

GUIDE TO LOCATING EXECUTIVE ORDERS AND PROCLAMATIONS

The line between executive orders and proclamations is often blurred. Both executive orders and proclamations can have legal effect. Generally, executive orders are used by a president to exercise authority. For example, E.O. 12370 was issued to create an emergency board to investigate a railroad dispute. Proclamations are often used to announce something ceremonial in nature, such as National Medal of Honor Day (Proclamation 6263).

The first executive order was issued in 1789 but none was numbered or issued uniformly until 1907. At that time, the State Department began a numbering system and designated an 1862 order as executive order #1. Orders issued between 1789 and 1862 are unnumbered and are referred to as "unnumbered executive orders."

Part 1 -- Locating current executive orders and proclamations (present year):

- A. *FEDERAL REGISTER*. Most executive orders and proclamations are published in the *FEDERAL REGISTER*. Executive orders and proclamations which lack general applicability or legal effect or that proclaim treaties and other international agreements are not included in the *FEDERAL REGISTER*. Their titles are listed under the heading "Presidential Documents" in the table of contents, and their numbers are listed in the tables of CFR parts affected for each issue as well as the monthly cumulative table in each issue. They are also listed by number in the monthly pamphlet *LSA: List of CFR Sections Affected*.
- B. *WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS*. This weekly compilation includes the text of executive orders and proclamations issued since 1965.
- C. *UNITED STATES CODE*. If an executive order or proclamation is issued under specific authority, it is published with the statutes in *USC*. Use the Tables volume of the *USCA* to determine where the text of an executive order or proclamation may be located in the *USC*.
- D. *UNITED STATES CODE CONGRESSIONAL AND ADMINISTRATIVE NEWS (USCCAN)* has printed all executive orders and proclamations published in the *FEDERAL REGISTER* since 1943. Current executive orders and proclamations are found in the advance sheets. The bound permanent edition of *USCCAN* also includes the text of executive orders and proclamations. Tables 7 and 8 in the back of the advance sheets as well as in the bound editions provide references to executive orders and proclamations. The index provides subject access to executive orders and proclamations.
- E. *UNITED STATES CODE ANNOTATED* includes tables which list executive orders that implement general and permanent law as set forth in the *USCA*. Another table lists proclamations that are reprinted in the *USCA*.
- F. The *UNITED STATES CODE SERVICE* also selectively publishes executive orders and proclamations in its advance sheets on about the same schedule as *USCCAN*. The *USCS* also includes tables similar to those in the *USCA*.
- G. *LEXIS* includes executive orders and proclamations from July 1, 1980. *WESTLAW* includes executive orders from 1936.

- H. The National Archives Website contains text and/or disposition tables for Executive Orders and Proclamations from 1937 forwards. If the text had no legal effect on January 20, 1989, it is not on the Website.

Part 2 -- Locating the text of executive orders and proclamations (prior to the current year)

- A. *CODE OF FEDERAL REGULATIONS*. The text of executive orders and proclamations are printed in Title 3 of the *CODE OF FEDERAL REGULATIONS*. Because each annual edition of Title 3 is a unique set of documents rather than an updated codification, older volumes remain part of the current *CFR* set. Documents from 1936 to 1975 have been reissued in hardcover editions.

Each annual cumulation includes several useful finding aids. Tables 1 to 3 list proclamations, executive orders and other documents which appear in the *FEDERAL REGISTER* and the *CFR*. Table 4 lists presidential documents affected by later executive or congressional action. Table 5 lists statutes cited as authority for presidential documents. Executive orders and proclamations may be accessed in the subject index for each annual edition of Title 3.

The first eo included in Title 3 is #7316 (March 13, 1936). The first proclamation included in Title 3 is #2161 (March 19, 1936).

- B. *CIS PRESIDENTIAL EXECUTIVE ORDERS AND PROCLAMATIONS 1789-1903* (microfiche) include the full text of executive orders and proclamations. Attachments and maps are also included. Check the Microform Holdings List for location.
- C. *PRESIDENTIAL EXECUTIVE ORDERS [MICROFILM]*. This set includes executive orders #1-7403 (1862-1936). Check the Microform Holdings List for location.
- D. *STATUTES AT LARGE*. Proclamations issued prior to #2161 can be found in the *STATUTES AT LARGE*. Executive orders are not printed in the *STATUTES AT LARGE*. Volumes 3, 4, 10 and 11 are supposed to contain all proclamations issued from 1789-1859, but many are missing. Proclamations issued from 1859 to 1936 may be found by looking in the individual volumes.

- E. The National Archives Website contains text and/or disposition tables for Executive Orders and Proclamations from 1937 forwards. If the text had no legal effect on January 20, 1989, it is not on the Website.

Part 3 -- Indexes of executive orders and proclamations (prior to the current year)

- A. *CIS INDEX TO PRESIDENTIAL EXECUTIVE ORDERS & PROCLAMATIONS, 1789-1983*. This index provides comprehensive access to executive orders and proclamations. The set covers more than 58,000 orders and proclamations issued from 1789 through 1983. Part I covers from 1789-1921 and part II covers 1921-1983. Each part includes subject, organization and person name indexes. In addition each part includes a reference bibliography with complete bibliographic descriptions of each document indexed. Each part also includes a chronological list of documents. This index is in the Reference collection, KF 70 .A55 1987.
- B. *PRESIDENTIAL EXECUTIVE ORDERS NUMBERED 1-8030, 1862-1938*. This two volume set includes a list of executive orders by number in the first volume. The second volume is a subject index to the executive orders. The subject may be a topic, an administrative entity or a person. This set is shelved in the microform area.
- C. *PRESIDENTIAL EXECUTIVE ORDERS INDEX 1789-1941*. [MICROFICHE] Older executive orders (#1-#8030) are indexed in this fiche set which provides subject indexing in addition to document number or date access.[NOTE: This fiche set was missing at the time this guide was prepared, so it could not be examined and may be unavailable.]

Part 4 -- Locating unnumbered executive orders and proclamations

- A. *CIS INDEX TO PRESIDENTIAL EXECUTIVE ORDERS AND PROCLAMATIONS* is the best indexing tool for unnumbered executive orders and proclamations. The *CIS INDEX* is a ten volume set covering all unnumbered documents as well as all numbered documents to 1983. Executive orders and proclamations are indexed by subject, name, organization, geographic area, and date of issue. The text of the documents can be found in the CIS microfiche collection described in Part 2, C above.
- B. *PRESIDENTIAL EXECUTIVE ORDERS INDEX 1789-1941*. [MICROFICHE] Unnumbered executive orders are indexed by date and subject in this set in addition to the numbered orders. [NOTE: This fiche set was missing at the time this guide was prepared, so it could not be examined and may be unavailable.]
- C. *A COMPILATION OF MESSAGES AND PAPERS OF THE PRESIDENTS (1789-1929)* contains texts of some unnumbered executive orders. The index provides some subject access to these documents. This set is located in the Main Library; the call number is 353.03 U583c 1917.

Part 5 -- Determining which Executive Orders and Proclamations are in effect

- A. *CIS INDEX TO PRESIDENTIAL EXECUTIVE ORDERS & PROCLAMATIONS, 1789-1983*. Both parts of this set, Part I which covers from 1789-1921 and part II which covers from 1921-1983, include an Index of Interrelated Executive Orders and Proclamations. This Index lists subsequent documents which affect each executive order or proclamation. This index is in the Reference collection, KF 70 .A55 1987.
- B. *PRESIDENTIAL EXECUTIVE ORDERS INDEX 1789-1941* [MICROFICHE]. Entries in the subject index indicate whether an order has been affected by a subsequent order.[NOTE: This set was missing at the time this guide was prepared, so it could not be examined and may be unavailable.]
- C. The *CODIFICATION OF PRESIDENTIAL PROCLAMATIONS AND EXECUTIVE ORDERS*, published by the *FEDERAL REGISTER*, arranged proclamations and executive orders by subject in to fifty titles similar to those in the *CFR*. It includes documents of general applicability and continuing effect issued from January 20, 1961 to January 20, 1989, with amendments incorporated into the texts of documents. Orders and proclamations are printed in numerical order within each of the fifty titles. It also includes disposition tables which indicate the current status of the documents. Amendments and revocations are listed, as well as the title and page locations of documents included in the codification.
- D. Title 3 of the *CODE OF FEDERAL REGULATIONS*. To determine which executive orders and proclamations are in effect after the last *CODIFICATION*, use the annual edition of Title 3 of the *CFR* for each year. Table 4, "Presidential Documents Affected During 19__" at the back of each annual volume includes executive orders and proclamations listed numerically for that year that have been revoked, amended, or continued by an executive order or proclamation issued during that year. Executive orders or proclamations issued that year still in effect are also included. Use the *LIST OF SECTIONS AFFECTED* and *FEDERAL REGISTER* to update the last annual edition.
- E. The National Archives Website contains text and/or disposition tables for Executive Orders and Proclamations from 1937 forwards. If the text had no legal effect on January 20, 1989, it is not on the Website.