

vent, protect against, respond to, and recover from terrorist threats or attacks within the United States;

(d) examine, and advise the President through the Assistant on, the effectiveness of the implementation of specific strategies to detect, prepare for, prevent, protect against, respond to, and recover from terrorist threats or attacks within the United States; and

(e) report periodically, as appropriate, to the President through the Assistant on matters within the scope of the PHSAC's functions as described in paragraphs (a) through (d) of this section.

Sec. 3. Administration. (a) Upon the request of the Chair of the PHSAC, through the Assistant, and to the extent permitted by law, the heads of executive departments and agencies shall provide the PHSAC with such information relating to homeland security matters as the PHSAC may need for the purpose of carrying out its functions.

(b) The PHSAC shall have an Executive Director selected by the Assistant.

(c) Members shall serve without compensation for their work on the PHSAC, the SACs, and any subcommittees thereof. However, members shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in Federal Government service (5 U.S.C. 5701–5707).

(d) To the extent permitted by law, and subject to the availability of appropriations, the Office of Administration shall provide the PHSAC with administrative support and with such funds as may be necessary for the performance of the PHSAC's functions.

Sec. 4. General Provisions. (a) Insofar as the Federal Advisory Committee Act, as amended (5 U.S.C. App.) (Act), may apply to the administration of any portion of this order, any functions of the President under that Act, except that of reporting to the Congress, shall be performed by the Administrator of General Services in accordance with the guidelines that have been issued by the Administrator.

(b) The PHSAC, any SACs, and any SAC subcommittees shall terminate 2 years from the date of this order unless extended by the President.

GEORGE W. BUSH

THE WHITE HOUSE,
March 19, 2002.

Executive Order 13261 of March 19, 2002

Providing An Order of Succession in the Environmental Protection Agency and Amending Certain Orders on Succession

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. Subject to the provisions of section 3 of this order, the officers named in section 2, in the order listed, shall act as and perform the functions and duties of the office of the Administrator of the Environmental Protection Agency (Administrator) during any period when both the Administrator and the Deputy Administrator of the Environmental Protection Agency have died, resigned, or become otherwise unable to perform the functions and duties of the office of Administrator.

Sec. 2. Order of Succession.

- (a) Assistant Administrator for Toxic Substances;
 - (b) Assistant Administrator (Air and Radiation);
 - (c) Assistant Administrator, Office of Solid Waste;
 - (d) Assistant Administrator (Water Programs);
 - (e) Assistant Administrator (General Counsel);
 - (f) Assistant Administrator (Enforcement and Compliance Assurance);
 - (g) Chief Financial Officer;
 - (h) Assistant Administrator (Research and Development);
 - (i) Assistant Administrator (International Activities);
 - (j) Assistant Administrator (Administration and Resources Management);
- and
- (k) Assistant Administrator (Environmental Information).

Sec. 3. Exceptions.

(a) No individual who is serving in an office listed in section 2(a)–(k) in an acting capacity, by virtue of so serving, shall act as Administrator pursuant to this order.

(b) Notwithstanding the provisions of this order, the President retains discretion, to the extent permitted by the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345 *et seq.*, to depart from this order in designating an acting Administrator.

Sec. 4. Amendments to Certain Executive Orders providing Orders of Succession. Executive Orders 13241, 13242, 13243, 13244, 13245, 13246, and 13247 of December 18, 2001, and Executive Orders 13250 and 13251 of December 28, 2001, are hereby amended as follows:

(a) Section 3(a) of Executive Order 13241 of December 18, 2001, entitled “Providing an Order of Succession Within the Department of Agriculture,” is replaced with the following: “(a) No individual who is serving in an office listed in section 2(a)–(j) in an acting capacity shall, by virtue of so serving, act as Secretary pursuant to this order.”;

(b) Section 3(a) of Executive Order 13242 of December 18, 2001, entitled “Providing an Order of Succession Within the Department of Commerce,” is replaced with the following: “(a) No individual who is serving in an office listed in section 2(a)–(h) in an acting capacity shall, by virtue of so serving, act as Secretary pursuant to this order.”;

(c) Section 3(a) of Executive Order 13243 of December 18, 2001, entitled “Providing an Order of Succession Within the Department of Housing and Urban Development,” is replaced with the following: “(a) No individual

who is serving in an office listed in section 2(a)–(i) in an acting capacity shall, by virtue of so serving, act as Secretary pursuant to this order.”;

(d) Section 3(a) of Executive Order 13244 of December 18, 2001, entitled “Providing an Order of Succession Within the Department of the Interior,” is replaced with the following: “(a) No individual who is serving in an office listed in section 2(a)–(f) in an acting capacity shall, by virtue of so serving, act as Secretary pursuant to this order.”;

(e) Section 3(a) of Executive Order 13245 of December 18, 2001, entitled “Providing an Order of Succession Within the Department of Labor,” is replaced with the following: “(a) No individual who is serving in an office listed in section 2(a)–(l) in an acting capacity shall, by virtue of so serving, act as Secretary pursuant to this order.”;

(f) Section 3(a) of Executive Order 13246 of December 18, 2001, entitled “Providing an Order of Succession Within the Department of the Treasury,” is replaced with the following: “(a) No individual who is serving in an office listed in section 2(a)–(c) in an acting capacity shall, by virtue of so serving, act as Secretary pursuant to this order.”;

(g) Section 3(a) of Executive Order 13247 of December 18, 2001, entitled “Providing an Order of Succession Within the Department of Veterans Affairs,” is replaced with the following: “(a) No individual who is serving in an office listed in section 2(a)–(h) in an acting capacity shall, by virtue of so serving, act as Secretary pursuant to this order.”;

(h) Section 3(a) of Executive Order 13250 of December 28, 2001, entitled “Providing an Order of Succession Within the Department of Health and Human Services,” is replaced with the following: “(a) No individual who is serving in an office listed in section 2(a)–(c) in an acting capacity shall, by virtue of so serving, act as Secretary pursuant to this order.” and;

(i) Section 3(b) of Executive Order 13251 of December 28, 2001, entitled “Providing an Order of Succession Within the Department of State,” is replaced with the following: “(b) No individual who is serving in an office listed in section 2(a)–(m) in an acting capacity shall, by virtue of so serving, act as Secretary pursuant to this order.”.

GEORGE W. BUSH

THE WHITE HOUSE,
March 19, 2002.

Executive Order 13262 of April 11, 2002

2002 Amendments to the Manual for Courts-Martial, United States

By the authority vested in me as President by the Constitution and the laws of the United States of America, including chapter 47 of title 10, United States Code (Uniform Code of Military Justice, 10 U.S.C. 801–946), and in order to prescribe amendments to the Manual for Courts-Martial, United States, prescribed by Executive Order 12473, as amended, it is hereby ordered as follows: