

Calendar No. 49

116TH CONGRESS
1ST SESSION

S. 257

[Report No. 116–21]

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

IN THE SENATE OF THE UNITED STATES

JANUARY 29, 2019

Mr. TESTER (for himself, Mr. HOEVEN, Mr. UDALL, Mr. ISAKSON, Ms. CANTWELL, Mr. DAINES, Ms. WARREN, Mr. CRAMER, and Mr. SULLIVAN) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

MARCH 28, 2019

Reported by Mr. HOEVEN, without amendment

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

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

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

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

6 “(D) INDIAN VETERANS HOUSING RENTAL
 7 ASSISTANCE PROGRAM.—

8 “(i) DEFINITIONS.—In this subpara-
 9 graph:

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

14 “(aa) homeless or at risk of
 15 homelessness; and

16 “(bb) living—

17 “(AA) on or near a res-
 18 ervation; or

19 “(BB) in or near any
 20 other Indian area.

21 “(II) ELIGIBLE RECIPIENT.—
 22 The term ‘eligible recipient’ means a
 23 recipient eligible to receive a grant
 24 under section 101 of the Native
 25 American Housing Assistance and

1 Self-Determination Act of 1996 (25
2 U.S.C. 4111).

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

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

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

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

22 “(ii) PROGRAM SPECIFICATIONS.—
23 The Secretary shall use not less than 5
24 percent of the amounts made available for
25 rental assistance under this paragraph to

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

7 “(iii) MODEL.—

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

17 “(II) EXCEPTIONS.—

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

1 of the Program by eligible recipi-
2 ents to serve eligible Indian vet-
3 erans.

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

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

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

23 “(I) need;

24 “(II) administrative capacity; and

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

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

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

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

22 “(vii) CONSULTATION.—

23 “(I) GRANT RECIPIENTS; TRIBAL
 24 ORGANIZATIONS.—The Secretary, in
 25 coordination with the Secretary of

Veterans Affairs, shall consult with eligible recipients and any other appropriate tribal organization on the design of the Program to ensure the effective delivery of rental assistance and supportive services to eligible Indian veterans under the Program.

“(II) INDIAN HEALTH SERVICE.—The Director of the Indian Health Service shall provide any assistance requested by the Secretary or the Secretary of Veterans Affairs in carrying out the Program.

“(viii) WAIVER.—

“(I) IN GENERAL.—Except as provided in subclause (II), the Secretary may waive or specify alternative requirements for any provision of law (including regulations) that the Secretary administers in connection with the use of rental assistance made available under the Program if the Secretary finds that the waiver or alternative requirement is necessary for the effective delivery and administra-

tion of rental assistance under the
Program to eligible Indian veterans.

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

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

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

“(II) specify criteria that an eli-
gible recipient must satisfy to receive
a renewal grant under subclause (I),
including providing data on how the
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.”.

Calendar No. 49

116TH CONGRESS
1ST Session

S. 257

[Report No. 116-21]

A BILL

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

MARCH 28, 2019

Reported without amendment