

How Indians in the US can apply online for a green card without going home

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Most green card routes for Indians are stuck in backlogs dating back to 2013 and 2014, but one employment-based category is currently open and eligible applicants can file today.

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Getting a green card without leaving the US is possible, but for Indians, only one visa category makes that possible right now. (Bloomberg)

You do not have to leave the US to get a green card. You do not have to wait years for a priority date. But only if you know which route to take. EB-2 stuck at 2014. EB-3 stuck at 2013. But one door is still open for Indians. Let's explore.

Before that, here's a new development in the green card application process, effective April 23. The US has launched an [online filing option](#) for Form I-485, potentially speeding up the process for eligible employment-based applicants already in the country.

Some immigrants can apply for a green card based on family ties, while others can do so through employment. Wealthy investors can apply for a green card through the EB-5 investor visa program.

Under the EB-5 investor program, foreign investors can make a direct investment or invest in a US business worth up to USD 800,000 if it is located in a Targeted Employment Area.

Alternatively, they can invest \$1.05 million in a business in a high-employment area. Once approved, they can get a conditional green card in quick time.

“There are different ways for people already living in the US to apply for a green card, including through family, marriage, work, or investment,” says Shilpa Menon, Managing Director, Commercial at LCR Capital.

Adjustment of Status Process

If you are already in the US and want to apply for a green card, you need to meet the conditions set in the ‘Adjustment of Status’ process. Adjustment of status allows a non-immigrant visa holder to become a permanent U.S. resident with a Green Card while inside the United States. This applies largely to the H-1B visa holders and other immigrants, too.

“One major advantage of EB-5 is that eligible applicants who file from within the US may also apply for adjustment of status, which can allow them to receive a work permit and travel permit within months while their green card case is pending. That can give families much more flexibility and peace of mind during the process,” adds Menon.

If you are currently in the United States on a non-immigrant visa, you may be able to stay and apply for adjustment of status. This will allow you to become a permanent resident and get a Green Card. Before you can apply for adjustment of status, you or someone else must file an immigration petition for you. In case you are outside the United States, or when ineligible to adjust status in the United States, then the Consular processing is the method immigrants use to get their Green Card.

Nicholas A. Mastroianni III, President & CMO, USIF, shares the roadmap below for applying for a green card using the ‘adjustment of status’ route:

Adjustment of status is not a standalone application. It rides on top of an underlying petition, which varies by category. For family-sponsored green cards, a family member files a petition. For employment-sponsored green cards in EB-1, EB-2, or EB-3, an employer generally files an immigrant petition after obtaining labor certification, where required. For EB-5, the investor files an I-526E petition based on their own qualifying investment.

Whether the I-485 (application to Adjust Status) can be filed at the same time as the underlying petition, or must wait until later, depends on two things.

The first is whether the applicant’s priority date is current under the chart USCIS has designated for that month. The second is the category itself. USCIS publishes its monthly chart designation as Visa Bulletins, and the designation can change month to month.

Once the I-485 is properly filed and pending, applicants can typically obtain work authorization (Form I-765) and travel authorization (Form I-131) to maintain their ability to

work and travel while the case is under review.

These authorizations do not themselves constitute a green card. The green card is issued only when the I-485 is approved, which, in backlogged categories, requires the applicant's priority date to become current.

Among the employment categories, EB-5 is currently the only option where India is at Current in the Reserved categories under the May 2026 bulletin.

That means an Indian applicant in the U.S. on a valid visa can file the I-526E and the I-485 at the same time today. In EB-2 or EB-3, where India sits in 2014 and 2013, respectively, the I-485 cannot be filed concurrently with the underlying petition for most new applicants because the priority date is not current.

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