

## **Important Update: How Does the New US Gold Card Affect Your EB2 NIW Status?**

Dear valued clients and partners,

With US President Donald Trump announcing a new “gold card” program for immigrant visas, we understand that you may have questions and concerns about the future of [EB1](#) and [EB2](#) visa categories, including the [EB2 National Interest Waiver \(NIW\)](#) program that many of you rely on.

At HLG, we want to assure you that the EB programs remain in effect, and any changes - the full extent of which is still unclear - will likely take many years to materialize. We encourage you not to be concerned or rush with your immigration process at this time.

### **What's This New Gold Card?**

President Trump on Friday issued an Executive Order titled “The Gold Card” to facilitate the entry of foreigners “who have demonstrated their ability and desire to advance the interests of the United States by voluntarily providing a significant financial gift to the Nation.”

For USD 1 million, applicants can obtain US residency, and for USD 5 million, gold card holders will be able to spend up to 270 days in the United States without being subject to US taxes on non-US income.

The new program is a welcome addition to the EB1 and EB2 category as it opens up possibilities to many people who could contribute to the US economy - not only with the USD 1 million payment, but also with their expertise and know-how.

For more details on the Executive Order, please see the official release [here](#).

### **Will It Affect EB1 and EB2 Programs - and When?**

As is often the case with immigration law, the devil lies in the details, and we will see in the next 90 days what the gold card program will truly look like.

Potential changes to the EB1 and EB2 categories would likely take many years to come into effect, as they require legislative amendments that historically take Congress several years to pass.

For now, we understand that immigration authorities intend to integrate the gold card “gifts” through existing immigration mechanisms rather than eliminating current law. Notably, the Executive Order stipulates that:

*“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).”*

This means the gold card could be considered sufficient proof of eligibility in categories including the NIW, offering potential alternatives rather than cancellations.



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## What This Means for You

- Your EB2 NIW application and status remain valid and active.
- No immediate action is required from you regarding your current visa process.
- It will take time for any new rules or changes to be implemented - could be up to several years.

We will continue to monitor developments closely and keep you informed. We appreciate your understanding and patience.

At HLG, we are proud to have successfully helped over 500 pilots and family members achieve their goals through the EB2 NIW for pilots. We are committed to supporting you and your family throughout your immigration journey, providing thoughtful guidance and ensuring compliance with all relevant regulations.

Best regards,

**Jean-Francois Harvey**

Founder & Worldwide Managing Partner

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