

H-1B not enough for a US Green Card? Experts explain why Indians are turning to the \$800,000 EB-5 route

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Indian H-1B visa holders are increasingly turning to the EB-5 immigrant investor program to secure US Green Cards amid job uncertainties and long backlogs.

Indian professionals on [H-1B](#) visas are increasingly looking at the EB-5 immigrant investor route as an alternative way to secure a [Green Card](#), with experts pointing to employment uncertainty and the long India-specific employment-based backlog as key reasons behind the shift.



Experts explain why Indian professionals are eyeing the \$800,000 EB-5 route. (Unsplash)

The September 2026 Visa Bulletin shows the gap between the routes. The EB-2 category for India is unavailable for the rest of the fiscal year, while the EB-3 India final action date is January 1, 2014. At the same time, the rural, high-unemployment and infrastructure EB-5 set-aside categories are listed as current for India.

Suresh Rajan, Founder and Executive Chairman of LCR Capital Partners, said the difference is prompting more H-1B holders to take EB-5 seriously.

“For an Indian professional on H-1B today, the arithmetic has become hard to ignore,” Rajan said. “The employment-based Green Card queue asks a family to wait more than a decade with no fixed end date, while the EB-5 set-aside categories remain open to them now.”

H-1B uncertainty meets a long Green Card wait

Piyush Gupta, Vice President, India & Middle East, CanAm Enterprises, said they are seeing “growing interest” among Indian H-1B holders considering EB-5 as an alternative pathway to permanent residency.

Also read: [From studies to Green Card: Experts explain how US immigration process is getting tougher for Indians](#)

“The shift is being driven by a combination of H-1B policy uncertainty, employment volatility and the prolonged [employment](#)-based green-card backlog faced by Indian professionals,” Gupta said.

He said the two issues work on different timelines, with H-1B policy changes and employment volatility creating immediate concerns, while the employment-based Green Card backlog remains a longer-term problem.

Gupta said EB-5 is particularly relevant for professionals whose immigration status remains closely linked to their employer.

“For professionals whose [immigration](#) status remains closely tied to their employer, EB-5 offers a route to permanent residency that does not depend on employer sponsorship,” he said.

Rajan similarly described the appeal as a question of control.

“H-1B ties status to an employer,” Rajan said. “Changing jobs means a new petition, a promotion can mean an amended filing, and a layoff starts a 60-day clock.”

What the \$800,000 EB-5 route offers

The EB-5 program requires a minimum investment of \$1.05 million, or \$800,000 when the investment qualifies for the reduced threshold under the program’s rules. USCIS lists the current investment amounts and job-creation requirements for EB-5 investors.

The investment is not a visa-processing fee. [Investors](#) must meet the program's requirements, including creating at least 10 qualifying full-time jobs. Gupta stressed

that the capital must remain legally “at risk” during the investment period, meaning investors should not treat the \$800,000 as guaranteed to be returned.

“For the segment we serve, yes, though it is never a casual decision,” Rajan said of the \$800,000 threshold. “The minimum is \$800,000 in a targeted employment area, which covers rural and high-[unemployment](#) projects, against \$1,050,000 elsewhere.”

The EB-5 program also has reserved visa categories. Under the current framework, 20% of annual EB-5 visas are reserved for rural projects, 10% for high-unemployment areas and 2% for infrastructure projects. The September Visa Bulletin lists those set-aside categories as current for India.

Rajan said the set-asides have become particularly important because they remained current for Indian applicants even as the unreserved EB-5 category became unavailable during the fiscal year.

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Why EB-5 appeals to families

For an Indian H-1B holder already living in the US, the attraction is not limited to the Green Card itself. Gupta said eligible applicants can potentially pursue employment authorization and travel permission after filing adjustment-of-status applications, subject to USCIS approval and [visa](#) availability.

The EB-5 route can also cover a spouse and unmarried children under 21 who meet the applicable requirements, Gupta said.

Rajan said two groups are appearing consistently among LCR Capital's US clients: younger technology professionals who have built careers after graduate study, and established professionals concerned about a child approaching the age at which dependent status could become an issue.

For such families, he said, the decision can become less about changing [jobs](#) and more about securing long-term stability.

“EB-5 is not a shortcut; it is a considered decision involving \$800,000 and months of preparation,” Rajan said. “But it is the one route where the family, rather than an employer or a queue, decides the outcome.”

September 30 deadline adds urgency

Both experts also pointed to September 30, 2026, as an important date for EB-5 investors seeking protections under the Reform and Integrity Act.

Gupta said a properly filed Form I-526E establishes an EB-5 priority date but does not guarantee immediate visa availability or eliminate the possibility of retrogression.

Rajan said petitions properly filed and received by September 30, 2026 can receive grandfathering protection under the current law if the applicable requirements are met. He also stressed that the [September](#) 30, 2026 deadline should not be confused with the September 30, 2027 expiration date for the Regional Center Program.

For Indian H-1B holders, the calculation is therefore becoming more complicated: remain on an employer-linked visa and navigate a long employment-based Green Card queue, or consider a substantially more expensive investor route that can offer greater control over the immigration process.



Asmi is a Senior Content Producer primarily covering stories related to NRIs, immigration, visas, citizenship and global mobility. She closely follows developments that affect Indians living, working and studying abroad, with a particular focus on translating complex policies and international developments into clear, accessible stories for readers. As part of the US Desk, Asmi also reports on a wide range of political, economic and social developments in the United States, exploring their relevance to Indian and global audiences. Her work spans breaking news, features, trends and explanatory stories, with an emphasis on accuracy, timely reporting and audience-focused storytelling. Asmi likes

finding the human angle behind major developments and bringing context to stories that can often feel complicated or distant. She is especially interested in stories around immigration, life abroad, careers, education and the experiences of the Indian diaspora, while also exploring a wide range of topics that spark curiosity and conversation. Outside the newsroom, Asmi is an avid reader and loves travelling, discovering new places, experiencing different cultures and collecting stories along the way.[Read More](#)

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