



DoD INSTRUCTION 1341.09

DoD ADOPTION REIMBURSEMENT POLICY

Originating Component:	Office of the Under Secretary of Defense for Personnel and Readiness
Effective:	July 5, 2016
Releasability:	Cleared for public release. Available on the Internet from the DoD Issuances Website at http://www.dtic.mil/whs/directives .
Reissues and Cancels:	DoD Instruction 1341.09, "DoD Adoption Reimbursement Policy," November 3, 2007, as amended
Approved by:	Peter Levine, Acting Under Secretary of Defense for Personnel and Readiness

Purpose: In accordance with the authority in DoD Directive (DoDD) 5124.02, this instruction establishes policy, assigns responsibilities, and provides procedures for the reimbursement of qualifying adoption expenses incurred by members of the Military Services pursuant to Section 1052 of Title 10, United States Code (U.S.C.) and DoD 7000.14-R.

TABLE OF CONTENTS

SECTION 1: GENERAL ISSUANCE INFORMATION	3
1.1. Applicability.	3
1.2. Policy.	3
SECTION 2: RESPONSIBILITIES	4
2.1. Assistant Secretary of Defense for Manpower and Reserve Affairs (ASD(M&RA)).....	4
2.2. Under Secretary of Defense (Comptroller)/Chief Financial Officer of the Department of Defense (USD(C)/CFO).....	4
2.3. Secretaries of the Military Departments.	4
SECTION 3: PROCEDURES	6
3.1. Information and Referral.....	6
3.2. Reimbursement.	6
GLOSSARY	9
G.1. Acronyms.	9
G.2. Definitions.....	9
REFERENCES	11

SECTION 1: GENERAL ISSUANCE INFORMATION

1.1. APPLICABILITY. This issuance applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this issuance as the “DoD Components.”).

1.2. POLICY. It is DoD policy that:

a. Service members on active duty, including Reserve or National Guard members who are called to active duty for 180 or more consecutive days pursuant to Sections 12301(a), 12302, 12304, 12304a., or 12304b. of Title 10, U.S.C., Active Guard and Reserve and full time National Guard Duty and National Guard members under the provisions of Section 502(f) of Title 32, U.S.C., and those called to duty in response to a disaster or national emergency when requested by the President or Secretary of Defense and supported by federal funds are eligible to request reimbursement for qualifying adoption expenses related to adoption of a child under 18 years of age.

b. In accordance with Section 1052 of Title 10, U.S.C., Service members may request reimbursement up to \$2,000 per adoptive child or a maximum of \$5,000 per calendar year for qualifying expenses. In the case of two married Military Service members, only one member may claim reimbursement and the couple is limited to a maximum of \$5,000 per calendar year. In addition, Service members are not entitled to reimbursement expenses if they leave active duty before the adoption is final, in accordance with DoD Financial Management Regulation (FMR), DoD FMR 7000.14-R.

c. In accordance with Section 1052 of Title 10, U.S.C., adoptions that qualify for reimbursement include adoptions by a single person, an infant adoption, an intercountry adoption, and an adoption of a child with special needs, as long as the adoption is arranged by a qualified adoption agency.

(1) Medical coverage for an adopted child or a child placed in an adoptive home by a recognized placement or adoption agency or the court before the adoption is final begins when the child is enrolled in the Defense Enrollment Eligibility Reporting System (DEERS). DEERS enrollment does not automatically enroll the child in TRICARE. More information is available on the TRICARE website, www.tricare.mil/DEERS.

(2) Qualifying adoption expenses include reasonable and necessary expenses that are directly related to the adoption as specified in Section 1052 of Title 10 U.S.C.

d. Benefits may be paid only after the adoption is final, as authorized by Section 1052 of Title 10, U.S.C. A benefit may not be paid for any expense paid to or for a Service member under any other adoption benefits program administered by the Federal government or under any such program administered by a State or local government.

SECTION 2: RESPONSIBILITIES

2.1. ASSISTANT SECRETARY OF DEFENSE FOR MANPOWER AND RESERVE AFFAIRS (ASD(M&RA)). Under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness, the ASD(M&RA):

- a. Oversees the development of policy and procedures for this instruction.
- b. Monitors DoD Component compliance with this instruction and issues supporting guidance as necessary.

2.2. UNDER SECRETARY OF DEFENSE (COMPTROLLER)/CHIEF FINANCIAL OFFICER OF THE DEPARTMENT OF DEFENSE (USD(C)/CFO). The USD(C)/CFO:

- a. Assigns resources to Defense Finance and Accounting Service (DFAS) for the implementation of this instruction.
- b. Designates a point of contact (POC) at DFAS for matters concerning this instruction.
- c. Continues to provide and implement procedures for processing and paying claims for reimbursement.
- d. Maintains data on reimbursements on a fiscal year basis.
- e. Ensures payment of reimbursement for expenses in accordance with Section 1052 of Title 10, U.S.C. and DoD FMR 7000.14-R.

2.3. SECRETARIES OF THE MILITARY DEPARTMENTS. The Secretaries of the Military Departments:

- a. Ensure compliance with this instruction and issue guidance within their respective military department implementing this instruction. Such guidance will, among other topics, specify adoption information access points and procedures for evaluating applications and filing and submitting adoption reimbursement claims.
- b. Designate a POC at the Military Service headquarters for adoption information including leave and liberty policy procedures in accordance with DoD Instruction (DoDI) 1327.06, and distribute the responsible office's email address and telephone number.
- c. Designate personnel as reviewing officials to evaluate and approve submission of payment claims for reimbursement by Service members under the jurisdiction of the Military Department concerned; accept and maintain a copy of claims for reimbursement; and forward the authorization for payment of the adoption reimbursement claim to the DFAS for final approval and payment.

d. Utilize Military and Family Support Centers, personnel and finance offices, chaplains, legal assistance, and Military OneSource to provide Service members and military family members with appropriate information and referral on the adoption reimbursement process.

e. Utilize personnel and finance offices to accept and maintain copies of member applications for adoption reimbursement.

f. Publicize this instruction through appropriate Service media channels.

g. Ensure that personally identifiable information (PII) collected in the course of adoption reimbursement activities is safeguarded to prevent any unauthorized use or disclosure and that the collection, use, and release of PII is made pursuant to Section 552a of Title 5, U.S.C., also known as “The Privacy Act of 1974,” as implemented in the DoD by DoDD 5400.11 and DoD 5400.11-R.

SECTION 3: PROCEDURES

3.1. INFORMATION AND REFERRAL.

a. The Military Service headquarters POC for adoption information will disseminate information and offer direction on completing DD Form 2675, "Reimbursement Request for Adoption Expenses," available at www.dtic.mil/whs/directives/forms/eforms/dd2675.pdf and designated offices. Detailed requirements are available in DoD FMR 7000.14-R.

b. The Military Service headquarters POC will ensure that designated offices are aware of their respective responsibilities for information and referral, evaluation, verification, filing and submission of reimbursement claims.

3.2. REIMBURSEMENT.

a. In accordance with procedures established in DoD FMR 7000.14-R, a Service member must submit an application for reimbursement using DD Form 2675, to the designated Military Service POC no later than two (2) years after the adoption is finalized. In the case of adoption of foreign children, a Service member must submit a request for reimbursement no later than two (2) years from the date the certificate of United States citizenship is issued. The application for reimbursement must be completed prior to the Service member's separation from active duty.

b. The application for reimbursement must be thoroughly completed, manually or digitally signed by the Service member, and verified by the Service member's commander or designated verifying official.

(1) When the DD Form 2675 is manually signed, the Service member's command may submit the application via postal mail or DoD Enterprise (encrypted) email.

(2) When the completed DD Form 2675 is digitally signed, either the Service member's command or the Service member may submit a copy of the application via postal mail or DoD Enterprise (encrypted) email. The Service member must retain the original application, including all supporting documents and proof (e.g., postal tracking receipt or e-mail message) that the application was submitted by the 2-year deadline.

c. If deployment responsibilities impact the Service member's ability to comply with the 2-year deadline, DFAS can make exceptions. In these cases, the verifying official who signs the DD Form 2675 will submit a letter stating that the Service member's deployment impacted the Service member's ability to comply with the 2-year deadline.

d. An application for reimbursement must include:

(1) A completed DD Form 2675. The Service member's Electronic Funds Transfer must indicate routing transit number and account number. If reimbursement is requested for more than one child, a separate DD Form 2675 will be required for each child.

(2) Reserve and National Guard members must provide a copy of their active duty military orders in order to document the period of active duty and the finalization of the adoption while in active duty status.

(3) A copy of the final adoption decree, certificate or court order granting the adoption. For U.S. adoptions, the court order must be signed by a judge unless either State law or local court rules authorize that the adoption order may be signed by a commissioner, magistrate or court referee. The Service member must submit a full English translation of any foreign language document, to include the translator's certification that he or she is competent to translate the foreign language to English and that his or her translation is complete and correct.

(4) For foreign adoptions, proof of U.S. citizenship of the child, including any of the following:

(a) A copy of Certificate of Citizenship.

(b) A copy of a U.S. court order that recognizes the foreign adoption, or documents the "re-adopting" of the child in the United States.

(c) A letter from the United States Citizenship and Immigration Services, which states the status of the child's adoption.

(d) A copy of U.S. passport (page with personal information only).

(5) For U.S. adoptions, documentation to show that the adoption was handled by a qualified adoption agency or other source authorized by a State or local law to provide adoption placement. For foreign adoptions, documentation must show that the adoption was handled by a qualified adoption agency. Acceptable forms of proof that the adoption was handled by a qualified adoption agency include:

(a) A copy of placement agreement from the adoption agency showing the agreement entered into between the member and the agency.

(b) A letter from the adoption agency stating that the agency arranged the adoption and that the agency is a licensed child placing agency in the United States.

(c) Receipts for payment to the adoption agency, as well as proof, (e.g., a copy of the agency's web page), of the agency's status as a for-profit or non-profit licensed child placing agency.

(6) For foreign adoptions, documentation that the adoption was handled by a qualified agency must also include:

(a) A document that describes the mission of the foreign agency and its authority from the foreign government to place children for adoption; and

(b) Placement agreement from the adoption agency or letter from adoption agency stating the specific services it provided for the adoption.

(7) Documentation to substantiate reasonable and necessary expenses, in accordance with Section 1052 of Title 10, U.S.C., paid by the member. Acceptable forms of documentation include receipts, cancelled checks, or a letter from the adoption agency showing the amount paid by the member. Receipts from a foreign entity should include the U.S. currency equivalency. Reconstruction of expense records is permissible when the original records are unavailable and the Service member submits a notarized affidavit stating the costs. Reasonable and necessary expenses include:

(a) Public and private agency fees, including adoption fees charged by an agency in a foreign country.

(b) Placement fees, including fees charged adoptive parents for counseling.

(c) Legal fees (including court costs) in connection with legal services unavailable to a member of the Military Services under Section 1044 or notary services under Section 1044a of Title 10, U.S.C.

(d) Medical expenses, including hospital expenses of the biological mother and medical care of the child to be adopted. Military medical benefits will be determined upon registration of the adoptive child in DEERS.

(e) Temporary foster care charges when payment of such charges is required before the adoptive child's placement.

(f) Travel expenses and items such as clothing, bedding, toys and books are not reimbursable.

e. If documents submitted by a Service member in support of an application for reimbursement do not suitably establish eligibility for reimbursement or justify claimed expenses, DFAS will retain the application and advise the Service member of additional documentation needed. All requested documentation must be submitted to DFAS within 90 calendar days of DFAS request. Any exceptions to this process due to Service member deployment or other extenuating circumstances must be coordinated with and approved by DFAS.

f. For detailed procedural requirements, the Service member should consult DoD FMR 7000.14-R and applicable Service guidance.

GLOSSARY

G.1. ACRONYMS.

ASD(M&RA)	Assistant Secretary of Defense for Manpower and Reserve Affairs
DEERS	Defense Enrollment Eligibility System
DFAS	Defense Finance and Accounting Service
DoDD	DoD Directive
DoDI	DoD Instruction
FMR	DoD Financial Management Regulations
PII	personally identifiable information
POC	point of contact
U.S.C.	United States Code
USD(C)/CFO	Under Secretary of Defense (Comptroller)/Chief Financial Officer of the Department of Defense

G.2. DEFINITIONS. Unless otherwise noted, these terms and their definitions are for the purpose of this issuance.

access point. Defined in DoDI 1342.22.

adoption. The legal procedure by which a person or couple takes a child who is not his or her biological offspring into the family and raises the child as his or her own.

Adoption terminates all legal ties between the adoptee and his or her birth parents (except in the case of stepchildren adoptions, where one biological parent is the spouse of the adopting parent and whose legal ties to the children are therefore unbridged) and establishes a legal parent-child relationship between the adoptee and the adoptive parents.

The adoptee has the same status with his or her adoptive parents as do any non-adopted siblings.

Military and Family Support Center. Defined in DoDI 1342.22.

Military OneSource. A confidential DoD program providing comprehensive, around-the-clock information, referral, and assistance on every aspect of military life. Services are available worldwide and provided at no cost through a call center and website to Active Duty, National Guard, and Reserve members, and their families without regard to activation status.

personally identifiable information. Defined in DoD Directive 5400.11.

qualified adoption agency. Defined in Section 1052 of Title 10, U.S.C.

qualifying adoption expenses. Defined in Section 1052 of Title 10, U.S.C.

reasonable and necessary expenses. Defined in Section 1052 of Title 10, U.S.C.

State or local law. The law of a State or locality within the United States including within a U.S. Territory, a U.S. Commonwealth, or the District of Columbia.

REFERENCES

DoD 5400.11-R, "Department of Defense Privacy Program," May 14, 2007
DoD FMR 7000.14-R, "Department of Defense Financial Management Regulations (FMRs),"
Volume A, Appendix A, current edition¹
DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness
(USD(P&R))," June 23, 2008
DoD Directive 5400.11, "DoD Privacy Program," October 29, 2014
DoD Instruction 1327.06, "Leave and Liberty Policies and Procedures, June 16, 2009,
as amended
DoD Instruction 1342.22, "Military Family Readiness," July 3, 2012
United States Code, Title 10
United States Code, Title 5, Section 552a
United States Code, Title 32, Section 502f

¹ This reference can be found at <http://comptroller.defense.gov/FMR.aspx>