

MILPERSMAN 1050-420

ADOPTION LEAVE

Responsible Office	CNO (N130)	Phone:	DSN	225-3304
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References	(a) 10 U.S.C 701 (b) DODI 1327.6 of 22 Apr 05 (c) 10 U.S.C 1052 (d) DODI 1341.9 of 29 Jul 96 (e) 8 U.S.C 1431 (f) 8 U.S.C 1433
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1. **General Policy.** Per references (a) and (b) commanding officers (COs) may grant up to 21 days of non-chargeable leave of absence to members who adopt a child on or after 1 Jan 06.

a. Adoption leave may be granted in conjunction with ordinary leave.

b. Only one member of a dual military couple is eligible for adoption leave.

2. **Qualification for Adoption Leave.** A member who is eligible for reimbursement of qualified adoption expenses is eligible for adoption leave.

3. **Definition of a Qualifying Adoption.** Per references (c) and (d), a child under 18 years of age is an adoption when arranged by 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 which

(1) the adopted child is entitled to automatic citizenship per reference (e); or

(2) a certificate of citizenship has been issued for such child as defined in reference (f).

4. **Reinstatement of Leave.** Members who have used earned leave to adopt a child, on or after 1 Jan 06, should contact their local Personnel Support Activity Detachment (PERSUPP DET) to have their leave reinstated.