

Not by the Numbers: Evaluating Trump's Administrative Presidency

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Abstract

We examine President Trump's use of administrative tools related to policymaking—including executive orders, memoranda, proclamations, signing statements, and rulemaking—and compare him to presidents since Eisenhower. Overall, we find that Trump was not that different from his predecessors—at least, not by the numbers. However, the content of his actions were noteworthy in two ways. First, the use of these tools as public relations instruments accelerated during his presidency. Second, Trump's rulemaking activities, while not necessarily durable, represent a departure from established norms. Our study highlights the virtues and limitations of using the volume of administrative output to understand the administrative presidency.

Early reviews of Donald J. Trump’s legacy as president emphasize his reliance on executive action and administrative tools. “A huge proportion of his more significant policy goals—in immigration, regulatory and welfare policy areas for example—[were] pursued via executive orders and the rulemaking process,” one scholar concludes (Moynihan 2021, 158). After all, with the important exception of judicial nominations, Trump’s legislative agenda went largely ignored on Capitol Hill. “His failure to persuade” Congress to adopt many of his policy priorities meant “the president turned increasingly to unilateral action” (Edwards 2021, 313).

Although substituting executive action for legislative success might seem intuitive, Trump turned to such tactics long before his co-partisans lost the House in the 2018 midterm elections. In October 2017, using his phone, Trump touted his pen. “Since Congress can’t get its act together on HealthCare,” the president tweeted, “I will be using the power of the pen to give great HealthCare to many people—FAST.”¹ At the time, Republicans held majorities in both chambers of Congress. Indeed, Trump bragged after just 100 days in office that the rapidity with which he had issued executive orders meant he had “accomplished more... than any other President since Franklin Roosevelt.”² Trump’s farewell address in January 2021 cited only a handful of legislative measures in recapitulating his achievements, focusing instead on executive actions. For instance, the president claimed that “We slashed more job-killing regulations than any administration had ever done before.”³ If Trump’s boasts hold true, administrative action was yet another arena in which he starred as “disruptor-in-chief” (Davenport 2020), exceptional at unilaterally repurposing (or even deconstructing) the administrative state to suit his policy ends.

Yet, several factors counsel against accepting Trump’s rhetoric at face value. Most importantly, theories of unilateral action suggest that *all* presidents pursue policy goals through

administrative tactics. Executive action offers a “first mover” advantage vis-à-vis other political actors, evading the collective action problems faced by legislators (Howell 2003; Moe and Howell 1999); it promises to short-circuit tedious parliamentary procedures and transmute presidential preferences into public policy. Though Trump promised “to do away with executive orders for the most part” during his 2016 campaign and criticized Barack Obama for taking “the easy way out” by issuing directives “like they’re butter” (Benen 2017), he too came to realize unilateralism’s buttery goodness almost immediately upon taking the oath of office.

Further, executive action requires its own coordinated competence: presidents need bureaucratic support to formulate and accomplish their administrative agendas. Recent work highlights how executive branch agencies can increase presidents’ transaction costs (Rudalevige 2021) or even undercut their goals (Potter 2019). But Trump regularly found himself at odds with career bureaucrats (Moynihan 2021) and lacked competent political appointees (Lewis and Richardson 2021).

So did Trump’s own administrative presidency represent a break from previous presidential practices? Or is the simple truth that, well, everybody likes butter? We build on earlier assessments of Trump’s use of executive action (Potter et al. 2019), not least by adding theoretical heft to prior research focusing mostly on straightforward comparative counts. In so doing, we loosely track the waves of research conducted over several decades by scholars of executive action.

The first section presents a comprehensive count of the executive actions issued by Trump and his predecessors dating back to Dwight Eisenhower’s administration. It provides a useful snapshot of this data—including not just executive orders, but also presidential memoranda, proclamations, signing statements, and promulgated regulations. As noted, Trump

was prone to self-referential superlatives. But how does his output in these areas actually compare to other presidents?

Second, while accurate comparative data is surely the first step, the extensive scholarship on presidential directives has established that “the frequency of executive orders is... a function of the president’s political environment” (Mayer 2001, 102). The number of directives issued by any given president should be affected by context, specifically by the incentives and constraints imposed by external actors and events. Key variables in this regard include the strength of partisan support for the president in Congress; levels of presidential approval; shifts in power between presidents of different parties; and the imminence of election day or future transitions. Thus, the key question is not “was Trump different?” but rather, “was Trump different from our theoretical expectations of the factors that predict executive action?”

Moving beyond counts of executive action, the third section of our study examines whether the data-generating processes underlying Trump’s administrative outputs differed in substantively meaningful ways from other presidents. Put simply, in what ways (if any) did Trump use the tools of the administrative presidency in ways that differed from past presidents, which might not appear in aggregate data? We consider three discrete aspects of tool usage. First, we examine whether Trump issued orders and memoranda in different policy areas than other presidents. He did. But those areas largely aligned with his policy priorities, leaving us to conclude that, like other presidents, he used these tools as a vehicle to pursue policy goals. Second, we consider whether Trump’s orders were distinct in the scope and content of their language. The proportion of his directives spent on hortatory language similar to a press release did increase relative to his predecessors. He used more words than they did, and in different ways. But whether that shift had a substantive impact remains to be seen. Finally, we evaluate

whether Trump's proclivity towards deregulation represented a meaningful break from the regulatory practices of past presidents. While rule production did decline and the rhetorical emphasis was different, we believe such behavior is unlikely to result in enduring changes to the nation's regulatory infrastructure, although its impact on regulatory norms is less certain.

Not So Different: Trump and Trends in Administrative Action

We begin by descriptively tabulating Trump's use of administrative actions and evaluating whether those patterns differ substantially from prior administrations. To do so, we collect data from a variety of sources on six discrete types of administrative actions that are consistently and substantively important across presidential administrations: executive orders, presidential memoranda, proclamations, signing statements, significant final rules, and economically significant final rules.⁴

In order to make apples-to-apples comparisons, we focus on the first term of an administration (since Trump served just one term). We provide definitions of and measurement details for each type of action below, with summary details in Table A1 of the Supporting Information (SI). Where possible, we study substantive policy actions rather than symbolic or non-substantive ones (thus excluding, for example, ceremonial executive orders and non-significant rules).⁵ Note that different actions have been tracked across somewhat different time periods. While most of the series go back to the 1950s, consistent data on regulatory outputs are available only from the Clinton administration onward.

This simple count of administrative actions issued by a president or his administration in a particular year has its limitations, of course; but it is an approach commonly employed by both scholars and journalists. It allows comparison across not only presidential administrations, but

also across types of action, a useful feature since scholars have found that presidents often substitute tools in their toolkit to accomplish policy goals. While pundits—and presidents—often use the generic term “executive order” to cover other vehicles for executive action, that substitution effect would be camouflaged were one to look exclusively at executive orders themselves.

Figure 1 shows the counts for each of the six categories of executive action by the first term of each president. Although we evaluate each metric individually below, overall, we find that—except for significant final rules—Trump’s use of administrative actions does not appear dramatically out of step with patterns set by past presidents.⁶

[Figure 1 About Here]

As noted above, *executive orders* (EOs, Figure 1a) are by far the best-known of the presidential unilateral directives. However, the lower-salience *presidential memoranda* (PM, Figure 1b) often serve in conjunction with or as a substitute for EOs. The two can be roughly differentiated: in principle, an EO uses presidential authority to direct executive branch action, while a memorandum directs cabinet members or other administration officials to use their own statutory authority to take action (for instance through initiating a rulemaking process) (Cooper 2014, 21 and 120). But this is hardly a clean divide, as substance that arguably should be issued via one vehicle often winds up in the other; the Office of Legal Counsel holds that the two have equal legal authority (Justice 2000). Thus it makes sense to consider both mechanisms together.⁷

Figures 1a and 1b show the number of first-term non-ceremonial EOs and PMs issued by each president since Dwight Eisenhower. These data are collected from both *The American Presidency Project*, which contains documents from the *Public Papers of the President of the United States*, and the *Federal Register*. The *Public Papers of the President of the United States*

helps identify memoranda not published in the *Federal Register*, which constitute some 36% of all memos in the data. To focus on the directives related to substantive policy (and thus actually used to further presidents' agendas), we drop those used for symbolic or clerical purposes (see, e.g., Bolton and Thrower 2016).⁸ This includes orders such as those used to create an agency seal, fly flags at half-mast at government buildings, or give executive branch employees a half-day holiday.

The data in Figures 1a and 1b suggest that Trump seamlessly continued historical patterns of unilateralism with respect to EOs and PMs. He did employ more of both in his first term than did Obama—218 and 200, respectively, compared to Obama's 145 orders and 150 memos. In fact, Trump issued more PMs than any president dating back to Eisenhower, continuing a growing resurgence of this tool over time (see Kagan 2001; Lowande 2014). Although Trump's use of EOs was higher than his immediate predecessors, it fits comfortably with the broader historical sequence, trailing Carter (310), Nixon (229), Lyndon Johnson (306), and Eisenhower (250). Further, averaging in second term data would normalize Trump even more: in contrast to their lame-duck peers, presidents who know they have another term in the offing tend not to flood the transition period with EOs. More than a tenth of all Trump's EOs, for example, were issued between Election Day 2020 and January 20, 2021 (Jimmy Carter's record was similar: he issued 35 EOs in a parallel period.)⁹ Broadly, then, utilization of these two unilateral actions under Trump is consistent with past presidential practice.

One important purpose of EOs is to alter or reverse previous policies: presidents can revoke, amend, or supersede previous executive orders by issuing new ones (Thrower 2017). Trump's behavior in this regard was also consistent with other presidents. He issued 27 orders revoking extant EOs, 18 of them from the Obama administration (most famously, perhaps,

Obama's order seeking to close the Guantánamo Bay detention center). He amended thirteen other orders and superseded seven more. But Obama's first-term numbers were similar, as Figure A1 in the SI section makes clear. He issued 24 EOs repealing previous ones (20 of which had been issued by George W. Bush), along with 17 amending and 11 superseding earlier orders. And other presidents engaged in even more post-hoc alteration of their predecessors' handiwork. Carter, for instance, issued 52 revocation and 106 amendment orders.

Figure 1c provides the number of non-ceremonial *proclamations* signed by each president in their first term from Eisenhower through Trump.¹⁰ The policy pronouncements embedded in proclamations are directed generally towards the public, while executive orders are presidential communications and directives aimed at the federal bureaucracy (Rottinghaus and Warber 2015, 298; Warber 2014, 269-270). Thus, a proclamation "states a condition, declares the law and requires obedience, recognizes an event, or triggers the implementation of a law (by recognizing that the circumstances requiring action have been realized)" (Cooper 2014, 172). Proclamations are most frequently used for ceremonial purposes, such as to denote "Military Spouse Appreciation Day" (Proclamation 10204) or "Flag Day and National Flag Week, 2020" (Proclamation 10050). But proclamations can also be used by chief executives to pursue major public policies, particularly related to trade, immigration, or foreign policy (Belco and Rottinghaus 2017, 34). For instance, the third iteration of Trump's "travel ban" was issued as a proclamation, as required by the Immigration and Nationality Act. Once again, we omit proclamations used for ceremonial purposes (such as declaring a national day of recognition) in order to isolate substantive ones that most implicate policy.

Overall, Trump's use of presidential proclamations is consistent with patterns dating back to the Eisenhower administration. As with EOs, his first-term total of 51 substantive

proclamations outpaced George W. Bush (38) and Obama (28) but was similar to Clinton (44) and Eisenhower (51) and behind Lyndon Johnson (52), George H.W. Bush (54), and champion proclaimer Jimmy Carter (82). Thus, the quantity of Trump's proclamations do not indicate that he has exercised this power in a manner drastically different from other presidents since 1953.

The next category of administrative action studied here is the *presidential signing statement* (Figure 1d), which is text issued in relation to the enrolled bills signed into law by the president. Unlike most presidential directives, signing statements are not about being the "first mover" but the last, since they can only be issued in response to a congressional action (Kelley and Marshall 2008). Like EOs and PMs, though, they give guidance to executive branch agencies in shaping the implementation of statutes.

Some signing statements are simply rhetorical, perhaps praising a piece of legislation or congratulating those members of Congress and presidential advisers central to the passage of a bill (Kelley and Marshall 2008, 250-251).¹¹ To stay centered on policy, we follow the example of Thrower (2020) and exclude these sorts of statements and include only those that object to a certain section of the law based on constitutional grounds. These "constitutional signing statements" lay down the president's viewpoint on a given statute and can be used to instruct executive branch officials not only how to interpret or implement the law, but when to ignore it.

Figure 1d shows the number of constitutional signing statements issued during the first term of each president since Eisenhower.¹² Despite George W. Bush's reputation in this area, George H.W. Bush actually issued more constitutional statements (123) than his son (91). Trump is a distant third, with 59 such statements, though he outpaces the other presidents in our data in this regard. The remaining administrations dating back to Eisenhower issued thirty (Clinton) or fewer constitutional signing statements in their first term.

However, it is important to note that a single signing statement may object to multiple provisions within omnibus legislation. Trump, for example, called into question seventy-five provisions within the Consolidated Appropriations Act of 2017 that he signed on May 5 of that year. Figure 2 shows the total number of constitutional objections by presidents during their first term in office, aggregated across all their signing statements. Objections were rare through the Nixon administration, but began to rise under Carter and especially Reagan, whose DOJ developed a more systematic rationale for their use (Kelley and Marshall 2010). As with the number of statements, objections also rose substantially during George H.W. Bush's term: Bush I issued a total of 285 such objections (see Tiefer 1994 for a discussion). Here, however, is where George W. Bush did surpass his father, and rather dramatically. The younger Bush issued 713 objections.

[Figure 2 About Here]

The controversy over George W. Bush's claims may have dissuaded Obama from their frequent use. But Trump ramped up the practice again, with 612 objections to various aspects of statute. Overall, then, Trump's use of signing statements largely reflected a modern, vacillating pattern of aggressive use under Republican presidents and a retrenchment under Democrats. However, it did not break new ground.

The final two panels of Figure 1 consider how the Trump administration compared to its predecessors in terms of regulatory promulgation. Rules, of course, are issued by agencies and not by presidents (Potter 2019). Thus, they are not always considered part of a president's administrative toolkit. However, over time presidents have centralized regulatory review within the Office of Management and Budget, and regulatory shifts enforcing changes in statutory interpretation have become key to presidential policymaking, especially in a world of declining

congressional productivity (Howell and Mayer 2005; Lewis and Moe 2021; Potter 2019; Rudalevige 2020). Further, other presidential directives, such as EOs or PMs, can be used to prompt the production of rulemaking (Kagan 2001). Trump himself explicitly made regulating, or rather deregulating (which still involves the issuance of new rules) part of his strategy for “deconstructing the administrative state”; therefore, we include it in our broad evaluation of his administrative strategy.

Figure 1e focuses on rules issued by the fifteen Cabinet-level departments and the Environmental Protection Agency.¹³ Compared to his predecessors, Trump’s administration promulgated far fewer *significant final regulations*. Clinton, George W. Bush, and Obama all oversaw the issuance of many more significant final regulations than Trump—some four to seven times more in their first terms alone. Trump’s lower volume of significant final rules likely flows from the widely publicized “two for one” executive order (E.O. 13771, January 30, 2017), which required agencies to remove two existing regulations for each new regulation created. Ironically, the actual EO necessitated the issuance of more rules, not fewer, so as to repeal extant ones and meet the desired goal of a smaller overall inventory of regulations. As discussed below, we do not observe this trend. Instead, agencies seem to have averted issuing significant new rules altogether, in order to avoid the confusing White House guidance associated with the “two for one” requirement.

Even then, the suppression of substantive rulemaking does not appear when considering the promulgation of *economically significant final rules*, that is, those with an estimated economic impact of \$100 million or more. As shown in Figure 1f, here Trump appears to be much more in line with his predecessors, slightly ahead of Obama in fact.¹⁴

In summary, despite rhetoric that forcefully promoted his use of unilateral power, Trump did not use administrative tools substantially more—or for that matter substantially less—than his presidential peers over the past seven decades. The one exception is significant final rules, where the “two for one” order did have a chilling effect. However, its impact did not extend into the subset of rules with the most economic impact, where business as usual reigned. Overall then, in a descriptive sense, Trump’s reliance on the administrative presidency appears to be largely on par with previous administrations and very much in line with patterns in the raw historical data.

Not So Different: Trump and the Drivers of Administrative Action

Descriptive data tell only part of the story of Trump’s administrative behavior vis-à-vis other presidents. Scholars generally agree that all chief executives have incentives to use their administrative powers to advance their policy preferences and other political goals (e.g., Chiou and Rothenberg 2017; Cooper 2014; Howell 2003). The resulting research evaluates when and under what conditions presidents are likely to issue unilateral directives.

Lowande and Rogowski (2021) point out that this literature is “noisy,” riddled with divergent specifications and datasets that lead to mixed and sometimes conflicting results. Nevertheless, some general findings have emerged over time. In this section, we evaluate whether Trump’s use of these policy tools is in line with what we might think of as the scholarly default levels. That is, differences across administrations may simply reflect differences in presidential circumstances rather than the proclivities of an individual president. What seems like a particularly high volume of unilateral directives might be the number expected from any president given certain political conditions, as predicted by prominent theories.

Because many of these models were developed with specific reference to EOs, some caution is required when extending their use to other unilateral administrative tactics. For instance, since signing statements flow from legislative enactments, the relationship of congressional majorities to their issuance may differ from that of executive orders. Even so, the logic of the key contextual variables detailed below seems to hold for other sorts of directives and even rulemaking. For instance, Potter and Shipan (2019) discuss how systemic political conditions, like divided government, affect the volume of regulations produced. While their argument focuses on agencies as strategic actors, the extent to which Trump himself focused on regulations—and his control over them—gives us reason to consider his political influence in this arena.

With that caveat, we outline below “the fundamentals” of unilateralism that scholars have identified: most notably, interbranch relations; the president’s public approval; the political calendar; and the state of the economy. We then conduct quantitative analyses that test the relative output of administrative tools under the Trump administration, controlling for the political environment.

“The Fundamentals”

Inter-branch relations. Probably the most central and recurring question from the literature on unilateralism is the degree to which such tactics substitute for legislative action. Do presidents use unilateral directives and other administrative actions to bypass an uncooperative Congress, or does legislative hostility deter them from acting in the first place? Here, scholars and political observers are most concerned with whether more (or fewer) administrative tools are deployed under divided government, compared to periods of unified partisan control. Reflecting

conventional wisdom, early scholarship and contemporary media accounts contend that presidents use unilateral powers to evade congresses that are unwilling to pass legislation favorable to their agenda or when executive action can preempt larger changes to which the president objects.

Recent presidents have themselves cited legislative lassitude as a rationale for unilateral action. George W. Bush, for instance, said of one of his 2003 faith-based initiatives that “We waited for Congress to act. They couldn't act on the issue. So I just went ahead and signed an Executive order.”¹⁵ Obama famously declared in 2011 that since “we can't wait for an increasingly dysfunctional Congress to do its job [W]e're just going to go ahead and act on our own.”¹⁶ Trump put it this way in 2020: “Democrats are actively blocking the things that we want. Therefore, I'm taking Executive action. We've had it.”¹⁷ In this view, the higher the obstacles to legislative success, the more presidents should be inclined to side-step the legislative process (Krause and D. Cohen 1997, 462). Thus, divided government should lead to more unilateral directives.¹⁸

Despite the straightforward intuition of this “evasion” view of executive power, recent studies consistently find that presidents actually issue *fewer* policy-related unilateral actions under divided government (e.g., Bolton and Thrower 2016; Chiou and Rothenberg 2017; Howell 2003). Since executive action often follows the passage of legislation, helping to implement new laws by delegating authority or prodding rulemaking, at least some executive orders are “primarily a vehicle for reinforcing legislative victories, rather than circumventing a hostile Congress” (Deering and Maltzman 1999, 769). More formal “pivotal politics” models (e.g., Krehbiel 1998) came to the same prediction from a different direction. Under divided government, Congress is more inclined to punish presidents for taking unfavorable actions both

directly through statutes overturning or defunding presidential orders and indirectly through various non-statutory tools such as increased oversight or blocking presidents' nominees. In that environment, rational presidents would not issue controversial orders in the first place under divided government to avoid costly punishments.¹⁹ Relatedly, recent work finds that legislatures are better positioned to retaliate when they have high institutional capacity, thereby checking the executive's unilateral action issuance (Bolton and Thrower 2022).

Note that patterns of unilateralism could themselves be driven by legislative activity. Presidents could issue certain unilateral actions in response to, or in the absence of, legislation. Many proclamations, for instance, are used to carry out statutory mandates. Other unilateral actions, such as executive orders or proclamations, may be used to implement recently passed laws (Belco and Rottinghaus 2017).

Presidential Approval. Another question in the literature is over the role of presidential approval. Do popular presidents feel empowered to issue more directives? Or are unpopular presidents, perhaps unable to advance their agenda through other pathways and in need of public support or proof of leadership, more likely to act via unilateral means? An early wave of the literature found evidence for the latter (e.g., Deering and Maltzman 1999; Mayer 1999). However, more recent studies find support for the idea that presidents are constrained by low public approval, especially when accounting methodologically for the endogeneity inherent in this relationship. Christenson and Kriner (2019, 2020), for example, observe fewer unilateral directives from presidents with lower public support.

A subset of recent literature focuses on the broad role of public politics in limiting "imperial" presidents (see also Reeves and Rogowski 2022). With Congress less able or willing to check executive branch behavior over time, Posner and Vermeule (2010) contend that

institutional constraints on the presidency “have eroded considerably over time” (206) and that “the major constraints on the executive...do not arise from law or from the separation-of-powers framework...but from politics and public opinion” (4).

Political timing. Some work shows that the political calendar matters for the use of unilateral directives. At the start of a term, for instance, executive action provides a mechanism for presidents to rapidly fulfill campaign promises (Fine and Warber 2012). This is especially true for new presidents entering the White House after a predecessor of the opposite party, as they seek to reverse course (Chiou and Rothenberg 2017; Howell 2003). Within days of taking office in 2017, for instance, Trump took executive action asking agencies to address prominent issues upon which he had campaigned. His first executive order (E.O. 13765, January 20, 2017), issued on the day of his inauguration, asked agencies to use their authority to delay or otherwise undermine the implementation of the Affordable Care Act, the chief legislative achievement of the Obama administration. He also directed agencies to explore ways to build a wall on the US-Mexico border and to reduce regulations.

Presidents generally receive a “honeymoon” of sorts from the public and Congress at the beginning of their terms, giving them greater freedom of action (e.g., Beckmann 2010; Mueller 1970; Rivers and Rose 1985). But waning public approval seems inevitable (Brace and Hinckley 1992); soon enough, too, “the law of midterm loss” thins the ranks of presidential co-partisans on Capitol Hill. In combination with the dynamics already noted regarding legislative and popular support, this suggests presidents should be less active at undertaking administrative actions as their terms progress. They may be particularly reticent at using such actions during election years, when public scrutiny and media attention is high. A key exception, though, comes at the end of the term, especially when a president’s successor comes from the opposing party.

“Midnight regulations” are particularly notable (O’Connell 2008; Potter and Shipan 2019; Yackee and Yackee 2009), but the effect has also been found for unilateral directives (Bolton and Thrower 2016; Mayer 1999, 2001; Shafie 2013). Outgoing presidents may be less concerned by the potential for legislative or public retaliation, particularly if their party has lost power as well.

The three factors that we consider here—congressional power, public approval, and political timing—dominate the literature on presidential use of administrative tools. However, they are not the only factors that scholars entertain. Where appropriate, we control for these other factors. For example, presidents have historically used administrative tools to respond to international or domestic crises, with the public, courts, and Congress usually deferring to executive authority during emergency situations. They have likewise used unilateral tools to respond to worsening economic conditions (Krause and D. Cohen 1997; Krause and J. Cohen 2000), though a prolonged ailing economy might dampen public and legislative support and thus deter administrative actions. Furthermore, presidents often have deployed administrative actions in response to growing demand for policymaking, such as legislative mandates or overall governmental growth. Consequently, empirical studies often control for the size of government itself (as utilized by Krause and D. Cohen 1997; Krause and J. Cohen 2000). A larger federal establishment should also prompt presidents to issue more EOs: they simply need to control the sprawling executive branch.

Evaluating Trump vis-à-vis the “Fundamentals”

Each of the factors outlined above are theorized to influence a president’s propensity to rely on administrative action. Accordingly, how did they affect Trump’s unilateral outputs? That is: was Trump’s administrative output indeed “different” once one controls for these factors?

We employ OLS regression models to examine how these variables of interest affect the use of each of our six administrative actions across time.²⁰ We discuss the measurement of each variable below. We begin by estimating the following baseline model:

$$Y_t = \beta_0 + \beta_1 Trump_t + \beta_2 Drivers_t + \delta X_t + \alpha + \epsilon_t \quad (1)$$

where Y is, separately, a count of each administrative action under study (non-ceremonial executive orders, non-ceremonial memoranda, non-ceremonial proclamations, constitutional signing statements, significant final rules, and economically significant final rules) issued in a given month t between 1953 and 2020 (again, 1995 onward for models focusing on rules).

$Trump$ is an indicator variable taking a value of one during the months that fall under Trump’s presidency. The key parameter of interest in Equation 1, of course, is β_1 , which shows the effect of Trump’s presidency, *holding all other theoretical considerations constant*. Next, $Drivers$ represents the fundamental drivers of administrative action (discussed below), δ is a set of standard control variables,²¹ and α is a vector of presidential fixed effects (for presidents beyond Trump) that captures variance in personal styles—or at least how systematically unobservable differences between presidents might impact patterns in unilateral activity. Finally, ϵ is an error term.

Next, we consider a series of interactive models that consider whether Trump “outperformed” the expectations generated by the fundamentals. For instance, when Trump faced a divided government in the 116th Congress, did that lead to more or less administrative action? Further, did Trump’s response to divided government surpass that of prior presidents facing this same constraint or was it relatively on track for a “standard” president in this situation? To evaluate these questions, we estimate a second set of interactive models as follows:

$$Y_t = \beta_0 + \beta_1 Trump_t + \beta_2 Drivers_t + \beta_3 (Trump_t \times Drivers_t) + \delta X_t + \alpha + \epsilon_t \quad (2)$$

where the parameter of interest is β_3 , an interaction between each of the fundamental drivers (respectively) and the *Trump* dummy.

Measuring the Fundamental Drivers of Administrative Action

The “driver” variables are operationalized as follows:

Inter-branch Relations. Divided government is coded as 1 if the president and either chamber of Congress are from opposing parties, and 0 otherwise. In some alternative specifications, we instead use the percentage of congressional members belonging to the same party as the president, averaged across chambers.

Presidential Approval. The percentage of respondents that approve of the current president’s performance in office, as reported by the Gallup Organization and collected by The American Presidency Project. We daily aggregate job approval figures to the month-level unit of observation.

Political Timing. We measure the effects of time in a variety of ways. First, we include an indicator variable for the first three months of a new president’s administration following a party change. Second, we include a dummy measure for the last three months of an administration preceding a party change. Third, we include a time trend variable (by month) to capture the changing nature of executive unilateralism across the period under study due to any unobservable factors. We also include a squared time trend term, given that such change over time may well be non-monotonic.

We also control for the following factors:

Legislative Productivity. This measure counts the number of non-commemorative bills passed in a given year.

Legislative Capacity. This control variable is measured by a logged annual measure of congressional spending. It accounts for presidents altering their use of unilateral actions in response to changes in the institutional capabilities of Congress (Bolton and Thrower 2022).

Economic Conditions. The unemployment rate and the inflation rate, each reported by month and collected from the Bureau of Labor Statistics, serve as proxies for the strength of the economy.

Size of Government. This measure of logged, non-defense executive branch expenditures is collected from the *Statistical Abstract of the United States*. It aims to capture the scope of government activity and thus demand for unilateral action.

Empirical Results

The results of our empirical tests evaluating the “baseline” effect of Donald Trump’s presidency— that is, the “Trump effect” holding all key theoretical factors constant as indicated

in Equation 1—are summarized in Figure 3. Each panel of this figure shows the results from separate models corresponding to different administrative actions as the dependent variable; the diamond marker shows the Trump effect. The dashed line shows the Clinton presidency (the omitted case).

These analyses largely conform to our descriptive analyses in Section I. That is, overall, Trump does not appear to be a major outlier, particularly in comparison to more recent presidents. In only two areas—significant rules and economically significant rules—does Trump’s actions meaningfully deviate from the historical pattern. In these two cases, the substantive effect of Trump’s presidency was a substantively large *decrease* in regulatory output. However, for significant rules this effect is not significantly different, in a statistical sense, from Trump’s predecessors. For economically significant rules, Trump did oversee the production of significantly fewer rules than did Clinton, George W. Bush, and Obama, although the Trump effect is not statistically distinguishable from the Obama case. In all the other forms of administrative action, Trump very much continued existing trends. So, for example, while Trump issued fewer memoranda than mid-century presidents like Eisenhower, Kennedy, and Johnson, his memoranda output is in keeping with that of George W. Bush and Obama. Similar statements apply to executive orders, proclamations, and signing statements, where in each case Trump falls substantively and statistically in line with George W. Bush and Obama.

[Figure 3 About Here]

Next, we consider whether Trump “outperformed” expectations for executive action given the conditions he faced during his presidency. Specifically, we run a series of 30 regression models, where each of the five “fundamental” conditions is iteratively interacted with the *Trump* dummy following Equation 2 above for each of the six types of administrative

actions. These interactions allow us to evaluate whether Trump’s use of executive actions under various political conditions was significantly different from the way other presidential administrations used these tools under the same conditions. The results are presented in full in the SI, but Table 1 summarizes the results of these models, showing the sign and significance of the interactive effects: a plus (minus) sign indicates a positive (negative) coefficient on the interaction. The shaded cells indicate interactions that are statistically significant.

[Table 1 About Here]

Table 1 provides a somewhat scattered assessment of Trump’s issuance of executive actions vis-a-vis the fundamental drivers of those actions. Certainly it does not offer consistent evidence in support of an overall “Trump effect.” Although interpreting the substantive size of these effects requires a broader examination of the individual models (detailed in Tables A2-A6 in the SI), the tabular snapshot above provides no clear takeaway about Trump’s power. That is, no single fundamental factor leads to the conclusion that Trump consistently issued more (or fewer) executive actions than his predecessors, as would be evidenced by consistent signs and statistical significance across the six actions. Indeed, the case where statistical significance is most consistently noted—in the first three months—shows Trump issuing more executive orders and memoranda than predicted, but fewer signing statements and economically significant final rules. While this finding might suggest a tradeoff among tools, it does not serve to substantiate claims of Trump as a “disruptor-in-chief” (Davenport 2020) in terms of volume of administrative output.

What we can conclude from this analysis, then, is that there is not widespread support for the idea that Trump’s experience with divided government (for example), led to a wholesale shift

in favor of executive actions, certainly not a shift that differed dramatically from how his predecessors responded to this same constraint. In this circumstance only his use of substantive proclamations rose by a statistically significant amount, along with his promulgation of economically significant rules (even as his issuance of significant rules overall seems to have declined). Similar statements can be made with respect to Trumps’ response to the strength of his congressional co-partisans, to his response to his historically low levels of public approval, and to his actions in the first and last three months of his administration.

Overall, these analyses thus far indicate that, in terms of volume, Trump’s use of executive actions—both overall and in response to various political conditions—largely conform to past standards and expectations of presidential behavior. Trump may have shattered norms in some ways, but his use of administrative tactics seem to be less “modern day presidential” than just generically presidential. On the whole, he appears to respond to the same incentives and constraints as did other administrations, consistent with scholarly theories of presidential activity. The main exception is in his regulatory output; in absolute terms, Trump issued fewer rules—both significant and economically significant—than his predecessors. Still, as Table 1 shows, even this distinction—at least in terms of the volume—does not consistently exceed the patterns of his predecessors when taking contextual expectations into account.

Not Particularly Different: Trump and Administrative Policy Areas

Our analysis thus far has been limited to aggregate counts of administrative actions rather than their substantive content. It may well be that, although Trump did not meaningfully differ *by the numbers* in most areas, he still used administrative actions in a substantively different

manner than his predecessors. To explore this possibility, we consider one place where presidential use of administrative action may reasonably differ: the substantive policy areas associated with administrative actions. To preview our conclusion, the policy emphasis of Trump’s executive actions did diverge from his predecessors—but this variance seems largely to reflect his differing policy priorities rather than a stark departure from established practices in this arena.

To explore this relationship, we assigned each executive order and presidential memorandum a major topic code from the Comparative Agendas Project (CAP), or more than one code when a single directive dealt with multiple policy areas. Figures 4 and 5 show the percentage of executive orders and memoranda used by Trump specific to various issue areas compared to the mean value in those areas for all other presidents from Eisenhower through Obama during their first terms.

[Figure 4 About Here]

[Figure 5 About Here]

Like other presidents before him, Trump’s most frequent use of directives was for “government” purposes, which is to say administrative matters of organizational or advisory import. This topic accounted for 41% of Trump EOs and fully half of his PMs, a slightly smaller proportion of the average for prior presidents (56% and 64%, respectively).²² Unilateral directives are often designed to instruct or reconstruct agencies, as well as to create, abolish, or restructure advisory groups (Mayer 2001, 76-77); Trump continued to use them in this way. For instance, during his first term, Trump created 24 new governing bodies via executive order, including the Task Force on Crime Reduction and Public Safety and the Presidential Advisory

Commission on Election Integrity. Such activity follows a long line of presidents using unilateral directives to create interagency or “czar”-led bodies salient to their policy agendas. For example, Obama created the White House Offices of Urban Affairs and Health Reform through executive order. Trump’s figures also differ from his predecessors’ when it comes to defense policy. Close to a third of his memoranda fell in that category, more than twice the prior average. This pattern likely reflects both his interest in managing Pentagon practices (such as the enlistment of transgender service members) and in reprogramming military funds (for his border wall, for instance). We note that while Trump’s use of defense-related memoranda increased relative to his predecessors, his use of defense-related orders decreased, suggesting that he may have substituted one type of action for another in this domain in particular.

There are other policy areas where we might flag differences between Trump’s policy reliance and that of his predecessors. For instance, Trump used unilateral directives to shape criminal justice policy (8% of his EOs, compared to 4% of his predecessors’) and immigration policy (4% of his EOs and 7% of his PMs, compared to just 1% for both under previous presidents) at unusually high rates. Such unilateral activity was consistent with his campaign promises for “law and order” and tighter immigration restrictions. In fact, he infamously issued two EOs instituting travel bans, later superseded by a proclamation along similar lines. And, as we detail in the SI, Trump’s upsurge in the use of proclamations to advance his immigration policy also diverged from previous presidents.²³ On the flip side, relative to other presidents, Trump used very few directives related to education, social welfare, housing, civil rights, or transportation. This too is arguably in line with his broad policy priorities—for less action, rather than more, in most domestic policy arenas. A stark exception was in health care. There, many of the Trump directives actually changed the terms (or reversed expansions) of coverage

requirements dictated by the Obama administration. Others involved responses to the coronavirus pandemic in 2020. For example, Trump issued executive orders on medical resources and equipment, as well as several delegating emergency powers under the Defense Production Act. He also signed memoranda authorizing support from the Federal Emergency Management Agency for state National Guards responding to the pandemic.

Overall then, we catalog some important differences in the policy areas where Trump targeted his administrative actions. These are important areas for scholars to unpack to understand the nuances of the Trump administration; however, as the above analysis highlighted, Trump's direction of administrative action targeted areas that were core to his governing agenda. This finding is consistent with the behavior of other presidents: variance in the subject matter of executive action closely tracks their own policy priorities. While Trump's choices here are substantively important, they do not establish a new pattern. Instead, they reflect his administration's underlying agenda rather than meaningful changes to the shape of administrative action itself. In short, like prior presidents, Trump directed his executive actions to the policy areas he most desired to prod change.

Where *was* Trump Different?

We have argued that Trump did not differ from past presidents in terms of the *volume* of his administrative output, or even in a precedent-breaking way in the policy areas associated with that volume. Yet we cannot confidently infer from these data that Trump's *use* of administrative tools was not meaningfully different from that of his predecessors. In this section, we consider two ways in which Trump's use of administrative action did diverge from past presidents: his use of administrative action as a hortatory device and his approach to managing the regulatory

process. These are, of course, not the only ways that Trump's use of these tools broke new ground, but we believe they are important and suggestive examples of the ways that this president was indeed unique.

Administrative Action as Public Relations Tool

The data above suggest that the number of EOs Trump issued was in line with past practice; but a closer look at the language of those orders suggests an intriguing shift. That is, the Trump administration's amplified rhetoric may have infiltrated into the realm of executive action in an unexpected fashion.

For starters, there are at least isolated instances where Trump used EOs to essay new policy directions and new compositional styles. Trump's "Schedule F" executive order (EO 13957, October 21, (2020)) is an intriguing example. This order would have relaxed federal merit protections by creating a new class of federal employees no longer covered by civil service protections and thus more readily fireable (including for political reasons). Many observers criticized it as representing a return to an earlier form of patronage bureaucracy. In addition to following the hortatory practices outlined above—"poor performance by career employees in policy-relevant positions has resulted in long delays and substandard-quality work for important agency projects," (Executive Order 13957) the president opined—this order did something unique and norm-breaking: it included language *directly amending* the Code of Federal Regulations.²⁴ Typically, if an executive order addresses regulation, it does so by including a directive from the president to an agency head requiring that the latter issue new regulations in line with the substance of the order. While the Schedule F order did include language directing

the Director of the Office of Personnel Management to issue Schedule F regulations, that was paired with an attempt to directly amend the CFR via executive order.²⁵

Additionally, Trump's directives commonly included lengthy preamble sections, coming prior to the legally effective language of the order. Such prefatory material served to take a partisan stand, make grand philosophical claims, or simply vent (sometimes in the first person) against entities ranging from Twitter to the Supreme Court. This language did not seem aimed at the agencies to whom EOs are normally addressed. In July 2019, Trump used EO 13880 to provide eight pages (3 ½ even in *Federal Register* font) of fulmination favoring a citizenship question on the 2020 U.S. Census; in January 2021 he promised a “beautiful new garden” with statues of heroes reflecting “the awesome splendor of our country’s timeless exceptionalism” and fending off “a dangerous anti-American extremism that seeks to dismantle our country’s history, institutions, and very identity.”²⁶

This kind of language is not in itself rare in presidential communication. But it had been rare in executive directives, which are subject to a longstanding process of central clearance through the Office of Management and Budget (OMB) that sought to keep extra-legal rhetoric to a bare minimum and save more flowery language for press releases or speeches (see Rudalevige 2021, Ch. 3). As recent research by Rudalevige and Yu (2021) shows, Trump's orders contained far more non-operative, hortatory language than did those of his predecessors. Their analysis, covering all EOs issued from the start of the Kennedy administration through Trump's term, separates “preamble” language with no legal effect from the operational language of a given order.²⁷ Eighty percent of Trump EOs contained such preambles, up from sixty percent of Obama's and under 40% for all other presidents in the time series.

Those preambles were also longer. As shown in Figure 6, the average length of preambles from the Kennedy to George W. Bush administrations ranged from 15-40 words, rising sharply under Obama to just over 100 words. But Trump's preambles averaged more than 250 words, a difference both substantively and statistically significant ($p < .0001$). And they constituted a larger fraction of the text of any given order than had previously occurred. As Figure 7 details, almost 20% of a typical Trump order was made up of hortatory language—twice that of any of the presidents between Kennedy and Obama. That may owe in part to Trump's partial abandonment of the OMB-driven central clearance process. Observers suggest that the Trump White House Counsel's office took on a far more prominent role vis-à-vis the OMB general counsel's office in drafting and reviewing executive orders (Bale 2021).

[Figure 6 About Here]

[Figure 7 About Here]

Trump used his executive orders, then, in ways that seemed designed as much for public relations as for public policy.

Managing a Deregulatory Program

By the numbers, Trump differed from his predecessors in that he oversaw the production of considerably fewer significant and economically significant regulations. This decreased output begs further study of what these differences mean in practice. Here, we note that Trump's approach to regulatory policy stood out from his predecessors in two important ways that are not necessarily reflected in topline trends: a deregulatory focus and a flouting of regulatory process norms and procedures. Importantly, these two trends were in tension with one another, with the

latter serving to undermine the former. The result was an ineffectual deregulatory program, but a more successful rhetorical campaign.

First, Trump placed a pointed emphasis on deregulation, or the removal of existing regulatory requirements, rather than the creation of new ones. While other Republican presidents—most notably Ronald Reagan—also put deregulation on the agenda, none trumpeted it to the same extent as Trump. Deregulation was a cornerstone of Trump’s time in office, and he viewed it as central to his legacy. Candidate Trump promised to remove “75 percent, maybe more” of existing regulations from the books (Devaney 2017). Within days of assuming the presidency, Trump seemingly followed through on this pledge, issuing the aforementioned “two for one” executive order. Additionally, working with Republicans in the 115th Congress, Trump pioneered use of the Congressional Review Act (CRA) as a way to deregulate en masse. Although the law had been used only once prior to his time in office (Belton and Graham 2019), Trump deployed it to successfully overturn fifteen Obama-era regulations in 2017. In July of 2020, Trump hosted a publicity stunt on the White House Lawn featuring two pickup trucks, anvil-like weights, and a crane to visually demonstrate the relief Trump’s administration had offered from “crushing” regulatory burdens (Jackson 2020).

Second, Trump’s approach to regulatory politics was distinguished by his administration’s flagrant disregard for procedure. Livermore and Revesz (2020, 14) explain how the administration systematically sought to undermine the analytic components of the regulatory process, arguing that, ultimately, “the Trump administration [walked] away from a decades-long bipartisan consensus that placed cost-benefit analysis at the heart of regulatory decision-making.” While Trump’s executive two-for-one order emphasized the cost imposed by new rules and set a “regulatory budget” cap designed to zero out those costs, his agencies proposed

numerous regulations that failed to account for obvious costs imposed or offset them with rather nebulous benefits. In a rule preventing asylum seekers from working in the U.S. for a full year, for instance, the Department of Homeland Security (DHS) estimated \$2.3 billion in annual economic costs imposed by the regulation, even as it conceded that “the benefits potentially realized by the proposed rule are qualitative,” including the repeatedly-stated belief it would deter migrants from entering the United States in the first place and restore “integrity” to the asylum process.²⁸ Trump’s agencies were also less conscientious of the legal requirements associated with rulemaking than prior administrations (Potter 2018). This procedural corner-cutting served to undercut many of Trump’s most high-profile deregulatory efforts. In setting aside the administration’s rescission of the Deferred Action for Childhood Arrivals (DACA) program, the Supreme Court scolded DHS for failing to justify its decisions as required in administrative law: “the post hoc rationalizations of the agency... cannot serve as sufficient predicate for agency action.”²⁹

In terms of their long-term prospects, Trump’s tweaks to regulatory policy have different prognoses. Trump’s deregulatory program was largely ineffective at reducing regulation in a durable way; some scholars have even described it as a “deregulation deception” (Coglianese, Sarin, and Shapiro 2021). The durability of Trump’s deregulatory agenda was also undermined by intensive litigation. Interest groups, primarily on the Left, challenged the administration’s regulations in court at unprecedented rates. These challenges were largely successful, with opposition groups overturning Trump’s deregulatory actions in approximately 77% of cases (Institute for Policy Integrity 2021). And because removing regulatory requirements usually involves following the notice-and-comment process under the Administrative Procedure Act, a successful deregulatory campaign should result in an increase in the *flow* of new regulations,

which if successful should yield a subsequent decrease in the existing *stock* of regulations (see Belton and Graham 2019; Dudley 2020). Therefore, in Trump’s case the marked decline in the production of new regulations shown earlier is inconsistent with a successful, wide-scale program of deregulation. Trump’s deregulatory procedural reforms were also not durable. In addition to having many core regulations overturned by the courts, his signature “two for one” policy was accomplished via executive order. As such, it could be, and was, promptly revoked by his successor, President Joseph Biden—on his first day in office, in fact, along with some of Trump’s other core regulatory policies (Dooling 2021).

Yet, Trump’s deregulatory rhetoric and procedural approach to rulemaking may still have long term consequences. Such rhetoric is one piece of a larger populist movement that he helped ignite and that may have broader implications for the institution of the presidency (Howell and Moe 2020, 92-93). And his administration’s dismantling of procedural guardrails revealed how precarious such institutional norms can be. It is not clear that regulatory procedures relying on careful technocratic analysis can or will be neatly returned to their box now that they have been set aside.

Conclusion

In their best-selling book, *How Democracies Die* (2018), Levitsky and Ziblatt described President Trump as a “serial norm breaker” (146). There is no doubt that President Trump stood out from those who held the office in recent decades in terms of his personality, use of rhetoric, and his attempts to buck some of the regular norms associated with the office of the presidency and, even more disturbingly, associated with American elections. Certainly Trump made strong claims about his Article II powers and his prowess in controlling the executive branch via the tools of the administrative presidency.

Even so, our empirical evidence suggests that rhetoric may have outpaced reality in this regard. At least by the numbers, the majority of Trump's administrative output was not particularly different from other presidents dating back to the Dwight Eisenhower administration. His use of executive orders, presidential memoranda, proclamations, and signing statements fall in line with his predecessors. President Trump did prefer presidential memoranda more than any president since Eisenhower; however, even that behavior did not deviate from other administrations in any grand way (for instance, the Carter White House was not far behind.)

Trump is even less distinct when accounting for his expected output given the political contexts of his term in office, such as congressional support for the president, legislative productivity and capacity, presidential approval rates, and political timing. The evidence demonstrates that Trump did get an early start: he issued more executive orders and presidential memoranda than expected during the first three months of his administration. He also issued notably fewer significant federal rules than other administrations during his final three months in office. Still, controlling for the variables political scientists have shown to predict the issuance of executive actions, Trump's behavior was broadly predictable. Trump does not seem to have loved "butter" more—or less—than his presidential peers.

We have noted some anomalies with respect to the *ways* that Trump deployed some of his administrative policy tools. For instance, executive orders became longer during the Trump years as they grew to contain more, and a higher proportion of, hortatory language. In this sense such directives seemed designed to persuade the public rather than to direct agency behavior. But, in the end, all presidents aim to fashion and refashion the administrative apparatus to suit their needs. Richard Nathan (1983) foretold this point in his classic work on the administrative presidency, suggesting that "it is appropriate—in fact, desirable—for political chief executives to

seek to exert greater managerial influence over the bureaucracy” (1). Though his focus was on the administrative policy strategies of two Republican chief executives, Richard Nixon and Ronald Reagan, Nathan thought the trend was universal: “an administrative presidency strategy is appropriate and desirable for both liberals and conservatives” (Nathan 1983, 1). Elena Kagan’s (2001) later take, indeed, suggested that “presidential administration” was a key tool for activist as well as revanchist presidents.

Regulation is one area where Trump did meaningfully differ from his predecessors. Of course, most accounts of presidential administrative actions exclude rulemaking from the president’s policymaking arsenal; including it here helps stress the extent to which Trump attempted to harness this tool for his own purposes in the first place. In terms of raw numbers, Trump oversaw the promulgation of fewer significant rules and, when accounting for political context, the issuance of fewer economically significant rules as well. This depressed output suggests that Trump did affect the regulatory pipeline, at least in the short term. To the extent that this effect flows from the “two for one” order, that order’s revocation may mean it is short-lived. However, Trump’s more subtle influence on the norms of regulatory policy, including changes to its procedural and analytical aspects (Livermore and Revesz 2020) and expectations about the role of a president in the regulatory process, will continue to unfold over the coming years.

This work offers a comprehensive account of Trump’s usage of administrative tools. It should not be the last. If nothing else, there are numerous additional administrative policy tools and powers not addressed in this article, including presidential appointments and removal powers, budgeting, reorganizations, determinations and guidance documents, and national security directives. Future work by presidency scholars on these additional policy tools, as well

as a more systematic assessment of the policy substance and content of his administrative actions—will be crucial to a full understanding of Donald Trump’s administrative presidency.

Notes

¹ Former President Trump’s tweets are no longer archived by Twitter but are available at:

<https://www.thetrumparchive.com/>.

² Donald J. Trump. Press Release, “President Trump’s 100 Days of Historic Accomplishments.”

Available online at:

<https://trumpwhitehouse.archives.gov/sites/whitehouse.gov/files/images/historic.pdf>.

³ Donald J. Trump, Farewell Address to the Nation, Online by Gerhard Peters and John T.

Woolley, The American Presidency Project. Available online at:

<https://www.presidency.ucsb.edu/node/347753>.

⁴ As we explain later, we depart from other work by including regulations as a tool of presidential administrative action. We argue that because Trump made regulation so central to his agenda that it is worth considering the potential for presidentially-directed regulation, as Elena Kagan (2001) suggested in her work on presidential administration.

⁵ We make every effort to focus on actions that have policy significance, rather than actions that are ministerial or symbolic in nature. For example, as discussed further below, for regulations we focus on rules that are deemed “significant” or “economically significant.” These terms are officially defined in E.O. 12866 (1993); loosely, this includes rules that are economically important or that had a novel legal or policy significance, excluding rules that are routine, administrative, or non-significant in nature. The latter category is a subset of the former that

includes rules that are expected to have an annual impact on the economy of \$100 million or more.

⁶ As such, the findings largely mirror those of Potter et al. (2019), though their study only examines these tools in the first year of office for presidents since Reagan.

⁷ A caveat, though: Cooper (2014) explains that while the Federal Register Act in 1935 requires that executive orders be published in the *Federal Register* (22), no such requirement exists for memoranda (147-148). Therefore, despite our best efforts, we cannot be certain that every PM is included in the data.

⁸ Our categorization is distinct from the scholarly debate over “significant” EOs, normally defined as such based on media, expert, or congressional attention (see Chiou and Rothenberg 2017). Significance categorizations are beneficial in isolating orders that usually garner contemporary public attention. Yet they often either miss those that are less “newsworthy” but can substantially impact public policy nonetheless or capture attention-grabbing directives that might not have meaningful policy implications (see the discussion in Bolton and Thrower 2022; Rudalevige 2021, 113-15). Even so, there is evidence that the empirical patterns of executive orders are substantially similar across different classifications of significance when isolating non-ceremonial or non-routine orders (Bolton and Thrower 2022).

⁹ At least ten of these dealt with the endgame of the Iranian hostage crisis in January 1981.

¹⁰ Like executive orders, proclamations are statutorily required to be published in the *Federal Register* and are likewise catalogued in the *Public Papers of the President*. We collected these data from the *American Presidency Project*.

¹¹ For instance, see Trump’s “Statement on Signing the Fostering Undergraduate Talent by Unlocking Resources for Education Act.” December 19, 2019.

<https://www.presidency.ucsb.edu/documents/statement-signing-the-fostering-undergraduate-talent-unlocking-resources-for-education-act>.

¹² Our data on signing statements is derived from the *Public Papers of the President*, as archived online by the *American Presidency Project*.

¹³ Counts of significant final regulations are collected from the *Federal Register*. We consider final rules rather than proposed rules to facilitate comparisons with the other presidential actions discussed, which are implicitly “final” in their nature. Because the terms “significant” and “economically significant” rules were defined in E.O. 12866—which was signed by President Clinton—comparable regulatory data collection is possible only starting with Clinton’s presidency, not with Eisenhower as with the other metrics.

¹⁴ Data on economically significant rules is from www.reginfo.gov and again covers the fifteen Cabinet departments and the EPA.

¹⁵ George W. Bush, “Remarks to Urban Leaders,” Online by Gerhard Peters and John T. Woolley, The American Presidency Project. <https://www.presidency.ucsb.edu/node/216180>.

¹⁶ Barack Obama, Remarks in Las Vegas, Online by Gerhard Peters and John T. Woolley, The American Presidency Project. <https://www.presidency.ucsb.edu/node/297388>.

¹⁷ Donald J. Trump, The President's News Conference in Bedminster, New Jersey, Online by Gerhard Peters and John T. Woolley, The American Presidency Project.

<https://www.presidency.ucsb.edu/node/343275>.

¹⁸ Other prominent theories expect that presidents should issue more unilateral directives under greater legislative gridlock, for similar reasons—given Congress’s inability to retaliate against presidential directives. Due to limitations in obtaining this data through the Trump presidency,

we do not test this contention in subsequent empirical analyses. Future research should extend existing datasets for these purposes.

¹⁹ Scholars also have used alternative measures and conceptualizations of legislative support or opposition to presidents, such as the ideological distance between preferences, the percentage of seats held by the president's party in Congress, and previous rates of the presidents' legislative success (see Fine and Warber 2012). We consider some of these alternative measures in later empirical analyses.

²⁰ Negative binomial models yield substantively similar, yet less readily interpretable, topline findings.

²¹ Descriptive data for all model variables is shown in Table A1 in the SI.

²² There are other areas that Trump's patterns paralleled that of his predecessors. Foreign policy, for example, accounted for 10% of Trump EOs and 6% of his PMs; the average of other presidents is 8% and 7% respectively.

²³ As Figure A2 in the SI details, some 43% of his substantive proclamations (19 in total) related to immigration — more than all other presidents since Eisenhower combined (17, just 5% of the total). Many of Trump's proclamations invoked the Immigration and Nationality Act to prevent an increasing number of categories of potential entrants into the U.S., even before the use of the coronavirus pandemic as a rationale for such restrictions (see Rudalevige and Yu 2020). Trump also frequently used proclamations to advance trade policy, but this was quite consistent with prior presidents; see Figure A2 in the SI for details.

²⁴ Specifically, Section 4(a) of the order states: "Civil Service Rule VI is amended as follows: (i) *5 CFR 6.2 is amended to read: 'OPM shall list positions that it excepts from the competitive service...'*" (emphasis added).

²⁵ The questionable legal basis for this action was ultimately untested, as the order was rescinded by President Biden in early 2021.

²⁶ EO 13978 (January 18, 2021).

²⁷ They also separated routine orders from the rest but found little difference in terms of preamble length (see Rudalevige and Yu 2021, 20).

²⁸ Department of Homeland Security, “Asylum Application, Interview, and Employment Authorization for Applicants,” June 26, 2020 (85 FR 38532); cost calculations are included in the proposed rule, 84 FR 62400 (November 14, 2019).

²⁹ *DHS v Regents of the University of California*, 18-587 (June 18, 2020), citing the 1981 case *American Textile Mfrs. Institute v. Donovan*.

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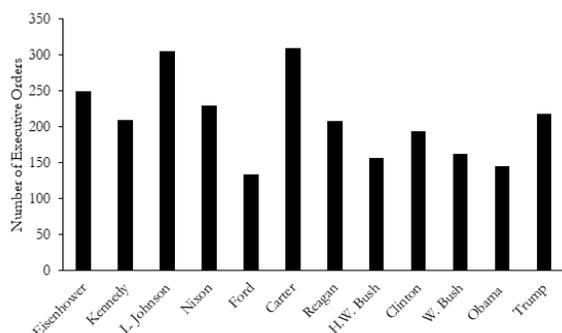
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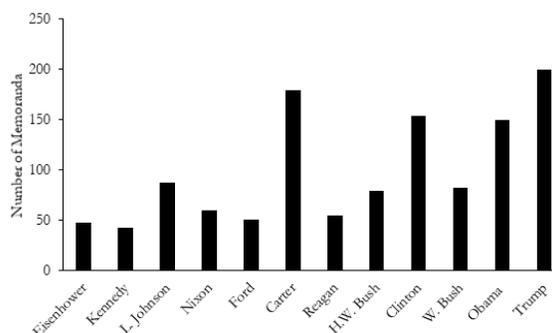
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Figure 1. Trump's Administrative Actions Compared to Other First Terms of Presidents

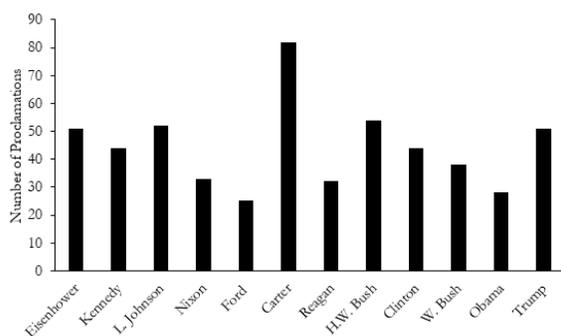
a) Executive Orders



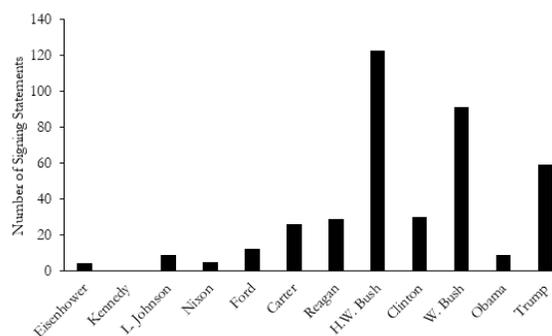
b) Memoranda



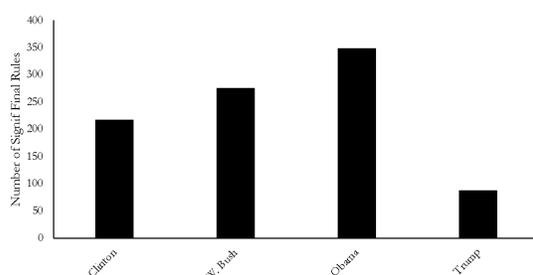
c) Proclamations



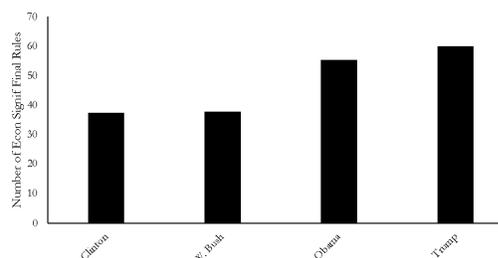
d) Signing Statements



e) Significant Final Rules



f) Economically Significant Final Rules



For each president's first term, the figure shows: a) the total number of non-ceremonial executive orders issued; b) the total number of non-ceremonial memoranda issued; c) the total number of non-ceremonial proclamations issued; d) the total number of constitutional signing statements issued; e) the total number of significant final rules issued by Cabinet-level agencies; and f) the total number of economically significant final rules issued by Cabinet-level agencies. Data collected from *The American Presidency Project*, which contains documents from the *Public Papers of the President of the United States*, the *Federal Register*, and www.reginfo.gov.

Figure 2: Number of First-Term Constitutional Objections in Signing Statements, by President, 1953-2020

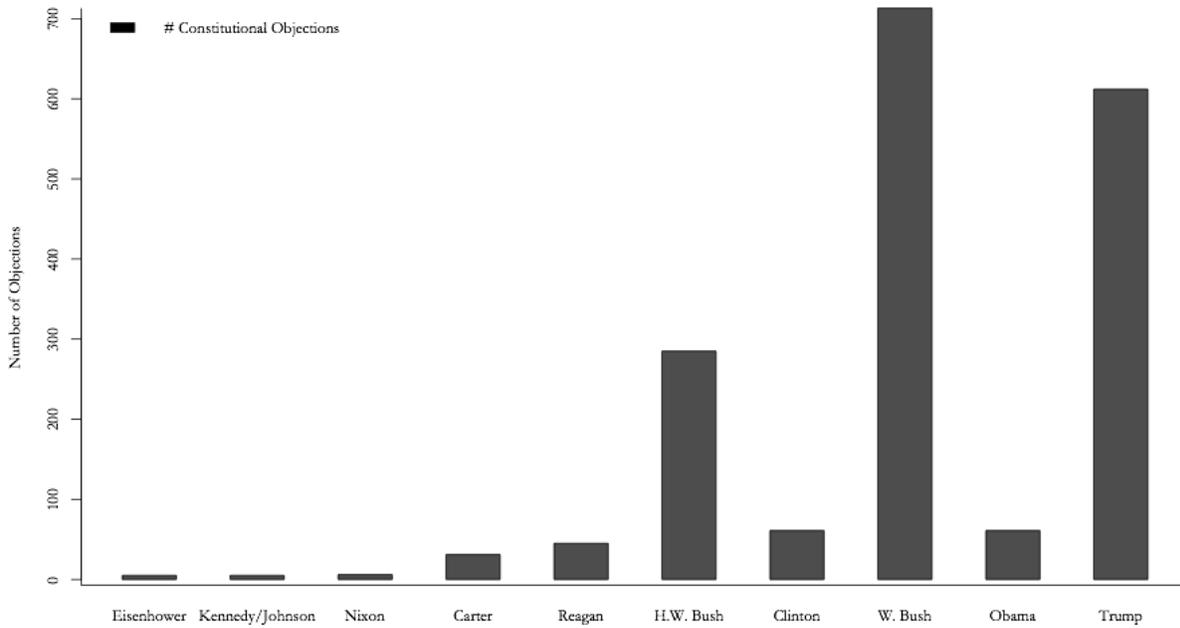
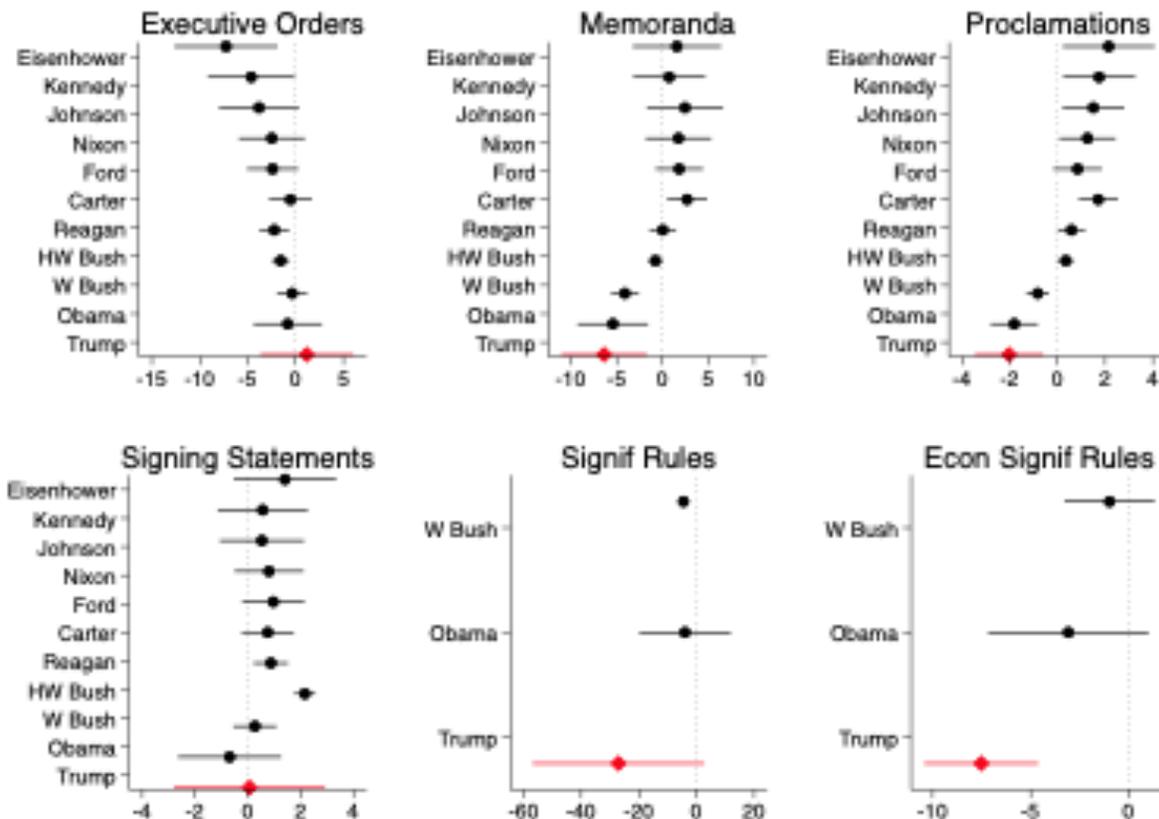


Figure 2 shows the number of total constitutional objections raised in signing statements by each president during their first term.

Figure 3. Trump's Executive Actions Compared to His Predecessors



Panels show the coefficient for the *Trump* variable in comparison to prior presidents for each of the six dependent variables of executive action. OLS models track Equation 1, with controls for divided government, presidential approval, first and last three months of an administration, inflation, unemployment, size of government, legislative spending, legislative productivity, and time (time and time-squared). Standard errors are clustered on the presidential administration. The zero line is the Clinton administration (the omitted case).

Table 1. Trump Effect on Theoretical Predictors of Executive Action

	Executive Orders	Memoranda	Proclamations	Signing Statements	Significant Rules	Econ Significant Rules
<i>Inter-branch Relations</i>						
Trump x Divided	+	+	+	+	-	+
Trump x % Cong Copartisans	-	+	-	+	+	-
<i>Presidential Approval</i>						
Trump x Approval	-	+	+	+	+	-
<i>Timing</i>						
Trump x First 3 Months	+	+	-	-	+	-
Trump x Last 3 months	+	+	-	+	-	+

Note: OLS models with presidential fixed effects and time counters, tracking Equation 2. Table entries show signs of interaction coefficient for Trump and the indicated variable. Standard errors are clustered by presidential administration. Shaded cells indicate statistically significant relationships at the $p < .05$ level or greater; two-tailed tests.

Figure 4: Executive Orders by Issue Area

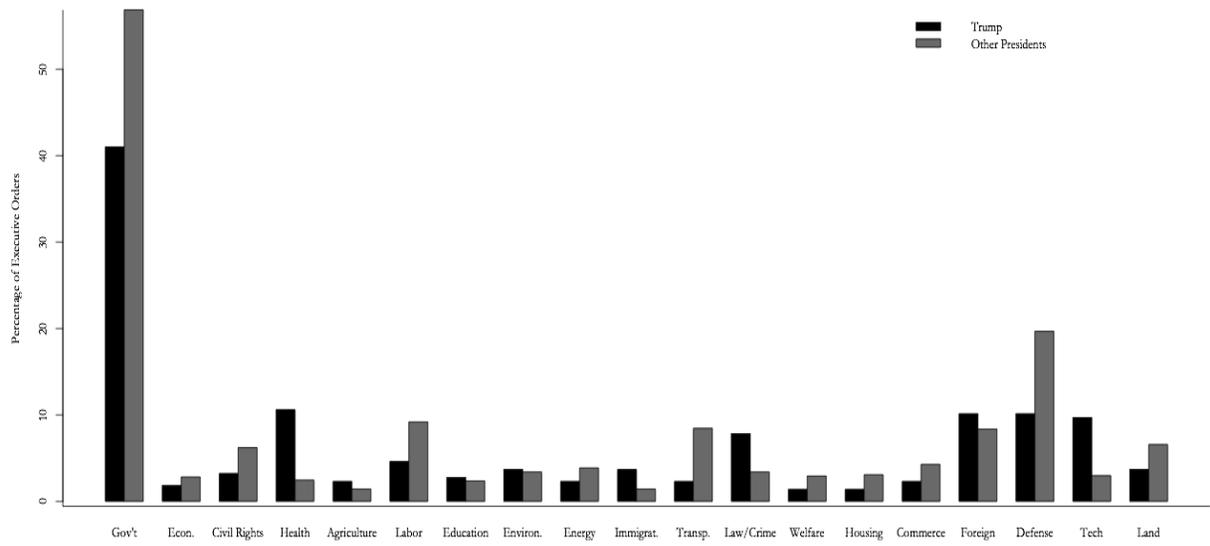


Figure shows the percentage of executive orders by policy area, issued by Trump in black versus all other presidents (Eisenhower through Obama) in gray. Policy topics derived from the Comparative Agendas Project.

Figure 5: Presidential Memoranda by Issue Area

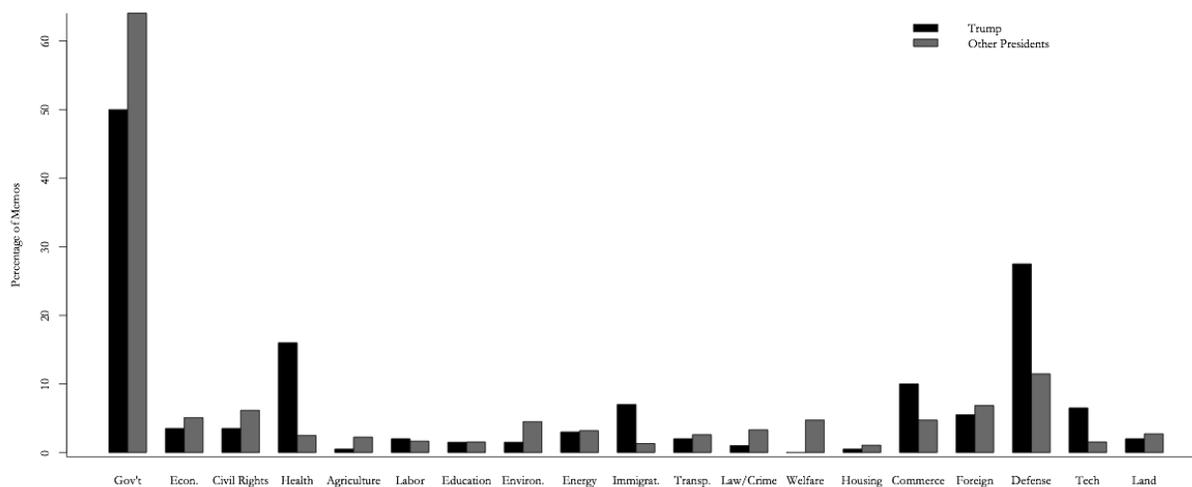


Figure shows the percentage of presidential memoranda by policy area, issued by Trump in black versus all other presidents (Eisenhower through Obama) in gray. Policy topics derived from the Comparative Agendas Project.

**Figure 6. Average Length of Non-Operative Executive Order
“Preamble” Language, by President**

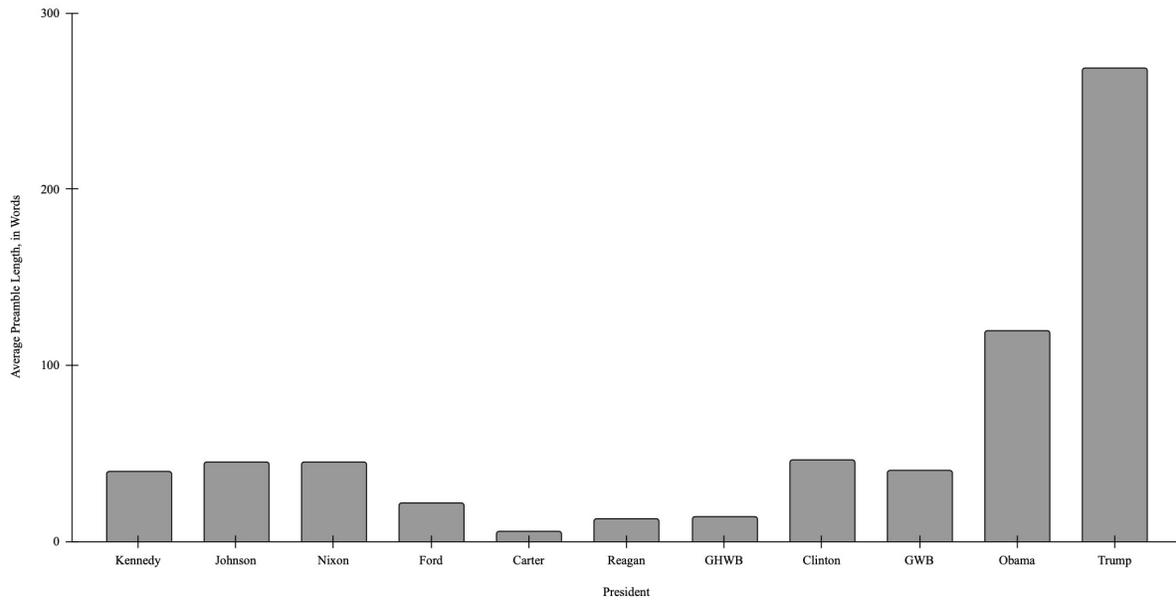


Figure shows the average length of preambles in executive orders for each president, from President Kennedy through President Trump.

Figure 7. Proportion of Executive Orders Composed of “Preamble” Language, by President

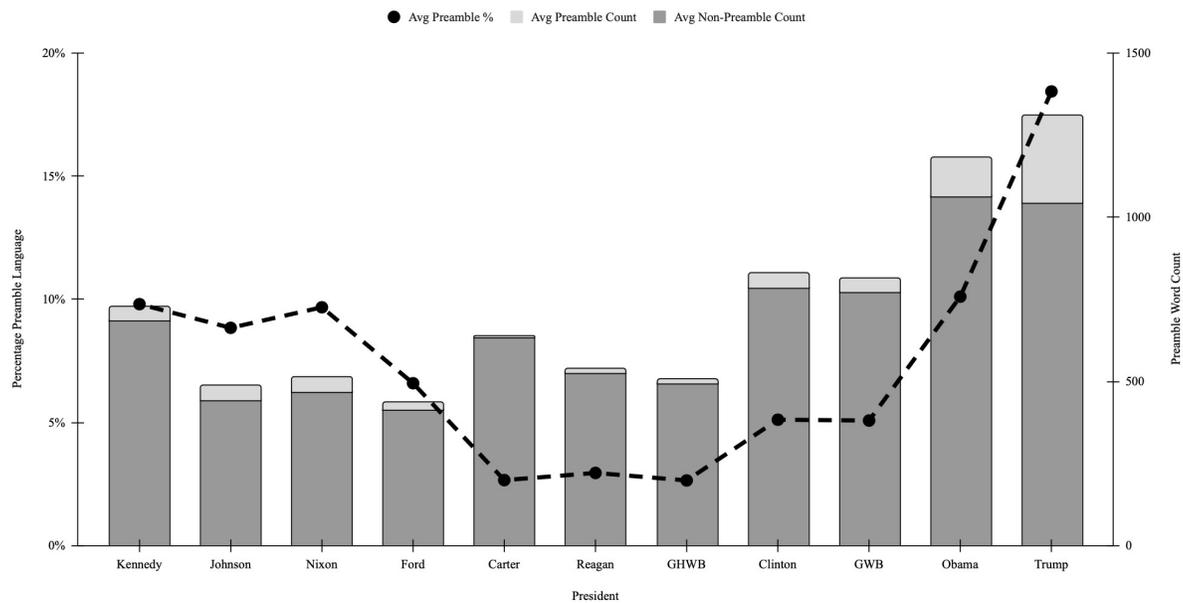


Figure shows the average proportion of an executive order that is consumed by the preamble, from President Kennedy through President Trump.

**Supporting Information
to accompany**

***Not By the Numbers:
Evaluating Trump's Administrative Presidency***

Potter, Rudalevige, Thrower, and Warber

To be published online

Table A1: Descriptive Statistics for All Model Variables

Variable Name	Description	Mean	Std dev	Min	Max
Executive Orders	Count of nonceremonial executive orders issued each month according to <i>The American Presidency Project</i> .	4.175	2.809	0	26
Memoranda	Count of significant memoranda issued each month. Data collected from <i>The American Presidency Project</i> and the <i>Federal Register</i> .	2.170	2.377	0	25
Proclamations	Count of nonceremonial proclamations issued each month. Data collected from <i>The American Presidency Project</i> .	1.025	1.369	0	19
Signing Statements	Count of constitutional signing statements issued each month. Data collected from <i>The American Presidency Project</i> .	0.685	2.085	0	32
Signif Rules	Counts of significant final rules issued each month by Cabinet departments and the Environmental Protection Agency. Data collected from the <i>Federal Register</i> .	21.623	11.871	0	76
Econ Signif Rules	Counts of economically significant final rules issued each month by Cabinet departments and the Environmental Protection Agency. Data collected from www.reginfo.gov .	4.220	3.087	0	21
Divided	Dummy variable that equals 1 during periods of divided government.	0.652	0.477	0	1
Cong copartisans	Proportion of seats held by the president's party in the House and Senate (averaged).	0.498	0.079	0.349	0.679
Approval	Presidential approval in each month. Data are from Gallup Poll, as reported by the <i>American Presidency Project</i> .	53.078	12.139	23	88
Honeymoon period	Dummy variable that equals 1 during the first three months of a new presidential administration.	0.033	0.179	0	1
Lame duck period	Dummy variable that equals 1 during the last three months of a presidential administration.	0.033	0.179	0	1
Unemployment	Unemployment in each month. Data are from the Bureau of Labor Statistics.	5.881	1.677	2.5	14.8
Inflation	Inflation in each month. Data are from the Bureau of Labor Statistics.	0.279	0.353	-1.9	1.8
Bureaucratic size	Annual non-defense spending in the executive branch (ln). Data are from the <i>Statistical Abstracts of the United States</i> .	27.401	1.084	25.294	28.835

Leg spending	Annual legislative spending (ln). Data are from the <i>Statistical Abstracts of the United States</i> .	21.539	0.717	19.770	22.476
Leg productivity	The logged count of the number of public laws passed annually. Data collected from the <i>Congressional Quarterly Almanac</i> , as reported by the <i>Comparative Agendas Project</i> .	20.036	29.765	0	270

Table A2: Divided

	(1) Executive Orders	(2) Memoranda	(3) Proclamations	(4) Signing Statements	(5) Signif Rules	(6) Econ Signif Rules
<i>Trump x Divided</i>	0.680 (0.555)	0.057 (0.617)	0.576*** (0.185)	0.353 (0.473)	-7.240 (7.671)	2.041*** (0.323)
Divided	-0.203 (0.319)	-0.443*** (0.173)	-0.020 (0.140)	-0.399*** (0.169)	-1.956 (1.366)	-0.448 (0.199)
Approval	0.009 (0.011)	0.028*** (0.009)	0.006 (0.004)	0.003 (0.015)	0.186 (0.139)	0.002 (0.011)
Honeymoon period	1.279 (1.017)	2.125*** (0.501)	-0.433*** (0.101)	-0.009 (0.390)	5.768 (3.400)	-0.247 (0.424)
Lame duck period	2.909*** (0.677)	-0.433 (0.499)	1.454*** (0.426)	0.030 (0.286)	17.654 (6.650)	6.663*** (0.875)
Unemployment	0.183 (0.098)	0.197 (0.152)	0.024 (0.014)	-0.057 (0.038)	0.975 (1.510)	0.201*** (0.049)
Inflation	0.086 (0.233)	0.604 (0.291)	0.167 (0.150)	-0.588*** (0.201)	-3.818*** (0.888)	-0.561 (0.301)
Bureaucratic size	0.836*** (0.269)	-0.956*** (0.222)	-0.031 (0.257)	-0.849 (0.842)	9.429 (22.041)	-2.778 (1.593)
Leg spending	0.155 (2.146)	1.988 (0.995)	0.618 (0.625)	-0.509 (0.702)	-9.733 (38.857)	5.665 (1.942)
Leg productivity	0.002 (0.002)	0.003 (0.001)	0.003 (0.002)	0.026 (0.016)	0.046 (0.030)	0.016 (0.010)
Eisenhower	-6.983*** (2.488)	1.638 (2.179)	2.407*** (0.966)	1.484 (0.847)		
Kennedy	-4.463 (2.068)	0.827 (1.797)	1.919*** (0.731)	0.491 (0.785)		
Johnson	-3.831 (1.902)	2.435 (1.923)	1.496*** (0.643)	0.566 (0.686)		
Nixon	-2.537 (1.644)	1.530 (1.628)	1.150 (0.641)	1.165 (0.530)		
Ford	-2.460 (1.340)	1.574 (1.216)	0.722 (0.577)	1.416*** (0.508)		
Carter	-0.719 (1.093)	2.435*** (1.045)	1.486*** (0.445)	1.118*** (0.430)		
Reagan	-2.301*** (0.762)	-0.149 (0.689)	0.478 (0.319)	1.170*** (0.372)		
HW Bush	-1.636*** (0.573)	-0.952*** (0.409)	0.232 (0.220)	2.458*** (0.319)		
W. Bush	-0.350 (0.802)	-4.180*** (0.767)	-0.846*** (0.273)	0.429 (0.440)	-4.513 (1.590)	-0.969 (0.432)
Obama	-0.647 (1.728)	-5.509*** (1.951)	-1.699*** (0.537)	-0.382 (1.053)	-6.903 (6.753)	-2.262 (0.876)
Trump	1.038 (2.245)	-6.491*** (2.087)	-2.182*** (0.745)	0.226 (1.225)	-27.924 (9.088)	-7.289*** (0.657)
Observations	816	816	809	816	313	313

R-squared	0.223	0.280	0.106	0.254	0.514	0.483
Time Trends	YES	YES	YES	YES	YES	YES

Notes: Table entries are OLS coefficients; robust standard errors clustered on the administration are in parentheses. Clinton is the omitted case. *** p<0.05, ** p<0.01, * p<0.001.

Table A3: Cong Copartisans

	(1)	(2)	(3)	(4)	(5)	(6)
	Executive Orders	Memoranda	Proclamations	Signing Statements	Signif Rules	Econ Signif Rules
<i>Trump x Cong copartisans</i>	-11.375	8.688	-14.139***	0.411	265.893	-44.543***
	(11.675)	(15.637)	(4.462)	(9.234)	(195.703)	(6.969)
Cong copartisans	-1.572	2.105	-0.937	1.080	-41.818	5.176
	(3.447)	(2.043)	(2.293)	(1.376)	(27.879)	(3.979)
Approval	0.008	0.027***	0.006	0.002	0.219	0.005
	(0.011)	(0.009)	(0.004)	(0.016)	(0.135)	(0.013)
Honeymoon period	1.262	2.132***	-0.441***	-0.009	5.328	-0.298
	(1.018)	(0.502)	(0.113)	(0.402)	(2.668)	(0.397)
Lame duck period	2.903***	-0.415	1.449***	0.042	17.023	6.630***
	(0.694)	(0.513)	(0.431)	(0.295)	(6.469)	(0.885)
Unemployment	0.181	0.194	0.024	-0.060	0.809	0.190***
	(0.096)	(0.152)	(0.014)	(0.038)	(1.430)	(0.044)
Inflation	0.074	0.583	0.165	-0.607***	-4.279***	-0.556
	(0.233)	(0.280)	(0.151)	(0.202)	(0.818)	(0.316)
Bureaucratic size	0.906***	-0.714***	-0.037	-0.644	15.648	-2.311
	(0.349)	(0.220)	(0.221)	(0.737)	(21.528)	(1.852)
Leg spending	0.477	2.180***	0.722	-0.262	-1.794	5.736
	(2.110)	(0.983)	(0.623)	(0.561)	(41.725)	(2.071)
Leg productivity	0.002	0.003	0.004	0.026	0.053	0.015
	(0.002)	(0.001)	(0.002)	(0.016)	(0.030)	(0.010)
Eisenhower	-8.653	1.584	1.735	0.909		
	(4.008)	(2.828)	(1.786)	(1.266)		
Kennedy	-5.419	0.793	1.535	0.159		
	(2.910)	(2.123)	(1.140)	(0.990)		
Johnson	-4.652	2.274	1.184	0.182		
	(2.524)	(2.081)	(0.940)	(0.891)		
Nixon	-3.756	1.289	0.689	0.593		
	(2.464)	(1.872)	(1.164)	(0.823)		
Ford	-3.651	1.455	0.255	0.944		
	(2.155)	(1.553)	(1.141)	(0.832)		
Carter	-1.177	2.217	1.330***	0.807		
	(1.293)	(1.093)	(0.536)	(0.475)		
Reagan	-2.915***	-0.389	0.262	0.792		
	(1.015)	(0.788)	(0.517)	(0.464)		
HW Bush	-2.084***	-1.043	0.063	2.246***		
	(0.759)	(0.501)	(0.389)	(0.341)		
W. Bush	-0.067	-4.090***	-0.744	0.587	-2.112	-1.072
	(0.877)	(0.766)	(0.341)	(0.515)	(2.288)	(0.466)
Obama	-0.211	-5.465***	-1.528***	-0.210	-1.463	-2.668
	(1.831)	(1.922)	(0.656)	(1.146)	(8.793)	(0.988)
Trump	7.888	-10.749	5.614	0.537	-155.878	15.976***
	(7.729)	(10.100)	(2.764)	(6.165)	(110.436)	(3.356)
Observations	816	816	809	816	313	313

R-squared	0.223	0.278	0.106	0.252	0.516	0.482
Time Trends	YES	YES	YES	YES	YES	YES

Notes: Table entries are OLS coefficients; robust standard errors clustered on the administration are in parentheses. Clinton is the omitted case. *** $p < 0.05$, ** $p < 0.01$, * $p < 0.001$.

Table A4: Presidential Approval

	(1) Executive Orders	(2) Memoranda	(3) Proclamations	(4) Signing Statements	(5) Signif Rules	(6) Econ Signif Rules
<i>Trump x Approval</i>	-0.134 (0.068)	0.040 (0.049)	0.023 (0.023)	0.007 (0.038)	0.394 (0.508)	-0.197 (0.088)
Divided	-0.044 (0.315)	-0.452*** (0.159)	0.057 (0.150)	-0.349*** (0.137)	-4.002*** (1.240)	0.195 (0.557)
Approval	0.012 (0.012)	0.027*** (0.008)	0.007 (0.004)	0.004 (0.016)	0.108 (0.127)	0.028 (0.020)
Honeymoon period	1.265 (1.032)	2.119*** (0.507)	-0.457*** (0.106)	-0.023 (0.390)	5.901 (2.910)	-0.238 (0.493)
Lame duck period	2.836*** (0.707)	-0.410 (0.514)	1.468*** (0.427)	0.034 (0.272)	18.958 (6.121)	6.145*** (0.877)
Unemployment	0.213 (0.104)	0.195 (0.141)	0.037*** (0.015)	-0.049 (0.036)	0.840 (1.404)	0.242 (0.128)
Inflation	0.089 (0.231)	0.608 (0.290)	0.178 (0.148)	-0.581*** (0.195)	-3.644*** (0.815)	-0.645 (0.314)
Bureaucratic size	0.922*** (0.293)	-0.961*** (0.204)	0.008 (0.258)	-0.823 (0.829)	4.404 (19.984)	-1.095 (2.869)
Leg spending	0.749 (1.995)	1.933 (0.933)	0.844 (0.600)	-0.356 (0.667)	-17.876 (35.687)	8.327 (3.114)
Leg productivity	0.002 (0.002)	0.003 (0.001)	0.003 (0.002)	0.026 (0.016)	0.048 (0.026)	0.015 (0.008)
Eisenhower	-7.217*** (2.411)	1.613 (2.249)	2.196*** (0.908)	1.356 (0.927)		
Kennedy	-4.468 (2.088)	0.796 (1.829)	1.834*** (0.710)	0.444 (0.837)		
Johnson	-3.700 (1.949)	2.393 (1.936)	1.464*** (0.634)	0.555 (0.706)		
Nixon	-2.647 (1.577)	1.509 (1.689)	1.024 (0.614)	1.090 (0.543)		
Ford	-2.664 (1.275)	1.563 (1.270)	0.564 (0.543)	1.319*** (0.511)		
Carter	-0.724 (1.109)	2.416*** (1.072)	1.431*** (0.442)	1.087*** (0.425)		
Reagan	-2.413*** (0.728)	-0.154 (0.715)	0.393 (0.303)	1.117*** (0.360)		
HW Bush	-1.766*** (0.534)	-0.949*** (0.424)	0.158 (0.207)	2.411*** (0.299)		
W. Bush	-0.564 (0.833)	-4.152*** (0.715)	-0.906*** (0.276)	0.385 (0.410)	-3.778 (1.989)	-1.260 (0.435)
Obama	-1.250 (1.870)	-5.441*** (1.776)	-1.897*** (0.559)	-0.521 (0.953)	-2.458 (6.190)	-3.804*** (0.726)
Trump	6.165*** (2.759)	-8.028*** (1.394)	-3.073*** (0.908)	-0.025 (1.157)	-41.98*** (11.684)	-0.186 (3.847)
Observations	816	816	809	816	313	313
R-squared	0.224	0.280	0.105	0.254	0.510	0.480

Time Trends	YES	YES	YES	YES	YES	YES
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Notes: Table entries are OLS coefficients; robust standard errors clustered on the administration are in parentheses. Clinton is the omitted case. *** $p < 0.05$, ** $p < 0.01$, * $p < 0.001$.

Table A5: Honeymoon Period

	(1)	(2)	(3)	(4)	(5)	(6)
	Executive Orders	Memoranda	Proclamations	Signing Statements	Signif Rules	Econ Signif Rules
<i>Trump x Honeymoon period</i>	7.046*** (0.668)	2.004*** (0.559)	-0.239 (0.138)	-1.622*** (0.338)	5.033 (7.539)	-1.740*** (0.536)
Divided	0.010 (0.322)	-0.403*** (0.154)	0.064 (0.149)	-0.371*** (0.133)	-3.566 (1.180)	-0.002 (0.374)
Approval	0.013 (0.011)	0.029*** (0.008)	0.008 (0.004)	0.003 (0.015)	0.136 (0.138)	0.015 (0.011)
Honeymoon period	0.438 (0.631)	1.891*** (0.473)	-0.427*** (0.114)	0.165 (0.412)	4.432 (5.639)	0.237 (0.368)
Lame duck period	2.930*** (0.679)	-0.427 (0.496)	1.454*** (0.422)	0.026 (0.287)	18.265 (6.868)	6.491*** (0.852)
Unemployment	0.208 (0.095)	0.201 (0.137)	0.039*** (0.014)	-0.050 (0.036)	0.826 (1.470)	0.245 (0.097)
Inflation	0.115 (0.253)	0.610 (0.287)	0.176 (0.147)	-0.585*** (0.194)	-3.816*** (0.939)	-0.561 (0.302)
Bureaucratic size	0.942*** (0.316)	-0.937*** (0.223)	0.012 (0.257)	-0.833 (0.808)	6.050 (21.611)	-1.853 (2.021)
Leg spending	1.141 (1.920)	2.204*** (0.908)	0.869 (0.585)	-0.496 (0.558)	-15.490 (34.206)	7.243*** (2.271)
Leg productivity	0.002 (0.002)	0.002 (0.001)	0.003 (0.002)	0.026 (0.016)	0.046 (0.030)	0.015 (0.010)
Eisenhower	-8.399*** (2.299)	1.284 (2.148)	2.239*** (0.907)	1.626 (0.857)		
Kennedy	-5.321*** (1.947)	0.600 (1.743)	1.875*** (0.711)	0.626 (0.785)		
Johnson	-4.477*** (1.711)	2.253 (1.813)	1.511*** (0.635)	0.709 (0.668)		
Nixon	-3.325 (1.562)	1.334 (1.591)	1.053 (0.614)	1.241*** (0.529)		
Ford	-3.285*** (1.368)	1.378 (1.213)	0.584 (0.543)	1.464*** (0.484)		
Carter	-1.162 (1.105)	2.320*** (1.010)	1.454*** (0.444)	1.179*** (0.417)		
Reagan	-2.695*** (0.787)	-0.240 (0.695)	0.401 (0.302)	1.184*** (0.357)		
HW Bush	-1.971*** (0.572)	-1.029*** (0.411)	0.160 (0.207)	2.464*** (0.293)		
W. Bush	-0.530 (0.815)	-4.212*** (0.707)	-0.924*** (0.267)	0.399 (0.373)	-3.876*** (1.204)	-1.167 (0.530)
Obama	-1.222 (1.811)	-5.613*** (1.758)	-1.941*** (0.534)	-0.472 (0.858)	-3.381 (5.717)	-3.281*** (1.020)
Trump	0.250 (2.473)	-6.716*** (2.153)	-2.149*** (0.753)	0.412 (1.219)	-27.457 (9.006)	-7.430*** (0.742)
Observations	816	816	809	816	313	313

R-squared	0.241	0.282	0.104	0.255	0.509	0.477
Time Trends	YES	YES	YES	YES	YES	YES

Notes: Table entries are OLS coefficients; robust standard errors clustered on the administration are in parentheses. Clinton is the omitted case. *** $p < 0.05$, ** $p < 0.01$, * $p < 0.001$.

Table A6: Lame Duck Period

	(1) Executive Orders	(2) Memoranda	(3) Proclamations	(4) Signing statements	(5) Signif rules	(6) Econ Signif rules
<i>Trump x Lame duck period</i>	1.270 (0.738)	0.468 (0.539)	-1.162*** (0.456)	1.129*** (0.426)	-30.308*** (9.509)	1.959 (0.781)
Divided	-0.124 (0.277)	-0.443*** (0.149)	0.088 (0.153)	-0.366*** (0.133)	-3.424*** (1.002)	0.027 (0.367)
Approval	0.010 (0.011)	0.028*** (0.008)	0.008 (0.004)	0.003 (0.015)	0.110 (0.133)	0.019 (0.014)
Honeymoon period	1.262 (1.014)	2.125*** (0.509)	-0.462*** (0.107)	-0.015 (0.389)	6.082 (2.707)	-0.342 (0.566)
Lame duck period	2.773*** (0.748)	-0.484 (0.553)	1.581*** (0.441)	-0.092 (0.297)	25.531*** (5.671)	6.020*** (0.989)
Unemployment	0.197 (0.101)	0.198 (0.139)	0.042*** (0.015)	-0.051 (0.037)	0.943 (1.384)	0.229 (0.091)
Inflation	0.087 (0.235)	0.601 (0.291)	0.187 (0.149)	-0.591*** (0.202)	-2.972*** (0.690)	-0.618 (0.321)
Bureaucratic size	0.887*** (0.270)	-0.952*** (0.209)	0.016 (0.260)	-0.823 (0.827)	3.126 (21.469)	-1.543 (2.299)
Leg spending	0.338 (1.916)	1.964 (0.893)	1.019 (0.649)	-0.466 (0.563)	-11.383 (33.443)	7.177*** (2.091)
Leg productivity	0.002 (0.002)	0.002 (0.001)	0.004 (0.002)	0.026 (0.016)	0.058 (0.030)	0.015 (0.009)
Eisenhower	-7.026*** (2.470)	1.692 (2.254)	2.012 (0.979)	1.537 (0.875)		
Kennedy	-4.413 (2.086)	0.869 (1.831)	1.725*** (0.759)	0.566 (0.787)		
Johnson	-3.727 (1.928)	2.476 (1.936)	1.385 (0.678)	0.662 (0.666)		
Nixon	-2.558 (1.601)	1.563 (1.690)	0.919 (0.666)	1.199*** (0.532)		
Ford	-2.514 (1.288)	1.608 (1.274)	0.438 (0.603)	1.437*** (0.507)		
Carter	-0.682 (1.104)	2.464*** (1.076)	1.356*** (0.488)	1.171*** (0.424)		
Reagan	-2.347*** (0.726)	-0.137 (0.714)	0.339 (0.324)	1.166*** (0.364)		
HW Bush	-1.682*** (0.527)	-0.943*** (0.426)	0.108 (0.228)	2.451*** (0.297)		
W. Bush	-0.431 (0.778)	-4.182*** (0.701)	-0.941*** (0.275)	0.393 (0.387)	-2.603 (2.671)	-1.170 (0.461)
Obama	-0.894 (1.692)	-5.515*** (1.736)	-1.996*** (0.556)	-0.492 (0.892)	-1.856 (9.852)	-3.268*** (0.869)
Trump	1.032 (2.296) (0.000)	-6.495*** (2.094) (0.000)	-2.164*** (0.781) (0.000)	0.218 (1.245) (0.000)	-25.067 (11.919) (0.000)	-7.542*** (0.643) (0.000)

Observations	816	816	809	816	313	313
R-squared	0.223	0.280	0.106	0.255	0.549	0.478
Time Trends	YES	YES	YES	YES	YES	YES

Notes: Table entries are OLS coefficients; robust standard errors clustered on the administration are in parentheses. Clinton is the omitted case. *** $p < 0.05$, ** $p < 0.01$, * $p < 0.001$.

Figure A1: Executive Orders Used for Alterations by President During First Term

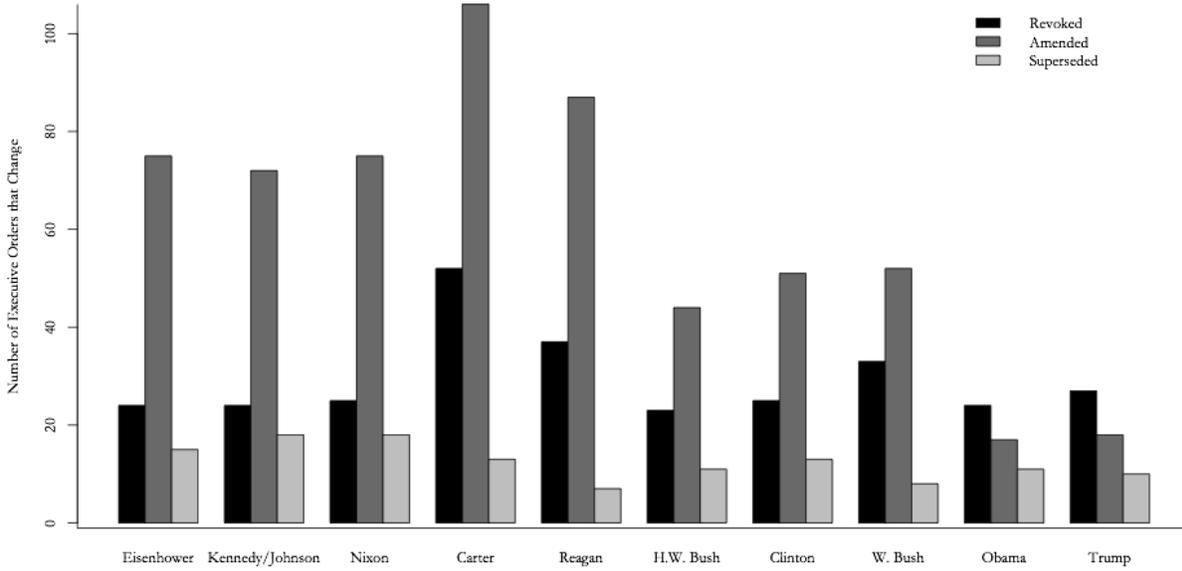


Figure A1 shows the number of executive orders that were used to revoke, amend, or supersede previous orders by each president during their first term.

Figure A2: Proclamations by Issue Area

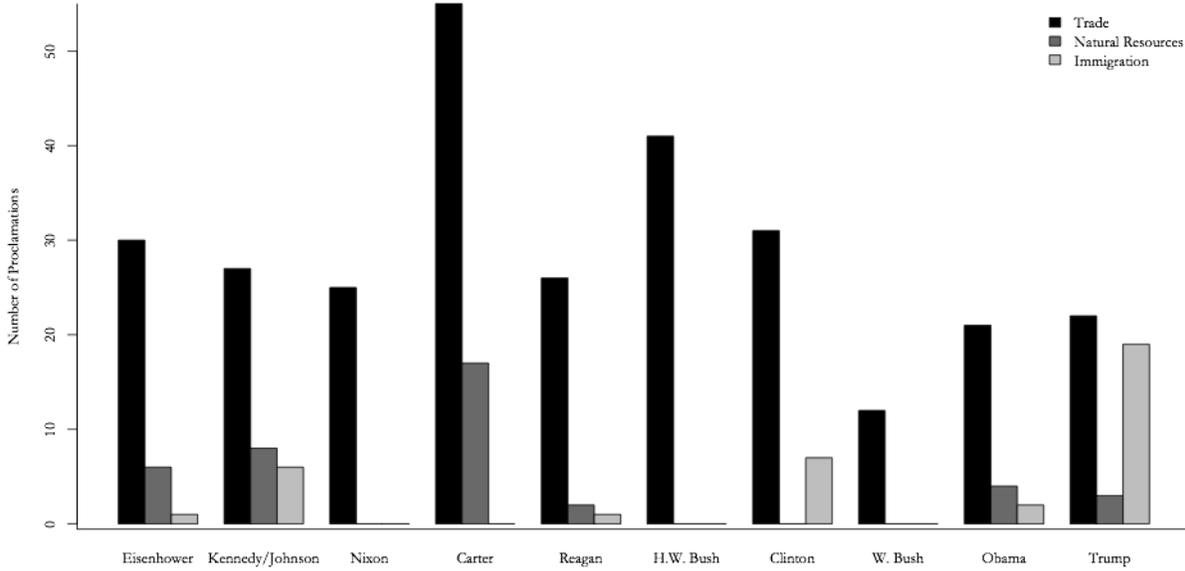


Figure A2 shows the percentage of proclamations by policy area under each president in their first term.