

Administration of Donald J. Trump, 2020

Memorandum on Providing an Order of Succession Within the Pension Benefit Guaranty Corporation

April 2, 2020

Memorandum for the Director of the Pension Benefit Guaranty Corporation

Subject: Providing an Order of Succession Within the Pension Benefit Guaranty Corporation

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 memorandum and to the limitations set forth in the Act, the following officials of the Pension Benefit Guaranty Corporation, in the order listed, shall act as and perform the functions and duties of the office of the Director of the Pension Benefit Guaranty Corporation (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:

- (a) Chief Financial Officer;
- (b) Chief Management Officer; and
- (c) General Counsel.

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

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

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

Sec. 3. Revocation. The Presidential Memorandum of February 1, 2013 (Designation of Officers of the Pension Benefit Guaranty Corporation to Act as Director of the Pension Benefit Guaranty Corporation), 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 an executive 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 shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) 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.

Sec. 5. Publication. You are authorized and directed to publish this memorandum in the *Federal Register*.

DONALD J. TRUMP

[Filed with the Office of the Federal Register, 11:15 a.m., April 6, 2020]

NOTE: This memorandum was published in the *Federal Register* on April 7.

Categories: Communications to Federal Agencies : Pension Benefit Guaranty Corporation, order of succession, memorandum.

Subjects: Pension Benefit Guaranty Corporation.

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