

106TH CONGRESS  
2D SESSION

# S. 2227

To amend chapter 79 of title 5, United States Code, to allow Federal agencies to reimburse their employees for certain adoption expenses, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 9, 2000

Mr. BOND (for himself, Ms. LANDRIEU, Mr. CRAIG, Mrs. LINCOLN, Mr. JOHNSON, Mr. LIEBERMAN, Mr. JEFFORDS, Mr. ROBB, Mr. STEVENS, and Mr. WARNER) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

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## A BILL

To amend chapter 79 of title 5, United States Code, to allow Federal agencies to reimburse their employees for certain adoption expenses, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Employees  
5 Adoption Assistance Act”.

1 **SEC. 2. REIMBURSEMENT FOR ADOPTION EXPENSES.**

2 (a) IN GENERAL.—Chapter 79 of title 5, United  
3 States Code, is amended by adding at the end the fol-  
4 lowing:

5 **“§ 7906. Reimbursement for adoption expenses**

6 “(a) In this section:

7 “(1) The term ‘agency’ means—

8 “(A) an Executive agency; and

9 “(B) the judicial branch.

10 “(2) The term ‘eligible child’ means any indi-  
11 vidual who—

12 “(A) has not attained the age of 18 years;

13 “(B) is physically or mentally incapable of  
14 self-care; or

15 “(C) is a child with special needs, as de-  
16 fined in section 473(c) of the Social Security  
17 Act.

18 “(3) The term ‘head of an agency’ means, in  
19 the case of the judicial branch, the Director of the  
20 Administrative Office of the United States Courts.

21 “(4) The term ‘qualified adoption expenses’, as  
22 used with respect to an employee, means reasonable  
23 and necessary expenses that—

24 “(A) are directly related to, and the prin-  
25 cipal purpose of which is for, the legal adoption  
26 of an eligible child by the employee;

1           “(B) are not incurred in violation of Fed-  
2           eral or State law or in carrying out any surro-  
3           gate parenting arrangement; and

4           “(C) are not incurred in connection with  
5           the adoption by an individual of a child who is  
6           the child of such individual’s spouse.

7           “(b) Each head of an agency shall carry out a pro-  
8           gram under which an employee of such agency may be  
9           reimbursed, as provided in this section, for qualified adop-  
10          tion expenses incurred by such employee.

11          “(c) A benefit may not be paid under this section for  
12          any expense paid to or for an employee under any other  
13          adoption benefits program administered by the Federal  
14          Government or under any such program administered by  
15          a State or local government.

16          “(d) In no event may more than \$2,000 be paid  
17          under this section for expenses incurred in connection with  
18          the adoption of any 1 child (even if both adopting parents  
19          are employees).

20          “(e) Any amount payable under this section to an em-  
21          ployee shall be paid from the appropriation or fund used  
22          to pay such employee.

23          “(f)(1) The Director of the Office of Personnel Man-  
24          agement may issue any general guidelines that the Office

1 considers to be necessary to promote the uniform adminis-  
 2 tration of this section.

3 “(2) Each head of an agency shall prescribe regula-  
 4 tions to carry out this section. Any regulations prescribed  
 5 by the head of an agency within the executive branch to  
 6 carry out this section shall be consistent with any guide-  
 7 lines issued under paragraph (1).

8 “(3) On the request of any agency, the Director of  
 9 the Office of Personnel Management may provide con-  
 10 sulting, technical, and other similar assistance to carry out  
 11 this section.”.

12 (b) APPLICABILITY TO THE UNITED STATES POSTAL  
 13 SERVICE AND THE POSTAL RATE COMMISSION.—Section  
 14 1005(d)(2) of title 39, United States Code, is amended  
 15 by inserting “section 7906,” after “5532,”.

16 (c) CLERICAL AMENDMENT.—The table of sections  
 17 for chapter 79 of title 5, United States Code, is amended  
 18 by adding at the end the following:

“7906. Reimbursement for adoption expenses.”.

19 **SEC. 3. EFFECTIVE DATE.**

20 The amendments made by this Act shall apply with  
 21 respect to expenses incurred not earlier than the date of  
 22 enactment of this Act.

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