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ASAP Wins Stay of Annual Asylum Fee

Government Must Stop Wrongful Asylum Dismissals and Deportations Due to Annual Fee

WASHINGTON, D.C. — Yesterday, a federal court granted a stay of U.S. Citizenship and Immigration Services' (USCIS)'s and the Executive Office of Immigration Review (EOIR)'s implementation of the annual asylum fee in *ASAP v. USCIS*, also blocking the agencies from dismissing asylum applications or issuing deportation orders based on the annual asylum fee.

"I have been so worried and confused about how or when to pay the annual asylum fee," **said Alba, an ASAP member and asylum seeker from Honduras**. "My family and I have been so anxious and unsure what to do next. With yesterday's decision, I can breathe a little easier. This decision gives us a moment of peace while we keep fighting for fairness."

"I was so worried about getting deported because of the annual asylum fee, that I paid the initial asylum fee before there was even a way to pay the annual asylum fee," **said Jenny, an ASAP member and asylum seeker from Colombia**. "I'm grateful that this lawsuit forced the government to recognize how much confusion and stress they have caused families like mine. My family and I, like so many others, just want clear answers and a fair process."

The judge held that no asylum seeker has to pay the annual asylum fee at this time. However, the judge stated that the stay could be lifted once "the agencies have enacted uniform policies providing asylum applicants with fair notice of the applicable fee deadline, the mechanism for payment, and the adverse consequences that might result from nonpayment."

"No one should lose their asylum case because of a new fee they did not know about or could not pay on short notice," **said Swapna Reddy, Co-Executive Director of the Asylum Seeker Advocacy Project (ASAP)**. "This decision isn't the end of our fight, but it means that for now, no one has to pay the annual asylum fee."

On October 3, 2025, the Asylum Seeker Advocacy Project (ASAP), filed *ASAP v. USCIS*, to challenge the implementation of the annual asylum fee, which was created by HR-1, the One Big Beautiful Bill Act (OBBBA). ASAP filed a motion for a preliminary injunction shortly thereafter on October 7, 2025. The case was filed in the District of Maryland. ASAP is the sole plaintiff organization, and is co-counsel on the case alongside Gibson Dunn.

You can read the court's decision [here](#)

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The Asylum Seeker Advocacy Project (ASAP) believes that asylum seekers can make change by standing together. We work with our members — over 700,000 asylum seekers — to build a more welcoming United States. Learn more about ASAP's work at asaptogether.org.