

116TH CONGRESS
1ST SESSION

H. R. 4532

To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to make certain grants to assist nursing homes for veterans located on tribal lands.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 2019

Mr. O'HALLERAN (for himself, Mr. COLE, and Mr. GALLEGOS) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to make certain grants to assist nursing homes for veterans located on tribal lands.

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 “Nursing Home Care
5 for Native American Veterans Act”.

1 **SEC. 2. GRANTS FOR STATE HOMES LOCATED ON TRIBAL**
2 **LANDS.**

3 (a) STATE HOME DEFINED.—Section 101(19) of
4 title 38, United States Code, is amended by inserting “or
5 Indian tribe (as defined in section 4 of the Indian Self-
6 Determination and Education Assistance Act (25 U.S.C.
7 5304))” after “(other than a possession)”.

8 (b) PAYMENTS TO STATE HOMES.—Section 1741 of
9 title 38, United States Code, is amended by adding at the
10 end the following new subsection:

11 “(h) In this subchapter, the term ‘State’ means each
12 of the several States and each Indian tribe (as defined
13 in section 4 of the Indian Self-Determination and Edu-
14 cation Assistance Act (25 U.S.C. 5304)).”.

15 (c) STATE HOME CONSTRUCTION.—

16 (1) IN GENERAL.—Section 8131(2) of title 38,
17 United States Code, is amended by inserting “in-
18 cludes each Indian tribe (as defined in section 4 of
19 the Indian Self-Determination and Education Assist-
20 ance Act (25 U.S.C. 5304)) but” before “does not”.

21 (2) CONFORMING AMENDMENT.—Section 8132
22 of such title is amended by striking “several”.

23 (d) ADDITIONAL LEGISLATIVE OR ADMINISTRATIVE
24 ACTION.—

25 (1) CONSULTATION WITH INDIAN TRIBES.—Not
26 later than 180 days after the date of the enactment

1 of this Act, the Secretary of Veterans Affairs shall
2 consult with Indian tribes to determine if any legis-
3 lative or administrative action is necessary to modify
4 the State home program to function efficiently in
5 support of State homes operated by Indian tribes
6 pursuant to the amendments made by this section.

7 (2) REPORT TO CONGRESS.—Not later than 90
8 days after completing consultations under paragraph
9 (1), the Secretary shall submit to the appropriate
10 committees of Congress a report recommending leg-
11 islative action that the Secretary considers appro-
12 priate to modify the State home program described
13 in such paragraph in light of those consultations.

14 (3) MODIFICATIONS.—Not later than 180 days
15 after completing consultations under paragraph (1),
16 the Secretary shall make any modifications to regu-
17 lations implementing the State home program, for
18 which legislative action is not necessary, as the Sec-
19 retary considers appropriate in light of those con-
20 sultations.

21 (e) TECHNICAL SUPPORT AND ASSISTANCE.—The
22 Secretary of Veterans Affairs shall provide technical sup-
23 port and assistance to Indian tribes in carrying out the
24 State home program at State homes operated by Indian
25 tribes pursuant to the amendments made by this section.

1 (f) DEFINITIONS.—In this section:

2 (1) APPROPRIATE COMMITTEES OF CON-
3 GRESS.—The term “appropriate committees of Con-
4 gress” means—

5 (A) the Committee on Veterans’ Affairs
6 and the Committee on Indian Affairs of the
7 Senate; and

8 (B) the Committee on Veterans’ Affairs
9 and the Subcommittee for Indigenous Peoples
10 of the United States of the Committee on Nat-
11 ural Resources of the House of Representatives.

12 (2) INDIAN TRIBE.—The term “Indian tribe”
13 has the meaning given that term in section 4 of the
14 Indian Self-Determination and Education Assistance
15 Act (25 U.S.C. 5304).

16 (3) STATE HOME.—The term “State home” has
17 the meaning given that term in section 101(19) of
18 title 38, United States Code.

19 (4) STATE HOME PROGRAM.—The term “State
20 home program” means the program of the Depart-
21 ment of Veterans Affairs for which payments are
22 made under subchapter V of chapter 17 of title 38,
23 United States Code, and assistance is provided
24 under subchapter III of chapter 81 of such title.

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