



OOD
PM 25-32 (Amended)
Effective: June 27, 2025

To: All of EOIR
From: Sirce E. Owen, Acting Director
Date: June 27, 2025

IMPOSITION AND COLLECTION OF CIVIL PENALTIES FOR CERTAIN IMMIGRATION-RELATED VIOLATIONS

PURPOSE:	To provide guidance on Imposition and Collection of Civil Penalties for Certain Immigration-Related Violations Interim Final Rule
OWNER:	Office of the Director
AUTHORITY:	8 C.F.R. § 1003.0(b)
CANCELLATION:	None

On June 27, 2025, EOIR and the Department of Homeland Security (DHS) jointly published an Interim Final Rule (IFR) titled “Imposition and Collection of Civil Penalties for Certain Immigration-Related Violations.” 90 FR 27439. The IFR became effective upon publication. This Policy Memorandum provides guidance on provisions of the IFR relevant to EOIR operations.

The Immigration and Nationality Act (INA) authorizes the imposition of various civil monetary penalties, including, as relevant here, against aliens who violate the immigration laws. The newly published IFR creates exclusive DHS procedures for imposing certain civil monetary penalties and transfers the appellate process for these penalties from the Board of Immigration Appeals to DHS. Implementing these DHS-exclusive procedures will enable DHS to impose civil penalties more efficiently and in greater number. This, in turn, will deter future unlawful entries and incentivize compliance with removal and voluntary departure orders, consistent with this Administration’s immigration priorities.

Notably, the IFR amends both EOIR’s and DHS’s regulations to provide DHS with exclusive authority over the process of imposing civil monetary penalties under:

- INA § 240B(d), 8 U.S.C. § 1229c(d), for an alien’s voluntary failure to depart the United States within the time period specified if the alien is permitted to depart voluntarily in lieu of removal;
- INA § 274D(a)(1), 8 U.S.C. § 1324d(a)(1), for any alien subject to a final order of removal who —

- (1) willfully fails or refuses to: depart from the United States pursuant to the order; make timely application in good faith for travel or other documents necessary for departure; or present for removal at the required time and place; or
 - (2) conspires to or takes any action designed to prevent or hamper the alien's departure pursuant to the order; and
- INA § 275(b), 8 U.S.C. § 1325(b), for any alien who is apprehended while entering (or attempting to enter) the United States at a time or place other than as designated by immigration officers.

The DHS-exclusive procedures for the imposition of civil monetary penalties under these provisions of the INA are codified at new 8 C.F.R. Part 281, which also includes procedures for appeals. Accordingly, any civil monetary penalties imposed under the foregoing provisions of the INA, subject to DHS-exclusive procedures, will no longer be subject to appellate review by the Board of Immigration Appeals. *See* 8 C.F.R. §§ 1003.1(b)(4), 1280.1(b).¹

Importantly, the current appellate process before the Board of Immigration Appeals for civil penalties imposed under INA § 273, 8 U.S.C. § 1323—primarily relating to carrier violations—remains unchanged.

EOIR employees are encouraged to review the full text of the IFR for additional information.

This PM is not intended to, does not, and may not be relied upon to create, any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person. Nothing herein should be construed as mandating a particular outcome in any specific case. Nothing in this PM limits an adjudicator's independent judgment and discretion in adjudicating cases or an adjudicator's authority under applicable law.

Please contact your supervisor if you have any questions.

¹ The IFR is not retroactive and applies only prospectively to actions to impose civil monetary penalties that are initiated on or after June 27, 2025. Aliens who already had the procedures in 8 CFR part 280 initiated against them at the time of the effective date of the IFR will continue to be subject to those procedures, as well as the related EOIR provisions in 8 CFR parts 1003 and 1280.