

Understanding the New “Gold Card” Immigration Program

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On September 19, 2025, the Trump administration announced the launch of a new pathway to U.S. lawful permanent residency called the “Gold Card Program.” The Gold Card program, established through Executive Order (“EO”), has potential implications for high-net-worth individuals, corporations, and families interested in obtaining U.S. permanent residency. This program is positioned as an alternative to the existing EB-5 Immigrant Investor Visa Program, which requires evidence of an investment in a U.S. enterprise that creates at least ten (10) jobs for U.S. workers.

In contrast to the EB-5 program, the new Gold Card program does not require evidence of job creation. Instead, it provides a basis for lawful permanent residency in two ways: individuals may qualify by making an unrestricted \$1 million contribution—referred to in the EO as a “gift”—to the U.S. Department of Commerce; or employers may sponsor employees by making an unrestricted contribution of \$2 million per sponsored employee, with employers permitted to sponsor multiple employees concurrently. The new program is presented as a streamlined process wherein business people or corporate employees that pass a government vetting process will receive approval for lawful permanent residency eligibility under either the EB-1 (extraordinary ability) or EB-2 (exceptional ability/national interest waiver) statutory lawful permanent residency classifications, following payment of the required financial contribution(s). As the program must still operate within the statutory framework for the EB-1 and EB-2 classifications, the prescribed \$1-million or \$2-million-dollar contributions will serve as evidence of either an individual applicant’s “Extraordinary Ability” in business endeavors (in the case of the EB-1 category), or, that the admission of an individual or employee as lawful permanent resident is in the “National Interest” of the United States (in the case of the EB-2 category).

The EB-1/EB-2 classifications are subject to an annual statutory cap, meaning only a limited number of green cards are available to applicants each year in these categories. Hence, if the yearly demand for green cards based on these categories exceeds the statutory determined annual availability, applicants may wait a year or more until there is

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availability under these respective classifications. As such, for Gold Card applicants from countries with heavy demand for EB-1/EB-2 based green cards, such as India and China, significant wait times for actual admission to the U.S. as lawful permanent resident may still apply.

While regulatory details concerning the program are still being developed, according to the newly launched government website Trump Gold Card (<https://trumpcard.gov/>), applicants will first need to be vetted by paying an as yet undetermined nonrefundable processing fee. An applicant who passes the vetting process will then need to make the required \$1 million contribution to be granted lawful permanent residency eligibility. Likewise, a corporation sponsoring employees will pay a nonrefundable processing fee for each sponsored employee and then need to make the required \$2 million contribution for successfully vetted employees in order to receive residency eligibility. The White House has directed agencies to take the necessary steps to fully implement the program within 90 days of the President's September 19, 2025, order.

Our Immigration Team at Dorsey & Whitney LLP is closely monitoring the rollout of the Gold Card program, including all related regulatory updates. Because the program is unorthodox in its design, relying on financial contributions, rather than traditional evidence of job creation or extraordinary ability, legal challenges are likely, and it may take time before the program is fully operational.

If you have questions about the Gold Card program and how it may fit into your immigration strategy, please reach out to Dorsey's Immigration Practice Group.