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# Presidential Documents

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Title 3—

Memorandum of September 18, 2008

The President

## Designation of Officers of the Council on Environmental Quality to Act as Chairman of the Council on Environmental Quality

### Memorandum for the Chairman of the Council on Environmental Quality

By the authority vested in me as President by the Constitution and 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 memorandum, the following officials of the Council on Environmental Quality in the order listed, shall act as and perform the functions and duties of the office of the Chairman of the Council on Environmental Quality (Chairman), during any period in which the Chairman has died, resigned, or otherwise become unable to perform the functions and duties of the office of Chairman until such time as the Chairman is able to perform the functions and duties of that office:

- (a) Chief of Staff;
- (b) General Counsel; and
- (c) Associate Directors in the order that they shall have been appointed as such.

**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 the Chairman pursuant to this memorandum.

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

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

**Sec. 3. Judicial Review.** This memorandum 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 departments, agencies, or entities, its officers, employees, or agents, or any other person.

**Sec. 4.** You are authorized and directed to publish this memorandum in the *Federal Register*.

A handwritten signature in black ink, appearing to read "George W. Bush", is positioned in the upper right quadrant of the page.

THE WHITE HOUSE,  
Washington, September 18, 2008

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