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Downgrading a Case from EB-2 to EB-3 for Priority Date Advantage

Downgrading a Case from EB-2 to EB-3 for Priority Date Advantage ^[1]

Submitted by Chief Editor on Jan 23rd 2019

I am with my current Employer since 2008. My GC is filled in EB2 with Aug-2010 Priority Date. Only I-140 is approved so far.

- 1) Can my employer file me under EB-3 concurrently without affecting my existing EB-2 filing?
- 2) If yes then what is the procedure for that? Do I have to do my labor and I-140 once again?

ANSWER:

[Watch the Video on this FAQ:](#) ^[2]

[Downgrading a case from EB2 to EB3 for priority date advantage](#) ^[2]

Video Transcript

1. Your EB-2 does not get affected. You can file EB-3/I-140 and I believe you can file a I-485 also if your dates are current.

2. Just the I-140. [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.

Green Card:

[EB2 Green Card](#) ^[3]

[EB3 Green Card](#) ^[4]

[Form I-140](#) ^[5]

FAQ Transcript:

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.

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/eb2-green-card-eb3-green-card-form-i-140/downgrading-a-case-eb-2-eb-3-priority-date-advantage>

[2] <https://youtu.be/iT2jsoJJHck?t=528>

[3] <https://immigration.com/greencard/green-card/employment-based-green-cards/eb2-green-card>

[4] <https://immigration.com/greencard/green-card/employment-based-green-cards/eb3-green-card>

[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>