

# Resources: Timeline of Advocacy and History on Advance Appropriations for the Indian Health Service

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written by BSchmoyer | August 22, 2022

The National Council of Urban Indian Health (NCUIH) released a document on the history of advance appropriations for the Indian Health Service (IHS), which explains the necessity of advance appropriations and provides a timeline on the advocacy, congressional and federal support, and legislative efforts since 2013. The Indian healthcare system, including IHS, Tribal facilities, and urban Indian organizations (UIOs), is the only major federal healthcare provider funded through annual appropriations.

Unfortunately, discretionary budget funding for IHS is repeatedly delayed. Since Fiscal Year (FY) 1996, there has only been one occurrence of timely funding, and that was in FY 2006.

## What is Advance Appropriations?

Advance appropriations is funding that becomes available one year or more after the year for which the appropriations act is passed. Advance appropriations will stabilize Indian Health Service (IHS) funding and allow for long-term planning by insulating Indian health care providers from government shutdowns and continuing resolutions.

### Why is it needed?



Lapses in federal funding puts lives at risk. During the 2019 government shutdown, several Urban Indian Organizations (UIOs) had to reduce services or close their doors entirely, forcing them to leave their patients without adequate care. One UIO suffered 12 opioid overdoses, 10 of which were fatal. Advance appropriations is critical to provide certainty to the IHS system and ensure unrelated budget disagreements do not risk lives.

[View the resource](#)

[View the timeline](#)

## Advocacy



Advance appropriations has been a priority for Indian Country for years and we have seen broad support on this issue from Native health advocates. Over the past 10 years, there have been five resolutions in support of advance appropriations from the United South and Eastern Tribes (USET), the Inter-Tribal Council of the Five Civilized Tribes (ITC), the National Indian Health Board (NIHB), the National Congress of American Indians (NCAI), and the American Bar Association. On January 17, 2019, NCUIH sent a letter to the Vice Chairman of the Senate Committee on Indian Affairs (SCIA), Tom Udall, in support of IHS advance appropriations legislation. On March 9, 2022, NCUIH joined NIHB and over 70 Tribal nations and national Indian organizations in sending a series of joint letters to Congress requesting advance appropriations for IHS in the FY 2022 omnibus. and on June 16, 2022, NIHB and NCAI requested that the Committee support and include IHS advance appropriations in the current FY 2023 appropriations bill in an action alert. Most recently, NCUIH

sent letters to Speaker Pelosi, House Minority Leader McCarthy, Senate Majority Leader Schumer, Senate Minority Leader McConnell, Senate Interior Appropriations Committee, and SCIA to support advance appropriations for IHS.

- In 2013, the United South and Eastern Tribes, Inc. passed a [resolution](#) in support of advance appropriations for IHS.
- In 2014, the Inter-Tribal Council of the Five Civilized Tribes passed [Resolution No. 14-05](#) requesting advance appropriations for IHS.
- In 2014, the National Indian Health Board (NIHB) passed [Resolution 14-03](#) to support advance appropriations for IHS.
- In 2019, the National Congress of American Indians (NCAI) passed [Resolution 19-001](#) to support advance appropriations for the Bureau of Indian Affairs and IHS.
- In 2019, the American Bar Association passed a [resolution](#) urging Congress to enact advance appropriations legislation for IHS.
- On March 9, 2022, NCUIH joined NIHB and over 70 Tribal nations and national Indian organizations in sending a [series of joint letters](#) to Congress requesting advance appropriations for IHS in the Fiscal Year (FY) 2022 omnibus.
- On June 16, 2022, NIHB and NCAI requested that the Committee support and include IHS advance appropriations in the current FY 2023 appropriations bill in an [action alert](#).
- On June 24, 2022, NCUIH sent a [letter](#) to Speaker Pelosi to support advance appropriations for IHS.
- On June 30 and July 1, 2022 NCUIH sent letters to [Senate Majority Leader Schumer](#) and [Senate Minority Leader McConnell](#) to support advance appropriations for IHS

#### Congressional & Federal Support



There has also been strong long-standing support from Congress on this issue. On January 12, 2022, the Native American Caucus sent a letter to House Appropriations Committee Chair DeLauro and Ranking Member Granger requesting that advance appropriations for IHS for FY 2023 be included in the final FY 2022 appropriations bill, and again on June 3 requesting that, while the process of shifting IHS to mandatory appropriations is underway, advanced appropriations for IHS be included in the final FY 2023 Appropriations bill. On April 25, 2022, a bipartisan group of 28 Representatives requested up to \$949.9 million for urban Indian health in FY 2023 and advance appropriations for IHS until such time that authorizers move IHS to mandatory spending, and 12 Senators sent a letter with the same requests. Last year, for the first time ever, the Senate Appropriations Committee included an additional \$6.58 billion in advance appropriations to IHS for FY 2023 in its FY 2022 Interior, Environment, and Related Agencies bill.

Back in 2014, SCIA held its first hearing on advance appropriation bill *Indian Health Service Advance Appropriations Act of 2013* (S. 1570). In a House Natural Resources Subcommittee for Indigenous Peoples (SCIP) hearing held during the last Congress on advance appropriations bills H.R. 1128 and H.R. 1135, former IHS Principal Deputy Director, Rear Admiral Michael Weahkee, reaffirmed Indian Country's repeated request for advance appropriations stating that "[t]hrough the IHS's robust annual Tribal Budget Consultation process, Tribal and Urban Indian Organization leaders have repeatedly and strongly recommended advance appropriations for the IHS as an essential means for ensuring continued access to critical health care services. The Department continues to hear directly from tribes advocating support for legislative language that would provide

the authority of advance appropriations for the IHS. The issues that Tribes have identified present real challenges in Indian Country and we are eager to work with Congress on a variety of solutions.” Most recently on July 28, SCIP held a [hearing](#) on the *Indian Health Service Advance Appropriations Act (H.R. 5549)* where IHS Acting Deputy Director Elizabeth Fowler reaffirmed IHS’s support for advance appropriations stating that “We remain firmly committed to improving quality, safety, and access to health care for American Indians and Alaskan Natives. Mandatory funding and advanced appropriations are necessary and critical steps toward that goal... [I] urge the House to act on advanced appropriations through the appropriations process with or without the authorizing legislation that is the subject of this hearing.”

The U.S. Commission on Civil Rights report from 2018, “Broken Promises: Continuing Federal Funding Shortfall for Native Americans” serves as another benchmark of support by including advance appropriations for IHS as a key recommendation to the federal government to ensure greater funding stability for IHS.



Since 2013, legislation on this effort has been introduced in 11 bills:

1. 10/2013 – *Indian Health Service Advance Appropriations Act of 2013* ([R. 3229/S. 1570](#)) o Sponsor: Rep. Don Young/Sen. Lisa Murkowski
2. 1/2015 – *Indian Health Service Advance Appropriations Act of 2015* ([R. 395](#)) o Sponsor: Rep. Don Young
3. 1/2017 – *Indian Health Service Advance Appropriations Act of 2017* ([R. 235](#)) o Sponsor: Rep. Don Young
4. 2/2019 – *Indian Programs Advanced Appropriations Act* ([R. 1128/S. 229](#)) o Sponsor: Rep. Betty McCollum/Sen. Tom Udall
5. 2/2019 – *Indian Health Service Advance Appropriations Act of 2019* ([R. 1135/S. 2541](#)) o Sponsor: Rep. Don Young/Sen. Lisa Murkowski
6. 10/2021 – *Indian Health Service Advance Appropriations Act* ([R. 5549](#)) o Sponsor: Rep. Don Young
7. 10/2021 – *Indian Programs Advance Appropriations Act of 2021* ([R. 5567/S. 2985](#)) o Sponsor: Rep. Betty McCollum/Sen. Ben Ray Lujan

NCUIH has persistently advocated for advance appropriations for IHS by sending letters to Congress and creating educational materials describing the necessity of this important issue impacting Indian Country.

#### **Government Shutdowns Disproportionately Impact UIOS**

During the recent SCIP, IHS Acting Director Liz Fowler testified that UIOs are disproportionately impacted by government shutdowns. She stated, “Urban Indian Organizations (UIO) are funded through a different mechanism than our tribal programs. They’re funded through contracts and grants and the contracts are federal acquisition regulation contracts.” She highlighted that, unlike tribal programs, UIOs are unable to get full funding during continuing resolutions (CR).

[\*\*View the Testimony Here.\*\*](#)

## **Advance Appropriations Save Native Lives**

On July 28, 2022, NCUIH recently released a short video showcasing why advance appropriations is critical to insulate IHS, UIOs, and other Tribal health facilities from the negative consequences engendered by delayed funding when there are government shutdowns, automatic sequestration cuts, and continuing resolutions. The video calls on Congress to enact advance appropriations to prevent the loss of American Indian and Alaska Native (AI/AN) lives by detailing the difficult circumstances resulting from the most recent government shutdown that began at the start of FY 2019, which lasted 35 days. Kerry Lessard, Executive director of the [\*Native American LifeLines of Baltimore\*](#), described the experience of her UIO, citing that “We were several months without being paid and that meant services that we had to deny” during the FY2019 shutdown. The impact on AI/ANs was severe, as the Native American Lifelines of Baltimore received seven overdose patients after they were forced to close their doors, five of which were fatal.

**[View the Video Here.](#)**