

Finally, I conclude, somewhat paradoxically, by noting that it is easy to overstate the extent of ideological and partisan division over immigration policy. The most important immigration policy of the 21<sup>st</sup> century is the Patriot Act, beyond any doubt. The massive institutional investment and centralization that occurred under the auspices of the War on Terror, as shown above, proved essential in structuring the punitive power of the American immigration legal apparatus. This account is, I maintain, underdeveloped in American politics, perhaps *because* it is the product of broad left-right consensus. Future accounts of the nature and extent of political disagreement over immigration policy must, I argue, reckon with this fact: partisan and ideological conflict over immigration has *not*, for the most part, implicated American imperialism, or the mobilization of domestic, border, and international forces that strive to maintain it.

### ***The Race Politics of Immigration Policy***

The preceding paragraph points to the importance of not overstating the influence of ideology and partisanship on the politics of immigration policymaking. Throughout this dissertation, there are several points of consensus between Democrats/liberals and Republicans/conservatives, points of agreement that are easy to overlook in an account

that emphasizes legislative conflict. Throughout the Obama administration, ideological and partisan opponents reached consensus on the importance of excluding all but the most integrated undocumented immigrants. In the past, left-right coalitions upheld Chinese exclusion and foreclosed humanitarian admission of German Jews. As listed above, massive surveillance and profiling operations targeting putatively Arab and Muslim Americans were implemented and executed with little dissent. These points of consensus share a common underpinning: they foreclose full citizenship from non-native-born white Americans. There are, of course, moments when this consensus fractures. Most notably, the boundaries of American civic membership were expanded during the “open door” years of the Antebellum republic and after the enactment of Hart-Celler. In both instances, white supremacy *facilitated* the opening of the golden door: in the former instance, white panethnic citizenship helped sublimate political conflict over slavery. In the latter case, a liberal immigration policy was the domestic face of American international hegemony, a complement to—rather than a contradiction of—a half-century of violent American intervention in Africa, Asia, Latin America, and the Middle East.

Broad consensus around the belonging of whites, and skepticism regarding the belonging of people of color pervades all aspects of the politics of immigration policy. The two cannot be meaningfully separated from each other—and certainly not within the pages of this dissertation. More directly: racial inequality structured each level of policy feedback documented herein. In Chapter 2, the mere *existence* of the class of people termed “Dreamers” reflects a century of economic exploitation and political exclusion faced by (especially) Latinx Americans. The cavalcade of half-measures and legislative blunders that sealed the fate of the DREAM Act could not, I argue, have befallen a population of young, well-educated, economically vulnerable whites of any nationality. In Chapter 3, I examined the racial and ethnic identities of immigrant

Americans—identities which were formed in the context of centuries of inequality and exclusion. Finally, in Chapter 4, I traced the limited, temporary influence of DACA over Americans’ immigration attitudes. Americans’ tepid support for the Dreamers is the exception that proves the rule. If Americans—specifically white Americans—could be persuaded of the belonging of immigrants of color (or even of the utility of immigration), then the construction of a tiny, valorized sliver of the immigrant population to justify reform would not have been necessary.

### *Conclusions*

The paradoxical confluence of trends that enabled Obama to “create” the political constituency (and, I argue, political identity group) of the “Dreamers,” did not, as I have shown in this dissertation, catalyze emphatic, positive feedbacks to either further activate the Dreamers’ as a constituency or break the political stalemate around immigration policy. Given that DACA was conceived of, and presented as, an effort to reshape the politics of immigration policy, it failed the ambitious proponents of immigration in Congress and the White House. My multi-level study of policymaking and policy feedback traces this failure across the American political system: the failure belongs to the members of Congress whose posturing on immigration has made a political solution untenable, to the Presidents of both parties who have used deadly force at the border as a political bargaining chip, to the members of the American public who have grown increasingly willing to entertain ethnonationalist fantasies about America’s past and future. Illuminating this failure evidences the importance of studying policy and politics alongside each other: those who (rightly) acclaim DACA’s policy successes (see: Gonzales, et al. 2020) must also account for the fact that DACA’s authors intended it to accomplish so much more.

I conclude with a still-deeper interrogation of the assumptions undergirding research into immigration policy. To describe DACA as a policy or political failure,

however, is to speak of immigration policy as policy that can *succeed*, as in, a policy that can solve a social, political, or economic *problem* (Stone 1989). Immigration is a political problem, but it is a problem *created* by the state. People have migrated across the United States' borders with and without authorization, before and after authorization even existed. They did so in the thousands of years before the US existed and will continue to do so after the US ceases to exist. To describe their doing so as a problem is to elide the fact that migration is, itself, for the common good, a natural human behavior, and, frankly, essential for the existing institutional arrangements in the US to function. The account of the history American immigration policy unspooled in Chapter 1 emphasizes this point: migrants have been driven to and from the US for centuries, and the confluence of historical circumstances that would be required to staunch that flow is inconceivable. Referring to migration as a “problem” pathologizes a natural behavior that the state has worked to constrain, regulate, and oversee, and elides the fact that, in the last instance, the state created the problem of migration (see: Scott 1998). It is worth asking whether even the perfect state action can solve a problem the state created.

Throughout this dissertation, immigrants are more often spoken about than speak. This is, in part, a product of the difficulty in surveying immigrants, the funding constraints facing graduate researchers, and the fact that the most powerful influences on immigration policy are, overwhelmingly, native-born, and personally unfamiliar with immigration. This dissertation, however, is as much about the experiences, attitudes, and identities of those immigrants as it is about anything else. Given that they have had relatively little opportunity to express their individuality outside of the context of multiple-choice survey responses earlier in this dissertation, I conclude this writing by highlighting their perspectives. The failure of immigration reform in the twenty-first century is our—that is to say, America's—failure. The people who were

failed, the Dreamers, have each watched a dream be slowly dashed in the past two decades. Those American dreams are deeply individual and unique, and are captured with devastating clarity in open-ended responses to the Latino National Survey (LNS 2006). The diversity of these dreams rings through when respondents were asked to explain why they migrated to the United States. Among those respondents who were not citizens, and could not plan to become citizens, that dream encompassed everything from a 33-year-old from Guanajuato who came to the US for “adventure,” to an 18-year-old in California who came to the state for a better life. The dream, unlikely as it may seem, connected several people from El Salvador who fled American imperialism to the man born in Mexico City who was brought to America and decided it was “a good place.” It defined the experiences of the countless respondents who reported migrating north for a spouse, a child, a grandchild, boyfriend, or girlfriend. Finally, that dream ran through the life of a 22-year-old man from Guerrero who arrived in the US as an infant and concluded that “everything there is here” tied him to the United States. Those dreams were filtered through and constrained by policy, and countless efforts to resolve the “immigration debate” made appeals to those dreams. In this dissertation, when an initiative, reform, or negotiation failed, these people were failed.

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