

2197; renumbered §202 of Pub. L. 93-247, and amended Pub. L. 101-126, §§2(a), 3(a)(3), (c)(1), 4(b), Oct. 25, 1989, 103 Stat. 764, 766, defined “Secretary” and “State” as used in this subchapter, prior to the general amendment of this subchapter by Pub. L. 103-252, §401(a).

AMENDMENTS

2010—Par. (1). Pub. L. 111-320, §133(1), (2), substituted “Governor” for “chief executive officer” wherever appearing, and, in subpar. (A), inserted a comma after “enhance” and struck out “(through networks where appropriate)” after “child abuse and neglect”.

Par. (2). Pub. L. 111-320, §133(2)-(4), in introductory provisions, substituted “Governor” for “chief executive officer”, in subpar. (A), struck out “(through networks where appropriate)” after “child abuse and neglect”, in subpars. (A) and (B), inserted “adult former victims of child abuse or neglect,” after “parents,” and in subpar. (C), inserted a comma after “State”.

Par. (3). Pub. L. 111-320, §133(2), (3), in introductory provisions, substituted “Governor” for “chief executive officer”, and, in subpars. (A) to (C), struck out “(through networks where appropriate)” after “child abuse and neglect”.

2003—Par. (1)(A). Pub. L. 108-36, §122(1)(A), substituted “community-based and prevention-focused” for “a Statewide network of community-based, prevention-focused” and “programs and activities designed to strengthen and support families to prevent child abuse and neglect (through networks where appropriate)” for “family resource and support programs, child abuse and neglect prevention activities and access to respite care services integrated with the Statewide network”.

Par. (1)(B). Pub. L. 108-36, §122(1)(B), inserted “that exists to strengthen and support families to prevent child abuse and neglect” after “written authority of the State”.

Par. (2)(A). Pub. L. 108-36, §122(2)(A), substituted “community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect (through networks where appropriate)” for “a network of community-based family resource and support programs”.

Par. (2)(B). Pub. L. 108-36, §122(2)(B), struck out “to the network” after “direction” and inserted “, and parents with disabilities” before semicolon.

Par. (2)(C). Pub. L. 108-36, §122(2)(C), struck out “to the network” after “direction and oversight”.

Par. (3)(A). Pub. L. 108-36, §122(3)(A), substituted “community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect (through networks where appropriate)” for “Statewide network of community-based, prevention-focused, family resource and support programs”.

Par. (3)(B). Pub. L. 108-36, §122(3)(B), substituted “community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect (through networks where appropriate)” for “Statewide network of community-based, prevention-focused, family resource and support programs”.

Par. (3)(C). Pub. L. 108-36, §122(3)(C), substituted “training, technical assistance, and evaluation assistance, to community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect (through networks where appropriate)” for “and training and technical assistance, to the Statewide network of community-based, prevention-focused, family resource and support programs”.

Par. (3)(D). Pub. L. 108-36, §122(3)(D), inserted “, parents with disabilities,” after “children with disabilities”.

§ 5116b. Amount of grant

(a) Reservation

The Secretary shall reserve 1 percent of the amount appropriated under section 5116i¹ of this title for a fiscal year to make allotments to Indian tribes and tribal organizations and migrant programs.

(b) Remaining amounts

(1) In general

The Secretary shall allot the amount appropriated under section 5116i¹ of this title for a fiscal year and remaining after the reservation under subsection (a) among the States as follows:

(A) 70 percent

70 percent of such amount appropriated shall be allotted among the States by allotting to each State an amount that bears the same proportion to such amount appropriated as the number of children under the age of 18 residing in the State bears to the total number of children under the age of 18 residing in all States (except that no State shall receive less than \$175,000 under this subparagraph).

(B) 30 percent

30 percent of such amount appropriated shall be allotted among the States by allotting to each State an amount that bears the same proportion to such amount appropriated as the amount of private, State or other non-Federal funds leveraged and directed through the currently designated State lead entity in the preceding fiscal year bears to the aggregate of the amounts leveraged by all States from private, State, or other non-Federal sources and directed through the current lead entity of such States in the preceding fiscal year.

(2) Additional requirement

The Secretary shall provide allotments under paragraph (1) to the State lead entity.

(c) Allocation

Funds allotted to a State under this section—

- (1) shall be for a 3-year period; and
- (2) shall be provided by the Secretary to the State on an annual basis, as described in subsection (b).

(Pub. L. 93-247, title II, §203, as added Pub. L. 104-235, title I, §121, Oct. 3, 1996, 110 Stat. 3082; amended Pub. L. 108-36, title I, §123, June 25, 2003, 117 Stat. 815; Pub. L. 111-320, title I, §134, Dec. 20, 2010, 124 Stat. 3479.)

Editorial Notes

REFERENCES IN TEXT

Section 5116i of this title, referred to in subsecs. (a) and (b)(1), was in the original “section 210”, and was translated as meaning section 209 of Pub. L. 93-247 to reflect the probable intent of Congress and the redesignation of section 210 as 209 by Pub. L. 111-320, title I, §141, Dec. 20, 2010, 124 Stat. 3482.

PRIOR PROVISIONS

A prior section 5116b, Pub. L. 93-247, title II, §203, formerly Pub. L. 98-473, title IV, §404, Oct. 12, 1984, 98 Stat.

¹ See References in Text note below.

2197; renumbered §203 of Pub. L. 93-247, and amended Pub. L. 101-126, §§2(a), 3(a)(3), (c)(1), 4(c), 5, Oct. 25, 1989, 103 Stat. 764, 766-768; Pub. L. 102-295, title I, §122, May 28, 1992, 106 Stat. 198, authorized Secretary to make grants and authorized appropriations to carry out this subchapter, prior to the general amendment of this subchapter by Pub. L. 103-252, §401(a).

AMENDMENTS

2010—Subsec. (b)(1). Pub. L. 111-320 inserted subpar. headings.

2003—Subsec. (b)(1)(B). Pub. L. 108-36, §123(1), substituted “as the amount of private, State or other non-Federal funds leveraged and directed through the currently designated” for “as the amount leveraged by the State from private, State, or other non-Federal sources and directed through the”, “State lead entity” for “State lead agency”, and “the current lead entity” for “the lead agency”.

Subsec. (c)(2). Pub. L. 108-36, §123(2), substituted “subsection (b)” for “subsection (a)”.

§ 5116c. Repealed. Pub. L. 108-36, title I, § 124, June 25, 2003, 117 Stat. 815

Section, Pub. L. 93-247, title II, §204, as added Pub. L. 104-235, title I, §121, Oct. 3, 1996, 110 Stat. 3083; amended Pub. L. 106-400, §2, Oct. 30, 2000, 114 Stat. 1675, related to continuation of grants and agreements in effect on October 3, 1996.

A prior section 5116c, Pub. L. 93-247, title II, §204, formerly Pub. L. 98-473, title IV, §405, Oct. 12, 1984, 98 Stat. 2198; renumbered §204 of Pub. L. 93-247, and amended Pub. L. 101-126, §§2(a), 3(a)(3), (c)(1), 4(d), Oct. 25, 1989, 103 Stat. 764, 766, 767; Pub. L. 102-295, title I, §123, May 28, 1992, 106 Stat. 198, established requirement for State grant eligibility, prior to the general amendment of this subchapter by Pub. L. 103-252, §401(a).

§ 5116d. Application

A grant may not be made to a State under this subchapter unless an application therefor is submitted by the State to the Secretary and such application contains the types of information specified by the Secretary as essential to carrying out the provisions of section 5116a of this title, including—

(1) a description of the lead entity that will be responsible for the administration of funds provided under this subchapter and the oversight of programs funded through the community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect which meets the requirements of section 5116a of this title;

(2) a description of how the community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect will operate, including how community-based child abuse and neglect prevention programs provided by public and private, nonprofit organizations will be integrated into a developing continuum of family centered, holistic, preventive services for children and families;

(3) a description of the inventory of current unmet needs and current community-based and prevention-focused programs and activities to prevent child abuse and neglect, and other family resource services operating in the State;

(4) a budget for the development, operation, and expansion of the community-based and prevention-focused programs and activities de-

signed to strengthen and support families to prevent child abuse and neglect that verifies that the State will expend in non-Federal funds an amount equal to not less than 20 percent of the amount received under this subchapter (in cash, not in-kind) for activities under this subchapter;

(5) an assurance that funds received under this subchapter will supplement, not supplant, other State and local public funds designated for the start up, maintenance, expansion, and redesign of community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect;

(6) a description of the State’s capacity to ensure the meaningful involvement of parents who are consumers, of family advocates, and of adult former victims of child abuse or neglect, who can provide leadership in the planning, implementation, and evaluation of the programs and policy decisions of the applicant agency in accomplishing the desired outcomes for such efforts;

(7) a description of the criteria that the entity will use to develop, or select and fund, community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect as part of network development, expansion, or enhancement;

(8) a description of outreach activities that the entity and the community-based and prevention-focused programs designed to strengthen and support families to prevent child abuse and neglect will undertake to maximize the participation of racial and ethnic minorities, children and adults with disabilities, homeless families and those at risk of homelessness, unaccompanied homeless youth, and members of other underserved or underrepresented groups;

(9) a plan for providing operational support, training, and technical assistance to community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect for development, operation, expansion and enhancement activities;

(10) a description of how the applicant entity’s activities and those of the network and its members (where appropriate) will be evaluated;

(11) a description of the actions that the applicant entity will take to advocate systemic changes in State policies, practices, procedures, and regulations to improve the delivery of community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect services to children and families; and

(12) an assurance that the applicant entity will provide the Secretary with reports at such time and containing such information as the Secretary may require.

(Pub. L. 93-247, title II, §204, formerly §205, as added Pub. L. 104-235, title I, §121, Oct. 3, 1996, 110 Stat. 3083; amended Pub. L. 108-36, title I, §125, June 25, 2003, 117 Stat. 815; renumbered §204 and amended Pub. L. 111-320, title I, §§135, 141, Dec. 20, 2010, 124 Stat. 3479, 3482.)