

116TH CONGRESS
1ST SESSION

S. 257

AN ACT

To provide for rental assistance for homeless or at-risk
Indian veterans, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Tribal HUD–VASH
3 Act of 2019”.

4 **SEC. 2. RENTAL ASSISTANCE FOR HOMELESS OR AT-RISK**
5 **INDIAN VETERANS.**

6 Section 8(o)(19) of the United States Housing Act
7 of 1937 (42 U.S.C. 1437f(o)(19)) is amended by adding
8 at the end the following:

9 “(D) INDIAN VETERANS HOUSING RENTAL
10 ASSISTANCE PROGRAM.—

11 “(i) DEFINITIONS.—In this subpara-
12 graph:

13 “(I) ELIGIBLE INDIAN VET-
14 ERAN.—The term ‘eligible Indian vet-
15 eran’ means an Indian veteran who
16 is—

17 “(aa) homeless or at risk of
18 homelessness; and

19 “(bb) living—

20 “(AA) on or near a res-
21 ervation; or

22 “(BB) in or near any
23 other Indian area.

24 “(II) ELIGIBLE RECIPIENT.—
25 The term ‘eligible recipient’ means a
26 recipient eligible to receive a grant

1 under section 101 of the Native
2 American Housing Assistance and
3 Self-Determination Act of 1996 (25
4 U.S.C. 4111).

5 “(III) INDIAN; INDIAN AREA.—
6 The terms ‘Indian’ and ‘Indian area’
7 have the meanings given those terms
8 in section 4 of the Native American
9 Housing Assistance and Self-Deter-
10 mination Act of 1996 (25 U.S.C.
11 4103).

12 “(IV) INDIAN VETERAN.—The
13 term ‘Indian veteran’ means an In-
14 dian who is a veteran.

15 “(V) PROGRAM.—The term ‘Pro-
16 gram’ means the Tribal HUD–VASH
17 program carried out under clause (ii).

18 “(VI) TRIBAL ORGANIZATION.—
19 The term ‘tribal organization’ has the
20 meaning given the term in section 4
21 of the Indian Self-Determination and
22 Education Assistance Act (25 U.S.C.
23 5304).

24 “(ii) PROGRAM SPECIFICATIONS.—
25 The Secretary shall use not less than 5

1 percent of the amounts made available for
2 rental assistance under this paragraph to
3 carry out a rental assistance and sup-
4 ported housing program, to be known as
5 the ‘Tribal HUD–VASH program’, in con-
6 junction with the Secretary of Veterans Af-
7 fairs, by awarding grants for the benefit of
8 eligible Indian veterans.

9 “(iii) MODEL.—

10 “(I) IN GENERAL.—Except as
11 provided in subclause (II), the Sec-
12 retary shall model the Program on the
13 rental assistance and supported hous-
14 ing program authorized under sub-
15 paragraph (A) and applicable appro-
16 priations Acts, including administra-
17 tion in conjunction with the Secretary
18 of Veterans Affairs.

19 “(II) EXCEPTIONS.—

20 “(aa) SECRETARY OF HOUS-
21 ING AND URBAN DEVELOP-
22 MENT.—After consultation with
23 Indian tribes, eligible recipients,
24 and any other appropriate tribal
25 organizations, the Secretary may

1 make necessary and appropriate
2 modifications to facilitate the use
3 of the Program by eligible recipi-
4 ents to serve eligible Indian vet-
5 erans.

6 “(bb) SECRETARY OF VET-
7 ERANS AFFAIRS.—After consulta-
8 tion with Indian tribes, eligible
9 recipients, and any other appro-
10 priate tribal organizations, the
11 Secretary of Veterans Affairs
12 may make necessary and appro-
13 priate modifications to facilitate
14 the use of the Program by eligi-
15 ble recipients to serve eligible In-
16 dian veterans.

17 “(iv) ELIGIBLE RECIPIENTS.—The
18 Secretary shall make amounts for rental
19 assistance and associated administrative
20 costs under the Program available in the
21 form of grants to eligible recipients.

22 “(v) FUNDING CRITERIA.—The Sec-
23 retary shall award grants under the Pro-
24 gram based on—

25 “(I) need;

1 “(II) administrative capacity; and
2 “(III) any other funding criteria
3 established by the Secretary in a no-
4 tice published in the Federal Register
5 after consulting with the Secretary of
6 Veterans Affairs.

7 “(vi) ADMINISTRATION.—Grants
8 awarded under the Program shall be ad-
9 ministered in accordance with the Native
10 American Housing Assistance and Self-De-
11 termination Act of 1996 (25 U.S.C. 4101
12 et seq.), except that recipients shall—

13 “(I) submit to the Secretary, in a
14 manner prescribed by the Secretary,
15 reports on the utilization of rental as-
16 sistance provided under the Program;
17 and

18 “(II) provide to the Secretary in-
19 formation specified by the Secretary
20 to assess the effectiveness of the Pro-
21 gram in serving eligible Indian vet-
22 erans.

23 “(vii) CONSULTATION.—

24 “(I) GRANT RECIPIENTS; TRIBAL
25 ORGANIZATIONS.—The Secretary, in

1 coordination with the Secretary of
2 Veterans Affairs, shall consult with el-
3 igible recipients and any other appro-
4 priate tribal organization on the de-
5 sign of the Program to ensure the ef-
6 fective delivery of rental assistance
7 and supportive services to eligible In-
8 dian veterans under the Program.

9 “(II) INDIAN HEALTH SERV-
10 ICE.—The Director of the Indian
11 Health Service shall provide any as-
12 sistance requested by the Secretary or
13 the Secretary of Veterans Affairs in
14 carrying out the Program.

15 “(viii) WAIVER.—

16 “(I) IN GENERAL.—Except as
17 provided in subclause (II), the Sec-
18 retary may waive or specify alter-
19 native requirements for any provision
20 of law (including regulations) that the
21 Secretary administers in connection
22 with the use of rental assistance made
23 available under the Program if the
24 Secretary finds that the waiver or al-
25 ternative requirement is necessary for

1 the effective delivery and administra-
2 tion of rental assistance under the
3 Program to eligible Indian veterans.

4 “(II) EXCEPTION.—The Sec-
5 retary may not waive or specify alter-
6 native requirements under subclause
7 (I) for any provision of law (including
8 regulations) relating to labor stand-
9 ards or the environment.

10 “(ix) RENEWAL GRANTS.—The Sec-
11 retary may—

12 “(I) set aside, from amounts
13 made available for tenant-based rental
14 assistance under this subsection and
15 without regard to the amounts used
16 for new grants under clause (ii), such
17 amounts as may be necessary to
18 award renewal grants to eligible re-
19 cipients that received a grant under
20 the Program in a previous year; and

21 “(II) specify criteria that an eli-
22 gible recipient must satisfy to receive
23 a renewal grant under subclause (I),
24 including providing data on how the
25 eligible recipient used the amounts of

1 any grant previously received under
2 the Program.

3 “(x) REPORTING.—

4 “(I) IN GENERAL.—Not later
5 than 1 year after the date of enact-
6 ment of the Tribal HUD–VASH Act
7 of 2019, and every 5 years thereafter,
8 the Secretary, in coordination with the
9 Secretary of Veterans Affairs and the
10 Director of the Indian Health Service,
11 shall—

12 “(aa) conduct a review of
13 the implementation of the Pro-
14 gram, including any factors that
15 may have limited its success; and

16 “(bb) submit a report de-
17 scribing the results of the review
18 under item (aa) to—

19 “(AA) the Committee
20 on Indian Affairs, the Com-
21 mittee on Banking, Housing,
22 and Urban Affairs, the
23 Committee on Veterans’ Af-
24 fairs, and the Committee on

1 Appropriations of the Sen-
 2 ate; and
 3 “(BB) the Sub-
 4 committee on Indian, Insu-
 5 lar and Alaska Native Af-
 6 fairs of the Committee on
 7 Natural Resources, the
 8 Committee on Financial
 9 Services, the Committee on
 10 Veterans’ Affairs, and the
 11 Committee on Appropria-
 12 tions of the House of Rep-
 13 resentatives.

14 “(II) ANALYSIS OF HOUSING
 15 STOCK LIMITATION.—The Secretary
 16 shall include in the initial report sub-
 17 mitted under subclause (I) a descrip-
 18 tion of—

19 “(aa) any regulations gov-
 20 erning the use of formula current
 21 assisted stock (as defined in sec-
 22 tion 1000.314 of title 24, Code of
 23 Federal Regulations (or any suc-
 24 cesssor regulation)) within the
 25 Program;

1 “(bb) the number of recipi-
2 ents of grants under the Pro-
3 gram that have reported the reg-
4 ulations described in item (aa) as
5 a barrier to implementation of
6 the Program; and
7 “(cc) proposed alternative
8 legislation or regulations devel-
9 oped by the Secretary in con-
10 sultation with recipients of
11 grants under the Program to
12 allow the use of formula current
13 assisted stock within the Pro-
14 gram.”.

Passed the Senate June 27, 2019.

Attest:

Secretary.

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