

Administration of Barack Obama, 2017

Memorandum on Designation of Officers or Employees of the Office of Science and Technology Policy to Act as Director

January 13, 2017

Memorandum for the Director of the Office of Science and Technology Policy

Subject: Designation of Officers or Employees of the Office of Science and Technology Policy to Act as Director

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.* (the "Act"), it is hereby ordered that:

Section 1. Order of Succession. Subject to the provisions of section 2 of this memorandum and the limitations set forth in the Act, the following officials of the Office of Science and Technology Policy (OSTP), in the order listed, shall act as and perform the functions and duties of the office of the Director of OSTP (Director), during any period in which the Director has died, resigned, or otherwise become unable to perform the functions and duties of the office of Director, until such time as the Director is able to perform the functions and duties of that office:

- (a) Associate Director (National Security and International Affairs);
- (b) Associate Director (Technology);
- (c) Associate Director (Science);
- (d) Associate Director (Environment and Energy);
- (e) Chief of Staff;
- (f) Deputy Chief of Staff and Assistant Director; and
- (g) General Counsel.

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

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

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

Sec. 3. Revocation. The President's memorandum of August 5, 2009 (Designation of Officers of the Office of Science and Technology Policy to Act as Director), is hereby revoked.

Sec. 4. General Provisions. (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

- (i) the authority granted by law to a department or agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum 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.

(c) You are authorized and directed to publish this memorandum in the *Federal Register*.

BARACK OBAMA

[Filed with the Office of the Federal Register, 11:15 a.m., January 18, 2017]

NOTE: This memorandum was published in the *Federal Register* on January 19.

Categories: Communications to Federal Agencies : Office of Science and Technology, designation of officers or employees to act as Director, memorandum.

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