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# Utah State Legislature

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During its August 16, 2017 meeting, the Federal Funds Commission adopted a motion to request that legislative staff and the governor's office provide the commission with necessary tools to address the risk of a government shutdown. This report uses a question and answer format to provide background information as well as risks, tools, and resources. The Office of the Legislative Fiscal Analyst, the Office of Legislative Research and General Counsel, and the Governor's Office of Management and Budget jointly prepared this report.

## What is a federal government shutdown?

The federal Antideficiency Act prohibits the federal government from spending or incurring debt in advance or in excess of an appropriation. If short-term or full-year appropriations are not enacted, federal agencies and programs that rely on them to operate will shut down.

“When federal agencies and programs lack funding after the expiration of full-year or interim appropriations, the agencies and programs experience a funding gap. If funding does not resume in time to continue government operations, then, under the Antideficiency Act, an agency must cease operations, except in certain situations when law authorizes continued activity” (Congressional Research Service).

To avoid a shutdown, Congress has two options: pass a full-year appropriations bill, or pass a continuing resolution. Congress often passes continuing resolutions to provide “bridge” funding while debating appropriations bills and working out other political issues.

## What is contributing to a possible government shutdown on December 8, 2017?

Several issues are contributing to a possible shutdown. Some of these items may change prior to December 8.

- On September 8, President Trump signed legislation that extended the debt ceiling until December and keeps the federal government funded through December 8. The current federal fiscal year (FFY) ends on September 30, 2017. No appropriations bills for FFY 2018 have been enacted.
- Congress has not made long-term progress on a plan to lift the debt limit. Disagreements continue between the administration and Congress on whether the raise should come with strings attached. It is unclear how this will interact with the appropriations process or any

spending package for hurricane relief. History shows that Congress tends to postpone action until close to the deadline.

- The President recently said that he would shut down the government if Congress fails to provide funds to build a wall on the southern border.
- Reconciliation. In short, the Senate reconciliation process allows it to pass budget legislation with a simple majority vote (not subject to filibuster). The Senate attempted to pass health care reform under reconciliation, and may try again if they can do so by September 30, 2017. The Senate may also attempt to pass tax reform under reconciliation. Using the budget process as a vehicle for major reform packages could result in delays passing a FFY 2018 budget.
- The Budgetary Control Act (BCA) places limits on federal spending through FFY 2021. Spending caps apply to both defense and non-defense programs. Any spending package adopted by Congress that exceeds the caps is automatically reduced through a process called “sequestration” with across-the-board cuts to the BCA limits. While Congress amended the BCA once before to increase caps in FFY 2014-2017, it is unknown if they will do so again as part of budget negotiations. The President’s FFY 2018 budget proposes to eliminate sequestration for defense programs and provide a large increase in defense funding, offset by cuts to non-defense programs. The current House proposal would provide a large increase in defense funding with level funding for non-defense programs. The Senate is following FFY 2017 spending levels. These factors, plus the damage caused by natural disasters, may put additional pressure on Congress to amend the spending caps in the BCA, which may delay the appropriations process.

## What is the history of federal shutdowns?

- **“Funding Gaps”:** 1976, 1977, 1978, 1979. Before the 1980 and 1981 Attorney General opinions interpreting the application of the Antideficiency Act, failure to fund a part of the government did not necessarily mean the government would stop functioning. Instead, federal agencies would minimize “nonessential” operations. After the 1980 and 1981 Opinions, which interpreted the Antideficiency Act to require an agency to suspend activity (except for a few “excepted” activities) until an appropriation was enacted, government shutdowns resulted.
- **Pre-1995 Shutdowns:** 1981, 1982 (2), 1983, 1984 (2), 1986, 1987, 1990
- **1995 Shutdown (FFY 1996):**
  - Length: 5 days
  - President: Bill Clinton
  - Control of Senate: Republicans
  - Control of House: Republicans
  - Reason: Congress sent Clinton a continuing resolution that would have raised Medicare premiums, required the president to balance the budget within seven years, and curtailed environmental regulations, among other provisions. Clinton vetoed it, triggering a shutdown.
  - Resolution: The shutdown ended when Clinton, Speaker Gingrich, and Republican Senate Leader Dole reached an agreement to fund the government at 75 percent levels for four

weeks while budget negotiations continued. Clinton also agreed to the seven-year balanced budget timeline. Workers furloughed during the shutdown were given back pay.

- **1995 to 1996 Shutdown (FFY 1996):**

- Length: 21 days
- President: Bill Clinton
- Control of Senate: Republicans
- Control of House: Republicans
- Reason: Republican leaders demanded that the White House propose a seven-year budget plan that balanced using the Congressional Budget Office's (CBO) economic forecasts, rather than the Office of Management and Budget's (OMB). The plan Clinton proposed still produced a \$115 billion deficit in seven years according to CBO numbers, while the OMB estimated that it would balance the budget. The dispute was not resolved before the agreement mentioned above expired.
- Resolution: Republicans compromised and passed legislation to keep the government open. Clinton, in turn, submitted a budget plan that the CBO said balanced the budget within seven years.
- Impact: The following are some of the effects of the Fiscal Year 1996 shutdowns:
  - Centers for Disease Control and Prevention ceased surveillance;
  - New patients not accepted by the National Institutes of Health (NIH);
  - Delays in the processing of alcohol, tobacco, firearms, and explosive applications;
  - 3,500 bankruptcy cases suspended;
  - Delinquent child support cases delayed;
  - Hiring of 400 border patrol agents canceled;
  - 368 National Park Service sites closed;
  - 20,000 to 30,000 visa applications unprocessed each day;
  - 200,000 passports applications unprocessed;
  - Veteran services related to health, welfare, travel, and finance stalled; and
  - 20% of Washington DC area federal contracts adversely affected.

- **2013 Shutdown (FFY 2014)**

- Length: 16 days
- President: Barack Obama
- Control of Senate: Democrats
- Control of House: Republicans
- Reason: Congress failed to come to an agreement on a budget after Republican lawmakers began pushing to defund Obamacare. Senate Democrats and the Obama administration rejected the proposals leading to the shutdown.
- Resolution: Congress voted to fund the government until January 15 and extend the debt limit. Minor changes were made to Obamacare. President Obama signed the bill ending the shutdown.
- Impact: The following are some of the effects of the Fiscal Year 2014 shutdown:

- Suspension of IRS income verification used by financial institutions;
- Federal loans to small businesses, homeowners, and housing and healthcare developers halted;
- Interest due on late federal payments;
- Lower executive branch revenues;
- Negative impacts on federal workforce, including impacts on recruitments and retention;
- Loss of 6.6 million work days because of furloughs (resulting in an estimated \$2 billion in costs to pay furloughed employees); and
- Impact on federal grant programs that provided funding to state and local governments.
- *See OMB, Impacts and Costs of the October 2013 Federal Government Shutdown, November 2013, for more thorough discussion.*

## What guidance did the federal government give in former shutdowns?

Whether an agency is required to stall activity following a funding gap depends on whether the activity is considered an “excepted” (or “nonessential”) activity. While former shutdown decisions as to “excepted” activities are not necessarily controlling, they may inform future agency and OMB decisions should another shutdown come about.

- The 1981 OMB memorandum identified three categories of “excepted activities” that could continue during a government shutdown:
  - Activities “authorized by law;”
  - Activities that “protect life and property;”
  - Activities “necessary to begin phasing out of other activities.”
- OMB provided the following as examples of activities that could continue under statutes in existence at the time (i.e., those activities “authorized by law”):
  - Activities “that provide for national security, including the conduct of foreign relations essential to national security or the safety of life or property;”
  - Activities “that provide for benefit payments and the performance of contract obligations under no-year and multi-year authority, or other funds still available for those purposes.”
- The following is a list of the examples provided by OMB of activities that were considered “essential to protect life and property”:
  - Medical care of inpatients and emergency outpatient care;
  - Activities essential to ensuring continued public health and safety, including safe use of food and drugs and safe use of hazardous materials;
  - The continuance of air traffic control and other transportation safety functions;
  - Border and coastal protection and surveillance;
  - Protection of federal lands, buildings, waterways, equipment, and other property owned by the United States;

- Care of prisoners and other persons in custody of the United States;
  - Law enforcement and criminal investigations;
  - Emergency and disaster assistance;
  - Activities essential to the preservation of the essential elements of the money and banking system of the United States, including borrowing and tax collection activities of the treasury;
  - Activities that ensure production of power and maintenance of the power distribution system;
  - Activities necessary to maintain protection of research property.
- The 1981 OMB memorandum was still in effect during the 1996 shutdown and was used as a reference for the 2013 shutdown. The OMB website also includes several past memoranda to provide some guidance and instructions to employees furloughed in a shutdown here: <https://www.opm.gov/policy-data-oversight/pay-leave/furlough-guidance/#url=Shutdown-Furlough>.

## How dependent is Utah on federal funds?

According to Federal Funds Information for States' (FFIS), August 2017 State Policy Report, using data from the Council of State Governments, as of FFY 2015 Utah is ranked near or at the bottom of all states in total federal spending. Their report charts four federal fiscal flows going to states, where they become part of the state budget and/or economy:

- Direct payments (payments to individuals, including Social Security, retirement and disability payments, veterans' benefits, Medicare, unemployment compensation, Supplemental Nutrition Assistance Program (SNAP), housing assistance, farm payments, and the Earned Income Tax Credit);
- Grants (funds that support programs at the sub-national level, including Medicaid);
- Procurement (purchases and contracts, including defense-related activities); and
- Wages (salaries and wages for federal employees).

Some observations from the report:

- Over the past five years, federal spending traceable to states increased 4.5 percent, driven primarily by direct payments, which increased 12.7 percent. Salaries grew by a negligible 0.7 percent, while grants and procurement fell, by 1.3 percent and 17.5 percent.
- Utah has 0.9 percent of the nation's population and received 0.6 percent of total federal spending, ranking it 44<sup>th</sup> in total federal spending.
- In per capita federal spending, Utah received \$7,327, the lowest per capita amount in the nation, 51<sup>st</sup> out of 51, 30.7 percent less than the national average, and less than half what the top-ranking states received. The table on the next page shows the rankings by state.

It should also be noted that Utah has approximately 35,000 federal employees, most of whom are employed at Hill Air Force Base and the IRS, and some State employees also have federally funded salaries.

**Per Capita Federal Spending, FY 2015**

Rank	State	Amount
1	District of Columbia	\$82,508
2	Virginia	17,052
3	Maryland	17,025
4	Alaska	15,806
5	New Mexico	14,743
6	Hawaii	14,103
7	Connecticut	12,793
8	West Virginia	12,694
9	Alabama	12,550
10	Maine	12,169
11	Rhode Island	12,082
12	Vermont	11,904
13	Kentucky	11,876
14	Massachusetts	11,689
15	Mississippi	11,425
16	Pennsylvania	11,254
17	Washington	11,081
18	Delaware	10,855
19	South Carolina	10,791
20	Arizona	10,757
21	Montana	10,710
22	Arkansas	10,638
	<b>United States</b>	<b>10,567</b>
23	New York	10,554
24	Oklahoma	10,510
25	Florida	10,413
26	Tennessee	10,370
27	Oregon	10,173
28	Missouri	10,153
29	North Carolina	10,131
30	New Hampshire	10,112
31	Louisiana	10,040
32	Colorado	10,033
33	South Dakota	9,849
34	New Jersey	9,844
35	Kansas	9,775
36	North Dakota	9,758
37	Idaho	9,665
38	California	9,654
39	Michigan	9,562
40	Wyoming	9,447
41	Nevada	9,417
42	Ohio	9,354
43	Georgia	9,297
44	Texas	9,159
45	Indiana	9,054
46	Iowa	8,984
47	Minnesota	8,979
48	Nebraska	8,961
49	Wisconsin	8,839
50	Illinois	8,701
51	Utah	7,327

*Source: Council of State Governments*

During the 2017 General Session, the Legislature appropriated a total of \$4.3 billion from federal funds, or 26 percent of the State FY 2018 Operating and Capital Budget. Federal funds as a percentage of the State budget tend to decrease during economic recoveries, and increase during economic recessions when federal funds are needed to help provide services for affected individuals and families.

The following table shows the distribution of FY 2018 federal funds appropriations by agency and line item. At the end of the table, the same information is broken down by appropriations subcommittee. Seventy-two percent of FY 2018 federal funds appropriations are in the Social Services Appropriations Subcommittee. Actual expenditures could be higher. Statute grants agencies the flexibility to expend up to 125 percent of their appropriation and gives agencies the ability to take federal grants that were not reviewed during a general session to the Executive Appropriations Committee for review.

<b>State Fiscal Year 2018 Federal Funds Appropriations</b>			
Operating and Capital Budget Including Expendable Funds and Accounts			
<b>Dept.</b>	<b>Line Item</b>	<b>One-time</b>	<b>Ongoing</b>
Administrative Services		\$400	\$41,100
	State Archives	\$400	\$41,100
Agriculture		\$24,600	\$6,952,000
	Administration	\$5,600	\$482,700
	Animal Health	\$11,300	\$1,644,400
	Plant Industry	\$3,100	\$3,842,000
	Regulatory Services	\$2,900	\$571,300
	Resource Conservation	\$1,700	\$411,600
Attorney General		\$7,900	\$2,517,500
	Attorney General	\$7,500	\$2,242,900
	Children's Justice Centers	\$400	\$242,100
	Prosecution Council		\$32,500
Commerce		\$1,600	\$405,700
	Commerce General Regulation	\$1,600	\$405,700
Corrections		\$500	\$395,900
	Programs and Operations	\$500	\$345,900
	Jail Contracting		\$50,000
Courts		\$1,200	\$766,100
	Administration	\$1,200	\$766,100
Debt Service		\$0	\$15,827,000
	Debt Service		\$15,827,000
Environmental Quality		\$78,500	\$35,702,400
	Air Quality	\$19,400	\$6,001,400
	Drinking Water	\$14,700	\$3,948,800
	Enviro. Response and Mediation	\$18,100	\$4,429,000
	Executive Director's Office	\$2,200	\$254,700
	Waste Mgt. and Radiation Control	\$5,000	\$1,361,200
	Water Quality	\$19,100	\$5,507,300
	WDSF - Water Quality		\$7,200,000
	WDSF - Drinking Water		\$7,000,000
Governor's Office		\$6,800	\$34,006,100
	Cmn. on Criminal and Juvenile Justice	\$6,800	\$29,375,200
	Juv. Account. Incent. Block Grant Fund		\$500
	Crime Victim Reparations		\$2,800,000
	State Elections Grant Fund		\$214,400
	Justice Assistance Grant Fund		\$1,616,000
Governor's Office of Economic Development		\$1,800	\$1,063,000
	Business Development	\$1,800	\$1,063,000
Governor's Office of Energy Development		(\$94,900)	\$408,000
	Gov's Office of Energy Development	(\$94,900)	\$408,000
Health		\$30,142,200	\$2,190,526,200
	Children's Health Insurance Program	\$52,136,700	\$104,695,500
	Disease Control and Prevention	\$89,600	\$38,854,600
	Executive Director's Operations	\$26,500	\$6,116,400
	Family Health and Preparedness	\$92,800	\$78,819,900
	Medicaid and Health Financing	(\$1,088,400)	\$73,677,800
	Medicaid Services	(\$21,115,000)	\$1,861,208,000
	Vaccine Commodities		\$27,154,000



<b>Dept.</b>	<b>Line Item</b>	<b>One-time</b>	<b>Ongoing</b>
Heritage and Arts		\$14,300	\$7,915,300
	Arts and Museums	\$600	\$733,800
	State History	\$7,300	\$1,004,900
	State Library	\$4,000	\$1,871,100
	Cmn. on Service and Volunteerism	\$2,400	\$4,305,500
Human Services		\$330,800	\$132,982,400
	Aging and Adult Services	\$5,600	\$11,774,200
	Child and Family Services	\$207,200	\$63,271,700
	Executive Director Operations	\$18,700	\$7,744,300
	Office of Public Guardian	\$300	\$40,900
	Office of Recovery Services	\$89,200	\$21,322,500
	Services for People w/ Disabilities	\$1,900	\$1,586,200
	Substance Abuse and Mental Health	\$7,900	\$27,242,600
Insurance		\$4,900	\$1,199,600
	Insurance Department Administration	\$4,900	\$1,199,600
Juvenile Justice Services		\$14,100	\$4,610,700
	Programs and Operations	\$14,100	\$4,610,700
Labor Commission		\$18,700	\$2,991,500
	Labor Commission	\$18,700	\$2,991,500
Natural Resources		\$1,239,600	\$60,718,200
	Cooperative Agreements	\$7,800	\$12,415,700
	Forestry, Fire and State Lands	\$14,600	\$6,531,000
	Oil, Gas and Mining	\$21,500	\$7,620,700
	Parks and Recreation	\$9,900	\$1,524,200
	Utah Geological Survey	\$5,800	\$1,059,300
	Water Resources	\$1,103,200	\$508,800
	Water Rights	\$1,100	\$117,900
	Wildlife Resources	\$75,700	\$26,470,900
	Parks and Recreation Capital		\$3,119,700
	Wildlife Resources Capital		\$1,350,000
Public Safety		\$32,100	\$35,187,200
	Driver License		\$301,900
	Emergency Management	\$23,400	\$24,704,500
	Highway Safety	\$7,600	\$6,390,800
	Public Safety Programs and Operations	\$1,100	\$3,790,000
State Board of Education		\$64,400	\$520,133,600
	Child Nutrition	\$10,300	\$159,673,500
	Utah Schools for the Deaf and the Blind	\$300	\$101,100
	State Administrative Office	\$53,800	\$341,199,700
	Child Nutrition - Federal Commodities		\$19,159,300
State Board of Regents		\$0	\$303,100
	Administration		\$303,100
Tax Commission		\$3,300	\$577,900
	Tax Administration	\$3,300	\$577,900
Technology Services		\$1,700	\$306,700
	Integrated Technology	\$1,700	\$306,700

<b>Dept.</b>	<b>Line Item</b>	<b>One-time</b>	<b>Ongoing</b>
Transportation		\$13,200	\$365,096,300
	Cooperative Agreements		\$50,323,800
	Engineering Services		\$17,287,400
	Operations/Maintenance Management		\$8,887,500
	Region Management		\$2,995,800
	Support Services	\$13,200	\$2,074,100
	Construction Management		\$283,527,700
Utah Education and Telehealth Network		\$0	\$3,555,400
	Utah Educ. and Telehealth Network		\$3,555,400
Utah National Guard		\$107,600	\$67,109,700
	Utah National Guard	\$107,600	\$67,109,700
Utah State University		\$0	\$3,902,300
	Agriculture Experiment Station		\$1,813,800
	Cooperative Extension		\$2,088,500
Veterans' and Military Affairs		\$7,700	\$21,891,000
	Veterans' and Military Affairs	\$2,200	\$470,400
	Veterans' Nursing Home Fund	\$5,500	\$21,420,600
Workforce Services		\$16,476,700	\$714,049,000
	Administration	\$5,043,400	\$7,201,900
	Housing and Community Development	\$17,600	\$48,166,500
	Office of Child Care		\$2,000,000
	Operations and Policy	\$7,102,500	\$252,680,600
	State Office of Rehabilitation	\$171,100	\$64,347,800
	Unemployment Insurance	\$5,139,100	\$20,947,500
	Olene Walker Housing Loan Fund		\$7,615,000
	Nutrition Assistance - SNAP	(\$997,000)	\$311,089,700
Grand Total		\$48,499,700	\$4,231,140,900
	<b>Appropriations Subcommittee</b>	<b>One-time</b>	<b>Ongoing</b>
	Business, Econ. Devel., and Labor	\$44,600	14,153,000.00
	Exec. Offices and Criminal Justice	\$62,600	77,483,500.00
	Higher Education		\$4,205,400
	Infrastructure and General Government	\$15,300	\$381,271,100
	Nat. Res., Agric., and Enviro. Qual.	\$1,247,800	\$103,780,600
	Public Education	\$64,400	\$520,133,600
	Social Services	\$46,949,700	\$3,037,557,600
	Retirement and Independent Entitese		\$3,555,400
	Executive Appropriations Committee	\$115,300	\$89,000,700
Grand Total		\$48,499,700	\$4,231,140,900

On November 12, 2014, the Federal Funds Commission received a report from the Legislative Fiscal Analyst (see <https://le.utah.gov/interim/2014/pdf/00005309.pdf>) entitled, "Risk and Federal Funds." The report provided a history of federal funds and their percentage of the state budget, appropriated versus actual federal fund expenditures, federal funds forecast versus on-book revenue, and global risks that could cause increases or decreases in federal funds to states.

## **How would a shutdown affect federal grant programs to states?**

The major factor in determining how a federal government shutdown will affect a particular program is whether the program is mandatory or discretionary.

Mandatory program funding is usually determined by authorizing legislation and preset factors, such as caseloads, and is not subject to the annual appropriations process. As a result, mandatory grants *may* be insulated from federal shutdowns. However, many times the staff necessary to run mandatory programs are paid with discretionary federal funds, which negatively impacts the whole program.

Discretionary grant programs rely on annual appropriations acts to control the amount of the budget that is available for the grant program, and thus are most likely to be affected by a federal shutdown. However, certain exceptions apply.

For a more exhaustive list of mandatory and discretionary programs see CRS Report R43467, *Federal Aid to State and Local Governments: Select Issues Raised by a Federal Government Shutdown*, by Natalie Keegan.

The authors have enclosed a spreadsheet of federal grants provided to Utah as tracked by FFIS. Cells are shaded based on FFIS' reporting of whether such grants are mandatory that bypass the appropriations process, mandatory that are funded in the annual appropriations process, or discretionary.

**Mandatory programs that bypass the appropriations process.** These grants are shaded in green on the grant spreadsheet. In general, these programs aren't affected by a shutdown because their funding becomes automatically available. Examples include: Temporary Assistance for Needy Families, the mandatory/matching portion of the Child Care Development Fund, Boating Safety, and Mineral Leasing.

**Mandatory programs funded in appropriations acts.** These grants are shaded in yellow on the grant spreadsheet. Funding for these programs is determined by authorizing legislation, but their funding is included in annual appropriations bills. These programs would be affected by a shutdown because no new funding would be available. Examples include Vocational Rehabilitation Services – Basic State Grants, the Social Services Block Grant, Child Nutrition, and the Supplemental Nutrition Assistance Program (SNAP).

**Discretionary programs.** These grants are shaded in orange on the grant spreadsheet. These programs would be interrupted by a shutdown because funding is determined and provided through the annual appropriations process. While most grants to state and local governments are discretionary, 66 percent of grant funding for major programs tracked by FFIS is mandatory.

Exceptions:

Some **discretionary** programs would not be immediately affected because they have already received an appropriation for part of FFY 2018 in the FY 2017 omnibus appropriations bill. Examples include: Title I Grants to Local Education Agencies, Special Education Grants to States, Career and Technical Education state grants, and Workforce Investment Opportunity Act formula grants.

Some **mandatory** programs funded in appropriations acts have already received an appropriation for a portion of FFY 2018 in the FY 2017 omnibus appropriations bill. Examples include: Medicaid, Child Support Enforcement, Foster Care, and Adoption Assistance.

Some **mandatory** programs funded outside of the appropriations process have funding that expires on September 30, 2017. These include the Children's Health Insurance Program, Community Health Centers (mandatory portion), and Maternal, Infant, and Early Childhood Home Visiting Program. If Congress does not extend funding beyond September 30, no new funding would be available. Other federal programs that expire on September 30 are the National Flood Insurance Program and the Federal Aviation Administration.

Activities that involve the **safety of human life or protection of property** can continue during a shutdown. Examples include: air traffic control and other transportation safety functions, medical care, border and coastal protection, emergency and disaster assistance, and law enforcement.

The following spreadsheet shows FFIS' database of federal grants for Utah. Dollars are in thousands. The table shows whether grants are considered mandatory or discretionary at the federal level. It also shows amounts for FFY 2016, 2017, and the President's Budget proposal for FFY 2018. As noted above, cells shaded green represent mandatory grants that bypass the appropriations process and therefore wouldn't be affected by a shutdown, cells shaded yellow represent mandatory grants funded in annual appropriations bills and therefore would be affected by a shutdown, and cells shaded orange represent discretionary grants that would be the most affected by a shutdown. The cells left in white are grants that are currently unclear as to their status.

Federal Funds Information for States (FFIS) Grants Database (Dollars in Thousands)								
State	CFDA	Program	Program Eliminated	Discretionary or Mandatory	Covered (C)/Exempt (E) under Sequestration	FY 2016	FY 2017	PB 2018
Utah	10.558	Child Nutrition - Adult & Child Care Food		Mandatory	E	26,383	29,985	32,124
Utah	10.555	Child Nutrition - Commodities		Mandatory	E	14,044	14,643	15,117
Utah	10.553	Child Nutrition - School Breakfast		Mandatory	E	22,102	23,670	25,179
Utah	10.555	Child Nutrition - School Lunch		Mandatory	E	99,723	101,456	106,840
Utah	10.560	Child Nutrition - State Admin Expenses		Mandatory	E	1,935	2,040	2,160
Utah	10.559	Child Nutrition - Summer Food Program		Mandatory	E	1,253	1,368	1,484
Utah	10.565	Commodity Supp. Food Program		Discretionary	E	762	822	829
Utah	10.207	Coop State Research Animal Health/Disease		Discretionary	C	21	21	0
Utah	10.202	Coop State Research Coop Forestry		Discretionary	C	168	168	143
Utah	10.203	Coop State Research Hatch Act		Discretionary	C	2,335	2,335	2,331
Utah	10.205	Evans-Allen Research Grants		Discretionary	C	0	0	0
Utah	10.500	Extension Service 1890 Colleges		Discretionary	C	0	0	0
Utah	10.500	Extension Service Expand Food & Nutrition		Discretionary	C	410	413	412
Utah	10.500	Extension Service Pest Management	Eliminated	Discretionary	C	0	0	0
Utah	10.500	Extension Service Renewable Resources		Discretionary	C	49	49	0
Utah	10.500	Extension Service Smith Lever		Discretionary	C	1,852	1,852	1,848
Utah	10.665	Forest Service - National Forests		Mandatory	C	1,054	919	922
Utah	10.582	Fresh Fruit and Vegetable Program		Mandatory	E	2,678	2,929	2,543
Utah	10.566	Nutrition Assistance for Puerto Rico		Mandatory	E	0	0	0
Utah	10.901	Resource Conservation Dev. Tech. Ass't.	Eliminated	Discretionary	C	0	0	0
Utah	10.576	Senior Farmer's Market Nutrition Program		Mandatory	C	0	0	0
Utah	10.561	SNAP Employment and Training Program		Mandatory	E	0	0	0
Utah	10.561	SNAP State Administration		Mandatory	E	16,124	20,477	21,616
Utah	10.556	Special Milk Program		Mandatory	C	50	48	45
Utah	10.170	Specialty Crop Block Grant		Mandatory	C	275	275	0
Utah	10.435	State Mediation Grants		Discretionary	C	12	15	13
Utah	10.551	Supplemental Nutrition Assistance Program (SNAP) Benefits		Mandatory	E	301,870	307,127	262,847
Utah	10.568	TEFAP - Emergency Food Asst. Administration		Discretionary	C	347	405	371
Utah	10.569	TEFAP - Emergency Food Asst. Commodities		Mandatory	E	2,016	2,127	1,944
Utah	10.904	Watershed - Flood Financial Assistance	Eliminated	Discretionary	C	0	0	0
Utah	10.906	Watershed Planning	Eliminated	Discretionary	C	0	0	0
Utah	10.557	WIC - Supplemental Feeding Program		Discretionary	C	43,416	42,453	41,101
Utah	10.572	WIC Farmers' Market Nutrition Program		Discretionary	C	0	0	0
Utah	23.009	Appalachian Regional Comm - Local Development		Discretionary	C	0	0	0
Utah	11.419	Coastal Zone Management		Discretionary	C	0	0	0
Utah	11.307	EDA - Economic Adjustment		Discretionary	C	2,007	2,007	0
Utah	11.302	EDA - Planning		Discretionary	C	497	489	0
Utah	11.300	EDA - Public Works		Discretionary	C	0	0	0
Utah	11.303	EDA - Technical Assistance		Discretionary	C	0	0	0
Utah	90.401	Election Reform Requirements Payments	Eliminated	Discretionary	C	0	0	0
Utah	14.218	Comm Devel. Block Grant - Entitlement (Locals)		Discretionary	C	14,882	14,750	0
Utah	14.228	Comm Devel. Block Grant - Nonentitlement (States)		Discretionary	C	4,615	4,868	0
Utah	14.231	Emergency Solutions Grants - Entitlement (Locals)		Discretionary	C	498	500	496
Utah	14.231	Emergency Solutions Grants - Nonentitlement (States)		Discretionary	C	1,239	1,250	1,121
Utah	14.239	HOME Investment Partnerships - Entitlement (Locals)		Discretionary	C	3,499	3,502	0
Utah	14.239	HOME Investment Partnerships - Nonentitlement (States)		Discretionary	C	3,023	3,017	0
Utah	14.241	Housing Opportunities for Persons with AIDS		Discretionary	C	519	592	578
Utah	14.872	Public Housing Capital Fund		Discretionary	C	2,583	2,639	854
Utah	14.850	Public Housing Operating Fund		Discretionary	C	3,579	3,499	3,454
Utah	15.252	Abandoned Mine Reclamation Fund		Mandatory	C	1,467	2,479	4,114
Utah	15.226	BLM - Payments in Lieu of Taxes		Mandatory/Discretionary	C	38,362	39,500	33,743
Utah	15.668	Coastal Impact Assistance Program	Eliminated	Mandatory	C	0	0	0
Utah	15.626	Fish & Wildlife - Enhanced Hunter Safety		Mandatory	C	80	80	80
Utah	15.605	Fish & Wildlife - Fish Restoration		Mandatory	C	6,528	6,381	6,171
Utah	15.611	Fish & Wildlife - Hunter Safety		Mandatory	C	1,225	1,426	1,463
Utah	15.611	Fish & Wildlife - Wildlife Restoration		Mandatory	C	11,264	12,700	12,266
Utah	15.904	Historic Preservation Fund		Discretionary	C	773	789	694
Utah	15.437, 1	Minerals Mgmt. Service: Mineral Leasing		Mandatory	C	68,060	66,423	79,134
Utah	15.634	State Wildlife Grants		Discretionary	C	702	715	673
Utah	15.250	Surface Mining Reclamation		Discretionary	C	2,305	2,303	2,021
Utah	15.805	Water Resources Research Act-State Institutes		Discretionary	C	73	73	0
Utah	17.235	Community Service Employ for Older Americans		Discretionary	C	2,867	2,587	0
Utah	17.801	Disab. Veterans' Outreach Program		Discretionary	C	961	997	995
Utah	17.207	Employment Service State Grants		Discretionary	C	6,299	6,014	3,725
Utah	17.804	Local Veterans Employment Representative Program		Discretionary	C	128	133	132
Utah	17.264	National Farmworker Jobs Program		Discretionary	C	280	279	0
Utah	17.225	UI State Administration		Discretionary	C	27,036	26,466	25,955
Utah	17.271	Work Opportunity Tax Credit Program		Discretionary	C	137	137	137
Utah	17.207	Workforce Information Grants		Discretionary	C	421	420	420
Utah	17.258	WIOA - Adult Training		Discretionary	C	3,117	2,791	1,678
Utah	17.278	WIOA- Dislocated Workers		Discretionary	C	3,143	3,927	2,379
Utah	17.259	WIOA - Youth Activities		Discretionary	C	3,712	3,324	1,993
Utah	45.024, 4	Natl. Endowment for the Arts- State Programs		Discretionary	C	732	718	0
Utah	45.129, 4	Natl. Endowment for the Humanities		Discretionary	C	951	961	0
Utah	62.xxx	TVA Payments in Lieu Of Taxes		Mandatory	E	0	0	0
Utah	21.xxx	Internal Revenue Collections For PR		Mandatory	E	0	0	0
Utah	23.003	Appalachian Regional Comm - Highways	Eliminated	Discretionary	E	0	0	0

State	CFDA	Program	Program Eliminated	Discretionary or Mandatory	Covered (C)/Exempt (E) under Sequestration	FY 2016	FY 2017	PB 2018
Utah	20.106	FAA - Airport Improvement Program		Discretionary	E	45,595	45,595	47,979
Utah	20.205	FHWA - Bridge Replacement & Rehabilitation	Eliminated	Discretionary	E	0	0	0
Utah	20.205	FHWA - Congestion Mitigation & Air Quality		Discretionary	E	12,870	13,070	13,336
Utah	20.205	FHWA - Coordinated Border Infrastructure Program	Eliminated	Discretionary	E	0	0	0
Utah	20.205	FHWA - Equity Bonus	Eliminated	Discretionary	E	0	0	0
Utah	20.205	FHWA - High Priority Projects	Eliminated	Discretionary	E	0	0	0
Utah	20.205	FHWA - Highway Safety Improvement Program		Discretionary	E	19,772	20,872	21,262
Utah	20.205	FHWA - Interstate Maintenance	Eliminated	Discretionary	E	0	0	0
Utah	20.205	FHWA - Metropolitan Planning		Discretionary	E	3,227	3,271	3,343
Utah	20.205	FHWA - National Highway Freight Program		Discretionary	E	10,101	9,600	10,472
Utah	20.205	FHWA - National Highway Performance Program		Discretionary	E/C	202,276	205,434	209,346
Utah	20.205	FHWA - National Highway System	Eliminated	Discretionary	E	0	0	0
Utah	20.205	FHWA - Railway Highway Crossings		Discretionary	E	2,468	1,715	1,752
Utah	20.219	FHWA - Recreational Trails	Eliminated	Discretionary	E	0	0	0
Utah	20.205	FHWA - Safe Routes to School	Eliminated	Discretionary	E	0	0	0
Utah	20.205	FHWA - Surface Transportation Block Grant		Discretionary	E	101,117	102,819	105,000
Utah	20.205	FHWA - Territorial & Puerto Rico Highway Programs		Discretionary	E	0	0	0
Utah	20.218	FMCSA - National Motor Carrier Safety Assistance Program		Discretionary	E	1,891	2,538	2,592
Utah	20.500	FTA - Bus and Bus Facilities Formula Grants		Discretionary	E	4,865	4,900	5,003
Utah	20.513	FTA - Enhanced Mobility of Seniors and Individuals with Disabilities		Discretionary	E	1,748	1,783	1,821
Utah	20.500	FTA - Capital Investment Grants		Discretionary	C	70,982	0	0
Utah	20.500	FTA - Fixed Guideway Modernization	Eliminated	Discretionary	E	0	0	0
Utah	20.516	FTA - Job Access and Reverse Commute	Eliminated	Discretionary	E	0	0	0
Utah	20.521	FTA - New Freedoms	Eliminated	Discretionary	E	0	0	0
Utah	20.509	FTA - Nonurbanized Area Formula		Discretionary	E	6,334	6,461	6,612
Utah	20.525	FTA - State of Good Repair Grants		Discretionary	E	12,869	12,973	13,197
Utah	20.507	FTA - Urbanized Area Formula		Discretionary	E	50,062	50,165	51,185
Utah	20.602	NHTSA - National Priority Safety Program		Discretionary	E	1,901	2,154	2,175
Utah	20.600	NHTSA - State & Community Highway Safety		Discretionary	E	2,349	2,190	2,267
Utah	84.287	21st Century Community Learning Centers		Discretionary	C	6,946	6,860	0
Utah	84.002	Adult Education Basic Grant		Discretionary	C	2,983	2,986	2,493
Utah	84.185	Byrd Honors Scholarships	Eliminated	Discretionary	C	0	0	0
Utah	84.048	Career and Technical Education State Grants		Discretionary	C	12,617	12,962	10,632
Utah	84.161	Client Assistance State Grants		Discretionary	C	132	132	132
Utah	84.378	College Access Challenge Grants	Eliminated	Mandatory	C	0	0	0
Utah	84.033	College Work-Study		Discretionary	C	8,759	5,048	2,550
Utah	84.010	Comp Ed (Title I) - Local Education Agencies		Discretionary	C	87,840	87,290	83,527
Utah	84.011, &	Comp Ed (Title I) - Migrant		Discretionary	C	1,823	1,640	1,476
Utah	84.377	Comp Ed (Title I) - State School Improvement Grants	Eliminated	Discretionary	C	2,685	0	0
Utah	84.213, &	Comp Ed (Title I) - Even Start	Eliminated	Discretionary	C	0	0	0
Utah	84.013	Comp Ed (Title I) - State Agency Neglect & Delinq.		Discretionary	C	1,311	996	994
Utah	84.186	Drug - Free Schools & Communities State Grants	Eliminated	Discretionary	C	0	0	0
Utah	84.196	Education For Homeless Youth		Discretionary	C	411	425	385
Utah	84.318	Education Technology State Grants	Eliminated	Discretionary	C	0	0	0
Utah	84.002	English Literacy and Civics Education State Grants		Discretionary	C	388	404	337
Utah	84.041	Impact Aid - Basic Support Payments		Discretionary	C	5,948	7,683	7,533
Utah	84.041	Impact Aid - Construction		Discretionary	C	5	0	0
Utah	84.041	Impact Aid - Special Education Payment		Discretionary	C	474	572	571
Utah	84.060	Indian Education - Grants to Local Educ. Agencies		Discretionary	C	1,421	1,421	1,418
Utah	84.298	Innovative Educ. Prog. Strategies State Grants	Eliminated	Discretionary	C	0	0	0
Utah	84.365	Language Acquis. Grants		Discretionary	C	4,148	4,206	4,320
Utah	84.069	Leveraging Educational Assistance Partnership	Eliminated	Discretionary	C	0	0	0
Utah	84.366	Mathematics and Science Partnerships	Eliminated	Discretionary	C	1,054	0	0
Utah	84.063	Pell Grants		Discretionary/Mandatory	E	362,800	383,800	389,000
Utah	84.240	Protection & Advocacy Individual Rts		Discretionary	C	172	172	171
Utah	84.357	Reading First State Grants	Eliminated	Discretionary	C	0	0	0
Utah	84.126	Rehab. Services - Basic State Grant		Mandatory	C	29,596	32,775	34,132
Utah	84.358B	Rural and Low-Income Schools Program		Discretionary	C	0	0	0
Utah	84.177	Services for Older Blind Individuals		Discretionary	C	225	225	225
Utah	84.358A	Small, Rural School Achievement Program		Discretionary	C	768	768	767
Utah	84.027	Special Education Basic State Grant		Discretionary	C	115,559	116,385	115,186
Utah	84.181	Special Education Infants & Toddlers		Discretionary	C	5,500	5,515	5,504
Utah	84.173	Special Education Preschool Grants		Discretionary	C	3,443	3,443	3,437
Utah	84.367	Supporting Effective Instruction		Discretionary	C	14,561	13,504	0
Utah	84.331	State Grants for Workplace and Community Transition Trainin	Eliminated	Discretionary	C	0	0	0
Utah	45.310	State Library Program		Discretionary	C	1,800	1,804	0
Utah	84.369	State Testing Funds		Discretionary	C	5,552	5,552	5,552
Utah	84.007	Supplemental Educ. Opportunity Grants		Discretionary	C	6,786	5,893	0
Utah	84.187	Supported Employment State Grants		Discretionary	C	300	300	0
Utah	84.243	Vocational Education Technical Prep	Eliminated	Discretionary	C	0	0	0
Utah	81.041	State Energy Program		Discretionary	C	400	400	0
Utah	81.042	Weatherization Assistance Program		Discretionary	C	1,970	2,089	0
Utah	66.458	EPA - Clean Water SRF Grants		Discretionary	C	7,011	6,959	7,084
Utah	66.468	EPA - Drinking Water SRF Grants		Discretionary	C	8,674	8,604	8,756
Utah	66.801	EPA - Hazardous Waste Financial Assistance		Discretionary	C	765	770	557
Utah	66.460	EPA - Nonpoint Source (Sec. 319)		Discretionary	C	1,428	1,467	0
Utah	66.700	EPA - Pesticides Enforcement		Discretionary	C	186	181	177

State	CFDA	Program	Program Eliminated	Discretionary or Mandatory	Covered (C)/Exempt (E) under Sequestration	FY 2016	FY 2017	PB 2018
Utah	66.419	EPA - Pollution Control (Sec. 106)		Discretionary	C	1,710	1,696	1,206
Utah	66.432	EPA - Public Water System Supervision		Discretionary	C	893	894	636
Utah	66.001	EPA - State and Local Air Quality Management		Discretionary	C	3,240	2,974	2,115
Utah	66.433	EPA - Underground Injection Control		Discretionary	C	156	163	115
Utah	66.454	EPA - Water Quality Management		Discretionary	C	100	100	100
Utah	97.012	Boating Safety		Mandatory	C	1,299	1,280	1,252
Utah	97.053	Citizen Corps	Eliminated	Discretionary	C	0	0	0
Utah	21.xxx	Customs Service Misc. Permanent Appr.		Mandatory	C	0	0	0
Utah	97.024	Emergency Food and Shelter Program		Discretionary	C	779	760	0
Utah	97.042	Emergency Management Performance Grants		Discretionary	C	4,559	4,585	3,658
Utah	97.067	State Homeland Security Grant Program		Discretionary	C	3,735	3,752	3,182
Utah	16.575	Crime Victims Fund - Assistance		Mandatory	C	20,690	17,481	20,883
Utah	16.576	Crime Victims Fund - Compensation		Mandatory	C	3,165	2,664	3,116
Utah	16.741	DNA Backlog Reduction Program		Discretionary	C	0	0	0
Utah	16.738	Justice Assistance Grants - Local		Discretionary	C	719	693	538
Utah	16.738	Justice Assistance Grants - State		Discretionary	C	1,551	1,495	1,160
Utah	16.523	Juvenile Accountability Block Grant	Eliminated	Discretionary	C	0	0	0
Utah	16.540	Juvenile Justice Formula Grants		Discretionary	C	469	444	469
Utah	16.742	Paul Coverdell Forensic Sciences Improvement Grant Program		Discretionary	C	249	240	240
Utah	16.593	Res. Substance Abuse Trtmt for State Prisoners		Discretionary	C	84	98	84
Utah	16.017	Sexual Assault Services Formula Program		Discretionary	C	383	383	383
Utah	16.606	State Criminal Alien Assistance Program - Local		Discretionary	C	473	473	0
Utah	16.606	State Criminal Alien Assistance Program - State		Discretionary	C	324	324	0
Utah	16.588	STOP Grants		Discretionary	C	1,604	1,604	1,604
Utah	93.235	Abstinence Education Program		Mandatory	C	584	629	676
Utah	93.597	Access and Visitation Grants		Mandatory	E	100	100	100
Utah	93.275/9:	Access to Recovery	Eliminated	Discretionary	C	0	0	0
Utah	93.369	ACL - Independent Living State Grants		Discretionary	C	305	305	0
Utah	93.045	Administration on Aging Congregate Meals		Discretionary	C	2,700	2,736	2,730
Utah	93.045	Administration on Aging Home Delivered Meals		Discretionary	C	1,398	1,413	1,406
Utah	93.044	Administration on Aging Support Services		Discretionary	C	1,845	1,990	1,979
Utah	93.659	Adoption Assistance		Mandatory	E	9,501	9,761	10,528
Utah	93.464	Assistive Technology State Grant Program		Discretionary	C	457	458	457
Utah	93.671	Battered Women's Shelters		Discretionary	C	1,233	1,242	1,238
Utah	93.965	Black Lung Clinics		Discretionary	C	0	0	0
Utah	93.669	CAPTA State Grants		Discretionary	C	324	326	325
Utah	93.069, 9:	CDC: Public Health Emergency Preparedness		Discretionary	C	6,656	6,664	5,563
Utah	93.432	Centers for Independent Living		Discretionary	C	840	840	838
Utah	93.599	Chafee Education and Training Vouchers		Discretionary	C	304	269	269
Utah	93.674	Chafee Foster Care Independence		Mandatory	E	936	936	936
Utah	93.575	Child Care & Devel. Block Grant		Discretionary	C	31,913	33,287	32,175
Utah	93.596	Child Care Entitle. Mandatory & Matching		Mandatory	E	33,591	33,673	33,673
Utah	93.563	Child Supp. Enforcement Administration		Mandatory	E	27,877	27,803	28,542
Utah	93.558	Child Supp. Enforcement Fed Share Collection		Mandatory	E	-5,128	-4,862	-4,766
Utah	93.645	Child Welfare Services		Discretionary	C	3,696	3,745	3,738
Utah	93.767	Children's Health Insurance Program		Mandatory	E	148,911	131,563	117,983
Utah	93.643	Children's Justice Act		Mandatory	E	223	224	224
Utah	93.569	Community Services Block Grant		Discretionary	C	3,671	3,671	0
Utah	93.590	Community-Based Child Abuse Prevention		Discretionary	C	364	364	365
Utah	93.224	Consolidated Health Centers		Discretionary/Mandatory	C	34,722	34,224	34,702
Utah	93.630	Devel Disabilities - Basic Support		Discretionary	C	635	629	0
Utah	93.630	Devel Disabilities - Protection & Advoc.		Discretionary	C	385	385	385
Utah	93.052	Family Caregiver		Discretionary	C	901	905	903
Utah	93.217	Family Planning Services		Discretionary	C	1,975	1,975	1,975
Utah	93.658	Foster Care		Mandatory	E	26,209	28,855	30,127
Utah	93.090	Guardianship Assistance		Mandatory	E	0	0	0
Utah	93.600	Head Start		Discretionary	C	46,712	48,839	46,712
Utah	93.926	Healthy Start		Discretionary	C	0	0	0
Utah	93.150	Homeless Mental Health (PATH)		Discretionary	C	592	592	590
Utah	93.889, 9:	Hospital Preparedness Program		Discretionary	C	2,288	2,271	0
Utah	93.568	Low Income Home Energy Assistance		Discretionary	C	23,493	23,481	0
Utah	93.994	Maternal & Child Health Block Grant		Discretionary	C	6,166	6,166	6,332
Utah	93.505	Maternal, Infant, and Early Childhood Home Visiting Program		Mandatory	C	3,173	2,954	3,173
Utah	93.778	Medicaid - Administration		Mandatory	E	106,452	103,859	105,265
Utah	93.778	Medicaid - Vendor Payments		Mandatory	E	1,602,772	1,690,468	1,681,969
Utah	N/A	Medicare Part D Clawback		Mandatory	E	-34,969	-39,497	-40,682
Utah	93.958	Mental Health Block Grant		Discretionary	C	3,859	4,076	3,180
Utah	93.053	Nutrition Services Incentive Program		Discretionary	C	1,366	1,306	1,382
Utah	93.092	Personal Responsibility Education Program		Mandatory	C	588	557	588
Utah	93.253	Poison Control Center Program		Discretionary	C	149	149	149
Utah	93.136	Preventive Health -- Rape Prevention and Education		Discretionary	C	547	547	547
Utah	93.758	Preventive Health Block Grant		Discretionary	C	1,500	1,500	0
Utah	93.043	Preventive Health Services		Discretionary	C	108	113	116
Utah	93.556	Promoting Safe and Stable Families		Mandatory/Discretionary	C	1,961	1,959	1,964
Utah	93.138	Protection and Advocacy for Individuals with Mental Illness		Discretionary	C	428	428	427
Utah	93.566	Refugee Assistance Cash & Medical		Discretionary	C	6,645	6,645	3,817
Utah	93.566	Refugee Assistance Social Services		Discretionary	C	946	990	1,234

State	CFDA	Program	Program Eliminated	Discretionary or Mandatory	Covered (C)/Exempt (E) under Sequestration	FY 2016	FY 2017	PB 2018
Utah	93.584	Refugee Targeted Assistance		Discretionary	C	476	350	0
Utah	93.623	Runaway & Homeless Youth - Basic Center		Discretionary	C	554	554	553
Utah	93.914	Ryan White - HIV/AIDS Part A		Discretionary	C	0	0	0
Utah	93.917	Ryan White - HIV/AIDS Part B		Discretionary	C	5,223	5,223	5,213
Utah	93.268	Section 317 - Immunization Grants		Discretionary	C	3,199	3,177	2,727
Utah	93.977	Sexually Transmitted Disease Prevention		Discretionary	C	534	517	441
Utah	93.667	Social Services Block Grant		Mandatory	C	14,542	14,670	0
Utah	93.780	State High-Risk Pools	Eliminated	Mandatory	C	0	0	0
Utah	93.913	State Offices of Rural Health		Discretionary	C	169	178	0
Utah	93.919	State-Based Comprehensive Breast and Cervical Cancer Early Detection		Discretionary	C	2,715	2,715	2,715
Utah	93.959	Substance Abuse Prevent. & Treatment Block Grant		Discretionary	C	16,589	16,589	16,557
Utah	93.558	Temporary Assistance For Needy Families		Mandatory	E	75,609	75,356	68,163
Utah	93.251	Universal Newborn Hearing Screening		Discretionary	C	298	298	0
Utah	93.268	Vaccines for Children		Mandatory	E	32,931	33,660	34,885
Utah	93.618	Voting Access for Individuals with Disabilities - P & A		Discretionary	C	70	70	70
Utah	93.617	Voting Access for Individuals with Disabilities - State	Eliminated	Discretionary	C	0	0	0
Utah	93.041	an Vulnerable Elder Rights Protection Activities		Discretionary	C	124	124	124

## How did the Legislature respond to the last federal shutdown?

One of the biggest impacts of the last shutdown on Utah was the closure of the National Parks and the negative effect on Utah communities reliant on them. Utah elected to invest approximately \$1 million to open nine national parks to remedy some of the impact on the state economy. Despite loss in revenue and less visitors following the shutdown, the return on investment appears to have been significant, with approximately \$10 in visitor spending for each \$1 spent by the State.

**Utah Bills in Response to Fiscal Year 2014 Shutdown:** The Legislature passed the following four bills in response to the FFY 2014 shutdown. The first three were passed in a special session and were repealed in early December 2013. The fourth is a more permanent fix for keeping national parks, monuments, forests, and recreation areas open, but would still require an appropriation of funds.

- **State Employee Benefit Amendments – 2013 Second Special Session:** Authorized the Utah National Guard, the State Office of Rehabilitation, the Labor Commission, the Division of Health and Preparedness within the Department of Health, and the Department of Workforce Services to use existing resources from funds appropriated to the agency to pay fixed cost benefits and holiday leave benefits for state employees furloughed as a result of a reduction or loss in federal funding. The bill is available here: <https://le.utah.gov/~2013S2/bills/static/HB2001.html>.
- **Funding of Federal Programs – 2013 Second Special Session:** Authorized the State Board of Education to use state funds to pay for Child Nutrition Programs to offset a loss in federal funding. The bill is available here: <https://le.utah.gov/~2013S2/bills/static/HB2002.html>.
- **National Park Funding – 2013 Second Special Session:** Authorized funds in the Sovereign Lands Management Account to be used to pay one or more federal government entities for the ongoing operation of national parks, monuments, and national recreation areas in the state. The bill is available here: <https://le.utah.gov/~2013S2/bills/static/SB2001.html>.



- Contingent Management for Federal Facilities – 2014 General Session: Authorized the governor to work with the federal government to open and maintain the operation of one or more national parks, monuments, forests, or recreation areas in the state. The bill is available here: <https://le.utah.gov/~2014/bills/static/HB0133.html>.

## **What non-State programs might the State fund in the event of another federal shutdown?**

If history is a guide, the answer likely depends on the timing, duration, and economic impact of a shutdown, and what services the federal government considers “excepted” (or “nonessential”).

A relatively short event, such as the five-day shutdown that occurred in FFY 1995, may not necessitate State action to continue federal programs. As a shutdown grows longer, the State may need to provide more services. The FFY 2014 shutdown lasted 16 days, and as economic losses from the closure of national parks and monuments began to mount, the State began paying for these services on day 11, thus paying for six days of park operations. The State’s action may have also neutralized a clash at Glen Canyon National Recreation Area where county officials were pushing to take over the park without waiting for an agreement.

The federal government’s determination of nonessential services could mean some federal programs cease while others continue. While national parks, monuments, and recreation areas did not allow entry during the shutdown, national forests and Bureau of Land Management land largely remained open for recreation. Campgrounds and other developed facilities were closed, but hikers, backpackers, hunters, boaters and climbers could drive forest roads and get into recreational areas.

As noted above, during the FFY 2014 shutdown the Legislature authorized State funds to be used for Child Nutrition programs, and authorized five State agencies to use existing resources from funds appropriated to them to pay fixed cost benefits and holiday leave benefits for state employees furloughed because of a reduction or loss in federal funding.

As a practical matter, the State’s limited resources preclude it from paying for major federal programs. Within those programs, however, some categories of services the State might consider funding include:

- Social Services
- Interior (national parks, monuments, and recreation areas)
- Employment (federally funded State employees)
- Law and Order in emergent situations (Utah National Guard)
- Environmental quality in emergent situations (environmental scientists)

If a federal shutdown occurred later than at the beginning of a State or federal fiscal year, it could reduce State flexibility to cover federal programs because State agencies will have consumed more of their funding. It could also reduce federal flexibility because mandatory programs funded in appropriations acts that already received an appropriation for the next fiscal year are usually only

funded for the first quarter. If a shutdown occurs after the first quarter these programs would be affected.

## **What is an estimated daily cost if the State funded select federal programs?**

While there are many variables that could influence which of many federal programs would be funded during a shutdown, some programs seem more likely than others given their purpose. The authors looked at the cost of operating national parks and monuments during the previous shutdown, and five federal grant programs that are included in the federal appropriations process (thus subject to lapse during a shutdown):

- Supplemental Nutrition Assistance Program
- Child Nutrition
- Special Education
- Women, Infants and Children (WIC) Supplemental Food Program
- Unemployment Insurance State Administration

As explained below, the estimated cost to maintain these programs would be more than \$2.9 million per business day. This is not an exhaustive list; the State budget includes \$4.3 billion from federal funds, which equates to about \$17.2 million per business day, not including other federal programs that are outside the State budget.

Some of the variables that could influence what programs are backfilled by the State include:

- Whether the program is forward-funded or has carry-forward balances;
- Whether the State is likely to be reimbursed after the federal government reopens;
- The federal government's determination of "nonessential" versus "essential" services
- Whether State agencies request funding to continue paying State employees who are partially or completely paid with federal funds; and ultimately,
- State policymakers' decisions.

### **National Parks, Monuments, and Recreation Areas**

The FFY 2014 shutdown lasted 16 days, and as economic losses from the closure of national parks and monuments began to mount, the State began paying to operate nine locations on day 11, thus paying for six days of park operations at a cost of \$999,400, a daily cost of \$166,600. The locations funded were Arches, Bryce Canyon, Canyonlands, Capitol Reef, Cedar Breaks, Glen Canyon, Natural Bridges, Rainbow Bridge, and Zion. Potential daily costs in a future shutdown may differ depending on inflation, operational or management changes, and the package of locations the State decides to operate.

### **Grant Programs that are not both: 1) Mandatory, and 2) Funded outside the appropriations process**

Some grant programs are less affected than others by a lapse in federal appropriations. Funding for mandatory programs that bypass the appropriations process is automatically available, either because the programs are permanently authorized or receive a direct appropriation in their authorizing legislation. Mandatory programs that are included in the appropriations process, and discretionary

programs, are affected by a lapse in appropriations. Please refer to the Federal Funds Information for States (FFIS) grant database.

Below are five major grants that are mandatory and included in the appropriations process, or discretionary, which due to their purposes State policymakers may consider temporarily funding in the event of a federal government shutdown. For mandatory programs, states would retain their entitlement to reimbursement once the government reopened. For discretionary programs, it is unclear whether the State would be reimbursed.

### **1. Supplemental Nutrition Assistance Program (SNAP)**

*Grant Type: Mandatory, funded in appropriations acts.*

FY17 Federal Amount:

\$307.1 M for benefits

\$20.5 M for State Administration

\$327.6 M Total

SNAP is an entitlement program with benefits funded entirely by the federal government. The federal government also pays 50 percent of state costs to administer the program. SNAP is an appropriated entitlement and is not forward-funded, nor can unexpended appropriations be carried forward.

### **2. Child Nutrition**

*Grant Type: Mandatory, funded in appropriations acts.*

FY17 Federal Amount:

\$101.5 M School Lunch

\$30.0 M Adult and Child Care Food

\$23.7 M School Breakfast

\$14.6 M Commodities

\$2.0 M State Administration

\$1.4 M Summer Food

\$173.2 M Total

Child nutrition programs are individual entitlement programs with benefits paid entirely by the federal government. Like SNAP, the child nutrition programs are appropriated entitlements that do not receive advanced appropriations. States submit reimbursement claims 30 days after the end of the month. School meal programs also use other sources of benefits like commodities, so some program operations may continue if a short-term shutdown occurs.

### **3. Special Education**

*Grant Type: Discretionary.*

FY17 Federal Amount:

\$116.4 M Basic State Grant

\$5.5 M Infants and Toddlers

\$3.5 M Preschool

\$0.6 M Impact Aid

#### \$126 M Total

Most federal K-12 programs are discretionary and would not receive federal funding in the event of a shutdown. However, a few education programs (Title I Grants to LEAs, Improving Teacher Quality, special education, and career and technical education) are forward-funded. These programs may be able to continue to operate in the short-term depending if sufficient forward funding remains.

#### **4. Women, Infants and Children (WIC) Supplemental Food Program**

*Grant Type: Discretionary.*

FY17 Federal Amount: \$42.5 M

WIC is a discretionary grant program, and without an appropriation, no funds would be available. However, states have authority to carry over 1 percent to 5 percent of funds from a prior year. The carry over amount depends on successful achievement of cost-containment measures.

#### **5. Unemployment Insurance State Administration**

*Grant Type: Discretionary.*

FY17 Federal Amount: \$26.5 M

While UI benefits are mandatory and do not require an annual appropriation, state administrative funds are subject to the annual appropriations process. Thus, UI benefits should continue during a shutdown, but reimbursement for state administrative costs would be interrupted. Generally, states may use carryover administrative funds from the previous year until they are exhausted, at which point they have the option to continue to pay costs with state resources and likely be reimbursed for those expenses when federal funding becomes available.

#### **Note about Medicaid**

*Grant Type: Mandatory, funded in appropriations acts.*

States have an entitlement to Medicaid reimbursements under law, and would eventually get paid for any lapse in federal program funding. Moreover, the Medicaid appropriation for the first quarter of the fiscal year is provided in the previous year's appropriation. As such, states should continue to have access to funding, depending on the timing of a shutdown and if sufficient forward funding remains.

#### **Note about Utah National Guard (UNG)**

According to the UNG resource management office, in the event of a federal funding lapse, the UNG projects that state funded operations (employees and facilities) will continue uninterrupted for about 2 weeks. Current and potential hurricane and wildland fire support missions could reduce that time frame. A funding lapse will dramatically affect military training and operations. Expect a furlough of about 1,000 UNG federal employees. The UNG intends to temporarily meet these requirements with current funding. However, if a large number of soldiers are deployed to support hurricane recovery and a federal funding lapse occurs, the National Guard will need assistance to expedite the reimbursement for civil support.

### **Summary Daily Costs of Selected Items**

Costs are per business day, assuming FFY 2018 has 250 business days (excludes weekends and public holidays).

National parks, monuments, and recreation areas: \$166,600

Supplemental Nutrition Assistance Program (SNAP): \$1,310,000

Child Nutrition: \$690,000

Special Education: \$500,000

Women, Infants and Children (WIC) Supplemental Food Program: \$170,000

Unemployment Insurance State Administration: \$106,000

Total, Selected Items: \$2,942,500

### **Influences and Additional Notes**

- This is a selection of programs; the State receives many other federally funded programs.
- Some programs are forward funded or allowed to use carryforward balances, so in the short-term, agencies may be able to absorb costs. This will vary by agency and federal program.
- The State is likely to be reimbursed for mandatory programs, but it is unclear if the State would be reimbursed for discretionary programs.
- The federal government's determination of "nonessential" versus "essential" services could affect funding for these federal programs.
- Certain agencies may also request funding to continue paying State employees who are partially or completely paid with federal funds.
- Any cost depends on State policymakers' decisions.

### **How would a shutdown affect state personnel?**

The authors queried CompPrep, the State's personnel budgeting database, to gauge the number of State employees who are paid from federal funds. This includes unaudited data used for budgeting purposes. As noted in the table below, approximately \$273 million per year in federal funds is budgeted to pay State employees, with 8,380 FTE having federal funds paying at least a portion of their compensation, which represents 2,858 weighted FTE being paid by federal funds.

Agencies in CompPrep with Federal Funds for Personnel	Federal Funds for Personnel in CompPrep	Average Monthly Federal Funds for Personnel in CompPrep	FTEs Charging to ANY Federal Funds in CompPrep	Weighted FTE Charging to Federal Funds in CompPrep
Attorney General	\$1,784,532	\$148,711	151	16
Dept of Administrative Services	\$40,640	\$3,387	7	1
Dept of Agriculture Food	\$1,849,716	\$154,143	189	46
Dept of Commerce	\$1,814,757	\$151,230	32	2
Dept of Corrections	\$69,203	\$5,767	10	1
Dept of Environmental Quality	\$40,767,134	\$3,397,261	378	136
Dept of Health	\$58,213,652	\$4,851,138	878	492
Dept of Heritage Arts	\$3,038,699	\$253,225	74	18
Dept of Human Services	\$30,783,604	\$2,565,300	2,538	518
Dept of Insurance	\$512,609	\$42,717	80	9
Dept of Natural Resources	\$12,742,240	\$1,061,853	1,052	230
Dept of Public Safety	\$5,819,088	\$484,924	81	69
Dept of Technology Services	\$280,910	\$23,409	13	2
Dept of Transportation	\$1,727,230	\$143,936	92	21
Dept of Veterans Affairs	\$1,102,277	\$91,856	19	11
Dept of Workforce Services	\$66,883,334	\$5,573,611	1,653	944
Governors Office	\$1,307,849	\$108,987	50	15
Governor's Office of Econ Devel	\$327,962	\$27,330	35	3
Judicial Branch	\$238,248	\$19,854	382	3
Labor Commission	\$921,685	\$76,807	64	31
Tax Commission	\$546,873	\$45,573	122	6
Utah National Guard	\$15,449,914	\$1,287,493	222	208
Utah State Board of Education	\$26,724,027	\$2,227,002	256	75
<b>Grand Total</b>	<b>\$272,946,185</b>	<b>\$22,745,515</b>	<b>8,380</b>	<b>2,858</b>

How a shutdown would affect state employees depends on multiple factors. Employees who work for programs defined by the federal government as “essential,” or for mandatory programs that bypass the federal appropriations acts, may not be affected, while those who work for mandatory grant programs that are included in federal appropriations acts or who work for discretionary grant programs would be affected to some extent. Some agencies may be able to endure a short-term shutdown using available resources, especially if their employees are only partially federally funded.

The authors surveyed State agencies regarding their strategies or needs during a government shutdown. Nearly all agencies expected to be able to self-fund labor costs and continue work during a short-term government shutdown. However, agencies are uncertain because of the unique circumstances of each shutdown. Notable exceptions are in the Department of Agriculture and the Utah National Guard. Responses are listed below.

- Department of Administrative Services: Employee is 14% funded by federal funds. Would continue working using DAS reserves to backfill costs until reimbursement occurs. The potential impact to DAS internal service fund revenue is unknown at this time.

- Department of Agriculture and Food: Agency would expect to cease inspection operations during a government shutdown. This would affect roughly 66 employees, comprising \$3.3 million in personnel expenditures.
- Department of Commerce: All employees designated as essential working on OSHA, BLS and HUD grants. Agency would be able to continue to self-fund these positions for 6 months.
- Department of Environmental Quality: About half of federally funded employees are essential. Nearly all employees would continue working during a shutdown as the agency has either drawn down federal funds or would otherwise expect to cover up to three months of costs.
- Department of Health: Federal funds for employees working on the Medicaid program would continue during a shutdown. Most block grants for public health have at least 3-month draw-down windows and consequently those programs could continue for at least 3-months during a shutdown. About \$5.6 million in federal funds would be expected to discontinue during a shutdown, affecting 95 non-essential employees.
- Department of Heritage and Arts: The department expects that all costs incurred during a shutdown would be reimbursable and operations would continue.
- Department of Human Resource Management: Would delay annual billing to federal funding sources.
- Department of Insurance: Employees supported by federal funds are working on a grant program that is expected to end on September 30, 2017. No impacts.
- Department of Natural Resources: Most of the positions are essential, would continue to work and seek cost reimbursement after the shutdown ended.
- Department of Public Safety: All employees are essential. The agency generally expects that it would be able to cover the costs of labor until October 2018.
- Department of Technology Services: No direct federally funded employees. The potential impact to DTS internal service fund revenue is unknown at this time.
- Department of Veterans' and Military Affairs: Veterans activities have been exempted from previous shutdowns. Current practice is to expend ahead of federal reimbursement – agency expects that it would be able to continue operations.
- Department of Workforce Services: Funding for large federal programs such as TANF, Medicaid and UI are expected to be available for at least 7 months. The impact to SNAP is at this time unknown, although last time the federal government shutdown contingency funding was utilized for essential administrative activities. Funding for nearly all programs/staff is generally expected to be available to cover at least 3 months of costs.
- Governor's Office: Office of Energy Development Employees working on federal contracts with reimbursable costs.
- Governor's Office of Economic Development: Federal funds that have already been allocated would allow this program to continue.
- Utah National Guard: Essential federally-funded positions will continue. For non-essential employees, temporary employees will be furloughed and the National Guard could pay the labor costs of most employees for a two-week period. A shutdown duration longer than two weeks may require building closures and more furloughs. The National Guard was reimbursed for costs incurred during the previous shutdown and expects the same arrangement to be executed if another federal government shutdown were to occur.

For additional information on agency plans in the event of a five percent or 25 percent loss of federal receipts, see the annual Federal Receipts Report compiled by the Division of Finance with data provided by agencies. The most recent version was given to the Executive Appropriations Committee in December 2016: <https://le.utah.gov/interim/2016/pdf/00004833.pdf>.

## **What is the likelihood of states being reimbursed for operating affected programs?**

If states continue to operate affected grant programs during a shutdown, they are not guaranteed to receive reimbursement for discretionary programs. However, during the FY 2014 shutdown, the continuing resolution that ended it retroactively covered the lapse in appropriations and included specific language to ensure states were reimbursed for costs they incurred to carry out federal programs during the shutdown. For mandatory programs included in appropriations acts, states are entitled to reimbursement once an appropriations bill is enacted.

However, states are not likely to be reimbursed for covering federal programs that are normally paid from the federal budget, such as operating national parks and monuments. Federal agencies may advocate for states to be reimbursed, but reimbursement is dependent on Congress. Utah has not been reimbursed for the \$999,400 State funds spent to operate national parks and monuments during the FFY 2014 shutdown. During the 2016 General Session, the Legislature passed House Concurrent Resolution 11, Encouraging the Repayment of Funds Used to Keep National Parks, Monuments, and Recreation Areas Open. The bill is available here: <https://le.utah.gov/~2016/bills/static/HCR011.html>. In December 2016, the Utah Attorney General's Office sent a letter to Utah's federal delegation requesting reimbursement. The Executive Appropriations Committee sent a similar letter in January of 2017.

## **What tools are available to measure the State's risk?**

- On November 12, 2014, the Federal Funds Commission received a report from the Legislative Fiscal Analyst (see <https://le.utah.gov/interim/2014/pdf/00005309.pdf>) entitled, "Risk and Federal Funds." This report provides a history of federal funds and their percentage of the state budget, appropriated versus actual federal fund expenditures, federal funds forecast versus on-book revenue, and global risks that could cause increases or decreases in federal funds to states.
- The Federal Funds Commission funded a Federal Funds Risk Model in late 2015. This tool, available at <http://federalrisk.le.utah.gov/>, contains three pre-set scenarios (Dollar Crash, Medicaid Reduction, and Federal Employment Reduction) and an option to build your own scenario. This tool is a useful indicator of how the State's federal funds could be affected by a federal shutdown or another scenario.
- Stress Testing Report. This annual report examines the State's ability to manage a range of adverse fiscal scenarios on both the revenue and expenditure sides. A copy of the December 2016 presentation to the Executive Appropriations Committee is here: <https://le.utah.gov/interim/2016/pdf/00004923.pdf>.
- Federal Receipts Report. Statute requires the annual reporting of federal receipts received by designated state agencies and requires the report to contain a plan to operate the designated



state agency in the event federal receipts are reduced by five percent of 25 percent. The most recent version was given to the Executive Appropriations Committee in December 2016: <https://le.utah.gov/interim/2016/pdf/00004833.pdf>.

- Enterprise Grant Management System (EGMS). In the 2016 General Session, the Legislature appropriated \$500,000 to the Division of Finance for the creation of a statewide EGMS. The intent of this system was to provide state agencies a standardized and comprehensive management tool for the life cycle of a grant from application to award and everything in between. In early 2017, the vendor REI was awarded the contract to develop the system and three pilot agencies (CCJJ, Board of Education and Human Services) were identified as phase I adopters to work closely with Finance and the developers to establish the necessary system requirements. Currently, development with the vendor continues to move along quickly with the help of a Finance-led steering committee and a dedicated project manager to lead the state's portion of project development. The next goal is for the system to be streamlined and finalized for the three pilot agencies over the next several months. This system promises to be a valuable tool in an attempt more accurately and easily manage the complicated federal grants application and award process.

## **What policy options are available to offset a loss of federal funds?**

- Allow federally funded State personnel to use annual leave during a furlough. Consider restoring annual leave after the furlough if Congress retroactively covers the lapse in appropriations and ensures states are reimbursed for costs they incurred to carry out federal programs during the shutdown.
- Execute agreements with federal agencies for non-State services the State wants to continue (these would ideally be in place before a potential federal government shutdown). If possible and where applicable, include in the agreements provisions allowing the State to collect relevant restored federal funding or all or a portion of the service's fees over the duration of the continuance of services to help offset the cost of running the respective service/operation.
- Depending on the specific program, allow for federal grant programs to continue. This may require suspension of statutory requirements such as allowing agencies to spend funds before award letters or similar documentation are received.
  - Certain discretionary programs already received FY 2018 funding in the FY 2017 omnibus appropriations bill.
  - Certain mandatory programs already received funding for the first quarter of FY 2018.
  - While mandatory programs funded in an appropriations act will be affected by a shutdown, states are usually entitled to reimbursement for these specific programs once an appropriations bill is enacted.
  - For activities that involve the safety of human life or protection of property (mandatory or discretionary), states are usually entitled to reimbursement for these specific programs once an appropriations bill is enacted.
- Where there are unspent federal funds for certain federal grant programs, prioritize those funds to be spent first until they are exhausted, allowing the program to continue as long as possible under prior years' funding. "States may be able to use funds that were appropriated in prior years if the budget authority does not expire and such funds are available. For instance, many

education and health and human services programs can use FY 2017 funding through September 30, 2018. Funding for Department of Justice grants remains available until expended and may continue if sufficient carryover funds remain. Some programs, such as the Special Supplemental Food Program for Women, Infants, and Children (WIC), allow states to carry over only a small percentage of funds so funding would be exhausted during an extended shutdown” (Federal Funds Information for States).

- Prioritize those federal grant programs/activities within federal grant programs to be funded.
- Have furloughed employees temporarily perform other duties and be paid from other funding sources as resources allow.
- Suspend the federal grant program and furlough affected State employees. After the furlough, consider providing that furloughed employees be paid retroactively with any restored federal funding and requiring that furloughed employees who received unemployment benefits through the State Unemployment Insurance Fund pay back the benefits.

## **What resources are available to offset a loss of federal funds?**

The following options are not listed in a recommended priority order. Depending on the provider of the services, any of these options may require additional statutory changes and agreements with federal partners.

- Rainy Day Fund. The General Fund Budget Reserve Account has a current balance of \$143.6 million. House Bill 244, 2017 General Session (the bill is available here: <https://le.utah.gov/~2017/bills/static/HB0244.html>), amended the Budgetary Procedures Act to allow the Legislature to appropriate money from the account to “finance an existing federally funded program or activity when:
  - i. the federal funds expected to fund the federal program or activity are not available to fund the program or activity; and
  - ii. the Legislature and governor concurrently determine that the program or activity is essential.”

Statute does not address a mechanism to pay back the account; however, the Legislature could consider a provision in law or appropriation that any federal funds restored to the State for the activity funded by the account be used to repay the account.

- Restricted Account Balances. The Legislature may opt to amend the statute governing certain restricted accounts to allow them to be appropriated for functions that lost funding in a federal shutdown. This option may particularly apply to agencies that have restricted accounts whose current purpose is similar to the federal program in question. The Legislature used this option during the 2013 shutdown when it authorized funds from the Sovereign Lands Management Account to be used to pay one or more federal government entities for the ongoing operation of national parks, monuments, and national recreation areas in the State.
- Nonlapsing Balances. The Legislature could re-appropriate an agency’s nonlapsing balances to temporarily cover lost federal funds. In some situations, an agency may have a balance of federal funds available in the same federal grant program affected by a federal shutdown.
- General or Education Fund. The Legislature may appropriate from the unrestricted General or Education Fund to provide services lost by a federal shutdown.

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