

113TH CONGRESS
1ST SESSION

S. 883

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

IN THE SENATE OF THE UNITED STATES

MAY 7, 2013

Ms. STABENOW introduced the following bill; which was read twice and 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:

8 (1) The United States has enhanced and accel-
9 erated its efforts to resettle Iraqi refugees since
10 2007.

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

4 (3) Many of these refugees are victims of tor-
5 ture and persecution, or were forced to flee because
6 of support they gave to American military, govern-
7 ment, or media operations.

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

13 (5) In fiscal year 2012, a total of 58,238 refu-
14 gees were resettled in the United States, including
15 12,163 from Iraq.

16 (6) Upon arrival in the United States, refugees
17 are entitled to cash and medical assistance for up to
18 36 months and access to social services, such as job
19 placement, from the Office of Refugee Resettlement,
20 but refugees actually receive only 8 months of cash
21 and medical assistance.

22 (7) When given adequate support through the
23 resettlement system, refugees can successfully be-
24 come self-sufficient and contribute positively to their
25 communities.

1 (8) Additional resources and better data could
2 strengthen refugee services and better respond to
3 the need of highly vulnerable refugees.

4 (9) Funding formulas used by the Office of
5 Refugee Resettlement are retroactive in nature,
6 using refugee admission data from up to 3 prior
7 years, so that large increases in refugee admissions
8 are not adequately reflected in the amount of re-
9 sources provided by the Office.

10 (10) United States resettlement policy assumes
11 refugees will be able to quickly become self-suffi-
12 cient, while specifically offering resettlement to indi-
13 viduals who have specific vulnerabilities that inhibit
14 their ability to achieve self-sufficiency and integrate
15 into society.

16 (11) Some refugees will have mental health dif-
17 ficulties associated with trauma or torture and this
18 is a significant barrier to self-sufficiency and inte-
19 gration into a community when it is not addressed
20 with adequate and appropriate services.

21 (12) Secondary migration is not properly
22 tracked, and resources are not available for States
23 and agencies experiencing high levels of secondary
24 migration.

1 (13) Refugee services are provided by national
2 resettlement agencies, community based organiza-
3 tions, charities, and nonprofit organizations and co-
4 ordinated locally by State refugee programs, and all
5 the organizations should be supported in their mis-
6 sion to provide refugee services.

7 **SEC. 3. DEFINITIONS.**

8 In this Act:

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

13 (2) COMMUNITY BASED ORGANIZATION.—The
14 term “community based organization” means a non-
15 profit organization providing a variety of social,
16 health, educational and community services to a pop-
17 ulation that includes refugees resettled into the
18 United States.

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

1 **SEC. 4. ASSESSMENT OF THE REFUGEE DOMESTIC RESET-**
2 **TLEMENT PROGRAM.**

3 (a) IN GENERAL.—As soon as practicable after the
4 date of the enactment of this Act, the Comptroller General
5 of the United States shall conduct a study regarding the
6 effectiveness of the domestic refugee resettlement pro-
7 grams operated by the Office of Refugee Resettlement.

8 (b) MATTERS TO BE STUDIED.—In the study re-
9 quired under subsection (a), the Comptroller General shall
10 determine and analyze—

11 (1) how the Office of Refugee Resettlement de-
12 fines self-sufficiency and if this definition is ade-
13 quate in addressing refugee needs in the United
14 States;

15 (2) the effectiveness of Office of Refugee Reset-
16 tlement programs in helping refugees to meet self-
17 sufficiency and integration;

18 (3) the Office of Refugee Resettlement's budg-
19 etary resources and project the amount of additional
20 resources needed to fully address the unmet needs of
21 refugees with regard to self-sufficiency and integra-
22 tion;

23 (4) the role of community based organizations
24 in serving refugees in areas experiencing a high
25 number of new refugee arrivals;

1 (5) how community based organizations can be
2 better utilized and supported in the Federal domes-
3 tic resettlement process; and

4 (6) recommended statutory changes to improve
5 the Office of Refugee Resettlement and the domestic
6 refugee program in relation to the matters analyzed
7 under paragraphs (1) through (5).

8 (c) REPORT.—Not later than 2 years after the date
9 of the enactment of this Act, the Comptroller General shall
10 submit the results of the study required under subsection
11 (a) to Congress.

12 **SEC. 5. ELEVATION OF THE OFFICE OF REFUGEE RESET-**
13 **TLEMENT.**

14 (a) IN GENERAL.—Section 411(a) of the Immigra-
15 tion and Nationality Act (8 U.S.C. 1521(a)) is amended
16 to read as follows:

17 “(a) There is established, within the Department of
18 Health and Human Services, the Office of Refugee Reset-
19 tlement (referred to in this chapter as the ‘Office’). The
20 head of the Office shall be the Assistant Secretary of
21 Health and Human Services for Refugee and Asylee Re-
22 settlement (referred to in this chapter as the ‘Assistant
23 Secretary’), who shall be appointed by the President and
24 shall report directly to the Secretary.”.

25 (b) CONFORMING AMENDMENTS.—

1 (1) IMMIGRATION AND NATIONALITY ACT.—
2 Chapter 2 of title IV of the Immigration and Na-
3 tionality Act (8 U.S.C. 1521 et seq.) is amended—

4 (A) in section 411(b), by striking “Direc-
5 tor” and inserting “Assistant Secretary”;

6 (B) in section 412, by striking “Director”
7 each place such term appears and inserting
8 “Assistant Secretary”; and

9 (C) in section 413, by striking “Director”
10 each place such term appears and inserting
11 “Assistant Secretary”.

12 (2) HOMELAND SECURITY ACT OF 2002.—Sec-
13 tion 462 of the Homeland Security Act of 2002 (6
14 U.S.C. 279) is amended by striking “Director of the
15 Office of Refugee Resettlement” each place such
16 term appears and inserting “Assistant Secretary of
17 Health and Human Services for Refugee and Asylee
18 Resettlement”.

19 (c) REFERENCES.—Any reference to the Director of
20 the Office of Refugee Resettlement in any other Federal
21 law, Executive order, rule, regulation, operating instruc-
22 tion, or delegation of authority, or any document of or
23 pertaining to the Department of Health and Human Serv-
24 ices or the Office of Refugee Resettlement that refers to
25 the Director of the Office of Refugee Resettlement, shall

1 be deemed to refer to the Assistant Secretary of Health
2 and Human Services for Refugee and Asylee Resettle-
3 ment.

4 **SEC. 6. REFUGEE ASSISTANCE.**

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

9 “(C) When providing assistance under this section,
10 the Assistant Secretary shall ensure that such assistance
11 is provided to refugees who are secondary migrants and
12 meet all other eligibility requirements for such services.”.

13 (b) REPORT ON SECONDARY MIGRATION.—Section
14 412(a)(3) of such Act (8 U.S.C. 1522(a)(3)) is amended—

15 (1) by striking “periodic” and inserting “an-
16 nual”; and

17 (2) by adding at the end the following: “At the
18 end of each fiscal year, the Assistant Secretary shall
19 submit a report to Congress that includes States ex-
20 perienceing departures and arrivals due to secondary
21 migration, likely reasons for migration, the impact
22 of secondary migration on States hosting secondary
23 migrants, availability of social services for secondary
24 migrants in those States, and unmet needs of those
25 secondary migrants.”.

1 (c) AMENDMENTS TO THE SOCIAL SERVICES FUND-
2 ING.—Section 412(c)(1)(B) of such Act (8 U.S.C.
3 1522(c)(1)(B)) is amended—

4 (1) by inserting “a combination of” after
5 “based on”; and

6 (2) by striking the period at the end and insert-
7 ing the following: “, the total number of all other eli-
8 gible populations served by the Office during the pe-
9 riod described who are residing in the State as of
10 the beginning of the fiscal year, and projections on
11 the number and nature of incoming refugees and
12 other populations served by the Office during the
13 subsequent fiscal year.”.

14 (d) NOTICE AND RULEMAKING.—Not later than 90
15 days after the date of the enactment of this Act and not
16 later than 30 days before the effective date set forth in
17 subsection (e), the Assistant Secretary shall issue a pro-
18 posed rule for a new formula by which grants and con-
19 tracts are to be allocated pursuant to the amendments
20 made by subsection (c) and solicit public comment.

21 (e) EFFECTIVE DATE.—The amendments made by
22 this section shall become effective on the first day of the
23 first fiscal year that begins after the date of the enactment
24 of this Act.

1 **SEC. 7. RESETTLEMENT DATA.**

2 (a) IN GENERAL.—The Assistant Secretary shall ex-
3 pand the Office of Refugee Resettlement’s data analysis,
4 collection, and sharing activities in accordance with the
5 requirements under subsections (b) through (e).

6 (b) DATA ON MENTAL AND PHYSICAL MEDICAL
7 CASES.—The Assistant Secretary shall coordinate with
8 the Centers for Disease Control, national resettlement
9 agencies, community based organizations, and State ref-
10 ugee health programs to track national and State trends
11 on refugees arriving with Class A medical conditions and
12 other urgent medical needs. The Assistant Secretary shall
13 utilize initial refugee health screening data, including his-
14 tory of severe trauma, torture, mental health symptoms,
15 depression, anxiety and posttraumatic stress disorder, re-
16 corded during domestic and international health
17 screenings, and Refugee Medical Assistance utilization
18 rate data in collecting information under this subsection.

19 (c) DATA ON HOUSING NEEDS.—The Assistant Sec-
20 retary shall partner with State refugee programs, commu-
21 nity based organizations, and national resettlement agen-
22 cies to collect data relating to the housing needs of refu-
23 gees, including—

24 (1) the number of refugees who have become
25 homeless; and

1 (2) the number of refugees who are at severe
2 risk of becoming homeless.

3 (d) DATA ON REFUGEE EMPLOYMENT AND SELF-
4 SUFFICIENCY.—The Assistant Secretary shall gather lon-
5 gitudinal information relating to refugee self-sufficiency,
6 integration, and employment status during the 2-year pe-
7 riod beginning 1 year after the refugees' arrival in the
8 United States.

9 (e) AVAILABILITY OF DATA.—The Assistant Sec-
10 retary shall—

11 (1) annually update the data collected under
12 this section; and

13 (2) submit an annual report to Congress that
14 contains the updated data.

15 **SEC. 8. GUIDANCE REGARDING REFUGEE PLACEMENT DE-**
16 **CISIONS.**

17 (a) CONSULTATION.—The Secretary of State shall
18 provide guidance to national resettlement agencies and
19 State Refugee Coordinators on consultation with local
20 stakeholders pertaining to refugee resettlement.

21 (b) BEST PRACTICES.—The Secretary of Health and
22 Human Services, in collaboration with the Secretary of
23 State, shall collect from voluntary agencies and State ref-
24 ugee coordinators and disseminate best practices related

1 to the implementation of the guidance on stakeholder con-
2 sultation on refugee resettlement.

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

4 This Act and the amendments made by this Act shall
5 take effect on the date that is 90 days after the date of
6 the enactment of this Act.

○