Executive Action, 1989-2021 (v.2-8)

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Summary

This dataset is a curated list of 1,645 executive actions initiated by from January 20, 1989 to January 20, 2021, appearing in Lowande (2024). It is an updated version of the dataset contained in Lowande (2021), corrected for errors, supplemented with new topics, and extended to include the presidencies of George H.W. Bush and Donald Trump. It tracks U.S. presidents' attempts to change some status quo policy—regardless of the administrative way they are carried out. The list includes directives that include the president's signature (e.g., executive orders, memoranda, proclamations, national security orders), regulations and proposed rules, internal memos written by subordinates, significant changes in enforcement actions, pardons, military interventions, and other actions. To be included, the action must be attributable to a presidential decision (even if the policy or proposal did not originate in the White House). The list excludes actions required by congressional statute, and many administrative actions related to the functioning and organization of the Executive Branch. This document details the way these data were collected, along with diagnostic information, known issues, and recommendations for appropriate research uses.

What is and is not included in these data?

This section defines executive action and provides common examples of what actions are and are not included in the dataset.

Definition

> "Executive actions" are initiated by presidents and their direct agents to change existing public policy through administration. It can occur via presidential directive (e.g., executive order, proclamation, memoranda) or through internal discussions and initiatives that lead to non-presidential directives (e.g. departmental memoranda, agency rulings, regulations, changes in enforcement priorities, or notices). It is distinct from actions that merely carry out administrative functions required by law—that is, it must be a substantive change in existing policy. It is also distinct from attempts to change policy through legislative means—that is, by lobbying for or against legislation, vetoing legislation, or communicating positions on pending legislation.

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The term "executive action" is preferred over others because it is inclusive and less misleading that other common terms. The term "Unilateral action" implies presidents carry out the action alone, which is not the case for most of the actions included in the dataset. The term "directive" is also sometimes not applicable because the policy change cannot be traced to one.

Note, to be included in this dataset, the action does not have to successfully change public policy. It is only required that it propose one that requires no additional positive action from Congress.

What is included?

Anything that satisfies the definition above and falls under at least one of the policy areas mentioned in this document is included in the dataset. This determination sometimes requires consideration of the underlying authority under which the president is acting. For example:

Iranian oil: After the enactment of the FY2012 National Defense Authorization Act, the president was required to formally determine that there was enough oil on the open market to enable purchases from producers other than Iran. In effect, this required recurring directives that enabled sanctions against Iran to continue—in absence, the sanctions would be unlawful. For this reason, these determinations included in the dataset.

Aviation insurance: The President directly authorizes the provision of aviation insurance through the FAA if the national security situation in a particular flight path is too risky for commercial airlines to get this insurance on the private market. It is analogous to disaster declarations, in that cannot be supplied without the president's determination, so it is included.

Emergency boards: The president is authorized to create and appoint an emergency board that investigates disputes between labor and management when work stoppage would result in significant disruptions to interstate commerce (e.g., dry cargo, airlines and railroads). The creation of the emergency usually delays a strike by a month or more if it does not resolve the dispute.

Beneficiary countries: Determinations on the eligibility of various countries for beneficiary developing country status, which usually confers some kind of duty-free treatment under a trade agreement are included in the dataset. While trade agreements themsevles are approved by Congress, the President makes these determinations and exceptions unilaterally, and most often, is only required to notify Congress in advance.

What is excluded?

Some categories of presidential directives are topically relevant, but do not fall under the definition above. For those comparing the dataset to the directives printed in the Federal Register, there are notable, common examples of excluded directives:

Trade agreements: Trade agreements that have been negotiated under "fast-track" authority, along with the formal documents that implement them in the tariff schedule, are both excluded from the list. The agreements are sent to Congress for approval, and the implementation of them are technical changes required by law. The only changes to tariff schedules that are included are those that target specific goods or countries of origin. Most of directives are routine harmonization of import rules that have nothing to do with unilateralism of the chief executive.

Orders of succession: While occasionally consequential because they determine who will be in charge if an appointee departs, these do not fit the definition of unilateral action because they do not propose a change in a status quo policy (even if they eventually influence one indirectly through agency structure).

Delegations of authority: Presidents often re-delegate powers assigned to them by statutes to subordinates. In practice, these are usually functions that require the president to report to Congress. They are almost never consequential. The only actions in this category that are included are those that delegate authority to a specific subordinate and then direct them to take some specific action.

Nuclear cooperation agreements: So called "Section 123" agreements for the peaceful uses of nuclear technology are negotiated and proposed by the president, but require consultation with the House and Senate, and can be vetoed with simple resolutions of disapproval. As part of these agreements, the president is required to determine that the agreement would not harm the national security of the United States. These determinations frequently appear, but as described, do not themselves propose an alternative to the status quo.

Public employee pay raises: Presidents make annual adjustments to rates of pay for public employees, including active duty military personnel. Though presidents can propose a pay raise above or below the one that is indexed to private sector wage growth, these are only recommendations, and the final figures are legislated by Congress.

Amendments to the Manual for Courts-Martial: These actions are primarily implementations of congressional amendments to the UCMJ, which was itself created by Congress.

Civil service and bureaucratic structure: Presidents often make structural changes to the executive branch that elevate (or demote) personnel, create reporting requirements, or facilitate general oversight of bureaucratic agencies. Unless changes like these are associated with a specific change in policy or fall under one of the substantive categories defined in the dataset, they are excluded.

Adivsory panels: Directives that solely involve the creation, appointment, and renewal of advisory boards and commissions are excluded from the dataset because they typically do not propose a change to the status quo. However, there cases in which the president states a general policy, then requires a panel to develop recommendations for effectuating that policy. These are included. Otherwise, these actions are considered alongside those dealing solely with bureaucratic structure and are excluded.

Ceremonial directives: Commemorative directives or initiatives (usually a proclamation), usually include the designation "weeks" or "days" celebrating on particular topics or groups. Also excluded under this category of actions are those that give public employees time off for holidays.

There are also some actions that would be included under the definition of executive action, but are excluded for topical reasons. Because the topics included in the search procedure are fairly exhaustive,

these are generally rare. However, actions related to government transparency, record-keeping, and ethics are not. They are excluded from the dataset because they do not fall under any of the substantive categories outlined in this data description, and because they have to do with the general management of the executive branch. The only exceptions are some actions which are also related to defense or national security. In contrast, many actions related to "open government," the ethnics of White House officials, and the disposition of presidential records, are excluded.

How were these data collected?

Procedure:

Presidential directives: the universe of presidential directives from the George H.W. Bush through Donald Trump presidencies were obtained from two sources. The primary source is the *Compilation of Presidential Documents*, published online by the GPO after 1993. Prior to 1993, I used plain text versions of the Weekly Compilation of Presidential Documents maintained by HathiTrust. I obtained a list of directives by scraping every entry. Note, the version scrapped is now deprecated after the late-2018 transition from `FDsys` to `govinfo`. The *Compilation* contains more than 35,000 entries during this period, and includes appointee nominations, speeches, press releases, legislative commentary, reorganization plans, and more. The list was then subset to all identifiable directives. I identified several types: executive orders, letters, presidential memoranda, proclamations, determinations, military orders, directives, and those labeled as "other." In total, these are 7,030 entries. The second source was declassified lists of national security directives, which are catalogued by the Federation of American Scientists.

1. To obtain most likely matches for hand coding, I used the full text of each entry and a policy-specific dictionary to generate match frequencies. In general, all relevant actions were contained in the 20 orders with the highest match rate. To ensure that no directives were missed, the threshold for matches was lowered to produce a minimum of 50 matches.
2. From this set of matches, at least one coder read and labeled directives which were relevant to the policy topic. There were a total of 5 unique raters across 66 policy areas, with the typical rater hand-coding 20 policy areas. Most of these were straightforward and can be collected quickly. For example, all adjustments to national parks and monuments occur via proclamation, and there are no changes in taxes (e.g., alcohol, tobacco, gas) via presidential directive.
3. To gauge the relative difficulty of each topic area, inter-coder reliability statistics were obtained for those areas coded by multiple raters. Difficult topics with low ratings were typically broad (e.g., Homeland Security and Defense). For these topics, disputed directives were resolved by the author.
4. Finally, to eliminate remaining false positives, the entire list of directives was reviewed by the author. Specifically,
   (a) Categories of orders that did not meet the definition of executive action were removed.
   (b) Some categories of orders were inconsistently included across administrations. To resolve these, I reviewed the pool of excluded directives and added those that met the definition. For example, some actions related to the establishment of emergency boards to resolve labor disputes were excluded by coders, but added to final list to ensure consistency across time.
5. From this procedure, 1,459 non-duplicated executive actions were found.

Non-presidential directives: Non-directive initiatives were collected via two sources.

1. I used keyword searches for presidential action (i.e., "executive authority' or "executive action" or "administration directive" or "administration directive" or "administrative waivers" or "waiver policy") to obtain relevant entries for each policy area in the *CQ Almanac*. This resulted in 38 matches. From these, only 4 relevant, non-duplicated actions were found (they were: NCLB waivers, Race-to-the-Top, and two Clinton-era Welfare regulatory changes).
2. I used keyword searches to obtain relevant articles referencing presidential actions from a repository of law reviews in *LexisNexis Uni*. These terms were "(bush or obama or trump or clinton) and president and ('executive action' or 'presidential directive' or 'unilateral action' or 'executive authority') and not 'book review' ". Date range was restricted to January 1, 1989 to the June 1, 2021. Including all law reviews, this returned 8,107 results. Only the first 400 were examined by the author. To be included as an action, the action must have been excluded by the *Compilation*, which generally meant that it was not an action initiated by some directive with the president's signature. From this procedure, 182 distinct, non-duplicated executive actions were found.

The sources above were consolidated and duplicates were removed to arrive at the final list of 1,646 actions.

Dictionary:

Reported in Table 1, below.

Policy	Terms	Matches	Top 4 Terms (if applicable)
Defense	armed forces, air force, armies , army, militar, navy, north atlantic trat, mutual securit, arms control, arms reduc, nonprolifer, nonprolifer, proliferation, nuclear disarm, chemical weap, peacekeeping, enriched uranium, department of defense, secretary of defense, centcom, command, use of military force, defense intell, afghanistan, pakistan, yemen, syria, iraq, korea, georgia, somalia, war powers resol, war, troop, deploy, nofly, nato	334	militar, war, iraq, secretary of defense
Emergency Management	federal emergency management, fema, disaster assistance, emergency, natural disaster, stafford, national dam safety, earthquake hazards, mckinney homeless, emergency planning, disaster prepare, ready campaign, hurricane, flood, national flood insuran, domestic prepare	283	emergency, flood, hurricane, federal emergency management
Trade	tariff, quota, reciprocal trade, embargo, most favored, north american free, transpacific, trade, nafta, gatt, wto, generalized system of pref, dutyfree, trade representative, ustr, adjusting import	282	trade, tariff, ustr, nafta
Homeland Security	domestic security, national protection, national security, department of homeland security, secretary of homeland security, intelligence sharing, real id, cybersecurity, critical infrastructure, wmd , weapons of mass destruction, terroris, border security, infrastructure security, natural disaster, election security, emergency communicat, human traffick, transportation security, signals intellig, national preparedness, intelligence reform, 911 commissi, stafford, emergency management, immigration and nationality, maritime transport, safe port act	249	national security, terroris, secretary of homeland security, critical infrastructure
Environment	environment, climate change , extinct , endangered, global warming, smog, air quality, pollut, greenhouse gas, sustainabl, hazardous waste, contaminat, conservation, reforestation, ozone, sea level, coal , green technology, drought , wildfire, flood, hurricane, enivronmental protection agency, department of energy, department of interior, secretary of the interior, secretary of interior, secretary of energy, clean air act, toxic substances control, clean water act, energy independence and security, fifra, nuclear waste policy, safe drinking water, shore protection, superfund, climate action	221	environment, conservation, secretary of the interior, pollut
Regulatory Affairs	oira, regulatory affairs, regulatory, regulation, agency rulemaking, management and budget, unified regulat, unified agend, centralized review, rulemaking, regulatory policy, oira administrat	191	regulation, regulatory, management and budget, oira

Dictionary continued on next page

Policy	Terms	Matches	Top 4 Terms (if applicable)
Transportation	airline, air service, air traffic, air travel, avaitaion, bridges, rapid transit, mass transit, mass transport, public transit, public transport, infrastructure, rail, railway, shipping, subway, transporta, truck, highway, speed limit, cargo, freight, toll road, congestion , pedestrian, drivers license, department of transportation, secretary of transportation, transit benefit, scenic byway, nextgen air, drive sober, distracting driv, dot , recovery act, automobiles, roadway, bridges , build america, tifia , infrastructure finance, railroad rehab, rail safety, surface transport	153	infrastructure, transporta, secretary of transportation, rail
Energy	coal, natural gas, oil, energy, ethanol, department of energy, secretary of energy, alternative fuel, wind, solar, nuclear power, oil exploration, nuclear react, alternative energy, renewable, cap and trade, pollution credits	150	energy, oil, renewable, secretary of energy
Social Security	social securi, ssa, social security admin, commissioner, security benefits, retirement	148	ssa, commissioner, social securi, social security admin
Affirmative Action	affirmative action, discriminat, secretary of labor, department of labor, contractor, subcontractor, compliance report, contracting agencies, minority owned, equal employment, certificate of merit, diversity, race, gender, national origin, disability, disabilities, nondiscrim, college admission, educational access, access to educ	136	contractor, disabilities, discriminat, gender
Education	educat, grade , college , graduate, postsecondary, postsecondary, school, student, tuition, undergraduate, universit, vocational , apprenticeship, internship, curricul, achievement, equal access, ferpa, fafsa, teachers, accreditation, scholarships, pell grant, campus , no child left behind, every student succeeds, race to the top, workforce innocation and opportunities, individuals with disabilities in education, title ix, k12	134	educat, school, student, universit
Agriculture	agricult, cattle , cultivat, grain, wheat, barley, beef, pork, livestock , poultry, food inspect, farm, food import, crop , pesticide, manure, genetically modified, gmo, e coli, mad cow, bovine spongiform encephalopathy, secretary of agriculture, department of agriculture, farmers market	112	agricult, secretary of agriculture, farm, department of agriculture
Law Enforcement	law enforcement, marshals service, bureau of investi, bureau of alcohol, police, protective , inspector general, department of justice, information sharing, personnel training, department of homeland security, bureau of justice assist, institute of justic	107	law enforcement, department of justice, department of homeland security, information sharing
Civil Rights	office of civil, department of justic, equal employ, discrim, hate crim, attorney gener, violation of civil, civil rights	91	attorney gener, discrim, department of justic, hate crim
Covert Operations	central intelligence agency, national security agency, intelligence agen, intelligence serv, covert operations, clandestine, espionage, counterintelligen, directorate of oper, directorate of analysis, covert action, senior analytic serv, defense clandestine, national security act	87	intelligence agen, central intelligence agency, national security agency, clandestine
Defense Research	defense advanced research, darpa, small business innovation, defense innovation, research and develop, research laboratory, information analysis, defense contract, research and technology, department of defense, secretary of defense	85	department of defense, research and develop, information analysis, defense contract
Defense Hardware	defense authorization, ndaa, procurement, miltiary hardware, aircraft, armored vehic, defense acquisi, multiyear procure, block buy	84	procurement, defense authorization, aircraft, ndaa
National Parks and Monuments	forest management, forest service, national park service, national park, historic site, monument, scenic trail, recreation, wilderness area, antiquities act, secretary of interior, secretary of the interior	83	monument, national park, recreation, national park service, antiquities act
Healthcare	affordable care, patient , medicare, medicaid, healthcare, prescription, health insur, chip, chipra, cost sharing, center for medi, cms, centers for medica, part a, part b, part c, part d, deductible, copay, inpatient, outofpocket, insurance portability, state health, chief actuary, secretary of health, health and human	74	secretary of health, medicare, patient , medicaid
Defense Retention	retention, retain, service member, administrative separat, waiver to retain, adjustment in force, enlisted, cyber scholarship, department of defense, secretary of defense, cysp, personnel retention, military compensation, army retention	71	secretary of defense, department of defense, service member, retain
Illegal Drugs	drug, interdicton, narcotics reward, bureau of international narco, drug enforcement, inl , department of state, counter narco, counternarco, rida init, central america regional security init, carsi , drug traffick, drug addic, controlled substan, drug treatment, war on drugs, illegal drug, drug test, drug education, cocaine, heroin, opiod, marijuana, schedule i, schedule 1, cannabis	71	drug, drug traffick, cocaine, heroin
Military Aid	foreign military, peacekeeping, international military ed, imet, pko, arms export, fmf, military aid, security assistanc, department of defense, secretary of defense	69	department of defense, peacekeeping, arms export, imet
United Nations	united nations, peacekeeping, general assembly, security council, helmsbiden, nations security council, un	67	united nations, security council, nations security council, peacekeeping

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Policy	Terms	Matches	Top 4 Terms (if applicable)
Gun Control	gun violence, firearm, assault weapons, handgun, national firearms, gunfree, brady hand, bureau of alcohol, atf, commerce in arms, officers safety act, attorney general, background check, firearms license	64	attorney general, firearm, atf, background check
Scientific Research	research grants, nsf , national science foundation, research grants, office of science, national sceince and technology, research and development, federal research public access, america invents, national laborator, national science board, supercomputing applications, digital library, national nanotechnology, rapid response grant, data scienc	62	office of science, research and development, national science foundation, national nanotechnology
Abortion	abortion, roe , baipa, partialbirth, planned parent, hyde , pregnancy, secretary of health, department of health, mexico city	56	secretary of health, department of health, abortion, roe
Space	national aeronautics and space administration, nasa , satellite, space agenc, space launch, space policy, astronaut	55	national aeronautics and space administration, satellite, space policy, nasa
Community Policing	community polic, law enforcement, cops , community orient, department of justic, policing service, technical assist, collaborative reform, civic imagination	49	law enforcement, department of justic, technical assist, community orient
China Diplomacy	china, chinese, tda, trade and development, tiananmen, strategic economic dial, ambassador	48	china, chinese, tda, trade and development, tiananmen
Arts	arts , art , american heritage, national heritage, entertain , literature, music , olympic, panamerican games, paralympics, sport, theater, movie, film, national endowment for the arts, nea , creative forces, poetry out loud, jazz masters, big read	44	sport, american heritage, arts, national endowment for the arts
Housing	apartment, community development, home construction, home insulation, homeless, housing , mortgage , neighborhood development, real estate, rent control, urban development, urban revitalization, secretary of housing, department of housing and urban development, hud , housing administration, affordable housing, marktomarket, mortgage insurance, multifamily housing, choice neighborhoods, fair housing act, housing assistance, ginnie mae, fannie mae, low income housing, neighborworks , home energy	42	housing, urban development, secretary of housing, mortgage
Taiwan Diplomacy	taiwan, republic of china	41	taiwan,
Immigration	immigration, undocumented, border, border sec, customs enfor, visa, unlawful imm, uscis, ice, deferred action, daca, green card, asylum, citizenship, resident alien, deportation, immgirant, official language, recognized language, everify, everify, children of illega, immigration and natural, ins , ice , immigration quota, h1b, h1b, deport	36	immigration, border, visa, ice
Missile Defense	strategic defense, missile defense, missile, antiballistic, ballistic missile, abm, abmt, sdi	36	missile, ballistic missile, missile defense,
AIDS Research	aids , national institutes of health, centers for disease control, medical research, hiv , hivaids , sexually transmitted, office of aids research, prevention	35	hiv/aids, hiv, aids, centers for disease control
Fuel Standards	cafe, corporate average fuel, fuel economy, automobile, emmissions, trucks, cars, vehicles, sport utility, secretary of transport, nhtsa, eisa, energy independence and secur, light truck, model years	35	vehicles, secretary of transport, cars, trucks
Job Training	job training, department of labor, secretary of labor, trade adjustment assistance, taa, vocational , apprenticeship, certification, unemploy, jobless, jobs , job corps, employment and training, rapid response serv, workforce innovation, vets , hire vets, vets medallion, youthbuild, wioa, innovation and opport	35	jobs, secretary of labor, department of labor, apprenticeship
Active Duty Pay	adjustments of rates, adjustments of certain rates, uniformed services, monthly basic pay	33	uniformed services, adjustments of certain rates, adjustments of rates,
Internet	internet, cyber, internet sales, digital, internet privacy, data protect, network nuetr, identity theft, hacking, data breach, spam	32	cyber, internet, digital, identity theft
Welfare	child welfare, employment insurance, food bank, food stamp, impoverish, lowincome, old age security, pension, poverty, public assistance, public welfare, shelter , unemployment benefits, unemployment insurance, welfare , food assistance, snap , guarenteed income, tanf , temporary assistance for needy families, supplemental nutrition	29	welfare, low-income, pension, poverty
Minimum Wage	minimum wage, living wage, federal minimum wage, fair labor standards, department of labor, secretary of labor, wage for contract	25	secretary of labor, department of labor, minimum wage, fair labor standards
Earned Income Credit	earned income, eitc, 1040, internal revenue service, eic , income limits, tax reform act, tax reflief, internal revenue code	24	internal revenue service, eitc, earned income, 1040
Unemployment	unemployment, benefits, unemploy, unemployment insur, reemployment	24	benefits, unemploy, unemployment, unemployment insur
Alcohol Taxes	distilled spirits, wines, beer, gallonage, excise tax, taxation , internal revenue service	22	taxation, distilled spirits, wines

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Policy	Terms	Matches	Top 4 Terms (if applicable)
Cigarette Taxes	smoking , cigarette, excise tax, taxation , internal revenue service, internal revenue service	21	smoking, internal revenue service, taxation , cigarette
Student Loans	department of education, secretary of education, student loans, financial aid, federal student aid, fafsa, free application for federal, repayment, consolidation, subsidized loan, unsubsidized loan, teach grant, consolidation, loan servicers, borrower, deferment, federal family education loan, ffel plus, financial need	19	secretary of education, borrower, department of education, repayment
Marijuana	controlled substanc, marijuana, cannabis, schedule i, schedule 1, national drug control, drug enforcement, medical marij	15	national drug control, controlled substanc, marijuana, drug enforcement
Gas Tax	fuel tax, gasoline tax, internal revenue service, strategic petro, spr	14	internal revenue service, strategic petro, fuel tax
Prisons	prison, inmate , vocational , sentencing, guidelines for sen, sentencing guid, felon, nonviolent, nonviolent, parole, jobplacement assist, addiction treat, alcohol addict, drug addiction treat, incarcer, bureau of prison, recidivism, correctional, inmate program	14	prison, parole, incarcer, correctional, recidivism
Defense Conversion	defense conversion, economic conversion, defense plant, dpc, demobilization, 1033, leso, defense logistics, excess federal property	13	leso, demobilization, defense logistics, dpc
LGBT Rights	gay , lesbian , transgender, bisexual, homosexual, sexual orientation, samesex, samesex, defense of marriage, doma, hate crime, gender identity	12	hate crime, same-sex, sexual orientation, transgender
Medical Research	national institutes of health, centers for disease control, nih , cdc , medical research, cancer, alzheimer, obesity, stem cell, embryonic , human embryo, human stem, clinical, diseases, research grants	12	clinical, stem cell, cancer, diseases
Foreign Aid	foreign aid, mexico city, global gag, funding abortions, international aid, interational disaster assitance, global aid , global hunger, international red cross, doctors without borders, humanitarian aid, amnesty international, usaid , agency for international development	9	usaid , mexico city, foreign aid
Armed Forces Personnel Training	military training, personnel training, military academ, combat readiness, training death, national defense auth,, army education, war college, defense language, army education, basic combat training, advanced individual train	7	military training, combat readiness, personnel training
Income Taxes	income tax, internal revenue service	6	income tax,
Capital Gains Tax	capital gains, taxation , internal revenue service	5	taxation, capital gains
Corporate Taxation	corporate tax, corporations, taxation, tax rate, business tax, internal revenue service, large business and international, tax code	3	tax rate, corporations, internal revenue service, taxation
Mortgage Deduction	mortgage interest, internal revenue service, firsttime home, homebuyer, homeowner	2	internal revenue service, mortgage interest, first-time home
Charity Deductions	internal revenue service, charity, charitable, nonprofit donat, charitable contributions, qualified organization, tax exempt status, 170c, deductibility status, private operating foundations, private foundations, 501c3	1	internal revenue service, charity, charitable
Child tax Credit	internal revenue service, child tax, qualifying child	1	internal revenue service, child tax
Estate Tax	estate tax, deceased, internal revenue service, death tax, gross estate, taxable estate	1	internal revenue service, estate tax, deceased
Medical Deduction	medical deduc, dental deduct, internal revenue service, itemized deduc	1	internal revenue service, medical deduc, dental deduct
Cuba Diplomacy	cuba	0	–
Defense Space	military shutt, defense space, defense shutt, defense satell	0	–

Table 1 – Dictionary. For each policy area, keywords consist of: the departments, agencies, and officials responsible for carrying out the policy, major governing statutes, and common terms used in each policy area. This table reports the number of GPO documents with keyword matches, as well as the terms most frequently used in these documents. These were then hand-coded as {unilateral action, not unilateral action} by 1-3 raters.

How do these data compare with other lists of executive action?

Policy	GPO	FAS	Law	CQ	EO	Memo	Proclamation	Enforcement	Rulemaking	Other
Abortion	6	0	0	0	1	5	0	0	0	0
Active Duty Pay	12	0	0	0	12	0	0	0	0	0
Affirmative Action	3	0	0	0	1	2	0	0	0	0
Agriculture	11	0	0	0	0	10	0	0	0	1
AIDS Research	9	0	0	0	5	4	0	0	0	0
Alcohol Taxes	1	0	0	0	0	0	1	0	0	0
Arts	1	0	0	0	0	1	0	0	0	0
China Diplomacy	12	0	0	0	1	7	2	0	0	2
Cigarette Taxes	4	0	1	0	1	2	0	0	1	1
Civil Rights	19	0	2	0	7	12	0	2	0	0
Corporate Taxation	1	0	3	0	1	0	0	0	2	1
Covert Operations	22	4	0	0	14	6	0	0	0	6
Cuba Diplomacy	5	0	10	0	0	1	3	10	0	1
Defense	113	15	10	0	50	52	2	1	0	33
Defense Hardware	16	0	0	0	4	1	0	0	0	11
Defense Research	2	2	0	0	1	1	0	0	0	2
Defense Space	0	7	0	0	0	0	0	0	0	7
Earned Income Credit	2	0	0	0	0	2	0	0	0	0
Education	44	0	1	2	23	21	0	0	0	3
Emergency Management	29	0	0	0	11	11	1	0	0	6
Energy	75	0	0	0	21	50	0	0	0	4
Environment	82	4	9	0	49	33	0	0	5	8
Estate Tax	1	0	0	0	1	0	0	0	0	0
Firearm Regulation	11	0	1	0	0	11	0	0	1	0
Foreign Aid	4	4	0	0	2	2	0	0	0	4
Fuel Standards	3	0	0	0	1	2	0	0	0	0
Healthcare	26	0	9	0	9	16	0	3	3	4
Homeland Security	87	24	7	0	48	18	0	7	0	45
Housing	19	0	0	0	10	9	0	0	0	0
Illegal Drugs	42	0	0	0	3	25	0	0	0	14
Immigration	10	0	11	0	1	6	1	8	0	5
Income Taxes	0	0	1	0	0	0	0	0	1	0
Internet	18	3	1	0	7	9	0	0	1	5
Job Training	5	0	0	0	2	3	0	0	0	0
Law Enforcement	24	1	1	0	10	12	0	1	0	3
LGBT Rights	6	0	8	0	1	5	0	1	3	4
Marijuana	0	0	1	0	0	0	0	0	0	1
Medical Research	6	0	1	0	2	4	0	1	0	0
Military Aid	12	12	0	0	1	7	0	0	0	16
Minimum Wage	2	0	1	1	1	1	0	0	1	1
Missile Defense	2	8	0	0	1	1	0	0	0	8
National Parks	72	0	0	0	7	9	56	0	0	0
Prisons	4	0	0	0	0	4	0	0	0	0
Regulatory Affairs	20	0	0	0	9	11	0	0	0	0
Scientific Research	10	1	0	0	4	6	0	0	0	1
Space	2	0	0	0	0	2	0	0	0	0
Student Loans	3	0	0	0	0	3	0	0	0	0
Taiwan Diplomacy	3	0	0	0	1	2	0	0	0	0
Trade	230	1	3	0	22	38	167	0	0	7
Transportation	38	0	0	0	17	17	0	0	0	4
Unemployment	2	0	0	0	1	1	0	0	0	0
United Nations	10	2	1	0	0	7	2	1	0	3
Welfare	3	0	1	2	0	3	0	0	1	2

Table 2 – Limiting measures of executive action to one source or directive type omits relevant data. 'GPO' indicates the action was sourced to the campilation of presidential documents; 'FAS' indicates the action was sourced to national security directives published by the Federation of American Scientists; 'Law' indicates the source was from a law review; 'CQ' indicates the source was the Congressional Quartery Almanac; 'EO' indicates executive order; 'Memo' indicates presidential memorandum; 'Enforcement' indicates the action was a presidentially announced change in enforcement policy of existing law. Table excludes policy areas for which no actions were found.

What are known issues with these data?

One action, multiple directives: While many of the directives are topically related or linked by revoking or amending other directives, there are some that are essentially the same action carried out by two or more documents. For example, in 1998 President Clinton raised trade barriers to imported wheat gluten. This generated three presidential documents: a letter informing Congress (which is required by the Trade Act of 1974), a proclamation, and a memorandum. The notification letter is excluded because it is not a directive, but the proclamation and memorandum are. For some research purposes, it may be appropriate to treat these separate directives as one action. Known cases like these have now been labeled in the data with the "related" variable.

Unknown Dates: In some cases, the exact date of an action may not be known because it is either classified or was the result of an informal directive without a published document. Nonetheless, all dates in the dataset are non-missing. If the month was known, but the day is not, the day is set to the first of the month. If the quarter is known, but the month and day are not, I set it to the first day of the quarter. there are no actions in the dataset in which neither is known. Cases like these have been labeled in the data with the "date_ambiguous" variable.

Codebook for tabular file "exeuctive-actions-1989-2021.Rda"

lowande.uid – string; unique identifier for action

version – numeric; indicates the version, 1 or 2, the action first appeared, which version 1 meaning Lowande (2021)

year – numeric; year issued

doc.num – numeric; if the action appears in a document series, it will appear here (for example, all executive orders appear in a sequential list)

reference – string; the underlying source of the action, usually an issue of the *Compilation* or a law review article

month – numeric; month issued

day – numeric; day issued

president – string; last name of president who issued the action

source – string; category of source material

type – string; type of directive

type_consolidated – string; type of directive, consolidated per Figure 3.2 in Lowande (2024)

topic_votesmart – string; topic according to Project VoteSmart

majortopic – numeric; major topic code according to the Comparative Agendas Project (most, except for executive orders, were coded by the Author)

subtopic – numeric; minor topic code according to the Comparative Agendas Project (most, except for executive orders, were coded by the Author)

topic_consolidated – string; topic according to Project VoteSmart, consolidated per Figure 3.1 in Lowande (2024)

title – string; title of the directive, if available

description – string; author description of directive (internal research aid not used in any analysis)

related – string; lowande.uid for other directives that are directly related to this one

date_ambiguous – numeric (binary); "1" indicates the directive has an issuance date that cannot be assigned a particular day

date_blinded – numeric (binary); "1" indicates the Author did not know what date the directive was issued when they coded its substantive effects

date_coded – date; date the Author coded the substantive effects of the directive

title_coded – numeric (binary); "1" indicates the directive was coded for substance on the basis of its title alone

batch_coded – numeric (binary); "1" indicates the directive was coded in a batch, e.g., a standardized trade barrier proclamation

mde – numeric (binary); "1" indicates the Author determined the directive had minimal direct effects, as defined in Lowande (2024)

creates_organ – numeric (binary); "1" indicates the directive creates an organization

organ_type – string; the kind of organization created, as described by the directive itself

organ_informational – numeric (binary); "1" indicates the Author determined the organization created was primarily informational or advisory

rhetorical_preamble – numeric (binary); "1" indicates the Author determined the directive contained a rhetorical or symbolic preamble

citations_preamble – numeric (binary); "1" indicates the directed cited one or more statutes in reference to the substance of the directive

pres_branch – numeric (binary); "1" indicates the organization created operates in the White House Office or Executive Office of the President

primarily_request – numeric (binary); "1" indicates the Author determined the order primarily requested information or a report

peremptory – numeric (binary); "1" indicates it contained an unambiguous directive to carry out some action

orders_vague – numeric (binary); "1" indicates the Author determined the orders were vague or left a lot to be decided by bureaucrats

goals_as_stated – string; Author's description of action's goals (internal research aid not used in any analysis)

subj_discretion – numeric; discretion score for topic area, per Lowande and Shipan (2021)

subj_foreign – numeric (binary); "1" indicates the action deals with foreign affairs

lame_duck – numeric (binary); "1" indicates the action was issued during a lame duck period

next_election – date; the date of the next presidential election

days_until_preselect – numeric; number of days between the next presidential election and the date of issuance

next_election_cong – date; the date of the next congressional election

days_until_congelect – numeric; number of days between the next congressional election and the date of issuance

ff_irt1 – numeric; indirectness score using a 6-item scale (see Figure 4.1)

ff_irt1_sd – numeric; indirectness score stan. dev., using a 6-item scale

ff_irt2 – numeric; indirectness score using a 4-item scale (see Figure 4.1)

ff_irt2_sd – numeric; indirectness score stan. dev., using a 4-item scale

n_articles – numeric; the number of news articles found that reference this action (see Chapter 6)

cong – numeric; number of the Congress at the time of issuance

divgov – numeric (binary); "1" indicates order issued under divided government

s_dem, s_rep, h_dem, h_rep – numeric; variables indicate the raw number of Democrats or Republicans in the House or Senate, respectively, at the time of issuance

opposition – numeric (proportion); the percent of Congress, averaging across chambers, that caucused with the opposition party

References

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Lowande, Kenneth and Charles R. Shipan. 2021. "Where is Presidential Power? Measuring Discretion Using Experts." *British Journal of Political Science* 52(4):1876–1890.