

Global Immigration alert

September 2025

Executive Order provides new details on Gold Card Program

Executive summary

On 19 September 2025, President Donald J. Trump signed an Executive Order (EO) directing the establishment of a "Gold Card" program, a new immigration pathway designed to expedite immigrant visa adjudications for individuals who make "a significant financial gift to the [United States]." The program will be administered by the Secretary of Commerce in coordination with the Secretaries of State and Homeland Security and is intended to "prioritize the admission" of those who "affirmatively benefit the Nation."

Under the program, individuals may qualify for expedited immigrant visa processing by "donating" \$1 million personally or \$2 million through a corporation or similar entity donating on behalf of an individual.

Background and analysis

The EO directs federal agencies to treat qualifying financial gifts as sufficient evidence to establish eligibility under existing employment-based immigrant visa preference categories, including EB-1 (extraordinary ability) and EB-2 (national interest waiver) pathways.

Specifically, the EO states, "(b) in adjudicating visa applications, the Secretary of State and the Secretary of Homeland Security shall, consistent with applicable law, treat the gift specified in subsection (a) of this section as evidence of eligibility under 8 U.S.C. 1153(b)(1)(A), of exceptional business ability and national benefit under 8 U.S.C. 1153(b)(2)(A), and of eligibility for a national-interest waiver under 8 U.S.C. 1153(b)(2)(B)." FR Doc. 2025-18602. Furthermore, the EO notes that, "(c) The Secretary of Commerce shall deposit the gifts contributed under subsection (a) of this section in a separate fund in the Department of the Treasury and use them to promote commerce and American industry, consistent with the

statutory authorities of the Department of Commerce, see, e.g., 15 U.S.C. 1512." FR Doc. 2025-18602.

A copy of the Executive Order has been submitted to the Federal Register, and is scheduled to be published for public inspection on 24 September 2025, at: <https://public-inspection.federalregister.gov/2025-18602.pdf>.

What this means

Potentially interested applicants and stakeholders should monitor forthcoming guidance from the Departments of Commerce, State, and Homeland Security regarding application procedures, eligibility criteria, and compliance requirements. Legal counsel may be advisable to navigate the complexities of this new announcement.

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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