CYRUS D. MEHTA & PARTNERS PLLC
US IMMIGRATION & NATIONALITY LAW

ONE BIG UGLY BILL ON IMMIGRATION

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On July 4, 2025, Congress passed the "One Big Beautiful Bill Act". Among its many other provisions, the megabill imposes a number of immigration-related changes. Pursuant to the Act, asylum applications, which historically have been able to be filed at no cost, will now be subject to a $100 filing fee. An additional $100 annual fee will apply for each calendar year that an applicant's asylum application remains pending. Applications for an employment authorization document (EAD) based on a pending asylum application will now have a filing fee of $550.

There are other fee increases. For instance, the filing fee for appealing a decision of an Immigration Judge to the Board of Immigration Appeals has increased from $110 to $900. A noncitizen who is removed in absentia will have to pay an apprehension fee of $5000. Likewise, an inadmissible noncitizen who is apprehended between ports of entry will need to pay $5000. How will DHS collect the fee after they deport him? Or will they hold off deporting her until she pays the $5000? The National Immigration Project has created a chart as a reference tool for understanding the fee increases and the new fees brought by this law: Comparison Chart of the Immigration-Related Fee Changes Brought by H.R.1 the So-Called One Big Beautiful Bill Act.

The Act also states that certain categories of noncitizens, including refugees and asylees, VAWA recipients, and beneficiaries of most humanitarian relief programs are no longer eligible for public benefits programs such as Medicaid, Medicare, the Children's Health Insurance Program, and the Supplemental Nutrition Assistance Program.

Additionally, the Act imposes a tax equal to 1 percent of the total amount on remittances, or international money transfers, to be paid by the sender, including U.S. citizen senders. Individuals who have U.S. Social Security

numbers are eligible to apply for credits to offset the impact of the tax.

Finally, the Act allocates substantial government funds to immigration enforcement and detention measures. It earmarks around $46.5 billion for completion of the border wall, and provides additional funds for construction of CBP facilities. Approximately $45 billion will be dedicated to immigration detention centers, with around $30 billion being set aside for maintenance of existing ICE facilities, hiring personnel, and funding the cost of transporting detainees. Another $13.5 billion is earmarked for reimbursing states for immigration enforcement-related costs. The Act also provides around $3 billion to the Department of Justice for purposes including the hiring of new Immigration Judges.

The immigration provisions in the Act do not make any attempt to reform the defective immigration system in the US that lacks adequate pathways for people to come to the US and remain in the US legally.

Ben Johnson, Executive Director of AILA, poignantly describes how Congress has let all of us down:

“This bill is a profound disappointment. Instead of advancing practical, humane immigration reforms, Congress chose to funnel unprecedented resources into the Administration’s ruthless deportation machine, at the very moment the President is openly threatening to detain and deport U.S. citizens—a betrayal of American values so extreme it threatens the citizenship rights of us all.

All this, at the expense of programs Americans rely upon in their daily lives, especially healthcare. This betrays our most basic constitutional principles and is a chilling escalation of executive overreach.

This legislation fails our nation on every front. It abandons critical efforts to address backlogs in the legal immigration system while creating needless barriers to a functional immigration system. Worse, it makes our communities less safe and less secure by doubling down on fear-based policies that are already proven to be costly and ineffective. Those caught in the crosshairs will be not only newly-arrived immigrants and long-term residents who are part of the fabric of American communities, but also U.S. citizens both naturalized and U.S. born. It ignores the vital role immigrants play in our economy and community life, while pouring billions into a system that inflicts harm rather than offering hope, stability, and due process.

America deserves an immigration system that reflects our values and our interests, not one that undermines the rule of law and weaponizes enforcement against our own neighbors. This is unacceptable. The American people must hold those in Congress who passed this bill to account."

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