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MEMORANDUM

November 13, 2025

TO: TRIBAL HOUSING CLIENTS

FROM: HOBBS, STRAUS, DEAN & WALKER, LLP

RE: ***President Signs Continuing Resolution and Minibus Package to End the Government Shutdown***

On November 12, 2025, the President signed a stopgap funding package ([H.R.5371](#)) to end the 44-day government shutdown, the longest in U.S. history. In general, this legislation allows the federal government to resume normal operations. It includes a continuing resolution (CR), which would extend government funding for most programs at pro-rata fiscal year (FY) 2025 levels through January 30, 2026. It also contains full-year appropriations for programs in the Department of Agriculture (USDA), Department of Veterans Affairs (VA), and the Legislative Branch.

Tribal Program Funding

Tribal programs outside of USDA and the VA will be funded through January 30, 2026, generally at FY 2025 levels, pro-rated. This includes the programs in the Bureau of Indian Affairs (BIA) and the Department of Housing and Urban Development (HUD). Congress will need to pass another continuing resolution or full-year appropriations bills to keep these programs funded beyond that deadline.

The Indian Health Service (IHS) was largely unaffected by the government shutdown due to advance appropriations. However, several programs within the agency do not receive advance appropriations, including Health Care Facilities Construction, Sanitation Facilities Construction, the Indian Health Care Improvement Fund, Electronic Health Records Modernization, Contract Support Costs (CSC), and Section 105(*l*) Leases, and this legislation provides pro-rata funding to these accounts through January 30, 2026. It also contains an anomaly in section 153, which provides an increase of about \$80 million to the IHS to ensure adequate funding for staffing for joint venture programs.

The legislation should allow the IHS to fully fund all CSC and section 105(*l*) lease payments that are due between October 1 and January 30, 2026, rather than the pro-rata amount, similar to previous continuing resolutions. Official confirmation should come in the form of a Dear Tribal Leader Letter within the next few days.

Programs within USDA and the VA, including those benefiting Tribes, will be funded through September 30, 2026. This includes the Supplemental Nutrition Assistance Program (SNAP), and USDA has indicated that the funding should be available for November beneficiaries within 24 hours of the end of the shutdown.¹

Tribal Extenders

Outside of appropriations, the continuing resolution contains several policy riders pertinent to Indian Country. Specifically, it extends the following through January 30, 2026:

1. funding the Special Diabetes Programs for Indians (SDPI) at \$159 million annualized, which is generally equivalent to prior year appropriations for SDPI;
2. an extension of the Medicare telehealth flexibilities, which allows IHS, Tribal, and Urban Indian programs to resume billing Medicare for tele-visits; and
3. an extension of Community Health Center and National Health Service Corps funding.

In addition, the Farm Bill is extended through September 30, 2026. The Farm Bill contains several Tribal provisions, such as USDA's self-determination authority.

Mitigating Shutdown Impact

The legislation contains several provisions that seek to mitigate the impact the government shutdown had throughout the country. First, it clarifies that furloughed federal workers will receive back pay. Second, it reverses federal worker layoffs that occurred during the shutdown and prevents future reductions in force (RIFs) through January 30, 2026. The shutdown layoffs had affected employees across several agencies, including, among many others:

1. Impact Aid and the Office of Indian Education within the Department of Education;
2. Community Development Financial Institution Fund within the Treasury Department; and
3. the Centers for Disease Control and Prevention and the Substance Abuse and Mental Health Services Administration at the Department of Health and Human Services.

Passage of the legislation will reinstate those employees. Finally, the bill includes a provision ensuring state and federal grantees will be reimbursed for the costs they incurred to keep federal programs going during the shutdown. For example, many Head Start programs used Tribal funds or other resources to keep their doors open during the shutdown. The federal government will reimburse for those costs.

¹ Cunningham, M. (2025, November 12). *SNAP benefits likely to resume quickly after government shutdown ends, experts say*. CBS News. <https://www.cbsnews.com/news/snap-benefits-timeline-government-shutdown/>

Affordable Care Act Enhanced Premium Tax Credits

Senate Democrats originally withheld their votes on a government funding legislation to pressure their colleagues across the aisle to extend the Affordable Care Act's enhanced premium tax credits set to expire at the end of the year. This is a top Democratic priority that has some Republican support, but GOP leadership wanted to address the issue separately from the appropriations package. In the end, the legislative package did not include the extension Democrats were seeking. Instead, Senate GOP leaders have committed to holding future votes on the issue, but there is no guarantee that the measure will reach the 60-vote threshold needed to advance out of that chamber. Additionally, Speaker Mike Johnson has not agreed to bring such legislation to the House floor, meaning it could stall indefinitely in the House. This makes the future of the subsidies uncertain.

Conclusion

If you have any questions or would like additional information on any of the issues raised in this report, please do not hesitate to contact Ed Clay Goodman at egoodman@hobbsstrauss.com or by telephone at (503) 242-1745.