

113TH CONGRESS
1ST SESSION

H. R. 1784

To reform and modernize domestic refugee resettlement programs, and for
other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2013

Mr. PETERS of Michigan (for himself, Mr. STIVERS, Mr. CONYERS, Ms. CHU, Mr. ELLISON, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HONDA, Mr. HUIZENGA of Michigan, Mr. JOHNSON of Georgia, Mr. LEVIN, Mr. MCGOVERN, Mr. MORAN, Mr. POLIS, and Mr. SCHIFF) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To reform and modernize domestic refugee resettlement
programs, 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 “Domestic Refugee Re-
5 settlement Reform and Modernization Act of 2013”.

6 **SEC. 2. FINDINGS.**

7 The Congress makes the following findings:

1 (1) The United States has enhanced and accel-
2 erated its efforts to resettle Iraqi refugees since
3 2007.

4 (2) Resettlement in the United States remains
5 an important option for refugees around the world
6 that lack any other durable solution.

7 (3) Many of these refugees are victims of tor-
8 ture and persecution, or were forced to flee because
9 of support they gave to American military, Govern-
10 ment, or media operations.

11 (4) Refugees are often a product of human
12 rights atrocities and war, making them likely to have
13 suffered traumatic events which require the United
14 States to offer them protection and meet their needs
15 once they arrive here.

16 (5) In fiscal year year 2012, a total of 58,238
17 refugees were resettled in the United States, includ-
18 ing 12,163 from Iraq.

19 (6) Upon arrival in the United States, there is
20 authorized up to 36 months of cash and medical as-
21 sistance available to refugees, as well as access to so-
22 cial services, such as job placement, from the Office
23 of Refugee Resettlement, but in practice refugees re-
24 ceive only 8 months of cash and medical assistance.

1 (7) When given adequate support through the
2 resettlement system, refugees can successfully be-
3 come self-sufficient and contribute positively to their
4 communities.

5 (8) Additional resources and better data could
6 strengthen refugee services and better respond to
7 the need of highly vulnerable refugees.

8 (9) ORR funding formulas are retroactive in
9 nature, using refugee admission data from up to 3
10 prior years, so that large increases in refugee admis-
11 sions are not adequately reflected in the amount of
12 resources provided by ORR.

13 (10) The United States resettlement policy as-
14 sumes refugees will be able to quickly become self-
15 sufficient, while specifically offering resettlement to
16 individuals who have specific vulnerabilities that in-
17 hibit their ability to achieve self-sufficiency and inte-
18 grate into society.

19 (11) Some refugees will have mental health dif-
20 ficulties associated with trauma or torture and this
21 is one of the significant barriers to self-sufficiency
22 and integration into a community when it is not ad-
23 dressed with adequate and appropriate services.

24 (12) Secondary migration is not properly
25 tracked, and resources are not available for States

1 and agencies experiencing high levels of secondary
2 migration.

3 (13) Refugee services are provided by national
4 resettlement agencies, community based organiza-
5 tions, charities, and nonprofits and coordinated lo-
6 cally by State refugee programs, and all the organi-
7 zations should be supported in their mission to pro-
8 vide refugee services.

9 **SEC. 3. EFFECTIVE DATE.**

10 This Act shall take effect on the date that is 90 days
11 after the date of enactment of this Act.

12 **SEC. 4. ASSESSMENT OF THE REFUGEE DOMESTIC RESET-**
13 **TLEMENT PROGRAM.**

14 (a) IN GENERAL.—As soon as practicable after the
15 date of the enactment of this Act, the Comptroller General
16 of the United States shall conduct a study regarding the
17 effectiveness of the domestic refugee resettlement pro-
18 grams operated by the Office of Refugee Resettlement.

19 (b) MATTERS TO BE STUDIED.—In the study re-
20 quired under subsection (a), the Comptroller General shall
21 determine and analyze the following:

22 (1) How the Office of Refugee Resettlement de-
23 fines self-sufficiency and if this definition is ade-
24 quate in addressing refugee needs in the United
25 States.

1 (2) The effectiveness of the Office of Refugee
2 Resettlement programs in helping refugees to meet
3 self-sufficiency and integration.

4 (3) An evaluation of the Office of Refugee Re-
5 settlement's budgetary resources and projection of
6 the amount of additional resources needed to fully
7 address the unmet needs of refugees with regard to
8 self-sufficiency and integration.

9 (4) The role of community based organizations
10 in serving refugees in areas experiencing a high
11 number of new refugee arrivals.

12 (5) An analysis of how community based orga-
13 nizations can be better utilized and supported in the
14 Federal domestic resettlement process.

15 (6) Recommendations on statutory changes to
16 improve the Office of Refugee Resettlement and the
17 domestic refugee program in relation to the matters
18 analyzed under paragraphs (1) through (5).

19 (c) REPORT.—Not later than 2 years after the date
20 of the enactment of this Act, the Comptroller General shall
21 submit the results of the study required under subsection
22 (a) to the Congress.

1 **SEC. 5. ELEVATION OF THE OFFICE OF REFUGEE RESET-**
2 **TLEMENT.**

3 (a) IN GENERAL.—Section 411(a) of the Immigra-
4 tion and Nationality Act (8 U.S.C. 1521(a)) is amended
5 by striking the second sentence and inserting the fol-
6 lowing: “The head of the Office of Refugee Resettlement
7 in the Department of Health and Human Services shall
8 be an Assistant Secretary of Health and Human Services
9 for Refugee and Asylee Resettlement (hereinafter in this
10 chapter referred to as the ‘Assistant Secretary’), to be ap-
11 pointed by the President, and to report directly to the Sec-
12 retary.”.

13 (b) CONFORMING AMENDMENTS.—

14 (1) Section 411(b) of the Immigration and Na-
15 tionality Act (8 U.S.C. 1521(b)) is amended by
16 striking “Director” and inserting “Assistant Sec-
17 retary”.

18 (2) Section 412 of the Immigration and Nation-
19 ality Act (8 U.S.C. 1522) is amended by striking
20 “Director” each place it appears and inserting “As-
21 sistant Secretary”.

22 (3) Section 413 of the Immigration and Nation-
23 ality Act (8 U.S.C. 1523) is amended by striking
24 “Director” each place it appears and inserting “As-
25 sistant Secretary”.

1 (4) Section 462 of the Homeland Security Act
2 of 2002 (6 U.S.C. 279) is amended by striking “Di-
3 rector” each place it appears and inserting “Assist-
4 ant Secretary”.

5 (c) REFERENCES.—Any reference to the Director of
6 the Office of Refugee Resettlement in any other Federal
7 law, Executive order, rule, regulation, operating instruc-
8 tion, or delegation of authority, or any document of or
9 pertaining to the Department of Health and Human Serv-
10 ices or the Office of Refugee Resettlement that refers to
11 the Director of the Office of Refugee Resettlement, shall
12 be deemed to refer to the Assistant Secretary of Health
13 and Human Services for Refugee and Asylee Resettle-
14 ment.

15 **SEC. 6. REFUGEE ASSISTANCE.**

16 (a) AMENDMENTS TO THE SOCIAL SERVICES FUND-
17 ING.—Section 412(c)(1)(B) of the Immigration and Na-
18 tionality Act (8 U.S.C. 1522(c)(1)(B)) is amended to read
19 as follows:

20 “(B) The funds available for a fiscal year
21 for grants and contracts under subparagraph
22 (A) shall be allocated among the States based
23 on a combination of the total number of refu-
24 gees (including children and adults) who arrived
25 in the United States not more than 36 months

1 before the beginning of such fiscal year and
2 who are actually residing in each State (taking
3 into account secondary migration) as of the be-
4 ginning of the fiscal year, the total number of
5 all other eligible populations served by the Of-
6 fice during the period described who are resid-
7 ing in the State as of the beginning of the fiscal
8 year, and projections on the number and nature
9 of incoming refugees and other populations
10 served by the Office during the subsequent fis-
11 cal year.”.

12 (b) REPORT ON SECONDARY MIGRATION.—Section
13 412(a)(3) of the Immigration and Nationality Act (814
14 U.S.C. 1522(a)(3)) is amended by striking the word “peri-
15 odic” to “annual” and by adding at the end the following:
16 “At the end of each fiscal year, the Assistant Secretary
17 shall present a report on these findings to the Congress.
18 The information in the report shall include, but is not lim-
19 ited to, States experiencing departures and arrivals due
20 to secondary migration, likely reasons for migration, the
21 impact of secondary migration on States hosting sec-
22 ondary migrants, availability of social services for sec-
23 ondary migrants in those States, and unmet needs of those
24 secondary migrants.”.

1 (c) ASSISTANCE MADE AVAILABLE TO SECONDARY
2 MIGRANTS.—Section 412(a)(1) of the Immigration and
3 Nationality Act (8 U.S.C. 1522(a)(1)) is amended by add-
4 ing at the end the following:

5 “(C) When providing such assistance, the
6 Assistant Secretary shall ensure that such as-
7 sistance is provided to refugees who are sec-
8 ondary migrants and meet all other eligibility
9 requirements for such services.”.

10 (d) NOTICE AND RULEMAKING.—Not later than 90
11 days after the date of enactment of this Act, but in no
12 event later than 30 days before the effective date of the
13 amendments made by this section, the Assistant Secretary
14 shall issue a proposed rule of the new formula by which
15 grants and contracts are to be allocated pursuant to the
16 amendments made by subsection (c), and solicit public
17 comment.

18 (e) EFFECTIVE DATE.—The amendment made by
19 this section shall become effective on the first day of the
20 first fiscal year that begins after the date of enactment
21 of this Act.

22 **SEC. 7. RESETTLEMENT DATA.**

23 The Assistant Secretary shall expand the Office of
24 Refugee Resettlement’s data analysis, collection, and shar-
25 ing activities in accordance with the following provisions:

1 (1) DATA ON MENTAL AND PHYSICAL MEDICAL
2 CASES.—The Assistant Secretary shall coordinate
3 with the Centers for Disease Control, national resettlement
4 agencies, community based organizations,
5 and State refugee health programs to track national
6 and State trends on refugees arriving with Class A
7 medical conditions and other urgent medical needs.
8 The Assistant Secretary shall utilize initial refugee
9 health screening data, including history of severe
10 trauma, torture, mental health symptoms, depression,
11 anxiety and PTSD, recorded during domestic
12 and international health screenings, and Refugee
13 Medical Assistance utilization rate data in collecting
14 this information.

15 (2) DATA ON HOUSING NEEDS.—The Assistant
16 Secretary shall partner with State refugee programs,
17 community based organizations, and national resettlement
18 agencies to collect data relating to the housing
19 needs of refugees. This data should include the
20 number of refugees who have become homeless and
21 the number at severe risk of becoming homeless.

22 (3) DATA ON REFUGEE EMPLOYMENT AND
23 SELF-SUFFICIENCY.—The Assistant Secretary shall
24 gather longitudinal information relating to refugee

1 self-sufficiency and integration and employment sta-
2 tus for the period of 1–3 years post-arrival.

3 (4) AVAILABILITY OF DATA.—The data col-
4 lected under this section shall be updated annually
5 and the Assistant Secretary shall submit a report to
6 the Congress containing that updated data

7 **SEC. 8. GUIDANCE REGARDING REFUGEE PLACEMENT DE-**
8 **CISIONS.**

9 The Secretary of State shall provide guidance to na-
10 tional resettlement agencies and State Refugee Coordina-
11 tors on consultation with local stakeholders pertaining to
12 refugee resettlement. The Secretary of Health and Human
13 Services, working in collaboration with the Secretary of
14 State, shall collect from Voluntary Agencies and State
15 Refugee Coordinators and disseminate best practices re-
16 lated to the implementation of the guidance on stakeholder
17 consultation on refugee resettlement.

18 **SEC. 9. DEFINITIONS.**

19 In this Act:

20 (1) NATIONAL RESETTLEMENT AGENCY.—The
21 term “national resettlement agency” means vol-
22 untary agencies contracting with the State Depart-
23 ment to provide sponsorship and initial resettlement
24 services to refugees entering the United States.

1 (2) COMMUNITY BASED ORGANIZATION.—The
2 term “community based organization” means a non-
3 profit organization providing a variety of social,
4 health, educational and community services to a pop-
5 ulation that includes refugees resettled into the
6 United States.

7 (3) ASSISTANT SECRETARY.—The term “Assist-
8 ant Secretary” means the Assistant Secretary of
9 Health and Human Services for Refugee and Asylee
10 Resettlement.

○