



Makapu'u Lighthouse, O'ahu

Mind Your EO's and P's: Executive Orders and Proclamations

Gwen Sinclair, University of Hawai'i at Mānoa Library
Depository Library Conference 2012

Executive Orders

- ▶ Authorized by the Constitution, Article II or statute
- ▶ Have the force of law
- ▶ Most EOs originate in executive branch agencies
- ▶ Before 1907, EOs were issued without numbers and often were unpublished
- ▶ Beginning in 1938, EOs and Ps published in supplements to Title 3 of the CFR
- ▶ In 1946, the Administrative Procedures Act mandated that EOs be published in the *Federal Register*
 - ▶ Classified EOs are listed by number only
- ▶ **Key point: no single source indexes all!**



What types of actions do EOs usually cover?

- ▶ Organization and management of executive branch
 - ▶ Establishment of new agencies
 - ▶ Federal personnel, e.g. General Schedule for pay
 - ▶ Budgeting
 - ▶ Armed forces
 - ▶ Tariffs and trade agreements
 - ▶ Public lands
 - ▶ Revoke or amend existing EOs
-



Well-known Executive Orders

- ▶ 9066 (1942, Roosevelt) authorized internment of Japanese Americans
 - ▶ 9981 (Truman, 1948) integrated the armed forces
 - ▶ 1952 secret EO established the National Security Agency
 - ▶ 12498 (Reagan, 1985) extended OMB's review over agencies' proposed regulations
 - ▶ 1986 secret EO (Reagan) authorized arms shipments to Iran
 - ▶ 13233 (Bush, 2001) increased latitude of president to deny access to public records based on national security
-



Proclamations

- ▶ No hard-and-fast distinction between EOs and Ps
- ▶ Typically designate special days/weeks/months
- ▶ Used to announce statehood
- ▶ Used to announce treaties and other agreements
- ▶ Often *hortatory* in nature (exhorting or encouraging)

Locating the text of EOs & Ps

- ▶ Whitehouse.gov gives text of EOs and Ps issued by sitting president

The screenshot shows the White House website interface. At the top, there is a navigation bar with the text "the WHITE HOUSE PRESIDENT BARACK OBAMA" and a search bar. Below the navigation bar, there is a breadcrumb trail: "Home • Briefing Room • Presidential Actions • Proclamations". The main content area features a header for "The White House" with social media sharing options (E-Mail, Tweet, Share) and a date of "September 12, 2012". The title of the page is "Presidential Proclamation -- Honoring the Victims of the Attack in Benghazi, Libya". Below the title, there is a sub-header "HONORING THE VICTIMS OF THE ATTACK IN BENGHAZI, LIBYA" and a line "BY THE PRESIDENT OF THE UNITED STATES OF AMERICA". The main body of the text begins with "A PROCLAMATION" and starts with "As a mark of respect for the memory of John Christopher Stevens, United States Ambassador to Libya, and American personnel killed in the senseless attack on our diplomatic facility in Benghazi, by the authority vested in me as President of the United States by the Constitution and the laws of the United States of America, I hereby order that the flag of the United States shall be flown at half-staff at the White House and upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the". On the right side of the page, there is a sidebar with a featured infographic titled "EXTENDING MIDDLE-CLASS TAX CUTS IT'S THE RIGHT THING TO DO" and a section for "BLOG POSTS ON THIS ISSUE" with a post titled "Team USA Visits the White House" dated "September 14, 2012 1:18 PM EDT".

Locating the text of EOs & Ps

► FDsys

- *Compilation of Presidential Documents* (1993-present)
- *Federal Register* (1994-present)
- *Code of Federal Regulations, Title 3* (1996-present)

36 WCPD 414 - Executive Order 13146--President's Council on the Future of Princeville, North Carolina Executive Orders. Tuesday, February 29, 2000.	PDF Text More
36 WCPD 415 - Proclamation 7276--National Colorectal Cancer Awareness Month, 2000 Proclamations. Tuesday, February 29, 2000.	PDF Text More
36 WCPD 415 - Proclamation 7277--Women's History Month, 2000 Proclamations. Tuesday, February 29, 2000.	PDF Text More
36 WCPD 416 - Proclamation 7278--American Red Cross Month, 2000 Proclamations. Tuesday, February 29, 2000.	PDF Text More

Locating the text of EOs & Ps

► Online: *Federal Register*

- [ProQuest Congressional](#) (1936-present)

0 Recent searches | 0 Selected items | Exit

Congressional Search ▾ | Members & Committees ▾ | Regulations | Political News Help ?

ProQuest **Regulations**

Search Types

- ▼ Congressional Publications
 - Basic Search
 - Advanced Search
 - Search By Number
- ▼ Members & Committees
 - Member Records
 - Demographics
 - Committees
- Regulations
- Political News

Enter Search Terms:

And ▾

Search Within: **Federal Register** ▾

Limit To:

Agency:

Action: **Presidential documents** ▾


Date: **All Available Dates** ▾


How Regulations Search Works


Use this form to retrieve congressional materials and legislative histories by searching abstracts, titles, indexing information and other biographical data.

For maximum search control use the Advanced Search tab.

How do I ?

 Do you want to search Legislative Histories by [Public Law Number](#) or by [Keyword](#)?

 Would you like to search [committee schedules](#) ?

 Do you have a

Locating the text of EOs & Ps

► Online: *Federal Register & Code of Federal Regulations, Title 3*

► [HeinOnline](#) Federal Register Library (1936-present)

ANNUAL INDEX, 1942		63	
EXECUTIVE ORDERS—Con.	Page	EXECUTIVE ORDERS—Con.	Page
Coast and Geodetic Survey: Quarters and subsistence allowances for enlisted men (Nos. 9105, 9206).....	2199, 5854	Contract regulations under First War Powers Act—Con.	
Rental allowance for officers (No. 9255).....	8333	Provisions of Executive Order No. 5001 extended to—Con.	
Transfer of certain vessels and personnel to War and Navy Departments (Nos. 9097, 9179, 9118, 9197).....	95, 1531, 2459, 5935	Treasury, Agriculture, Federal Works, Panama Canal, Government Printing Office, National Advisory Committee for Aeronautics (No. 9023).....	302
Survey ship <i>Pathfinder</i> (No. 9239).....	6989	Council of National Defense, certain functions transferred to Secretary of Interior (No. 9297).....	10390
Transportation in kind for dependents, money payments in lieu of (No. 9227).....	6511	Courts-Martial, Manual for: certain punishment limitations suspended (Nos. 9148, 9297).....	775, 9221
Coast Guard: Additional compensation for enlisted men specially qualified in use of arms (No. 9210).....	6029	Credit union functions, etc., transferred from Farm Credit Administration to Federal Deposit Insurance Corporation (No. 9149).....	3145
Hours of employment (No. 9193).....	238	Customs ports of entry: Cordova, Alaska, destination revoked (No. 9263).....	9105
Maritime functions transferred (Nos. 9083, 9198).....	1609, 5383	Detroit, Mich., limits extended (No. 9193).....	1587
Officers' rental allowance (No. 9255).....	8333	Mahukona, Hawaii, designation revoked (No. 9263).....	9105
Purple Heart award (No. 9277).....	10125	Salem, Mass., limits extended (No. 9297).....	5931
Quarters and subsistence allowances for enlisted men (Nos. 9105, 9206).....	2199, 5854	Defense Communications Board: Control of stations and facilities for wire communication (No. 9089).....	1777
Transportation in kind for dependents (No. 9227).....	6511	Name changed to Board of War Communications (No. 9187).....	4509
Commerce Department: Contract regulations under First War Powers Act (No. 9264).....	9105		
Records, schedules, etc., to be made available for war purposes (No. 9167).....	3265		
		EXECUTIVE ORDERS—Con.	Page
		Electric Home and Farm Authority, termination and liquidation (No. 9256).....	8334
		Emergency purchases of war material abroad, admission free of duty (No. 9177).....	4193
		Fair Employment Practice Committee, order amended (No. 9111).....	2330
		Federal Loan Agency, functions transferred to Commerce Department (No. 9071).....	1531
		Federal Shipbuilding and Dry Dock Co., possession to be relinquished by Secretary of Navy (No. 9023).....	145
		Federal Works Agency: Contract regulations under First War Powers Act (No. 9023).....	302
		Property acquisition and disposal: Federal Works Administrator (No. 9168).....	4871
		Public Roads Commissioner (No. 9179).....	4317
		Fishery Coordination, Office of, establishment (No. 9094).....	6597
		Food program, authority to be exercised by Secretary of Agriculture (No. 9230).....	10179
		Foreign agents, registration of: administration transferred from Secretary of State to Attorney General (No. 9178).....	4127
		Foreign service: Pay adjustment, exchange fees: Netherlands Indies, etc. (No. 9057).....	864

Locating the text of EOs & Ps



American Presidency Project

<http://www.presidency.ucsb.edu/>

Option 1: Search

AND OR NOT FROM January 1 1789 TO December 31 2012

Document Category: President

Written: Messages - Annual Messages (written SOTU)
 Written: Messages - Veto Messages
 Written: Messages - Pocket Veto Messages
 Written: Messages - Budget Messages
 Written: Messages - Farewell Addresses
 Written: Memorandums
 Written: Memorandums - Pocket Vetos
 Written: Memorandums - Determinations
 Written: Executive Orders
 Written: Proclamations
 Written: Statements - (non categorized)
 Written: Statements - Signing Statements
 Written: Statements - Veto Statements
 Written: Letters - (non categorized)
 Written: Letters - to Congress
 Written: Notices
 Written: Telegrams - Lincoln (Civil War)
 E.O.P.: Press Briefings
 OMB: Statements of Administration Policy
 Debates: Vice-Presidential
 President

INCLUDE election campaign documents

Month Day Year

Locating the text of EOs & Ps

<http://www.polsci.uh.edu/database/procdatabase.asp>

Presidential Proclamations Project at the University of Houston

[Home](#) | [Search](#) | [About Proclamations](#) | [Data Sources](#) | [Publications](#) | [FAQs](#) | [Acknowledgments](#)

The following searchable database is a complete collection of presidential proclamations from George Washington to George W. Bush. The sources used are described in detail in the Data Sources page. For permission to cite, please contact Brandon Rottinghaus (brrottinghaus@uh.edu). When citing, please use the following citation: Citation: Brandon Rottinghaus and Jeremy Bailey, Presidential Proclamations Data [online]. Houston, TX: University of Houston (hosted database).

Select president OR

Select issue OR

Select category OR

Select category OR

Select category OR

Select category OR

Select category OR

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Select category OR

Select category OR

Select category OR

Select category OR

Select category OR

Select category OR

Select category OR

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Select category OR

Select category OR

Select category OR

Select category OR

proclamation but is officially listed as something else

Enter search keyword

Include only government designated numbered proclamations

Search tips:

- If you select one variable (eg, president or year), all cases that match that criteria will be displayed.
- To search for joint cases (eg, President Eisenhower's proclamations on trade policy in 1955) simply select or fill in.
- A number in the "Proclamation Number" category means that there is an official government designation for that such as the establishment of a treaty or additions or alterations to public lands (see Data Sources).

Locating the text of EOs & Ps

▶ Presidential Proclamations Project (University of Houston)

- ▶ Only covers proclamations, not executive orders
- ▶ Provides a list, not the full text

Matching proclamations found are

President	Proclamation number	Date(YYYY-MM-DD)	Title	Description
Cleveland, G2	360	1893-08-19	[Opening the Cherokee Outlet, Oklahoma]	Cherokee Indians; Homesteads; Indian reservations, specific; Oklahoma public lands; Ponca
Cleveland, G2	361	1893-09-28	[Setting apart a tract of land in the state of Oregon as a public reservation] [includes s	Cascade Range Forest Reserve; National forests, specific; Oregon public lands
Cleveland, G2	362	1893-09-28	[Setting apart a tract of land in the state of Oregon as a public reservation] [includes s	Ashland National Forest; National forests, specific; Oregon public lands
Cleveland, G2		#VALUE!	Proclamation	announces the enforcement of an agreement between a railroad and the Soutix regarding land
Cleveland, G2	373	1895-05-16	[Opening to settlement the lands acquired from the Yankton title of Sioux or Dacotal India	Indian reservations, specific; Sioux Indians; South Dakota public lands; Yankton Indian Re
Cleveland, G2	374	1895-05-16	[Opening to settlement the lands of the Ahepa and other Indians within the Siletz Reservat	Ahepa Indians; Indian reservations, specific; Oregon public lands; Siletz Indian Reservat
Cleveland, G2	375	1895-05-18	[Opening to settlement the lands of the Kickapoo Indians, Eastern land district, Oklahoma	Indians reservations, specific; Kickapoo Indian Reservation; Oklahoma public lands
Cleveland, G2	381	1895-11-08	[Opening of Nez Perce Indian lands to settlement, Idaho] [affects Lake Wa-Ha area lands ID	Idaho public lands; Indian reservations, specific; Nez Perce Indians
Cleveland, G2	382	#VALUE!	[Proclaiming Utah a state of the Union]	Statehood; Utah
Cleveland, G2	384	#VALUE!	[Withdraws public lands in Texas for Choctaw Indian Reservation] [affects Greer County are	Choctaw Indians; Indian reservations, specific; Texas public lands

Locating the text of EOs & Ps

► Disposition tables at National Archives

<http://www.archives.gov/federal-register/executive-orders/disposition.html>

Executive Order 13489

Presidential Records

- Signed: January 21, 2009
- Federal Register page and date: 74 FR 4669, January 26, 2009
- Revokes: EO 13233, November 1, 2001

Executive Order 13490

Ethics Commitments by Executive Branch Personnel

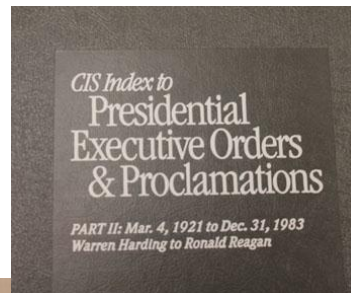
- Signed: January 21, 2009
- Federal Register page and date: 74 FR 4673, January 26, 2009

Locating the text of EOs & Ps

► Older EOs and Ps (1789-1983) available on CIS microfiche from ProQuest, with a printed index!



CIS EO&P fiche



CIS EO&P index

Oct. 8, 1969
National Day of Prayer, 1969
1969-20-1969
Arizona, California, and Nevada: Powersite Cancellation No. 254; partial cancellation of Powersite Classification Nos. 55 and 272
1969-01-4712
Louisiana: Withdrawal for administrative site
1969-01-4712
Commission on Civil Rights: Announcement of intention to appoint Manuel Ruiz, Jr., as a Member
1969-53-300
Presidential Unit Citation: Announcement of award to 3d Squadron, 4th Cavalry, 2d Infantry Division, and Battery C, 6th Battalion, 77th Artillery, U.S. Army
1969-53-301
Medal of Honor: Announcement of ceremony for presentation to four members of the U.S. Army
1969-53-302
South Pacific Commission: Announcement of intention to appoint William B. Taylor III as a U.S. Commissioner
1969-53-303
[President appoints Sam E. Wily as Member of President's Commission on White House Fellowships]
1969-53-307

Locating the text of EOs & Ps

► *CIS index sources*

- EO: numbered series of executive orders, 1862-1983
PR: numbered series of proclamations, 1789-1983
03: Public land orders, 1942-1983
04: Presidential directives, determinations, and memoranda originally published in the *Federal register*, 1936-1983
05: White House records, 1869-1928
06: Secretary of Interior orders, 1920-1950
08: Manuscript collections in presidential papers found in various libraries, 1790-1929
12: Treasury and Justice Department records, 1798-1908
14: Indian agencies records, 1794-1937
15: Annual executive branch agency reports, 1910-1914
17: Navy and War Department records, 1798-1884
20: *Messages and papers of the presidents*, 1789-1899
21: Public papers of the presidents published in various series, 1789-1983
22: Executive orders relating to the Panama Canal, from the War Department, 1902-1934
24: Treasury Department circulars, 1869-1940
25: Official bulletin published by the Committee on Public Information, 1917-1919
26: Press releases from the White House, 1953-1955
29: Treaty proclamations, 1789-1983
33: Executive orders relating to public lands from the General Land Office, 1841-1935
34: Proclamations relating to public lands from the General Land Office, 1813-1892
35: Proclamations relating to public lands from the General Land Office, 1834-1892
36: Proclamations of land sales from the General Land Office, 1807-1886
37: Abandoned military lands, from the General Land Office, 1826-1905
38: Executive orders relating to Indian reservations, from the Bureau of Indian Affairs, 1850-1892
39: Lighthouse land reservations, from the U.S. Coast Guard, 1837-1888
41: Executive orders relating to public lands from the General Land Office, 1820-1913
43: Abandoned non-military land from the General Land Office, 1839-1901
46: Interior Department records, 1849-1938
47: Water and power site land reservations from the Bureau of Land Management, 1909-1944
48: Pardon Attorney records, 1919-1924
51: Codes of fair competition, 1933-1935
52: Miscellaneous printed sources, 1978-1936
53: *Weekly compilation of presidential documents*, 1965-1983
54: War Department general orders and bulletins, 1826-1954
55: Navy Department general orders and court-martial orders, 1826-1920

Locating the text of EOs & Ps

- **Bennett & Yannarella (1986)** describe a number of other strategies to locate the text if you don't have the *CIS index*.

Locating Presidential Proclamations and Executive Orders— A Guide to Sources

Donna Bennett, AB, MSLS, MA
Philip Yannarella, AB, MSLS, MA

Directives that are not entitled EO or P

Directive stating that Guam shall be placed under Navy control (1898).

The Island of Guam in the Ladrones is hereby placed under the control of the Department of the Navy. The Secretary of the Navy will take such steps as may be necessary to establish the authority of the United States and to give it the necessary protection and Government.

William A. King

July 1, 1898
1/7/11

WHITE HOUSE,
January 30, 1903.

Such public lands as may exist on the Midway Islands, Hawaiian group, between the parallels of 28° 5' and 29° 25' North latitude, and between the meridians of 177° 10' and 177° 30' West longitude, are hereby placed under the jurisdiction and control of the Navy Department.

Theodore Roosevelt

Directive placing Midway under Navy control (1903)

EOs and Ps related to Hawai'i and the Pacific

▶ Methodology

- ▶ Pilot project using EOs and Ps for Guam
- ▶ Create Excel spreadsheet from entries in *CIS index to presidential executive orders & proclamations*
- ▶ Include FR citation, CIS accession number, executive order or proclamation number, and keywords for the location
- ▶ Review documents on microfiche and write summaries, mentioning whether maps are included
- ▶ Add entries and links to online content from American Presidency Project, Presidential Proclamations Project, ProQuest Congressional, and HeinOnline.
- ▶ Spreadsheet will be converted to MySQL database

▶

Guam (table view)

1	A	B	C	D	E	F	G	H
id	cis	fr	eo	date_display	date	title	summary	
2	1			1898-EO-108-A	Dec. 23, 1898	1898-12-23	[Guam placed under Navy Department control]	"The island of Guam in the Ladrones is hereby placed under the control of the Department of the Navy."
3	2	1898-52-31			Sept. 16, 1898	1898-09-16	Instructions to the United States peace commissioners	Instructions to the five commissioners regarding negotiation of a peace treaty with Spain. Included is the demand for, "The cession of an island in the Ladrones, to be selected by the United States." A further statement is, "The government has selected the island of Guam."
4	3	1899-05-94			Nov. 4, 1899	1899-11-04	[Subjection of mail packages from military and government personnel in various territories to U.S. domestic postal regulations]	Places the mailing of parcels intended as gifts or souvenirs under U.S. postal regulations.
5	4	1899-05-105			Jan. 12, 1899	1899-01-12	Instructions to the military commander of the Island of Guam	Directs the military commander of Guam to communicate to the inhabitants of Guam that the U.S. is the authority in Guam.
6	5	1899-52-8			May 3, 1899	1899-52-08	Establishment of customs service in the Philippine Islands and Guam	Establishes the island of Guam as a customs collection district. The port of San Luis d' Apra is declared to be a subport.
7	6	1899-52-10			May 8, 1899	1899-05-08	Establishment of offices of auditor and treasurer for the Philippine Islands and Guam	Establishment of offices of auditor, with one Assistant Auditor for customs and one for the post office. Also establishes the office of Treasurer of the Islands.
8	7	1900-05-89			Dec. 14, 1900	1900-12-14	[Appointment of Collector of Customs for Guam]	Names the naval officer in command of Guam to act as Collector of Customs and to appoint a deputy.
9	8	1901-05-63			June 10, 1901	1901-06-10	[Approval of allotment for purchase and transportation of law and technical books for Governor of Guam]	Letter from the Chief of the Bureau of Yards and Docks explains that due to the loss of the U.S.S. Yosemite, the Governor of Guam lacked the necessary books of a legal and technical nature, and requests that an allotment of \$653.47 be made from the Navy emergency fund.

Database search screen

Executive Orders and Proclamations for Hawaii and the Pacific

Prepared Chronologies:
- Guam

Search Options:
- Basic
- Advanced

Government Documents & Maps
Department
University of Hawai'i at Mānoa
Library
2550 McCarthy Mall
Honolulu, HI 96822
(808) 956-8230
govdocs@hawaii.edu

Search for:

All of the terms entered here must appear somewhere in the Title/Event or Description

References

- ▶ Bennett, Donna and Phillip Yannarella. 1986. Locating presidential proclamations and executive orders -- a guide to sources. *Legal Reference Services Quarterly* 5(2/3): 177-185.
- ▶ Congressional Information Service, Inc. (CIS). 1986. *CIS index to presidential executive orders & proclamations*. Washington, D.C.: CIS.
- ▶ Nelson, Michael, ed. 2002. *Guide to the presidency*. Washington, D.C.: CQ Press.
- ▶ Schmeckebier, Laurence F. and Roy B. Eastin. 1961. *Government publications and their use*. Rev. ed. Washington, D.C.: Brookings Institution.

Mahalo! Questions?



Hawai'i Volcanoes National Park



Contact: Gwen Sinclair
gsinclair@hawaii.edu