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ASAP Files Lawsuit Challenging Unlawful Annual Asylum Fee Implementation

Suing USCIS & EOIR for Retroactively Requiring Fees, Creating Fear of Asylum Dismissal & Deportation

WASHINGTON, D.C. — On Tuesday, the Asylum Seeker Advocacy Project (ASAP), asked a federal judge to stop U.S. Citizenship and Immigration Services (USCIS) and the Executive Office of Immigration Review (EOIR) from dismissing or denying asylum applications based on a new requirement – an [annual asylum fee](#). The lawsuit, [ASAP v. USCIS](#), was filed in the District of Maryland on Friday.

ASAP v. USCIS, challenges the agencies' **retroactive** implementation of the new annual asylum fee established under HR-1, the One Big Beautiful Bill Act (OBBBA). Currently, USCIS and EOIR take the position that all asylum applicants, including those who sought asylum prior to HR-1, are subject to the annual asylum fee. But neither agency has provided asylum seekers the requisite information about how to pay, when to pay – or in the case of EOIR – a mechanism by which to pay the annual asylum fee.

"I've been waiting for a decision on my asylum case for over a decade, and now I'm being told I have to pay a new asylum fee," said **Jeff, an ASAP member and asylum seeker from Kenya**. "I'm frustrated the government has taken so long to decide my case, and now they want to charge me for their delay. The government hasn't told me when or how to pay, and I'm scared that if I miss my window, they will dismiss my asylum application."

"Asylum seekers deserve clear laws and an opportunity to follow them; in this case, asylum seekers have neither," said **Swapna Reddy, Co-Executive Director of the Asylum Seeker Advocacy Project (ASAP)**. "The government has incorrectly charged the fee to thousands of ASAP members who applied for asylum years ago. And what's worse, the immigration court has not even created a way to pay the fee. No one should be deported to danger for failure to pay an unexpected and inconsistent fee."

You can view the Complaint [here](#).

You can view the Memorandum in Support of the Motion for a Preliminary Injunction [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.

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