



# Department of Defense

# DIRECTIVE

NUMBER 3020.4

May 2, 2001

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GC, DoD

SUBJECT: Order of Succession Under Executive Order 13000 and the Federal Vacancies Reform Act of 1998

- References:
- (a) DoD Directive 3020.4, "Order of Succession of Officers to Act as Secretary of Defense," July 3, 1996 (hereby canceled)
  - (b) Executive Order 13000, "Order of Succession of Officers to Act as Secretary of Defense," April 24, 1996
  - (c) Federal Vacancies Reform Act of 1998 (5 U.S.C. §§ 3345-3349)
  - (d) Title 10, United States Code

## 1. REISSUANCE AND PURPOSE

This Directive reissues reference (a) and pursuant to references (b) (enclosure 1) and (c), establishes the order of succession to act as Secretary of Defense, or other Presidentially Appointed, Senate Confirmed (PAS) Officer in the Department of Defense. The order of succession to act as Secretary of the Army, Secretary of the Navy, and Secretary of the Air Force is specified in sections 3017, 5017, and 8017, respectively, of reference (d).

## 2. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Inspector General of the Department of Defense, Defense Agencies, the DoD Field Activities, and the other organizational entities of the Department of Defense (hereafter referred to collectively as "the DoD Components").

3. POLICY

3.1. Order of Succession to Act as the Secretary of Defense

3.1.1. In the event of the death, permanent disability, or resignation of the Secretary of Defense, DoD officials, in the order specified in reference (b) (enclosure 1) shall act for and exercise the powers of the Secretary of Defense.

3.1.2. Officials listed in the enclosure shall be fully familiar with the order of succession to the position of Secretary of Defense.

3.2. Authority to Act as a PAS Officer. Except as otherwise directed by the President or the Secretary of Defense, or as otherwise required by law (reference (d)), within the Department of Defense an officer or employee designated in writing by a PAS Officer as "Principal Deputy" to that Officer shall be considered that Officer's First Assistant.

4. EFFECTIVE DATE

This Directive is effective immediately.

  
Paul Wolfowitz  
Deputy Secretary of Defense

Enclosures - 1

E1. Executive Order 13000

E1. ENCLOSURE 1  
EXECUTIVE ORDER 13000

18483

Federal Register  
 Vol. 61, No. 82  
 Friday, April 26, 1996

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**Presidential Documents**

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Title 3—  
 The President

Executive Order 13000 of April 24, 1996

Order of Succession of Officers To Act as Secretary of Defense

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 3347 of title 5, United States Code, it is hereby ordered as follows:

Section 1. *Succession to Act as the Secretary of Defense.* (a) In the event of the death, permanent disability, or resignation of the Secretary of Defense, the incumbents holding the Department of Defense positions designated below, in the order indicated, shall act for and exercise the powers of the Secretary of Defense as Acting Secretary of Defense:

- (1) Deputy Secretary of Defense.
- (2) Secretary of the Army.
- (3) Secretary of the Navy.
- (4) Secretary of the Air Force.
- (5) Under Secretary of Defense for Acquisition and Technology.
- (6) Under Secretary of Defense for Policy.
- (7) Under Secretary of Defense (Comptroller).
- (8) Under Secretary of Defense for Personnel and Readiness.
- (9) Deputy Under Secretary of Defense for Acquisition and Technology.
- (10) Deputy Under Secretary of Defense for Policy.
- (11) Director of Defense Research and Engineering.

(12) The Assistant Secretaries of Defense, the Director of Operational Test and Evaluation, and the General Counsel of the Department of Defense, in the order fixed by their length of service as permanent appointees in such positions.

(13) Under Secretaries of the Army, the Navy, and the Air Force, in the order fixed by their length of service as permanent appointees in such positions.

(14) Assistant Secretaries of the Army, the Navy, and the Air Force whose appointments are vested in the President, and General Counsels of the Army, the Navy, and the Air Force, in the order fixed by their length of service as permanent appointees in such positions.

(b) In the event of the temporary absence or temporary disability of the Secretary of Defense, the incumbents holding the Department of Defense positions designated in paragraph (a) of this section, in the order indicated, shall act for and exercise the powers of the Secretary of Defense as Acting Secretary of Defense.

(1) In these instances, the designation of an Acting Secretary of Defense applies only for the duration of the Secretary's absence or disability, and does not affect the authority of the Secretary to resume the powers of his office upon his return.

(2) In the event that the Secretary of Defense is temporarily absent from his position, the Secretary may continue to exercise the powers and fulfill the duties of this office during his absence, notwithstanding the provisions of this order.

(c) Precedence among those officers designated in paragraphs (a)(12)-(14) of this section who have the same appointment date shall be determined by the Secretary of Defense at the time that such appointments are made.

(d) Notwithstanding paragraphs (a) and (b) of this section, an officer shall not act for or exercise the powers of the Secretary of Defense under this order if that officer serves only in an acting capacity in the position that would otherwise entitle him to do so.

Sec. 2. *Temporary Nature of Succession.* Succession to act for and exercise the powers of the Secretary of Defense pursuant to this order shall be on a temporary or interim basis and shall not have the effect of vacating the statutory appointment held by the successor.

Sec. 3. *Revocation of Prior Executive Order.* Executive Order No. 12787 of December 31, 1991, is hereby revoked.



THE WHITE HOUSE,  
April 24, 1996.

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