

Administration of Donald J. Trump, 2020

Memorandum on Providing an Order of Succession Within the Office of Personnel Management

December 10, 2020

Memorandum for the Director of the Office of Personnel Management

Subject: Providing an Order of Succession Within the Office of Personnel Management

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 Office of Personnel Management (OPM), in the order listed, shall act as and perform the functions and duties of the office of Director of OPM (Director) during any period in which both the Director and the Deputy Director of OPM have died, resigned, or otherwise become unable to perform the functions and duties of the office of Director:

- (a) Chief of Staff;
- (b) General Counsel;
- (c) Associate Director, Employee Services;
- (d) Chief Management Officer;
- (e) Chief Financial Officer;
- (f) Associate Director, Retirement Services; and
- (g) other Associate Directors in the order in which they have been appointed as such.

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 August 12, 2016 (Designation of Officers of the Office of Personnel Management to Act as Director of the Office of Personnel Management), is hereby revoked.

Sec. 4. General Provisions. (a) 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.

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

DONALD J. TRUMP

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NOTE: This memorandum was published in the *Federal Register* on December 16.

Categories: Communications to Federal Agencies : Personnel Management, Office of, order of succession, memorandum.

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