

### **Other Presidential Documents**

The taking of effect of a provision pursuant to section 1097(a) of the Act and this memorandum shall not affect the construction of such provision by the executive branch as set forth in my Statement of December 17, 2004, upon signing the Act into law.

The Director of the Office of Management and Budget is authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, April 21, 2005.*

#### **Order of April 21, 2005**

#### **Designation Under Executive Order 12958**

Consistent with the provisions of section 1.3 of Executive Order 12958 of April 17, 1995, as amended, entitled "Classified National Security Information," I hereby designate the following officers to classify information originally as "Top Secret:"

Director of National Intelligence; and

Director of the Central Intelligence Agency.

Any delegation of this authority shall be in accordance with section 1.3(c) of Executive Order 12958, as amended.

This order shall be published in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, April 21, 2005.*

#### **Presidential Determination No. 2005-23 of April 29, 2005**

#### **Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended**

##### *Memorandum for the Secretary of State*

Pursuant to section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2601(c)(1), I hereby determine that it is important to the national interest that up to \$34.7 million be made available from the U.S. Emergency Refugee and Migration Assistance Fund to support unexpected urgent humanitarian needs in the West Bank and Gaza, and refugee repatriation to Burundi and the Democratic Republic of the Congo. These funds may be used, as appropriate, to provide contributions to international, governmental, and nongovernmental organizations, and, as necessary, for administrative expenses of the Bureau of Population, Refugees, and Migration.

### **Title 3—The President**

You are authorized and directed to inform the appropriate committees of the Congress of this determination and the obligation of funds under this authority, and to arrange for the publication of this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, April 29, 2005.*

#### **Memorandum of May 5, 2005**

### **Designation of Officers of the Office of Personnel Management to Act as Director of the Office of Personnel Management**

#### *Memorandum for the Director of the Office of Personnel Management*

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

#### **Section 1. Order of Succession.**

During any period when the Director of the Office of Personnel Management (Director), or the Deputy Director of the Office of Personnel Management, has died, resigned, or otherwise become unable to perform the functions and duties of the office of Director, the following officers of the Office of Personnel Management, in the order listed, shall perform the functions and duties of the office of Director, if they are eligible to act as Director under the provisions of the Federal Vacancies Reform Act of 1998, until such time as at least one of the officers mentioned above is able to perform the functions and duties of the office of Director:

General Counsel;  
Chief of Staff;  
Director, Office of Communications and Public Liaison;  
Director, Office of Congressional Relations;  
Associate Director, Human Resources Products and Services;  
Associate Director for Management;  
Associate Director, Strategic Human Resources Policy;  
Chief Financial Officer;  
Associate Director, Human Capital Leadership and Merit Systems Accountability;  
Deputy Associate Director, Center for Investigations Services; and  
Director, Federal Executive Institute.

#### **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 Director pursuant to this memorandum.