

air forces of countries that are signatories of the Partnership for Peace Framework Document to receive undergraduate pilot training and necessary related training through the Euro-NATO Joint Jet Pilot Training (ENJJPT) program.

[§ 1051b. Renumbered § 313]

[§ 1051c. Repealed. Pub. L. 114-328, div. A, title XII, § 1253(a)(1)(B), Dec. 23, 2016, 130 Stat. 2532]

Section, added Pub. L. 112-81, div. A, title IX, § 951(a)(1), Dec. 31, 2011, 125 Stat. 1548, related to assignments to improve education and training in information security as part of multilateral, bilateral, or regional cooperation programs.

§ 1052. Adoption expenses: reimbursement

(a) **AUTHORIZATION TO REIMBURSE.**—The Secretary of Defense shall carry out a program under which a member of the armed forces may be reimbursed, as provided in this section, for qualifying adoption expenses incurred by the member in the adoption of a child under 18 years of age.

(b) **ADOPTIONS COVERED.**—An adoption for which expenses may be reimbursed under this section includes an adoption by a single person, an infant adoption, an intercountry adoption, and an adoption of a child with special needs (as defined in section 473(c) of the Social Security Act (42 U.S.C. 673(c))).

(c) **BENEFITS PAID AFTER ADOPTION IS FINAL.**—Benefits paid under this section in the case of an adoption may be paid only after the adoption is final.

(d) **TREATMENT OF OTHER BENEFITS.**—A benefit may not be paid under this section for any expense paid to or for a member of the armed forces under any other adoption benefits program administered by the Federal Government or under any such program administered by a State or local government.

(e) **LIMITATIONS.**—(1) Not more than \$2,000 may be paid under this section to a member of the armed forces, or to two such members who are spouses of each other, for expenses incurred in the adoption of a child.

(2) Not more than \$5,000 may be paid under this section to a member of the armed forces, or to two such members who are spouses of each other, for adoptions by such member (or members) in any calendar year.

(f) **REGULATIONS.**—The Secretary of Defense shall prescribe regulations to carry out this section.

(g) **DEFINITIONS.**—In this section:

(1) The term “qualifying adoption expenses” means 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.

(2) 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 section 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.

(3) The term “qualified adoption agency” means any of the following:

(A) A State or local government agency which has responsibility under State or 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 in which—

(i) the adopted child is entitled to automatic citizenship under section 320 of the Immigration and Nationality Act (8 U.S.C. 1431); or

(ii) a certificate of citizenship has been issued for such child under section 322 of that Act (8 U.S.C. 1433).

(Added Pub. L. 102-190, div. A, title VI, § 651(a)(1), Dec. 5, 1991, 105 Stat. 1385; amended Pub. L. 102-484, div. A, title X, § 1052(12), Oct. 23, 1992, 106 Stat. 2499; Pub. L. 104-201, div. A, title VI, § 652(a), Sept. 23, 1996, 110 Stat. 2582; Pub. L. 106-398, § 1 [[div. A], title V, § 579(c)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-141; Pub. L. 108-375, div. A, title VI, § 661, Oct. 28, 2004, 118 Stat. 1974; Pub. L. 109-163, div. A, title V, § 592(a), Jan. 6, 2006, 119 Stat. 3280.)

PRIOR PROVISIONS

A prior section 1052 was renumbered section 1063 of this title and subsequently repealed.

AMENDMENTS

2006—Subsec. (g)(1). Pub. L. 109-163 inserted “or other source authorized to place children for adoption under State or local law” after “qualified adoption agency” in introductory provisions.

2004—Subsec. (g)(3)(D). Pub. L. 108-375 added subpar. (D).

2000—Pub. L. 106-398 substituted “Adoption expenses: reimbursement” for “Reimbursement for adoption expenses” in section catchline.

1996—Subsec. (g)(1). Pub. L. 104-201, § 652(a)(1), substituted “qualified adoption agency” for “State or local government agency which has responsibility under State or local law for child placement through adoption or by a nonprofit, voluntary adoption agency which is authorized by State or local law to place children for adoption.”

Subsec. (g)(3). Pub. L. 104-201, § 652(a)(2), added par. (3).

1992—Subsec. (b). Pub. L. 102-484 inserted close parenthesis before period at end.

EFFECTIVE DATE

Pub. L. 102-190, div. A, title VI, § 651(c), Dec. 5, 1991, 105 Stat. 1387, provided that: “The amendments made