

Sec. 2. Exceptions. (a) No individual who is serving in an office listed in section 1(a)–(m) of this order in an acting capacity shall, by virtue of so serving, act as Administrator pursuant to this order.

(b) No individual listed in section 1(a)–(m) of this order shall act as Administrator unless that individual is otherwise eligible to so serve under the Federal Vacancies Reform Act of 1998, as amended.

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

Sec. 3. Revocation. Executive Order 13261 of March 19, 2002 (Providing an Order of Succession in the Environmental Protection Agency and Amending Certain Orders on Succession) and Executive Order 13344 of July 7, 2004 (Amending Executive Order 13261 on the Order of Succession in the Environmental Protection Agency), are hereby revoked.

Sec. 4. Judicial Review. This order 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.

BARACK OBAMA

The White House,
May 21, 2012.

Executive Order 13615 of May 21, 2012

Providing an Order of Succession Within the Office of Management and Budget

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, as amended, 5 U.S.C. 3345 *et seq.* (the “Act”), it is hereby ordered that:

Section 1. Order of Succession. Subject to the provisions of section 2 of this order, and to the limitations set forth in the Act, the following officers of the Office of Management and Budget, in the order listed, shall act as and perform the functions and duties of the office of Director during any period in which both the Director of the Office of Management and Budget (Director) and the Deputy Director of the Office of Management and Budget (Deputy Director) have died, resigned, or otherwise become unable to perform the functions and duties of the office of Director:

- (a) Deputy Director for Management;
- (b) Executive Associate Director;
- (c) Associate Director (National Security Programs);
- (d) Associate Director (General Government Programs);
- (e) Associate Director (Education, Income Maintenance, and Labor Programs);
- (f) Associate Director (Health Programs);

- (g) Associate Director (Natural Resource Programs);
- (h) General Counsel;
- (i) Administrator for Federal Procurement Policy;
- (j) Administrator of the Office of Information and Regulatory Affairs;
- (k) Controller, Office of Federal Financial Management;
- (l) Administrator of the Office of Electronic Government; and
- (m) Intellectual Property Enforcement Coordinator.

Sec. 2. *Exceptions.* (a) No individual who is serving in an office listed in section 1(a)–(m) of this order in an acting capacity, by virtue of so serving, shall act as Director pursuant to this order.

(b) No individual listed in section 1(a)–(m) of this order shall act as Director unless that individual is otherwise eligible to so serve under the Act.

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

Sec. 3. *Revocation.* Executive Order 13370 of January 13, 2005 (Providing an Order of Succession in the Office of Management and Budget), is hereby revoked.

Sec. 4. *Judicial Review.* This order 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.

BARACK OBAMA

The White House,
May 21, 2012.

Executive Order 13616 of June 14, 2012

Accelerating Broadband Infrastructure Deployment

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, and in order to facilitate broadband deployment on Federal lands, buildings, and rights of way, federally assisted highways, and tribal and individual Indian trust lands (tribal lands), particularly in underserved communities, it is hereby ordered as follows:

Section 1. *Policy.* Broadband access is essential to the Nation's global competitiveness in the 21st century, driving job creation, promoting innovation, and expanding markets for American businesses. Broadband access also affords public safety agencies the opportunity for greater levels of effectiveness and interoperability. While broadband infrastructure has been deployed in a vast majority of communities across the country, today too many areas still lack adequate access to this crucial resource. For these areas, decisions on access to Federal property and rights of way can be essential to the deployment of both wired and wireless broadband infrastructure. The Federal Government controls nearly 30 percent of all land in the