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New Lawsuit Challenges DHS's Unlawful "Fine Everyone Policy" Imposing \$5,130 Fees on Noncitizens

(GREENBELT, MD) — **Public Justice, The Legal Aid Society, and Brown Goldstein & Levy LLP** today filed a class action [lawsuit](#) challenging the federal government's unlawful policy of imposing \$5,130 fees on noncitizens who entered the United States before the statute creating the fee was enacted or who are assessed the fee long after their entry, including during routine immigration check-ins far from the border.

The lawsuit challenges the Department of Homeland Security's (DHS) interpretation and implementation of an immigration fee created by H.R. 1, the One Big Beautiful Bill Act (OBBBA). Under 8 U.S.C. § 1815, the \$5,000 fee — currently \$5,130 after an inflation adjustment — is authorized for certain noncitizens "at the time" they are apprehended "between ports of entry." The complaint alleges that DHS, U.S. Immigration and Customs Enforcement, and U.S. Customs and Border Protection have instead adopted a "Fine Everyone Policy," imposing the fee on people who entered the country before July 4, 2025, when H.R. 1 was enacted, and on people who are apprehended or assessed the fee in the interior of the United States, far from the border, sometimes years after they entered.

"Since Day 1, the Trump Administration has tried to harass and intimidate noncitizens by using financial sanctions as punishment," said **Charles Moore, Senior Attorney with Public Justice**. "Our clients, like many others, are just trying to navigate the complex immigration system in this country. Rather than let the process play out, the government is trying to make things as difficult as possible by saddling many families with thousands of dollars in debt. There is no justification for what the government is doing. So we are suing to stop this harassment."

"The 'Fine Everyone Policy' is another example of the Trump Administration's brazen lawlessness," said **Hasan Shafiqullah, Supervising Attorney in the Civil Law Reform Unit at The Legal Aid Society**. "These fines cannot be assessed retroactively or in the interior of the country, yet DHS ignores appeals and sustains fines that are clearly unlawful."

"Our firm is proud to stand with immigrants unlawfully targeted by this administration," said **Jessie Weber, Managing Partner of Brown, Goldstein & Levy, LLP**. "We look forward to obtaining a court order stopping yet another attempt to harass and penalize immigrants through the assessment of these illegal fines."

The lawsuit challenges the government's policy as a violation of the Administrative Procedure Act and asks the court to vacate the policy and enjoin DHS from continuing to impose the fees unlawfully.

The case follows [Maria L. v. Mullin](#), a putative class action pending in the U.S. District Court for the District of Massachusetts, filed by Public Justice and The Legal Aid Society, along with others. That case challenges a separate federal program imposing civil penalties on noncitizens for allegedly willfully or voluntarily failing to depart the United States. That lawsuit similarly challenges the government's unlawful use of immigration-related fines and seeks class-wide declaratory and injunctive relief.

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