

Presidential Documents

Memorandum of May 21, 2012

Designation of Officers of the Office of Personnel Management To Act as Director of the Office of Personnel Management

Memorandum for the Director of 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, 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, 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 and the Deputy Director of the Office of Personnel Management, have died, resigned, or are otherwise unable to perform the functions and duties of the office of Director:

- (a) General Counsel;
- (b) Chief of Staff;
- (c) Associate Director, Retirement Services;
- (d) Associate Director, Employee Services;
- (e) Director, Office of Congressional and Legislative Affairs;
- (f) Associate Director, Federal Investigative Services;
- (g) Chief Financial Officer;
- (h) Associate Director, Human Resources Solutions;
- (i) Director, Healthcare and Insurance; and
- (j) Director, Planning and Policy Analysis.

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. Prior Memorandum Superseded. This memorandum supersedes the President’s Memorandum of May 5, 2005 (Designation of Officers of the Office of Personnel Management to Act as Director of the Office of Personnel Management).

Sec. 4. Judicial Review. 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*.

A handwritten signature in black ink, appearing to be "Barack Obama", with a large circular flourish and a vertical line through it.

THE WHITE HOUSE,
May 21, 2012