

The International Family Offices Journal

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Volume 10, Issue 3, March 2026

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The new US ‘Gold Card’: a fast-track residency for the global elite

Elizabeth La Rocca

The US Department of Homeland Security’s (DHS) newly announced donation-based pathway to immigration promises speed and certainty – at a price. Here’s what you need to know about eligibility, legal exposure and filing fees for what’s been dubbed the ‘Gold Card’, an obvious play on the more common Green Card.

The programme

DHS’s ‘Gold Card’ programme introduces a streamlined path to US permanent residence built around a substantial financial gift and enhanced vetting, positioning itself as an attractive alternative for globally mobile investors and families. At its core, the Gold Card programme requires each applicant, the principal investor and dependent family members (spouse or child under age 21), to pay a non-refundable DHS processing fee of \$15,000 per person and, following source-of-funds verification, to make a \$1 million donation per person to the US Department of Commerce (DOC). Only after funds are vetted and DOC confirms receipt does the US Citizenship and Immigration Services (USCIS) adjudicate the new petition, Form I-140G, and move the case through consular processing. For high-net-worth individuals and families, the commitment scales rapidly since every individual carries the same processing fee and \$1 million gift requirement, transforming a four-member household into a multi-million-dollar undertaking before legal and ancillary costs are considered.

The Gold Card programme does not create a new

employment-based immigrant visa category, but instead is a subset of the existing Employment-Based (EB) First Preference category for extraordinary ability applicants (EB-1A), as well as the EB Second Preference category (EB-2) for exceptional ability or national interest waivers. The extraordinary ability (EB-1A) preference category is required to demonstrate extraordinary ability in the sciences, arts, education, business or athletics through sustained national or international acclaim verified by credible, recognised sources or organisations.

In all EB-2 classification cases, the sponsored occupation must be a professional role that normally demands at least a bachelor’s degree, and when relying on the bachelor’s plus five years’ experience pathway, the five years’ experience must be post degree and in the speciality field tied to the proposed work. For exceptional ability cases, USCIS applies a regulatory checklist in which the applicant must meet at least three of six criteria (eg, degree related to the field, 10 years’ full-time experience, licensure, high remuneration, selective professional memberships or recognised contributions). The governing test for the national interest waiver cases (EB-2 NIW) asks whether the individual’s work has substantial merit and national importance, whether the applicant is well positioned to advance the work and whether, on balance, the United States benefits from waiving the usual job offer and labour certification normally required for the approval of a Green Card. In short, whereas EB-1A and EB-2 depends on credentials, a nexus between the qualifications and the work, and an impact on the proposed endeavour, the Trump Gold Card depends primarily on a qualifying financial contribution that agencies treat as satisfying the evidentiary burden for EB-1A and EB-2 classification.

But these EB-1A and EB-2 criteria and traditional high evidentiary burden do not seem to apply to the Gold Card programme. Unlike these traditional application processes, it appears that applicants are deemed to satisfy the eligibility criteria through the \$1 million donation itself, without having to argue the other factors typically in play when applying under the EB-1A or EB-2 NIW categories. The underlying premise is that an individual capable of contributing a seven-figure gift demonstrates a level of achievement and influence consistent with the EB-1A standard of extraordinary ability in business. Such a donation is also thought to be in the nation’s interest.

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Beyond the ability to remit the fee and donation, applicants must demonstrate the lawful source and traceable funds of the investment (crypto must be blockchain-traceable), 20-year employment history and educational history from post-secondary education onwards, and clear admissibility. Gold Card applications will also include verification of identity, a fully documented source-of-funds analysis and security background checks, similar to but more stringent than EB-5 Immigrant Investor Programme (EB-5) vetting.

EB-5 allows foreign nationals to obtain US permanent residency by making an 'at-risk' capital investment, typically \$800,000 for Targeted Employment Area (TEA) projects (rural or high unemployment) or qualifying infrastructure projects, and \$1,050,000 for non-TEA investments, into a US commercial enterprise that must create at least 10 full-time American jobs. It is a true investment-based programme: funds must be placed at risk for profit or loss, the project must meet job-creation requirements, and applicants undergo extensive source-of-funds and path-of-funds vetting to ensure all capital was obtained lawfully. By design, EB-5 ties immigration benefits directly to US economic development through business activity and job creation. The Trump Gold Card, by contrast, is not an investment programme but a donation-based immigration track layered onto EB-1A and EB-2 qualifications.

Corporate sponsors face similar obligations. After paying the \$15,000 fee, the corporate sponsor must make a \$2 million unrestricted contribution to DOC for each beneficiary and \$1 million for each accompanying family member, mirroring the individual gift requirement under the EB-1A (EA) or EB-2 (NIW) categories. Sponsorship is structured to allow flexibility: once a gift is made for an employee, it may be transferred to another sponsored employee without a new \$2 million contribution, although a transfer fee (5%) and DHS recertification checks generally apply. In addition, corporate sponsors are typically liable for an annual maintenance fee of 1% (\$20,000) for each active sponsorship.

The \$1 million contribution is classified as an 'unrestricted gift' and is generally non-refundable if the application is denied, placing the capital at significant risk. A common cause for denial is the inability to demonstrate the lawful source of funds. Additionally, like all US citizens and permanent residents, Gold Card residents will be subject to US taxation, including on non-US income.

Source-of-funds vetting

Under the Trump Gold Card, applicants must provide a clear, documented 'path of funds' showing exactly where the money came from, how it was earned and how it moved through financial accounts, mirroring EB-5 due-diligence requirements. This includes supplying records such as bank statements, tax returns, corporate ownership documents, sale contracts, affidavits, and any other evidence showing that the funds are legitimate and not derived from unlawful activity. While a family member may gift the funds to an applicant, the donor must undergo the same source-of-funds vetting as the applicant. This prevents 'straw man' applicants.

USCIS conducts intensive background checks, including identity verification, review of financial records and security screening to ensure funds are clean and lawfully sourced. These checks are explicitly described as similar in scrutiny to EB-5 source-of-funds examinations, which involve fraud-detection units and interagency security reviews. Additionally, programme guidance emphasises that funds must be traceable from their original lawful source to the final transfer, and applicants may need to document multi-step financial transactions, again mirroring the EB-5 model where applicants must demonstrate 'lawful source and path of funds'.

Filing procedures

Filing fee procedures follow a sequenced, digital route with no paper filing. Applicants initiate through TrumpCard.gov, create a USCIS account, and submit Form I-140G online after remitting the non-refundable \$15,000 DHS processing fee via pay.gov. USCIS then conducts source-of-funds vetting, which

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means the source of funds must be documented meticulously, and only when cleared do applicants wire the required gift to DOC. After DOC confirms receipt, USCIS adjudicates the petition and, assuming an immigrant visa number is available, the case proceeds to consular processing and an in-person interview at the US consulate abroad. At this time, families must pursue the visa at the consulate unless DHS publishes an option to file an Adjustment of Status to Lawful Permanent Resident application (Form I-485) while present in the United States.

Understanding the Visa Bulletin

Importantly, the proclamation does not modify the statutory numerical caps that control both the EB-1 and EB-2 categories. Gold Card applicants therefore compete for the same immigrant visa numbers that are already subject to long backlogs for nationals of India, China and other oversubscribed countries named in the monthly visa bulletin. The US Visa Bulletin, published monthly by the State Department, governs the availability of immigrant visa numbers under each category and country of citizenship. Employment-based visas including EB-1A, which supports the Gold Card programme, are subject to annual numerical limits and per-country caps. When demand exceeds supply, the Visa Bulletin establishes 'priority dates', which are essentially the filing dates of approved petitions. Applicants can only proceed to final steps, such as consular processing, when their priority date becomes 'current' according to the Visa Bulletin. For high-demand countries such as India or China, backlogs can create multi-year waits, even in EB-1 categories, whereas other regions often remain current. For Gold Card applicants, this means that visa issuance still depends on these statutory quotas, making the Visa Bulletin a critical planning tool for timing and expectations. There is no information as to whether a separate allotment of visas will be available to those applying for Gold Cards, which may require Congressional intervention. However, for applicants from countries that historically have not faced backlogs (eg, Europe, South America, Africa) and where EB-1 and EB-2 are typically current, the Gold Card does genuinely offer a fast track to permanent residency.

For high-net-worth individuals and families outside the United States, the advantage of the Gold Card programme is straightforward. It trades speed and procedural clarity for capital intensity and regulatory uncertainty. Families seeking immediate US residency privileges, without the operational risk of job-creation mandates tied to the EB-5 visa programme, may value the programme's predictability once funds are vetted and gifts posted. Briefly, the EB-5 immigrant visa programme requires applicants to invest approximately \$1 million into a US project that creates at least 10 jobs. In practice, this system depends on investor-run projects, USCIS-certified regional centres, and strict documentation demonstrating that the investment has generated employment. By contrast, the Gold Card eliminates the employment-creation threshold and shifts all payments directly to the government. Yet the price is steep, the public-policy debate is active, and careful structuring matters. For this reason, potential Gold Card applicants will want to align their immigration strategy with their wealth planning considerations (including cross-border tax, trust and succession).

Lastly, it's worth noting this visa was established by an executive order and has drawn questions about the scope of presidential authority to anchor a donation-based eligibility test without Congressional action. Therefore, the programme will likely continue to evolve and will experience litigation and/or shifts in its timeline and mechanics.

In February 2026, a lawsuit was filed by the American Association of University Professors in the US District Court for the District of Columbia, challenging the Gold Card as unlawful and requesting the court halt the programme. The lawsuit argues that the Gold Card programme violates the Administrative Procedure Act and the Immigration and Nationality Act, and was enacted without statutory authority. The complaint also alleges that prioritising Gold Card applicants will increase wait times for Green Card applicants. It remains to be seen whether this challenge will be successful. For now, the Gold Card continues.

Looking ahead

Along with the Gold Card initiative, the Trump

administration has signalled that a Platinum Card programme is in development and anticipated to deliver enhanced privileges, potentially including targeted tax exemptions. The premium version is expected to cost \$5 million and would enable holders to spend up to 270 days each year in the United States without US taxation on income earned abroad. The exact details, however, have not been confirmed.

For now, the US Gold Card programme holds appeal for members of the global elite, offering expedited residency for a substantial one-time gift. But applicants should understand the programme's high financial risk and strict compliance requirements. Careful preparation, especially proof of lawful funds, is essential to avoid what could be a costly denial.

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This article 'The new US 'Gold Card': a fast-track residency for the global elite', by Elizabeth La Rocca, is taken from the 39th issue of *The International Family Offices Journal*, published by Globe Law and Business.

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