

Form EOIR-40, Application for Suspension of Deportation (OMB No. 1125-0009, exp. 06/30/2028)

Nonsubstantive Change Request (ICR Ref. No. 202603-1125-002)

Narrative of Changes

On March 25, 2025, the President issued Executive Order (E.O.) 14247, *Modernizing Payments To and From America's Bank Account*, mandating executive departments and agencies to transition federal payments to and from the government to electronic payment and collection methods. To the extent permitted by law, E.O. 14247 requires that all federal agencies eliminate receipt of paper payment methods and institute requirements that all payments made to the federal government be through electronic means.

Pursuant to E.O. 14247, the Executive Office for Immigration Review (EOIR) will be transitioning to electronic filing fee payments for all filings in immigration courts and at the Board of Immigration Appeals (Board or BIA). EOIR revised the instructions on page three, under section seven, titled "Fees," to notify applicants that EOIR will only accept electronic filing fee payments for this form through the online EOIR Payment Portal (<https://epay.eoir.justice.gov>). The proposed revisions clarify that payments by cash, check, money order, or cashier's check will no longer be accepted.

EOIR will be collecting the form filing fee. The payment of the required form filing fee to the Department of Homeland Security (DHS) (or to the "Commissioner of Finance of the Virgin Islands" or "Treasurer, Guam," depending on the applicant's residence), and requirement to obtain proof of payment from DHS previously referenced in the instructions no longer apply and are removed; instead, applicants are directed to make the required filing fee payment on the EOIR Payment Portal and obtain proof of payment from the Portal to submit with the filings.

Lastly, the instructions will reaffirm that applicants must continue to pay the biometric fee to DHS. The instructions regarding biometric fees are revised to inform applicants that DHS will no longer accept paper-based payments; DHS will only be accepting electronic payment methods, to include either: (1) online payments using a credit, debit, or prepaid card, or through an ACH debit

transaction; or (2) by mail by completing Form G-1450, Authorization for Credit Card Transactions, or Form G-1650, Authorization for ACH Transactions.

EOIR also made nonsubstantive revisions to Parts I and III of the instructions to improve grammar, clarity, and readability, and correct inaccuracies in citations to legal authority.