

MANUAL: Personnel
 Chapter Series CC--Commissioned Corps Personnel Manual
 Part 2--Commissioned Corps Personnel Administration

DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Public Health Service

Chapter CC22--Pay and Allowances Administration
 Subchapter CC22.1--Basic Pay
 Personnel INSTRUCTION 2--Advance of Basic Pay

CONTENTS

<u>Section</u>	<u>Subject</u>	<u>Page</u>
A.	Purpose and Scope.....	1
B.	Authority.....	1
C.	Definitions.....	1
D.	General Provisions.....	2
E.	Advance Basic Pay for PCS.....	3
F.	Advance Basic Pay for TDY Assignment to a Distant Duty Station.....	4
G.	Advance Basic Pay Upon Evacuation of Dependents....	4
H.	Advance Payday.....	5
I.	Liquidation of Advance.....	5
Exhibit I	Form PHS-6180, "Request for Advance of Basic Pay"..	7

Section A. Purpose and Scope

This INSTRUCTION provides information concerning the conditions under which a PHS commissioned officer may be paid his/her basic pay in advance. For information concerning an advance of station housing allowance, see Subchapter CC22.4, INSTRUCTION 5, of this Manual.

Section B. Authority

Advance payment of an officer's basic pay is authorized by 37 U.S.C. 1006.

Section C. Definitions

For purposes of this INSTRUCTION, the following definitions shall apply:

1. CONUS. The contiguous 48 United States and the District of Columbia.
2. Evacuation. The mandatory movement of dependents of officers from a specified area on order by the State Department, the Joint Chiefs of Staff, the appropriate military commander, or other competent authority. It refers to movement from one area to another in the same or different city or in the same or different country. The evacuation must be caused by unusual or emergency circumstances (such as war, riots, civil uprising or unrest, adverse political conditions, denial or revocation of host government's permission to remain, natural disaster, epidemics, or similar conditions of comparable magnitude).
3. OUTCONUS. Outside the contiguous 48 United States and the District of Columbia.
4. Permanent Change of Station (PCS). For purposes of this INSTRUCTION, PCS shall have the same meaning as the definition for PCS in Appendix J of the Joint Travel Regulations of the Uniformed Services (hereinafter JTR).
5. Temporary Duty (TDY). Duty at one or more locations, other than the permanent station, at which an officer performs TDY under orders which provide for further assignment, or pending further assignment, to a new permanent station or for return to the old permanent station upon completion of the TDY. It also includes that period spent at a station while processing for separation from PHS, release from active duty, placement on the temporary disability retired list, or retirement, whenever the last permanent duty station is different from the station where processing is accomplished.

Section D. General Provisions

1. When Payable. Advance payment of an officer's basic pay may be authorized under the following conditions:
 - a. Upon an officer's PCS, provided that shipment of household goods or drayage is authorized on the officer's personnel order.
 - b. When an officer is ordered, for a period of 60 days or more, but not to exceed 20 weeks, to TDY at an OUTCONUS distant station where the pay and allowances to which he/she is entitled cannot be disbursed regularly.
 - c. When an officer is on duty OUTCONUS, or other place designated by the President, and the officer's dependents are ordered evacuated by competent authority from the place where they are located.
2. Advance Payday. When the last day of the pay period falls on a Saturday, Sunday, or legal holiday, payment may be made on the preceding workday but not more than three days before the last day of that pay period. A determination to pay on an advance payday will be made by the Director, Commissioned Personnel Operations Division (CPOD), Office of Personnel

Management (OPM), Office of Management (OM), PHS. No action on the part of the officer is required.

3. Requests for Advance Pay. Requests for advance payment of an officer's basic pay under Section D.1.a., b., and c., above, must be made on Form PHS-6180, "Request for Advance of Basic Pay" (see Exhibit I), and submitted to the address indicated in Section D.8., below.
 - a. Advance basic pay for PCS and for dependents ordered evacuated may be made together on the same Form PHS-6180, if applicable. However, a request for advance pay for TDY at a distant duty station must be made separately from any other advance pay request.
 - b. All requests are subject to approval by the Director, CPOD.
4. Multiple Advances. If an officer requests an advance of pay before a previous advance of pay has been fully liquidated, the proceeds of such an advance, if approved, will be applied first to liquidate the outstanding amount of the previous advance. If the proceeds are not sufficient to liquidate the outstanding balance of the previous advance of pay, the request will not be approved.
5. Federal Income Tax Liability. Federal income tax will not be deducted from the amount of the advance. If the officer fails to liquidate the total amount of the advance prior to separation, the amount of the advance that remains outstanding after applying the officer's final pay check will be considered taxable income in the calendar year in which the officer is released from active duty.
6. Submission of Form PHS-1373. An advance payment of an officer's pay will not be made if the officer has submitted to CPOD a Form PHS-1373, "Separation of a Commissioned Officer."
7. Expiration of Current Tour of Active Duty. When an officer's current tour of active duty will expire before an advance can be liquidated in accordance with the provisions of this INSTRUCTION, no advance of pay will be made.
8. Address of Compensation and Benefits Branch (CBB), CPOD. Completed Form PHS-6180 should be sent to CBB, CPOD, at the following office:

ATTN: ADVANCE PAY
Compensation and Benefits Branch/PA
Commissioned Personnel Operations Division
Office of Personnel Management
Office of Management, PHS
Room 4-50, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857

Section E. Advance Basic Pay for PCS

1. Eligibility. A PHS commissioned officer in receipt of competent CONUS PCS orders authorizing the shipment of household goods or drayage may be paid an advance of pay in an amount of one month's basic pay; or for PCS that is OUTCONUS, an amount of not more than three months' basic pay.
2. Procedure. An advance of basic pay under this Section must be requested on Form PHS-6180. A copy of the officer's PCS orders must accompany this form.
 - a. For PCS within CONUS, an officer may receive an advance of only one month's basic pay. For PCS where the officer is ordered to a permanent duty station that is OUTCONUS, an officer may receive an advance of one, two, or three months' basic pay. The officer's immediate supervisor or designated official must indicate his/her concurrence on the appropriate item of Form PHS-6180. Advances under this Section will be made in addition to any amounts otherwise due the officer on the day the advance payment is made.
 - b. Payment may be made at any time between one month prior to PCS and two months subsequent to PCS. Payment will be made by inclusion of the advance in the officer's regularly scheduled monthly paycheck. Advance payments will not be made under this Section to officers who have not begun their current tour of active duty. In addition, an advance of pay under this Section is not payable if the officer receives an advance of pay for TDY at a distant duty station.

Section F. Advance Basic Pay for TDY Assignment
to a Distant Duty Station

1. Eligibility. A PHS commissioned officer may be advanced not more than three months' basic pay if the pay to which he/she is entitled cannot be disbursed regularly while on TDY at the OUTCONUS distant station. An advance under this Section will be made only if the TDY assignment exceeds 60 days but is not more than 20 weeks. The purpose of the advance payment is to ease the hardships imposed by the lack of regular payments at the distant station.
2. Procedure. Upon receipt of competent TDY orders assigning an officer to a distant station, the officer may receive, by requesting on Form PHS-6180, an advance of up to three months' basic pay. A copy of the officer's TDY orders must accompany the request. A determination as to whether pay can be disbursed regularly at the distant station shall be made by CPOD. When TDY orders have been issued sufficiently in advance of the assignment, the request should be received by CBB, CPOD, in time to be processed for inclusion with a regularly scheduled monthly paycheck to be issued prior to the officer's departure for the TDY assignment. An advance of pay under this Section is not payable if the officer receives an advance of pay for PCS.

Section G. Advance Basic Pay Upon
Evacuation of Dependents

1. Eligibility. Since most evacuations, by necessity, are made on short notice, evacuated dependents may not have sufficient funds to cover cost of travel, food, and other needs until their allotments can be started. To alleviate this potential hardship, an advance of basic pay to a PHS commissioned officer who is on duty OUTCONUS, or other place designated by the President, may be made directly to his/her previously designated dependents who are ordered evacuated by competent authority.
 - a. In no case will more than two months' basic pay be advanced.
 - b. An advance of basic pay will be made only if all dependents are ordered evacuated from the place where they are located.
 - c. An advance of basic pay under this Section is not subject to the conditions under which advances of pay may be made under Sections E. and F., above.
2. Procedure. The procedures set forth below should be followed to request an advance of basic pay under this Section:
 - a. Upon arrival at the overseas duty station, an officer desiring to make use of these provisions, should it become necessary, should complete Part III and the appropriate items in Part IV of Form PHS-6180. After completing such parts, the officer's designated dependent should retain Part IV of this form. The officer should forward the remainder to CBB, CPOD, at the address indicated in Section D.8., above. If dependents are subsequently ordered evacuated, the officer's designated dependent should complete and submit Part IV to CBB, CPOD, for processing and payment.
 - b. Payment may be made directly to the officer's dependents upon determination by the Director, CPOD, that the criteria have been met for such payment as set forth in this Section.

Section H. Advance Payday

1. Conditions for Advance Payday. When the last day of the pay period falls on a Saturday, Sunday, or legal holiday, payment is authorized on the preceding workday, but not more than three days before the last day of that pay period.
2. Death of Officer. If an officer dies after receiving an advance payment under the provisions of Section H.1., above, but before the last day of the pay period for which the payment is made, no part of the amount so advanced is recoverable by the Federal Government.

Section I. Liquidation of Advance

An advance of basic pay under Section D.1, above, will be liquidated in accordance with the following conditions:

1. Advance of Basic Pay for PCS. For a one-month advance, the advance will be liquidated at the standard rate of one-sixth of the advanced amount per month by deduction from subsequently issued monthly pay and allowances. For a two or three-month advance, the advance will be liquidated at the standard rate of one-twelfth of the advanced amount per month by deduction from subsequently issued monthly pay and allowances. The officer may request larger monthly deductions (i.e., an accelerated payback rate) at the time of making the request for advance pay.
2. Advance of Basic Pay for TDY. The advance will be liquidated at the standard rate of one-sixth of the advanced amount per month by deduction from subsequently issued monthly pay and allowances. The officer may request an accelerated payback rate at the time of making the request for advance pay.
3. Advance of Basic Pay for Evacuation of Dependents. For a one-month advance, the advance will be liquidated at the standard rate of one-sixth of the advanced amount per month by deduction from subsequently issued monthly pay and allowances. A two-month advance will be liquidated at the standard rate of one-twelfth of the advanced amount per month by deduction from subsequently issued monthly pay and allowances. Larger monthly deductions cannot be requested. The Secretary of Health and Human Services, or his/her designee, may waive, upon the officer's written request to the Director, CPOD, at the address indicated in Section D.8., above, not more than one months' basic pay advanced upon evacuation of dependents when such recovery would be against equity and good conscience or against the public interest.
4. Priority of Advance Pay Liquidation. If the net amount of an officer's pay and allowances is insufficient to liquidate the advance of basic pay within the payback period, one or more of the officer's voluntary allotments (e.g., savings, commercial life insurance, dependent allotments) will be reduced as necessary until the advance payment is liquidated.
5. Additional Provisions.
 - a. Officer Remains on Active Duty. Under the following circumstances, the officer will be liable to the Federal Government for prompt payment (i.e., within one month) of the unliquidated portion of the advanced payment:
 - (1) Revocation of PCS orders;
 - (2) Termination of duty at a distant duty station earlier than expected; or
 - (3) Revocation of orders effecting the evacuation of the officer's dependents.In such instances, the officer will be responsible for the prompt payment of the full amount of the unliquidated portion.
 - b. Death or Separation of Officer. If an officer dies or is separated prior to the liquidation of the pay advanced to him/her before his/her

death or separation, the amount of the unliquidated portion shall be a debt due by that person, or in the case of an officer's death, his/her estate, to the Federal Government. To alleviate this indebtedness, the officer's final pay and allowances will be held and applied toward this indebtedness. Under Department of the Treasury regulations, late charges may be assessed for late payment of remaining amounts due the Federal Government.

EXHIBIT I
FORM PHS-6180, "REQUEST FOR ADVANCE OF BASIC PAY"

EXHIBIT I continued