



What are we talking about?

Regular appropriations refer to the 12 federal appropriations bills enacted annually. Congress has only enacted regular annual appropriations on time four times in the last 40 years. When Congress fails to enact its regular annual appropriations on time, they must either pass a **Continuing Resolution** (CR) or cut back to emergency essential services under what is known as a “**government shutdown**.” CRs usually fund the federal government for part of the year at last year’s amounts, with certain exceptions.

What is included in a Continuing Resolution?

Continuing Resolutions have five main parts to consider:

1. Which accounts are covered?
2. How long will the CR last?
3. How much funding is provided (funding rate)?
4. Are there any changes or restrictions on activities?
5. Are there any other legislative provisions tacked on?

You mentioned something about certain exceptions?

If a CR is expected, the Office of the President sends Congress a list of requested **anomalies**. Anomalies change the duration, amount, or purpose of funds under a CR, or may appropriate new funds or authorize new policies. *An example* of an anomaly regularly included in a CR is funding for staffing at a newly completed Indian Health Service (IHS) facility. In this instance, continuing at prior year amounts for a clinic that just opened would not work – an anomaly is often granted for the new costs.

A CR can include both discretionary and mandatory programs. Sometimes, a mandatory appropriation is set to expire at the end of the fiscal year and Congress includes “**extenders**” in the CR so that the program will continue to receive funding. *An example* of a program that has received CR extenders is the Special Diabetes Program for Indians (SDPI). While extenders may preserve otherwise expiring programs, the short-term nature of extenders for SDPI have negatively impacted the operations of a program proven to save the United States money each year.

What are the effects of Continuing Resolutions?

Continuing Resolutions are disruptive to regular governance and cause Tribes and the federal government to duplicate work making many partial-year budgets. As a result, CRs waste taxpayer money and cause worse government performance. Funding disruptions also harm the United States’ credit rating. This increases borrowing costs for businesses and hurts retirement and pensions for Americans. The historic enactment of advance appropriations for the IHS means that, for the first time, in 2024, the IHS will not be immediately subject to a government shutdown, but critical and lifesaving programs will be disrupted throughout Indian Country, and Tribal nations will pay to maintain operations in either borrowing costs or lives lost.

For Tribal nations, this means Congress would choose a shutdown over fulfilling its duty as Trustee. Continuing Resolutions can be a tool to maintain operations while regular appropriations are finalized by Congress. However, recent CRs were shorter than the time it takes for funds to be available – virtually guaranteeing Tribes and Tribal organizations operate federal programs at a loss.

