

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 480; Pub. L. 96-465, title II, §2303(c), (d), Oct. 17, 1980, 94 Stat. 2165; Pub. L. 102-138, title I, §147(a), Oct. 28, 1991, 105 Stat. 669.)

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

HISTORICAL AND REVISION NOTES

| <i>Derivation</i> | <i>U.S. Code</i> | <i>Revised Statutes and Statutes at Large</i>      |
|-------------------|------------------|--|
| .....             | 5 U.S.C. 3073.   | Sept. 26, 1961, Pub. L. 87-304, § 3, 75 Stat. 663. |

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

AMENDMENTS

1991—Subsec. (a)(1). Pub. L. 102-138 substituted “agency” whose departure (or that of the employee’s dependents or immediate family, as the case may be) is authorized or ordered under section 5522(a); and” for “agency—

“(A) whose departure is authorized or ordered under section 5522(a) of this title; and

“(B) who is prevented, by circumstances beyond his control and beyond the control of the Government of the United States or the government of the District of Columbia, or both, as the case may be, from performing the duties of the position which he held immediately before issuance of the departure order; and”.

1980—Subsec. (a)(1). Pub. L. 96-465, §2303(c), in subpar. (A) substituted “whose departure is authorized or ordered under section 5522(a) of this title; and” for “whose evacuation from a place inside or outside the United States is ordered for military or other reasons which create imminent danger to the life of the employee; and”, and in subpar. (B) substituted “departure” for “evacuation” after “issuance of the”.

Subsec. (b). Pub. L. 96-465, §2303(d), substituted “departure” for “evacuation” in two places.

EFFECTIVE DATE OF 1980 AMENDMENT

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

§ 5524. Review of accounts

The head of each agency shall provide for—

(1) the review of the account of each employee of the agency in receipt of payments under section 5522 or 5523 of this title, or both, as the case may be; and

(2) the adjustment of the amounts of the payments on the basis of—

(A) the rates of pay, allowances, and differentials to which the employee would have been entitled under applicable statute other than this subchapter for the respective periods covered by the payments, if he had performed active service under the terms of his appointment during each period in the position he held immediately before the issuance of the applicable evacuation order; and

(B) such additional amounts as the employee is authorized to receive in accordance with a determination of the President under section 5523(b) of this title.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 481.)

HISTORICAL AND REVISION NOTES

| <i>Derivation</i> | <i>U.S. Code</i> | <i>Revised Statutes and Statutes at Large</i>      |
|-------------------|------------------|--|
| .....             | 5 U.S.C. 3074.   | Sept. 26, 1961, Pub. L. 87-304, § 4, 75 Stat. 663. |

§ 5524a. Advance payments for new appointees

(a) The head of each agency may provide for the advance payment of basic pay, covering not more than 2 pay periods, to any individual who is newly appointed to a position in the agency.

(b)(1) Subject to adjustment of the account of an employee under paragraph (2) and other applicable statutes, the advance payment of basic pay shall be made, under agency procedures governing advance payments under this section, at the initial rate of basic pay to be payable to the employee upon the commencement of service in the position to which appointed.

(2) The head of each agency shall provide for—

(A) the review of the account of each employee of the agency in receipt of any payment under this section; and

(B) the adjustment of the amount of any such payment on the basis of the rate of basic pay to which the employee would have been entitled under applicable statute other than this section for the respective periods covered by the payments, if the employee had performed active service under the terms of such employee’s appointment during each period in the position to which appointed.

(c) An advance payment under this section is recoverable by the Government of the United States or the government of the District of Columbia, as the case may be, from the employee or such employee’s estate by—

(1) setoff against accrued pay, amount of retirement credit, or other amount due to the employee from the Government of the United States or the government of the District of Columbia; and

(2) such other method as is provided by law.

The head of the agency concerned may waive in whole or in part a right of recovery of an advance payment under this section if it is shown that the recovery would be against equity and good conscience or against the public interest.

(Added Pub. L. 101-509, title V, §529 [title I, §107(a)], Nov. 5, 1990, 104 Stat. 1427, 1449.)

EFFECTIVE DATE

Section effective on such date as the President shall determine, but not earlier than 90 days, and not later than 180 days, after Nov. 5, 1990, see section 529 [title III, §305] of Pub. L. 101-509, set out as an Effective Date of 1990 Amendment note under section 5301 of this title.

§ 5525. Allotment and assignment of pay

The head of each agency may establish procedures under which each employee of the agency is permitted to make allotments and assignments of amounts out of his pay for such purpose as the head of the agency considers appropriate. For purposes of this section, the term “agency” includes the Office of the Architect of the Capitol.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 481; Pub. L. 107-68, title I, §133(b)(1), Nov. 12, 2001, 115 Stat. 582.)