

[CHAPTER 174]

AN ACT

To regulate the placing of children in family homes, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the purpose of this Act is to secure for each child under sixteen years of age who is placed in a family home, other than his own or that of a relative within the third degree, such care and guidance as will serve the child's welfare and the best interests of the District of Columbia; and to secure for him custody and care as near as possible to that which should have been given him by his parents.

SEC. 2. Any person, firm, corporation, association, or public agency that receives or accepts a child under sixteen years of age and places or offers to place such child for temporary or permanent care in a family home other than that of a relative within the third degree shall be deemed to be maintaining a child-placing agency. No child-placing agency shall be maintained in the District of Columbia without a license issued by the Commissioners of the District of Columbia: *Provided*, That notwithstanding any provisions of section 4 of this Act such a license shall be issued forthwith to any corporation or association chartered by special Act of Congress and having under its charter the purposes or powers of a child-placing agency as herein defined.

SEC. 3. Within sixty days after the passage of this Act, the Commissioners shall appoint, after consultation with the Board of Public Welfare, a committee of eight persons to formulate and adopt rules and regulations, subject to the approval of the Commissioners, prescribing standards of placement, care, and services to be required of child-placing agencies, pursuant to the intent and purposes of this Act. The committee shall be composed of a member of the Board of Public Welfare who shall act as chairman of said committee, a member of the staff of the Health Department of the District of Columbia, a member of the staff of the Board of Public Welfare of the District of Columbia, and one representative from each of five charitable organizations of the District of Columbia having an organized program for placing children in family homes. Each member of said committee shall serve for a term of one year and until his successor is appointed and qualified. The rules and regulations shall be reviewed by the committee annually and, subject to the approval of the Commissioners, may be amended when deemed necessary.

SEC. 4. An application for a license as a child-placing agency shall be made to the Commissioners on forms provided by them and in the manner prescribed. Before such license is issued the Board of Public Welfare shall arrange to have an investigation made of the activities and standards of care of the agency and shall consult with persons having official connection with the agency. If the Board is satisfied as to the good character and intent of the applicant, and that the agency is adequately financed, and that its staff, procedures, and services conform to the established standards of care, said Board shall recommend to the Commissioners that a license be issued.

A provisional license may be issued to any agency which is temporarily unable to conform to all the provisions of the established standards of care upon terms and conditions prescribed by the Commissioners upon recommendation of the Board of Public Welfare.

All licenses shall be issued for one year from the date thereof and may be renewed annually on the application of the agency, except that provisional licenses may be issued for not more than three successive years from the date of the passage of this Act.

April 22, 1944
[H. R. 2618]
[Public Law 292]

District of Columbia.
Placement of children in family homes.

Child-placing agency.

License.

Issuance to certain corporations chartered by Congress.

Appointment of committee to prescribe standards.

Membership.

Terms of office.

Annual review of rules and regulations.

Application for license.

Investigation and recommendation.

Provisional license.

Issuance and renewal of licenses.

Placement restrictions.

SEC. 5. No person other than the parent, guardian, or relative within the third degree, and no firm, corporation, association, or agency, other than a licensed child-placing agency, may place or arrange or assist in placing or arranging for the placement of a child under sixteen years of age in a family home or for adoption. In accordance with the rules and regulations promulgated hereunder, any licensed child-placing agency may accept children for placement in family homes and shall have and maintain care, custody, and control of any such child until returned to the person from whom received or until responsibility for the child is transferred to another child-welfare agency or terminated by the order of a court of competent jurisdiction.

Supervision of children by agency.

Every such agency shall keep and maintain careful supervision of all children under its care, including those placed in family homes, and its officers or agents shall visit all such homes and families as often as may be necessary to promote the welfare of such child: *Provided*, That legally adopted children shall not be subject to such supervision and visitation, or other supervision or visitation. Every such agency shall keep such records as shall be required by the rules and regulations promulgated hereunder and all records regarding children and all facts learned about children and their parents or relatives shall be deemed confidential.

Exception.

Records.

Compensation for adoption, etc., restrictions.

Such agency shall in no case charge or receive from the person or persons legally adopting any child any compensation whatsoever therefor; and in no case shall any person taking a child with the intention of adoption demand or receive from such agency any compensation whatsoever for the care of such child even though it shall be returned to the agency.

Parental rights of agency when given permanent care.

SEC. 6. Whenever a licensed child-placing agency shall have been given the permanent care and guardianship of any child and the rights of the parent or parents of such child shall have been terminated by order of a court of competent jurisdiction or by a legally executed relinquishment of parental rights, the agency is vested with parental rights and may consent to the adoption of the child pursuant to the statutes regulating adoption procedure. In any such adoption proceeding filed in the District of Columbia, which is consented to by a child-placing agency licensed pursuant to this Act, the provisions of section 1 of the Act entitled "An Act to regulate proceedings in adoption in the District of Columbia", approved August 25, 1937, as amended (50 Stat. 806) requiring the petition to state the name, age, race, occupation, and address of the natural parents, and requiring the Board of Public Welfare to verify the allegations of the petition, make investigation, and report its findings and recommendations to the Court, shall not apply. Except in proceedings for adoption no parent may voluntarily assign or otherwise transfer to another his rights and duties with respect to the permanent care and control of a child under sixteen years of age unless such relinquishment of parental rights is made to a licensed child-placing agency. Such relinquishment of parental rights shall be a statement in writing signed by the person relinquishing such parental rights who shall subscribe his name thereto and acknowledge the same before a representative of the licensed child-placing agency in the presence of at least one witness. Said relinquishment of parental rights shall be recorded and filed in a properly sealed file in the Office of the Clerk of the District Court of the United States for the District of Columbia. The seal of said file shall not be broken except for good cause shown and upon the written order of a justice of said court.

Consent to adoption.
Waiver of certain requirements.

D. C. Code § 16-201.

Relinquishment of parental rights, restriction.

Witnessing and recording of statement.

SEC. 7. The Commissioners may refuse to reissue or may revoke or suspend the license of any child-placing agency after full hearing on proof of violation of any provisions of this Act or the rules and regulations promulgated hereunder. Before any license shall be suspended or revoked the holder thereof shall have notice in writing of the charge or charges and shall, at the date and place specified in said notice, which shall be at least five days after the service thereof, be given a hearing by said Commissioners, or their designated agents, with a full opportunity to produce testimony in his, her, or its behalf. Any licensee whose license has been suspended or revoked may, after the expiration of ninety days, on application to the said Commissioners, have the same reinstated or reissued upon satisfactory proof that the disqualification has ceased.

Revocation or suspension of license.

SEC. 8. Any person, firm, corporation, association, or public agency who conducts a child-placing agency without a license as provided for in this Act or who violates any of the provisions of this Act shall, upon conviction, be fined not more than \$300 or imprisoned for not more than ninety days, or both. Prosecution for violations of this Act shall be upon information in the criminal division of the municipal court of the District of Columbia by the corporation counsel of the District of Columbia.

Penalty.

Prosecution.

SEC. 9. The Board of Public Welfare is authorized to make such investigations and inspections as are necessary to carry out the provisions of this Act.

Investigations by Board of Public Welfare.

SEC. 10. That sections 173, and 402 to 411, both inclusive, of the Code of Law for the District of Columbia, approved March 3, 1901, are hereby repealed.

Repeals.
31 Stat. 1218, 1253, 1254.
D. C. Code § 36-101 to § 36-111.

SEC. 11. This Act shall become effective four months after date of the approval of this Act, except section 3 hereof, which shall become effective on the date of the approval of this Act.

Effective dates.

Approved April 22, 1944.

[CHAPTER 175]

AN ACT

Making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1945, and for other purposes.

April 22, 1944
[H. R. 4133]
[Public Law 293]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Treasury and Post Office Departments Appropriation Act, 1946.

TITLE I—TREASURY DEPARTMENT

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department for the fiscal year ending June 30, 1945, namely:

Treasury Department Appropriation Act, 1945.
Post, pp. 871, 876.

OFFICE OF THE SECRETARY

Salaries: Secretary of the Treasury, Under Secretary of the Treasury, Fiscal Assistant Secretary of the Treasury, two Assistant Secretaries of the Treasury, and other personal services in the District of Columbia, including the temporary employment of experts, \$412,500: *Provided*, That no part of the money appropriated by this title shall be used to pay the salaries of more than eighteen messengers assigned to duty in the Office of the Secretary.

Messengers, limitation.

Reimbursement to District of Columbia, benefit payments to White House Police and Secret Service forces: To enable the Secretary of the Treasury to reimburse the District of Columbia on a monthly basis for benefit payments made from the revenues of the District

Reimbursement to D. C. for certain benefit payments.