

107TH CONGRESS
2D SESSION

S. 3180

To amend title XXI of the Social Security Act to extend the availability of allotments for fiscal years 1998 through 2001 under the State Children's Health Insurance Program (SCHIP).

IN THE SENATE OF THE UNITED STATES

NOVEMBER 20, 2002

Mr. ROCKEFELLER (for himself, Mr. GRASSLEY, Mr. CHAFEE, Mr. KENNEDY, Mrs. CLINTON, Mr. BAYH, Mrs. HUTCHISON, and Mr. BAUCUS) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XXI of the Social Security Act to extend the availability of allotments for fiscal years 1998 through 2001 under the State Children's Health Insurance Program (SCHIP).

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. EXTENDING AVAILABILITY OF SCHIP ALLOT-**
4 **MENTS FOR FISCAL YEARS 1998 THROUGH**
5 **2001.**

6 (a) RETAINED AND REDISTRIBUTED ALLOTMENTS
7 FOR FISCAL YEARS 1998 AND 1999.—Paragraphs

1 (2)(A)(i) and (2)(A)(ii) of section 2104(g) of the Social
 2 Security Act (42 U.S.C. 1397dd(g)) are each amended by
 3 striking “fiscal year 2002” and inserting “fiscal year
 4 2004”.

5 (b) EXTENSION AND REVISION OF RETAINED AND
 6 REDISTRIBUTED ALLOTMENTS FOR FISCAL YEAR
 7 2000.—

8 (1) PERMITTING AND EXTENDING RETENTION
 9 OF PORTION OF FISCAL YEAR 2000 ALLOTMENT.—

10 Paragraph (2) of such section 2104(g) is amended—

11 (A) in the heading, by striking “AND 1999”
 12 and inserting “THROUGH 2000”; and

13 (B) by adding at the end of subparagraph
 14 (A) the following:

15 “(iii) FISCAL YEAR 2000 ALLOT-
 16 MENT.—Of the amounts allotted to a State
 17 pursuant to this section for fiscal year
 18 2000 that were not expended by the State
 19 by the end of fiscal year 2002, 50 percent
 20 of that amount shall remain available for
 21 expenditure by the State through the end
 22 of fiscal year 2004.”.

23 (2) REDISTRIBUTED ALLOTMENTS.—Paragraph
 24 (1) of such section 2104(g) is amended—

1 (A) in subparagraph (A), by inserting “or
 2 for fiscal year 2000 by the end of fiscal year
 3 2002,” after “fiscal year 2001,”;

4 (B) in subparagraph (A), by striking
 5 “1998 or 1999” and inserting “1998, 1999, or
 6 2000”;

7 (C) in subparagraph (A)(i)—

8 (i) by striking “or” at the end of sub-
 9 clause (I),

10 (ii) by striking the period at the end
 11 of subclause (II) and inserting “; or”; and

12 (iii) by adding at the end the fol-
 13 lowing new subclause:

14 “(III) the fiscal year 2000 allot-
 15 ment, the amount specified in sub-
 16 paragraph (C)(i) (less the total of the
 17 amounts under clause (ii) for such fis-
 18 cal year), multiplied by the ratio of
 19 the amount specified in subparagraph
 20 (C)(ii) for the State to the amount
 21 specified in subparagraph (C)(iii).”;

22 (D) in subparagraph (A)(ii), by striking
 23 “or 1999” and inserting “, 1999, or 2000”;

24 (E) in subparagraph (B), by striking “with
 25 respect to fiscal year 1998 or 1999”;

1 (F) in subparagraph (B)(ii)—

2 (i) by inserting “with respect to fiscal
3 year 1998, 1999, or 2000,” after
4 “subsection (e),”; and

5 (ii) by striking “2002” and inserting
6 “2004”; and

7 (G) by adding at the end the following new
8 subparagraph:

9 “(C) AMOUNTS USED IN COMPUTING RE-
10 DISTRIBUTIONS FOR FISCAL YEAR 2000.—For
11 purposes of subparagraph (A)(i)(III)—

12 “(i) the amount specified in this
13 clause is the amount specified in para-
14 graph (2)(B)(i)(I) for fiscal year 2000, less
15 the total amount remaining available pur-
16 suant to paragraph (2)(A)(iii);

17 “(ii) the amount specified in this
18 clause for a State is the amount by which
19 the State’s expenditures under this title in
20 fiscal years 2000, 2001, and 2002 exceed
21 the State’s allotment for fiscal year 2000
22 under subsection (b); and

23 “(iii) the amount specified in this
24 clause is the sum, for all States entitled to
25 a redistribution under subparagraph (A)

1 from the allotments for fiscal year 2000, of
 2 the amounts specified in clause (ii).”.

3 (3) CONFORMING AMENDMENTS.—Such section
 4 2104(g) is further amended—

5 (A) in its heading, by striking “AND 1999”
 6 and inserting “, 1999, AND 2000”; and

7 (B) in paragraph (3)—

8 (i) by striking “or fiscal year 1999”
 9 and inserting “, fiscal year 1999, or fiscal
 10 year 2000”; and

11 (ii) by striking “or November 30,
 12 2001” and inserting “November 30, 2001,
 13 or November 30, 2002”, respectively.

14 (c) EXTENSION AND REVISION OF RETAINED AND
 15 REDISTRIBUTED ALLOTMENTS FOR FISCAL YEAR
 16 2001.—

17 (1) PERMITTING AND EXTENDING RETENTION
 18 OF PORTION OF FISCAL YEAR 2001 ALLOTMENT.—

19 Paragraph (2) of such section 2104(g), as amended
 20 in subsection (b)(1)(B), is further amended—

21 (A) in the heading, by striking “2000” and
 22 inserting “2001”; and

23 (B) by adding at the end of subparagraph

24 (A) the following:

1 “(iv) FISCAL YEAR 2001 ALLOT-
 2 MENT.—Of the amounts allotted to a State
 3 pursuant to this section for fiscal year
 4 2001 that were not expended by the State
 5 by the end of fiscal year 2003, 50 percent
 6 of that amount shall remain available for
 7 expenditure by the State through the end
 8 of fiscal year 2005.”.

9 (2) REDISTRIBUTED ALLOTMENTS.—Paragraph
 10 (1) of such section 2104(g), as amended in sub-
 11 section (b)(2), is further amended—

12 (A) in subparagraph (A), by inserting “or
 13 for fiscal year 2001 by the end of fiscal year
 14 2003,” after “fiscal year 2002,”;

15 (B) in subparagraph (A), by striking
 16 “1999, or 2000” and inserting “1999, 2000, or
 17 2001”;

18 (C) in subparagraph (A)(i)—

19 (i) by striking “or” at the end of sub-
 20 clause (II),

21 (ii) by striking the period at the end
 22 of subclause (III) and inserting “; or”; and

23 (iii) by adding at the end the fol-
 24 lowing new subclause:

1 “(IV) the fiscal year 2001 allot-
 2 ment, the amount specified in sub-
 3 paragraph (D)(i) (less the total of the
 4 amounts under clause (ii) for such fis-
 5 cal year), multiplied by the ratio of
 6 the amount specified in subparagraph
 7 (D)(ii) for the State to the amount
 8 specified in subparagraph (D)(iii).”;
 9 (D) in subparagraph (A)(ii), by striking
 10 “or 2000” and inserting “2000, or 2001”;
 11 (E) in subparagraph (B)—
 12 (i) by striking “and” at the end of
 13 clause (ii);
 14 (ii) by redesignating clause (iii) as
 15 clause (iv); and
 16 (iii) by inserting after clause (ii) the
 17 following new clause:
 18 “(iii) notwithstanding subsection (e),
 19 with respect to fiscal year 2001, shall re-
 20 main available for expenditure by the State
 21 through the end of fiscal year 2005; and”;
 22 and
 23 (F) by adding at the end the following new
 24 subparagraph:

“(D) AMOUNTS USED IN COMPUTING RE-DISTRIBUTIONS FOR FISCAL YEAR 2001.—For purposes of subparagraph (A)(i)(IV)—

“(i) the amount specified in this clause is the amount specified in paragraph (2)(B)(i)(I) for fiscal year 2001, less the total amount remaining available pursuant to paragraph (2)(A)(iv);

“(ii) the amount specified in this clause for a State is the amount by which the State’s expenditures under this title in fiscal years 2001, 2002, and 2003 exceed the State’s allotment for fiscal year 2001 under subsection (b); and

“(iii) the amount specified in this clause is the sum, for all States entitled to a redistribution under subparagraph (A) from the allotments for fiscal year 2001, of the amounts specified in clause (ii).”.

(3) CONFORMING AMENDMENTS.—Such section 2104(g) is further amended—

(A) in its heading, by striking “AND 2000” and inserting “2000, AND 2001”; and

(B) in paragraph (3)—

1 (i) by striking “or fiscal year 2000”
2 and inserting “fiscal year 2000, or fiscal
3 year 2001”; and

4 (ii) by striking “or November 30,
5 2002,” and inserting “November 30, 2002,
6 or November 30, 2003,” respectively.

7 (d) EFFECTIVE DATE.—This section, and the amend-
8 ments made by this section, shall be effective as if this
9 section had been enacted on September 30, 2002, and
10 amounts under title XXI of the Social Security Act (42
11 U.S.C. 1397aa et seq.) from allotments for fiscal years
12 1998 through 2000 are available for expenditure on and
13 after October 1, 2002, under the amendments made by
14 this section as if this section had been enacted on Sep-
15 tember 30, 2002.

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