

REIMBURSEMENT OF ADOPTION EXPENSES



**COMDTINST 1754.9C
July 2022**

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22 JULY 2022

COMMANDANT INSTRUCTION 1754.9C

Subj: REIMBURSEMENT OF ADOPTION EXPENSES

Ref: (a) 14 U.S.C. § 2903
(b) 42 U.S.C. § 673 (c)

1. PURPOSE. This Instruction implements Reference (a) and outlines the policies/procedures for the reimbursement of qualifying adoption expenses incurred by Coast Guard active duty members in the adoption of a child under 18 years of age.
2. ACTION. All Coast Guard unit commanders, commanding officers, officers-in-charge, deputy/assistant commandants, and chiefs of headquarters staff elements shall comply with the provisions of this Instruction.
3. AUTHORIZED RELEASE. Internet release is authorized
4. DIRECTIVES AFFECTED. Reimbursement of Adoption Expenses, COMDTINST 1754.9B, dated 6 June 2012, is hereby cancelled.
5. DISCUSSION.
 - a. On 5 December 1991, legislation was enacted to authorize subsidizing the adoption of children under 18 years of age by active duty members of the Coast Guard (see Reference (b)).
 - b. Under this authority, any member who finalizes an adoption of a child under 18 years of age may apply for reimbursement of qualifying adoption expenses.
 - c. A Coast Guard active or reserve duty member must meet the criteria set forth in this Instruction. Participation in the program is designed to assist Coast Guard active duty and reserve members with offsetting the high cost of adoption expenses.
6. DISCLAIMER. This guidance is not a substitute for applicable legal requirements, nor is it itself a rule. It is intended to provide operational guidance for Coast Guard personnel and is not intended to, nor does it impose, legally-binding requirements on any party outside the Coast Guard.
7. MAJOR CHANGES. This Instruction adds that the reimbursement request must be submitted no later than 2 years after finalization of the adoption, changed from 1 year.
8. ENVIRONMENTAL ASPECT AND IMPACT CONSIDERATIONS. The Office of Environmental Management, Commandant (CG-47) reviewed this Commandant Instruction and the general policies contained within, and determined that this policy falls under the Department of Homeland Security (DHS) categorical exclusion A3. This Commandant Instruction will not result in any substantial change to existing environmental conditions or violation of any applicable federal, state, or local laws relating to the protection of the environment. It is the responsibility of the action proponent to evaluate all future specific actions resulting from this policy for compliance with the National

Environmental Policy Act (NEPA), other applicable environmental requirements, and the U.S. Coast Guard Environmental Planning Policy, COMDTINST 5090.1 (series).

9. DISTRIBUTION. No paper distribution will be made of this Instruction. An electronic version will be located in the Coast Guard Directives System Library internally, and if applicable on the Internet at www.dcms.uscg.mil/directives .
10. RECORDS MANAGEMENT CONSIDERATIONS. Records created as a result of this Instruction, regardless of format or media, must be managed in accordance with the records retention schedules located on the Records Resource Center SharePoint Online site: <https://uscg.sharepoint-mil.us/sites/cg61/CG611/SitePages/Home.aspx> .
11. DEFINITIONS. Terms used in this Instruction are defined in Enclosure (1).
12. ELIGIBILITY. This Instruction applies to all Coast Guard active duty and reserve members, including members of the Selected Reserve on active duty for at least 180 consecutive days.
13. POLICY.
 - a. Coast Guard active duty members and reservists must be on active duty for at least 180 consecutive days before applying for adoption reimbursement. Coast Guard service members who leave active duty or move into drilling status before the final adoption decree is granted are not entitled to the reimbursement. If the final adoption decree is issued on the day the member is still on active duty, the member is entitled to reimbursement. No more than one service member can be reimbursed for the expenses related to the adoption of the same child.
 - b. In accordance with Reference (b), an active duty or reserve Coast Guard service member who adopts a child under 18 years of age may be reimbursed for qualifying adoption expenses up to \$2,000 per adoptive child, but no more than \$5,000 per calendar year. In the case of two married service members, only one member may claim expenses for each adopted child and the couple is limited to the \$5,000 per calendar year maximum.
 - c. Adoptions that qualify for reimbursement are those arranged by qualified adoption agencies as defined in Reference (a).
 - d. Adoptions for which expenses may be reimbursed include the adoption of a child under the age of 18, an adoption by a single person, an infant adoption, an inter-country adoption, an adoption of a child with special needs as defined in Reference (d).
 - e. Benefits may be paid only after the adoption is final and only for qualified adoption expenses authorized by Reference (b) incurred during the adoption process. A benefit may not be paid for any expense paid to or for a member of the Coast Guard under any other adoption benefits program administered by the Federal government or under any such program administered by a State or local government.
 - f. The application must be submitted within 2 years of the date the adoption becomes final.
 - g. Disbursements of adoption reimbursement benefits shall be supported by appropriate documentation identified in Enclosure (2). The original or copy of the member's signed reimbursement request shall be added as supporting documentation to the disbursement voucher form.

13. PROCEDURES.

- a. The service member must submit, per paragraph 10.c, below, requests for reimbursement of qualifying reimbursement expenses using, Reimbursement Registration for Adoption Expenses Form CG-1794. Included with this request must be a copy of the following:
 - (1) Documentation of the Home Study;
 - (2) Receipts or canceled checks substantiating authorized expenses; and,
 - (3) A copy of the adoption certificate, court order granting adoption.
- b. The reimbursement request must be submitted no later than 2 years after finalization of the adoption. A separate reimbursement request shall be completed for each child whose adoption has been finalized.
- c. Completed forms and supporting documentation must be scanned and emailed to HQS-SMB-FamilySupportServices@uscg.mil or mailed to:

COMMANDANT (CG-1112)
 ATTN: OFFICE OF WORK LIFE
 US COAST GUARD STOP 7907
 2703 MARTIN LUTHER KING JR AVE SE
 WASHINGTON, DC 20593-7907
- d. For detailed procedural requirements, the service member should consult Reference (c) and applicable Service regulations.

14. RESPONSIBILITIES.

- a. The Health, Safety and Work-Life Directorate (HSWL), Commandant (CG-1112), shall develop, publish, and maintain this Instruction to ensure compliance.
- b. The Health, Safety and Work-Life Service Center (HSWL SC) and HSWL Regional Practice (RP) staffs shall ensure wide dissemination of information about Coast Guard Adoption Reimbursement.
- c. Family Resource Specialists (FRS) at HSWL RPs will assist families seeking information regarding this Instruction.

15. FORMS/REPORTS. The forms referenced in this Instruction are available on the Coast Guard Standard Workstation or on the Internet: www.dcms.uscg.mil/Our-Organization/Assistant-Commandant-for-C4IT-CG-6/The-Office-of-Information-Management-CG-61/Forms-Management/

16. SECTION 508. This Instruction was created to adhere to Accessibility guidelines and standards as promulgated by the U.S. Access Board. If changes are needed, please communicate with the Coast Guard Section 508 Program Management Office at: Section.508@uscg.mil.

17. REQUEST FOR CHANGES. Units and individuals may recommend changes by writing via the chain of command to: Commandant (CG-1112); U.S. Coast Guard Stop 7907; 2703 Martin Luther King Jr, Ave; WASHINGTON, DC 20593-7907.

/DANA L. THOMAS/
Rear Admiral, U. S. Coast Guard
Director, Health, Safety and Work-Life

Encl: (1) Definitions

DEFINITIONS

1. 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 their own. Adoption severs all legal ties between the adoptee and his or her birth parents and establishes such ties 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.
2. Inter-country Adoptions. The legal adoption of a child coming from a country other than the United States and its territories.
3. Qualifying Adoption Agency:
 - a. A State or local government agency which has responsibility under State and local law for child placement through adoption.
 - b. A nonprofit, voluntary adoption agency which is authorized by State or local law to place children for adoption.
 - c. Any other source authorized by a State to provide adoption placement if the adoption is supervised by a court under State or local law.
 - d. A foreign government or an agency authorized by a foreign government to place children for adoption, in any case which:
 - (1) The adopted child is entitled to automatic citizenship under Section 320 of the Immigration and Naturalization Act (8 U.S. C. 1431).
 - (2) A certification of citizenship has been issued for such child under Section 322 of that Act (8 U.S.C. 1433).
4. Qualifying Adoption Expenses. Reasonable and necessary expenses that are directly related to the legal adoption of a child under 18 years of age, but only if such adoption is arranged by a qualified adoption agency or other source authorized to place children for adoption under State or local law. Such term does not include any expense incurred:
 - a. By an adopting parent for travel; or,
 - b. In connection with an adoption arranged in violation of Federal, State, or local law.
5. Reasonable and Necessary Expenses. The term “reasonable and necessary expenses” includes:
 - 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 services that are unavailable to a member of the armed forces under Sections 1044 or 1044a of this Title; and,
 - d. Medical expenses, including hospital expenses of the biological mother of the child to be adopted and of a newborn infant to be adopted.
6. State or local law. The law of a State or locality within the United States including with a U.S. Territory, a U.S. Commonwealth, or the District of Columbia.