

# Global Immigration alert

August 2025

## United States

### Department of State introduces visa bond pilot program for certain visa applicants

#### Executive summary

The Department of State (DOS) published a temporary final rule (TFR) on 5 August 2025 in which it announced the commencement of a 12 month-long visa bond pilot program. Visa applicants subject to this program will include nationals of countries identified by DOS “as having high visa overstay rates, where screening and vetting is deemed deficient” who apply for a B-1/B-2 visa (visitor to the United States for business and/or pleasure), as well as individuals who obtained Citizenship by Investment (CBI), if that citizenship was obtained absent a residence requirement.

The TFR and pilot program are scheduled to go into effect on 20 August 2025 and scheduled to end on 5 August 2026.

#### Background and analysis

President Donald J. Trump issued Executive Order 14159, “Protecting the American People Against Invasion,” on 20 January 2025, directing the Secretary of Treasury to take all appropriate action, in coordination with the Secretary of State and Secretary of Homeland Security, to “establish a system to facilitate the administration of all bonds” that those Secretaries could lawfully require to administer the Immigrant and Nationality Act (INA). DOS issued the TFR for the purpose of establishing a visa bond pilot program to ensure certain nonimmigrants timely depart the United States.

This pilot program will require that impacted visa applicants post a Maintenance of Status and Departure bond in the amount of USD \$5,000, \$10,000, or \$15,000 prior to visa issuance, if the interviewing consular officer exercises their discretion to require a bond. If a visa applicant is otherwise found eligible for the visa and required to post a bond, the consular officer will direct the applicant to deposit the identified amount

using <https://www.Pay.Gov> via Form I-352, *Immigration Bond*, which will outline the specific terms and conditions that the visa applicant must comply with in order to have the bond returned to them.

If issued, the visa will be valid only for three (3) months for a *single* entry to the United States. When traveling to the United States, individuals subject to the bond may only enter and depart through one of the following designated ports of entry:

- Boston Logan International Airport
- John F. Kennedy International Airport
- Washington Dulles International Airport

Additionally, the TFR notes that a visa issued to a traveler covered by the pilot program will carry an annotation reflecting the visa bond requirement, which will “generally” result in Customs and Border Protection officials limiting the period of authorized stay to 30 days rather than the six-month period granted to most B-1/B-2 visitors.

#### What this means

As of 7 August 2025, only nationals of Malawi and Zambia have been designated as subject to the pilot program. Individuals who may require a visitor visa to the United States in the future should monitor the following website to verify whether they may be subject to the pilot program on or after 20 August 2025:

<https://travel.state.gov/content/travel/en/News/visas-news/countries-subject-to-visa-bonds.html>.

We will continue to monitor and share future developments. For additional information, or if you wish to discuss this further,

please contact your EY Law LLP professional or Mehlman Jacobs LLP professional.

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