

110TH CONGRESS  
1ST SESSION

# H. R. 628

To direct the Secretary of Homeland Security to ensure that an individual may file an orphan petition for at least 2 years after approval of an advanced processing application.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 22, 2007

Mrs. WILSON of New Mexico (for herself, Mr. MARSHALL, Mr. SMITH of Washington, and Mr. PRICE of Georgia) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To direct the Secretary of Homeland Security to ensure that an individual may file an orphan petition for at least 2 years after approval of an advanced processing application.

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 “Helping Families  
5 Adopt Orphans Act”.

6 **SEC. 2. EXTENSION OF TIME TO FILE ORPHAN PETITION.**

7 (a) IN GENERAL.—The Secretary of Homeland Secu-  
8 rity shall ensure that any covered individual may file an

1 orphan petition for at least 2 years after the approval of  
2 the individual's advanced processing application.

3 (b) FEES AND REQUIREMENTS.—The Secretary of  
4 Homeland Security shall not require a covered individual  
5 who timely files an orphan petition to pay any fees or com-  
6 plete any requirements that—

7 (1) the individual has already paid or completed  
8 in conjunction with the advanced processing applica-  
9 tion; or

10 (2) are contingent on the amount of time that  
11 elapses between the approval of the advanced proc-  
12 essing application and the filing of the orphan peti-  
13 tion.

14 (c) ADDITIONAL FEES.—The Secretary of Homeland  
15 Security shall not require any person who was a covered  
16 individual on the date of enactment of this Act to pay any  
17 fee for the timely filing of an orphan petition, unless that  
18 fee was required at the time the advanced processing ap-  
19 plication was approved.

20 (d) DEFINITIONS.—In this section:

21 (1) The term “covered individual” means any  
22 individual whose advanced processing application  
23 was approved on or after July 1, 2005.

1           (2) The term “orphan petition” means the Peti-  
2           tion to Classify Orphan as an Immediate Relative or  
3           such form that is a successor to that form.

4           (3) The term “advanced processing application”  
5           means the Application for Advance Processing of  
6           Orphan Petition or such form that is a successor to  
7           that form.

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