CYRUS D. MEHTA & PARTNERS PLLC
US IMMIGRATION & NATIONALITY LAW

IMMIGRATION UPDATE - MARCH 03, 2025

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Headlines:

President Trump Proposes 'Gold Card' Visa Program to Replace EB-5 Visa – President Trump said he wants to sell a "gold card" visa for $5 million to noncitizens, including both individuals and companies. The visa would include permanent residence with work authorization and a path to U.S. citizenship. Secretary of Commerce Howard Lutnick said that the new program, which has not been launched yet, would replace the EB-5 visa program in two weeks.

'Show Me Your Papers': Trump Administration Announces Undocumented Immigrant Registry – The Department of Homeland Security (DHS) announced enforcement of a law requiring undocumented immigrants to register with the federal government, be fingerprinted, and notify the government of address changes. DHS said that failure to register "is a crime that could result in a fine, imprisonment, or both."

DOS Announces Expansion of Visa Restriction Policy for Individuals Exploiting Cuban Labor – The Department of State announced the expansion of an existing Cuba-related visa restriction policy that targets forced labor linked to the Cuban labor export program.

Details:

President Trump Proposes 'Gold Card' Visa Program to Replace EB-5 Visa

President Trump said he wants to sell a "gold card" visa for $5 million to noncitizens, including both individuals and companies. The visa would include permanent residence with work authorization and a path to U.S. citizenship. A new visa program would require passage by Congress, but Mr. Trump said he wouldn't need congressional approval "because we're not doing citizenship, we're doing the card." He said that gold card holders would "be wealthy and

they'll be successful and they'll be spending a lot of money and paying a lot of taxes and employing a lot of people, and we think it's going to be extremely successful."

According to reports, Secretary of Commerce Howard Lutnick said that the new program would replace the EB-5 visa program in two weeks. He also claimed that 250,000 people were "waiting in line" for it, although an application process hasn't been established yet. The current EB-5 immigrant investor program includes investment and job-creation requirements. Mr. Lutnick said the EB-5 program was "full of nonsense" and "low priced." It was unclear whether existing EB-5 visa holders would be affected if the program were to be shut down and whether the Trump administration would seek congressional approval for either the new "gold card" program or shutting down the EB-5 program. In 2022, Congress extended the EB-5 program until 2027.

The "gold card" idea is similar to "golden visa" programs in many other countries, although some have ended such programs due to issues including money laundering, security concerns, and driving up housing prices. The European Union has recommended against such programs. When asked if gold card applicants would be vetted, Mr. Lutnick said, "Of course. Deeply vetted. And we said that from the first minute.... These are vetted people." Mr. Lutnick also said the new program would bring "huge money for America." Mr. Trump was asked whether Russian oligarchs would qualify, and he replied, "Yeah, possibly."

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'Show Me Your Papers': Trump Administration Announces Undocumented Immigrant Registry

On February 25, 2025, the Department of Homeland Security (DHS) announced enforcement of an existing law requiring undocumented immigrants to register with the federal government, be fingerprinted, and notify the government of address changes. DHS said that failure to register "is a crime that could result in a fine, imprisonment, or both."

DHS said those who "must apply for registration" include:

- "All aliens 14 years of age or older who were not registered and fingerprinted (if required) when applying for a visa to enter the United

States and who remain in the United States for 30 days or longer. They must apply before the expiration of those 30 days.
- The parents and legal guardians of aliens less than 14 years of age who have not been registered and remain in the United States for 30 days or longer, prior to the expiration of those 30 days.
- Any alien, whether previously registered or not, who turns 14 years old in the United States, within 30 days after their 14th"

Those who "have not registered" include:

- "Aliens who are present in the United States without inspection and admission or inspection and parole;
- Canadian visitors who entered the United States at land ports of entry and were not issued evidence of registration; and
- Aliens who submitted one or more benefit requests to USCIS not listed in 8 CFR 264.1(a), including applications for Deferred Action for Childhood Arrivals or Temporary Protected Status, who were not issued evidence of registration."

American Indians born in Canada who entered the United States under section 289 of the Immigration and Nationality Act, and members of the Texas Band of Kickapoo Indians who entered the United States under the Texas Band of Kickapoo Act, are not required to register.

DHS said it would soon announce a form and process for registration. "Beginning Feb. 25, 2025, aliens required to register should create a USCIS online account in preparation for the registration process. See our How to Create a USCIS Online Account page for more information. Once the registration process is implemented, aliens will submit their registration, and parents and guardians will submit registration applications on behalf of their children under 14, through their USCIS online account."

Greg Chen, a senior director of government relations for the American Immigration Lawyers Association, said the registration requirement could lead to a "nationwide show-me-your-papers regime." It remains to be seen how many undocumented immigrants will be inclined to register or how the registration requirement will be enforced. In the meantime, DHS reportedly asked the Internal Revenue Service (IRS) for the home addresses of about 700,000 people believed to be in the United States without authorization and

requested auditors and criminal investigators to probe businesses suspected of hiring unauthorized workers. The IRS refused to provide the home addresses to DHS but is looking for other ways to help.

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DOS Announces Expansion of Visa Restriction Policy for Individuals Exploiting Cuban Labor

On February 25, 2025, the Department of State (DOS) announced the expansion of "an existing Cuba-related visa restriction policy that targets forced labor linked to the Cuban labor export program. This expanded policy applies to current or former Cuban government officials, and other individuals, including foreign government officials, who are believed to be responsible for, or involved in, the Cuban labor export program, particularly Cuba's overseas medical missions," along with their immediate family members.

Secretary of State Marco Rubio, whose parents were Cuban immigrants, said in a statement that "Cuba continues to profit from the forced labor of its workers and the regime's abusive and coercive labor practices are well documented. Cuba's labor export programs, which include the medical missions, enrich the Cuban regime, and in the case of Cuba's overseas medical missions, deprive ordinary Cubans of the medical care they desperately need in their home country."

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