



DEPARTMENT OF HOMELAND SECURITY

U.S. Immigration and Customs Enforcement

Certain DHS Immigration-Related Fees Required by HR-1: Fiscal Year 2027

Adjustments for Inflation

AGENCY: U.S. Immigration and Customs Enforcement, U.S. Department of Homeland Security.

ACTION: Notice of Inflationary Fee Adjustment.

SUMMARY: The Department of Homeland Security (DHS) is announcing Fiscal Year (FY) 2027 inflationary adjustments for two of the immigration enforcement-related fees established by the One Big Beautiful Bill Act (HR-1). HR-1 requires that DHS annually adjust certain immigration enforcement-related fees for inflation. The adjusted fee amounts for FY 2027 for aliens ordered removed in absentia who are subsequently arrested and inadmissible aliens apprehended between ports of entry are \$5,300. On **[INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**, DHS will begin assessing and collecting these new amounts.

DATES: The fees announced in this notice are effective on **[INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

FOR FURTHER INFORMATION CONTACT: Office of Principal Legal Advisor, Regulatory Affairs Unit, U.S. Immigration and Customs Enforcement, Department of Homeland Security, 500 12th Street SW, Washington, DC 20536-5901. Telephone 202-732-6960 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

I. Background and Authority

On July 4, 2025, the President signed into law the One Big Beautiful Bill Act, Pub. L. 119-21, 139 Stat. 72 (HR-1), which, among other things, established a number of immigration-related fees.¹ Relevant to this notice, HR-1 established two immigration enforcement fees applicable to the following: (1) aliens who are ordered removed in absentia pursuant to section 240(b)(5) of the Immigration and Nationality Act (INA), 8 U.S.C. 1229a(b)(5), and are subsequently arrested by U.S. Immigration and Customs Enforcement (ICE); and (2) inadmissible aliens at the time such aliens are apprehended between ports of entry.² On September 8, 2025, DHS provided notice to the public announcing that DHS would begin assessing and collecting these fees in the amount of \$5,000 for FY 2025 for both fees, as authorized by statute.³ As of September 8, 2025, DHS has been individually notifying aliens to whom these fees apply and providing instructions on how to make payments for these fees.⁴

On November 20, 2025, DHS published a notice for FY 2026 to adjust the fees for inflation to \$5,130, which became effective on December 1, 2025.⁵ Under HR-1, these fees are subject to annual adjustments for inflation each fiscal year.⁶ Specifically, both fees provide that the annual adjustment for inflation will be calculated as follows:

[T]he sum of—

(A) the amount of the fee required under this subsection for the most recently concluded fiscal year; and

(B) the product resulting from the multiplication of the amount referred to in subparagraph (A) by the percentage (if any) by which the Consumer Price Index for All Urban Consumers for the month of July preceding the date on which such adjustment takes effect exceeds the Consumer Price Index for All Urban

¹ See HR-1, Title X, Subtitle A, Part I, sections 100001 through 100018.

² See Pub. L. 119-21, 139 Stat. 72, secs. 100016, 100017 (codified at 8 U.S.C. 1814, 1815).

³ Certain DHS Immigration Enforcement-Related Fees Required by HR-1 Reconciliation Bill, 90 FR 43223 (Sept. 8, 2025).

⁴ *Id.*

⁵ Certain Immigration Enforcement-Related Fees Required by HR-1 Reconciliation Bill: Fiscal Year 2026 Adjustments for Inflation, 90 FR 52425 (Nov. 20, 2025).

⁶ See Pub. L. 119-21, 139 Stat. 72, secs. 100016(b)(2) and 100017(b)(2), 8 U.S.C. 1814(b)(2), 1815(b)(2).

Consumers for the same month of the preceding calendar year, rounded to the next lowest multiple of \$10.

DHS has now calculated the adjustments for inflation for FY 2027 and sets forth the applicable new amounts below in this notice.

II. FY 2027 Fee Amounts Adjusted for Inflation

A. Adjustments for Immigration Enforcement-Related Fees Under HR-1

Consistent with the current process, DHS will individually notify aliens to whom these adjusted fees apply and provide instructions on how to pay the fees levied as of **[INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**. In accordance with HR-1 secs. 100016(b)(2) and 100017(b)(2), the annual adjustment for FY 2027 is calculated as the sum of the amount of the fee required under this subsection for the most recently concluded fiscal year (\$5,130); and the product resulting from the multiplication of the amount referred to in subparagraph (A) by the percentage by which the Consumer Price Index of All Urban Consumers (CPI-U) (333.918) for the month of July 2026 exceeds the CPI-U for July 2025 (323.048), rounded to the next lowest multiple of \$10. The multiplier of 1.03365 (rounded to the fifth decimal place) applied to the previous fee of \$5,130 results in a new amount of \$5302.62 (rounded to the nearest cent) and then rounded down to the nearest \$10 increment is \$5,300. The new FY 2027 fees are as follows:

Fee description	Citation	FY 2026 fee amount	Multiplier⁷	FY 2027 fee amount as adjusted by this notice
Aliens subject to removal orders in absentia and subsequently arrested by ICE	HR-1, Public Law 119-21, 139 Stat. 72, sec. 100016. (codified at 8 U.S.C. 1814)	\$5,130	1.03365	\$5,300

⁷ See Bureau of Labor Statistics, Consumer Price Index for All Urban Consumers, https://data.bls.gov/timeseries/CUUR0000SA0?years_option=all_years (last visited Aug. 18, 2026).

Inadmissible aliens arrested between ports of entry	HR-1, Public Law 119-21, 139 Stat. 72, sec. 100017. (codified at 8 U.S.C. 1815)	\$5,130	1.03365	\$5,300
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B. Section 100016. Aliens Ordered Removed in Absentia Pursuant to INA Section 240(b)(5) and Subsequently Arrested by ICE

Based on the calculation for inflation adjustments for FY 2027, as set forth under HR-1 section 100016(b)(2), DHS will collect and assess a fee in the amount of \$5,300 for aliens subject to the fee under HR-1, section 100016, *Fee for aliens ordered removed in absentia*, beginning [INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. This fee is applicable to aliens who have been ordered removed in absentia by an immigration judge pursuant to INA section 240(b)(5) for failure to attend removal proceedings and are subsequently arrested by ICE.⁸ HR-1 provides an exception to this fee for aliens whose removal order in absentia is rescinded pursuant to INA section 240(b)(5)(C), 8 U.S.C. 1229a(b)(5)(C).⁹ See Pub. L. 119-21 sec. 100016(c). HR-1 also provides that no waivers are available for this enforcement fee. See *Public Law 119-21* sec. 100016(e).

C. Section 100017. Inadmissible Aliens Apprehended Between Ports of Entry

Based on the calculation for inflation adjustments for FY 2027, as set forth under HR-1 section 100017(b)(2), DHS, including ICE and U.S. Customs and Border Protection, will collect and assess a fee in the amount of \$5,300 for aliens subject to the fee under HR-1, section 100017, *Inadmissible alien apprehension fee*, beginning

⁸ An alien is “ordered removed in absentia” by an immigration judge under section 240(b)(5) of the INA, 8 U.S.C. 1229a(b)(5), when the alien fails to attend removal proceedings after written notice “required under paragraph (1) or (2) of section 1229(a) of this title has been provided to the alien or the alien’s counsel of record” and DHS has established “by clear, unequivocal, and convincing evidence that the written notice was so provided and that the alien is removable.”

⁹ INA section 240(b)(5)(C), 8 U.S.C. 1229a(b)(5)(C) (“Such an order may be rescinded only— (i) upon a motion to reopen filed within 180 days after the date of the order of removal if the alien demonstrates that the failure to appear was because of exceptional circumstances (as defined in subsection (e)(1)), or (ii) upon a motion to reopen filed at any time if the alien demonstrates that the alien did not receive notice in accordance with paragraph (1) or (2) of section 1229(a) of this title or the alien demonstrates that the alien was in Federal or State custody and the failure to appear was through no fault of the alien”).

[INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. This fee is applicable to aliens who are inadmissible under INA section 212, 8 U.S.C. 1182, and are apprehended by DHS between ports of entry. Aliens who are apprehended by DHS between ports of entry are often subject to the ground of inadmissibility under INA section 212(a)(6), 8 U.S.C. 1182(a)(6), which provides that any alien “present in the United States without being admitted or paroled, or who arrives in the United States at any time or place other than as designated by the Attorney General, is inadmissible.”¹⁰ However, an alien could also be inadmissible based on additional grounds of inadmissibility listed under INA section 212, 8 U.S.C. 1182.

Markwayne Mullin,
Secretary,
U.S. Department of Homeland Security.
[FR Doc. 2026-20186 Filed: 9/30/2026 8:45 am; Publication Date: 10/1/2026]

¹⁰ INA section 212(a)(6), 8 U.S.C. 1182(a)(6).