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# Presidential Documents

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Title 3—

Memorandum of February 9, 2007

The President

Designation of Officers of the Federal Bureau of Investigation

## Memorandum for the Director of the Federal Bureau of Investigation

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:

**Section 1. Order of Succession.** During any period when the Director of the Federal Bureau of Investigation (Director) has died, resigned, or otherwise become unable to perform the functions and duties of the office of the Director, the following officials of the Federal Bureau of Investigation, in the order listed, shall perform the functions and duties of the office of the Director of the Federal Bureau of Investigation, until such time as the Director is able to perform the functions and duties of the office of Director of the Federal Bureau of Investigation:

- (a) Deputy Director of the Federal Bureau of Investigation;
- (b) Associate Deputy Director of the Federal Bureau of Investigation;
- (c) Executive Assistant Director of the National Security Branch;
- (d) Executive Assistant Director for Criminal, Cyber, Response and Services; and
- (e) The Assistant Directors of the Federal Bureau of Investigation, in the order listed:
  - (1) Assistant Director, Counterterrorism Division;
  - (2) Assistant Director, Criminal Investigative Division;
  - (3) Assistant Director, Counterintelligence Division;
  - (4) Assistant Director, Washington Field Office;
  - (5) Assistant Director, New York Field Office; and
  - (6) Assistant Director, Los Angeles Field Office.

**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 Director pursuant to this memorandum.
- (b) No individual shall act as Director 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 memorandum in designating an acting Director.

**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.** The Director of the Federal Bureau of Investigation is authorized and directed to publish this memorandum in the **Federal Register**.



THE WHITE HOUSE,  
*Washington, February 9, 2007.*

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