

112TH CONGRESS
1ST SESSION

H. R. 1475

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 12, 2011

Mr. PETERS (for himself, Mr. STIVERS, Mr. JACKSON of Illinois, Ms. ZOE LOFGREN of California, Mr. CONYERS, Mr. MCGOVERN, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. LEVIN, Mr. MCDERMOTT, Mr. POLIS, Mrs. MILLER of Michigan, Mr. MCCOTTER, Mr. CARDOZA, Mr. ANDREWS, Mr. CLARKE of Michigan, Mr. MATHESON, Mr. TIBERI, Mr. HANNA, and Mr. DINGELL) 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 2011”.

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 Iraqi refugees, many of
6 whom are living in Syria and Jordan and lack legal
7 status or access to health care.

8 (3) Many of these refugees are victims of tor-
9 ture and persecution, or were forced to flee because
10 of support they gave to American military oper-
11 ations.

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

17 (5) In fiscal year 2008, 13,822 Iraqi refugees
18 were resettled in the United States, and nearly
19 17,000 were resettled in fiscal year 2009.

20 (6) Upon arrival in the United States, there is
21 authorized 36 months of cash and medical assistance
22 available to refugees, as well as access to social serv-
23 ices, such as job placement, from the Office of Ref-
24 ugee Resettlement, but in practice refugees receive
25 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) Like millions of Americans, refugees are
6 negatively impacted by the recession, and a recent
7 report by the Georgetown Law Center indicated that
8 in some areas as few as 10 percent of refugees have
9 obtained employment at the end of the 8-month ben-
10 efit period.

11 (9) State refugee offices and voluntary agencies
12 lack the resources and data to increase staffing lev-
13 els to accommodate the large number of refugees in
14 need of services.

15 (10) ORR funding formulas are retroactive in
16 nature, using refugee admission data from the prior
17 3 years, so that large increases in refugee admis-
18 sions are not adequately reflected in the amount of
19 resources provided by ORR.

20 (11) The United States resettlement policy as-
21 sumes refugees will be able to quickly become self-
22 sufficient, while specifically offering resettlement to
23 individuals who have specific vulnerabilities that in-
24 hibit their ability to achieve self-sufficiency and inte-
25 grate into society.

1 (12) Some refugees will have mental health dif-
2 ficulties associated with trauma or torture and this
3 is one of the significant barriers to self-sufficiency
4 and integration into a community when it is not ad-
5 dressed with adequate and appropriate services.

6 (13) Secondary migration is not properly
7 tracked, and resources are not available for States
8 and agencies experiencing high levels of secondary
9 migration.

10 (14) Refugee services are provided by national
11 resettlement agencies, community-based organiza-
12 tions, charities, and nonprofits and coordinated lo-
13 cally by State refugee programs, and all the organi-
14 zations should be supported in their mission to pro-
15 vide refugee services.

16 **SEC. 3. DEFINITIONS.**

17 In this Act:

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

23 (2) COMMUNITY BASED ORGANIZATION.—The
24 term “community based organization” means a non-
25 profit organization providing a variety of social,

1 health, educational and community services to a pop-
2 ulation that includes refugees resettled into the
3 United States.

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

8 **SEC. 4. EFFECTIVE DATE.**

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

11 **SEC. 5. ASSESSMENT OF THE REFUGEE DOMESTIC RESET-**
12 **TLEMENT PROGRAM.**

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

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

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

1 (2) The effectiveness of the Office of Refugee
2 Resettlement programs in helping refugees to meet
3 self-sufficiency and an analysis of the unmet needs
4 of the program.

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

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

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

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

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

1 **SEC. 6. 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. 7. 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 or 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. 8. 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 employment status for the period
2 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.

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