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The authoritative text is the United States Statutes at Large.**

One Hundred Eleventh Congress, Session II
Public Law 111-320 — 124 Stat. 3459 (S. 3817)
December 20, 2010

AN ACT *To amend the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988 to reauthorize the Acts, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "CAPTA Reauthorization Act of 2010".

TITLE I—CHILD ABUSE PREVENTION AND TREATMENT ACT

SEC. 101. FINDINGS.

Section 2 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 note) is amended—

(1) by striking paragraph (1) and inserting the following:

"(1) in fiscal year 2008, approximately 772,000 children were found by States to be victims of child abuse and neglect;";

(2) in paragraph (2)—

(A) in subparagraph (A), by inserting "and close to ⅓ of all child maltreatment-related fatalities in fiscal year 2008 were attributed to neglect alone" after "maltreatment"; and

(B) in subparagraph (B)—

(i) by striking "60 percent" and inserting "71 percent";

(ii) by striking "2001" and inserting "fiscal year 2008";

(iii) by striking "19 percent" and inserting "16 percent";

(iv) by striking "10 percent" and inserting "9 percent"; and

(v) by striking "and 7 percent suffered emotional maltreatment" and inserting ", 7 percent suffered psychological maltreatment, 2 percent experienced medical neglect, and 9 percent were victims of other forms of maltreatment";

(3) in paragraph (3)—

(A) in subparagraph (A) by inserting "or neglect" after "abuse";

[124 Stat. 3460–3508 omitted (49 pages)]

"(iv) developmentally appropriate education programs;

"(v) other efforts to increase awareness of the facts about, or to help prevent, family violence, domestic violence, and dating violence; and

"(vi) the dissemination of information about the results of programs conducted under this subparagraph;

"(E) utilize evidence-informed prevention program planning; and

"(F) recognize, in applicable cases, the needs of underserved populations, racial and linguistic populations, and individuals with disabilities.

"(h) REPORTS AND EVALUATION.—Each organization entering into a cooperative agreement under this section shall submit a performance report to the Secretary at such time as shall be reasonably required by the Secretary. Such performance report shall describe activities that have been carried out with the funds made available through the agreement, contain an evaluation of the effectiveness of such activities, and provide such additional information as the Secretary may reasonably require. The Secretary shall make the evaluations received under this subsection publicly available on the Department of Health and Human Services website. The reports shall also be submitted to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.".

SEC. 202. AMENDMENTS TO OTHER LAWS.

(a) TITLE 11, UNITED STATES CODE.—Section 707(b)(2)(A)(ii)(I) of title 11, United States Code, is amended in the 4th sentence by striking "section 309 of the Family Violence Prevention and Services Act" and inserting "section 302 of the Family Violence Prevention and Services Act".

(b) INDIVIDUALS WITH DISABILITIES EDUCATION ACT.—Section 635(c)(2)(G) of the Individuals with Disabilities Education Act (20 U.S.C. 1435(c)(2)(G)) is amended by striking "section 320 of the Family Violence Prevention and Services Act" and inserting "section 302 of the Family Violence Prevention and Services Act".

(c) OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968.—Section 2001(c)(2)(A) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg(c)(2)(A)) is amended by striking "through the Family Violence Prevention and

Services Act (42 U.S.C. 10410 et seq.)" and inserting "under section 311 of the Family Violence Prevention and Services Act".

(d) VIOLENCE AGAINST WOMEN ACT OF 1994.—Section 40002(a)(26) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(26)) is amended by striking "under the Family Violence Prevention and Services Act (42 U.S.C. 10410(b))" and inserting "under sections 302 and 311 of the Family Violence Prevention and Services Act".

(e) VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994.—The portion of section 310004(d) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14214(d)) that pertains to the definition of the term "prevention program" is amended—

(1) in paragraph (20), by striking "section 40211" and inserting "section 313 of the Family Violence Prevention and Services Act (relating to a hotline)";

(2) in paragraph (22), by striking "section 40241" and inserting "sections 301 through 312 of the Family Violence Prevention and Services Act"; and

(3) in paragraph (24), by striking "section 40261" and inserting "section 314 of the Family Violence Prevention and Services Act (relating to community projects to prevent family violence, domestic violence, and dating violence)".

TITLE III—CHILD ABUSE PREVENTION AND TREATMENT AND ADOPTION REFORM ACT OF 1978

SEC. 301. CHILD ABUSE PREVENTION AND TREATMENT AND ADOPTION REFORM.

(a) FINDINGS.—Section 201 of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (42 U.S.C. 5111) is amended—

(1) by striking subsection (a) and inserting the following:

"(a) FINDINGS.—Congress finds that—

"(1) on the last day of fiscal year 2009, some 424,000 children were living in temporary foster family homes or other foster care settings;

"(2) most children in foster care are victims of child abuse or neglect by their biological parents and their entry into foster care brought them the additional trauma of separation from their homes and often their communities;

"(3) on average, children entering foster care have more physical and mental health needs than do children in the general population, and some require intensive services because the children entering foster care—

"(A) were born to mothers who did not receive prenatal care;

"(B) were born with life-threatening conditions or disabilities;

"(C) were born addicted to alcohol or other drugs; or

"(D) have HIV/AIDS;

"(4) each year, thousands of children in foster care, regardless of their age, the size of the sibling group they are a part of, their racial or ethnic status, their medical condition, or any physical, mental or emotional disability they may have, are in need of placement with permanent, loving, adoptive families;

"(5)(A) States have made important strides in increasing the number of children who are placed in permanent homes with adoptive parents and in reducing the length of time children wait for such a placement; and

"(B) many thousands of children, however, still remain in institutions or foster homes solely because of legal and other barriers to such a placement;

"(6)(A) on the last day of fiscal year 2009, there were 115,000 children waiting for adoption;

"(B) children waiting for adoption have had parental rights of all living parents terminated or the children have a permanency goal of adoption;

[124 Stat. 3511–3513 omitted (3 pages)]

(2) in subsection (b)(2), by striking "fiscal year 2003" and inserting "fiscal year 2010".

APPROVED December 20, 2010.