

115TH CONGRESS
1ST SESSION

H. J. RES. 123

Making further continuing appropriations for fiscal year 2018, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 4, 2017

Mr. FRELINGHUYSEN submitted the following joint resolution; which was referred to the Committee on Appropriations

JOINT RESOLUTION

Making further continuing appropriations for fiscal year 2018, and for other purposes.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 **DIVISION A—FURTHER CON-**
4 **TINUING APPROPRIATIONS**
5 **ACT, 2018**

6 **SEC. 101. FURTHER CONTINUING APPROPRIATIONS.**

7 The Continuing Appropriations Act, 2018 (division D
8 of Public Law 115–56) is amended by striking the date
9 specified in section 106(3) and inserting “December 22,
10 2017”.

1 This division may be cited as the “Further Con-
 2 tinuing Appropriations Act, 2018”.

3 **DIVISION B—CHILDREN’S**
 4 **HEALTH INSURANCE PRO-**
 5 **GRAM (CHIP) ALLOCATION**
 6 **REDISTRIBUTION SPECIAL**
 7 **RULE**

8 **SEC. 201. CHIP ALLOCATION REDISTRIBUTION SPECIAL**
 9 **RULE FOR CERTAIN SHORTFALL STATES**
 10 **DURING FIRST QUARTER OF FISCAL YEAR**
 11 **2018.**

12 Section 2104(f)(2) of the Social Security Act (42
 13 U.S.C. 1397dd(f)(2)) is amended—

14 (1) by amending subparagraph (B) to read as
 15 follows:

16 “(B) DETERMINATION OF REDISTRIBUTED
 17 AMOUNTS IF INSUFFICIENT AMOUNTS AVAIL-
 18 ABLE.—

19 “(i) PRORATION RULE.—Subject to
 20 clause (ii), if the amounts available for re-
 21 distribution under paragraph (1) for a fis-
 22 cal year are less than the total amounts of
 23 the estimated shortfalls determined for the
 24 year under subparagraph (A), the amount
 25 to be redistributed under such paragraph

1 for each shortfall State shall be reduced
2 proportionally.

3 “(ii) SPECIAL RULE FOR FIRST QUAR-
4 TER OF FISCAL YEAR 2018.—

5 “(I) IN GENERAL.—For the pe-
6 riod beginning on October 1, 2017,
7 and ending December 31, 2017, with
8 respect to any amounts available for
9 redistribution under paragraph (1) for
10 fiscal year 2018, the Secretary shall
11 redistribute under such paragraph
12 such amounts to each emergency
13 shortfall State (as defined in sub-
14 clause (II)) in such amount as is
15 equal to the amount of the shortfall
16 described in subclause (II) for such
17 State and period (as may be adjusted
18 under subparagraph (C)) before the
19 Secretary may redistribute such
20 amounts to any shortfall State that is
21 not an emergency shortfall State. In
22 the case of any amounts redistributed
23 under this subclause to a State that is
24 not an emergency shortfall State, such

1 amounts shall be determined in ac-
2 cordance with clause (i).

3 “(II) EMERGENCY SHORTFALL
4 STATE DEFINED.—For purposes of
5 this clause, the term ‘emergency
6 shortfall State’ means, with respect to
7 the period beginning October 1, 2017,
8 and ending December 31, 2017, a
9 shortfall State for which the Secretary
10 estimates, in accordance with sub-
11 paragraph (A) (unless otherwise speci-
12 fied in this subclause), that the pro-
13 jected expenditures under the State
14 child health plan and under section
15 2105(g) (calculated as if the reference
16 under section 2105(g)(4)(A) to ‘2017’
17 were a reference to ‘2018’ and insofar
18 as the allotments are available to the
19 State under this subsection or sub-
20 section (e) or (m)) for such period will
21 exceed the sum of the amounts de-
22 scribed in clauses (i) through (iii) of
23 subparagraph (A) for such period, in-
24 cluding after application of any
25 amount redistributed under paragraph

1 (1) before such date of enactment to
 2 such State. A shortfall State may be
 3 an emergency shortfall State under
 4 the previous sentence without regard
 5 to whether any amounts were redis-
 6 tributed before such date of enact-
 7 ment to such State under paragraph
 8 (1) for fiscal year 2018.

9 “(III) APPLICATION OF QUALI-
 10 FYING STATE OPTION.—During the
 11 period described in subclause (I), sec-
 12 tion 2105(g)(4) shall apply to a quali-
 13 fying State (as defined in section
 14 2105(g)(2)) as if under section
 15 2105(g)(4)—

16 “(aa) the reference to ‘2017’
 17 were a reference to ‘2018’; and

18 “(bb) the reference to ‘under
 19 subsections (e) and (m) of such
 20 section’ were a reference to
 21 ‘under subsections (e), (f), and
 22 (m) of such section.’; and

23 (2) by adding at the end the following new sub-
 24 paragraph:

1 “(D) RULE OF CONSTRUCTION.—Nothing
2 in this paragraph may be construed as pre-
3 venting a commonwealth or territory described
4 in subsection (c)(3) from being treated as a
5 shortfall State or an emergency shortfall
6 State.”.

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