



COMPARISON CHART¹ OF THE IMMIGRATION-RELATED FEE CHANGES² BROUGHT BY H.R.1 THE SO-CALLED ONE BIG BEAUTIFUL BILL ACT³

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² The statutory text proposes new or increased fee amounts but allows the DHS Secretary or the Attorney General to set alternate fees through rulemaking. In addition, some of the statutory text is unclear as regards fee amounts where the text states that the fee amount can be charged "in addition to any other fee authorized by law." Practitioners will likely have to wait until the relevant agency issues regulations to know the amount of the new fees for certain but can assume the final amount will be at least as high as the statutory amount. With this in mind, although these fees are supposed to take effect immediately, the relevant agencies may first issue regulations and operationalize payment systems before noncitizens have to actually begin paying the new fees. Nonetheless, practitioners may want to check the [USCIS fee schedule](#), the [EOIR Forms](#) webpage, the [Types of Appeals, Motions, and Required Fees](#) webpage, or call the relevant Immigration Court or the BIA before filing.

³ Text available at <https://www.congress.gov/bill/119th-congress/house-bill/1/text>. The bill also increases fees for appeals of practitioner disciplinary proceedings, Electronic System for Travel Authorization ("ESTA") fees; and Electronic Visa Update System fees. This resource does not cover those fees because it is focused on common USCIS and EOIR applications by noncitizens.

USCIS-RELATED FEES					
Application	Former Fee Amount	New Fee Amount ⁴	Fee Waiver Available?	Where the Fee Goes	Notes
Asylum Sec. 100002	\$0	\$100	No	50% goes to EOIR and 50% to USCIS deposited into the Immigration Examinations Fee Account established under section INA § 236(m)	This is the first time the United States has charged asylum seekers an application fee.
Annual Asylum Fee Sec. 100009	\$0	\$100 for each year that an asylum application remains pending.	No	The general fund of the Treasury.	It is unclear why asylum seekers should pay an asylum maintenance fee when they have no control over EOIR's or USCIS's backlogs and hearing or interview scheduling.
Initial Asylum Employment Authorization Document ("EAD") Sec. 100003(a)	\$0	\$550. Also discusses when the EAD will terminate. ⁵	No	25% of the fee goes to USCIS and no less than 50% of that fee must go to detect and prevent immigration benefit fraud. The rest will go to the general fund of the Treasury.	

⁴ Each fee amount is subject to an annual adjustment to cover inflation starting in fiscal year 2026. The formula for determining the increase is the fee amount plus the product of multiplying the fee amount by the percentage (if any) by which the Consumer Price Index for All Urban Consumers (CPI-U) for the month of July preceding the date on which such adjustment takes effect exceeds the (CPI-U) for the same month of the preceding calendar year rounded to the next lowest multiple of \$10 or, where fees are \$100 or less, rounded down to the nearest dollar. Sec. 100002.

⁵ 1. Immediately following the denial of an asylum application by an asylum officer, unless the case is referred to an IJ; 2. On the date that is 30 days after the date on which an IJ denies an asylum application, unless the person makes a timely appeal to the BIA; or 3. Immediately following the denial by the BIA of an appeal of a denial of an asylum application. Note that EAD renewal while the case is on direct appeal with a U.S. Court of Appeals is no longer possible.

Asylum-Based EAD Renewal and Extension Sec. 100011	Paper Filing: \$520 Online Filing: \$470	\$275. Also discusses when the EAD extension will terminate. ⁶	No	25% goes to USCIS into the Immigration Examinations Fee Account established under INA § 236(m) and may be retained and expended by USCIS without further appropriation. The rest will go to the general fund of the Treasury.	
Temporary Protected Status Fee Sec. 100006	Initial Application: \$50 Re-registration: \$0	\$500	No	The general fund of the Treasury.	This fee does not distinguish between initial and re-registration applications and therefore seems to apply to both.
Temporary Protected Status-Based EAD Sec. 100003(c)	Paper Filing: \$520 Online Filing: \$470	\$550	No	The general fund of the Treasury.	
Temporary Protected Status-Based EAD Renewal and Extension	Paper Filing: \$520 Online Filing: \$470	\$275. Also discusses when the EAD extension terminates. ⁷	No	25% goes to USCIS into the Immigration Examinations Fee Account established under INA § 236(m) and may be retained and expended by USCIS	

⁶ 1. Immediately following the denial of an asylum application by an asylum officer, unless the case is referred to an IJ; 2. On the date that is 30 days after the date on which an IJ denies an asylum application, unless the person makes a timely appeal to the BIA; or 3. Immediately following the denial by the BIA of an appeal of a denial of an asylum application. Note that EAD renewal while the case is on direct appeal with a U.S. Court of Appeals is no longer possible.

⁷ Any EAD for a person granted TPS, or any renewal or extension of such employment authorization, shall be valid for a period of 1 year or for the duration of the designation of temporary protected status, whichever is shorter.

Sec. 100012				without further appropriation. The rest will go to the general fund of the Treasury.	
Parole Fee Sec. 100004	Varies. Many parole categories had no fee while the general parole filing fee was \$580 (online) or \$630 (via mail). The USCIS fee schedule contains the various parole filing categories.	\$1,000 unless one of ten exceptions applies based on the reason for seeking parole. ⁸	No	The general fund of the Treasury.	This fee applies to Form I-131 Application for Travel Documents, Parole Documents, and Arrival/Departure Records. This form may be used to apply for various travel documents, but this parole fee applies only to those seeking a parole document. Refugee travel documents, Reentry permits, and TPS travel authorization (I-512) should not be subject to this fee because the noncitizen is not “paroled into the United States.”

⁸ 1. The person has a medical emergency and the person cannot obtain necessary treatment in the country where the person resides or the medical emergency is life-threatening and there is insufficient time for the person to be admitted to the United States through the normal visa process. 2. The person is the parent or legal guardian of a person described in 1 and that person is a minor. 3. The person is needed in the United States to donate an organ or other tissue for transplant; and there is insufficient time for the person to be admitted to the United States through the normal visa process. 4. The person has a close family member in the United States whose death is imminent; and the person could not arrive in the United States in time to see such family member alive if the [noncitizen] were to be admitted to the United States through the normal visa process. 5. The person wants to attend the funeral of a close family member and the person could not arrive in the United States in time to attend such funeral if the [noncitizen] were to be admitted to the United States through the normal visa process. 6. The person is an adopted child who has an urgent medical condition, who is in the legal custody of the petitioner for a final adoption-related visa; and whose medical treatment is required before the expected award of a final adoption-related visa. The person is a lawful applicant for adjustment of status under INA 245 and is returning to the United States after temporary travel abroad. 8. The person has been returned to a contiguous country pursuant to INA § 235(b)(2)(C) (regarding applicants for admission who are not clearly and beyond a doubt entitled to be admitted); and is being paroled into the United States to allow the person to attend the immigration hearing. 9. The person has been granted the status of Cuban and Haitian entrant (as defined in section 501(e) of the Refugee Education Assistance Act of 1980 (Public Law 96-422; 8 U.S.C. 1522 note). 10. DHS determines that a significant public benefit has resulted or will result from the parole of the person who has assisted or will assist the United States Government in a law enforcement matter; whose presence is required by the United States Government in furtherance of such law enforcement matter; and who is inadmissible or does not satisfy the eligibility requirements for admission as a nonimmigrant; or for which there is insufficient time for the [noncitizen] to be admitted to the United States through the normal visa process.

					The <i>Ms. L. v. ICE</i> , 18-cv-00428 (S.D. Cal.) Settlement Agreement exempts class members and Qualifying Additional Family Members from parole and re-parole application fees.
Initial Parole EAD Sec. 100003(b)	Varies. Many initial parole EAD categories had no fee while the general initial parole-based EAD fee was \$470. The USCIS fee schedule contains the various initial EAD filing categories.	\$550 Valid for 1 year or for the duration of the parole, whichever is shorter.	No	The general fund of the Treasury.	The <i>Ms. L. v. ICE</i> , 18-cv-00428 (S.D. Cal.) Settlement Agreement exempts class members and Qualifying Additional Family Members from parole-based EAD application fees.
Parole-Based EAD Renewal and Extension Sec. 100010	Varies. Many parole-based EAD renewal and extension categories had no fee while the general renewal/extension parole-based EAD fee was \$470. The USCIS fee schedule contains the various renewal	\$275	No	25% goes to USCIS deposited into the Immigration Examinations Fee Account established under section INA § 236(m) and may be retained and expended by USCIS without further appropriation and the rest goes to the general fund of the Treasury.	The <i>Ms. L. v. ICE</i> , 18-cv-00428 (S.D. Cal.) Settlement Agreement exempts class members and Qualifying Additional Family Members from parole-based EAD application fees.

	EAD filing categories.				
Special Immigrant Juvenile Fee Sec. 100005	\$0	\$250	Fee waivers are not prohibited.	The general fund of the Treasury.	
Nonimmigrant Visa Fee ⁹ Sec. 100007	Varies. However, U visas and T visas did not have a fee. The USCIS fee schedule contains the various nonimmigrant visa fees.	\$250 in addition to other standing nonimmigrant visa costs.	No. However, reimbursement of the fee is possible if, once the visa expires, the person demonstrates having met certain conditions. ¹⁰	The general fund of the Treasury.	
Application for Form I-94 Fee Sec. 100008.	The online application for an I-94 does not require a fee.	\$24	No	20% goes to the Land Border Inspection Fee Account in accordance with INA § 286(q)(2) and shall be made	

⁹ Although the impacted nonimmigrant visas are not specified, because the statute states that “the Secretary of Homeland Security shall require the payment of a fee,” nonimmigrant visas that require the USCIS’s approval of a petition or application are likely subject to this new fee. Those visas include U visas for victims of certain criminal activity, T visas for victims of trafficking; O visas for Foreign national with extraordinary ability in Sciences, Arts, Education, Business or Athletics; Q visas for International cultural exchange visitors; L visas for intra-company transferees; P visas for performing athletes, artists, and entertainers; R visas for religious workers; H-3 visas for those training in a program not primarily for employment; and CNMI-only transitional workers.

¹⁰ If after admission to the United States on the nonimmigrant visa, the person complied with all conditions of the nonimmigrant visa, including that the person did not accept unauthorized employment AND did not request an extension of the admission period and departed the United States not later than 5 days after the last day of such period OR during the visa validity period, was granted an extension of such nonimmigrant status or an adjustment to the status of a lawful permanent resident.

	Form I-102 Application for Replacement/Initial Nonimmigrant Arrival-Departure Document costs \$0-\$560 depending on the reason that the person seeks an I-94.			available to U.S. Customs and Border Protection to retain and spend without further appropriation for the purpose of processing Form I-94. The rest goes to the general fund of the Treasury.	
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EOIR-RELATED FEES

Application/Motion/ Appeal	Former Fee Amount	New Fee Amount ¹¹	Fee Waiver Available?	Where the Fee Goes
Adjustment of Status Application filed with the Immigration Court Sec. 100013(a)	Varies. Many filing categories had no fee while the general filing fee is \$1,440. The USCIS fee schedule contains the various	\$1,500	Fee waivers are not prohibited.	Not more than 25% will be transferred from the Immigration Examinations Fee Account under INA § 286(n) to the EOIR to retain and spend without further appropriation. The rest goes to the general fund of the Treasury. No fees collected pursuant Sec. 100013 may be expended by the EOIR for the Legal Orientation Program, or for any successor program. ¹²

¹¹ Each fee amount is subject to an annual adjustment to cover inflation starting in fiscal year 2026. The formula for determining the increase is the fee amount plus the product of multiplying the fee amount by the percentage (if any) by which the Consumer Price Index for All Urban Consumers (CPI-U) for the month of July preceding the date on which such adjustment takes effect exceeds the (CPI-U) for the same month of the preceding calendar year rounded to the next lowest multiple of \$10 or, where fees are \$00 or less, rounded down to the nearest dollar.

¹² Sec. 100013(k).

	adjustment filing categories.			
Waiver of Grounds of Inadmissibility Application filed with the Immigration Court Sec. 100013(b)	Varies. Many filing categories had no fee while the general filing fee is \$1,050. The USCIS fee schedule contains the various inadmissibility waiver fees.	\$1,050	Fee waivers are not prohibited.	Not more than 25% will be transferred from the Immigration Examinations Fee Account under INA § 286(n) to the EOIR to retain and spend without further appropriation. The rest goes to the general fund of the Treasury. No fees collected pursuant Sec. 100013 may be expended by the EOIR for the Legal Orientation Program, or for any successor program. ¹³
Temporary Protected Status Application filed with the Immigration Court Sec. 100013(c)	\$50 for initial applications. \$0 for re-registration applications.	\$500	Fee waivers are not prohibited.	Not more than 25% will be transferred from the Immigration Examinations Fee Account under INA § 286(n) to the EOIR to retain and spend without further appropriation. The rest goes to the general fund of the Treasury. No fees collected pursuant Sec. 100013 may be expended by the EOIR for the Legal Orientation Program, or for any successor program. ¹⁴
Appeal of a Decision of an Immigration Judge to the BIA Sec. 100013(d)	\$0 if it was an appeal of an IJ decision under law, regulation or directive that does not require a filing fee or \$110.	\$900. An exception applies for appeals of bond decisions for which no fee is required.	Fee waivers are not prohibited.	Not more than 25% will be transferred from the Immigration Examinations Fee Account under INA § 286(n) to the EOIR to retain and spend without further appropriation. The rest goes to the general fund of the Treasury. No fees collected pursuant Sec. 100013 may be expended by the EOIR for the Legal Orientation Program, or for any successor program. ¹⁵

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

Appeal of a Decision of an Officer of the Department of Homeland Security to the BIA Sec. 100013(e)	\$110	\$900	Fee waivers are not prohibited.	Not more than 25% will be transferred from the Immigration Examinations Fee Account under INA § 286(n) to the EOIR to retain and spend without further appropriation. The rest goes to the general fund of the Treasury. No fees collected pursuant Sec. 100013 may be expended by the EOIR for the Legal Orientation Program, or for any successor program. ¹⁶
Motion to Reopen or a Motion to Reconsider filed with the Immigration Court or the BIA Sec. 100013(g)	\$0 if the motion was based exclusively on an asylum claim, law, or regulation or \$145.	\$900 unless an exception applies. ¹⁷	Fee waivers are not prohibited.	Not more than 25% will be transferred from the Immigration Examinations Fee Account under INA § 286(n) to the EOIR to retain and spend without further appropriation. The rest goes to the general fund of the Treasury. No fees collected pursuant Sec. 100013 may be expended by the EOIR for the Legal Orientation Program, or for any successor program. ¹⁸
LPR Cancellation of Removal Application Sec. 100013(i)	\$100 plus \$30 for biometrics	\$600	Fee waivers are not prohibited.	Not more than 25% will be transferred from the Immigration Examinations Fee Account under INA § 286(n) to the EOIR to retain and spend without further appropriation. The rest goes to the general fund of the Treasury. No fees collected pursuant Sec. 100013 may be expended by the EOIR for the Legal Orientation Program, or for any successor program. ¹⁹

¹⁶ *Id.*

¹⁷ There are two exceptions to the \$900 fee: A motion to reopen a removal order entered *in absentia* if such motion is filed in accordance with INA § 240(b)(5)(C)(ii) (where the noncitizen can demonstrate that they did not receive notice of the hearing or they were in state or federal custody and the failure to appear was through no fault of their own) or a motion to reopen a deportation order entered *in absentia* if such motion is filed in accordance with INA § 242B(c)(3)(B) prior to April 1, 1997.

¹⁸ Sec. 100013(k).

¹⁹ *Id.*

Non-LPR Cancellation of Removal Application Sec. 100013(j)	\$100 plus \$30 for biometrics	\$1,500	Fee waivers are not prohibited.	Not more than 25% will be transferred from the Immigration Examinations Fee Account under INA § 286(n) to the EOIR to retain and spend without further appropriation. The rest goes to the general fund of the Treasury. No fees collected pursuant Sec. 100013 may be expended by the EOIR for the Legal Orientation Program, or for any successor program. ²⁰
Suspension of Deportation Sec. 100013(h)	\$100 plus \$30 for biometrics	\$600	Fee waivers are not prohibited.	Not more than 25% will be transferred from the Immigration Examinations Fee Account under INA § 286(n) to the EOIR to retain and spend without further appropriation. The rest goes to the general fund of the Treasury. No fees collected pursuant Sec. 100013 may be expended by the EOIR for the Legal Orientation Program, or for any successor program. ²¹

ENFORCEMENT-RELATED FEES					
Enforcement Provision	Requirements	Fee Amount ²²	Fee Waiver Available?	Where the Fee Goes	Notes
Noncitizens Ordered Removed <i>in Absentia</i> Apprehension Fee	1) Ordered removed <i>in absentia</i> pursuant to INA § 240(b)(5), and	\$5,000	No. But an exemption applies if the <i>in absentia</i> order is rescinded pursuant to INA § 240(b)(5)(C).	50% will go to ICE and be deposited into the Detention and Removal Office Fee Account and may be retained and expended by ICE	This fee does not take into account that certain categories such as Special Juvenile Status, Deferred Action for Labor Enforcement (“DALE”), U nonimmigrant visas, T

²⁰ *Id.*

²¹ *Id.*

²² Each fee amount is subject to an annual adjustment to cover inflation starting in fiscal year 2026. The formula for determining the increase is the fee amount plus the product of multiplying the fee amount by the percentage (if any) by which the Consumer Price Index for All Urban Consumers (CPI-U) for the month of July preceding the date on which such adjustment takes effect exceeds the (CPI-U) for the same month of the preceding calendar year rounded to the next lowest multiple of \$10.

Sec. 100016	2) is subsequently arrested by ICE			without further appropriation. The rest goes to the general fund of the Treasury.	nonimmigrant visas have benefit of from deferred action, which protects the beneficiary from removal regardless of whether the person has a removal order, <i>in absentia</i> or not. It is also unclear if ICE will provide an apprehended person the opportunity to file a motion to rescind and reopen pursuant to INA § 240(b)(5)(C) before charging this fee.
Inadmissible Noncitizen Apprehension Fee Sec. 100017	1) Be inadmissible, 2) when apprehended between ports of entry	\$5,000	Fee waivers are not prohibited.	50% will go to ICE and be deposited into the Detention and Removal Office Fee Account and may be retained and expended by ICE without further appropriation. The rest goes to the general fund of the Treasury. ²³	Although the bill text does not state that the fee shall not be waived or reduced, it is unclear how to request a fee waiver. Further the bill text states that the fee is to be paid “at the time such [noncitizen] is apprehended between ports of entry.” It is unclear what happens to an asylum seeker who does not have \$5,000 to pay DHS at the moment of apprehension.

²³ Part (d) of this section states “Disposition of Inadmissible Alien Apprehension Fees. All of the fees collected pursuant to this section shall be deposited into the general fund of the Treasury,” which contradicts part (c). It is unclear which disposition was intended.