

the programs carried out pursuant to this subpart in accomplishing the purposes of this subpart, and may evaluate any other Federal, State, or local program, regardless of whether federally assisted, that is designed to achieve the same purposes as the program under this subpart, in accordance with criteria established in accordance with paragraph (2).

**(2) Criteria to be used**

In developing the criteria to be used in evaluations under paragraph (1), the Secretary shall consult with appropriate parties, such as—

- (A) State agencies administering programs under this part and part E;
- (B) persons administering child and family services programs (including family preservation and family support programs) for private, nonprofit organizations with an interest in child welfare; and
- (C) other persons with recognized expertise in the evaluation of child and family services programs (including family preservation and family support programs) or other related programs.

**(3) Timing of report**

Beginning in 2003, the Secretary shall submit the biennial report required by this subsection not later than April 1 of every other year, and shall include in each such report the funding level, the status of ongoing evaluations, findings to date, and the nature of any technical assistance provided to States under subsection (d).

**(b) Coordination of evaluations**

The Secretary shall develop procedures to coordinate evaluations under this section, to the extent feasible, with evaluations by the States of the effectiveness of programs under this subpart.

**(c) Evaluation, research, and technical assistance with respect to targeted program resources**

Of the amount reserved under section 629f(b)(1) of this title for a fiscal year, the Secretary shall use not less than—

- (1) \$1,000,000 for evaluations, research, and providing technical assistance with respect to supporting monthly caseworker visits with children who are in foster care under the responsibility of the State, in accordance with section 629f(b)(4)(B)(i) of this title; and
- (2) \$1,000,000 for evaluations, research, and providing technical assistance with respect to grants under section 629g(f) of this title.

**(d) Technical assistance**

To the extent funds are available therefor, the Secretary shall provide technical assistance that helps States and Indian tribes or tribal consortia to—

- (1) develop research-based protocols for identifying families at risk of abuse and neglect of use in the field;
- (2) develop treatment models that address the needs of families at risk, particularly families with substance abuse issues;
- (3) implement programs with well-articulated theories of how the intervention will result in desired changes among families at risk;

(4) establish mechanisms to ensure that service provision matches the treatment model; and

(5) establish mechanisms to ensure that postadoption services meet the needs of the individual families and develop models to reduce the disruption rates of adoption.

(Aug. 14, 1935, ch. 531, title IV, §435, as added Pub. L. 103-66, title XIII, §13711(a)(2), Aug. 10, 1993, 107 Stat. 654; amended Pub. L. 107-133, title I, §105, Jan. 17, 2002, 115 Stat. 2415; Pub. L. 109-288, §§4(c), 5(b)(3)(C), Sept. 28, 2006, 120 Stat. 1242, 1243.)

PRIOR PROVISIONS

A prior section 435 of act Aug. 14, 1935, was classified to section 635 of this title prior to repeal by Pub. L. 100-485.

AMENDMENTS

2006—Subsec. (c). Pub. L. 109-288, §4(c), amended heading and text of subsec. (c) generally. Prior to amendment, subsec. (c) related to topics for research and evaluation.

Subsec. (d). Pub. L. 109-288, §5(b)(3)(C), inserted “or tribal consortia” after “Indian tribes” in introductory provisions.

2002—Pub. L. 107-133, §105(1), substituted “Evaluations; research; technical assistance” for “Evaluations” in section catchline.

Subsec. (a)(1). Pub. L. 107-133, §105(1), substituted “The Secretary shall evaluate and report to the Congress biennially on” for “The Secretary shall evaluate”.

Subsec. (a)(3). Pub. L. 107-133, §105(2), added par. (3).  
Subsecs. (c), (d). Pub. L. 107-133, §105(3), added subsecs. (c) and (d).

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 2002 AMENDMENT

Amendment by Pub. L. 107-133 effective Jan. 17, 2002, with delay permitted if State legislation is required, see section 301 of Pub. L. 107-133, set out as a note under section 629 of this title.

**§ 629f. Authorization of appropriations; reservation of certain amounts**

**(a) Authorization**

In addition to any amount otherwise made available to carry out this subpart, there are authorized to be appropriated to carry out this subpart \$345,000,000 for each of fiscal years 2012 through 2016.

**(b) Reservation of certain amounts**

From the amount specified in subsection (a) for a fiscal year, the Secretary shall reserve amounts as follows:

**(1) Evaluation, research, training, and technical assistance**

The Secretary shall reserve \$6,000,000 for expenditure by the Secretary—

- (A) for research, training, and technical assistance costs related to the program under this subpart; and

(B) for evaluation of State programs based on the plans approved under section 629b of this title and funded under this subpart, and any other Federal, State, or local program, regardless of whether federally assisted, that is designed to achieve the same purposes as the State programs.

**(2) State court improvements**

The Secretary shall reserve \$30,000,000 for grants under section 629h of this title.

**(3) Indian tribes or tribal consortia**

After applying paragraphs (4) and (5) (but before applying paragraphs (1) or (2)), the Secretary shall reserve 3 percent for allotment to Indian tribes or tribal consortia in accordance with section 629c(a) of this title.

**(4) Support for monthly caseworker visits**

**(A) Reservation**

The Secretary shall reserve for allotment in accordance with section 629c(e) of this title \$20,000,000 for each of fiscal years 2012 through 2016.

**(B) Use of funds**

**(i) In general**

A State to which an amount is paid from amounts reserved under subparagraph (A) shall use the amount to improve the quality of monthly caseworker visits with children who are in foster care under the responsibility of the State, with an emphasis on improving caseworker decision making on the safety, permanency, and well-being of foster children and on activities designed to increase retention, recruitment, and training of caseworkers.

**(ii) Nonsupplantation**

A State to which an amount is paid from amounts reserved pursuant to subparagraph (A) shall not use the amount to supplant any Federal funds paid to the State under part E that could be used as described in clause (i).

**(5) Regional partnership grants**

The Secretary shall reserve for awarding grants under section 629g(f) of this title \$20,000,000 for each of fiscal years 2012 through 2016.

(Aug. 14, 1935, ch. 531, title IV, §436, as added Pub. L. 107-133, title I, §106(a)(1), Jan. 17, 2002, 115 Stat. 2416; amended Pub. L. 109-171, title VII, §7402, Feb. 8, 2006, 120 Stat. 150; Pub. L. 109-288, §§3(a), 4(a)(1), (b)(1), 5(a)(1), (3), (b)(1)(B), Sept. 28, 2006, 120 Stat. 1234, 1236, 1237, 1242, 1243; Pub. L. 111-242, §133(1), Sept. 30, 2010, 124 Stat. 2613; Pub. L. 112-34, title I, §§102(a)(1), 103(a), (b), Sept. 30, 2011, 125 Stat. 371, 373.)

PRIOR PROVISIONS

A prior section 436 of act Aug. 14, 1935, was classified to section 636 of this title prior to repeal by Pub. L. 100-485.

AMENDMENTS

2011—Subsec. (a). Pub. L. 112-34, §102(a)(1), substituted “for each of fiscal years 2012 through 2016.” for “for each of fiscal years 2007 through 2010, and \$365,000,000 for fiscal year 2011”.

Subsec. (b)(4)(A). Pub. L. 112-34, §103(a)(1), substituted “629c(e) of this title \$20,000,000 for each of fiscal years 2012 through 2016.” for “629c(e) of this title—  
“(i) \$5,000,000 for fiscal year 2008;  
“(ii) \$10,000,000 for fiscal year 2009; and  
“(iii) \$20,000,000 for each of fiscal years 2010 and 2011.”

Subsec. (b)(4)(B)(i). Pub. L. 112-34, §103(b), substituted “improve the quality of” for “support” and “an emphasis on improving caseworker decision making on the safety, permanency, and well-being of foster children and on activities designed to increase retention, recruitment, and training of caseworkers.” for “a primary emphasis on activities designed to improve caseworker retention, recruitment, training, and ability to access the benefits of technology.”

Subsec. (b)(5). Pub. L. 112-34, §103(a)(2), substituted “629g(f) of this title \$20,000,000 for each of fiscal years 2012 through 2016.” for “629g(f) of this title—

“(A) \$40,000,000 for fiscal year 2007;

“(B) \$35,000,000 for fiscal year 2008;

“(C) \$30,000,000 for fiscal year 2009; and

“(D) \$20,000,000 for each of fiscal years 2010 and 2011.”

2010—Subsec. (a). Pub. L. 111-242, §133(1)(A)(ii), which directed insertion of “, and \$365,000,000 for fiscal year 2011” before the period, was executed by making the insertion at the end of subsec. (a) to reflect the probable intent of Congress because there was no period.

Pub. L. 111-242, §133(1)(A)(i), substituted “2010” for “2011”.

Subsec. (b)(2). Pub. L. 111-242, §133(1)(B), substituted “\$30,000,000” for “\$10,000,000”.

2006—Subsec. (a). Pub. L. 109-288, §3(a), substituted “each of fiscal years 2007 through 2011” for “fiscal year 2006. Notwithstanding the preceding sentence, the total amount authorized to be so appropriated for fiscal year 2006 under this subsection and under this subsection (as in effect before February 8, 2006) is \$345,000,000.”

Pub. L. 109-171 amended heading and text of subsec. (a) generally. Prior to amendment, text read as follows: “There are authorized to be appropriated to carry out the provisions of this subpart \$305,000,000 for each of fiscal years 2002 through 2006.”

Subsec. (b)(3). Pub. L. 109-288, §5(b)(1)(B), inserted “or tribal consortia” after “tribes” in heading and text.

Pub. L. 109-288, §5(a)(1), (3), substituted “After applying paragraphs (4) and (5) (but before applying paragraphs (1) or (2)), the” for “The” and “3 percent” for “1 percent”.

Subsec. (b)(4). Pub. L. 109-288, §4(a)(1), added par. (4).

Subsec. (b)(5). Pub. L. 109-288, §4(b)(1), added par. (5).

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 2010 AMENDMENT

Pub. L. 111-242, §133, Sept. 30, 2010, 124 Stat. 2613, provided that the amendment made by section 133 is effective Oct. 1, 2010.

EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109-288, §3(a), Sept. 28, 2006, 120 Stat. 1234, provided that the amendment made by section 3(a) is effective Oct. 1, 2006.

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 require-

ments, see section 12(a), (b) of Pub. L. 109-288, set out as a note under section 621 of this title.

Amendment by Pub. L. 109-171 effective as if enacted on Oct. 1, 2005, except as otherwise provided, see section 7701 of Pub. L. 109-171, set out as a note under section 603 of this title.

#### EFFECTIVE DATE

Section effective Jan. 17, 2002, with delay permitted if State legislation is required, see section 301 of Pub. L. 107-133, set out as an Effective Date of 2002 Amendment note under section 629 of this title.

### § 629g. Discretionary and targeted grants

#### (a) Limitations on authorization of appropriations

In addition to any amount appropriated pursuant to section 629f of this title, there are authorized to be appropriated to carry out this section \$200,000,000 for each of fiscal years 2012 through 2016.

#### (b) Reservation of certain amounts

From the amount (if any) appropriated pursuant to subsection (a) for a fiscal year, the Secretary shall reserve amounts as follows:

##### (1) Evaluation, research, training, and technical assistance

The Secretary shall reserve 3.3 percent for expenditure by the Secretary for the activities described in section 629f(b)(1) of this title.

##### (2) State court improvements

The Secretary shall reserve 3.3 percent for grants under section 629h of this title.

##### (3) Indian tribes or tribal consortia

The Secretary shall reserve 3 percent for allotment to Indian tribes or tribal consortia in accordance with subsection (c)(1).

#### (c) Allotments

##### (1) Indian tribes or tribal consortia

From the amount (if any) reserved pursuant to subsection (b)(3) for any fiscal year, the Secretary shall allot to each Indian tribe with a plan approved under this subpart an amount that bears the same ratio to such reserved amount as the number of children in the Indian tribe bears to the total number of children in all Indian tribes with State plans so approved, as determined by the Secretary on the basis of the most current and reliable information available to the Secretary. If a consortium of Indian tribes applies and is approved for a grant under this section, the Secretary shall allot to the consortium an amount equal to the sum of the allotments determined for each Indian tribe that is part of the consortium.

##### (2) Territories

From the amount (if any) appropriated pursuant to subsection (a) for any fiscal year that remains after applying subsection<sup>1</sup> (b) for the fiscal year, the Secretary shall allot to each of the jurisdictions of Puerto Rico, Guam, the Virgin Islands, the Northern Mariana Islands, and American Samoa an amount determined in the same manner as the allotment to each

of such jurisdictions is determined under section 623 of this title.

#### (3) Other States

From the amount (if any) appropriated pursuant to subsection (a) for any fiscal year that remains after applying subsection (b) and paragraph (2) of this subsection for the fiscal year, the Secretary shall allot to each State (other than an Indian tribe) which is not specified in paragraph (2) of this subsection an amount equal to such remaining amount multiplied by the supplemental nutrition assistance program benefits percentage (as defined in section 629c(c)(2) of this title) of the State for the fiscal year.

#### (d) Grants

The Secretary may make a grant to a State which has a plan approved under this subpart in an amount equal to the lesser of—

(1) 75 percent of the total expenditures by the State for activities under the plan during the fiscal year or the immediately succeeding fiscal year; or

(2) the allotment of the State under subsection (c) for the fiscal year.

#### (e) Applicability of certain rules

The rules of subsections (b) and (c) of section 629d of this title shall apply in like manner to the amounts made available pursuant to subsection (a).

#### (f) Targeted grants to increase the well-being of, and to improve the permanency outcomes for, children affected by substance abuse

##### (1) Purpose

The purpose of this subsection is to authorize the Secretary to make competitive grants to regional partnerships to provide, through interagency collaboration and integration of programs and services, services and activities that are designed to increase the well-being of, improve permanency outcomes for, and enhance the safety of children who are in an out-of-home placement or are at risk of being placed in an out-of-home placement as a result of a parent's or caretaker's substance abuse.

##### (2) Regional partnership defined

###### (A) In general

In this subsection, the term "regional partnership" means a collaborative agreement (which may be established on an interstate or intrastate basis) entered into by at least 2 of the following:

(i) The State child welfare agency that is responsible for the administration of the State plan under this part and part E.

(ii) The State agency responsible for administering the substance abuse prevention and treatment block grant provided under subpart II of part B of title XIX of the Public Health Service Act [42 U.S.C. 300x-21 et seq.].

(iii) An Indian tribe or tribal consortium.

(iv) Nonprofit child welfare service providers.

(v) For-profit child welfare service providers.

<sup>1</sup> So in original. Probably should be "subsection".