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The new regulations, withdrawal of I-140, H-1 extensions

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Submitted by Chief Editor on Feb 28th 2017

I have an approved I-140 with priority date 2013 from employer A and my employer A is withdrawing it. I am going to apply I-140 with employer B now in regular processing and also porting the date. I will complete my 6 years of H-1 end of the year. Will I still be eligible for 3 years of H-1 extension with my approved I-140 from employer A?

ANSWER:

Watch Video on this view FAQ: The new regulations, withdrawal of I-140, H-1 extensions ^[2]

Video Transcript:

The moment your I-140 is approved the date is yours, the moment it stays unrevoked for 180 days your right to extend your H-1 with any employer remains safe even if the I-140 is revoked. But the caution that I was pointing out to be is sometimes USCIS can go back and revoke an already approved I-140. But they have raised the bar on that too. They will not be able to take away your rights merely because they made an error. The error has to be something I call error plus, basically which means there were some certain facts that were not in evidence when they approved the case.More ^[2]

Note: This is a verbatim transcript of the referenced audio/video media delivered as oral communication, and, therefore, may not conform to written grammatical or syntactical form.

Nonimmigrant Visas:

Extension ^[3]

H-1 Visa ^[4]

Green Card:

Form I-140 [5]

FAQ Transcript:

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Unless the context shows otherwise, all answers here were provided by [Rajiv](#) [6] and were compiled and reported by our editorial team from comments and blog on [immigration.com](#) [7]

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Links:

[1] <https://immigration.com/faq/form-i-140/new-regulations-withdrawal-i-140-h-1-extensions>

[2] <https://youtu.be/axFA0eA-oK8?t=74>

[3] <https://immigration.com/visa/nonimmigrant-visas/extension>

[4] <https://immigration.com/visa/nonimmigrant-visas/h-visa/h-1-visa>

[5] <https://immigration.com/greencard/green-card/form-i-140>

[6] <http://www.immigration.com/law-offices-rajiv-s-khanna-pc>

[7] <http://www.immigration.com>

[8] <https://immigration.com/JavaScript%3Avoid%280%29%3B>