



**An Analysis of House-Proposed  
Judiciary and Homeland Security Bills for Reconciliation Package  
April 30, 2025**

This week the House of Representatives published draft bills to fund agencies through the Homeland Security and Judiciary Committees as a part of the congressional reconciliation package. The Homeland Security [bill](#) largely funds two agencies within the Department of Homeland Security (DHS), U.S. Customs and Border Protection (CBP) and the Federal Emergency Management Agency (FEMA). The Judiciary [bill](#) focuses on two other DHS agencies, U.S. Immigration and Customs Enforcement (ICE) and U.S. Citizenship and Immigration Services (USCIS) as well as the Department of Health and Human Services (HHS), Department of State, and Department of Justice (DOJ).

While the bills largely provide immigration and border enforcement-related funding provisions—roughly **\$146 billion**—they also implicitly drive dramatic changes to immigration policy.

**Legal immigration.** The Judiciary bill **risks turning legal immigration into a pay-to-play system**, by significantly increasing fees on everything from asylum applications and work permits to family reunification and humanitarian protections like Temporary Protected Status (TPS). These fees, many of which could be layered on *top of existing* fees, could effectively put legal pathways out of reach for thousands of people. Take, for example, the new fees for an asylum applicant who will need to wait at least 5 years to obtain a decision in the heavily backlogged immigration system: \$1,000 (new application fee), \$550 every six months for work authorization, and \$100 every year for a pending application would result in *at least \$10,350 in filing fees* during the 5-year wait. The new fees propose placing the burden of the backlogged immigration system on the applicants themselves. The steep fees would effectively block access to those unable to afford the new fees given that this cost alone represents nearly 70% of a person's annual income who earns minimum wage working 40 hours per week.

**Detention.** The Judiciary bill **provides \$45 billion for building new immigration detention centers, including family detention facilities**. This amount is 13 times ICE's FY 2024 detention budget and would be a 364% increase on an annual basis that would primarily benefit private companies contracted to build and run detention facilities. With this funding, ICE could likely fund an increase in detention to 125,000 beds or higher, only just below the size of the entire federal prison system. The bill uses funding provisions to dismantle core legal protections for children by implicitly overriding protections found in the *Flores* litigation settlement agreement that limit the time minors can be detained.

The bill also authorizes the DHS Secretary to set minimal detention standards for detention facilities without having to go through normal review, creating a situation where private prison operators whose facilities fail to meet current standards could be granted contracts anyway. The consequences of providing such large sums of money to increase detention without commensurate oversight will exacerbate deleterious and inhumane conditions that have been endemic to the detention system for years, including medical neglect, overcrowding, overuse of solitary confinement, and preventable deaths.

**Arrests.** The Judiciary bill also **directs \$27 billion toward ICE's enforcement and deportation operations** and includes funding to hire an additional 10,000 ICE officers in five years. With this funding, the current administration will be poised to dramatically expand community arrests and expand cooperation with state and local law enforcement agencies. Given the recent dismantling of three primary DHS oversight agencies, this funding would also rapidly expand ICE's enforcement capacity at a time when the agency has failed to provide timely, accurate information on the whereabouts of those it has arrested.

**Immigration Court.** The Judiciary bill provides **just \$1.25 billion**, a 30% annual budget increase, for the Executive Office for Immigration Review (EOIR) which oversees the country's immigration court system. By providing only small additional sums to the immigration courts while significantly expanding the arrest and detention budget, the significant immigration court backlogs will increase dramatically particularly for people held in detention facilities. Immigrants held in detention could be forced to wait months between every hearing, while those going through court outside of detention would face even longer backlogs than today up to several years per case

**Children.** The Judiciary bill charges families of unaccompanied children **up to \$8,500 to sponsor a child and subjects them and their household members to intensive surveillance.** It removes existing statutory protections regarding licensing of family residential centers, which places children at risk of prolonged detention in unsafe conditions. And by requiring children to pay \$1,000 to apply for asylum or \$500 to apply for Special Immigrant Juvenile status, the bill may even place some children in a precarious situation just to pay for their chance at permanent safety.

**Border.** The Homeland Security bill invests **\$51.6 billion into border wall construction**—more than 3 times what the Trump administration spent on the wall in his first term despite the failure of the wall to improve or contribute in any meaningful way to border management strategy.

**Judicial Oversight.** The Judiciary bill includes provisions to **limit the judiciary branch's oversight over the federal government** by limiting the ability of judges to hold the executive branch in contempt of court when it fails to obey court orders.

### **Topline Budget Numbers**

**House Homeland Security Bill** (primarily addresses CBP and FEMA): total spending **\$69 billion**, available through 9/30/29.

Select spending proposals included in bill:

- \$51.6 billion to border wall
- \$8.3 billion to CBP agents and vehicles
- \$6.3 billion to border surveillance technology and vetting

**House Judiciary Bill** (primarily addresses ICE, USCIS, HHS, CBP, State, and EOIR): total Spending: **\$81 billion**, available through 9/30/29.

Select spending proposals included in this bill:

- \$45 billion for ICE detention capacity growth for adult and family detention centers.
- \$14.4 billion for ICE’s Transportation and Removal Operations
- \$8 billion for hiring new ICE personnel, with a goal of hiring 10,000 new personnel by 2029, plus an additional \$600 million for internal HR capacity.
- \$3 billion for the Office of Refugee Resettlement to operate shelters for unaccompanied children.
- \$1.32 billion for ICE’s Office of the Principal Legal Advisor (immigration prosecutors)
- \$1.25 billion for the immigration court system (EOIR).
- \$950 million for compensating local governments for incarceration of “criminal aliens”
- \$858 million for ICE retention and signing bonuses
- \$650 million for 287(g) agreements
- \$600 million for prosecuting immigration offenses
- \$500 million for Remain in Mexico (“return of aliens arriving from contiguous territories”)
- \$100 million for deporting unaccompanied children
- \$100 million for expedited removal of certain people with criminal records

### **Fee Increases on Immigration Benefits**

This bill also dramatically increases or creates new fees for certain immigration applications and forms of humanitarian protection. Below are charts with a comparison of current and proposed USCIS, DHHS, CBP, DOS, and EOIR fees.

Importantly: all proposed fees are the minimum required under the bill but could be increased by the immigration agencies and may be layered *on top of existing* fees. And all fees are subject to yearly inflationary adjustments.

The bill also prohibits waivers for most of these fees, which are typically used by particularly low-income people who would qualify for the legal relief they are seeking but cannot afford to apply. This overrides or erases other provisions of law, including in the Violence Against Women Act, which require the government to offer fee waivers to certain vulnerable populations.

USCIS Application	What It Covers	Current Fee	Current Fee Waiver or Exemption?	Proposed Fee (FY 2025) <sup>1</sup>	Proposed Fee Waiver or Exemption?
Asylum Application Fee	Filing an I-589 asylum application under INA § 208	\$0	N/A	\$1,000	No

<sup>1</sup> Minimum fee, mandatory adjustment for inflation every year, and may be applied *in addition to* existing fees.

Pending Asylum Application Fee	Pending I-589 asylum application under INA § 208, must be paid every year an application is pending.	\$0	N/A	\$100/year	No
Initial Work Permit Fee (Asylum Applicants)	Initial work permits for asylum applicants (c)(8)  <i>Shortens EAD validity period to 6 months.</i>	\$0 (I-765 fee waived)	N/A	\$550	No
Renewal Work Permit Fee (Asylum Applicant)	Renewal work permits for asylum applicants (c)(8)  <i>Shortens EAD validity period to 6 months.</i>	\$520 (paper) or \$470 (online)	Yes	\$550	No
Parole Fee (Humanitarian or Significant Public Interest)	Any noncitizen paroled into the U.S. (with certain humanitarian carve-outs)	\$0	N/A	\$1,000	No
Work Permit Fee (Parolees)	Initial and renewal work permits for paroled noncitizens under (c)(11)  <i>Shortens EAD validity period to 6 months.</i>	\$520 (paper) or \$470 (online), \$30 biometrics fee	Yes	\$550	No
Temporary Protected Status (TPS) Fee	Filing for TPS (not work permit)	\$50 initial registration, \$0 re-registration	Yes	\$500	No
Work Permit Fee (TPS applicants)	Initial and renewal EAD for TPS applicants (c)(14), (a)(12)  <i>Shortens EAD validity period to 6 months.</i>	\$520 (paper) or \$470 (online), \$30 biometrics fee	Yes	\$550	No
Special Immigrant Juvenile Status (SIJS) Fee	Fee for SIJS Petition (Form I-360) for children who are abandoned, abused, or neglected by one or both parents under INA § 101(a)(27)(J))	\$0 (exempt)	Yes	\$500	No

DOS Application	What It Covers	Current Fee	Current Fee Waiver or Exemption?	Proposed Fee (FY 2025) <sup>2</sup>	Proposed Fee Waiver or Exemption?
Nonimmigrant Visa "Integrity" Fee	Fee upon issuance of noncitizens' nonimmigrant visa by DOS (includes student visas, specialty	\$0	N/A	\$250	No

<sup>2</sup> Minimum fee, mandatory adjustment for inflation every year, and may be applied *in addition to* existing fees.

	occupation workers, agricultural workers, etc.)				
Diversity Visa Registration Fee	Fee for noncitizen who files an application for a diversity immigrant visa	\$0	N/A	\$250	No
Diversity Visa Application Fee	Fee for noncitizens who register for the diversity immigrant visa program	\$330	No	\$400	No

DHHS Application	What It Covers	Current Fee	Current Fee Waiver or Exemption?	Proposed Fee (FY 2025) <sup>3</sup>	Proposed Fee Waiver or Exemption?
Unaccompanied Minor (UC) Sponsor Fees	Fee for sponsor to partially repay government for UC's care	\$0	N/A	\$3,500	No
Unaccompanied Minor (UC) Sponsor In Absentia Fee	Reimbursable fee for sponsors to ensure UC attends immigration court hearings	\$0	N/A	\$5,000	No

CBP Fee	What It Covers	Current Fee	Current Fee Waiver or Exemption?	Proposed Fee (FY 2025) <sup>4</sup>	Proposed Fee Waiver or Exemption?
Inadmissible noncitizen apprehension fee	Fee for any inadmissible noncitizen who is apprehended between ports of entry by U.S. Customs and Border Protection	\$50 to \$250 civil penalty	No	\$5,000	No

EOIR Forms or Motions	What It Covers	Current Fee	Current Fee Waiver or Exemption?	Proposed Additional Fee (FY 2025) <sup>5</sup>	Proposed Fee Waiver or Exemption?
Motion to Continue Hearing	Fee for any noncitizen who requests and is granted a continuance by an immigration judge for each such continuance	\$0	N/A	\$100	No, unless granted based on exceptional circumstances
Green Card Application Fee	Fee for noncitizens who have an application to adjust to lawful permanent resident	\$1,440 (USCIS) \$0 (EOIR)	Yes (USCIS) N/A (EOIR)	\$1,500 (EOIR)	No

<sup>3</sup> Minimum fee, mandatory adjustment for inflation every year, and may be applied *in addition to* existing fees.  
<sup>4</sup> Minimum fee, mandatory adjustment for inflation every year, and may be applied *in addition to* existing fees.  
<sup>5</sup> The bill is written in a way where many of these fees may be applied *in addition to* all other relevant proposed fees. For example, an applicant for TPS may be required to pay USCIS *and* EOIR. Again, these are minimum fee, which are adjusted for inflation every year.

	status adjudicated in immigration court				
Waiver of Inadmissibility	Fee for noncitizens whose application for waiver of grounds of inadmissibility is adjudicated in immigration court	\$1,050 (USCIS)  \$0 (EOIR)	N/A	\$1,050 (EOIR)	No
Temporary Protected Status (TPS)	Fee for noncitizens whose application for temporary protected status is adjudicated in immigration court	\$50 (USCIS) initial registration  \$0 (EOIR)	Yes (USCIS) N/A (EOIR)	\$500 (EOIR)	No
Filing fee for appeal of Immigration Judge Decision	Fee for any noncitizen who files any appeal from a decision of an immigration judge (except for bond appeals)	\$110	Yes	\$900	No
Filing an appeal from a decision of any adjudicating official in a practitioner disciplinary case	Fee for any practitioner who files an appeal from a decision of an adjudicating official in a practitioner disciplinary case	\$675	Yes	\$1,325	No
Filing a motion to reopen or reconsider	Fee for any noncitizen who files a motion to reopen or to reconsider a decision of an immigration judge or the Board of Immigration Appeals	\$145 (with immigration court)  \$110 (BIA)	Yes	\$900	No
Filing a suspension of deportation application in immigration court	Fee for any noncitizen who files with an immigration court an application for suspension of deportation	\$100 + \$30 biometrics fee	Yes	\$600	No
LPR Cancellation Application	Fee for any noncitizen who files with an immigration court an application for cancellation of removal for certain lawful permanent residents	\$100 + \$30 biometrics fee	Yes	\$600	No
Non-LPR Cancellation Application	Fee for any noncitizen who files with an immigration court an application for cancellation of removal for certain non-lawful permanent residents	\$100 + \$30 biometrics fee	Yes	\$1,500	No
Ordered Removed in Absentia	Fee for any noncitizen who is ordered removed for missing their hearing (in absentia) and is subsequently arrested by ICE	\$0	N/A	\$5,000	No