

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).

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## 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

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## 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”;

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:

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

4                   “(i) the amount specified in this  
 5                   clause is the amount specified in para-  
 6                   graph (2)(B)(i)(I) for fiscal year 2001, less  
 7                   the total amount remaining available pur-  
 8                   suant to paragraph (2)(A)(iv);

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

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

20           (3) CONFORMING AMENDMENTS.—Such section  
 21           2104(g) is further amended—

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

24                   (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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