body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action of establishing RNAV Route T–581 in the vicinity of Missoula, Montana, qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321, *et seq.*) and in accordance with FAA Order 1050.1G, *FAA National Environmental Policy Act Implementing Procedures,* paragraph B–2.5(a) which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points); and paragraph B–2.5(i), which categorically excludes from further environmental impact review the establishment of new or revised air traffic control procedures conducted at 3,000 feet or more above ground level (AGL); procedures conducted below 3,000 feet AGL that do not cause traffic to be routinely routed over noise sensitive areas; modifications to currently approved procedures conducted below 3,000 feet AGL that do not significantly increase noise over noise sensitive areas; and increases in minimum altitudes and landing minima. As such, this action is not expected to result in any potentially significant environmental impacts. The FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11K, Airspace Designations and Reporting Points, dated August 4, 2025, and effective September 15, 2025, is amended as follows:

Paragraph 6011 United States Area Navigation Routes

T–581 MISSOULA, MT (MSO) TO KALISPELL, MT (FCA) [NEW]

Missoula, MT (MSO)	VOR/DME	(Lat. 46°54′28.68″ N, long. 114°05′01.15″ W)
SULFY, MT	FIX	(Lat. 47°07′27.30″ N, long. 114°06′00.88″ W)
ARLEE, MT	FIX	(Lat. 47°08′27.42″ N, long. 114°05′59.11″ W)
Kalispell, MT (FCA)	VOR/DME	(Lat. 48°12′50.77″ N, long. 114°10′33.21″ W)

* * * * *

Issued in Washington, DC, on July 30, 2026.

Alex W. Nelson,

Manager, Rules and Regulations Group.

[FR Doc. 2026–15675 Filed 7–31–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF STATE

22 CFR Part 41

[Public Notice: 13089]

RIN 1400–AG33

Visas: Visa Bond Program

AGENCY: Department of State.

ACTION: Final rule.

SUMMARY: This rule finalizes the temporary final rule that went into effect on August 20, 2025, which launched a 12-month long Visa Bond Pilot Program (Pilot Program), and establishes a permanent visa bond program. An alien applying for a visa as a temporary visitor for business or pleasure (B–1/B–2) may be required to submit a bond (''visa bond'') to ensure that the alien maintains his or her nonimmigrant status and departs as required. Consular officers may require covered nonimmigrant visa applicants to post a bond of up to $20,000 as a condition of visa issuance, as determined by the consular officers.

DATES: This final rule is effective August 3, 2026.

FOR FURTHER INFORMATION CONTACT: Visa Services Office, Bureau of Consular Affairs, Department of State; telephone (202) 485–7611, *VisaRegs@state.gov.*

SUPPLEMENTARY INFORMATION:

I. Summary

This final rule amends 22 CFR part 41 to make permanent a Visa Bond Program (''Program'') under section 221(g)(3) of the Immigration and Nationality Act, as amended (INA), 8 U.S.C. 1201(g)(3), which authorizes consular officers to require the posting of a bond by an alien applying for, and otherwise eligible to receive, a business visitor/tourist (B–1/B–2) visa [1] ''to insure that at the expiration of the time for which such alien has been admitted . . . or upon failure to maintain the status under which [the alien] was admitted, or to maintain any status subsequently acquired under [INA Section 248, 8 U.S.C. 1258], such alien will depart from the United States.''

The 2025 visa bond pilot,[2] which provided a framework for the Department of State, the Department of Homeland Security, and the Department of the Treasury to assess the feasibility of administering a visa bond program, has provided sufficient data to suggest that a visa bond program is an effective tool for enforcing compliance among bonded visa holders. The Immigration and Naturalization Service Data Management Improvement Act of 2000 mandated the implementation of an

[1] For purposes of this rulemaking, ''B1/B2 visa'' refers to a business visitor (B–1) visa, tourist (B–2) visa, or combined business visitor/tourist (B–1/B–2) visa.

[2] **Federal Register**, Visa Bond Pilot Program, 90 FR 37378 (Aug. 5, 2025), *https://www.federalregister.gov/documents/2025/08/05/2025-14826/visas-visa-bond-pilot-program.*

integrated entry and exit data system with annual reports to Congress including, among other information, ''the number of aliens who arrived pursuant to a nonimmigrant visa . . . for whom no matching departure data have been obtained through the system or through other means as of the end of the alien's authorized period of stay, with an accounting by the alien's country of nationality and date of arrival in the United States.'' [3] A review of these reports going back over a decade demonstrates that hundreds of thousands of nonimmigrant visitors fail to timely depart in accord with the terms of their visitor visas.

This Program responds to Executive Order 14159, ''Protecting the American People Against Invasion,'' which directs the Secretary of the Treasury, in coordination with the Secretaries of State and Homeland Security, to ''establish a system to facilitate the administration of all bonds'' under the provisions of the INA.[4] Under the Program, as discussed further below, visa bonds may be required from certain business/pleasure (B–1/B–2) visa applicants who are nationals of countries with high overstay rates, deficient information sharing, insufficient identity verification and criminal records, and that need improvement in the area of screening and vetting and the security of travel and civil documents, including in the granting of citizenship. The Department will announce the covered countries via *https://www.travel.state.gov* no fewer than 15 days before the Program takes effect, and this list may be amended on a rolling basis, with 15 days from announcement to enactment for any countries added and with immediate effect for any countries removed from the list. Nationals of countries that are subject to a visa bond requirement under the Visa Bond Pilot Program will continue to be subject to a visa bond requirement pursuant to this rule on its effective date. The countries may be modified on a rolling basis, with removal effective immediately upon the removal date.

DHS regulations at 8 CFR 103.6 provide for the posting, processing, and cancellation of such visa bonds. However, the Secretary of Homeland Security delegated the authority to the employees of the Department of State, as designated by the Secretary of State, to perform duties related to the acceptance and processing of these bonds.[5] The Secretary of State consents to Department of State employees performing duties related to the acceptance and processing of visa bonds as described in this final rule. The Departments of State, Homeland Security, and Treasury will be involved in the process of collecting, holding, cancelling, and returning all monies associated with this Program.

II. Purpose of This Rule

The Department is publishing this final rule to amend its regulations to implement a permanent Visa Bond Program, including: (1) the criteria for identifying visa applicants who will be required to post visa bonds; (2) three levels for the amount of the bond, with the level to be selected by the consular officer based on an alien's individual circumstances; (3) how covered countries will be announced; and (4) certain terms and conditions applicable to visa bonds. Executive Order 14159 directs Treasury, in coordination with DHS and the Department, to take all appropriate action to implement a visa bond program. The Pilot Program helped the Department assess the operational feasibility of posting, processing, and discharging visa bonds, in coordination with Treasury and DHS, for the purpose of ensuring the legally required departure of an alien from the United States as described in Section 221(g)(3) of the INA. As a result of the Pilot Program, the Department has determined the bonds' efficacy in reducing visa misuse and overstays, and will continue use of visa bonds to address the national security and foreign policy priorities articulated in Executive Order 14159, which directs the Secretary of the Treasury, in coordination with the Secretary of State and the Secretary of Homeland Security, ''to establish a system to facilitate the administration of all bonds that the Secretary of State or the Secretary of Homeland Security may lawfully require to administer the provisions of the INA.'' [6]

III. Background

A. Foreign Policy Justification

By its design and intention, the Program is a tool of diplomacy, intended to encourage foreign governments to take immediate action to reduce the overstay rates by encouraging their nationals to comply with U.S. immigration laws, improve information sharing to address insufficient identity verification and criminal records, and to encourage countries to improve screening and vetting and the security of travel and civil documents, including in the granting of citizenship. As such, the rule properly is described as a key pillar of the President's foreign policy to protect the United States from the clear national security threat posed by visa overstays and deficient screening and vetting.

The Secretary of State determined in *Public Notice 12682* [7] that securing America's borders and protecting its citizens from external threats is the first and highest priority of the foreign affairs function of the United States.[8] This effort requires the United States to marshal all available resources and authorities in support of securing the borders of the United States, including removing individual aliens who remain in the United States unlawfully. As explained by Executive Order 14159, ''Many of these aliens unlawfully present in the United States present significant threats to national security and public safety. Others are engaged in hostile activities, including espionage, economic espionage, and preparations for terror-related activities. [T]heir presence in the United States has cost taxpayers billions of dollars at the Federal, state, and local levels.'' This rule addresses the President's call to protect the American people by faithfully executing the immigration laws of the United States.

DHS produces annual reports containing nonimmigrant overstay data. In the DHS FY 2024 Entry/Exit Overstay Report, DHS data indicated there were over 480,000 ''Suspected In-Country Overstays'' [9] (*i.e.,* aliens who remained in the country past the end of their authorized stays and had yet to depart the country) among nonimmigrants

[3] Section 2(a) of the Immigration and Naturalization Service Data Management Improvement Act of 2000, Public Law 106–215, 114 Stat. 337 ((June 15, 2000). As explained in the Congressional Record for May 25, 2000, section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), Public Law 104–208, div. C, 110 Stat. 3009–546, mandated an automated entry-exit control system with collection of data related to individuals who overstayed their authorized stay. The legislative effort from 2000 provided the former Immigration and Naturalization Service (INS) additional time to carry out the mandated entry-exit data collection in order to carry out the purpose of section 110 of the IIRIRA, which was to track individuals who overstay their authorized period of admission in the United States.

[4] 90 FR 8443 (published Jan. 29, 2025), *https://www.federalregister.gov/documents/2025/01/29/2025-02006/protecting-the-american-people-against-invasion.*

[5] *See* 8 U.S.C. 1103(a)(6); 8 CFR 2.1.

[6] 90 FR at 8446.

[7] *See* Determination: Foreign Affairs Function of the United States, 90 FR 12200 (Mar. 14, 2025).

[8] *See, e.g.,* Executive Orders 14150, 14157, 14160, 14161, 14165.

[9] *See* DHS, Fiscal Year 2024 Entry/Exit Overstay Report, *https://www.dhs.gov/publication/entryexit-overstay-report.*

admitted through air or sea ports of entry.[10] The Department's review of DHS nonimmigrant reports, which have been regularly published since 2015, indicates that the average number of aggregated annual overstays is typically in the hundreds of thousands, with several countries having significant numbers or percentages of individual aliens who are believed to have overstayed their authorized period of admission as nonimmigrants.[11] Furthermore, the total number of annual overstays among foreign nationals admitted to the United States at an air or sea port of entry as nonimmigrant visitors for business or pleasure on a B–1 or B–2 visa, excluding travelers from Mexico, Canada, and Visa Waiver Program (VWP) participating countries,[12] has fluctuated in recent years, based on statistics published by DHS. For fiscal years beginning in 2015, DHS has published an ''Entry/Exit Overstay Report'' with a broad range of statistics relating to ''overstays,'' which DHS defines, for purposes of these reports, as ''a nonimmigrant who was lawfully admitted to the United States for an authorized period but stayed in the United States beyond [his or her] authorized admission period.'' [13] As explained in the report, if a nonimmigrant timely applies for an extension of the authorized period of admission or applies to change or adjust status, the authorized period of admission may be extended, thereby avoiding being counted as overstay. The reports for fiscal years 2015 through 2024 include statistics on foreign nationals who entered the United States at an airport or sea port of entry on a B–1 or B–2 visa, excluding travelers from Mexico, Canada, and VWP participating countries. For fiscal year 2019, DHS reported a total of 320,086 overstays among this category of nonimmigrant visitors, including ''out-of-country'' overstays (*i.e.,* those who departed after their authorized period of admission but before the end of FY 2019) and in-country overstays (*i.e.,* those who remained in the United States at the end of FY 2019).[14] The number of such overstays fluctuated during and after the COVID pandemic, rising from 352,748 for FY 2020,[15] to 504,636 for FY 2022,[16] and then decreasing in subsequent years with 314,111 for FY 2023, and 269,382 for FY 2024.[17]

The reports indicate that countries which are members of the VWP have substantially lower visa overstay rates in the United States. For fiscal year 2019, DHS reported a total of 102,505 overstays among nationals of VWP countries who entered the United States at an airport or sea port of entry including ''out-of-country'' overstays and in-country overstays.[18] This is a total overstay rate of 0.44 percent, compared to the 2.06 percent total overstay rate for non-VWP travelers.[19] The number of such overstays slightly fluctuated during and after the COVID pandemic, rising to 104,621 for FY 2020,[20] falling to 97,632 for FY 2022,[21] rising to 99,460 for FY 2023,[22] and falling to 93,079 for FY 2024.[23]

By focusing the Program on certain non-VWP countries with high overstay rates, deficient information sharing, and insufficient identity verification and criminal records, the Department sends a message to all countries to reduce overstay rates by encouraging their nationals to comply with U.S. immigration laws, and to encourage countries to improve screening and vetting and the security of travel and civil documents, including in the granting of citizenship.

B. Legal Framework Underlying the Program

As detailed below, the INA grants, and Department regulations implement, consular officer authority to require bonds in appropriate circumstances. Although, historically, as a matter of policy, consular officers have not been instructed to exercise their authority and require bonds, a fresh review of DHS entry-exit data has been compiled since 2015, and pursuant to authorities set forth in 1996 by the Illegal Immigration Reform and Immigrant Responsibility Act, amended by the Immigration and Naturalization Service Data Management Improvement Act of 2000, and viewed in conjunction with E.O. 14159 and Public Notice 12682, the Department has revisited this historical guidance and determined that it is feasible to use visa bonds to address the significant foreign policy and national security threats presented by the hundreds of thousands of annual nonimmigrant visitor overstays. This approach is informed by the success of the Visa Bonds Pilot Program, in which consular officers required bonds as a condition of issuance for applicants from named countries, and saw a significant increase in compliance from visa bonded travelers as compared with prior years' travel without bonds. As described below, the overall number of overstays from designated countries has dropped significantly.

1. INA Provisions

Section 221(g)(3) of the INA, 8 U.S.C. 1201(g)(3), authorizes consular officers to require the posting of a bond by an alien applying for, and otherwise eligible to receive, a business/tourist (B–1/B–2) visa ''to insure that at the expiration of the time for which such alien has been admitted . . . or upon failure to maintain the status under which [the alien] was admitted, or to maintain any status subsequently acquired under [INA Section 248, 8 U.S.C. 1258], such alien will depart from the United States.'' INA Section 221(g)(3), 8 U.S.C. 1201(g)(3), implicitly recognizes that there is no guarantee that an alien will depart in a timely fashion, even when an applicant is found otherwise eligible for the visa. Consequently, the same INA section contemplates that it may be appropriate

[10] ''Fiscal Year 2024 Entry/Exit Overstay Report'' prepared by DHS and submitted to Congress pursuant to Section 2(a) of the Immigration and Naturalization Service Data Management Improvement Act of 2000, Public Law 106–215, 114 Stat. 337 (June 15, 2000) (DHS FY 2024 Entry/Exit Overstay Report), found at *https://www.dhs.gov/publication/entryexit-overstay-report.* In the Report, DHS further explained that by the end of February 2025, the number of Suspected In-Country Overstays for FY 2024 decreased to 427,204, due to departures and adjustments of status by aliens in that population. The report explains that overstay statistics reported do not take into account diplomats and other representatives, crewmembers, aliens in transit, and section 1367 special-protected classes, because they have ''unspecified authorized periods of stay and legal protections.'' DHS FY 2024 Entry/Exit Overstay Report at Section III(C).

[11] *See* historical listing of DHS Entry/Exit Overstay Reports from 2015 to 2024, *https://www.dhs.gov/publication/entryexit-overstay-report.*

[12] The Visa Waiver Program is described in INA 217, 8 U.S.C. 1187.

[13] DHS Fiscal Year 2023 Entry/Exit Overstay Report, *https://www.dhs.gov/publication/entryexit-overstay-report* (*DHS FY 2023 Overstay Report*), at Section III(C).

[14] *Id.* at page 14, Table 2.

[15] DHS Entry/Exit Overstay Report for Fiscal Year 2020, *https://www.dhs.gov/publication/entryexit-overstay-report,* at page 14, Table 1.

[16] DHS Entry/Exit Overstay Report for Fiscal Year 2022, *https://www.dhs.gov/publication/entryexit-overstay-report,* at page 12, Table 1.

[17] DHS Entry and Exit Overstay Report for Fiscal Year 2023, *https://www.dhs.gov/publication/entryexit-overstay-report,* at page 10, Table 1.

[18] DHS Entry/Exit Overstay Report for Fiscal Year 2019, *https://www.dhs.gov/publication/entryexit-overstay-report,* at page 13, Table 1.

[19] *Id.* at page 13, Table 1.

[20] DHS Entry/Exit Overstay Report for Fiscal Year 2020, *https://www.dhs.gov/publication/entryexit-overstay-report,* at page 14, Table 1.

[21] DHS Entry/Exit Overstay Report for Fiscal Year 2022, *https://www.dhs.gov/publication/entryexit-overstay-report,* at page 12, Table 1.

[22] DHS Entry and Exit Overstay Report for Fiscal Year 2023, *https://www.dhs.gov/publication/entryexit-overstay-report,* at page 10, Table 1.

[23] DHS Entry/Exit Overstay Report for Fiscal Year 2024, *https://www.dhs.gov/publication/entryexit-overstay-report,* at page 11, Table 1.

to require a bond when an applicant is otherwise eligible for a visa.[24]

2. Applicable Regulations

Regulations regarding visa bonds include 22 CFR 41.11(b)(2), which provides that, ''[i]n a borderline case in which an alien appears to be otherwise entitled to receive a visa under INA 101(a)(15)(B) or (F) but the consular officer concludes that the maintenance of the alien's status or the departure of the alien from the United States as required is not fully assured, a visa may nevertheless be issued upon the posting of a bond with the Secretary of Homeland Security under terms and conditions prescribed by the consular officer.'' Additionally, 22 CFR 41.31(a)(1) references consular officer authority to require bonds from applicants for visas for temporary visits for business or pleasure (B–1/B–2) whose maintenance of status or departure ''does not seem fully assured.'' DHS regulations at 8 CFR 221.1 provide, ''The district director having jurisdiction over the intended place of residence of an alien may accept a bond on behalf of an alien defined in section 101(a)(15)(B) or (F) of the Act prior to the issuance of a visa to the alien or upon receipt of a request directly from a U.S. consular officer or upon presentation by an interested person of a notification from the consular officer requiring such a bond; such a bond also may be accepted by the district director with jurisdiction over the port of entry or pre-inspection station where inspection of the alien takes place.'' The DHS regulations also outline some procedural aspects of bond processing and refer to DHS regulations at 8 CFR 103.6, which describe procedures relating to bond riders, acceptable sureties, cancellation, or breaching of bonds.

The aforementioned regulations reinforce the authority of the Department and consular officers to require bonds to ensure the compliance with U.S. immigration laws including the timely departure from the United States of any nonimmigrant visitor in B status, or any nonimmigrant status subsequently acquired under Section 248 of the INA, 8 U.S.C. 1258.

C. 2025 Temporary Final Rule

1. Overview

In August 2025, to comply with Section 14 of Executive Order 14159, the Department established the Visa Bond Pilot Program. This pilot helped the Department assess the operational feasibility of posting, processing, and discharging visa bonds, in coordination with Treasury and DHS, for the purpose of ensuring the legally required departure of an alien from the United States as described in Section 221(g)(3) of the INA, 8 U.S.C. 1201(g)(3).

2. Impact

The 2025 Temporary Final Rule on visa bonds proved to be an effective tool for ensuring visa holders complied with the terms of the visa and did not remain unlawfully in the United States. During the initial 10 months of the pilot, a total of 50 countries were added to the Pilot Program, and all otherwise qualified B visa applicants were required to pay a bond as a condition of visa issuance. In FY 2024, there were 45,488 overstays from these 50 countries.[25] In the first 10 months of the pilot, the number of overstays was fewer than 50. The visa bond requirement has also resulted in a decrease in visa issuance, as some applicants appear to self-select by not paying a bond. Compared to the same 10-month period the preceding year, visa issuance rates declined by 83 percent as of July 2026. Those who paid a bond and were issued a visa overwhelmingly complied with the terms of both the visa and the bond. The bonds proved to be an effective tool for reducing overstays.

IV. Purposes and Discussion of Final Rule

This final rule makes the Visa Bond Program permanent and sets forth the criteria for selecting countries, as an effective tool to reduce visa overstays. The Program will be limited to aliens who are: applying for business visitor/tourist (B–1/B–2) nonimmigrant visas and are nationals of countries who are not members of VWP and otherwise identified by the Department, based on failing to meet rigorous standards relating to overstays, information sharing, screening and vetting, civil, criminal and identity records, and document security. All of these factors contribute to increased overstays and visa misuse.

For example, the Department finds that nationals from countries with high visa overstay rates, or high overall visa refusal rates which correspond with high visa overstay rates, are more likely to overstay their admission period than those from countries with both lower overstay rates and lower visa refusal rates. Second, the Department finds that nationals of countries where screening and vetting are deficient are nationals about whom the Department finds there are increased overstay risks as it is difficult to obtain full background and criminal history information. Third, the Department finds that insufficient information sharing causes gaps in verifying identities and criminal records, also posing a threat to legitimate travel. The Department will use these criteria but will maintain flexibility as inclusion in the Program is not mandatory if the criteria are met. While the Department recognizes that the qualifying refusal rates and increased information sharing of VWP[26] countries may be a general goal, VWP participation will preclude a country from inclusion, and other factors as articulated in the criteria above may be taken into consideration when choosing whether to include a country into the Program. An applicant from a country that does not participate in information sharing or is subject to scrutiny for

[24] Issuance of a visa does not guarantee admission to the Unites States. *See* INA sec. 221(h), 8 U.S.C. 1201(h) (''Nothing in this chapter shall be construed to entitle any alien, to whom a visa or other documentation has been issued, to be admitted the United States, if, upon arrival at a port of entry in the United States, he is found to be inadmissible under this chapter, or any other provision of law.''). DHS also may impose departure bonds for nonimmigrants. *See* INA sec. 214(a)(1), 8 U.S.C. 1184(a)(1) (''The admission to the United States of any alien as a nonimmigrant shall be for such time and under such conditions as the [Secretary of Homeland Security] may by regulations prescribe, including when he deems necessary the giving of a bond with sufficient surety in such sum and containing such conditions as the [Secretary] shall prescribe, to insure that at the expiration of such time or upon failure to maintain the status under which he was admitted, or to maintain any status subsequently acquired under [INA section 248, 8 U.S.C. 1258], such alien will depart from the United States.''); 8 CFR 214.1(a)(3)(iii) (''At the time a nonimmigrant alien applies for admission or extension of stay, he or she must post a bond on Form I–352 in the sum of not less than $500, to ensure the maintenance of his or her nonimmigrant status and departure from the United States, if required to do so . . . .'').

[25] DHS Entry/Exit Overstay Report for Fiscal Year 2024, *https://www.dhs.gov/publication/entryexit-overstay-report,* at page 11, Table 1.

[26] To be designated as a VWP country, countries must demonstrate a low nonimmigrant visitor visa refusal rate of less than 3 percent in addition to meeting other strict immigration, travel document security, counterterrorism, law enforcement, and information sharing requirements. Countries cannot reach this target refusal rate without simultaneously demonstrating very low overstay rates. Participation in the VWP also requires countries to increase counterterrorism, law enforcement, and immigration enforcement cooperation with the United States. *See generally* INA sec. 217, 8 U.S.C. 1187. After designation in the VWP, participants must maintain high and consistent security standards to remain VWP participants. In addition, VWP participants with a 2 percent or greater rate of visitors overstaying the terms of their admission into the United States must initiate a public information campaign to reduce overstay violations by educating their nationals on the conditions for admission in in the United States. DHS, in consultation with the Department of State, continuously monitors all VWP participants' compliance to ensure that their continued designation in the VWP will not adversely affect the security of the United States.

overstays may generally be more likely to overstay his or her authorized period of admission to the United States, or otherwise fail to maintain the status in which he or she was admitted or any nonimmigrant status subsequently acquired.

Covered visa applicants will be required to post a bond of up to $20,000 as a condition of visa issuance, with the exact amount of the bond either $10,000, $15,000, or $20,000, based upon the applicant's circumstances as determined by the consular officer, unless the bond requirement is waived. All bonds must be posted in U.S. currency/denominations. Beginning October 1, 2027, and every seven years thereafter, this maximum bond amount will automatically adjust for inflation, based on the cumulative annual percentage change in the unadjusted All Items Consumer Price Index for All Urban Consumers (CPI–U) for the U.S. City Average reported by the Bureau of Labor Statistics, as compared to the $20,000 maximum bond amount set in this rule. The bond amount will be rounded up, to the nearest $1,000, upon adjusting for inflation. Compliance with the bond will require arrival into and departure from the United States by commercial air from a U.S. port of entry or CBP Preclearance location, based on the system in place to confirm that the alien has departed the United States in accordance with the bond's conditions.

A. Overstay Rates

The DHS Entry/Exit Overstay Report, produced each fiscal year, provides data on departures and overstays, by country of nationality, for foreign visitors to the United States who were expected to depart in any fiscal year (October 1–September 30). For purposes of the DHS Entry/Exit Overstay Report and this Program, a ''visa overstay'' is an alien who was lawfully admitted to the United States and remains in the United States beyond the period of admission authorized by DHS. As described in the report, the initial authorized admission period is a fixed period determined by DHS at the time a B–1/B–2 visa holder applies for admission to the United States, but in some circumstances, an admission period may be extended by U.S. Citizenship and Immigration Services (USCIS) upon adjudication of an application for an extension of stay or change of nonimmigrant status.

Under the terms of the Program, an alien admitted to the United States for a temporary period as a nonimmigrant will have his or her bond canceled if the visa is expired, there is substantial performance of all the conditions of the bond, including compliance with each specific nonimmigrant status which he or she is accorded while classified in such status, including the condition that the alien not accept unauthorized employment, and departs from the United States through a commercial airport on or before the date to which he or she is authorized to remain in the United States.

B. Posting Bonds via Treasury's Payment Platform

Applicants will be directed to the Visa Bond Program payment platform, operated by the Treasury. Bond funds will be custodied for the applicant at a U.S. financial institution operating as an agent of the government (financial agent). Payment will only be accepted in U.S. dollars for the total bond amount, and obligors will be responsible for any rate of exchange or fees incurred through their financial institution as a result of such payments. Payments must be made electronically.

The payment platform may offer one or more payment options dependent on country location including but not limited to domestic ACH or wire, international wire, digital wallets, and credit or debit cards. Certain countries' laws may dictate available payment options including transaction limits, and some payment options may not be available to applicants due to various cross-border payment limitations. It is the sole responsibility of the applicant to ensure the required payment can be made in full. The applicant will receive a unique payment confirmation number upon successful completion of the payment.

Upon funds settlement, the financial agent will notify State/DHS that bond funds have been successfully posted for the applicant. Funds settlement varies by payment method and may require multiple business days following the payment initiation request by the applicant.

Applicants who have the option and choose to make payment with credit or debit cards will be responsible for the additional costs related to credit or debit card processing (card acquiring fees).[27] These costs are determined by the card acquiring companies and may be variable.

C. B–1/B–2 Visa Applicants Only

Although Section 221(g)(3) of the INA, 8 U.S.C. 1201(g)(3), authorizes consular officers to require visa bonds from applicants for B visas and F (student) visas, the Program is limited to B–1/B–2 visa applicants, because their authorized period of stay after admission to the United States is fixed by U.S. Customs and Border Protection (CBP) Officers upon admission at the port of entry and typically lasts a matter of months. CBP Officers authorize a maximum of one year for business visitors pursuant to 8 CFR 214.2(b)(1), or tourists, in accordance with 8 CFR 214.2(b)(2). B visas issued to aliens covered by the Program will be annotated to reflect the visa bond requirement. That annotation may be taken into account by CBP Officers who will generally admit the alien and grant the requested admission period.

D. Limited Waiver Process

There will be no bond waiver application process. Under Department regulations in 22 CFR 41.11(c)(3), the Assistant Secretary (A/S) for Consular Affairs, or his or her designate, may waive the bond requirement for an alien, country, or a category of aliens, if the Assistant Secretary assesses that a waiver would not be contrary to the national interest. Because all visa applicants will be presumed to want a waiver of the bond requirement, and because the only information that might be provided by an applicant that would be relevant to a waiver decision is the applicant's purpose of travel and possibly employment, which is already requested from all applicants, there will be no bond waiver application process. However, consular officers will have the authority to request waivers in very limited circumstances, such as travel for U.S. government employees or urgent humanitarian needs, and the Assistant Secretary for Consular Affairs, or his or her designate, has the discretionary authority to grant or deny those recommendations.

E. Bond Amounts

In accordance with the statutory and regulatory framework described above, the Department, through consular officers, has broad authority to require a visa applicant to post a bond in such sum and with such conditions as would help ensure the alien's timely departure from the United States. To promote the efficiency of the Program and avoid arbitrary and inconsistent bond amounts, the Department is setting guidelines for the bond amount. Consular officers will consider each visa applicant's personal circumstances in setting the bond amount. By its reference to the consular officer prescribing a bond's sum and conditions to be sufficient to insure ''such alien will depart from the United States'' in a timely manner, the Department is providing consular officers with three

[27] *See* INA sec. 221(g)(3), 8 U.S.C. 1201(g)(3); 22 CFR 41.11(b)(2).

options for bond amounts: $10,000, $15,000, and $20,000. The Department believes these three levels will provide consular officers discretion to require a bond in an amount that is sufficient to ensure the alien does not overstay, while taking into account the visa applicant's circumstances. These amounts were determined based on the immigration enforcement lifecycle cost analysis and will more fully cover the cost of removing an alien should he or she overstay.

Consular officers are expected to set the bond amount at $15,000, unless the officer has reason to believe the visa applicant's circumstances would render the applicant unable to pay that amount (yet remain sufficiently financed to pay all travel expenses through the period of intended stay in the United States), in which case the bond would be set at $10,000, or unless the Department provides guidance for a different amount. Alternatively, if the alien's circumstances, including the nature and extent of the alien's contacts in the United States, would suggest a $15,000 bond would not be sufficient to ensure the alien would timely depart the United States, the officer would require a $20,000 bond as a condition of visa issuance. In making such determinations, consular officers will take into account the totality of the circumstances, including any information provided by the visa applicant on the visa application or in the visa interview regarding the alien's purpose of travel, current employment, income, skills, and education.

The three options for bond amounts were set following consultations with Treasury and DHS. In setting the amounts, the Department took into consideration costs associated with removal, including the full Immigration Enforcement Lifecycle cost (including direct costs, indirect costs, and overhead costs) ending with removal, as computed by DHS at approximately $18,042 per alien.[28] The Department viewed these costs as relevant, because an alien who overstays his or her authorized period of stay and who must be placed into removal proceedings requires the U.S. government to incur immigration enforcement-related costs that otherwise would not be incurred. Guidance instructing consular officers on the instructed amounts may be adjusted in accordance with bond amount changes prescribed in Section IV. An alien who breaches a bond would generally forfeit the bond amount, which could be used, in part, to reimburse the U.S. government for expenses incurred in the administration and determination of breached bonds and for expenses associated with the detention of illegal aliens, necessitated by the alien overstaying his or her authorized period of stay.[29]

V. Visa Bond Procedures Under the Program

A. Applying for a Visa

All applicants from covered countries as listed on *https://www.travel.state.gov* will apply for nonimmigrant visas by following the standard procedures including scheduling an appointment at the consular section at a U.S. embassy or consulate and paying all associated machine-readable visa fees.

B. Setting the Bond

During the course of the visa interview, a consular officer will determine if an applicant is otherwise eligible for a visa, and if the applicant falls within the scope of the Program. If the applicant falls within the scope of the Program, the consular officer will inform the applicant of the bond requirement and the amount of the required bond, whether $10,000, $15,000, or $20,000. The consular officer will advise the applicant that he or she must post a bond and the consular officer will deny the visa under INA Section 221(g), 8 U.S.C. 1201(g), to provide further information about posting the bond. That denial may be overcome if a bond in the required amount is duly posted by the visa applicant or on the visa applicant's behalf. The officer will provide the applicant a notice explaining the bond requirement and procedures for posting a cash bond and the web link for posting the bond will be sent to the applicant. DHS regulations at 8 CFR 103.6 currently provide for the posting, processing, and cancellation of such visa bonds.

C. Paying the Bond

The applicant will receive written or electronic notification, based on the contact information provided by the applicant on the visa application, providing him or her a link to the Visa Bond Program payment platform to post the bond. Through this link, the applicant will also submit the appropriate DHS form for the bond. The obligor will receive a copy of the form, using the obligor's contact information provided at the time of signing. All terms and conditions set out on appropriate DHS forms applicable to bonds shall apply. The obligor on the bond, regardless of whether the visa applicant or a person who posts a cash bond on behalf of the visa applicant, will be notified if the visa applicant fails to substantially comply with the terms and conditions of the bond and, consequently, that the bond has been breached. The procedures for determining and enforcing a breach are set out on the appropriate forms and in DHS regulations, including 8 CFR 103.6. However, as stated above, the Secretary of Homeland Security delegated the authority to the employees of the Department, as designated by the Secretary of State, to perform duties related to the acceptance and processing of such bonds.[30]

D. Issuing the Visa

The consular section where the visa applicant applied will rely on contact information provided by the applicant to contact the applicant regarding the final process to issue the visa. If, upon further review, the consular officer determines the applicant is not eligible for the requested visa, the consular officer will deny the visa, and the bond will be cancelled. If the required bond is posted, and the consular officer subsequently determines the applicant remains otherwise eligible for a visa, the officer may issue the visa, valid for three months single entry, three months multiple entry, or up to 12 months multiple entry, depending on visa reciprocity, with an annotation indicating the posting of a visa bond.

• As a condition of the bond, the visa holder may only enter and depart the United States through commercial airports of entry, including CBP Preclearance locations, and may not use land or sea ports of entry. A traveler

[28] Immigration Enforcement Lifecycle (IEL) cost represents a fully burdened managerial cost accounting for the average cost burden to perform each aspect of the lifecycle, yielding a total IEL cost per overstaying alien in the year of budget execution. The cost is developed and published by the ICE Office of the CFO (CFO)/Office of Budget Program and Performance (OBPP)/Performance Analysis & Evaluation (PA&E) at the end of each fiscal year. In Fiscal Year (FY) 2024, the Enforcement and Removal Operations (ERO) Policy Planning and Administration (PPA) was given an appropriation of $5.082 billion across its five (5) sub-PPAs to enforce immigration law and remove illegal aliens from the United States. The lifecycle calculation includes the baseline direct cost expenditures of the ERO PPA, which are the personnel and general expenditures required for operational enforcement on a daily basis. The indirect management and administrative (M&A) costs of ICE personnel who assist the ERO Program in accomplishing its mission are added to this amount. This includes support from such components as acquisition (OAQ), information technology (OCIO), asset management (OAFM), human resources (OHC), budget (CFO/OBPP), and legal advisory (OPLA). For FY 2024, the total IEL cost is approximately $18,042 per illegal alien.

[29] 8 U.S.C. 1356(r)(3).

[30] See 8 U.S.C. 1103(a)(6); 8 CFR 2.1.

may be permitted to travel to contiguous territories after his or her initial entry if such travel and readmission from contiguous territory is in accordance with the automatic revalidation provisions in 22 CFR 41.122(d). However, the traveler's ultimate departure abroad must occur at a commercial U.S. airport of entry.

- A visa annotation will alert CBP Officers at these ports of entry that the applicant has posted a visa bond under the Program.
- Periods of lawful admissions or status in the United States are determined by DHS, including CBP at the port of entry and USCIS on requests for extensions of stay or change of status; nothing in this rule affects DHS's authorities regarding the period of authorized stay for B–1/B–2 nonimmigrants.

E. Cancellation of the Bond—Return

Pursuant to 8 CFR 103.6(c)(3), the bond should be canceled when there has been ''substantial performance of all conditions imposed by the terms of the bond.'' [31] Bond proceeds will be returned to any obligor when a visa holder complies with the terms and conditions of the bond, based on information provided by a DHS system in the following circumstances:

- Upon expiration of the visa, if the visa holder did not travel to the United States, as captured by a DHS system.
- Upon expiration of the visa, if the visa holder is not in the United States as captured by a DHS system, departed through a commercial airport of entry/exit, and complied with all terms of the visa.
- Following the timely departure from the United States of a visa holder through a commercial airport of entry/exit, if the visa expired during the lawful stay, as captured by a DHS system, and the visa holder complied with all terms of the visa.
- Following CBP deeming the visa holder inadmissible and cancellation of the visa by CBP at the port of entry, as captured by a DHS system.
- Following timely departure from the United States through a commercial airport of entry/exit, before the extended date (if any) to which he or she is authorized to remain in the United States pursuant to an approved request for extension of stay or change of status, as captured by a DHS system, and the visa holder complied with all terms of the visa and any other relevant nonimmigrant classifications obtained.

[31] Conditions of the bond as set forth in the appropriate DHS Form.

The obligor on any canceled bond will be entitled to a return of bond principal, subject to potential offset and levy through the Treasury Offset Program (TOP) or other mechanisms.[32] Upon receiving confirmation from DHS/State that the terms and conditions of the bond have been met, the financial agent will return the proceeds in U.S. dollars to the original form of payment unless otherwise noted in the payment system. The obligor is responsible for ensuring that the original form of payment can receive returned bond amounts. The bond payor will be responsible for any exchange fees applied to his or her payment by the receiving institution.

There will be no interest accrued on visa bonds that are issued and canceled as part of this Program.

The Department or DHS also will provide the applicant with an Immigration Bond Cancelation Notice, which confirms compliance with the conditions of the bond.

F. Cancellation of the Bond—Manual Request

A visa holder may pursue cancellation of the bond by requesting an appointment with consular officials outside the United States if a visa holder has not traveled and wishes to cancel the bond before the visa expires. A consular officer will only approve this appointment if the consular officer confirms that the visa holder did not travel. The consular officer must physically cancel the visa after confirming the visa holder did not travel.

G. Bond Breach

For countries subject to visa bond requirements, a nonimmigrant visa shall only be issued upon the alien agreeing to the specific terms and conditions of the visa bond and the submission of the entire amount of the visa bond. The entire amount of the visa bond shall be forfeited, and not returned to the obligor, if the alien substantially violates any of the terms and conditions of the bond for which the nonimmigrant visa has been issued. The following actions will result in a violation of the terms and conditions of the visa bond:

- Substantial violation of any condition of his or her status as specified on the visa bond form;

[32] The federal government, through TOP and other mechanisms, collects past-due debts that are owed to federal and state agencies. TOP matches individuals and entities who owe delinquent debts with money that federal agencies are paying (for example, a tax refund). To the extent allowed by law, when a match happens, TOP withholds (offsets or levies) money to pay the delinquent debt.

- Filing an untimely request for change of status under Section 248 of the INA, 8 U.S.C. 1258;
- Remaining in the United States after expiration of the temporary period of admission or, if the alien timely and properly files a request for extension of stay or change of status of her/his lawful temporary stay, the alien does not depart the United States within 10 days after denial of such request;
- Filing an untimely request for extension of stay to extend nonimmigrant status under 8 CFR 214.1; or
- Filing for asylum or any other form of humanitarian protection that is submitted on Form I–589, Application for Asylum and for Withholding of Removal.

While filing a timely request for extension of stay or change of status may not be considered a violation of the terms and conditions of the bond, USCIS may consider the existence of a visa bond as a negative discretionary factor when adjudicating the request for extension of stay or change of status.

If the visa holder did not substantially comply with the terms and conditions set forth in DHS forms and in this final rule, the bond will be considered breached, and the bond deposit will be forfeited. If through an automated review, there is the preliminary finding that a visa holder has not complied with the terms and conditions of the bond, this case will be forwarded to DHS, which is responsible for making the final determination pursuant to 8 CFR 103.6(c)(3) and notifying the obligor of the breach determination via written notification. A visa bond will be forfeited when there has been a substantial violation of the terms and conditions set forth in the appropriate forms and this final rule.

H. Appeal of a Bond Breach Determination

The rights relating to the appeal of a DHS determination of a bond breach, including which rights would accrue after DHS makes a bond breach determination, are detailed in the instructions on associated forms and in 8 CFR 103.3.

VI. Benefits and Costs

The benefit of this Program is to enhance compliance with U.S. immigration law by reducing nonimmigrant visa overstays, while providing a structured mechanism for posting, processing, and discharging visa bonds. In coordination with Treasury and DHS, the Department assessed the operational feasibility and administrative burden of visa bonds through the 12 month Pilot Program conducted from August 20, 2025, to August 5, 2026. Based on that experience, the Department has determined that a permanent Visa Bond Program is operationally feasible and can be implemented in support of national security and foreign policy objectives, including serving as a critical diplomatic tool to encourage foreign governments to reduce overstays by their nationals and strengthen identity verification and related screening practices.

The number of visa applicants who will be required to post a visa bond in any given year will depend on the countries identified for coverage and the demand for B–1/B–2 visas from those countries and may vary over time as the list of covered countries is adjusted. The Department initially anticipated that approximately 2,000 B–1/B–2 visa applicants would be required to pay a bond to travel to the United States during the one-year Pilot Program. However, travelers from 50 countries were ultimately subject to the Pilot Program, and approximately 20,000 visa applications were determined to require a visa bond payment. To date, close to half of those applications have resulted in a bond payment, for a total temporary monetary cost to the public of about $115 million. The Department expects that, as under the pilot, the number of aliens required to post a bond will be limited relative to overall worldwide B–1/B–2 visa issuances. Regardless of the total number of aliens subject to the Program, the bond amount is a temporary transfer of resources that will be refunded upon an alien's departure from the United States, which means members of the public who comply with the terms and conditions of the bond do not ultimately incur the total bond amount as a monetary cost. However, the Department recognizes that the Visa Bond Pilot Program has led to reduced B1/B2 visa demand in pilot program countries. As discussed above, nearly half of the 20,000 applicants subject to the bond in the pilot ultimately chose not to pay the bond, while the Department observed an 83% reduction in B1/B2 visa issuance for pilot program countries in the first 10 months of the pilot. The Department expects that this final rule will contribute to the continued reduction of demand for B1/B2 visa applications from nationals of countries subject to the program.

The estimated amount of time needed for an average respondent to complete the DHS Form is thirty minutes (.50 hours) per response.[33] The estimated additional time burden associated with this final rule, which will include arranging for the posting of a bond and any necessary follow-up interactions with a consular section to confirm compliance with the terms and conditions of the bond, is estimated to be two hours.[34] The 2025 Bureau of Labor Statistics estimate for the median U.S. hourly wage for all occupations is $24.51,[35] thus the Department estimates that this will cost each alien $49.02.

The total cost to the government associated with this Program will be determined by the number of visa applicants that will fall within the scope of the Program. The collection and processing of each form takes an average of 6 hours and will be conducted by a government employee with an average hourly wage plus overhead, estimated to be $28.02. The estimated additional time a consular officer with an average hourly wage of $135 will expend for each case subject to a bond is 30 minutes. If a traveler breaches a bond posted pursuant to this final rule, DHS will incur some cost in collecting on the bond. Because DHS has no reliable basis for estimating the number of travelers or the percentage of travelers posting bonds who will breach the terms and conditions of the bond, the Department is unable to estimate the cost associated with enforcing bond breaches.

VII. Regulatory Findings

Administrative Procedure Act (APA)

The Administrative Procedure Act (APA), 5 U.S.C. 553, generally requires agencies to publish a notice of proposed rulemaking and provide an opportunity for public comment prior to issuing a final rule. The APA further requires that a rule take effect not less than 30 days after publication or service. 5 U.S.C. 553(d). However, the APA provides an exception from these requirements for rules ''involving a foreign affairs function of the United States.'' 5 U.S.C. 553(a)(1).

The Secretary of State has determined that all policy related to visa operations and issuance, among other matters, constitutes a foreign affairs function of the United States under the Administrative Procedure Act (5 U.S.C. 553(a)(1)).[36] More specifically, this final rule involves a foreign affairs function as its impact on visa policy directly implicates relationships between the United States and the specific countries whose nationals may be subject to the Program. Visa overstays often lead to removals and deportations, which are a continual cause of bilateral friction between the United States and other countries. The Pilot Program has demonstrated the feasibility of using nonimmigrant visa bonds as a diplomatic tool to encourage foreign governments to take immediate action to ensure that their nationals timely depart the United States after making temporary visits. Countries subject to the Pilot Program significantly reduced the number of their visa overstays. As designed, the Pilot Program also encouraged these countries to take proactive measures to improve screening and vetting and cooperate with the United States on information sharing. Therefore, this final rule clearly and directly impacts the foreign affairs functions of the United States and ''implicat[es] matters of diplomacy directly.'' *City of N.Y.* v. *Permanent Mission of India to the U.N.,* 618 F.3d 172, 202 (2d Cir. 2010). Consistent with the Secretary's determination regarding rules that involve a foreign affairs function, the Program is a fundamental tool of diplomacy and national security, serving as a primary mechanism to manage bilateral relations and incentivize foreign governments whose nationals are subject to the Program to cooperate with the United States in ensuring the timely departure of their citizens/nationals from the United States and engage in improved information sharing, also signaling to other countries that the United States takes overstays seriously. While the Visa Bond Program is not a product of an agreement between the United States and another country, this final rule is properly viewed as one that ''clearly and directly involve[s] activities or actions characteristic of the conduct of international relations.'' *Capital Area Immigrants' Rights Coal.* v. *Trump,* 471 F. Supp. 3d 25, 53 (D.D.C. 2020). Subjecting this regulatory mechanism to public notice and comment would trigger premature international speculation, disrupt ongoing sensitive diplomatic dialogues regarding migration management, and compromise the Executive Branch's authority to respond dynamically to changing conditions and immigration

[33] DHS has requested approval for a new information collection and OMB control number for a form focusing on these respondents. 1601–NEW, Immigration Bond (Visa), DHS Form I–352 BICR Reference No: 202607–1601–004, View Information Collection Request (ICR) Package.

[34] If the alien is determined to be eligible for the visa, the alien will be required to pay the bond via *www.pay.gov* and return to the Consular Section to complete processing and issuance. The Department estimates that for most aliens this will take no more than two hours.

[35] *https://data.bls.gov/oes/#/industry/000000.*

[36] *See* Determination: Foreign Affairs Function of the United States, 90 FR 12200 (Mar. 14, 2025).

risks. Because these visa bond measures are inextricably linked to U.S. foreign policy, invoking the foreign affairs exemption is necessary to ensure the U.S. government maintains an uncompromised, unified voice in international affairs.

Regulatory Flexibility Act/Executive Order 13272: Small Business

This final rule would not regulate ''small entities'' as that term is defined in 5 U.S.C. 601(6) and as such would not have a significant economic impact on a substantial number of small entities. This final rule only regulates individual visa applicants. The Department affirms that this rule would not have a significant economic impact on a substantial number of small entities.

Unfunded Mandates Act of 1995

The Unfunded Mandates Reform Act of 1995, 2 U.S.C. 1532, generally requires agencies to prepare a statement before proposing any rule that may result in an annual expenditure of $100 million or more by state, local, or tribal governments, or by the private sector. This final rule does not require the Department to prepare a statement because it will not result in any such expenditure, nor will it significantly or directly affect small governments, including state, local, or tribal governments, or the private sector. This final rule involves visas for aliens, and does not directly or substantially affect state, local, or tribal governments, or businesses.

Congressional Review Act of 1996

The Office of Information and Regulatory Affairs has determined that this final rule is not a major rule as defined in 5 U.S.C. 804(2), for purposes of congressional review of agency rulemaking. This final rule will not result in an annual effect on the economy of $100 million or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of companies based in the United States to compete with foreign based companies in domestic and import markets.

Executive Order 12866 (Regulatory Planning and Review) and Executive Order 13563 (Improving Regulation and Regulatory Review)

Executive Orders 12866 (Regulatory Planning and Review) and 13563 (Improving Regulation and Regulatory Review) direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. These Executive Orders stress the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. The Office of Information and Regulatory Affairs has determined that this is a significant regulatory action under Section 3(f) of Executive Order 12866.

Executive Orders 12372 and 13132—Federalism

This final rule will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. Nor will the final rule have federalism implications warranting the application of Executive Orders 12372 and 13132.

Executive Order 13175—Consultation and Coordination With Indian Tribal Governments

The Department has determined that this rulemaking will not have tribal implications, will not impose substantial direct compliance costs on Indian tribal governments, and will not pre-empt tribal law. Accordingly, the requirements of Section 5 of Executive Order 13175 do not apply to this rulemaking.

Executive Order 12988—Civil Justice Reform

The Department has reviewed this final rule in light of sections 3(a) and 3(b)(2) of Executive Order 12988 to eliminate ambiguity, minimize litigation, establish clear legal standards, and reduce burden.

Executive Order 14192—Unleashing Prosperity Through Deregulation

This rule is not an Executive Order 14192 regulatory action because it is being issued with respect to foreign affairs and immigration related functions of the United States. The rule's primary direct purpose is to implement or interpret the immigration laws of the United States (as described in Section 101(a)(17) of the INA; 8 U.S.C. 1101(a)(17)) or any other function performed by the Federal Government with respect to aliens.

Paperwork Reduction Act

This final rule does not directly impose any new reporting or record-keeping requirements subject to the Paperwork Reduction Act, 44 U.S.C. Chapter 35. However, the Department will rely on a new DHS form (1601–NEW, Immigration Bond (Visa), DHS Form I–352 B, ICR Reference No: 202607–1601–004, View Information Collection Request (ICR) Package) that is an updated version of the I–352 currently in use for the pilot program. Consistent with 5 CFR 1320.13, DHS has submitted and OMB has approved a request for emergency approval of the I–352B for a period of 6 months, as a new collection of information. DHS is requesting comments on this information collection in a separate **Federal Register** notice. When submitting comments on the information collection, your comments should include OMB Control Number 1615—NEW and address one or more of the following four points:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, such as permitting electronic submission of responses.

DHS estimates the total responses at 300,000 and the amount of time needed for an average respondent to complete the I–352B is thirty minutes (.50 hours) with no cost burden ($0) per response so that the total time burden is 150,000. In addition, for PRA purposes, the estimated total annual opportunity cost of responding to this collection is $3,676,500 for completing the Form I–352B.

List of Subjects in 22 CFR Part 41

Administrative practice and procedure, Aliens, Passports and Visas.

For the reasons stated in the preamble, the Department amends 22 CFR part 41 to read as follows:

PART 41—VISAS: DOCUMENTATION OF NONIMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT, AS AMENDED

■ 1. The authority citation for Part 41 is revised to read as follows:

Authority: 8 U.S.C. 1101; 1102; 1103, 1104; 1182; 1184; 1185 note (Section 7209 of Pub. L. 108–458, as amended by Section 546 of Pub. L. 109–295); 1201; 1258; 1323; 1361; 2651a.

■ 2. Revise § 41.11(c) to read as follows:

* * * * *

(c) *Visa Bond Program.*—(1) *Summary.* This paragraph (c) establishes a program (Visa Bond Program) implementing INA § 221(g)(3). Under the Visa Bond Program, consular officers will require a Bond to be posted via the Visa Bond Program payment platform as a condition of visa issuance, for nationals of certain countries.

(2) *Visa Bond Program Parameters.* Under the program, consular officers will require Visa Bonds to be posted by visa applicants who are applying for visas as temporary visitors for business or pleasure (B–1/B–2) who are nationals of countries with high overstay rates, deficient information sharing, insufficient identity verification and criminal records, and/or that need improvement in the area of screening and vetting and the security of travel and civil documents, including in the granting of citizenship. Countries deemed to meet these criteria are identified on the Department's website at *http://www.travel.state.gov.* Additional countries may be identified on this website no less than 15 days prior to the initiation of the program for that country, and countries may be modified on a rolling basis. Consular officers will set the Visa Bond amount at $10,000, $15,000, or $20,000, based on a consular officer's assessment of which amount is sufficient to ensure the alien will maintain the status under which he or she was admitted or any status subsequently acquired under Section 248 of the INA and will not remain in the United States beyond the end of the alien's authorized period of stay. Visas issued under the Visa Bond Program will be valid for a single entry or multiple entries to the United States within three or up to 12 months of the date of visa issuance.

(3) *Bond Waiver Authority.* The Assistant Secretary for Consular Affairs, or his or her designate, may waive the bond requirement, for an alien, country, or a category of aliens, if the Assistant Secretary, or designate, assesses that such a waiver is not contrary to the national interest. A waiver of the bond requirement may be recommended to the Assistant Secretary for Consular Affairs by a consular officer where the consular officer has reason to believe the waiver would advance a national or humanitarian interest. There will be no procedure for visa applicants to apply for a waiver of the bond requirement. Consular officers will determine whether a waiver would advance a significant national or humanitarian interest based on the applicant's purpose of travel and employment, as described in the visa application and during the visa interview.

(4) *Bond Procedures.* A Visa Bond required under paragraph (c) of this section must be posted after notification from a consular officer of the visa bond requirement. Upon the posting of such bond, the Department will receive notification that the bond has been posted. Under this Visa Bond Program, Visa Bonds will be administered by the Department, the Department of the Treasury, and DHS in accordance with regulations, procedures, and instructions promulgated by DHS for immigration bonds.

(i) *Visa Bond Cancellation.* A Visa Bond will be canceled when the associated visa expires or is canceled, if the visa holder is not in the United States, or the visa holder departs the United States after visa expiry, so long as the visa holder substantially performs with respect to the terms and conditions of the Visa Bond as set forth in the appropriate DHS form and under paragraph (c) of this section. To comply with the bond requirements, aliens must enter and depart the United States through commercial airports of entry—entry through CBP Preclearance locations is also permitted. Aliens who timely file a request for extension of stay or change of status and whose request for extension of stay or change of status is granted are not deemed to be in breach of bond as long as the alien complies with all the conditions of each specific nonimmigrant status which s/he is accorded while classified in such status. Such conditions include not accepting unauthorized employment and departing from the United States on or before the extended date (if any) to which s/he is authorized to remain in the United States.

(ii) *Visa Bond Breach.* A Visa Bond is breached when there has been a substantial violation of any of the terms and conditions of the bond for which the nonimmigrant visa has been issued, including any terms that may be set forth in the appropriate DHS forms and regulations. The following actions are considered to be violations under this paragraph:

(A) Remaining in the United States after expiration of the temporary period of admission;

(B) Filing an untimely request for a change of status;

(C) Not departing the United States within 10 days after denial of a timely and properly filed request for extension of stay or change of status;

(D) Filing an untimely request for an extension of stay of nonimmigrant status; or

(E) Filing for asylum or any other form of humanitarian protection that is submitted on Form I–589, Application for Asylum and for Withholding of Removal.

(5) *Appeal of Bond Breach Determination.* A determination of a bond breach may be appealed in accordance with instructions provided by DHS.

(6) *Effect on other law.* Nothing in this paragraph shall be construed as altering or affecting any other authority, process, or regulation provided by or established under any other provision of federal law.

Morvared Namdarkhan,

Assistant Secretary, Bureau of Consular Affairs, U.S. Department of State.

[FR Doc. 2026–15726 Filed 7–31–26; 8:45 am]

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DEPARTMENT OF THE TREASURY

31 CFR Part 22

RIN 1505–AC91

Rescinding Portions of Department of the Treasury Title VI Regulations To Conform More Closely With the Statutory Text and To Implement an Executive Order

AGENCY: Department of the Treasury.

ACTION: Final rule.

SUMMARY: By this rule, the Department of the Treasury (''Department'') amends its regulations implementing Title VI of the Civil Rights Act of 1964 (''Title VI'') to eliminate disparate-impact liability. These amendments align the Department's regulations with Title VI's original public meaning, avoid constitutional concerns, reduce compliance costs, and serve the public interest. In addition, these revisions implement changes directed in the Executive order, *Restoring Equality of Opportunity and Meritocracy.*

DATES: This rule is effective on August 3, 2026.

FOR FURTHER INFORMATION CONTACT: Tina Lancaster, Acting Director, Office of Civil Rights and Equal Employment Opportunity, Department of the Treasury, (202) 622–1079 (voice), by mail to Tina Lancaster, Acting Director, U.S. Department of the Treasury, Office of Civil Rights and Equal Employment Opportunity, 1500 Pennsylvania