

**SUPPORTING STATEMENT FOR
Immigrant Petition for the Gold Card Program
OMB Control No.: 1615-NEW
COLLECTION INSTRUMENT(S): I-140G**

A. Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

On September 19, 2025, President Trump issued Executive Order 14351, The Gold Card¹. The executive order instructs the Secretary of Commerce (Secretary), in coordination with the Secretary of State and the Secretary of Homeland Security, to establish the Gold Card program.

The purpose of the Gold Card program is to facilitate the immigrant visa process for aliens who have provided a significant unrestricted financial gift to the United States. The required gift is \$1 million for an individual, or \$2 million for a corporation or similar entity sponsoring an individual. The funds are to be paid to U.S. Department of Commerce. The U.S. Department of Homeland Security (DHS) U.S. Citizenship and Immigration Services (USCIS) will adjudicate visa applications, 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).

U.S. Department of Commerce, in coordination with the Secretary of State and the Secretary of Homeland Security, established the Gold Card Program. Legal authorities are identified below:

Department of Commerce: 15 U.S.C. Section 1522 (authority to accept gifts or donations to further the mission of the Department); 15 U.S.C. Section 1524 (authority to direct disbursement of income from the investment of gifts; September 19, 2025, Executive Order 14351, The Gold Card.

Departments of Homeland Security and State: 8 U.S.C. Section 1101 et seq. (Immigration and Nationality Act, as amended) and related authorities governing the U.S. Citizenship and Immigration Services and Department of State; September 19, 2025, Executive Order 14351, The Gold Card.

¹ <https://www.whitehouse.gov/presidential-actions/2025/09/the-gold-card/>

USCIS created the new Form I-140G, Immigrant Petition for the Gold Card Program. This new data collection will be used to assess an alien's eligibility for an available employment-based immigrant visa. The gift donation confers eligibility for either the first employment-based preference (EB-1) alien of extraordinary ability under section 203(b)(1)(A) of the Immigrant and Nationality Act (INA), 8 U.S.C. § 1153(b)(1)(A); or, the second preference (EB-2) alien of exceptional ability under INA section 203(b)(2)(A), 8 U.S.C. § 1153(b)(2)(A) with a national interest waiver under INA section 203(b)(2)(B), 8 U.S.C. § 1153(b)(2)(B).

This new data collection will also provide the requisite gift's source of funds and the path of funds, which will enable proper vetting to ensure the gift came from a lawful source and not a prohibited source. Prohibited sources, include but are not limited to, proceeds derived from illegal activity, criminal activity, or terrorist activity.

Form I-140G, Immigrant Petition for the Gold Card Program, is essential to facilitate the efficient processing of Gold Card petitions while upholding national security. This new information collection is critical to initiating safe and orderly intake; conducting criminal, national security, sanctions, and anti-money laundering screening; and enabling interagency vetting and adjudication.

Emergency Action

This emergency action is necessary to meet the Executive Order 14351 implementation date, within 90 days of September 19, 2025, specifically by December 18, 2025. Emergency approval of Form I-140G enables immediate collection of the standardized set of data necessary to properly assess eligibility, which also protects operational efficiency, national security, and financial integrity. Without an approved form and instructions to collect a standardized set of data, DHS and USCIS cannot intake, accept, receipt, or adjudicate an alien's eligibility for an available employment-based first-preference or second-preference immigrant visa. In short, all the mechanisms are in place to immediately meet the current demand for the Gold Card, which could generate substantial revenue aimed at boosting commerce, and supporting American industries.

Section 103(a)(3) of the INA, 8 U.S.C. § 1103(a)(3), authorizes the Secretary of Homeland Security to issue forms, instructions, and guidance necessary to carry out the authority provided in section 103(a)(1) of the INA, 8 U.S.C. § 1103(a)(1). If DHS were to adhere to the standard information collection clearance procedures, the Secretary of Homeland Security would be unable to implement the Gold Card Program within 90 days of September 19, 2025, specifically by December 18, 2025.

Therefore, to bring this information collection into compliance with administration priorities and to meet the Executive Order 14351 implementation date, USCIS cannot comply with the normal clearance procedures under the PRA.

Employment-Based Immigrant Visas

Section 203(b) of the INA, 8 U.S.C. § 1153(b) sets the number of immigrant visas the U.S. Department of State can issue to aliens seeking to become lawful permanent residents. The INA generally makes 140,000 employment-based immigrant visas available each fiscal year, plus any family-sponsored immigrant visas authorized under section 203(a) of the INA, 8 U.S.C. § 1153(a) that went unused during the previous fiscal year. See INA section 201(d), 8 U.S.C. § 1151(d). The INA allots the minimum 140,000 immigrant visas per fiscal year through five separate employment-based “preference categories,” including 40,040 in the EB-1 category for (1) “aliens with extraordinary ability,” (2) “outstanding professors and researchers,” and (3) “certain multinational executives and managers.” See INA section 203(b)(1), 8 U.S.C. § 1153(b)(1). The INA also allots 40,040 immigrant visas to the EB-2 category for (1) “aliens who are members of the professions holding advanced degrees (or their equivalent)” and (2) “aliens of exceptional ability in the sciences, arts, or business.” See INA section 203(b)(2), 8 U.S.C. § 1153(b)(2).

Therefore, individuals seeking lawful permanent residence through the Gold Card program must file a petition requesting classification as an EB-1 alien with extraordinary ability or as an EB-2 alien with exceptional ability requesting a national interest waiver within the EB-2 category. Unlike most other employment-based preference categories, the EB-1 category is currently not “oversubscribed,” meaning there are immigrant visas available in this category, unless the intending immigrant alien was born in India or China and subject to a separate numerical limitation on country of birth.² The EB-2 category is currently oversubscribed for all nationalities.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

The data on this form is used by USCIS to determine eligibility for the requested immigration benefit. The form serves the purpose of standardizing requests for the benefit and ensuring that basic information required to determine eligibility is provided by petitioners.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

² See Department of State’s Visa Bulletin website, “The Visa Bulletin,” <https://travel.state.gov/content/travel/en/legal/visa-law0/visa-bulletin.html>.

Form I-140G is available on the USCIS website at www.uscis.gov/I-140g. The form can be electronically completed and submitted as an attachment on the respondent's USCIS online account. The burden for setting up a USCIS online account is covered under the USCIS Online Account Access information collection (OMB control number 1615-0122).

- 4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

This information collection provides the most efficient means for gathering and processing information to establish the alien's eligibility. This collection of information is unique to USCIS and is not conducted elsewhere. A review of the USCIS's information collection inventory revealed no duplication of effort, and there is no other similar information currently available nor is the information accessible from other databases which can be used for this purpose.

- 5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.**

This information collection will impact small businesses or other small entities. The amount of information collected from small entities has been minimized by only requesting the information necessary to determine eligibility for the benefit requested. Additionally, the ability to submit the information collection electronically has been provided as indicated in Question 3 above.

- 6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

If the information is not collected, USCIS would not be able to determine the eligibility for the immigrant visa through the Gold Card Program, including vetting of the petitioner's source of funds.

- 7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

- **Requiring respondents to report information to the agency more often than quarterly;**
- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **Requiring respondents to submit more than an original and two copies of any**

document;

- **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- **That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

This information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

- 8. If applicable, provide a copy and identify the data and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

USCIS is seeking emergency approval of the Form I-140G under 5 CFR 1320.13 and in compliance with administration priorities and to meet the Executive Order 14351 implementation date, within 90 days of September 19, 2025, specifically by December 18, 2025, and, as such, has not yet published a notice in the Federal Register.

Upon being granted emergency approval of this information collection, USCIS will go through a normal Paperwork Reduction Act (PRA) approval process, including the solicitation of public comments on the revision, no later than six months after the approval of this emergency request.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

USCIS does not provide any payment for benefit sought.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation or agency policy.

USCIS provides assurance of confidentiality for protected classes of immigrants consistent with 8 C.F.R. § 208.6 and 8 U.S.C. § 1367. Additional assurances are derived from the Privacy Act of 1974, 5 U.S.C 552a and the E-Government Act of 2002.

This collection is covered under the following Privacy Impact Assessments:

- DHS/USCIS/PIA-044 Validation Instrument for Business Enterprises (VIBE), December 14, 2021;
- DHS/USCIS/PIA-056 USCIS Electronic Immigration System (ELIS), September 30, 2024;
- DHS/USCIS/PIA-071 myUSCIS Account Experience, June 28, 2019.

The collection is covered under the following System of Records Notices:

- DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, September 18, 2017, 82 FR 43556;
- DHS/USCIS-006 Fraud Detection and National Security Records (FDNS), August 8, 2012, 77 FR 47411;
- DHS/USCIS-007 Benefits Information System, October 10, 2019, 84 FR 54622;
- DHS/USCIS-018 Immigration Biometric and Background Check (IBBC) System of Records, July 31, 2018, 83 FR 36950;
- DHS/ALL-004 General Information Technology Access Account Records System of Records;
- Department of the Treasury.009—Treasury Fiscal Service Systems, September 14, 2023, 88 FR 63200; and
- STATE-05, Overseas Citizens Service Records and Other Overseas Records, September 8, 2016, 81 FR 62235.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the

information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

The collection of information contains questions that are of a sensitive nature. Respondents must provide biographical information and records about personal income and financial resources. This information is necessary to conduct security checks and establish the source of the funds being used to pay the required amount.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

| Information Collection Hour Burden Estimate | | | | | | | | |
|---|---|--------------------|------------------------------|---------------------|------------------------------------|-------------------------------|-----------------------------------|--|
| | | A | B | C = A x B | D | E = C x D | F | G = E x F |
| Respondent Type | Form Name/ Number | No. Respondents | No. Responses per Respondent | Total No. Responses | Avg. Burden per Response, in hours | Total Annual Burden, in hours | Avg. Hourly Wage Rate, in dollars | Total Annual Respondent Cost, in dollars |
| Individuals | Form I-140G, Immigrant Petition for the Gold Card | 1,000 ³ | 1 | 1,000 | 5 | 5,000 | \$8,077 | \$40,385,000 |

³ Estimated number of respondents to be updated based on annual intake data once information collection is OMB approved.

| | | | | | | | |
|--------------|--|--|--------------|--|--------------|--|---------------------|
| Program | | | | | | | |
| Total | | | 1,000 | | 5,000 | | \$40,385,000 |

* The above Average Hourly Wage Rate is based on the median wage of top CEOs per the site <https://www.aljazeera.com/economy/2025/4/24/median-ceo-pay-in-us-hits-record-high-even-as-markets-tumble>. The hourly wage is calculated at 16,800,000 / 260 (average workdays a year) / 8 (hours worked per day) = \$8,077 per hour).

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

- **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995; (2) to achieve regulatory compliance with requirements not associated with the information collection; (3) for reasons other than to provide information or keep records for the government; or, (4) as part of customary and usual business or private practices.**

There are no capital, start-up, operational or maintenance costs associated with this collection of information.

This information collection may impose some out-of-pocket costs on respondents in addition to the time burden for the form's preparation. Many respondents may incur expenses to obtain tax, financial, or business records, and/or other evidentiary

documentation. Costs may include payments for document translation and preparation services, attorney and legal fees, and costs associated with gathering documentation. USCIS estimates that the average cost for these activities is \$515. The estimated out of pocket cost to respondents is calculated as follows: 1,000 annual respondents multiplied by the average cost per response of \$515, which equals a total annual cost of **\$515,000**.

- 14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.**

USCIS establishes its fees using an activity-based costing model to assign costs to an adjudication based on its relative adjudication burden and use of USCIS resources. Fees are established at an amount that is necessary to recover these assigned costs, plus an amount to recover unassigned overhead (which includes the suggested average hourly rate for clerical, officer, and managerial time with benefits), and immigration benefits provided for free. USCIS uses the fee associated with an information collection as a reasonable measure of the collection's costs to USCIS, since these fees are based on resource expenditures related to the benefit in question. In addition, this figure includes the estimated overhead cost for printing, stocking, distributing and processing of this form.

USCIS will receive a nonrefundable immigrant petition fee for the Gold Card visa of \$15,000 per person requesting a Gold Card, and it is estimated that approximately 1,000 persons will file the petition for a total cost to the Federal government of **\$15,000,000** per year. (1,000 respondents x \$15,000 = \$15,000,000). The \$15,000 payment is collected through the pay.gov portal and provided to USCIS after the person completes the Gold Card application through Department of Commerce, and prior to completion of USCIS Form I-140G.

- 15. Explain the reasons for any program changes or adjustments reporting in Items 13 or 14 of the OMB Form 83-I.**

This is a new information collection and there are no program changes or adjustments to report in Items 13 or 14 of the OMB Form 83-I.

- 16. For collections of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

This information collection will not be published for statistical purposes.

- 17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

USCIS will display the expiration date for OMB approval of this information collection.

- 18. Explain each exception to the certification statement identified in Item 19, “Certification for Paperwork Reduction Act Submission,” of OMB 83-I.**

USCIS does not request an exception to the certification of this information collection.

B. Collections of Information Employing Statistical Methods.

There is no statistical methodology involved with this collection.