



## UNITED STATES OFFICE OF PERSONNEL MANAGEMENT

Washington, DC 20415

The Director

Tuesday, July 22, 2014

CPM 2014-08

### MEMORANDUM FOR: Heads Of Executive Departments And Agencies

FROM: Katherine Archuleta Director

Subject: Continuation of National Emergency in Iraq

On May 19, 2014, 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://obamawhitehouse.archives.gov/the-press-office/2014/05/19/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 February 10, 2014, 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 2014 (Public Law 113-66, December 26, 2013) for the head of an agency to waive, during calendar year 2014, the premium pay cap under 5 U.S.C. 5547 for civilian employees working in certain overseas locations. (See [CPM 2014-04](#) – Pay-Related Legislative Changes in the National Defense Authorization Act, FY 2014.) In that memorandum, OPM advised agencies that the premium pay cap waiver authority could not be applied to employees working in Iraq after May 17, 2014, 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, 2015, the premium pay cap waiver authority under section 1101 of Public Law 113-66 expires on December 31, 2014. Therefore, agencies may continue to apply the waiver authority to eligible employees **through December 31, 2014**. The guidance in the attachment to this memorandum supersedes the guidance we issued on February 10, 2014.

#### 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: Summary of Key Necessary Elements in Agency Policies Implementing Section 1101 of Public Law 110-417, as Amended, for Calendar Year 2014

cc: Chief Human Capital Officers, and Human Resources Directors