

Pub. L. 109-288, §§6(b)(2), (d), 11(a)(1), Sept. 28, 2006, 120 Stat. 1244, 1246, 1255; Pub. L. 112-34, title I, §101(d), Sept. 30, 2011, 125 Stat. 371.)

CODIFICATION

Section was formerly classified to section 621 of this title prior to renumbering by Pub. L. 109-288.

PRIOR PROVISIONS

A prior section 623, act Aug. 14, 1935, ch. 531, title IV, §423, as added Pub. L. 90-248, title II, §240(c), Jan. 2, 1968, 81 Stat. 913, and amended, which related to payment to States, was renumbered section 424 of act Aug. 14, 1935, by Pub. L. 109-288, §6(b)(2), Sept. 28, 2006, 120 Stat. 1244, and transferred to section 624 of this title.

AMENDMENTS

2011—Subsec. (b). Pub. L. 112-34, which directed substitution of “percent” for “per centum” wherever appearing, was not executed due to prior amendment by Pub. L. 109-288, §11(a)(1)(A). See 2006 Amendment note below.

2006—Subsec. (a). Pub. L. 109-288, §11(a)(1)(B), substituted “The Secretary” for “He”.

Pub. L. 109-288, §6(d)(1), inserted heading and substituted “section 625” for “section 620”.

Subsec. (b). Pub. L. 109-288, §11(a)(1)(A), which directed amendment of section by substituting “percent” for “per centum”, was executed by making the substitution wherever appearing in subsec. (b), to reflect the probable intent of Congress.

Pub. L. 109-288, §6(d)(2), inserted heading.

Subsec. (c). Pub. L. 109-288, §6(d)(3), inserted heading.

Subsec. (d). Pub. L. 109-288, §6(d)(4), inserted heading and substituted “50” for “fifty”.

Subsec. (e). Pub. L. 109-288, §6(d)(5), added subsec. (e).

1987—Subsec. (b). Pub. L. 100-203 substituted “Guam, and American Samoa” for “and Guam”.

1980—Pub. L. 96-272 designated existing provisions as subsec. (a) and added subsecs. (b) to (d).

EFFECTIVE DATE OF 2011 AMENDMENT

Amendment by Pub. L. 112-34 effective Oct. 1, 2011, and applicable to payments under this part and part E of this subchapter for calendar quarters beginning on or after such date, without regard to whether implementing regulations have been promulgated, and with delay permitted if State legislation is required to meet additional requirements, see section 107 of Pub. L. 112-34, set out as a note under section 622 of this title.

EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by Pub. L. 109-288 effective Oct. 1, 2006, and applicable to payments under this part and part E of this subchapter for calendar quarters beginning on or after such date, without regard to whether implementing regulations have been promulgated, and with delay permitted if State legislation is required to meet additional requirements, see section 12(a), (b) of Pub. L. 109-288, set out as a note under section 621 of this title.

EFFECTIVE DATE OF 1987 AMENDMENT

Pub. L. 100-203, title IX, §9135(c), Dec. 22, 1987, 101 Stat. 1330-315, provided that: “The amendments made by this section [amending this section and sections 1301 and 1397b of this title] shall apply with respect to fiscal years beginning on or after October 1, 1988.”

§ 624. Payment to States

(a) Payment schedule

From the sums appropriated therefor and the allotment under this subpart, subject to the conditions set forth in this section, the Secretary shall from time to time pay to each State that has a plan developed in accordance with section 622 of this title an amount equal to 75 percent of

the total sum expended under the plan (including the cost of administration of the plan) in meeting the costs of State, district, county, or other local child welfare services.

(b) Computation and method of payment

The method of computing and making payments under this section shall be as follows:

(1) The Secretary shall, prior to the beginning of each period for which a payment is to be made, estimate the amount to be paid to the State for such period under the provisions of this section.

(2) From the allotment available therefor, the Secretary shall pay the amount so estimated, reduced or increased, as the case may be, by any sum (not previously adjusted under this section) by which he finds that his estimate of the amount to be paid the State for any prior period under this section was greater or less than the amount which should have been paid to the State for such prior period under this section.

(c) Limitation on use of Federal funds for child care, foster care maintenance payments, or adoption assistance payments

The total amount of Federal payments under this subpart for a fiscal year beginning after September 30, 2007, that may be used by a State for expenditures for child care, foster care maintenance payments, or adoption assistance payments shall not exceed the total amount of such payments for fiscal year 2005 that were so used by the State.

(d) Limitation on use by States of non-Federal funds for foster care maintenance payments to match Federal funds

For any fiscal year beginning after September 30, 2007, State expenditures of non-Federal funds for foster care maintenance payments shall not be considered to be expenditures under the State plan developed under this subpart for the fiscal year to the extent that the total of such expenditures for the fiscal year exceeds the total of such expenditures under the State plan developed under this subpart for fiscal year 2005.

(e) Limitation on reimbursement for administrative costs

A payment may not be made to a State under this section with respect to expenditures during a fiscal year for administrative costs, to the extent that the total amount of the expenditures exceeds 10 percent of the total expenditures of the State during the fiscal year for activities funded from amounts provided under this subpart.

(f) Child visitation by caseworkers

(1)(A) Each State shall take such steps as are necessary to ensure that the total number of visits made by caseworkers on a monthly basis to children in foster care under the responsibility of the State during a fiscal year is not less than 90 percent (or, in the case of fiscal year 2015 or thereafter, 95 percent) of the total number of such visits that would occur during the fiscal year if each such child were so visited once every month while in such care.

(B) If the Secretary determines that a State has failed to comply with subparagraph (A) for a

fiscal year, then the percentage that would otherwise apply for purposes of subsection (a) for the fiscal year shall be reduced by—

- (i) 1, if the number of full percentage points by which the State fell short of the percentage specified in subparagraph (A) is less than 10;
- (ii) 3, if the number of full percentage points by which the State fell short, as described in clause (i), is not less than 10 and less than 20; or
- (iii) 5, if the number of full percentage points by which the State fell short, as described in clause (i), is not less than 20.

(2)(A) Each State shall take such steps as are necessary to ensure that not less than 50 percent of the total number of visits made by case-workers to children in foster care under the responsibility of the State during a fiscal year occur in the residence of the child involved.

(B) If the Secretary determines that a State has failed to comply with subparagraph (A) for a fiscal year, then the percentage that would otherwise apply for purposes of subsection (a) for the fiscal year shall be reduced by—

- (i) 1, if the number of full percentage points by which the State fell short of the percentage specified in subparagraph (A) is less than 10;
- (ii) 3, if the number of full percentage points by which the State fell short, as described in clause (i), is not less than 10 and less than 20; or
- (iii) 5, if the number of full percentage points by which the State fell short, as described in clause (i), is not less than 20.

(Aug. 14, 1935, ch. 531, title IV, §424, formerly §423, as added Pub. L. 90-248, title II, §240(c), Jan. 2, 1968, 81 Stat. 913; amended Pub. L. 94-273, §22, Apr. 21, 1976, 90 Stat. 379; Pub. L. 96-272, title I, §103(a), June 17, 1980, 94 Stat. 518; Pub. L. 103-66, title XIII, §13711(b)(2), Aug. 10, 1993, 107 Stat. 655; Pub. L. 103-432, title II, §202(d)(1), Oct. 31, 1994, 108 Stat. 4454; renumbered §424 and amended Pub. L. 109-288, §§6(b)(2), (e)(1), (2)(A), 7(b), 11(a)(2), Sept. 28, 2006, 120 Stat. 1244, 1246-1248, 1255; Pub. L. 112-34, title I, §101(c), Sept. 30, 2011, 125 Stat. 370.)

CODIFICATION

Section was formerly classified to section 623 of this title prior to renumbering by Pub. L. 109-288.

PRIOR PROVISIONS

A prior section 624, act Aug. 14, 1935, ch. 531, title IV, §424, as added Pub. L. 90-248, title II, §240(c), Jan. 2, 1968, 81 Stat. 914; amended Pub. L. 96-272, title I, §103(a), June 17, 1980, 94 Stat. 519; Pub. L. 103-432, title II, §202(b), Oct. 31, 1994, 108 Stat. 4454; Pub. L. 105-33, title V, §5592(a)(1)(B), Aug. 5, 1997, 111 Stat. 644, related to reallocation, prior to repeal by Pub. L. 109-288, §§6(b)(1), 12(a), Sept. 28, 2006, 120 Stat. 1244, 1255, effective Oct. 1, 2006, and applicable to payments under this part and part E of this subchapter for calendar quarters beginning on or after such date. See section 623(e) of this title.

AMENDMENTS

2011—Subsecs. (e), (f), Pub. L. 112-34 added subsec. (f) and struck out subsec. (e) relating to caseworker visitation standard.

2006—Subsec. (a), Pub. L. 109-288, §11(a)(2), substituted “percent” for “per centum”.

Subsecs. (c), (d), Pub. L. 109-288, §6(e)(1), added subsecs. (c) and (d) struck out former subsecs. (c) and (d)

which related to prohibited payments and minimum State expenditures, respectively.

Subsec. (e), Pub. L. 109-288, §7(b), added subsec. (e) relating to caseworker visitation standard.

Pub. L. 109-288, §6(e)(2)(A), added subsec. (e) relating to limitation on reimbursement for administrative costs.

1994—Subsec. (a), Pub. L. 103-432 struck out “and in section 627 of this title” after “set forth in this section”.

1993—Subsec. (a), Pub. L. 103-66 substituted “under this subpart” for “under this part”.

1980—Pub. L. 96-272 substituted provisions covering payments to States for provisions relating to allotment percentages and Federal share.

1976—Subsec. (c), Pub. L. 94-273 substituted “October” for “July” wherever appearing and “November 30” for “August 31”.

EFFECTIVE DATE OF 2011 AMENDMENT

Amendment by Pub. L. 112-34 effective Oct. 1, 2011, and applicable to payments under this part and part E of this subchapter for calendar quarters beginning on or after such date, without regard to whether implementing regulations have been promulgated, and with delay permitted if State legislation is required to meet additional requirements, see section 107 of Pub. L. 112-34, set out as a note under section 622 of this title.

EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109-288, §6(e)(2)(B), Sept. 28, 2006, 120 Stat. 1247, provided that: “The amendment made by subparagraph (A) [amending this section] shall apply to expenditures made on or after October 1, 2007.”

Amendment by Pub. L. 109-288 effective Oct. 1, 2006, except as otherwise provided, and applicable to payments under this part and part E of this subchapter for calendar quarters beginning on or after such date, without regard to whether implementing regulations have been promulgated, and with delay permitted if State legislation is required to meet additional requirements, see section 12(a), (b) of Pub. L. 109-288, set out as a note under section 621 of this title.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-432 effective with respect to fiscal years beginning on or after Apr. 1, 1996, see section 202(e) of Pub. L. 103-432, set out as a note under section 622 of this title.

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-66 effective with respect to calendar quarters beginning on or after Oct. 1, 1993, see section 13711(c) of Pub. L. 103-66, set out as a note under section 622 of this title.

§ 625. Limitations on authorization of appropriations

To carry out this subpart (other than sections 626, 627, and 628b of this title), there are authorized to be appropriated to the Secretary not more than \$325,000,000 for each of fiscal years 2012 through 2016.

(Aug. 14, 1935, ch. 531, title IV, §425, as added Pub. L. 109-288, §6(a), Sept. 28, 2006, 120 Stat. 1244; amended Pub. L. 110-351, title I, §102(b), Oct. 7, 2008, 122 Stat. 3956; Pub. L. 112-34, title I, §101(a), Sept. 30, 2011, 125 Stat. 369.)

PRIOR PROVISIONS

A prior section 625, act Aug. 14, 1935, ch. 531, title IV, §425, as added Pub. L. 90-248, title II, §240(c), Jan. 2, 1968, 81 Stat. 914; amended Pub. L. 96-272, title I, §103(a), June 17, 1980, 94 Stat. 519; Pub. L. 103-432, title II, §202(d)(2), Oct. 31, 1994, 108 Stat. 4454; Pub. L. 105-33, title V, §5592(a)(1)(B), Aug. 5, 1997, 111 Stat. 644, defined