

the names of the adoptors and shall then cause to be sealed and filed the original birth certificate with the certified copy of the final decree of adoption, and such sealed package shall be opened only by order of a court of competent jurisdiction.

(c) If the birth of the adoptee occurred outside the District the clerk of the court shall, upon petition by the adoptor, furnish him with a certified copy of the final decree of adoption.

(d) When an adoption in the District occurred prior to August 25, 1937, the court shall, upon presentation of a motion by a party to the proceedings, order the clerk of the court to seal the records in such proceeding and upon presentation of a certified copy of said order the Commissioners shall cause to be made a new record of the birth in the new name and with the names of the adoptors and shall then cause to be sealed and filed the original birth certificate with the order of the court, and such sealed package shall be opened only by order of the court.

MEANING OF THE TERM "CHILD"

SEC. 17. The term "child" or its equivalent in a deed, grant, will, or other written instrument shall, in the District, be held to include any adopted person, unless the contrary plainly appears by the terms thereof, whether or not such instrument was executed before or after the entry of the interlocutory decree of adoption, if any, or before or after the final decree of adoption became effective.

REPEAL AND SAVINGS PROVISIONS

SEC. 18. (a) Subject to the provisions of subsection (b) of this section, the Act entitled "An Act to regulate proceedings in adoption in the District of Columbia", approved August 25, 1937, as amended (16 D. C. Code, ch. 2), is repealed.

(b) The provisions of this Act shall have no retroactive effect except to the extent that they specifically so provide and shall not be construed as affecting in any way the rights and relations obtained by any decree of adoption entered prior to the date of the enactment of this Act, and all proceedings instituted and pending on the date of the enactment of this Act shall be carried to their final determination in accordance with the Act repealed by the preceding subsection, and all orders and decrees entered therein shall remain valid and binding on all parties thereby affected.

(c) If any provisions of this Act, or the applicability thereof to any person or set of circumstances, is held invalid, the remainder of this Act and the applicability thereof to other persons and sets of circumstances shall not thereby be affected.

Approved June 8, 1954.

Public Law 393

CHAPTER 273

AN ACT

To amend the Act of April 22, 1944, which regulates the placement of children in family homes in the District of Columbia.

June 8, 1954
[H. R. 7062]

D. C. child
placement in fam-
ily homes.

58 Stat. 193.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to regulate the placing of children in family homes, and for other purposes", approved April 22, 1944 (32 D. C. Code, sec. 783), is amended to read as follows:

"SEC. 3. Within sixty days after the date of the enactment of section 12 of this Act, the Commissioners shall appoint, after consultation with the Department of Public Welfare, a committee 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 two representatives of the Department of Public Welfare of the District of Columbia, one of whom shall act as chairman, a member of the staff of the Department of Health of the District of Columbia, two representatives from each of the charitable organizations of the District of Columbia licensed to place children in family homes, a member of the legal profession, and a member of the medical profession. The terms of office of each member of the committee shall be three years, except that—

Committee to
formulate stand-
ards, etc.

"(1) the terms of office of the members first taking office shall expire, as designated by the Commissioners at the time of appointment, approximately one-third at the end of one year, approximately one-third at the end of two years, and approximately one-third at the end of three years, after the date of the enactment of section 12;

Terms of office.

"(2) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and

"(3) upon the expiration of his term of office a member shall continue to serve until his successor is appointed and has qualified. The rules and regulations prescribing standards of placement, care, and services to be required of child-placing agencies shall be reviewed by the committee annually and, subject to the approval of the Commissioners, may be amended when deemed necessary."

SEC. 2. The last paragraph of section 4 of such Act is amended by striking out "from the date of the passage of this Act".

D. C. Code 32-
784.

SEC. 3. The last paragraph of section 5 of such Act is amended to read as follows:

D. C. Code 32-
785.

"Records which are deemed confidential shall not be available for inspection by nor disclosed to any person, firm, corporation, association, or public agency, except that such records shall be available for inspection by authorities authorized by law to license child-placing agencies. Such records shall not be subject to judicial subpoena in collateral proceedings, except that the licensed child-placing agency and the Commissioners, in accordance with rules and regulations promulgated hereunder, may make such records, or any information contained in such records, available (1) when the Commissioners or such agency determines that any information contained in such records shall promote or protect the interest and welfare of any child the Commissioners or such agency has served, and (2) for the purpose of research if adequate safeguards are taken against the disclosure or publication in any manner of the identity of any person contained in such records."

Confidential
records.

SEC. 4. Such Act is amended by inserting immediately after section 5 the following new section:

"SEC. 5A. Notwithstanding the provisions of this Act, the Commissioners are authorized to enter into agreements with any person, firm, corporation, association, or public agency licensed or authorized by a State or country for the care and placement of minors, permitting such person, firm, corporation, association, or public agency to place

Nonresident
children.

D. C. Code 32-
783.
D. C. Code 32-
786.

nonresident children in foster or adopting homes in the District of Columbia. The Commissioners shall act pursuant to regulations promulgated as provided in section 3 of this Act."

SEC. 5. (a) Section 6 of such Act is amended by striking out the second sentence thereof and inserting in lieu thereof the following new sentence: "Minority of a natural parent shall not be a bar to such parent's relinquishment to a licensed agency. Any relinquishment of parental rights other than by court order as provided above, may be revoked upon the written consent of all the parties to said relinquishment and any such relinquishment may be transferred from one licensed child-placing agency to another licensed child-placing agency, in which case the second agency shall assume all the rights and duties of the first agency. For the purposes of this section, 'licensed child-placing agency' shall mean any child-placing agency licensed pursuant to this Act or any child-placing agency licensed or authorized by another State or country for the care and placement of minors. Such transfer or relinquishment shall be filed in the Office of the Clerk of the United States District Court for the District of Columbia, as hereinafter provided in this section."

(b) Section 6 of such Act is further amended by inserting "(a)" after "SEC. 6." and by adding at the end thereof the following new subsection:

"(b) The Commissioners or their designated agents are empowered to accept permanent care and guardianship of any child by a legally executed relinquishment of parental rights and when vested with such parental rights shall exercise them in the same manner as prescribed herein for a licensed child-placing agency. Such parental relinquishment taken by the Commissioners or their designated agents shall be subject to the same rights and requirements as to form, transfer, and disposition as are prescribed herein for a licensed child-placing agency."

SEC. 6. Such Act is amended by adding at the end thereof the following new section:

Service charges.
Restrictions.

"SEC. 12. Neither the Commissioners nor any child-placing agency authorized to perform services in connection with placing a child in a family home for adoption may make or receive any charge or compensation whatsoever for such services, except that a licensed child-placing agency which is organized and operated exclusively for religious or charitable purposes and no part of the net earnings of which can inure to the benefit of any private shareholder or individual, may be allowed to charge adoptive parents, within prescribed limits, for such services an amount not to exceed the average costs incurred; such average costs and prescribed limits to be determined in accordance with rules and regulations promulgated by the committee created by section 3. Inability of adoptive applicants to pay for all or any part of such costs shall not be a disqualifying factor in determining whether applicants are suitable parents for the child."

D. C. Code 32-
783.

Effective date.

SEC. 7. The amendments made by this Act shall take effect four months after the date of its enactment, except that the amendment made by the first section shall take effect on the date of the enactment of this Act.

Approved June 8, 1954.