

DECEMBER 20, 2017

RULES COMMITTEE PRINT 115-52
TEXT OF THE HOUSE AMENDMENT TO THE
SENATE AMENDMENT TO H.R. 1370

**[Showing the text of Further Additional Continuing
Appropriations Act, 2018]**

In lieu of the matter proposed to be inserted by the
Senate amendment, insert the following

1 DIVISION A—FURTHER ADDITIONAL
2 CONTINUING APPROPRIATIONS ACT, 2018

3 SEC. 1001. The Continuing Appropriations Act, 2018
4 (division D of Public Law 115–56) is further amended—

5 (1) by striking the date specified in section
6 106(3) and inserting “January 19, 2018”; and

7 (2) by adding after section 142 the following:

8 “SEC. 143. Notwithstanding section 104, amounts
9 made available by section 111 for ‘Department of Home-
10 land Security—Coast Guard—Retired Pay’ may be obli-
11 gated to carry out Retired Pay Reform, as authorized by
12 part 1 of subtitle D of title VI of the National Defense
13 Authorization Act for Fiscal Year 2016 (Public Law 114–
14 92, as amended), and the matter under such heading in
15 division F of the Consolidated Appropriations Act, 2017

1 (Public Law 115–31; 131 Stat. 409) shall be applied dur-
2 ing the period covered by this Act by inserting ‘payment
3 of continuation pay under section 356 of title 37, United
4 States Code,’ after ‘payment for career status bonuses,’.

5 “SEC. 144. In addition to amounts provided by sec-
6 tion 101, amounts are provided for ‘Department of Health
7 and Human Services—Indian Health Service—Indian
8 Health Services’ at a rate for operations of \$11,761,000
9 and amounts are provided for ‘Department of Health and
10 Human Services—Indian Health Service—Indian Health
11 Facilities’ at a rate for operations of \$1,104,000, for an
12 additional amount for costs of staffing and operating
13 newly constructed facilities; and such amounts may be ap-
14 portioned up to the rate for operations necessary to staff
15 and operate newly constructed facilities.

16 “SEC. 145. Amounts made available by section 101
17 for ‘Department of Health and Human Services—Admin-
18 istration for Children and Families—Refugee and Entrant
19 Assistance’ may be apportioned up to the rate for oper-
20 ations necessary to maintain program operations for car-
21 rying out section 235 of the William Wilberforce Traf-
22 ficking Victims Protection Reauthorization Act of 2008 (8
23 U.S.C. 1232) and section 462 of the Homeland Security
24 Act of 2002 (6 U.S.C. 279) at the level provided in fiscal
25 year 2017.

1 “SEC. 146. Notwithstanding section 101, amounts
2 are provided for the purposes described in the third para-
3 graph under the heading ‘Department of Health and
4 Human Services—Office of the Secretary—Public Health
5 and Social Services Emergency Fund’ at a rate for oper-
6 ations of \$112,000,000; and such amounts may be appor-
7 tioned up to the rate for operations necessary to prepare
8 for or respond to an influenza pandemic.

9 “SEC. 147. Notwithstanding section 251(a)(1) of the
10 Balanced Budget and Emergency Deficit Control Act of
11 1985 and the timetable in section 254(a) of such Act, the
12 final sequestration report for fiscal year 2018 pursuant
13 to section 254(f)(1) of such Act and any order for fiscal
14 year 2018 pursuant to section 254(f)(5) of such Act shall
15 be issued, for the Congressional Budget Office, 10 days
16 after the date specified in section 106(3), and for the Of-
17 fice of Management and Budget, 15 days after the date
18 specified in section 106(3).”.

19 SEC. 1002. (a) Notwithstanding the dates specified
20 in section 403(b) of the FISA Amendments Act of 2008
21 (Public Law 110–261; 122 Stat. 2474), the amendments
22 made by such section shall not take effect until the date
23 specified in section 106(3) of the Continuing Appropria-
24 tions Act, 2018 (division D of Public Law 115–56), as
25 amended.

1 (b) If during the period beginning on the date of the
2 enactment of this Act and ending on the date specified
3 in section 106(3) of the Continuing Appropriations Act,
4 2018 (division D of Public Law 115–56), as amended, any
5 Act amending the dates specified in section 403(b) of the
6 FISA Amendments Act of 2008 (Public Law 110–261;
7 122 Stat. 2474) is enacted, this section shall be repealed.

8 This division may be cited as the “Further Additional
9 Continuing Appropriations Act, 2018”.

10 **DIVISION B—MISSILE DEFENSE**

11 The following sums are appropriated, out of any
12 money in the Treasury not otherwise appropriated, for the
13 fiscal year ending September 30, 2018, and for other pur-
14 poses, namely:

15 TITLE I—MISSILE DEFEAT AND DEFENSE

16 ENHANCEMENTS

17 DEPARTMENT OF DEFENSE

18 OPERATION AND MAINTENANCE

19 OPERATION AND MAINTENANCE, NAVY

20 For an additional amount for “Operation and Main-
21 tenance, Navy” for necessary costs to repair damage to
22 the U.S.S. John S. McCain and the U.S.S. Fitzgerald,
23 \$673,500,000: *Provided*, That such amount is designated
24 by the Congress as an emergency requirement pursuant

1 to section 251(b)(2)(A)(i) of the Balanced Budget and
2 Emergency Deficit Control Act of 1985.

3 OPERATION AND MAINTENANCE, AIR FORCE

4 For an additional amount for “Operation and Main-
5 tenance, Air Force” for necessary costs to detect, defeat,
6 and defend against the use of ballistic missiles,
7 \$18,750,000: *Provided*, That such amount is designated
8 by the Congress as an emergency requirement pursuant
9 to section 251(b)(2)(A)(i) of the Balanced Budget and
10 Emergency Deficit Control Act of 1985.

11 OPERATION AND MAINTENANCE, DEFENSE-WIDE

12 For an additional amount for “Operation and Main-
13 tenance, Defense-Wide” for necessary costs to detect, de-
14 feat, and defend against the use of ballistic missiles,
15 \$23,735,000: *Provided*, That such amount is designated
16 by the Congress as an emergency requirement pursuant
17 to section 251(b)(2)(A)(i) of the Balanced Budget and
18 Emergency Deficit Control Act of 1985.

19 PROCUREMENT

20 MISSILE PROCUREMENT, ARMY

21 For an additional amount for “Missile Procurement,
22 Army” for necessary costs to detect, defeat, and defend
23 against the use of ballistic missiles, \$884,000,000, to re-
24 main available until September 30, 2020: *Provided*, That
25 such amount is designated by the Congress as an emer-

1 gency requirement pursuant to section 251(b)(2)(A)(i) of
2 the Balanced Budget and Emergency Deficit Control Act
3 of 1985.

4 MISSILE PROCUREMENT, AIR FORCE

5 For an additional amount for “Missile Procurement,
6 Air Force” for necessary costs to detect, defeat, and de-
7 fend against the use of ballistic missiles, \$12,000,000 to
8 remain available until September 30, 2020: *Provided*,
9 That such amount is designated by the Congress as an
10 emergency requirement pursuant to section
11 251(b)(2)(A)(i) of the Balanced Budget and Emergency
12 Deficit Control Act of 1985.

13 OTHER PROCUREMENT, AIR FORCE

14 For an additional amount for “Other Procurement,
15 Air Force” for necessary costs to detect, defeat, and de-
16 fend against the use of ballistic missiles, \$288,055,000 to
17 remain available until September 30, 2020: *Provided*,
18 That such amount is designated by the Congress as an
19 emergency requirement pursuant to section
20 251(b)(2)(A)(i) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985.

22 PROCUREMENT, DEFENSE-WIDE

23 For an additional amount for “Procurement, De-
24 fense-Wide” for necessary costs to detect, defeat, and de-
25 fend against the use of ballistic missiles, \$1,239,140,000

1 to remain available until September 30, 2020: *Provided*,
2 That such amount is designated by the Congress as an
3 emergency requirement pursuant to section
4 251(b)(2)(A)(i) of the Balanced Budget and Emergency
5 Deficit Control Act of 1985.

6 RESEARCH, DEVELOPMENT, TEST AND
7 EVALUATION

8 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
9 ARMY

10 For an additional amount for “Research, Develop-
11 ment, Test and Evaluation, Army” for necessary costs to
12 detect, defeat, and defend against the use of ballistic mis-
13 siles, \$20,700,000 to remain available until September 30,
14 2019: *Provided*, That such amount is designated by the
15 Congress as an emergency requirement pursuant to sec-
16 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
17 gency Deficit Control Act of 1985.

18 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
19 NAVY

20 For an additional amount for “Research, Develop-
21 ment, Test and Evaluation, Navy” for necessary costs to
22 detect, defeat, and defend against the use of ballistic mis-
23 siles, \$60,000,000 to remain available until September 30,
24 2019: *Provided*, That such amount is designated by the
25 Congress as an emergency requirement pursuant to sec-

1 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
2 gency Deficit Control Act of 1985.

3 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
4 AIR FORCE

5 For an additional amount for “Research, Develop-
6 ment, Test and Evaluation, Air Force” for necessary costs
7 to detect, defeat, and defend against the use of ballistic
8 missiles, \$255,744,000 to remain available until Sep-
9 tember 30, 2019: *Provided*, That such amount is des-
10 ignated by the Congress as an emergency requirement
11 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
12 et and Emergency Deficit Control Act of 1985.

13 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
14 DEFENSE-WIDE

15 For an additional amount for “Research, Develop-
16 ment, Test and Evaluation, Defense-Wide” for necessary
17 costs to detect, defeat, and defend against the use of bal-
18 listic missiles, \$1,010,220,000 to remain available until
19 September 30, 2019: *Provided*, That such amount is des-
20 ignated by the Congress as an emergency requirement
21 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
22 et and Emergency Deficit Control Act of 1985.

1 TITLE II—MISSILE CONSTRUCTION
2 ENHANCEMENTS
3 DEPARTMENT OF DEFENSE

4 MILITARY CONSTRUCTION, DEFENSE-WIDE

5 For an additional amount for “Military Construction,
6 Defense-Wide”, \$200,000,000, to remain available until
7 September 30, 2022, to carry out construction of a missile
8 field in Alaska: *Provided*, That such funds may be obli-
9 gated or expended for planning and design and military
10 construction projects not otherwise authorized by law:
11 *Provided further*, That such amount is designated by the
12 Congress as an emergency requirement pursuant to sec-
13 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
14 gency Deficit Control Act of 1985.

15 TITLE III—GENERAL PROVISIONS

16 SEC. 2001. Notwithstanding any other provision of
17 law, funds made available in this division are in addition
18 to amounts appropriated or otherwise made available for
19 the Department of Defense for fiscal year 2018.

20 SEC. 2002. (a) Funds made available in title I of this
21 division shall be allocated to programs, projects, and ac-
22 tivities in accordance with the detailed congressional budg-
23 et justifications submitted by the Department of Defense
24 to accompany the Fiscal Year 2018 Budget Amendments
25 requested by the President on November 6, 2017: *Pro-*

1 *vided*, That changes to the allocation of such funds shall
2 be subject to the reprogramming requirements set forth
3 in the annual appropriations Act.

4 (b) Funds made available in this division may be obli-
5 gated and expended notwithstanding sections 102 and 104
6 of division D of Public Law 115–56.

7 SEC. 2003. Each amount designated in this division
8 by the Congress as an emergency requirement pursuant
9 to section 251(b)(2)(A)(i) of the Balanced Budget and
10 Emergency Deficit Control Act of 1985 shall be available
11 only if the President subsequently so designates all such
12 amounts and transmits such designations to the Congress.

13 This division may be cited as the “Department of De-
14 fense Missile Defeat and Defense Enhancements Appro-
15 priations Act, 2018”.

1 **DIVISION C—HEALTH**
2 **PROVISIONS**
3 **TITLE I—PUBLIC HEALTH**
4 **EXTENDERS**

5 **SEC. 3101. EXTENSION FOR COMMUNITY HEALTH CENTERS,**
6 **THE NATIONAL HEALTH SERVICE CORPS,**
7 **AND TEACHING HEALTH CENTERS THAT OP-**
8 **ERATE GME PROGRAMS.**

9 (a) **COMMUNITY HEALTH CENTERS FUNDING.**—Sec-
10 tion 10503(b)(1) of the Patient Protection and Affordable
11 Care Act (42 U.S.C. 254b–2(b)(1)) is amended—

12 (1) in subparagraph (D), by striking “and” at
13 the end; and

14 (2) by inserting after subparagraph (E) the fol-
15 lowing:

16 “(F) \$550,000,000 for the period of the
17 first and second quarters of fiscal year 2018;
18 and”.

19 (b) **NATIONAL HEALTH SERVICE CORPS.**—Section
20 10503(b)(2) of the Patient Protection and Affordable
21 Care Act (42 U.S.C. 254b–2(b)(2)) is amended—

22 (1) in subparagraph (D), by striking “and” at
23 the end;

24 (2) in subparagraph (E), by striking the period
25 at the end and inserting “; and”; and

1 (3) by inserting after subparagraph (E) the fol-
2 lowing:

3 “(F) \$65,000,000 for period of the first
4 and second quarters of fiscal year 2018.”.

5 (c) TEACHING HEALTH CENTERS THAT OPERATE
6 GRADUATE MEDICAL EDUCATION PROGRAMS.—Sub-
7 section (g) of section 340H of the Public Health Service
8 Act (42 U.S.C. 256h) is amended—

9 (1) by striking “To carry out” and inserting
10 the following:

11 “(1) IN GENERAL.—To carry out”;

12 (2) by striking “and \$15,000,000 for the first
13 quarter of fiscal year 2018” and inserting “and
14 \$30,000,000 for the period of the first and second
15 quarters of fiscal year 2018, to remain available
16 until expended”; and

17 (3) by adding at the end the following:

18 “(2) ADMINISTRATIVE EXPENSES.—Of the
19 amount made available to carry out this section for
20 any fiscal year, the Secretary may not use more
21 than 5 percent of such amount for the expenses of
22 administering this section.”.

23 (d) APPLICATION.—Amounts appropriated pursuant
24 to this section are subject to the requirements contained
25 in Public Law 115–31 for funds for programs authorized

1 under sections 330 through 340 of the Public Health Serv-
2 ice Act (42 U.S.C. 254b–256).

3 (e) CONFORMING AMENDMENTS.—Section 3014(h)
4 of title 18, United States Code, is amended—

5 (1) in paragraph (1), by striking “section
6 10503(b)(1)(E) of the Patient Protection and Af-
7 fordable Care Act (42 U.S.C. 254b-2(b)(1)(E)), as
8 amended by section 221 of the Medicare Access and
9 CHIP Reauthorization Act of 2015” and inserting
10 “subparagraphs (E) and (F) of section 10503(b)(1)
11 of the Patient Protection and Affordable Care Act
12 (42 U.S.C. 254b-2(b)(1))”; and

13 (2) in paragraph (4), by inserting “and section
14 3101(d) of the CHIP and Public Health Funding
15 Extension Act” after “section 221(c) of the Medi-
16 care Access and CHIP Reauthorization Act of
17 2015”.

18 **SEC. 3102. EXTENSION FOR SPECIAL DIABETES PROGRAMS.**

19 (a) SPECIAL DIABETES PROGRAM FOR TYPE I DIA-
20 BETES.—Section 330B(b)(2) of the Public Health Service
21 Act (42 U.S.C. 254e–2(b)(2)) is amended—

22 (1) in subparagraph (B), by striking “and” at
23 the end;

24 (2) in subparagraph (C), by striking the period
25 at the end and inserting “; and”; and

1 (3) by inserting after subparagraph (C) the fol-
2 lowing:

3 “(D) \$37,500,000 for the period of the
4 first and second quarters of fiscal year 2018, to
5 remain available until expended.”.

6 (b) SPECIAL DIABETES PROGRAM FOR INDIANS.—
7 Subparagraph (D) of section 330C(c)(2) of the Public
8 Health Service Act (42 U.S.C. 254c–3(c)(2)) is amended
9 by inserting “and \$37,500,000 for the second quarter of
10 fiscal year 2018” before the period at the end.

11 **SEC. 3103. PREVENTION AND PUBLIC HEALTH FUND.**

12 Section 4002(b) of the Patient Protection and Af-
13 fordable Care Act (42 U.S.C. 300u–11(b)) is amended—

14 (1) in paragraph (3), by striking “each of fiscal
15 years 2018 and 2019” and inserting “fiscal year
16 2018”;

17 (2) by redesignating paragraphs (4) through
18 (8) as paragraphs (5) through (9);

19 (3) by inserting after paragraph (3) the fol-
20 lowing new paragraph:

21 “(4) for fiscal year 2019, \$800,000,000;”;

22 (4) in paragraph (5), as so redesignated, by
23 striking “\$1,000,000,000” and inserting
24 “\$800,000,000”; and

1 (5) in paragraph (6), as so redesignated, by
2 striking “\$1,500,000,000” and inserting
3 “\$1,250,000,000”.

4 **TITLE II—CHILDREN’S HEALTH**
5 **INSURANCE PROGRAM (CHIP)**

6 **SEC. 3201. FUNDING EXTENSION OF THE CHILDREN’S**
7 **HEALTH INSURANCE PROGRAM.**

8 (a) APPROPRIATION; TOTAL ALLOTMENT.—Section
9 2104(a) of the Social Security Act (42 U.S.C. 1397dd(a))
10 is amended—

11 (1) in paragraph (19), by striking “and”;

12 (2) in paragraph (20), by striking the period at
13 the end and inserting “; and”; and

14 (3) by adding at the end the following new
15 paragraph:

16 “(21) for fiscal year 2018, for purposes of mak-
17 ing 1 semi-annual allotment—

18 “(A) \$2,850,000,000 for the period begin-
19 ning on October 1, 2017, and ending on March
20 31, 2018.”.

21 (b) ALLOTMENTS.—

22 (1) IN GENERAL.—Section 2104(m) of the So-
23 cial Security Act (42 U.S.C. 1397dd(m)) is amend-
24 ed—

1 (A) in paragraph (2)(B)(ii), in the matter
2 preceding subclause (I), by inserting “and para-
3 graph (10)” after “clauses (iii) and (iv)”;

4 (B) in paragraph (5)—

5 (i) by striking “or (4)” and inserting
6 “(4), or (10)”; and

7 (ii) by striking “or 2017” and insert-
8 ing “, 2017, or 2018”;

9 (C) in paragraph (9)—

10 (i) in the heading, by striking “FISCAL
11 YEARS 2015 AND 2017” and inserting
12 “CERTAIN FISCAL YEARS”;

13 (ii) by striking “or (4)” and inserting
14 “, (4), or (10)”; and

15 (iii) by striking “or fiscal year 2017”
16 and inserting “, 2017, or 2018”; and

17 (D) by adding at the end the following new
18 paragraph:

19 “(10) FOR FISCAL YEAR 2018.—

20 “(A) FIRST HALF.—

21 “(i) IN GENERAL.—Subject to para-
22 graphs (5) and (7), from the amount made
23 available under subparagraph (A) of para-
24 graph (21) of subsection (a) for the semi-
25 annual period described in such subpara-

1 graph, the Secretary shall compute a State
2 allotment for each State (including the
3 District of Columbia and each common-
4 wealth and territory) for such semi-annual
5 period in an amount equal to $\frac{1}{2}$ of the
6 amount described in clause (ii) for the
7 State.

8 “(ii) FULL YEAR AMOUNT BASED ON
9 GROWTH FACTOR UPDATED AMOUNT.—The
10 amount described in this clause for a State
11 is equal to the sum of—

12 “(I) the sum of the 2 semi-an-
13 nual allotments made to the State
14 under paragraph (4) for fiscal year
15 2017; and

16 “(II) the amount of any pay-
17 ments made to the State under sub-
18 section (n) for fiscal year 2017,
19 multiplied by the allotment increase factor
20 under paragraph (6) for fiscal year 2018.”.

21 (2) CONFORMING AMENDMENTS.—Section
22 2104(m)(2) of such Act (42 U.S.C. 1397dd(m)(2))
23 is amended—

1 (A) in the paragraph heading, by striking
2 “2010 THROUGH 2016” and inserting “BEGIN-
3 NING WITH FISCAL YEAR 2010”; and

4 (B) by striking “the allotment increase
5 factor under paragraph (5)” each place it ap-
6 pears and inserting “the allotment increase fac-
7 tor under paragraph (6)”.

8 (3) APPLICATION OF REGULAR EXPENDITURE
9 RULES.—Amounts allotted to a State under section
10 2104(m)(10)(A) of the Social Security Act (42
11 U.S.C. 1397dd(m)(10)(A)) (as added by paragraph
12 (1)) shall be subject to the same requirements of
13 title XXI of such Act and applicable regulations of
14 the Secretary of Health and Human Services as
15 apply to other allotments made to States for a fiscal
16 year under section 2104 of such Act.

17 (c) EXTENSION OF CHIP ALLOCATION REDISTRIBU-
18 TION SPECIAL RULE FOR CERTAIN SHORTFALL
19 STATES.—

20 (1) IN GENERAL.—Section 2104(f)(2)(B)(ii) of
21 the Social Security Act (42 U.S.C.
22 1397dd(f)(2)(B)), as amended by section 201 of
23 Public Law 115–90, is amended—

24 (A) in the clause heading, by striking
25 “FIRST QUARTER” and inserting “FIRST HALF”;

1 (B) by redesignating subclause (III) as
2 subclause (VI); and

3 (C) by striking subclauses (I) and (II) and
4 inserting the following:

5 “(I) IN GENERAL.—For each
6 month beginning during the period be-
7 ginning on October 1, 2017, and end-
8 ing March 31, 2018, subject to the
9 succeeding subclauses of this clause,
10 the Secretary shall redistribute any
11 amounts available for redistribution
12 under paragraph (1) for fiscal year
13 2018, to each State that is an emer-
14 gency shortfall State for the month
15 (as defined in subclause (II)) such
16 amount as the Secretary determines
17 will eliminate the estimated shortfall
18 described in subclause (II) for such
19 State for the month (as may be ad-
20 justed under subparagraph (C)) be-
21 fore the Secretary may redistribute
22 such amounts to any shortfall State
23 that is not an emergency shortfall
24 State. In the case of any amounts re-
25 distributed under this subclause to a

1 State that is not an emergency short-
2 fall State, such amounts shall be de-
3 termined in accordance with clause
4 (i).

5 “(II) EMERGENCY SHORTFALL
6 STATE DEFINED.—For purposes of
7 this clause, the term ‘emergency
8 shortfall State’ means, with respect to
9 a month beginning during the period
10 beginning October 1, 2017, and end-
11 ing March 31, 2018, a shortfall State
12 for which the Secretary estimates, in
13 accordance with subparagraph (A)
14 (unless otherwise specified in this sub-
15 clause) and on a monthly basis using
16 the most recent data available to the
17 Secretary as of such month, that the
18 projected expenditures under the
19 State child health plan and under sec-
20 tion 2105(g) (calculated as if the ref-
21 erence under section 2105(g)(4)(A) to
22 ‘2017’ were a reference to ‘2018’ and
23 insofar as the allotments are available
24 to the State under this subsection or
25 subsection (e) or (m)) for such month

1 will exceed the sum of the amounts
2 described in clauses (i) through (iii) of
3 subparagraph (A) for such month, in-
4 cluding after application of any
5 amount redistributed under paragraph
6 (1) for a previous month for fiscal
7 year 2018 in accordance with this
8 clause, to such State. A shortfall
9 State may be an emergency shortfall
10 State under the previous sentence
11 without regard to whether any
12 amounts were redistributed to such
13 State under paragraph (1) for a pre-
14 vious month in fiscal year 2018.

15 “(III) FUNDS REDISTRIBUTED IN
16 THE ORDER IN WHICH STATES REAL-
17 IZE FUNDING SHORTFALLS.—The
18 Secretary shall redistribute the
19 amounts available for redistribution
20 under paragraph (1) to emergency
21 shortfall States described in subclause
22 (II) in the order in which such States
23 realize monthly funding shortfalls
24 under this title for fiscal year 2018.
25 The Secretary shall only make redis-

1 tributions under this clause to the ex-
2 tent that such amounts are available
3 for such redistributions.

4 “(IV) PRORATION RULE.—If the
5 amounts available for redistribution
6 under paragraph (1) for a month dur-
7 ing the period described in subclause
8 (I) are less than the total amounts of
9 the estimated shortfalls determined
10 for the month for emergency shortfall
11 States described in subclause (II), the
12 amount computed under subclause (I)
13 for each emergency shortfall State
14 shall be reduced proportionally.

15 “(V) UNOBLIGATED REDISTRIB-
16 UTED FUNDS.—The Secretary shall
17 withhold any funds redistributed
18 under paragraph (1) for fiscal year
19 2018 before January 1, 2018, but
20 which have not been obligated for
21 amounts expended by a State as of
22 that date, and shall redistribute such
23 funds in accordance with the pre-
24 ceding subclauses of this clause.”

1 (2) RULE OF CONSTRUCTION.—Nothing in the
2 amendments made by paragraph (1) shall be con-
3 strued as authorizing the Secretary of Health and
4 Human Services to de-obligate any funds redistrib-
5 uted under clause (ii) of section 2104(f)(2)(B) of the
6 Social Security Act (42 U.S.C. 1397dd(f)(2)(B))
7 that have been obligated for amounts expended by
8 an emergency shortfall State described in such
9 clause as of January 1, 2018.

10 This division may be cited as the “CHIP and Public
11 Health Funding Extension Act”.

12 **DIVISION D—OTHER MATTERS**

13 **SEC. 4001. VA CHOICE.**

14 There is appropriated, out of any funds in the Treas-
15 ury not otherwise appropriated, \$2,100,000,000, to re-
16 main available until expended, to be deposited in the Vet-
17 erans Choice Fund under section 802 of the Veterans Ac-
18 cess, Choice, and Accountability Act of 2014 (Public Law
19 113–146; 38 U.S.C. 1701 note).

20 **DIVISION E—BUDGETARY** 21 **EFFECTS**

22 **SEC. 5001. BUDGETARY EFFECTS.**

23 (a) IN GENERAL.—The budgetary effects of division
24 C and each succeeding division shall not be entered on

1 either PAYGO scorecard maintained pursuant to section
2 4(d) of the Statutory Pay-As-You-Go Act of 2010.

3 (b) SENATE PAYGO SCORECARDS.—The budgetary
4 effects of division C and each succeeding division shall not
5 be entered on any PAYGO scorecard maintained for pur-
6 poses of section 4106 of H. Con. Res. 71 (115th Con-
7 gress).

8 (c) CLASSIFICATION OF BUDGETARY EFFECTS.—
9 Notwithstanding Rule 3 of the Budget Scorekeeping
10 Guidelines set forth in the joint explanatory statement of
11 the committee of conference accompanying Conference Re-
12 port 105–217 and section 250(c)(8) of the Balanced
13 Budget and Emergency Deficit Control Act of 1985, the
14 budgetary effects of division C and each succeeding divi-
15 sion shall not be estimated—

16 (1) for purposes of section 251 of such Act; and

17 (2) for purposes of paragraph (4)(C) of section
18 3 of the Statutory Pay-As-You-Go Act of 2010 as
19 being included in an appropriation Act.

20 **SEC. 5002. BUDGETARY EFFECTS OF RECONCILIATION ACT.**

21 (a) DEFINITION OF RECONCILIATION ACT.—In this
22 section, the term “reconciliation Act” means an Act en-
23 acted into law before, on, or after the date of enactment
24 of this Act that was considered pursuant to the reconcili-
25 ation instructions in H. Con. Res. 71 (115th Congress),

1 the concurrent resolution on the budget for fiscal year
2 2018.

3 (b) PAYGO SCORECARD.—The budgetary effects of
4 the reconciliation Act shall not be entered on either
5 PAYGO scorecard maintained pursuant to section 4(d) of
6 the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C.
7 933(d)).

