



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

Employee Services

Monday, August 1, 2016
CPM 2016-08

MEMORANDUM FOR: HUMAN RESOURCES DIRECTORS

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

Subject: Continuation of National Emergency in Iraq

Use Normal Style for paragraphs. Use No Spacing style if needed. Try not to use Tab Indents too much. NEVER have a Return/Enter/New Paragraph that is empty.

On May 18, 2016, 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 <https://www.whitehouse.gov/the-press-office/2016/05/18/notice-continuation-national-emergency-respect-stabilization-iraq>.) As a result of this notice, agency heads may continue to apply—through the end of 2016—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 18, 2016, the U.S. Office of Personnel Management (OPM) issued a memorandum providing guidance on the authority extended by section 1108 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2016 (Public Law 114-92, November 25, 2015) for the head of an agency to waive, during calendar year 2016, the premium pay cap under 5 U.S.C. 5547 for civilian employees working in certain overseas locations. (See [CPM 2016-02](#)—Pay-Related Legislative Changes in the National Defense Authorization Act, FY 2016.)

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, 2017, the premium pay cap waiver authority under section 1108 of Public Law 114-92 expires on December 31, 2016. Therefore, agencies may continue to apply the waiver authority to eligible employees **through December 31, 2016**. The guidance in the attachment to this memorandum supersedes the guidance we issued on February 18, 2016 in CPM 2016-02.

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: Summary of Key Necessary Elements in Agency Policies Implementing Section 1101 of Public Law 110-417, as Amended, for Calendar Year 2016 (see PDF below)

cc: Chief Human Capital Officers