

118TH CONGRESS
2D SESSION

S. 4233

To prohibit the use of Federal funds to provide or subsidize housing for aliens who are unlawfully present in the United States until the Secretary of Veterans determines that sufficient Federal resources exist to provide housing assistance to all homeless veterans.

IN THE SENATE OF THE UNITED STATES

MAY 1, 2024

Mr. KENNEDY (for himself, Mr. COTTON, Mr. MARSHALL, Mrs. BLACKBURN, and Mr. CRAMER) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To prohibit the use of Federal funds to provide or subsidize housing for aliens who are unlawfully present in the United States until the Secretary of Veterans determines that sufficient Federal resources exist to provide housing assistance to all homeless veterans.

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 “Heroes Over Aliens
5 Act” or the “HOA Act”.

1 **SEC. 2. LIMITATION ON USE OF FUNDS TO HOUSE ALIENS**
2 **UNLAWFULLY PRESENT IN THE UNITED**
3 **STATES UNTIL SUFFICIENT FEDERAL RE-**
4 **SOURCES EXIST TO PROVIDE HOUSING AS-**
5 **SISTANCE TO ALL HOMELESS VETERANS.**

6 (a) **FUNDING LIMITATION.**—Except as provided
7 under subsection (b), no Federal funds may be used to
8 provide or subsidize housing for aliens who are unlawfully
9 present in the United States until the date on which the
10 Secretary of Veterans Affairs submits to Congress the de-
11 termination described in subsection (c).

12 (b) **EXCLUSIONS.**—The limitation described in sub-
13 section (a) does not apply to any aliens who are—

14 (1) in the custody of, or being detained by, the
15 Department of Homeland Security; or

16 (2) incarcerated in a Federal prison or in any
17 prison, institution, or facility receiving funding from
18 the Federal Government.

19 (c) **DETERMINATION DESCRIBED.**—The determina-
20 tion described in this subsection is a determination by the
21 Secretary of Veterans Affairs that, based on the most re-
22 cent point-in-time count data available from the Depart-
23 ment of Housing and Urban Development, sufficient Fed-
24 eral resources exist to provide housing assistance to all
25 veterans who are homeless or experiencing homelessness.

1 (d) CONSIDERATIONS.—In making the determination
2 described in subsection (c), the Secretary of Veterans Af-
3 fairs shall consider the criteria and benchmarks described
4 in the document entitled “Criteria and Benchmarks for
5 Achieving the Goal of Ending Veteran Homelessness”
6 (Version 4, June 2019) published by the United States
7 Interagency Council on Homelessness.

8 (e) DEFINITION OF VETERAN.—In this section, the
9 term “veteran” has the meaning given that term in section
10 101 of title 38, United States Code.

○