

**TITLE 5 - GOVERNMENT ORGANIZATION AND EMPLOYEES****PART III - EMPLOYEES****Subpart D - Pay and Allowances****CHAPTER 59 - ALLOWANCES****SUBCHAPTER III - OVERSEAS DIFFERENTIALS AND ALLOWANCES****§ 5927. Advances of pay**

- (a) Up to three months' pay may be paid in advance—
- (1) to an employee upon the assignment of the employee to a post in a foreign area;
  - (2) to an employee, other than an employee appointed under section 303 of the Foreign Service Act of 1980 (and employed under section 311 of such Act), who—
    - (A) is a citizen of the United States;
    - (B) is officially stationed or located outside the United States pursuant to Government authorization; and
    - (C) requires (or has a family member who requires) medical treatment outside the United States, in circumstances specified by the President in regulations; and
  - (3) to an employee compensated pursuant to section 408 of the Foreign Service Act of 1980, who—
    - (A) pursuant to United States Government authorization is located outside the country of employment; and
    - (B) requires medical treatment outside the country of employment in circumstances specified by the President in regulations.
- (b) For the purpose of this section, the term “country of employment”, as used with respect to an individual under subsection (a)(3), means the country (or other area) outside the United States where such individual is hired (as described in subsection (a)(3)) by the Government.

(Added Pub. L. 96–465, title II, § 2310(a), Oct. 17, 1980, 94 Stat. 2166; amended Pub. L. 106–113, div. B, § 1000(a)(7) [div. A, title III, § 337], Nov. 29, 1999, 113 Stat. 1536, 1501A–442; Pub. L. 107–228, div. A, title III, § 320, Sept. 30, 2002, 116 Stat. 1380.)

**References in Text**

Sections 303, 311, and 408 of the Foreign Service Act of 1980, referred to in subsec. (a)(2), (3), are classified to sections 3943, 3951, and 3968, respectively, of Title 22, Foreign Relations and Intercourse.

**Amendments**

2002—Subsec. (a)(3). Pub. L. 107–228, § 320(1), amended par. (3) generally. Prior to amendment, par. (3) read as follows: “to a foreign national employee appointed under section 303 of the Foreign Service Act of 1980, or a nonfamily member United States citizen appointed under such section 303 (and employed under section 311 of such Act) for service at such nonfamily member’s post of residence, who—

“(A) is located outside the country of employment of such foreign national employee or nonfamily member (as the case may be) pursuant to Government authorization; and

“(B) requires medical treatment outside the country of employment of such foreign national employee or nonfamily member (as the case may be), in circumstances specified by the President in regulations.”

Subsec. (b). Pub. L. 107–228, § 320(2), substituted “hired” for “appointed”.

1999—Pub. L. 106–113 reenacted section catchline without change and amended text generally. Prior to amendment, text read as follows: “Up to three months’ pay may be paid in advance to an employee upon the assignment of the employee to a post in a foreign area.”

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*NB: This unofficial compilation of the U.S. Code is current as of Jan. 5, 2009 (see <http://www.law.cornell.edu/uscode/uscpri.html>).*

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### **Effective Date**

Section effective Feb. 15, 1981, except as otherwise provided, see section 2403 of Pub. L. 96-465, set out as a note under section 3901 of Title 22, Foreign Relations and Intercourse.