

By Robert Brodsky

Published September 18, 2008

© Copyright 2008 National Journal Group Inc.

Non-Cabinet agencies included in formal succession planning process

President Bush has issued an executive order aimed at standardizing the succession planning requirements and bringing all agencies -- including non-Cabinet level ones -- into the fold.

With very few exceptions, agencies that haven't done so already must draft a contingency plan and submit it to the White House Counsel's Office for comment and review by Oct. 11, Bush mandated late last week.

"It is the policy of the federal government to ensure that each executive branch agency can perform its essential functions and remain an effectively functioning part of the federal government under all conditions," the order stated.

Agencies that already have succession strategies must make any necessary changes or updates and then submit their plan for White House approval. Each proposal then will go to the Office of Management and Budget.

According to the executive order, the contingency document should designate a list of officials who will temporarily perform the duties of the agency head in the event the current officeholder dies, resigns or is otherwise unable to continue working.

The 1998 Vacancies Reform Act designates three categories of officials who can lead in an acting capacity: the first assistant or deputy to the respective office; presidential appointees who have been confirmed by the Senate; and certain senior agency employees, GS-15 level and higher, who have been designated by the president.

The president still would maintain the ability to temporarily appoint an agency head at his or her discretion.

"We believe it's important to fill gaps as they are identified, which is part of the administration's continued effort to enhance continuity planning," White House spokeswoman Emily Lawrimore said.

All Cabinet-level departments and offices already are required to maintain a succession order.

Most non-Cabinet level agencies already have begun the process of drawing up a succession plan and the executive order simply formalizes the process, Lawrimore said.

In the past, some of those agencies delegated their top positions in a less structured manner. "This will help maintain an effective and comprehensive continuity capability," Lawrimore said.

Jon Desenberg, senior policy director for the Performance Institute, a nonpartisan think tank, said the decree -- published on the seventh anniversary of the Sept. 11 terrorist attacks -- is not altogether surprising.

"This is a continuation of all their emphasis on continuity of operations since Sept. 11, which is really about getting all your ducks in order," Desenberg said.

The Government Accountability Office, U.S. Postal Service and the Postal Regulatory Commission are exempt from the order.

■ With very few exceptions, agencies that haven't done so already must draft a contingency plan and submit it to the White House Counsel's Office for comment and review by Oct. 11, Bush mandated late last week. ■