

115TH CONGRESS  
1ST SESSION

# H. J. RES. 123

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IN THE SENATE OF THE UNITED STATES

DECEMBER 7, 2017

Received

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## 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,*

1 **DIVISION A—FURTHER CON-**  
 2 **TINUING APPROPRIATIONS**  
 3 **ACT, 2018**

4 **SEC. 101. FURTHER CONTINUING APPROPRIATIONS.**

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

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

11 **DIVISION B—CHILDREN’S**  
 12 **HEALTH INSURANCE PRO-**  
 13 **GRAM (CHIP) ALLOCATION**  
 14 **REDISTRIBUTION SPECIAL**  
 15 **RULE**

16 **SEC. 201. CHIP ALLOCATION REDISTRIBUTION SPECIAL**  
 17 **RULE FOR CERTAIN SHORTFALL STATES**  
 18 **DURING FIRST QUARTER OF FISCAL YEAR**  
 19 **2018.**

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

22 (1) by amending subparagraph (B) to read as  
 23 follows:

1 “(B) DETERMINATION OF REDISTRIBUTED  
2 AMOUNTS IF INSUFFICIENT AMOUNTS AVAIL-  
3 ABLE.—

4 “(i) PRORATION RULE.—Subject to  
5 clause (ii), if the amounts available for re-  
6 distribution under paragraph (1) for a fis-  
7 cal year are less than the total amounts of  
8 the estimated shortfalls determined for the  
9 year under subparagraph (A), the amount  
10 to be redistributed under such paragraph  
11 for each shortfall State shall be reduced  
12 proportionally.

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

15 “(I) IN GENERAL.—For the pe-  
16 riod beginning on October 1, 2017,  
17 and ending December 31, 2017, with  
18 respect to any amounts available for  
19 redistribution under paragraph (1) for  
20 fiscal year 2018, the Secretary shall  
21 redistribute under such paragraph  
22 such amounts to each emergency  
23 shortfall State (as defined in sub-  
24 clause (II)) in such amount as is  
25 equal to the amount of the shortfall

described in subclause (II) for such State and period (as may be adjusted under subparagraph (C)) before the Secretary may redistribute such amounts to any shortfall State that is not an emergency shortfall State. In the case of any amounts redistributed under this subclause to a State that is not an emergency shortfall State, such amounts shall be determined in accordance with clause (i).

“(II) EMERGENCY SHORTFALL STATE DEFINED.—For purposes of this clause, the term ‘emergency shortfall State’ means, with respect to the period beginning October 1, 2017, and ending December 31, 2017, a shortfall State for which the Secretary estimates, in accordance with subparagraph (A) (unless otherwise specified in this subclause), that the projected expenditures under the State child health plan and under section 2105(g) (calculated as if the reference under section 2105(g)(4)(A) to ‘2017’

1 were a reference to ‘2018’ and insofar  
2 as the allotments are available to the  
3 State under this subsection or sub-  
4 section (e) or (m)) for such period will  
5 exceed the sum of the amounts de-  
6 scribed in clauses (i) through (iii) of  
7 subparagraph (A) for such period, in-  
8 cluding after application of any  
9 amount redistributed under paragraph  
10 (1) before such date of enactment to  
11 such State. A shortfall State may be  
12 an emergency shortfall State under  
13 the previous sentence without regard  
14 to whether any amounts were redis-  
15 tributed before such date of enact-  
16 ment to such State under paragraph  
17 (1) for fiscal year 2018.

18 “(III) APPLICATION OF QUALI-  
19 FYING STATE OPTION.—During the  
20 period described in subclause (I), sec-  
21 tion 2105(g)(4) shall apply to a quali-  
22 fying State (as defined in section  
23 2105(g)(2)) as if under section  
24 2105(g)(4)—

1                   “(aa) the reference to ‘2017’  
 2                   were a reference to ‘2018’; and  
 3                   “(bb) the reference to ‘under  
 4                   subsections (e) and (m) of such  
 5                   section’ were a reference to  
 6                   ‘under subsections (e), (f), and  
 7                   (m) of such section’.”; and

8                   (2) by adding at the end the following new sub-  
 9                   paragraph:

10                   “(D) RULE OF CONSTRUCTION.—Nothing  
 11                   in this paragraph may be construed as pre-  
 12                   venting a commonwealth or territory described  
 13                   in subsection (c)(3) from being treated as a  
 14                   shortfall State or an emergency shortfall  
 15                   State.”.

Passed the House of Representatives December 7,  
 2017.

Attest:

KAREN L. HAAS,  
*Clerk.*