



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

Employee Services

Tuesday, September 17, 2019
CPM 2019-20

MEMORANDUM FOR: HUMAN RESOURCES DIRECTORS

FROM: MARK D. REINHOLD, ASSOCIATE DIRECTOR, EMPLOYEE SERVICES

Subject: Continuation of National Emergency in Iraq

On May 20, 2019, President Trump issued a notice to continue for 1 year the declared national emergency with respect to the stabilization of Iraq. (See the President's notice at [whitehouse.gov/briefings-statements/text-notice-continuation-national-emergency-respect-stabilization-iraq/](https://www.whitehouse.gov/briefings-statements/text-notice-continuation-national-emergency-respect-stabilization-iraq/).) As a result of this notice, agency heads may continue to apply—through the end of 2019—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 March 19, 2019, the U.S. Office of Personnel Management (OPM) issued a memorandum providing guidance on the authority extended by section 1104 of the John S. McCain National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2019 (Public Law 115-232, August 13, 2018) for the head of an agency to waive, during calendar year 2019, the premium pay cap under 5 U.S.C. 5547 for civilian employees working in certain overseas locations. (See [CPM 2019-09—Pay-Related Legislative Changes in the National Defense Authorization Act, FY 2019](#).)

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. Also, we have removed the list of countries in the AFRICOM overseas area of responsibility from the attachment because there are no qualifying operations in these countries at this time. 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, 2020, the premium pay cap waiver authority under section 1104 of Public Law 115-232 expires on December 31, 2019. Therefore, agencies may continue to apply the waiver authority to eligible employees **through December 31, 2019**. The guidance in the attachment to this memorandum supersedes the guidance we issued on March 19, 2019 in CPM 2019-09.

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 (see 508-conformant PDF below)

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