

117TH CONGRESS
1ST SESSION

H. R. 1387

To direct the Secretary of Homeland Security to exempt certain immediate relatives of an individual who was awarded the Purple Heart from certain fees, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 2021

Mr. WALTZ (for himself and Mr. CARBAJAL) introduced the following bill;
which was referred to the Committee on the Judiciary

A BILL

To direct the Secretary of Homeland Security to exempt certain immediate relatives of an individual who was awarded the Purple Heart from certain fees, 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 “Sergeant First Class
5 Javier J. Gutierrez Purple Heart Survivor Naturalization
6 Fee Relief Act of 2021”.

1 **SEC. 2. EXEMPTION OF FEES FOR CERTAIN IMMEDIATE**
2 **RELATIVES OF AN INDIVIDUAL WHO RE-**
3 **CEIVED THE PURPLE HEART.**

4 (a) **IN GENERAL.**—Not later than 90 days after the
5 date of the enactment of this Act, the Secretary of Home-
6 land Security shall include on a certain application or peti-
7 tion an opportunity for certain immediate relatives of an
8 individual who was awarded the Purple Heart to identify
9 themselves as such an immediate relative.

10 (b) **FEE EXEMPTION.**—The Secretary shall exempt
11 certain immediate relatives of an individual who was
12 awarded the Purple Heart, who identifies as such an im-
13 mediate relative on a certain application or petition, from
14 a fee with respect to a certain application or petition and
15 any associated fee for biometrics.

16 (c) **PENDING APPLICATIONS AND PETITIONS.**—The
17 Secretary of Homeland Security may waive fees for a cer-
18 tain application or petition and any associated fee for bio-
19 metrics for certain immediate relatives of an individual
20 who was awarded the Purple Heart, if such application
21 or petition is submitted not more than 90 days after the
22 date of the enactment of this Act.

23 (d) **DEFINITION.**—In this section:

24 (1) **ACTIVE SERVICE.**—The term “active serv-
25 ice” has the meaning given such term in section
26 101(d) of title 10, United States Code.

1 (2) CERTAIN IMMEDIATE RELATIVES OF AN IN-
2 DIVIDUAL WHO WAS AWARDED THE PURPLE
3 HEART.—The term “certain immediate relatives of
4 an individual who was awarded the Purple Heart”
5 means an immediate relative of a living or deceased
6 member of the Armed Forces who was awarded the
7 Purple Heart and who is not a person ineligible for
8 military honors pursuant to section 985(a) of title
9 10, United States Code.

10 (3) CERTAIN APPLICATION OR PETITION.—The
11 term “certain application or petition” means—

12 (A) an application using Form–400, Appli-
13 cation for Naturalization (or any successor
14 form); or

15 (B) a petition using Form I–360, Petition
16 for Amerasian, Widow(er), or Special Immi-
17 grant (or any successor form).

18 (4) IMMEDIATE RELATIVE.—The term “imme-
19 diate relative” has the meaning given such term in
20 section 201(b) of the Immigration and Nationality
21 Act (8 U.S.C. 1151(b)).

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