

Week Ending Friday, January 16, 2009

Executive Order 13484—Amending the Order of Succession Within the Department of Agriculture

January 9, 2009

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345 *et seq.*, it is hereby ordered that Executive Order 13241 of December 18, 2001, as amended, is further amended as follows:

Section 1. Section 2 is amended to read as follows:

“**Sec. 2. Order of Succession.**

“(a) General Counsel of the Department of Agriculture;

“(b) Chief Financial Officer of the Department of Agriculture;

“(c) Assistant Secretary of Agriculture for Administration;

“(d) Under Secretary of Agriculture for Farm and Foreign Agricultural Services;

“(e) Under Secretary of Agriculture for Natural Resources and Environment;

“(f) Under Secretary of Agriculture for Marketing and Regulatory Programs;

“(g) Under Secretary of Agriculture for Rural Development;

“(h) Under Secretary of Agriculture for Food, Nutrition, and Consumer Services;

“(i) Under Secretary of Agriculture for Food Safety;

“(j) Under Secretary of Agriculture for Research, Education, and Economics;

“(k) Assistant Secretary of Agriculture for Congressional Relations;

“(l) Assistant Secretary of Agriculture for Civil Rights;

“(m) Director, Kansas City Commodity Office, Farm Service Agency (consistent with the time of service and rate of pay requirements of section 3345(a)(3) of title 5, United States Code); and

“(n) State Executive Directors of the Farm Service Agency for the States of Missouri,

Kansas, Iowa, and Nebraska, in order of seniority fixed by length of unbroken service as State Executive Director of that State (consistent with the time of service and rate of pay requirements of section 3345(a)(3) of title 5, United States Code).”

Sec. 2. Section 3(a) is amended by striking “2(a)–(j)” and inserting “2(a)–(n)”, and a new section 3(c) is added to read as follows:

“(c) No individual listed in section 2 shall act as the Secretary unless that individual is otherwise eligible to so serve under the Federal Vacancies Reform Act of 1998.”

Sec. 3. This order is intended to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

George W. Bush

The White House,
January 9, 2009.

[Filed with the Office of the Federal Register, 8:45 a.m., January 13, 2009]

NOTE: This Executive order was published in the *Federal Register* on January 14. This item was not received in time for publication in the appropriate issue.

Executive Order 13485—Providing an Order of Succession Within the Department of Transportation

January 9, 2009

By the authority vested in me as President under the Constitution and the laws of the United States of America, including the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345 *et seq.*, it is hereby ordered that:

Section 1. Order of Succession. Subject to the provisions of section 2 of this order,

the following officials of the Department of Transportation, in the order listed, shall act as and perform the functions and duties of the office of the Secretary of Transportation (Secretary), during any period in which the Secretary, the Deputy Secretary of Transportation, the Under Secretary of Transportation for Policy, and the officials designated by the Secretary pursuant to 49 U.S.C. 102(e) have died, resigned, or otherwise become unable to perform the functions and duties of the office of Secretary, until such time as the Secretary or one of the officials listed above is able to perform the duties of that office:

- (a) Administrator of the Federal Highway Administration;
- (b) Administrator of the Federal Aviation Administration;
- (c) Administrator of the Federal Motor Carrier Safety Administration;
- (d) Administrator of the Federal Railroad Administration;
- (e) Administrator of the Federal Transit Administration;
- (f) Administrator of the Maritime Administration;
- (g) Administrator of the Pipeline and Hazardous Materials Safety Administration;
- (h) Administrator of the National Highway Traffic Safety Administration;
- (i) Administrator of the Research and Innovative Technology Administration;
- (j) Administrator of the Saint Lawrence Seaway Development Corporation;
- (k) Regional Administrator, Southern Region, Federal Aviation Administration;
- (l) Director, Resource Center, Lakewood, Colorado, Federal Highway Administration; and
- (m) Regional Administrator, Northwest Mountain Region, Federal Aviation Administration.

Sec. 2. Exceptions. (a) No individual who is serving in an office listed in section 1 in an acting capacity, by virtue of so serving, shall act as Secretary pursuant to this section.

(b) No individual who is serving in an office listed in section 1 shall act as Secretary unless that individual is otherwise eligible to so serve under the Federal Vacancies Reform Act of 1998.

(c) Notwithstanding the provisions of this order, the President retains discretion, to the extent permitted by law, to depart from this order in designating an acting Secretary.

Sec. 3. This order supersedes the President's Memorandum of March 19, 2002 (Designation of Officers of the Department of Transportation).

Sec. 4. This order is intended to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

George W. Bush

The White House,
January 9, 2009.

[Filed with the Office of the Federal Register, 8:45 a.m., January 13, 2009]

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Executive Order 13486— Strengthening Laboratory Biosecurity in the United States *January 9, 2009*

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Policy. It is the policy of the United States that facilities that possess biological select agents and toxins have appropriate security and personnel assurance practices to protect against theft, misuse, or diversion to unlawful activity of such agents and toxins.

Sec. 2. Establishment and Operation of the Working Group. (a) There is hereby established, within the Department of Defense for administrative purposes only, the Working Group on Strengthening the Biosecurity of the United States (Working Group).

(b) The Working Group shall consist exclusively of the following members: