USA MAKES VISA BOND PROGRAMME PERMANENT FOR B-1/B-2 VISA APPLICANTS FROM NIGERIA AND FORTY-NINE (49) OTHER COUNTRIES

Introduction

On July 31, 2026, the United States published a notice in the Federal Register confirming that, effective August 3, 2026, its visa bond programme would become permanent. The programme, which had operated as a pilot since 2025, requires certain non-immigrant visa applicants from fifty (50) designated countries, including Nigeria, to post a refundable bond of up to Twenty Thousand United States Dollars (US$20,000) as a condition of visa issuance.

This alert provides an overview of the permanent visa bond programme and highlights key considerations for affected applicants.

A. Overview of the Visa Bond Programme

Effective August 3, 2026, the visa bond programme applies to applicants for B-1 and B-2 visas (issued for business and tourism travel) who are otherwise eligible for a visa but are directed by a consular officer to post a bond as a condition of visa issuance.

The bond amount is determined at the discretion of the consular officer and ranges from a minimum of Ten Thousand United States Dollars (US$10,000.00) to a maximum of Twenty Thousand United States Dollars (US$20,000.00). This represents an increase from the previous maximum bond amount of Fifteen Thousand United States Dollars (US$15,000.00) under the 2025 pilot programme. The previous Five Thousand United States Dollars (US$5,000.00) bond tier has also been removed.

It should be noted that the bond requirement is not automatic for every applicant from the affected countries. Rather, it is imposed on a case-by-case basis during the visa interview, considering factors such as visa overstay rates, identity verification and the reliability of travel and civil documentation issued from the applicant's country.

Applicants directed to post a bond must complete United States Department of Homeland Security Form I-352 and make payment only through the official https://www.pay.gov/public/home platform, following instructions from the consular officer; applicants should not make any payment unless instructed to do so through official channels.

The bond is refundable in full where the traveller complies with the terms of their visa and departs the United States within the authorised period.

B. Non-Compliance and Breach of the Bond

A visa bond will be considered breached and payment forfeited where it is determined that a foreign national has substantially violated any of the bond terms and conditions, including:

i. remaining in the United States after the expiration of their period of admission;

ii. filing an untimely request for extension of stay or change of non-immigrant status in the United States (Under the pilot program, if an untimely request was later excused by DHS, a bond breach would not have occurred; the permanent program appears to remove that exception);

iii. failing to depart the United States within ten (10) days of a denial of a timely and properly filed request for extension of stay or change of status; or

iv. filing for asylum or any other form of humanitarian protection on Form I-589, Application for Asylum and for Withholding of Removal.

C. Countries Affected Under the Visa Bond Programme

The permanent programme applies to nationals of fifty (50) countries, thirty (30) of which are located in Africa. The countries affected by the visa bond are:

i. African countries: Algeria, Angola, Benin, Botswana, Burundi, Cabo Verde, Central African Republic, Cote D'Ivoire, Djibouti, Ethiopia, Gabon, The Gambia, Guinea, Guinea-Bissau, Lesotho, Malawi, Mauritania, Mauritius, Mozambique, Namibia, Nigeria, Sao Tome and Principe, Senegal, Seychelles, Tanzania, Togo, Tunisia, Uganda, Zambia and Zimbabwe.

ii. Non-African countries: Antigua and Barbuda, Bangladesh, Bhutan, Cambodia, Cuba, Dominica, Fiji, Georgia, Grenada, Kyrgyz Republic, Mongolia, Nepal, Nicaragua, Papua New Guinea, Tajikistan, Tonga, Turkmenistan, Tuvalu, Vanuatu and Venezuela.

The U.S. Department of State noted that it will continue to revise this list on a rolling basis and provide at least fifteen (15) days' notice before adding countries to the list, however, where any country is removed from the list, such removal will take effect immediately.

D. Other Important Information

We note that the permanent visa bond programme does not override existing United States immigration restrictions. Accordingly, nationals of certain designated countries who are already subject to nationality-based restrictions on the issuance of B-1/B-2 visas pursuant to President Trump's travel restrictions will remain ineligible for such visas unless they qualify for an applicable exemption or waiver. In such cases, the visa bond programme will apply only where the applicant is otherwise eligible to receive a B-1/B-2 visa.

Additionally, travellers covered by the programme are also required to enter and depart the United States only through approved commercial airports or designated preclearance locations. Visa bond holders may not use charter air, general aviation, land, or seaports of entry.

Conclusion

The permanent implementation of the U.S. visa bond programme introduces an additional compliance requirement for certain B-1/B-2 visa applicants from designated countries, including Nigeria. Although the bond requirement is not automatically imposed on every applicant and remains subject to the discretion of the consular officer, affected applicants should ensure that their visa applications are complete, accurate and supported by appropriate documentation.

Applicants who are required to post a bond should comply strictly with the conditions of their visa and make any bond payments only upon official instruction and through authorised United States government payment channels. Given the evolving nature of the programme, affected applicants and their sponsors should also remain informed of any future amendments to the list of designated countries and the operation of the visa bond programme.

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