§ 726.115 Revocation of Authorization to Self-Insure.

OWCP may suspend or revoke the authorization of any self-insurer for good cause, including but not limited to:

(a) Failure by a self-insurer to comply with any provision or requirement of law or of the regulations in this part, or with any lawful order or request made by OWCP;

(b) The failure or insolvency of the surety on its indemnity bond, if such bond is used as security, or any other financial institution holding any form of security provided by an operator; or

(c) Impairment of financial responsibility of such self-insurer.

§ 726.116 Appeal Process.

(a) How to appeal. Any applicant that wishes to appeal a self-insurance determination on an application must submit a written appeal to the Director of OWCP in the form and manner prescribed by OWCP within 30 calendar days of such determination. This deadline may not be extended.

(b) What to submit. Within 30 calendar days after filing a written appeal, the applicant must submit any evidence and/or briefing on which it intends to rely, including any arguments that the initial determination was erroneous. OWCP may extend this deadline at the applicant's request upon a showing of good cause.

(c) Conferences.

(1) The applicant may request an informal conference to present its position. Such request must be made in writing when the applicant submits evidence and briefing and/or any new timely evidence in support of its request for review.

(2) If the applicant requests a conference, the Director of OWCP will hold one with the applicant's representatives and the Department's Office of the Solicitor.

(3) If the applicant does not request a conference, OWCP may either decide the appeal on the record or schedule a conference on its own initiative.

(4) The conference will be limited to the issues identified in the applicant's written materials.

(d) Review by OWCP. OWCP will review the previous determination in light of any new evidence or additional information submitted and issue a final agency decision.

(1) The Director of OWCP will review the prior decision, evidence of record, and arguments submitted on appeal within 60 calendar days of acknowledging receipt of such. The applicant may not submit new evidence to the Director of OWCP outside of what is allowable under 726.116(b).

(2) The Director of OWCP will issue a final agency decision within 7 calendar days upon completion of review.

(3) If the Director of OWCP issues a final agency decision denying self-insurance, any existing self-insurance authorization of the applicant will end. The applicant will have 30 calendar days from issuance of the final agency decision to obtain and submit proof of commercial insurance or begin facing civil penalties for failure to secure benefits.

Signed at Washington, DC.

James Macy,

Director, Office of Workers' Compensation Programs.

[FR Doc. 2026–15325 Filed 7–29–26; 8:45 am]

BILLING CODE;P

DEPARTMENT OF STATE

22 CFR Part 62

[Public Notice: 13087]

RIN: 1400–AF23

Exchange Visitor Program—Termination of Program Participation, Extension of Program and Reinstatement to Valid Program Status

AGENCY: U.S. Department of State.

ACTION: Proposed rule with request for comment.

SUMMARY: The Department of State's (Department's) Bureau of Educational and Cultural Affairs administers the Exchange Visitor Program, as set forth at 22 CFR part 62, wherein exchange visitors on educational and cultural exchange programs travel to the United States in the J visa category. The Department tracks the status and geographic location of exchange visitors through the Student and Exchange Visitor Information System (SEVIS), a database administered by the Department of Homeland Security. This Notice of Proposed Rulemaking (Proposed Rule) seeks to clarify the conditions under which a sponsor must terminate an exchange visitor's program and authorizes the Department, in its discretion, to terminate an exchange visitor's program in limited circumstances; modifies Extension of Program and Reinstatement to valid program status in their entirety by eliminating outdated requirements and introducing updated procedures that make use of current SEVIS functionality; amends Definitions to include definitions for ''Unauthorized Employment'' and ''Valid Program Status''; and rescinds the separate extension of program provision for au pairs.

DATES: The Department of State will accept comments from the public for 60 days from July 30, 2026.

ADDRESSES: You may submit comments on this proposed rule by one of the following methods:

Online: Go to *www.regulations.gov.* Enter Docket ID: DOS–2026–0859 in the search bar to locate this rule. As required by the Administrative Procedure Act at 5 U.S.C. 553(b)(4), you can also find a plain language summary of the proposed rule at this location.

Email: Send comments to *JExchanges@state.gov.* Include ''RIN 1400–AF23'' in the subject line of your email.

All comments should include the commenter's name, the organization they represent (if applicable), and a mailing address. If the Department cannot read your comment or contact you for clarification, we may not be able to consider it. After the 60-day comment period closes, the Department will review all relevant feedback and publish a final rule as soon as possible.

FOR FURTHER INFORMATION CONTACT: Rebecca Pasini, Deputy Assistant Secretary for Private Sector Exchange, U.S. Department of State, SA–5, 5th Floor, 2200 C Street NW, Washington, DC 20522. Email: *JExchanges@state.gov*.

SUPPLEMENTARY INFORMATION: The Secretary of State is authorized to promulgate such rules and regulations as may be necessary to carry out the functions of the Department of State. 22 U.S.C. 2651a(a)(4). The Mutual Educational and Cultural Exchange Act of 1961, as amended, authorized the Department of State (and the newly established Bureau of Education and Cultural Affairs) to carry out the purposes of and manage, coordinate, and oversee programs established pursuant to the Act. 22 U.S.C. 2451 *et seq.* The Department of State is proposing modifications to Subpart C of the Code of Federal Regulations, Title 22: Foreign Relations, Part 62—Exchange Visitor Program (Subpart C—Status of Exchange Visitors). Subpart C governs the status of nonimmigrant exchange visitors who travel to the United States on J–1 visas and their accompanying spouses and/or dependents, if any, who travel to the United States on J–2 visas. This proposed rule specifically addresses termination of program participation under 22 CFR 62.40, extension of an exchange visitors' program under 22 CFR 62.43, and reinstatement of exchange visitor records to valid program status under 22 CFR 62.45. The status of any accompanying spouses and/or dependents mirrors the status of the exchange visitors they accompany. For purposes of this proposed rule, references to exchange visitor records include the records of accompanying spouses and/or dependents unless stated otherwise.

Subpart C was last modified in 1999, when the former U.S. Information Agency (USIA), which previously had oversight of the Exchange Visitor Program, issued an interim final rule with request for comment (64 FR 44123, Aug. 13, 1999). That rule replaced a prior policy statement published in the **Federal Register** on April 24, 1997. The 1999 regulations were developed for operation in a paper-based environment.

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) directed the Attorney General to create an electronic system to collect information on F, M, and J nonimmigrants in response to concerns that such individuals could fall out of status and remain in the United States without authorization. In 2001, section 416 of the USA PATRIOT Act (Pub. L. 107–56) amended IIRIRA to mandate the expansion and implementation of that system. In January 2003, the Department of Homeland Security (DHS) and the Department launched SEVIS, a web-based platform for tracking and monitoring F, M, and J nonimmigrants throughout the duration of their participation in approved programs.

Termination of Program Participation

This proposed rule addresses the termination of exchange visitor program participation under 22 CFR 62.40. The proposed rule provides an additional basis for which a sponsor must terminate an exchange visitor's participation in their exchange program; namely, when an exchange visitor falsifies or fails to provide a full and truthful response, information, or documents as part of his or her exchange visitor application or during the ongoing exchange program.

The proposed rule also amends 22 CFR 62.40 to expand circumstances where the Department may exercise its discretionary authority to terminate exchange visitor program participation. Under the proposed rule, the Department may terminate an exchange visitor's status when the Department or DHS has revoked or cancelled a visa with immediate effect. In such cases, the individual must immediately leave the country or risk removal. The proposed rule also provides that the Department may terminate an exchange visitor's program when an exchange visitor falsifies or fails to provide a full and truthful response, information, or documents as part of his or her exchange visitor application or during the ongoing exchange program. For example, exchange visitors may be asked to provide proof of a U.S. address, educational qualifications, or attendance at the site of activity. Accurate information is necessary for the sponsors and the Department to assess whether exchange visitors continue to meet the conditions of their nonimmigrant status. A new procedure is also being proposed where an exchange visitor may challenge the Department's termination decision for unauthorized employment or falsifying information or documentation by submitting a statement in opposition within 10 business days of the Department's written notice. Exchange visitors may not appeal on the basis of hardship or other equitable considerations. These regulatory changes are intended to further support the program's objectives of ensuring visitor welfare, program integrity, and national security.

Extension of Program

The proposed replacement of 22 CFR 62.43 (Extension of Program) streamlines and clarifies the processes for extensions, both within and beyond the maximum program duration, by integrating these procedures with SEVIS functionalities. Sponsors currently have the authority to extend exchange visitor programs up to the permitted duration of the category of exchange programs. However, consistent with existing regulations, if exchange visitors are seeking to extend beyond the permitted maximum duration, sponsors must obtain Department approval. This rule proposes to establish a deadline for submitting such extension requests. After submitting the electronic application for extension in SEVIS, the Department must receive the supporting documentation no later than three months prior to the new extension period. There will be no exceptions for late submissions.

To ensure consistency across all program categories, this proposed rule deletes 22 CFR 62.31(o) extension of program under the Au pair category, which currently stateses: ''Applications to the Department for extensions of six, nine, or 12 months, must be received by the Department not less than 30 calendar days prior to the expiration of the exchange visitor's initial authorized stay . . .'' Under this proposed rule, extensions for au pairs will be governed by the general rules and timelines contained in the proposed 22 CFR 62.43, which will require submission 90 days prior to the expiration of the exchange visitor's program end date. These revisions align with Executive Order 14219 (''Ensuring Lawful Governance and Implementing the President's 'Department of Government Efficiency' Deregulatory Initiative'', 90 FR 10583, Feb. 19, 2025), which directs agencies to streamline obsolete regulatory provisions.

Reinstatement to Valid Program Status

The Department monitors the valid program status of exchange visitors in SEVIS. Designated sponsors must use SEVIS to validate initial program participation, report failures to begin programs, and indicate the early completion or termination of programs (22 CFR 62.13). Whether an exchange visitor completes their program ahead of schedule, voluntarily ends their participation, or has their program involuntarily terminated, sponsors must promptly update the exchange visitor's record in SEVIS to reflect this change and keep the status of the exchange visitor's SEVIS record up to date. This proposed rule revises 22 CFR 62.2 by adding a definition for ''Valid Program Status'' as the current and accurate status of an exchange visitor's SEVIS record from the time designated sponsors issue a Form DS–2019 through the visitor's active participation in an exchange program and including the visitor's final status upon completion, cessation, graduation, termination, or other program conclusion. The definition relates to any current or future status as contained in the SEVIS record: Initial, Active, Inactive, Terminated, Transferred, Invalid, and No Show. The proposed rule also adds a definition for ''Unauthorized Employment,'' aligning it with existing U.S. Citizenship and Immigration Services (USCIS) policy language. DHS administers and enforces the Immigration and Nationality Act (INA), as amended. Other federal and state agencies rely on SEVIS data to determine compliance with laws and regulations.

When SEVIS was implemented, designated sponsors transitioned from paper files to electronic reporting. Sponsors are required under 22 CFR 62.12(a)(2) to maintain accurate, current, and updated SEVIS records. They must also ensure that program participation matches the activities described in SEVIS and listed on the Form DS–2019 (22 CFR 62.10(d)).

Sponsors must report program status violations in SEVIS. When a record does not accurately reflect an exchange visitor's program status, whether through administrative oversight, inadvertence, or neglect on the part of the sponsors, exchange visitors, or both, or due to unexpected circumstances beyond their control, the sponsor must either correct the record or request a reinstatement.

The current regulation categorizes violations into three types: (1) minor or technical infractions, (2) substantive violations, and (3) non-reinstatable violations. The proposed rule eliminates the distinction between minor or technical infractions and substantive violations, requiring that, within 30 days, sponsors fix an exchange visitor's record in SEVIS using the Correct SEVIS Status process for all but non-reinstatable violations. This proposed rule provides a simplified system to ensure data integrity by replacing the previous deadlines of 120 days for minor infractions and giving sponsors an easy way to ensure accurate SEVIS records without compromising the program or requiring Department approval. Thus, the ''Correct SEVIS Status'' action must be used when a sponsor mistakenly changes the status of an exchange visitor's SEVIS record to Active, Inactive, Terminated, Transferred, Invalid, and No Show due to administrative error, neglect, or circumstances beyond their control, or when the error is caused by system changes. The Correct SEVIS Status action must also be used if an exchange visitor fails to request a timely update, such as a transfer or program extension, causing their record to mistakenly reflect an incorrect status, or if a student fails to maintain a full course of study (as defined in § 62.2) without prior consultation with the sponsor and their academic advisor.

Sponsors will have 30 days from the date the SEVIS record went into the incorrect status to use the Correct SEVIS Status action to return SEVIS records to Active or Inactive status with no application or fee to the Department of State. There is no time limit for changing records from Invalid or Active status to Initial status if the exchange visitor has not entered the United States.

The ''Correct SEVIS Status'' action updates the status of the exchange visitor's record immediately. If the J–2 spouse and/or dependent's SEVIS record changed alongside the J–1, it will automatically update. If not, the J–2 record must be corrected separately. If a sponsor is unable to correct the SEVIS record using the 30-day window, a Reinstatement application must be submitted.

Previously, the Department would not consider requests made after 270 days, as such delays were seen as a lack of program continuity. In an effort to align with the policies provided by DHS, the Department will evaluate requests to reinstate exchange visitor records to Active status if the exchange visitor has not been out of status for more than the time period DHS has set (currently five months). If the exchange visitor has been out of status for more than the time established in DHS's policy, the Department will only consider requests where the sponsor can demonstrate that the failure to file was due to exceptional circumstances and that the request was filed as promptly as possible under those circumstances. There is no time limit for requesting a reinstatement to update a record to Inactive status.

Sponsors may not use the Correct SEVIS Status action or submit a Reinstatement application to update an exchange visitor's record to Active status if the exchange visitor:

- Did not maintain their original program objective identified under their category in 22 CFR part 62 Subpart B (Specific Program Provisions);
- Failed to maintain required insurance coverage required by 22 CFR 62.14;
- Was involuntarily suspended or terminated by sponsor or host organization;
- Received a favorable waiver recommendation under INA § 212(e);
- Received DHS approval for a change of status to a different nonimmigrant class of admission; or
- Failed to pay the fee mandated by Public Law 104–208.

Reinstatement applications must be initiated in SEVIS and followed by submission of supporting documentation within ten (10) days to the Department. Sponsors must pay a non-refundable fee (listed in 62.17) and submit a written statement on official letterhead declaring:

- The exchange visitor's continued pursuit of the original program objective;
- That the lapse was due to oversight, inadvertence, or factors beyond the control of the sponsor;
- That denial would impose unusual hardship on the exchange visitor;
- That no unauthorized employment occurred; and,
- The exchange visitor's accurate program end date.

The proposed rule relocates and updates the definition of ''Unauthorized Employment'' to § 62.2. It mirrors the language found in Volume 7, Part B, Chapter 6 of the U.S. Citizenship and Immigration Services (USCIS) Policy Manual,[1] which defines unauthorized employment as:

''[A]ny service or labor performed for an employer within the United States by an alien who is not authorized by the INA or USCIS to accept employment or who exceeds the scope or period of the alien's employment authorization.'' [2]

For purposes of this rule, unauthorized employment does not include activities that are normally approvable and appropriate for the visitor's category (*e.g.,* honoraria for scholars giving lectures or consultations).

Regulatory Analysis

Administrative Procedure Act

The Department has historically determined that rulemakings regarding the Exchange Visitor Program involve a foreign affairs function of the United States and therefore are exempt from notice and comment (5 U.S.C. 553(a)).[3] However, due to the Department's interest in seeking public comment on this rule, the Department is soliciting comments during a 60-day comment period, to which it will respond in a final rule, should the Department choose to finalize all or part of this proposal.

Unfunded Mandates Reform Act of 1995

This proposed rule will not result in expenditures of $100 million or more in any one year by State, Local, or Tribal governments, or by the private sector. It also does not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the Unfunded Mandates Reform Act of 1995.

[1] See Volume 7, Adjustment of Status, Part B, 245(a) Adjustment, Chapter 6, Unauthorized Employment (INA 245(c)(2) and INA 245(c)(8), Section A, Definitions, Subsection 1, Unauthorized Employment [7 USCIS–PM B.6(A)(1)].

[2] See 8 CFR 274a.12(a)–(c) for examples of authorized employment.

[3] Foreign governments seek to promote the ability of their foreign nationals to visit and study in the United States, and the Department of State establishes modified exchange programs pursuant to memoranda of understanding with foreign governments, based on the foreign policy needs of the United States. This practice reflects the flexibility needed for a program whose purpose is to promote the interests of the United States abroad and further ''peaceful relations between the United States and the other countries of the world.'' 22 U.S.C. 2451. In connection with that purpose, a major purpose of this rule is to protect the health, safety, and welfare of foreign nationals while they are in the United States on their programs. Failure to protect the health, safety and welfare of these foreign nationals can have direct and substantial adverse effects on the foreign affairs of the United States.

Executive Order 13175—Consultation and Coordination With Indian Tribal Governments

The Department has determined that this proposed rule does not have Tribal implications, does not impose substantial direct compliance costs on Indian Tribal governments, and does not preempt Tribal law. Accordingly, the requirements of Executive Order 13175 do not apply to this rulemaking.

Regulatory Flexibility Act/Executive Order 13272—Consideration of Small Entities

While the Department of State considers this rule exempt from the notice-and-comment provisions of 5 U.S.C. 553, and thus not subject to the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) or Executive Order 13272, we are nonetheless providing an assessment of the potential burden on small entities.

Terminations: The Department estimates that approximately 1,400 designated sponsors operate under the Exchange Visitor Program. The Department anticipates the benefits resulting in changes to the termination of program section will significantly strengthen operational transparency and effectiveness without imposing additional economic burdens on sponsors or exchange visitors, ultimately advancing the program's foreign policy objectives. Any changes resulting from this proposed rule impose no new net regulatory costs. Expenses related to an exchange visitor submitting a statement of opposition and the review process conducted by the Deputy Assistant Secretary for Private Sector Exchange are expected to be minimal and rare.

Analysis of Fee Impact for Extensions: Under the existing regulations, designated sponsors must obtain Department approval for program extensions that exceed the maximum duration allowed for a specific Exchange Visitor Program category. This process requires Department resources for review and adjudication. The fee associated with this request is designed to cover these administrative costs.

The current fee for filing an application for specific exchange visitor status changes is $367 per application (22 CFR 62.17(b)(2)). Based on program data provided for 2022 through 2024, the Department processed an average of approximately 14,563 ''Program Extension beyond Maximum Duration'' requests annually (calculated from 43,690 requests over three years). Applying the $367 fee results in an estimated total annual cost recovery of approximately $5,344,871 (14,563 requests * $367/request). This cost reflects the Department resources required to act on these requests, which involves verifying the justification for the extension against program regulations and participant eligibility. Unlike the reinstatement fee discussed previously (which designated sponsors can potentially avoid by maintaining timely updates to their records in SEVIS), this fee is required whenever a sponsor seeks an extension for an exchange visitor beyond the standard maximum program duration permitted by regulations for a category, necessitating Department review. The fee per request affects all designated sponsors submitting such requests, including small entities. The estimated total annual cost across all designated sponsors is noteworthy (~$5.34 million), driven by the high volume of extension requests (~14,563 annually).

Unlike the reinstatement fee, which applies to a much smaller volume of requests and may be avoidable, the extension fee applies to a more common request. While the cost per individual request may not be significant, substantial cumulative costs arise from numerous extension requests. The Department also acknowledges that the number of extension requests has remained relatively consistent from 2022 to 2024, with a nominal increase in requests in 2024 compared to the prior year. The Department cannot forecast how the volume of these requests may change in the coming years.

Benefits: A primary benefit of the fee is cost recovery for the U.S. Government, ensuring that the administrative costs associated with processing these requests are borne by the entities requesting the service rather than the public or appropriated funds. The fee also implicitly underscores the nature of extensions beyond the maximum duration, which still represents a relatively small proportion of the total exchange visitor population annually.

Conclusion: Based on recent data, the established fee for Program Extension beyond Maximum Duration requests, which is applied to an average of approximately 14,563 requests annually, results in an estimated cost recovery of approximately $5.34 million annually. This fee allows the Department of State to cover the administrative expenses associated with providing the necessary services for these specific extension requests made by designated sponsors on behalf of exchange visitors.

Analysis of Fee Impact for Reinstatements: Available data shows that only 21 formal reinstatement requests were submitted in 2024. Preparing an extension or reinstatement request typically requires 1 hour of administrative time, resulting in an estimated total annual cost of approximately $2,100 for all affected sponsors combined. This low volume and minimal administrative burden support the Department's determination that the economic impact of this rule on small entities is minimal.

The rule codifies existing SEVIS procedures, such as Correct SEVIS Status, that allow sponsors to fix most issues without Department intervention or fees. Fees only apply when designated sponsors fail to take timely action and reinstatement is necessary to correct SEVIS records.

The rule is structured to promote preventative compliance: sponsors who maintain accurate and timely SEVIS records will not incur new fees. This helps reduce the financial burden, particularly for smaller sponsors with limited resources.

This rule is also consistent with Executive Order 14192, Unleashing American Prosperity Through Deregulation, as it imposes no new net regulatory costs and codifies existing operational practices. The primary direct cost is the non-refundable fee for submitting reinstatement requests to the Department. This fee has consistently remained at $367 per application, as specified in the Exchange Visitor Program regulations at 22 CFR 62.17(b)(2). Program data from 2022 to 2024 indicates that the Department processed an average of 155 reinstatement requests annually (calculated from 465 requests over three years). Consequently, the estimated annual cost to designated sponsors for processing these requests totals $56,885 (155 requests * $367/request).

This proposed rule highlights the significance of quantifying costs and benefits, minimizing administrative burdens, aligning regulations, encouraging flexibility, promoting sponsor independence, and fostering self-reliance. The rule emphasizes the use of SEVIS, enabling designated sponsors to resolve many common record issues directly. This is expected to alleviate administrative burdens and save designated sponsors time when handling routine corrections. However, if designated sponsors fail to update records directly in SEVIS within designated timeframes, the sponsors must initiate the Reinstatement request in SEVIS and pay the non-refundable fee established under 22 CFR 62.17(b)(2). Reinstatement requests require review and processing by the

Department of State. The cost per sponsor will significantly depend on the number of reinstatement applications sponsors submit annually due to not utilizing the corrective actions available in SEVIS that do not require prior Department approval. Given the relatively low total number of these specific applications requiring Department involvement among approximately 1,400 designated sponsors, along with the general preventability of such requests through timely actions in SEVIS, the Department believes that the fee is unlikely to impose a *significant* economic impact on a *substantial* number of designated sponsors. A more detailed analysis comparing potential costs to designated sponsors' revenues would require data on sponsor size distribution and reinstatement request frequency by size, which is not currently available.

The Department recognizes that SEVIS functionality has evolved since it was first implemented in 2003. This rule reflects those developments and aligns the regulatory framework with current sponsor responsibilities and technological capabilities. To ensure clear and consistent program compliance, the Department intends to review and update relevant sponsor guidance as SEVIS tools continue to advance.

The regulations outline streamlined procedures (Correct SEVIS Status) that allow designated sponsors to address many record issues directly in SEVIS within specified timeframes without requiring Department intervention or a fee. The annual estimate reflects the expenses incurred by designated sponsors who seek Department action rather than a rise in costs for designated sponsors using SEVIS as intended. Furthermore, the Department acknowledges that reinstatement requests declined yearly from 2022 to 2024. As such, the Department of State does not make projections regarding potential changes in the number of requests in the coming years.

Benefits: The primary benefits include: (1) Increased efficiency and reduced administrative burden for designated sponsors managing routine record corrections in SEVIS; (2) Enhanced accuracy and timeliness of SEVIS data, resulting from streamlined correction processes and the incentive structure established by the fee, which supports program administration and oversight; (3) Cost recovery for Department resources utilized to resolve more complex reinstatement cases that exceed standard corrections; (4) Clear regulatory standards for designated sponsors regarding record maintenance and corrections; and, (5) Indirect benefits for exchange visitors, of resolving their status issues more efficiently, in contrast to potential adverse impacts on exchange visitors if designated sponsors fail to correct records promptly.

Conclusion: The Department of State believes the proposed approach maximizes net benefits. The anticipated advantages—including enhanced sponsor efficiency, improved SEVIS data integrity, clearer regulatory standards, Department cost recovery, and potentially quicker resolutions for exchange visitors—are expected to outweigh the potential costs associated with the fee for reinstatement requests, which require direct Department involvement.

Executive Orders 12866 and 13563—Regulatory Planning and Review

The Office of Information and Regulatory Affairs has determined that this proposed rule is significant within the meaning of section 3(f) of Executive Order 12866. The Department has reviewed this proposed rule to ensure consistency with the principles of cost-effectiveness, clarity, and regulatory flexibility described in these Executive Orders.

In 2024, over 1,700 individual exchange visitor records were terminated. The top reasons were for breaking sponsor rules or regulations (975), failure to continue program activities (300), disciplinary reasons or criminal convictions (90), engaging in unauthorized employment (30), and reasons listed as ''other'' (450). The proposed modernization of 22 CFR 62.40 strengthens program administration by allowing for efficient electronic recording, tracking, and documentation of termination decisions, resulting in greater accuracy and timeliness of data while supporting proactive compliance monitoring. The new regulations also provide sponsors and exchange visitors with increased operational and regulatory clarity, while formalizing the Department's discretionary authority in the exchange visitor termination process through the introduction of defined procedural requirements. There are no new costs involved for updating the functionality in the SEVIS database. Sponsors shall continue the same monitoring and documentation of exchange visitors as is already expected. Exchange visitors who are terminated by the Department will be accorded the right to challenge the Department's termination.

Executive Order 12988—Civil Justice Reform

The Department of State has reviewed this proposed rule in accordance with Sections 3(a) and 3(b)(2) of Executive Order 12988. The rule is written to minimize ambiguity, reduce litigation, and establish clear legal standards.

Executive Orders 12372 and 13132—Federalism

The Department has determined that this proposed rule does not have substantial direct effects on the states, on the relationships between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. In accordance with Section 6 of Executive Order 13132, the rule does not have sufficient federalism implications to require consultation or preparation of a federalism summary impact statement. Executive Order 12372, which governs intergovernmental review of federal programs, does not apply to this regulation.

Paperwork Reduction Act

Under the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), agencies must obtain approval from the Office of Management and Budget (OMB) for any new collection of information. This proposed rule does not impose any new reporting or recordkeeping requirements on sponsors, and therefore, does not require approval under the PRA.

List of Subjects in 22 CFR Part 62

Cultural exchange programs, Reporting and recordkeeping requirements.

Accordingly, 22 CFR part 62 is proposed to be amended to read as follows:

PART 62—EXCHANGE VISITOR PROGRAM

■ 1. The authority citation for 22 CFR Part 62 is revised to read as follows:

Authority: 8 U.S.C. 1101(a)(15)(J), 1182, 1184, 1258; 22 U.S.C. 1431–1442, 2451 *et seq.;* 22 U.S.C. 2451; Foreign Affairs Reform and Restructuring Act of 1998, Pub. L. 105–277, Div. G, 112 Stat. 2681 *et seq.;* Reorganization Plan No. 2 of 1977, 3 CFR, 1977 Comp., p. 200; E.O. 12048 of March 27, 1978, 3 CFR, 1978 Comp., p. 168; Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996, Pub. L. 104–208, Div. C, 110 Stat. 3009–546, as amended; USA PATRIOT Act, Pub. L. 107–56, sec. 416, 115 Stat. 354; Enhanced Border Security and Visa Entry Reform Act of 2002, Pub. L. 107–173, 116 Stat. 543.

§ 62.2 [Amended]

■ 2. Section 62.2 is amended to add the following definitions, in alphabetical order:

Unauthorized employment: Any service or labor performed for an employer within the United States by foreign nationals who are not authorized by the Immigration and Nationality Act or the U.S. Citizenship and Immigration Services to accept employment, or who exceed the scope or period of their employment authorization. This definition also applies to accompanying J–2 spouses and/or dependents who perform such labor without prior Department of Homeland Security authorization.

Valid program status: The current and accurate status of an exchange visitor's SEVIS record from the time designated sponsors issue a Form DS–2019 through the visitor's active participation in an exchange program and including the visitor's final status upon completion, cessation, graduation, termination, or other program conclusion.

§ 62.31 [Amended]

■ 3. Remove and reserve paragraph (o).

■ 4. Amend § 62.40 by revising it to read as follows:

§ 62.40 Termination of program participation.

(a) A sponsor must terminate an exchange visitor's participation in his or her program when the exchange visitor:

(1) Fails to pursue the activities for which he or she was admitted to the United States;

(2) Is unable to continue the program unless otherwise exempted pursuant to these regulations;

(3) Violates the sponsor's rules governing the program, if, in the sponsor's discretion after reviewing Department of State guidance, termination is warranted;

(4) Fails to maintain the insurance coverage required under § 62.14 of these regulations; or

(5) Falsifies or fails to provide full and truthful response, information, or documents as part of his or her application or ongoing program.

(b) The Department of State may terminate an exchange visitor's participation in his or her program when:

(1) The Department of State or the Department of Homeland Security has revoked or canceled the exchange visitor's visa with immediate effect;

(2) An exchange visitor engages in unauthorized employment; or

(3) An exchange visitor falsifies or fails to provide full and truthful response, information, or documents as part of his or her application or ongoing program.

(c) Upon a finding of any of the acts set forth at paragraph (b)(2) or (3) of this section, the Office of Private Sector Exchange shall serve an exchange visitor with not less than thirty (30) days written notice of intent to terminate an exchange visitor's participation in his or her program. Such notice must specify the grounds for the proposed termination and its effective date, advise the exchange visitor that he or she may oppose the termination, and identify the procedures for submitting a statement of opposition thereto.

(d) Within ten (10) days after service of such written notice of intent to terminate, the exchange visitor may submit a statement in opposition to the proposed termination to the Deputy Assistant Secretary for Private Sector Exchange (Deputy Assistant Secretary). Exchange visitors may not appeal on the basis of hardship or other equitable considerations.

(e) The submission of such statement will stay the effective date of the proposed termination pending the decision of the Deputy Assistant Secretary.

(f) Upon consideration of such statement, the Deputy Assistant Secretary will issue a written decision confirming or withdrawing the proposed termination. The decision of the Deputy Assistant Secretary is not subject to administrative appeal.

■ 5. Amend § 62.43 by revising it to read as follows:

§ 62.43 Extension of program

(a) Extension within the maximum duration.

(1) Sponsors may extend an exchange visitor's participation in the Exchange Visitor Program through SEVIS up to the maximum permissible period of participation authorized for his or her specific program category.

(2) A sponsor that extends an exchange visitor's program must:

(i) Issue the exchange visitor a duly executed Form DS–2019 reflecting the extension; and

(ii) Where the new program end date exceeds the exchange visitor's fixed period of admission, issue the Form DS–2019 before the exchange visitor applies for an extension of stay with the Department of Homeland Security.

(b) Extension beyond the maximum duration.

(1) The sponsor seeking a program extension on behalf of an exchange visitor in excess of that authorized for his or her specific category of participation must:

(i) Submit their extension request through SEVIS and email supporting documentation to the Department of State no later than three months prior to the beginning of the desired extension period for the exchange visitor;

(ii) Include proof of payment of the required non-refundable extension fee as set forth in § 62.17; and

(iii) Adequately document the reasons which justify such extension.

(2) For au pairs, sponsors may submit applications to the Department of State for extensions of six, nine, or 12 months and must include the following additional supporting documentation on the sponsor's organizational letterhead:

(i) Au pair's name, SEVIS identification number, date of birth, the length of the extension period being requested; and,

(ii) Verification that the au pair completed the educational requirements of the initial program.

(3) Upon Department of State approval, a sponsor that extends an exchange visitor's program must:

(i) Issue the exchange visitor a duly executed Form DS–2019 reflecting the extension; and

(ii) Where the new program end date exceeds the exchange visitor's fixed period of admission, issue the Form DS–2019 before the exchange visitor applies for an extension of stay with the Department of Homeland Security.

■ 6. Revise § 62.45 by amending it to read as follows:

§ 62.45 Reinstatement to valid program status.

(a) Maintain valid program status. Designated sponsors must maintain current and accurate SEVIS records. Failure to maintain an exchange visitor's valid program status may negatively affect that individual's ability to enter or remain in the United States. The Department of State may determine that a sponsor's failure to maintain valid program status endangers the welfare of the exchange visitor or U.S. national security. Sponsors must use one of the correction options outlined in this section to restore valid program status when necessary.

(b) Correct SEVIS status.

(1) Sponsors must use the ''Correct SEVIS Status'' action to address incorrect record statuses resulting from administrative oversight, inadvertence, or circumstances beyond the control of either the sponsor or exchange visitor.

(2) Sponsors will have 30 days from the status change date to use this action to return SEVIS records to Active or Inactive status. Under this provision, sponsors can only correct Terminated records if the sponsor initiates the

termination. After 30 days from the status change, a reinstatement application is required.

(3) Sponsors must also use this action to change records from Active or Invalid status to Initial status if the exchange visitor has not entered the United States. There is no time limit for using this action if the Form DS–2019 has not been used for entry.

(c) Reinstatements.

(1) If sponsors cannot correct the status of the SEVIS record using the action above within the permitted 30-day timeframe, they must request a formal reinstatement from the Department of State.

(2) The Department of State will evaluate requests to reinstate exchange visitor records to Active status if submitted within the time period consistent with DHS policies (currently five months). Alternatively, if the sponsor can demonstrate that the failure to file was due to exceptional circumstances and that the request was filed as promptly as possible under those circumstances, the Department may consider the request. There is no time limit for requesting a reinstatement to update a record to reflect Inactive status.

(3) Sponsors must initiate the reinstatement application in SEVIS and, within 10 calendar days, email the Department of State the following:

(i) A signed statement on sponsor letterhead, including:

(A) That the exchange visitor is pursuing or intended to pursue their original activity;

(B) That the lapse was due to oversight, inadvertence, or circumstances beyond the control of the sponsor;

(C) That denial would cause unusual hardship to the exchange visitor;

(D) That no unauthorized employment occurred; and,

(E) The exchange visitor's accurate program end date.

(ii) A copy of the *pay.gov* receipt and I–901 repayment proof;

(iii) A copy of the exchange visitor's Form I–94, visa, and passport; and

(iv) Any other supporting documentation deemed necessary.

(4) Notification of Decision. The Department of State will notify sponsors of its decision. If approved, the SEVIS record will be updated, and an automated email will be sent to the sponsor. The sponsor should issue an updated Form DS–2019 to the exchange visitor reflecting the change. If denied, the sponsor will receive an email explaining the reason(s) for the denial.

(5) The Department of State will not consider reinstatement requests to Active status if the exchange visitor:

(i) Did not maintain their original program objective;

(ii) Failed to maintain required insurance coverage required by 22 CFR 62.14;

(iii) Engaged in unauthorized employment;

(iv) Was involuntarily suspended or terminated by sponsor or host site;

(v) Received a favorable waiver recommendation under INA § 212(e);

(vi) Received DHS approval for a change of status to a different nonimmigrant class of admission; or

(viii) Failed to pay the fee mandated by Public Law 104–208.

(e) Failure to maintain valid program status. Sponsors must routinely monitor and update SEVIS records. A sponsor's failure to take appropriate action using the correction of SEVIS status or reinstatement processes may be considered a violation of 22 CFR 62.13 (Notification requirements).

Rebecca A. Pasini,

Deputy Assistant Secretary, Bureau of Educational and Cultural Affairs, U.S. Department of State.

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EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

29 CFR Part 1602

RIN 3046–AB37

Removal of Reporting Requirements; Public Hearing

AGENCY: Equal Employment Opportunity Commission.

ACTION: Proposed rule; public hearing.

SUMMARY: The Equal Employment Opportunity Commission has scheduled a public hearing to gather information and hear public comment on its proposed rulemaking—Rescission of EEO Reports (EEO–1, EEO–2, EEO–3, EEO–4, EEO–5, EEO–6) and related recordkeeping and record preservation requirements.

DATES: Tuesday, August 11, 2026, 10:00 a.m.–12:00 p.m. Eastern Time.

ADDRESSES: 131 M Street NE, Washington, DC 20507, Jacqueline A. Berrien Training Center. The hearing also may be observed as a listen-only audio. The public may attend in person or connect to the audio-only by following the instructions that will be posted on *www.eeoc.gov* at least 24 hours before the meeting. Due to technical limitations, those attending by audio-only will not be able to offer comments. ASL services will be available for those attending the meeting in person and a closed captioning link will be posted on our website prior to the meeting. A transcript of the hearing will be made available on the agency's website thereafter.

If you wish to attend the meeting in person, you must email *commissionmeetingcomments@eeoc.gov* to register by providing your name as it appears on your driver's license or other government-issued identification at least 24 hours prior to the meeting. You will be asked to show your ID upon arrival. If you additionally wish to speak at the hearing, please follow the instructions provided in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Raymond Windmiller, Executive Officer, Executive Secretariat, (202) 921–2705. Requests for this document in an alternative format should be made to the Office of Communications and Legislative Affairs at 202–921–3191 (voice), 1–800–669–6820 (TTY), or 1–844–234–5122 (ASL video phone).

SUPPLEMENTARY INFORMATION: On July 23, 2026, the Equal Employment Opportunity Commission (EEOC) published a notice of proposed rulemaking (NPRM), proposing to rescind and remove the requirements on certain employers and other entities to file workforce data reports to the EEOC contained at 29 CFR part 1602, and proposing to remove the recordkeeping and record preservation requirements related to those reports. 91 FR 46332. The July 23, 2026 document invited public comments on the NPRM.

Section 709(c) of title VII of the Civil Rights Act also requires that, before imposing any new or changed recordkeeping or reporting requirements it deems ''reasonable, necessary, or appropriate for the enforcement'' of title VII, the Commission must hold a public hearing. 42 U.S.C. 2000e–8(c). Accordingly, the July 23, 2026 NPRM sets a hearing date for August 11, 2026, at 10 a.m. (Eastern).

Persons wishing to speak at the hearing must submit a written request to the EEOC of their desire to do so by August 7, 2026, with their contact information and a written summary of the remarks to be offered. Written requests to speak at the hearing must be submitted to the EEOC via one of the methods outlined in the July 23, 2026, NPRM. Because of time limitations, not all interested persons may be able to testify at the hearing, but the Commission will consider all written statements submitted regardless. You will be notified by close of business