

1996—Subsec. (a). Pub. L. 104-235, §104(1), amended heading and text generally. Prior to amendment, text read as follows: “Before the end of the 2-year period beginning on April 25, 1988, the Secretary shall through the Center, or by contract of no less than 3 years duration let through a competition, establish a national clearinghouse for information relating to child abuse.”

Subsec. (b). Pub. L. 104-235, §104(2)(A), substituted “Secretary” for “Director” in introductory provisions.

Subsec. (b)(1). Pub. L. 104-235, §104(2)(B)(ii), which directed striking out “, including” and all that followed and inserting “; and”, was executed to reflect the probable intent of Congress by substituting “; and” for “, including the information provided by the National Center for Child Abuse and Neglect under section 5105(b) of this title;” which was all that followed “, including” the second place it appeared.

Pub. L. 104-235, §104(2)(B)(ii), inserted “assessment,” after “prevention.”

Subsec. (b)(2). Pub. L. 104-235, §104(2)(C), substituted “United States” for “general population” in subpar. (A) and struck out subpar. (D) which read as follows: “State and local recordkeeping with respect to such cases; and”.

Subsec. (b)(3). Pub. L. 104-235, §104(2)(D), struck out par. (3) which read as follows: “directly or through contract, identify effective programs carried out by the States pursuant to subchapter III of this chapter and provide technical assistance to the States in the implementation of such programs.”

Subsec. (c)(1). Pub. L. 104-235, §104(3)(A), designated existing provisions as par. (1), inserted heading, and substituted “Secretary” for “Director” in introductory provisions. Former par. (1) redesignated (1)(A).

Subsec. (c)(1)(A). Pub. L. 104-235, §104(3)(B), redesignated par. (1) as (1)(A) and realigned margin.

Subsec. (c)(1)(B). Pub. L. 104-235, §104(3)(B), (C), redesignated par. (2) as (1)(B), realigned margin, and substituted “involved with child abuse and neglect and mechanisms for the sharing of such information among other Federal agencies and clearinghouses” for “that is represented on the task force”.

Subsec. (c)(1)(C). Pub. L. 104-235, §104(3)(B), (C), redesignated par. (3) as (1)(C), realigned margin, and substituted “Federal, State, regional, and local child welfare data systems which shall include—

“(i) standardized data on false, unfounded, unsubstantiated, and substantiated reports; and

“(ii) information on the number of deaths due to child abuse and neglect;”

for “State, regional, and local data systems; and”.

Subsec. (c)(1)(D). Pub. L. 104-235, §104(3)(F), added subpar. (D). Former subpar. (D) redesignated (F).

Pub. L. 104-235, §104(3)(B), redesignated par. (4) as (1)(D) and realigned margin.

Subsec. (c)(1)(E). Pub. L. 104-235, §104(3)(F), added subpar. (E).

Subsec. (c)(1)(F). Pub. L. 104-235, §104(3)(E), redesignated subpar. (D) as (F).

Subsec. (c)(2). Pub. L. 104-235, §104(3)(G), added par. (2). Former par. (2) redesignated (1)(B).

Subsec. (c)(3), (4). Pub. L. 104-235, §104(3)(B), redesignated pars. (3) and (4) as (1)(C) and (1)(D), respectively.

1989—Subsec. (b)(1). Pub. L. 101-126, §3(b)(2)(A), made technical amendment to reference to section 5105(b) of this title to reflect renumbering of corresponding section of original act.

Subsec. (b)(2)(B). Pub. L. 101-126, §3(b)(2)(B), inserted “of the Child Abuse Prevention, Adoption, and Family Services Act of 1988” after “section 105(a)(1)”.

Subsec. (b)(3). Pub. L. 101-126, §6, added par. (3).

1988—Pub. L. 100-294 amended section generally, substituting provisions relating to national clearinghouse for information relating to child abuse for provisions relating to authorization of appropriations and funding requirements for child abuse and neglect and sexual abuse programs and projects. See section 5106h of this title.

1984—Pub. L. 98-457, §104(a), struck out designation “(a)” before “There are hereby authorized”, inserted

provisions authorizing appropriations of \$33,500,000 for fiscal year 1984, \$40,000,000 for fiscal year 1985, \$41,500,000 for fiscal year 1986, and \$43,100,000 for fiscal year 1987, and substituted “this section except as provided in the succeeding sentence, (A) not less than \$9,000,000 shall be available in each fiscal year to carry out section 5103(b) of this title (relating to State grants), (B) not less than \$11,000,000 shall be available in each fiscal year to carry out sections 5103(a) (relating to demonstration or service projects), 5101(b)(1) and 5101(b)(3) (relating to information dissemination), 5101(b)(5) (relating to research), and 5103(c)(2) (relating to training, technical assistance, and information dissemination) of this title, giving special consideration to continued funding of child abuse and neglect programs or projects (previously funded by the Department of Health and Human Services) of national or regional scope and demonstrated [sic] effectiveness, (C) \$5,000,000 shall be available in each such year for grants and contracts under section 5103(a) of this title for identification, treatment, and prevention of sexual abuse, and (D) \$5,000,000 shall be available in each such year for the purpose of making additional grants to the States to carry out the provisions of section 5103(c)(1) of this title. With respect to any fiscal year in which the total amount appropriated under this section is less than \$30,000,000, funds shall first be available as provided in clauses (A) and (B) in the preceding sentence and of the remainder one-half shall be available as provided for in clause (C) and one-half as provided for in clause (D) in the preceding sentence” for “this section, not less than 50 per centum shall be used for making grants or contracts under sections 5101(b)(5) of this title (relating to research) and 5103(a) of this title (relating to demonstration or service projects), giving special consideration to continued Federal funding of child abuse and neglect programs or projects (previously funded by the Department of Health, Education, and Welfare) of national or regional scope and demonstrated effectiveness, of not less than 25 per centum shall be used for making grants or contracts under section 5103(b)(1) of this title (relating to grants to States) for the fiscal years ending September 30, 1978, and September 30, 1979, respectively, and not less than 30 per centum shall be used for making grants or contracts under section 5103(b)(1) of this title (relating to grants to States) for each of the fiscal years ending September 30, 1980, and September 30, 1981, respectively”.

Pub. L. 98-457, §104(b), struck out subsec. (b) which authorized appropriations for fiscal years ending Sept. 30, 1978, Sept. 30, 1979, Sept. 30, 1980, and Sept. 30, 1981, respectively, for purpose of making grants and entering into contracts for programs and projects designed to prevent, identify, and treat sexual abuse of children.

1978—Pub. L. 95-266 designated existing provisions as subsec. (a), inserted provisions authorizing appropriations for fiscal year ending Sept. 30, 1978, through fiscal year ending Sept. 30, 1981, and provisions setting forth funding requirements for child abuse and neglect programs and projects, and added subsec. (b).

## § 5105. Research and assistance activities

### (a) Research

#### (1) Topics

The Secretary shall, in consultation with other Federal agencies and recognized experts in the field, carry out a continuing interdisciplinary program of research, including longitudinal research, that is designed to provide information needed to better protect children from child abuse or neglect and to improve the well-being of victims of child abuse or neglect, with at least a portion of such research being field initiated. Such research program may focus on—

(A) the nature and scope of child abuse and neglect;

(B) causes, prevention, assessment, identification, treatment, cultural and socio-economic distinctions, and the consequences of child abuse and neglect, including the effects of child abuse and neglect on a child's development and the identification of successful early intervention services or other services that are needed;

(C) effective approaches to improving the relationship and attachment of infants and toddlers who experience child abuse or neglect with their parents or primary caregivers in circumstances where reunification is appropriate;

(D) appropriate, effective and culturally sensitive investigative, administrative, and judicial systems, including multidisciplinary, coordinated decisionmaking procedures with respect to cases of child abuse and neglect;

(E) the evaluation and dissemination of best practices, including best practices to meet the needs of special populations, consistent with the goals of achieving improvements in the child protective services systems of the States in accordance with paragraphs (1) through (14) of section 5106a(a) of this title;

(F) effective approaches to interagency collaboration between the child protection system and the juvenile justice system that improve the delivery of services and treatment, including methods for continuity of treatment plan and services as children transition between systems;

(G) effective practices and programs to improve activities such as identification, screening, medical diagnosis, forensic diagnosis, health evaluations, and services, including activities that promote collaboration between—

(i) the child protective service system; and

(ii)(I) the medical community, including providers of mental health and developmental disability services; and

(II) providers of early childhood intervention services and special education for children who have been victims of child abuse or neglect;

(H) an evaluation of the redundancies and gaps in the services in the field of child abuse and neglect prevention in order to make better use of resources;

(I) effective collaborations, between the child protective system and domestic violence service providers, that provide for the safety of children exposed to domestic violence and their nonabusing parents and that improve the investigations, interventions, delivery of services, and treatments provided for such children and families;

(J) the nature, scope, and practice of voluntary relinquishment for foster care or State guardianship of low-income children who need health services, including mental health services;

(K) the impact of child abuse and neglect on the incidence and progression of disabilities;

(L) the nature and scope of effective practices relating to differential response, in-

cluding an analysis of best practices conducted by the States;

(M) child abuse and neglect issues facing Indians, Alaska Natives, and Native Hawaiians, including providing recommendations for improving the collection of child abuse and neglect data from Indian tribes and Native Hawaiian communities;

(N) the information on the national incidence of child abuse and neglect specified in clauses (i) through (x)<sup>1</sup> of subparagraph (O); and

(O) the national incidence of child abuse and neglect, including—

(i) the extent to which incidents of child abuse and neglect are increasing or decreasing in number and severity;

(ii) the incidence of substantiated and unsubstantiated reported child abuse and neglect cases;

(iii) the number of substantiated cases that result in a judicial finding of child abuse or neglect or related criminal court convictions;

(iv) the extent to which the number of unsubstantiated, unfounded and false reported cases of child abuse or neglect have contributed to the inability of a State to respond effectively to serious cases of child abuse or neglect;

(v) the extent to which the lack of adequate resources and the lack of adequate training of individuals required by law to report suspected cases of child abuse and neglect have contributed to the inability of a State to respond effectively to serious cases of child abuse and neglect;

(vi) the number of unsubstantiated, false, or unfounded reports that have resulted in a child being placed in substitute care, and the duration of such placement;

(vii) the extent to which unsubstantiated reports return as more serious cases of child abuse or neglect;

(viii) the incidence and prevalence of physical, sexual, and emotional abuse and physical and emotional neglect in substitute care;

(ix) the incidence and prevalence of child maltreatment by a wide array of demographic characteristics such as age, sex, race, family structure, household relationship (including the living arrangement of the resident parent and family size), school enrollment and education attainment, disability, grandparents as caregivers, labor force status, work status in previous year, and income in previous year;

(x) the extent to which reports of suspected or known instances of child abuse or neglect involving a potential combination of jurisdictions, such as intrastate, interstate, Federal-State, and State-Tribal, are being screened out solely on the basis of the cross-jurisdictional complications; and

(xi) the incidence and outcomes of child abuse and neglect allegations reported

<sup>1</sup>So in original. Probably should refer to clauses (i) through (xi).

within the context of divorce, custody, or other family court proceedings, and the interaction between this venue and the child protective services system.

**(2) Research**

The Secretary shall conduct research on the national incidence of child abuse and neglect, including the information on the national incidence on child abuse and neglect specified in clauses (i) through (xi) of paragraph (1)(O).

**(3) Report**

Not later than 4 years after December 20, 2010, the Secretary shall prepare and submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate a report that contains the results of the research conducted under paragraph (2).

**(4)<sup>2</sup> Priorities**

**(A) In general**

The Secretary shall establish research priorities for making grants or contracts for purposes of carrying out paragraph (1).

**(B) Public comment**

Not later than 1 years<sup>3</sup> after December 20, 2010, and every 2 years thereafter, the Secretary shall provide an opportunity for public comment concerning the priorities proposed under subparagraph (A) and maintain an official record of such public comment.

**(4)<sup>2</sup> Study on shaken baby syndrome**

The Secretary shall conduct a study that—

(A) identifies data collected on shaken baby syndrome;

(B) determines the feasibility of collecting uniform, accurate data from all States regarding—

(i) incidence rates of shaken baby syndrome;

(ii) characteristics of perpetrators of shaken baby syndrome, including age, gender, relation to victim, access to prevention materials and resources, and history of substance abuse, domestic violence, and mental illness; and

(iii) characteristics of victims of shaken baby syndrome, including gender, date of birth, date of injury, date of death (if applicable), and short- and long-term injuries sustained.

**(b) Provision of technical assistance**

**(1) In general**

The Secretary shall provide technical assistance to State and local public and private agencies and community-based organizations, including disability organizations and persons who work with children with disabilities and providers of mental health, substance abuse treatment, and domestic violence prevention services, to assist such agencies and organizations in planning, improving, developing, and carrying out programs and activities, includ-

ing replicating successful program models, relating to the prevention, assessment, identification, and treatment of child abuse and neglect.

**(2) Evaluation**

Such technical assistance may include an evaluation or identification of—

(A) various methods and procedures for the investigation, assessment, and prosecution of child physical and sexual abuse cases;

(B) ways to mitigate psychological trauma to the child victim;

(C) effective programs carried out by the States under this subchapter and subchapter III of this chapter; and

(D) effective approaches being utilized to link child protective service agencies with health care, mental health care, and developmental services to improve forensic diagnosis and health evaluations, and barriers and shortages to such linkages.

**(3) Dissemination**

The Secretary may provide for and disseminate information relating to various training resources available at the State and local level to—

(A) individuals who are engaged, or who intend to engage, in the prevention, identification, and treatment of child abuse and neglect; and

(B) appropriate State and local officials to assist in training law enforcement, legal, judicial, medical, mental health, education, child welfare, substance abuse, and domestic violence services personnel in appropriate methods of interacting during investigative, administrative, and judicial proceedings with children who have been subjected to, or whom the personnel suspect have been subjected to, child abuse or neglect.

**(c) Authority to make grants or enter into contracts**

**(1) In general**

The functions of the Secretary under this section may be carried out either directly or through grant or contract.

**(2) Duration**

Grants under this section shall be made for periods of not more than 5 years.

**(3) Preference for long-term studies**

In making grants for purposes of conducting research under subsection (a) of this section, the Secretary shall give special consideration to applications for long-term projects.

**(d) Peer review for grants**

**(1) Establishment of peer review process**

**(A) In general**

To enhance the quality and usefulness of research in the field of child abuse and neglect, the Secretary shall, in consultation with experts in the field and other Federal agencies, establish a formal, rigorous, and meritorious peer review process for purposes of evaluating and reviewing applications for assistance through a grant or contract under this section and determining the relative

<sup>2</sup>So in original. There are two pars. designated "(4)".

<sup>3</sup>So in original. Probably should be "year".

merits of the project for which such assistance is requested.

**(B) Members**

In establishing the process required by subparagraph (A), the Secretary shall only appoint to the peer review panels members who—

- (i) are experts in the field of child abuse and neglect or related disciplines, with appropriate expertise related to the applications to be reviewed; and
- (ii) are not individuals who are officers or employees of the Administration for Children and Families.

**(C) Meetings**

The peer review panels shall meet as often as is necessary to facilitate the expeditious review of applications for grants and contracts under this section, but shall meet not less often than once a year.

**(D) Criteria and guidelines**

The Secretary shall ensure that the peer review panel utilizes scientifically valid review criteria and scoring guidelines in the review of the applications for grants and contracts.

**(2) Review of applications for assistance**

Each peer review panel established under paragraph (1)(A) that reviews any application for a grant shall—

- (A) determine and evaluate the merit of each project described in such application;
- (B) rank such application with respect to all other applications it reviews in the same priority area for the fiscal year involved, according to the relative merit of all of the projects that are described in such application and for which financial assistance is requested; and
- (C) make recommendations to the Secretary concerning whether the application for the project shall be approved.

The Secretary shall award grants under this section on the basis of competitive review.

**(3) Notice of approval**

**(A) Meritorious projects**

The Secretary shall provide grants and contracts under this section from among the projects which the peer review panels established under paragraph (1)(A) have determined to have merit.

**(B) Explanation**

In the instance in which the Secretary approves an application for a program without having approved all applications ranked above such application (as determined under paragraph (2)(B)), the Secretary shall append to the approved application a detailed explanation of the reasons relied on for approving the application and for failing to approve each pending application that is superior in merit, as indicated on the list under paragraph (2)(B).

**(e) Demonstration programs and projects**

The Secretary may award grants to, and enter into contracts with, entities that are States, In-

dian tribes or tribal organizations, or public or private agencies or organizations (or combinations of such entities) for time-limited, demonstration projects for the following:

**(1) Promotion of safe, family-friendly physical environments for visitation and exchange**

The Secretary may award grants under this subsection to entities to assist such entities in establishing and operating safe, family-friendly physical environments—

- (A) for court-ordered, supervised visitation between children and abusing parents; and
- (B) to facilitate the safe exchange of children for visits with noncustodial parents in cases of domestic violence.

**(2) Education identification, prevention, and treatment**

The Secretary may award grants under this subsection to entities for projects that provide educational identification, prevention, and treatment services in cooperation with child care and early childhood education and care providers, preschools, and elementary and secondary schools.

**(3) Risk and safety assessment tools**

The Secretary may award grants under this subsection to entities for projects that provide for the development of research-based strategies for risk and safety assessments relating to child abuse and neglect.

**(4) Training**

The Secretary may award grants under this subsection to entities for projects that involve research-based strategies for innovative training for mandated child abuse and neglect reporters.

(Pub. L. 93-247, title I, § 104, formerly § 6, Jan. 31, 1974, 88 Stat. 7; Pub. L. 95-266, title I, § 105, Apr. 24, 1978, 92 Stat. 207; Pub. L. 98-457, title I, § 105, Oct. 9, 1984, 98 Stat. 1751; Pub. L. 99-401, title I, § 104, Aug. 27, 1986, 100 Stat. 906; Pub. L. 100-294, title I, § 101, Apr. 25, 1988, 102 Stat. 106; renumbered title I, § 105, and amended Pub. L. 101-126, § 3(a)(1), (2), (b)(3), Oct. 25, 1989, 103 Stat. 764, 765; Pub. L. 102-295, title I, §§ 112, 141(5), May 28, 1992, 106 Stat. 190, 200; renumbered § 104 and amended Pub. L. 104-235, title I, §§ 105, 113(a)(1)(A), Oct. 3, 1996, 110 Stat. 3067, 3079; Pub. L. 108-36, title I, § 112, June 25, 2003, 117 Stat. 803; Pub. L. 111-320, title I, § 113, Dec. 20, 2010, 124 Stat. 3462.)

PRIOR PROVISIONS

A prior section 104 of Pub. L. 93-247 was renumbered section 103 and is classified to section 5104 of this title.

AMENDMENTS

2010—Subsec. (a)(1). Pub. L. 111-320, § 113(a)(1)(A), substituted “from child abuse or neglect and to improve the well-being of victims of child abuse or neglect” for “from abuse or neglect and to improve the well-being of abused or neglected children” in introductory provisions.

Subsec. (a)(1)(B). Pub. L. 111-320, § 113(a)(1)(B), substituted “child abuse and neglect on” for “abuse and neglect on”.

Subsec. (a)(1)(C) to (N). Pub. L. 111-320, § 113(a)(1)(C)–(K), added subpars. (C), (G), (I), and (K) to (M), redesignated subpars. (C), (D), (E), (F), (G), and (H) as (D), (E), (F), (H), (J), and (N), respectively, in subpar. (D), inserted “and neglect” before semicolon at end, in

subpar. (E), inserted “, including best practices to meet the needs of special populations,” after “best practices” and substituted “(14)” for “(12)”, in subpar. (J), substituted “low-income” for “low income”, and, in subpar. (N), substituted “clauses (i) through (x) of subparagraph (O)” for “clauses (i) through (xi) of subparagraph (H)”. Former subpar. (I) redesignated (O).

Subsec. (a)(1)(O). Pub. L. 111-320, §113(a)(1)(C), (L), redesignated subpar. (I) as (O), in cls. (i) and (ii), inserted “and neglect” after “abuse”, in cl. (v), substituted “child abuse and neglect have” for “child abuse have”, added cl. (x) and redesignated former cl. (x) as (xi), and, in cl. (xi), substituted “child abuse and neglect” for “abuse”.

Subsec. (a)(2). Pub. L. 111-320, §113(a)(2), substituted “clauses (i) through (xi) of paragraph (1)(O)” for “subparagraphs (i) through (ix) of paragraph (1)(I)”.

Subsec. (a)(3). Pub. L. 111-320, §113(a)(3), substituted “December 20, 2010” for “June 25, 2003”.

Subsec. (a)(4). Pub. L. 111-320, §113(a)(5), added par. (4) relating to study on shaken baby syndrome.

Pub. L. 111-320, §113(a)(4), in par. (4) relating to priorities, inserted subpar. headings and, in subpar. (B), substituted “Not later than 1 years after December 20, 2010” for “Not later than 2 years after June 25, 2003”.

Subsec. (b)(1). Pub. L. 111-320, §113(b)(1), inserted “and providers of mental health, substance abuse treatment, and domestic violence prevention services” after “disabilities”.

Subsec. (b)(3)(B). Pub. L. 111-320, §113(b)(2), substituted “child welfare, substance abuse, and domestic violence services personnel” for “and child welfare personnel” and “subjected to, or whom the personnel suspect have been subjected to, child abuse or neglect.” for “subjected to abuse.”

Subsec. (d)(1)(A). Pub. L. 111-320, §113(c)(1)(A), added subpar. (A) and struck out former subpar. (A) which read as follows: “The Secretary shall, in consultation with experts in the field and other federal agencies, establish a formal, rigorous, and meritorious peer review process for purposes of evaluating and reviewing applications for grants under this section and determining the relative merits of the projects for which such assistance is requested. The purpose of this process is to enhance the quality and usefulness of research in the field of child abuse and neglect.”

Subsec. (d)(1)(B) to (D). Pub. L. 111-320, §113(c)(1)(B), added subpars. (B) to (D) and struck out former subpar. (B) which read as follows: “In establishing the process required by subparagraph (A), the Secretary shall appoint to the peer review panels only members who are experts in the field of child abuse and neglect or related disciplines, with appropriate expertise in the application to be reviewed, and who are not individuals who are officers or employees of the Administration on Children and Families. The panels shall meet as often as is necessary to facilitate the expeditious review of applications for grants and contracts under this section, but may not meet less than once a year. The Secretary shall ensure that the peer review panel utilizes scientifically valid review criteria and scoring guidelines for review committees.”

Subsec. (d)(3). Pub. L. 111-320, §113(c)(2), inserted subpar. headings.

Subsec. (e). Pub. L. 111-320, §113(d)(1), substituted “entities that are States, Indian tribes or tribal organizations, or” for “States or” and “such entities” for “such agencies or organizations” in introductory provisions.

Subsec. (e)(1)(B). Pub. L. 111-320, §113(d)(2), substituted “facilitate the safe” for “safely facilitate the”.

Subsec. (e)(2). Pub. L. 111-320, §113(d)(3), inserted “child care and early childhood education and care providers,” after “in cooperation with” and substituted “preschools,” for “preschool”.

2003—Subsec. (a)(1). Pub. L. 108-36, §112(a)(1)(A), inserted “, including longitudinal research,” after “interdisciplinary program of research” in introductory provisions.

Subsec. (a)(1)(B). Pub. L. 108-36, §112(a)(1)(B), inserted before semicolon “, including the effects of abuse and neglect on a child’s development and the identification of successful early intervention services or other services that are needed”.

Subsec. (a)(1)(C). Pub. L. 108-36, §112(a)(1)(C), substituted “judicial systems, including multidisciplinary, coordinated decisionmaking procedures” for “judicial procedures” and struck out “and” at end.

Subsec. (a)(1)(D). Pub. L. 108-36, §112(a)(1)(F), added subpar. (D). Former subpar. (D) redesignated (I).

Subsec. (a)(1)(D)(ix), (x). Pub. L. 108-36, §112(a)(1)(D), added cl. (ix) and redesignated former cl. (ix) as (x).

Subsec. (a)(1)(E) to (H). Pub. L. 108-36, §112(a)(1)(F), added subpars. (E) to (H).

Subsec. (a)(1)(I). Pub. L. 108-36, §112(a)(1)(E), redesignated subpar. (D) as (I).

Subsec. (a)(2). Pub. L. 108-36, §112(a)(4), added par. (2). Former par. (2) redesignated (4) relating to priorities.

Subsec. (a)(2)(B). Pub. L. 108-36, §112(a)(2), added subpar. (B) and struck out former subpar. (B) which read as follows: “In establishing research priorities as required by subparagraph (A), the Secretary shall—

“(i) publish proposed priorities in the Federal Register for public comment; and

“(ii) allow not less than 60 days for public comment on such proposed priorities.”

Subsec. (a)(3). Pub. L. 108-36, §112(a)(4), added par. (3). Subsec. (a)(4). Pub. L. 108-36, §112(a)(3), redesignated par. (2) as (4) relating to priorities.

Subsec. (b)(1). Pub. L. 108-36, §112(b)(1), substituted “private agencies and community-based” for “non-profit private agencies and” and inserted “, including replicating successful program models,” after “programs and activities”.

Subsec. (b)(2)(D). Pub. L. 108-36, §112(b)(2), added subpar. (D).

Subsec. (e). Pub. L. 108-36, §112(c), added subsec. (e). 1996—Pub. L. 104-235, §105(f), struck out “of the National Center on Child Abuse and Neglect” after “activities” in section catchline.

Subsec. (a)(1). Pub. L. 104-235, §105(a)(1)(A), in introductory provisions, substituted “, in consultation with other Federal agencies and recognized experts in the field, carry out a continuing interdisciplinary program of research that is designed to provide information needed to better protect children from abuse or neglect and to improve the well-being of abused or neglected children, with at least a portion of such research being field initiated. Such research program may focus on” for “, through the Center, conduct research on”.

Subsec. (a)(1)(A). Pub. L. 104-235, §105(a)(1)(C), added subpar. (A). Former subpar. (A) redesignated (B).

Subsec. (a)(1)(B). Pub. L. 104-235, §105(a)(1)(B), (D), redesignated subpar. (A) as (B) and amended it generally. Prior to amendment, subpar. (B) read as follows: “the causes, prevention, identification,, treatment and cultural distinctions of child abuse and neglect.”. Former subpar. (B) redesignated (C).

Subsec. (a)(1)(C). Pub. L. 104-235, §105(a)(1)(B), redesignated subpar. (B) as (C). Former subpar. (C) redesignated (D).

Subsec. (a)(1)(D). Pub. L. 104-235, §105(a)(1)(B), (E), redesignated subpar. (C) as (D), struck out cl. (ii), redesignated cl. (iii) as (ii) and amended it generally, and added cls. (iii) to (ix). Prior to amendment, cls. (ii) and (iii) read as follows:

“(i) the relationship of child abuse and neglect to nonpayment of child support, cultural diversity, disabilities, and various other factors; and

“(iii) the incidence of substantiated reported child abuse cases that result in civil child protection proceedings or criminal proceedings, including the number of such cases with respect to which the court makes a finding that abuse or neglect exists and the disposition of such cases.”

Subsec. (a)(2). Pub. L. 104-235, §105(a)(2), struck out “and demonstration” after “research”, substituted “paragraph (1)” for “paragraph (1)(A) and activities under section 5106 of this title” in subpar. (A) and

struck out “and demonstration” after “research” in introductory provisions of subpar. (B).

Subsec. (b). Pub. L. 104-235, §105(b), (c), redesignated subsec. (c) as (b)(1), inserted par. heading, struck out “, through the Center,” after “Secretary shall”, inserted “State and local” before “public and nonprofit” and “assessment,” before “identification”, added pars. (2) and (3), and struck out heading and text of former subsec. (b) consisting of pars. (1) to (5) which related to publication and dissemination of information.

Subsec. (c). Pub. L. 104-235, §105(d), redesignated subsec. (d) as (c) and in par. (2) struck out at end “The Secretary shall review each such grant at least annually, utilizing peer review mechanisms to assure the quality and progress of research conducted under such grant.” Former subsec. (c) redesignated (b).

Subsec. (d). Pub. L. 104-235, §105(e), redesignated subsec. (e) as (d), in par. (1)(A) substituted “, in consultation with experts in the field and other federal agencies, establish a formal, rigorous, and meritorious” for “establish a formal”, struck out “and contracts” after “for grants”, and inserted at end “The purpose of this process is to enhance the quality and usefulness of research in the field of child abuse and neglect.”, in par. (1)(B) substituted “Administration on Children and Families” for “Office of Human Development” and inserted at end “The Secretary shall ensure that the peer review panel utilizes scientifically valid review criteria and scoring guidelines for review committees.”, in par. (2) struck out “, contract, or other financial assistance” after “grant” in introductory provisions and inserted “The Secretary shall award grants under this section on the basis of competitive review.” as concluding provisions, and in par. (3)(B) substituted “paragraph (2)(B)” for “subsection (e)(2)(B) of this section” in two places. Former subsec. (d) redesignated (c).

Subsec. (e). Pub. L. 104-235, §105(e)(1), redesignated subsec. (e) as (d).

1992—Subsec. (a)(1)(A). Pub. L. 102-295, §112(a)(1), substituted “, treatment and cultural distinctions of” for “and treatment of”.

Subsec. (a)(1)(B). Pub. L. 102-295, §112(a)(2), substituted “appropriate, effective and culturally sensitive” for “appropriate and effective”.

Subsec. (a)(1)(C)(ii). Pub. L. 102-295, §§112(a)(3), 141(5), substituted “child support, cultural diversity, disabilities” for “child support, handicaps”.

Subsec. (b)(1). Pub. L. 102-295, §112(b), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “as a part of research activities establish a national data collection and analysis program, which, to the extent practical, coordinates existing State child abuse and neglect reports and which shall include—

“(A) standardized data on false, unfounded, or unsubstantiated reports; and

“(B) information on the number of deaths due to child abuse and neglect.”.

Subsec. (c). Pub. L. 102-295, §141(5), substituted “disabilities” for “handicaps”.

Subsec. (e)(1)(A). Pub. L. 102-295, §112(c)(1)(A), inserted “and reviewing” after “evaluating”.

Subsec. (e)(1)(B). Pub. L. 102-295, §112(c)(1)(B), amended subpar. (B) generally. Prior to amendment, subpar. (B) read as follows: “Members of peer review panels shall be appointed by the Secretary from among individuals who are not officers or employees of the Office of Human Development Services. In making appointments to such panels, the Secretary shall include only experts in the field of child abuse and neglect.”

Subsec. (e)(2)(A). Pub. L. 102-295, §112(c)(2)(A), inserted “and evaluate” after “determine”.

Subsec. (e)(2)(C). Pub. L. 102-295, §112(c)(2)(B), added subpar. (C).

Subsec. (e)(3)(A). Pub. L. 102-295, §112(c)(3), amended subpar. (A) generally. Prior to amendment, subpar. (A) read as follows: “At the end of each application process, the Secretary shall make available upon request, no later than 14 days after the request, to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Re-

sources of the Senate the list which identifies all applications reviewed by such panel and arranges such applications according to rank determined under paragraph (2) and a list of all applications funded.”

1989—Subsecs. (a)(2)(A), (b)(3). Pub. L. 101-126, §3(b)(3), made technical amendments to references to sections 5104, 5106, and 5106c of this title to reflect renumbering of corresponding sections of original act.

1988—Pub. L. 100-294 amended section generally, substituting provisions relating to research and assistance activities of the National Center on Child Abuse and Neglect for provisions relating to Advisory Board on Child Abuse and Neglect. See section 5102 of this title.

1986—Subsec. (a). Pub. L. 99-401, §104(1), inserted after first sentence “The Advisory Board shall meet at least every six months.”

Pub. L. 99-401, §104(2), which directed that subsec. (a) be amended by inserting “in order to prevent unnecessary duplication of such programs, to ensure efficient allocation of resources, and to assure that programs effectively address all aspects of the child abuse problem” after “Board” in second sentence, was executed by inserting provision after “Advisory Board” the first time that term appeared in what constituted the second sentence before a new second sentence was added by section 104(1) of Pub. L. 99-401.

1984—Subsec. (a). Pub. L. 98-457, §105(a), (b), struck out “, including the Office of Child Development, the Department of Education, the National Institute of Education, the National Institute of Mental Health, the National Institute of Child Health and Human Development, the Social and Rehabilitation Service, and the Health Services Administration,” before “and not less than three members”, and inserted provision that the Advisory Board may be available, at the Secretary’s request, to assist the Secretary in coordinating adoption-related activities of the Federal Government.

Subsecs. (b), (c). Pub. L. 98-457, §105(c), redesignated subsec. (c) as (b) and struck out former subsec. (b) which required the Board to review the comprehensive plan submitted to it by the Center pursuant to section 5101(b)(7) of this title, make such changes as it deemed appropriate, and submit to the President and the Congress a final such plan not later than eighteen months after April 24, 1978.

1978—Subsec. (a). Pub. L. 95-266, §105(1), (2), inserted requirement for representation from the general public, and “planned,” before “administered” in two places.

Subsec. (b). Pub. L. 95-266, §105(3), substituted provisions relating to review of the plan by the Advisory Board and submission to the President and Congress of a final plan, for provisions relating to a report by the Advisory Board on assisted programs, etc., and submission to the President and Congress.

Subsec. (c). Pub. L. 95-266, §105(3), substituted provisions setting forth compensation and travel expense allowance authorizations for members of the Board, for provisions authorizing use of appropriated funds for required report.

#### CHILD ABUSE AND DISABILITY

Section 102 of Pub. L. 100-294 directed Director of National Center on Child Abuse and Neglect to conduct a study of incidence of child abuse among children with handicaps, including children in out-of-home placements, the relationship between child abuse and children’s handicapping conditions, and incidence of children who have developed handicapping conditions as a result of child abuse or neglect, and not later than 2 years after Apr. 25, 1988, to report to appropriate committees of Congress with respect to the study, such report to include information and data gathered, an analysis of such information and data, and recommendations on how to prevent abuse of disabled children.

#### CHILD ABUSE AND ALCOHOLIC FAMILIES

Section 103 of Pub. L. 100-294 directed Director of National Center on Child Abuse and Neglect to conduct a

study of incidence of child abuse in alcoholic families and relationship between child abuse and familial alcoholism, and not later than 2 years after Apr. 25, 1988, to report to appropriate committees of Congress with respect to the study, such report to include information and data gathered, an analysis of such information and data, and recommendations on how to prevent child abuse in alcoholic families.

#### STUDY OF GUARDIAN-AD-LITEM

Section 104 of Pub. L. 100-294 directed Director of National Center on Child Abuse and Neglect to conduct a study of how individual legal representation of children in cases of child abuse or neglect has been provided in each State, and effectiveness of legal representation of children in cases of abuse or neglect through use of guardian-ad-litem and court appointed special advocates, and not later than 2 years after Apr. 25, 1988, to report to appropriate committees of Congress with respect to the study, such report to include information and data gathered, an analysis of such information and data, and recommendations on how to improve legal representation of children in cases of abuse or neglect.

#### HIGH RISK STUDY

Section 105 of Pub. L. 100-294 directed the Director of National Center on Child Abuse and Neglect to conduct a study to identify groups which have been historically underserved or unserved by programs relating to child abuse and neglect, and to report incidence of child abuse and neglect among children who are members of such groups, and not later than 2 years after Apr. 25, 1988, to report to appropriate committees of Congress with respect to the study, such report to include information and data gathered, an analysis of such information and data, and recommendations on how to better meet needs of underserved or unserved groups.

### § 5106. Grants to States, Indian tribes or tribal organizations, and public or private agencies and organizations

#### (a) Grants for programs and projects

The Secretary may make grants to, and enter into contracts with, entities that are States, Indian tribes or tribal organizations, or public agencies or private agencies or organizations (or combinations of such entities) for programs and projects for the following purposes:

##### (1) Training programs

The Secretary may award grants to public or private organizations under this subsection—

(A) for the training of professional and paraprofessional personnel in the fields of health care, medicine, law enforcement, judiciary, social work and child protection, education, child care, and other relevant fields, or individuals such as court appointed special advocates (CASAs) and guardian ad litem, who are engaged in, or intend to work in, the field of prevention, identification, and treatment of child abuse and neglect, including the links between domestic violence and child abuse and neglect;

(B) to improve the recruitment, selection, and training of volunteers serving in public and private children, youth, and family service organizations in order to prevent child abuse and neglect;

(C) for the establishment of resource centers for the purpose of providing information and training to professionals working in the field of child abuse and neglect;

(D) for training to enhance linkages among child protective service agencies and

health care agencies, entities providing physical and mental health services, community resources, and developmental disability agencies, to improve screening, forensic diagnosis, and health and developmental evaluations, and for partnerships between child protective service agencies and health care agencies that support the coordinated use of existing Federal, State, local, and private funding to meet the health evaluation needs of children who have been subjects of substantiated cases of child abuse or neglect;

(E) for the training of personnel in best practices to meet the unique needs of children with disabilities, including promoting interagency collaboration;

(F) for the training of personnel in best practices to promote collaboration with the families from the initial time of contact during the investigation through treatment;

(G) for the training of personnel regarding the legal duties of such personnel and their responsibilities to protect the legal rights of children and families;

(H) for the training of personnel in childhood development including the unique needs of children under age 3;

(I) for improving the training of supervisory and nonsupervisory child welfare workers;

(J) for enabling State child welfare agencies to coordinate the provision of services with State and local health care agencies, alcohol and drug abuse prevention and treatment agencies, mental health agencies, other public and private welfare agencies, and agencies that provide early intervention services to promote child safety, permanence, and family stability;

(K) for cross training for child protective service workers in research-based strategies for recognizing situations of substance abuse, domestic violence, and neglect;

(L) for developing, implementing, or operating information and education programs or training programs designed to improve the provision of services to infants or toddlers with disabilities with life-threatening conditions for—

(i) professionals and paraprofessional personnel concerned with the welfare of infants or toddlers with disabilities with life-threatening conditions, including personnel employed in child protective services programs and health care facilities; and

(ii) the parents of such infants; and

(M) for the training of personnel in best practices relating to the provision of differential response.

##### (2) Triage procedures

The Secretary may award grants under this subsection to public and private agencies that demonstrate innovation in responding to reports of child abuse and neglect, including programs of collaborative partnerships between the State child protective services agency, community social service agencies and family support programs, law enforcement agencies,