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## GENERAL MEMORANDUM 25-009

### Reintroduction of the Indian Programs Advance Appropriations Act

On September 11, 2025, Congresswoman Betty McCollum (D-MN), Congressman Tom Cole (R-OK), Senator Ben Ray Lujan (D-NM), and Senator Markwayne Mullin (R-OK) reintroduced the Indian Programs Advance Appropriations Act of 2025 ([H.R.5328/S.2771](#)). This is a bipartisan and bicameral bill designed to provide financial stability for Tribal Nations by authorizing advance appropriations for the Indian Health Service (IHS), the Bureau of Indian Affairs (BIA), and the Bureau of Indian Education (BIE). By shifting these programs to an advanced appropriations process, the bill aims to prevent disruptions that often result from delays in Congress passing its annual spending bills.

Advance appropriations authorize funds not only for the current fiscal year but also one year in advance. This bill would ensure that federal funding for Indian Country programs flows regardless of government shutdowns or appropriations gridlock. It draws on precedent set in 2011, when Congress passed similar protections for the Department of Veterans Affairs under the Veterans' Health Budget Reform and Transparency Act (P.L.111-81). Congressional sponsors introduced the bill to ensure Tribal Nations receive the same protection against fiscal uncertainty, given the federal government's longstanding trust and treaty responsibilities.

Under the legislation, multiple covered accounts would be eligible for advance appropriations across the BIA, BIE, and IHS. For the BIA, these include Operation of Indian Programs, Contract Support Costs, the Indian Guaranteed Loan Program, Construction, and Payments for Tribal Leases. The BIE accounts include Operation of Indian Education Programs and Education Construction. Within the IHS, the covered accounts are Indian Health Services, Contract Support Costs, Payments for Tribal Leases, and Indian Health Facilities. The bill also requires the President's budget to include detailed estimates for these accounts for the fiscal year following the budget year, ensuring that future funding needs are planned and transparent.

In addition to establishing advance appropriations authority, the bill mandates annual reporting requirements. Both the Secretary of the Interior and the Secretary of Health and Human Services, in consultation with Tribal governments, must submit yearly reports to Congress on the sufficiency of resources for the covered programs. These reports would include workload and demand data, which allows policymakers to anticipate evolving needs in Indian Country.

The reintroduction of the Indian Programs Advance Appropriations Act builds on progress made in 2023, when Congress provided IHS with advance appropriations for the first time. While that achievement marked a historic milestone, it was not a permanent statutory guarantee. This bill addresses this gap by codifying advance appropriations authority across IHS, BIA, and BIE, thereby ensuring that Tribal Nations are protected from the financial instability that has long accompanied the federal budget process.

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