



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT  
Washington, DC 20415

The Director

Friday, December 21, 2012  
CPM 2012-12

**MEMORANDUM FOR: Heads Of Executive Departments And Agencies**

FROM: John Berry  
Director

Subject: 2013 Pay Adjustments for Federal Civilian Employees

On September 28, 2012, the Continuing Appropriations Resolution, 2013 (Public Law 112-175) (Resolution) became law. Section 114 of that law states that “any statutory pay adjustment (as defined in section 147(b)(2) of the Continuing Appropriations Act, 2011 (Public Law 111-242)) otherwise scheduled to take effect during fiscal year 2013 but prior to the date specified in section 106(3) of this joint resolution [March 27, 2013] may take effect on the first day of the first applicable pay period beginning after the date specified in section 106(3).” (See Attachment 1).

Consistent with the Resolution, on December 21, 2012, the President issued a memorandum stating that any increases in pay systems or pay schedules covering executive branch employees or any general increases in covered employees’ rates of pay that could otherwise take effect as a result of the exercise of administrative discretion should not be made until after the date specified in section 106(3) of the Resolution. (See Attachment 2.) The President directed the U.S. Office of Personnel Management (OPM) to issue any necessary guidance on implementing this memorandum.

Agencies should continue to comply with the guidance in my memorandum of December 30, 2010. (See CPM 2010-24.) Any reference in that guidance to an expiration date of December 31, 2012, should be considered to be revised to refer to the date specified in section 106(3) of the Resolution, which is set at March 27, 2013. Absent any intervening change in law, after the expiration of the Resolution, agencies may grant increases in pay schedules and general increases in covered employees’ rates of pay in accordance with their administrative discretion.

For general information on Federal pay, leave, and work scheduling policies, please visit [www.opm.gov/oca/index.asp](http://www.opm.gov/oca/index.asp). Employees should contact their agency human resources office for information on 2013 pay adjustments for Federal civilian employees. Agency field offices should contact their appropriate agency headquarters-level human resources office. Agency headquarters-level officials may contact Pay and Leave at OPM at [pay-leave-policy@opm.gov](mailto:pay-leave-policy@opm.gov). Requests from individual employees will be returned or forwarded to the appropriate agency human resources office.

Attachment 1—Section 114 of Public Law 112-175

Attachment 2—Presidential Memorandum

cc: Chief Human Capital Officers

## **Human Resources Directors**

Attachment 1 - Section 114 of Public Law 112-175

SEC. 114. a) Section 147 of Public Law 111–242, as added by Public Law 111–322, shall be applied by substituting the date specified in section 106(3) of this joint resolution for “December 31, 2012” each place it appears.

b) Notwithstanding any other provision of law, any statutory pay adjustment (as defined in section 147(b)(2) of the Continuing Appropriations Act, 2011 (Public Law 111–242)) otherwise scheduled to take effect during fiscal year 2013 but prior to the date specified in section 106(3) of this joint resolution may take effect on the first day of the first applicable pay period beginning after the date specified in section 106(3).

Attachment 2—Presidential Memorandum

December 21, 2012

### **MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES**

**SUBJECT:** Federal Employee Pay Schedules and Rates That Are Set by Administrative Discretion

On December 22, 2010, I issued a memorandum stating that the heads of executive departments and agencies should suspend any increases to any pay systems or pay schedules covering executive branch employees, and should forgo any general increases in covered employees’ rates of pay, that could otherwise take effect as a result of the exercise of administrative discretion during the period beginning on January 1, 2011, and ending on December 31, 2012. In light of section 114 of the Continuing Appropriations Resolution, 2013 (Public Law 112-175), I am hereby instructing the heads of executive departments and agencies that they should continue to adhere to this policy through March 27, 2013, the date after which statutory pay adjustments may be made pursuant to section 114 of Public Law 112-175.

This memorandum shall be carried out to the extent permitted by law and consistent with executive departments’ and agencies’ legal authorities. 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.

The Director of the Office of Personnel Management shall issue any necessary guidance on implementing this memorandum, and is also hereby authorized and directed to publish this memorandum in the Federal Register.

BARACK OBAMA