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JULY 9, 2025

# Migration-Related Provisions Included in the Budget Reconciliation Bill (H.R. 1)

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On July 4, 2025, President Trump signed into law a budget reconciliation bill previously referred to as the [“One Big Beautiful Bill Act” \(H.R. 1\)](#), officially titled “An Act to provide for reconciliation pursuant to title II of H. Con. Res. 14.” The legislation covers a broad range of issues, including several provisions that will directly impact the U.S. immigration system, noncitizens, and mixed-status families. The following is a summary of those provisions, organized by title. Full implementation of the bill’s changes is expected to occur over the coming months, though it should be assumed that these changes are effective July 4 unless otherwise noted.

## Title I: Agriculture, Nutrition, and Forestry

- **Section 10108 (Alien SNAP eligibility):** In addition to U.S. citizens, this provision limits Supplemental Nutrition Assistance Program (SNAP) eligibility to the following noncitizens: (1) lawful permanent residents (green card holders); (2) Cuban/Haitian entrants; and (3) individuals lawfully residing in the United States pursuant to the Compacts of Free Association between the United States and Micronesia, the Marshall Islands, and Palau. This provision ends SNAP eligibility for refugees, asylees, people granted withholding of removal, victims of trafficking, Iraqi and Afghan special immigrants, certain Afghan and Ukrainian parolees, and any other noncitizens in the United States who were previously eligible. Green card holders remain subject to a five-year bar before becoming eligible.

## Title II: Armed Services

- **Section 20011 (Improving Department of Defense border support and counter-drug missions):** \$1 billion is provided and available through September 30, 2029, for “the deployment of military personnel in support of border operations, operations and maintenance activities in support of border operations, counter-narcotics and counter transnational criminal organizations mission support, the operation of national defense areas and construction in national defense areas, and the temporary detention of migrants on Department of Defense installations.”

## Title VII: Finance

- **Section 70104 (Extension and enhancement of increased child tax credit):** For a child to benefit from the Child Tax Credit (CTC), the adult filing the tax return (or, in the case of a joint tax return, at least one spouse) will now be required to have a Social Security number. Previously, only the qualifying child was required to have a Social Security number. As a result of this change, U.S.-citizen children who do not have at least one parent with a Social Security Number can no longer benefit from the CTC.

- **Section 70604 (Excise tax on certain remittance transfers):** Beginning January 1, 2026, a 1% tax is imposed on remittances (international money transfers) made using cash, money orders, cashier's checks, or similar forms of payment. Transfers made using bank accounts, credit cards, or debit cards will not be subject to the tax. The tax applies to remittances sent by both citizens and noncitizens.
- **Section 70606 (Social security number requirement for American Opportunity and Lifetime Learning credits):** Beginning January 1, 2026, a Social Security number is required to claim the American Opportunity Credit or Lifetime Learning Credit for someone with qualified higher education expenses. Previously, an individual taxpayer identification number (ITIN) was sufficient.
- **Section 71109 (Alien Medicaid eligibility):** Beginning October 1, 2026, in addition to U.S. citizens, this provision generally limits Medicaid and Children's Health Insurance Program (CHIP) eligibility to the following noncitizens: (1) lawful permanent residents (green card holders); (2) Cuban/Haitian entrants; and (3) individuals lawfully residing in the United States pursuant to the Compacts of Free Association between the United States and Micronesia, the Marshall Islands, and Palau. With limited exceptions, this provision ends Medicaid/CHIP eligibility for refugees, asylees, people granted withholding of removal, victims of trafficking, Iraqi and Afghan special immigrants, certain Afghan and Ukrainian parolees, and any other noncitizens in the United States who were previously eligible. Green card holders remain subject to a five-year bar before becoming eligible.
- **Section 71201 (Limiting Medicare coverage of certain individuals):** In addition to U.S. citizens, this provision limits Medicare eligibility to the following noncitizens: (1) lawful permanent residents (green card holders); (2) Cuban/Haitian entrants; and (3) individuals lawfully residing in the United States pursuant to the Compacts of Free Association between the United States and Micronesia, the Marshall Islands, and Palau. This provision ends Medicare eligibility for all other lawfully present noncitizens, including refugees, asylees, people granted withholding of removal, victims of trafficking, Iraqi and Afghan special immigrants, certain Afghan and Ukrainian parolees, nonimmigrant visa holders, and others. For noncitizens who were enrolled in Medicare coverage at the time this bill was enacted but no longer have a qualifying status, their coverage will end after January 4, 2027. Green card holders remain subject to a five-year bar before becoming eligible.
- **Section 71301 (Permitting premium tax credit only for certain individuals):** Beginning January 1, 2027, medical coverage under the Affordable Care Act (ACA) will be limited to U.S. citizens and the following noncitizens: (1) lawful permanent residents (green card holders); (2) Cuban/Haitian entrants; and (3) individuals lawfully residing in the United States pursuant to the Compacts of Free Association between the United States and Micronesia, the Marshall Islands, and Palau. This provision ends ACA eligibility for all other lawfully present noncitizens, including refugees, asylees, people granted withholding of removal, victims of trafficking, Iraqi and Afghan special immigrants, certain Afghan and Ukrainian parolees, nonimmigrant visa holders, and others.
- **Section 71302 (Disallowing premium tax credit during periods of medicaid ineligibility due to alien status):** Beginning January 1, 2026, this provision eliminates the ability for any lawfully present noncitizen earning less than 100% of the federal poverty level to receive medical coverage under the ACA.

## Title VIII: Health, Education, Labor, and Pensions

- **Section 87001 (Potential sponsor vetting for unaccompanied alien children appropriation):** \$300 million is provided to the Office of Refugee Resettlement and made available through September 30, 2028, for costs associated with background checks of potential sponsors of unaccompanied noncitizen children, home studies of potential sponsors, examinations of children for gang-related tattoos or markings, data systems improvement and data sharing related to potential sponsors, as well as identifying and investigating child labor exploitation/trafficking, and coordination and communication with state child welfare agencies regarding the placement of an unaccompanied children.

## Title IX: Homeland Security and Governmental Affairs

- **Section 90001 (Border infrastructure and wall system):** \$46.55 billion is provided and available through September 30, 2029, for expenses related to border infrastructure and a wall system, including access roads and surveillance technology.
- **Section 90002 (U.S. Customs and Border Protection personnel, fleet vehicles, and facilities):** \$4.1 billion is provided to hire and train additional Border Patrol agents and other personnel, as well as over \$2 billion for recruitment bonuses, performance awards, and annual retention bonuses, \$855 million for vehicles, and \$5 billion to lease, acquire, construct, design, and improve facilities and checkpoints. All funding is available through September 30, 2029, with the exception of funding to hire processing coordinators, which is no longer available after October 31, 2028.
- **Section 90003 (Detention capacity):** \$45 billion is provided and available through September 30, 2029, for both single adult and family detention, with the indefinite detention of families permitted. Detention standards for single adult detention are made subject to the Secretary of Homeland Security's discretion.
- **Section 90004 (Border security, technology, and screening):** Over \$6 billion is provided and available through September 30, 2029, for equipment to detect narcotics at ports of entry, supporting air and marine operations, border surveillance technology, screening of people entering and exiting the United States, initial screening of unaccompanied children, "enhancing" border screening, and commemorating efforts and events related to border security. However, the funding may not be used for surveillance towers along the border unless they have been tested and accepted by U.S. Customs and Border Protection to deliver "autonomous capabilities", which includes the use of artificial intelligence or similar technology to "accurately detect, identify, classify, and track items of interest."
- **Section 90005 (State and local assistance):** \$450 million is provided and available through September 30, 2029, for the Operation Stonegarden Grant Program, which is administered by the Federal Emergency Management Agency to support federal coordination with state/local law enforcement on border security. This provision also establishes a new "State Border Security Reinforcement Fund," for which \$10 billion is provided through September 30, 2034. State agencies and local governments can apply for reimbursement through the fund for costs incurred on or after January 20, 2021, related to constructing border infrastructure, detecting and interdicting illicit substances and noncitizens who entered the United States unlawfully and committed a crime, and relocating noncitizens unlawfully present in the United States "from small population centers to other domestic locations."

- **Section 90007 (Department of Homeland Security appropriations for border support):** In addition to funding already provided, \$10 billion is provided and available through September 30, 2029, for reimbursement of “costs incurred in undertaking activities in support of the Department of Homeland Security’s mission to safeguard the borders of the United States.” No further specificity is provided regarding the recipient(s) of such reimbursement.

## Title X: Judiciary

- **Section 100002 (Asylum fee):** A fee of at least \$100 will now be required for all asylum applications, and no waiver or reduction of the fee may be provided for any reason. The fee is subject to adjustment based on inflation every fiscal year going forward. Before this change, the law allowed a fee to be charged for asylum, but it was not required, and none had been imposed previously.
- **Section 100003 (Employment authorization document fees):** Asylum applicants, parolees, and temporary protected status (TPS) holders will now be required to pay a fee of at least \$550 for an initial application for employment authorization, and no waiver or reduction of the fee may be provided for any reason. The fee is subject to adjustment based on inflation every fiscal year going forward. For parolees and TPS applicants, initial employment authorization documents can only be valid for a period of one year or for the duration of their parole or TPS, whichever is shorter.
- **Section 100004 (Immigration parole fee):** Noncitizens paroled into the United States will now be required to pay a fee of at least \$1,000, unless they meet one of several limited exceptions. If someone does not meet an exception, no waiver or reduction of the fee may be provided for any reason. The fee is subject to adjustment based on inflation every fiscal year going forward.
- **Section 100005 (Special immigrant juvenile fee):** Any noncitizen applying for special immigrant juvenile status, or a parent or legal guardian applying on the noncitizen’s behalf, will be required to pay a fee of at least \$250. A waiver or reduction of the fee is not prohibited.
- **Section 100006 (Temporary protected status fee):** Noncitizens seeking to register (and presumably those seeking to re-register) for TPS will now be required to pay a fee of at least \$500, and no waiver or reduction of the fee may be provided for any reason. The fee is subject to adjustment based on inflation every fiscal year going forward.
- **Section 100007 (Visa integrity fee):** In addition to any other fees authorized by law, any noncitizen issued a nonimmigrant visa will now be required to pay a reimbursable “visa integrity fee” of at least \$250, and no waiver or reduction of the fee may be provided for any reason. The fee is subject to adjustment based on inflation every fiscal year going forward. The fee may be reimbursed if (1) the nonimmigrant demonstrates that he or she complied with all conditions of the visa and (2) did not seek to extend the validity period of his or her visa and departed no more than five days after its expiration or was granted an extension or adjustment of status while the visa was valid.
- **Section 100008 (Form I-94 fee):** Noncitizens submitting an application for a Form I-94, *Arrival/Departure Record*, will now be required to pay a fee of at least \$24, and no waiver or reduction of the fee may be provided for any reason. The fee is subject to adjustment based on inflation every fiscal year going forward.

- **Section 100009 (Annual asylum fee):** For each calendar year that an asylum applicant's case remains pending, the applicant will now be required to pay a fee of at least \$100, and no waiver or reduction of the fee may be provided for any reason. The fee is subject to adjustment based on inflation every fiscal year going forward.
- **Section 100010 (Fee relating to renewal and extension of employment authorization for parolees):** Parolees seeking to renew or extend their employment authorization based on a grant of parole will now be required to pay a fee of at least \$275, and no waiver or reduction of the fee may be provided for any reason. The extension can only be valid for a period of one year or for the duration of the noncitizen's parole, whichever is shorter. The fee is subject to adjustment based on inflation every fiscal year going forward.
- **Section 100011 (Fee relating to renewal or extension of employment authorization for asylum applicants):** Asylum applicants will now be required to pay a fee of at least \$275 for each renewal or extension of employment authorization, and no waiver or reduction of the fee may be provided for any reason. Additionally, each initial employment authorization, renewal, or extension will terminate immediately with the denial of an asylum application by an asylum officer (unless the case is referred to an immigration judge), on the date that is 30 days after the date on which an immigration judge denied an asylum application (unless a timely appeal is filed), or immediately following a denial by the Board of Immigration Appeals (BIA) of an appeal.
- **Section 100012 (Fee relating to renewal and extension of employment authorization for aliens granted temporary protected status):** TPS holders will now be required to pay a fee of at least \$275 for each renewal or extension of employment authorization, and no waiver or reduction of the fee may be provided for any reason. The fee is subject to adjustment based on inflation every fiscal year going forward.
- **Section 100013 (Fees relating to applications for adjustment of status):** This provision imposes new and increased minimum fees for several requests made through the immigration courts, all of which are subject to adjustment based on inflation every fiscal year going forward: (1) \$1,500 for all adjustment of status applications; (2) \$1,050 to apply for a waiver of grounds of inadmissibility; (3) \$500 to register (and presumably to re-register) for TPS; (4) \$900 to appeal a decision of an immigration judge to the BIA, excluding appeals of bond decisions; (5) \$900 to appeal a decision of an adjudicating official to the BIA in an immigration practitioner disciplinary case; (6) \$900 for a motion to reopen or a motion to reconsider filed with the immigration court or the BIA, subject to two exceptions; (7) \$600 to request suspension of deportation; (8) \$600 for lawful permanent residents (LPRs) to request cancellation of removal; (9) \$1,500 for anyone other than LPRs to request cancellation of removal. Waivers or reductions of these fees are not prohibited.
- **Section 100014 (Electronic System for Travel Authorization fee):** A minimum fee of \$40 (up from \$21) will now be required for an application submitted through the Electronic System for Travel Authorization, which is used by noncitizens from countries included in the Visa Waiver Program to travel to the United States. The fee is subject to adjustment based on inflation every fiscal year going forward.
- **Section 100015 (Electronic Visa Update System fee):** This provision establishes a fee of at least \$30 for any noncitizen enrolled in the Electronic Visa Update System (currently limited

to Chinese nationals), and no waiver or reduction of the fee may be provided for any reason. The fee is subject to adjustment based on inflation every fiscal year going forward.

- **Section 100016 (Fee for aliens ordered removed in absentia):** Any noncitizen ordered removed in absentia and subsequently arrested by U.S. Immigration and Customs Enforcement will now be required to pay a fee of at least \$5,000, and no waiver or reduction of the fee may be provided for any reason. However, the fee does not apply if the removal order is rescinded. The fee is subject to adjustment based on inflation every fiscal year going forward.
- **Section 100017 (Inadmissible alien apprehension fee):** Any inadmissible noncitizen apprehended between ports of entry will now be required to pay a fee of at least \$5,000. The fee is subject to adjustment based on inflation every fiscal year going forward. A waiver or reduction of the fee is not prohibited.
- **Section 100018 (Amendment to authority to apply for asylum):** This provision makes fees for asylum applications mandatory and eliminates any limitations on the amount that can be charged.
- **Section 100051 (Appropriation for the Department of Homeland Security):** In addition to funding already provided, over \$2 billion is provided and available through September 30, 2029, for a wide range of purposes, including: hiring and training U.S. Customs and Border Protection agents and other personnel; transportation and related costs associated with the departure and removal of noncitizens; resources to “enhance screening and vetting” of all noncitizens seeking to enter or remain in the United States; and expedited removal of certain noncitizens, among other purposes. This provision also seems to override certain protections for unaccompanied noncitizen children by making the funding available for the removal of an unaccompanied child, regardless of age or whether the child is from a contiguous or noncontiguous country, if the child is found to withdraw his or her application for admission. In addition, the funding is authorized to be used for “criminal and gang checks” of unaccompanied children who are twelve-years-old and older, including physical examinations.
- **Section 100052 (Appropriation for U.S. Immigration and Customs Enforcement):** In addition to funding already provided, \$29.85 billion is provided to U.S. Immigration and Customs Enforcement (ICE) and available through September 30, 2029, for a wide range of purposes, including: hiring and training ICE officers and other personnel; performance, retention, and signing bonuses; recruitment activities; transportation of noncitizens; facility upgrades related to enforcement and removal; family detention; expanding use of the 287(g) program, which supports immigration enforcement by state and local law enforcement; and attorneys to represent ICE in removal proceedings against noncitizens, among other purposes.
- **Section 100053 (Appropriation for Federal Law Enforcement Training Centers):** In addition to funding already provided, \$750 million is provided and available through September 30, 2029, for training and training facilities for federal law enforcement and state and local law enforcement operating in support of the Department of Homeland Security.
- **Section 100054 (Appropriation for the Department of Justice):** In addition to funding already provided, \$3.33 billion is provided to the Department of Justice and available through September 30, 2029, for a wide range of purposes, including: hiring immigration judges and support staff (with no more than 800 immigration judges, effective November 1, 2028);

combatting drug trafficking and illegal drug use; investigating and prosecuting immigration-related offenses and offenses by noncitizens in general; and compensating states for the incarceration of certain noncitizens convicted of a felony or two or more misdemeanors, among other purposes.

- **Section 10055 (Bridging Immigration-related Deficits Experienced Nationwide Reimbursement Fund):** This provision establishes a new grant program within the Department of Justice, known as the Bridging Immigration-related Deficits Experienced Nationwide (BIDEN) Reimbursement Fund, and provides \$3.5 billion for the fund, available through September 30, 2028. The program allows the Attorney General to provide grants to state and local governments for a range of activities, including: locating and apprehending noncitizens who have committed a crime under federal, state, or local law and are unlawfully present in the United States; collecting information to counter gang and other criminal activity; investigating and prosecuting crimes committed by noncitizens, as well as drug and human trafficking crimes generally; court operations related to the prosecution of crimes committed by noncitizens, as well as drug and human trafficking crimes generally; and the temporary criminal detention of noncitizens and transportation of noncitizens, among other purposes. Grants can be provided for qualifying activities that occurred on or after January 20, 2021.