

## H.R. 1: The One Big Beautiful Bill Act – Immigration Provision Summary

### Key Homeland Security Title Provisions:

- **Border Infrastructure (Sec. 60001): \$46.5 billion** is dedicated to constructing and enhancing the border barrier system, including attributes like cameras, lights, sensors, and access roads. An additional **\$5 billion** will improve CBP facilities and checkpoints, and **\$50 million** is allocated for eradicating invasive species along the Rio Grande.
- **Increased Personnel and Support (Sec. 60002): \$4.1 billion** will fund the hiring and training of additional Border Patrol agents, OFO Officers, and Air & Marine agents. **\$2.05 billion** is for retention and signing bonuses for these agents. Furthermore, **\$813 million** will provide new patrol vehicles, **\$750 million** will enhance FLETC training capabilities, and **\$600 million** will support recruitment and operational mobility for border security personnel.
- **Advanced Technology for Enhanced Security (Sec. 60003):**
  - **\$1.076 billion** for non-intrusive inspection equipment, AI, and machine learning to interdict narcotics.
  - **\$2.766 billion** for upgrading and procuring border surveillance technologies.
  - **\$673 million** for the biometric entry/exit system.
  - **\$1.234 billion** for Air and Marine Operations platform upgrades.
  - **\$16 million** to expand CBP screening, vetting, and criminal history databases.
  - **\$500 million** to the DHS Secretary for enhancing border security and combating fentanyl trafficking.
- **Supporting State Efforts (New Sec. 60004): \$12 billion** is appropriated for grants to reimburse states for costs incurred in assisting federal border security missions.

### Key Judiciary Title Provisions:

- **New Fee Structures (Sec. 70002-70023):** A series of new, non-waivable fees are introduced for various immigration applications and processes. These fees aim to cover system costs and are subject to annual CPI adjustments from FY2025 minimums:
  - **Asylum Application Fee (Sec. 70002):** Not less than \$1,000.
  - **Employment Authorization Document (EAD) Fees (Initial):**
    - Asylum Applicants (Sec. 70003(a)): Not less than \$550 (EAD valid max 6 months).
    - Parolees (Sec. 70003(b)): Not less than \$550 (EAD valid max 6 months).
    - Temporary Protected Status (TPS) Recipients (Sec. 70003(c)): Not less than \$550 (EAD valid max 6 months).
  - **Parole Fee (Sec. 70004):** Not less than \$1,000 (with specified exceptions).



- **Special Immigrant Juvenile (SIJ) Fee (Sec. 70005):** Not less than \$500 (if reunification with one parent is viable).
- **Temporary Protected Status (TPS) Application Fee (Sec. 70006):** Not less than \$500 (for aliens not admitted or who failed to maintain nonimmigrant status).
- **Unaccompanied Alien Child (UAC) Sponsor Fee (Sec. 70007):** Not less than \$3,500 (collected by HHS before placement).
- **Visa Integrity Fee (Sec. 70008):** Not less than \$250 (upon nonimmigrant visa issuance, reimbursable under certain conditions).
- **Form I-94 Fee (Sec. 70009):** Not less than \$24.
- **Yearly Asylum Fee (Sec. 70010):** Not less than \$100 (annual fee while application is pending).
- **Immigration Court Continuance Fee (Sec. 70011):** Not less than \$100 (for each continuance at alien's request).
- **EAD Renewal/Extension Fees:**
  - Parolees (Sec. 70012): Not less than \$550 (EAD valid max 6 months).
  - Asylum Applicants (Sec. 70013): Not less than \$550 (EAD valid max 6 months).
  - TPS Recipients (Sec. 70014): Not less than \$550 (EAD valid max 6 months).
- **Diversity Immigrant Visa Fees (Sec. 70015):**
  - Lottery Registration: Minimum \$250.
  - Visa Application (if selected): Minimum \$400.
- **EOIR Fees (Sec. 70016) (various filings in immigration courts, CPI-adjusted from FY2025 minimums):**
  - Adjustment of Status: Min. \$1,500.
  - Waiver of Inadmissibility: Min. \$1,050.
  - TPS Application (in court): Min. \$500.
  - Appeal from IJ decision: Min. \$900 (except bond).
  - Appeal from DHS officer decision to BIA: Min. \$900.
  - Appeal from adjudicating official in practitioner disciplinary case: Min. \$1,325.
  - Motion to Reopen/Reconsider: Min. \$900 (with exceptions).
  - Suspension of Deportation: Min. \$600.
  - Cancellation of Removal (LPR): Min. \$600.
  - Cancellation of Removal (non-LPR): Min. \$1,500.
- **ESTA Fee (Sec. 70017):** Travel promotion component not less than \$10; new additional fee not less than \$13.
- **Immigration User Fee (Sec. 70018):** Increased from \$7 to not less than \$10 for certain arrivals.



- **EVUS Fee (Sec. 70019):** Not less than \$30 for enrollment.
- **Fee for UAC Sponsor if UAC Fails to Appear in Court (Sec. 70020):** Not less than \$5,000 (reimbursable if UAC attends all proceedings).
- **Fee for Aliens Ordered Removed In Absentia (Sec. 70021):** Not less than \$5,000 (if subsequently arrested by ICE).
- **CBP Inadmissible Alien Apprehension Fee (Sec. 70022):** Not less than \$5,000 (for inadmissible aliens apprehended between ports of entry).
- **Authority to Apply for Asylum (Sec. 70023):** Amends INA Sec. 208(d)(3) to make fees for asylum applications and EADs mandatory ("shall" instead of "may") and removes the cost cap.
- **Increased Detention and Removal Capacity (Sec. 70101, 70105):** **\$45 billion** is appropriated to ICE to expand adult alien detention capacity and family residential centers, estimated at 100,000 beds. An additional **\$14.4 billion** is for transportation and removal operations.
- **Boosting ICE Personnel and Effectiveness (Sec. 70102-70104, 70112):**
  - **\$858 million** for ICE retention and signing bonuses.
  - **\$8 billion** to hire additional ICE personnel, with minimum hiring targets.
  - **\$600 million** to improve ICE hiring capabilities.
  - **\$1.32 billion** to hire more attorneys for ICE's Office of the Principal Legal Advisor (OPLA).
- **Enhanced Immigration Court Efficiency (Sec. 70100):** **\$1.25 billion** is provided to EOIR to hire more support staff and Immigration Judges, and to expand courtroom capacity.
- **Targeting Criminal Aliens (Sec. 70111, 70123, 70124):** The bill provides **\$950 million** to compensate states for incarcerating criminal aliens and **\$75 million** each to DHS for expanding expedited removal for criminal aliens and applying administrative removal to non-LPRs convicted of deportable offenses.
- **Combating Smuggling and Gangs (Sec. 70114):** \$787 million is appropriated to ICE to address criminal gangs, human smuggling/trafficking, and support state/local participation.
- **UAC Program Integrity (Sec. 70115-70119):** While providing **\$3 billion** to ORR for UAC care, the bill also introduces measures for program integrity, including **\$20 million** each to CBP and ORR for gang tattoo checks, **\$50 million** for sponsor vetting, and **\$100 million** to facilitate repatriation of UACs under specific criteria.



## Restricting Alien Benefits:

### Benefits Requiring a Social Security Number (SSN) Valid for Employment:

- **American Opportunity Tax Credit (AOTC) and Lifetime Learning Credit (LLC) (Sec. 112106, amending IRC Sec. 25A(g)(1)):** To claim these educational tax credits, the taxpayer must include their own SSN, the SSN of their spouse (if filing jointly), and the SSN of the student (if the student is not the taxpayer or spouse) on the tax return. The SSN must be valid for employment.
- **Child Tax Credit (Sec. 110004, amending IRC Sec. 24(h)(7)):** To claim the child tax credit, the taxpayer must include their own SSN, the SSN of the qualifying child, and if married, the SSN of their spouse on the tax return. The SSN must be one issued by the Social Security Administration to a U.S. citizen or pursuant to specific subclauses of the Social Security Act related to work authorization, and issued before the tax return due date.
- **Deduction for Qualified Tips (Sec. 110101, adding IRC Sec. 224(d)):** To claim the new deduction for qualified tips, the taxpayer must include their own SSN and, if married, the SSN of their spouse on the tax return.
- **Deduction for Qualified Overtime Compensation (Sec. 110102, adding IRC Sec. 225(c)):** To claim the new deduction for qualified overtime compensation, the taxpayer must include their own SSN and, if married, the SSN of their spouse on the tax return.
- **Bonus Additional Amount for Seniors (Standard Deduction) (Sec. 110103, amending IRC Sec. 63(f)(5)(D)):** To claim the bonus additional standard deduction amount for seniors, the taxpayer must include their own SSN and, if married, the SSN of their spouse on the tax return.
- **Refundable Tax Credit for Remittance Tax (Sec. 112105, adding IRC Sec. 36C(b)):** U.S. citizens and nationals who pay the new remittance tax can claim a refundable credit, but only if they include their own SSN and, if married, the SSN of their spouse on the tax return.

### Benefits Requiring Status as a U.S. Citizen, Lawful Permanent Resident (LPR), Specified Cuban Parolee, or individual lawfully residing in the U.S. under a Compact of Free Association (COFA):

- Supplemental Nutrition Assistance Program (SNAP) (Sec. 10012).
- Federal Student Financial Aid (Sec. 30001).
- Premium Tax Credits (Affordable Care Act) (Sec. 112101).
- Medicare (Sec. 112104).



### **Additional Benefit Integrity Measures:**

- **Medicaid and CHIP (Sec. 44111):** The Act reduces the enhanced federal matching rate (FMAP) for states that provide taxpayer-funded health benefits to aliens who are not "qualified aliens." The definition of "qualified alien" for this purpose **excludes illegal aliens and parolees** under certain provisions, unless they meet other specific criteria. Exceptions exist for lawfully residing children and pregnant women under existing law.
- **Disallowing Premium Tax Credits for Certain Medicaid-Ineligible Aliens (Sec. 112103):** The bill removes a provision that allowed certain lawfully present aliens ineligible for Medicaid (e.g., due to the 5-year bar) with incomes below 100% of the Federal Poverty Level to receive premium tax credits.

### **New Remittance Transfer Tax (Sec. 112104)**

The Act introduces a 3.5% excise tax on remittance transfers made by aliens from the U.S. to foreign countries.

- **Citizen/National Exemption:** U.S. citizens and nationals can claim a refundable tax credit for any tax paid, provided they have a valid SSN. Additionally, the tax will not apply to qualified remittance transfer providers with written agreements with the Secretary to verify the sender's US citizenship or nationality.