



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

Employee Services

October 5, 2021
CPM 2021-21

Memorandum for Human Resources Directors

From: Robert H. Shriver, III
Associate Director, Employee Services

Subject: Continuation of National Emergency in Iraq

On May 6, 2021, President Biden issued a notice to continue for 1 year the declared national emergency with respect to the stabilization of Iraq. (See the [President's notice](#).) As a result of this notice, agency heads may continue to apply—through the end of 2021—a special premium pay cap waiver authority for eligible civilian employees working in Iraq based upon the national emergency. The United States currently has a contingency operation in Iraq (Operation Inherent Resolve), so the higher premium pay cap may be applied to eligible employees working in Iraq in support of that operation on that basis as well.

On February 16, 2021, the U.S. Office of Personnel Management (OPM) issued a memorandum providing guidance on the authority extended by section 1105 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283, January 1, 2021) for the head of an agency to waive, during calendar year 2021, the premium pay cap under 5 U.S.C. 5547 for civilian employees working in certain overseas locations. (See [CPM 2021-12](#)—Recent Pay and Leave-Related Legislative Changes.)

As a result of the President's notice continuing the declared national emergency in Iraq, we have updated our guidance on the premium pay cap waiver authority in the attachment below. This revised guidance applies to civilian employees working in qualifying overseas locations, including Iraq. While the national emergency in Iraq is extended through May 22, 2022, the premium pay cap waiver authority under section 1105 of Public Law 116-283 expires on December 31, 2021. Therefore, agencies may continue to apply the waiver authority to eligible employees **through December 31, 2021**. The guidance in the attachment to this memorandum supersedes the guidance we issued on February 16, 2021, in CPM 2021-12.

Additional Information

Agency headquarters-level human resources offices may contact Pay and Leave at OPM at pay-leave-policy@opm.gov. Employees should contact their agency human resources or payroll office for further information on this memo.

Attachment

cc: Chief Human Capital Officers (CHCOs) and Deputy CHCOs