



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

Monday, June 17, 2013
CPM 2013-11

MEMORANDUM FOR: Heads Of Executive Departments And Agencies

FROM: Elaine Kaplan Acting Director

Subject: Continuation of National Emergency in Iraq

On May 17, 2013, President Obama 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 <http://www.whitehouse.gov/the-press-office/2013/05/17/notice-continuation-national-emergency-respect-stabilization-iraq>.) 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.

On March 21, 2013, the U.S. Office of Personnel Management (OPM) issued a memorandum providing guidance on the authority extended by section 1101 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239, January 2, 2013) for the head of an agency to waive the premium pay cap under 5 U.S.C. 5547 for civilian employees working in certain overseas locations. (See CPM 2013-04 – Recent Pay Legislative Changes.) In that memorandum, OPM advised agencies that the premium pay cap waiver authority could not be applied to employees working in Iraq after May 18, 2013, absent an extension of the national emergency.

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. 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, 2014, the premium pay cap waiver authority under section 1101 of Public Law 112-239 expires on December 31, 2013. Therefore, agencies may continue to apply the waiver authority to eligible employees **through December 31, 2013**. The guidance in the attachment to this memorandum supersedes the guidance we issued on March 21, 2013.

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.

cc: Chief Human Capital Officers, and Human Resources Directors