

FY 2024 Appropriations Update: IHS to Maintain Continuity of Operations with Advance Appropriations

Category: Policy Blog

written by Alexandra Payan | October 5, 2023

On October 1, 2023, Indian Health Service (IHS) Director, Roselyn Tso, sent a Dear Tribal Leader and Urban Indian Organization Leader [letter](#) sharing critical information regarding the current status of fiscal year (FY) 2024 appropriations for the IHS. This letter is in response to the recently enacted “[Continuing Appropriations Act, 2024 and Other Extensions Act](#)” (the continuing resolution) which funds the Federal Government through November 17, 2023. The letter notes that because IHS received its first ever advance appropriations in the [Consolidated Appropriations Act, 2023 \(Public Law 117-328\)](#), which provides \$5.1 billion in FY 2024 for nearly all programs in the IHS Services and Facilities accounts, the IHS has authorization and funding to continue operations and the provision of direct health care services. The FY 2024 advance appropriations and carryover funds from previously appropriated funds, including COVID supplemental funds, are not limited to the pro-rata percentage applied by the continuing resolution, and the IHS has access to this full funding amount as of October 1.

In the coming days, the IHS will begin distributing FY 2024 advance appropriations to IHS programs, Tribal Health Programs, and Urban Indian Organizations (UIOs). You can find additional information on IHS advance appropriations at the link that follows: [IHS Blog: IHS Provides an Update on Advance Appropriations Implementation](#).

Payment Processes

HHS financial systems will re-open after October 1, 2023, for FY 2024 activities. All of the timelines and requirements to receive a payment remain the same. For example, funds will be paid out according to performance periods. If your UIO contract performance period is October – September, the earliest you could receive a payment for FY 2024 is October 2023. If your performance period is November – October, the earliest you could receive a payment for FY 2024 is November. Additionally, UIOs must have a signed Federal Acquisition Regulation (FAR) contract in place to receive a FY 2024 payment.

Activities that did not receive FY 2024 advance appropriations include the following:

- Electronic Health Record Modernization
- Indian Health Care Improvement Fund
- Health Care Facilities Construction
- Sanitation Facilities Construction
- Contract Support Costs
- Section 105(l) Leases (Payments for Tribal Leases)

Background on IHS Advance Appropriations

The [FY 2023 Consolidated Appropriations Act \(Public Law 117-328\)](#) included a total of \$5.1 billion in FY 2024 advance appropriations for IHS, including the urban Indian health line item. The full year

funding level will be available for programs on Oct. 1, 2023, regardless of whether Congress enacts a continuing resolution or full year bill. Advance appropriations provide long overdue funding stability and predictability for the IHS. Congress will determine a final appropriations level for the IHS in the FY 2024 appropriations process and has the ability to significantly increase the IHS budget, in-line with the recommendations of the [National Tribal Budget Formulation Workgroup](#), through additional discretionary appropriations.

NCUIH Advocacy

After tireless advocacy from the National Council of Urban Indian Health (NCUIH) and our partners across Indian Country, Congress [included](#) advance appropriations for IHS in the FY 2023 final spending bill to provide stable funding for FY 2024. The current advanced appropriation expires in FY 2025, and NCUIH is continuing its advocacy to secure advanced appropriations for IHS for future years. NCUIH [endorsed](#) the bipartisan, bicameral ***Indian Program Advance Appropriations Act (H.R.4832/S.2424)*** which was reintroduced by Sen. Lujan (D-NM), Sen. Mullin (R-OK), Rep. McCollum (D-MN-04), and Rep. Cole (R-OK-04) on July 24, 2023. This bill would authorize advance appropriations for several accounts under the Bureau of Indian Affairs and Bureau of Indian Education within the Department of Interior and IHS within the Department of Health and Human Services.

On March 9, 2023, NCUIH CEO Francys Crevier (Algonquin), [testified](#) before and [submitted](#) public witness written testimony to the House Appropriations Subcommittee on Interior, Environment, and Related Agencies regarding FY 2024 funding and requested that advance appropriations for IHS be maintained. NCUIH also worked closely with Representatives Gallego and Grijalva on leading a Congressional [letter](#) to the House Committee on Appropriations for FY 2024, urging to maintain advance appropriations for IHS until such time that authorizers move IHS to mandatory spending. On April 4, 2023, a group of 12 Senators sent a [letter](#) to the Senate Interior Appropriations Committee with the same requests. Due to this advocacy, advance appropriations for IHS was maintained for FY 2025 in both the [House](#) and [Senate](#) Interior Appropriations proposed FY 2024 spending bills.

- [For More Information on NCUIH Efforts on Advanced Appropriations](#)