



## UNITED STATES OFFICE OF PERSONNEL MANAGEMENT

Washington, DC 20415

Employee Services

Friday, September 11, 2020

CPM 2020-12

### MEMORANDUM FOR: HUMAN RESOURCES DIRECTORS

FROM: DENNIS DEAN KIRK, ESQ., EMPLOYEE SERVICES, ASSOCIATE DIRECTOR

Subject: Continuation of National Emergency in Iraq

On May 20, 2020, President Trump issued a notice to continue for 1 year the declared national emergency with respect to the stabilization of Iraq through May 22, 2021. As a result of this notice, agency heads may continue to apply 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. While the national emergency in Iraq is extended through May 22, 2021, the premium pay cap waiver authority under section 1105 of Public Law 116-92 expires on December 31, 2020. Therefore, agencies may continue to apply the waiver authority to eligible employees **through December 31, 2020**.

On March 17, 2020, the U.S. Office of Personnel Management (OPM) issued a memorandum providing guidance on the authority extended by section 1105 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2020 (Public Law 116-92, December 20, 2019) for the head of an agency to waive, during calendar year 2020, the premium pay cap under 5 U.S.C. 5547 for civilian employees working in certain overseas locations. (See [CPM 2020-06](#)– Pay and Leave-Related Legislative Changes in the National Defense Authorization Act, FY 2020.)

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. The guidance in the attachment to this memorandum supersedes the guidance we issued on March 17, 2020, in CPM 2020-06.

#### Additional Information

Agency headquarters-level human resources offices may contact Pay and Leave at OPM at [pay-leave-policy@opm.gov](mailto: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