

Immigration Updates: September 2025

Workshops - 3	Applications - 13	Consultations -40	Trainings -1
<p>Completed: 9/13-14: L663; Asylum + Consultation Workshop; Minneapolis, MN 9/17: L227; Virtual UCAN Training 9/28: L227; UCAN Workshop; Louisville, KY</p> <p>Upcoming: 10/04: L1546; UCAN Workshop; Chicago, IL 10/11: L7; UCAN Workshop; Greeley, CO 10/25: L770; UCAN + Consultation Workshop; Huntington Park, CA 10/29-30: L1846 Virtual Workshop 11/08: L324; Consultation Workshop; Buena Park, CA</p>			

General Shutdown Information

When government agencies close for budgetary reasons, all but "essential" personnel are furloughed and are not allowed to work. The following is an overview of how the immigration-related agencies have operated during prior shutdown periods. We will be updating this information to reflect any changes during this shutdown.

EOIR

Members should first review [EOIR's Immigration Court Operational Status](#) for the latest updates. **Please note: currently, cases on the non-detained docket are proceeding as usual.** This is a departure from previous shutdowns, when generally immigration court cases on the detained docket would proceed while non-detained docket cases would be reset for a later date when funding resumes. Courts should issue an updated notice of hearing to respondents or representatives of record for reset hearings.

USCIS

USCIS is a fee-funded agency so if the government shuts down, it is generally business as usual. The exception to this is [programs that receive appropriated funds](#) – E-Verify, the EB-5 Immigrant Investor Regional Center Program, Conrad 30 J-1 doctors, and non-minister religious workers, which are suspended or otherwise impacted.

- The EB-5 Immigrant Investor Regional Center Program should **not** be impacted by a shutdown as it was authorized through September 30, 2027.
- The Special Immigrant Religious Worker Program will sunset on [September 30, 2025](#), unless a Continuing Resolution or appropriations package is signed into law before that date.
- [USCIS previously confirmed](#) that employers may continue to use the new alternate review process for remote I-9 document verification if E-Verify is temporarily unavailable due to a government shutdown. It is expected that this will continue to be the case, as the agency has not said otherwise.
- In the past, when the government reopened, [USCIS accepted late I-129 filings](#) provided the petition was submitted with evidence that the primary reason for failing to timely file an extension of stay or change of status request was the government shutdown.

DOS

Visa and passport operations are fee-funded and thus are not normally impacted by a lapse in appropriations. Consular operations can nevertheless be impacted if there are insufficient fees to support operations at a particular post. In such a case, posts will generally only handle diplomatic visas and "life or death" emergencies.

[View the DOS Liaison Committee's practice alert](#) on the shutdown for more information.

CBP

Inspection and law enforcement personnel are considered "essential." Ports of entry will be open, and processing of passengers will continue; however, processing of applications filed at the border may be impacted.

ICE

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For local practice questions, members may want to check [with their local chapters](#). Generally, ICE Enforcement and Removal Operations (ERO) can continue, and the Office of Principal Legal Advisor (OPLA) assistant chief counsels will focus on representing the government in the detained immigration court docket during a shutdown (see information below about EOIR). The ICE Student and Exchange Visitor Program (SEVP) offices are unaffected since SEVP is funded by fees. Members should also continue to be able to access their client in custody through regular means such as scheduling phone calls and visitation.

Important Changes to Immigration Fee Payments

Two government offices are changing how they accept payments for immigration filings. If you will send any applications, appeals, or motions, follow the rules below.

U.S. Citizenship and Immigration Services (USCIS)

USCIS handles applications like green cards, naturalization and work permits.

- **Starting August 29, 2025:** You can pay fees online directly from a U.S. bank account.
- **Until October 28, 2025:** Checks and money orders are still allowed.
- **After October 28, 2025:** No checks or money orders. Pay by bank transfer (online) or by credit card/prepaid card. Wrong bank details or not enough money in the account will cause a rejection.
- **On Oct. 1, 2025:** USCIS began sending notices to all aliens with a pending Form I-589, Application for Asylum and for Withholding of Removal, who are required to pay the new Annual Asylum Fee (AAF). We also sent notices to any representatives of these aliens listed on Form G-28.
- If you have a pending Form I-589, Public Law 119-21 (P.L. 119-21) requires you to pay an AAF of \$100 for each calendar year your application is pending, in addition to any other fee. You cannot get a fee waiver for the AAF.
- If you receive a notice, you should pay the fee within 30 days. If you do not pay this fee, it may negatively affect your application, including, but not limited to, a delay in processing.
- You must pay this fee online at <https://my.uscis.gov/accounts/annual-asylum-fee/start/overview>. You will need your Alien Registration Number (A-Number) and the Receipt Number at the top of your notice to pay the fee.

Source: [USCIS announcement](#); [USCIS - Annual Asylum Fee - Annual Asylum Fee](#)

Immigration Courts and Appeals (EOIR)

EOIR runs the immigration courts and the appeals board.

- Most court fees must be paid online through the EOIR payment website.
- You can pay with debit card, credit card, bank transfer, PayPal, or Amazon Pay.
- Remember to download your receipt and save your receipt number after making a payment.
- Always include a copy of the payment receipt with your court filing. If you don't, the court may reject it.

Sources: [EOIR payment update](#) · [EOIR fees page](#) · [Fee schedule PDF](#)

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Common Court Fees (Examples)

- Appeal of a judge's decision: **\$1,010**
- Motion to reopen or reconsider a case: **\$1,010–\$1,045**
- Application for Asylum I-589: **\$100**
 - Please note: Applications for asylum filed with EOIR will be subject to the AAF. As of this newsletter, EOIR has not issued guidance regarding payment of the AAF and the online payment portal has not been updated to include the AAF.
 - Individuals filing new applications for asylum with EOIR may pay the initial filing fee (\$100) via this payment portal, by selecting the following "Filing Type" from the dropdown menu: Court - I-589, Application for Asylum (Initial Fee). [EOIR Payment Portal](#)
- Appeal of a Department of Homeland Security officer's decision: **\$1,010**

What This Means

- After **October 28, 2025**, USCIS will reject filings paid by check or money order.
- Wrong or unfunded bank payments will be rejected.
- For court filings, online payment and the receipt are required.

What To Do Now

1. Set up a way to pay: U.S. bank account or a credit/prepaid card.
2. Confirm the correct fee before you file.
3. Save the payment receipt and include it with any court filing.
4. Set up a way to pay: U.S. bank account or a credit/prepaid card.
5. Confirm the correct fee before you file.
6. Save the payment receipt and include it with any court filing.

DACA Questions and Answers: What Changed and What Didn't

The U.S. Department of Justice (DOJ) filed a plan in the long-running Texas DACA case that would reopen DACA to new first-time applications nationwide if the judge approves it. Under the DOJ's proposal, Texas residents could still apply but would not receive work permits because of Texas's lawsuit. A federal judge will decide what to adopt later this month.

Quick Refresher: What is DACA Right Now?

- DACA protects certain people who came to the U.S. as children from deportation and can allow them to get a work permit.
- After a January 17, 2025 Fifth Circuit Court of Appeals ruling, parts of DACA were held unlawful, but current DACA holders can keep renewing while the case continues. New applications have been on hold.

What happened with DACA this week?

The Department of Justice (DOJ) filed a plan in the Texas court case that could reopen DACA to new applicants nationwide. If the judge approves, people could once again file first-time applications. However, the proposal also says Texas residents could apply but **would not receive work permits**. The judge still has to decide later this month.

Can I apply for DACA for the first time now?

No. As of today, new applications are still on hold. You must wait for the judge's order and an official announcement from USCIS.

What about people that already have DACA?

Renewals continue. If you already have DACA, you should renew on time (up to 180 days before expiration). Nothing has changed for current DACA recipients.

Why does this involve Texas?



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Texas sued to block DACA. Under DOJ's proposal, Texas residents would be treated differently: they could apply but would not receive work permits. This is not final until the judge rules.

When will we know more?

The court will consider the DOJ's proposal, and it is anticipated to issue an order in the next month or so. At that point, USCIS will provide official guidance.

What does this mean?

- It does not mean DACA is open to new applicants yet.
- It does not change who qualifies for DACA.
- It does not guarantee work permits, especially for Texas residents.

If DACA reopens, who might qualify?

The rules would be the same as before:

- Came to the U.S. before age 16 and before June 2007.
- In school, graduated, GED, or a veteran.
- No serious criminal record.
- At least 15 years old (with limited exceptions).

What can I do right now?

1. Current DACA holders: Renew on time. Don't wait.
2. Potential first-time applicants: Gather documents (school, identity, continuous residence) but don't file yet.
3. Texas residents: Be aware of the proposed work-permit restriction; we'll update you once the judge rules.
4. Everyone: Avoid scams — there's no "pre-registration." Only trust official USCIS updates or UFCW communications.

Where can I get updates?

- www.novo-legal.com/UFCW
- UFCW's newsletters
- Our pro se clinics and information sessions.
- Official USCIS DACA webpage.