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How Can I Downgrade from EB-2 to EB-3 and Consequences

How Can I Downgrade from EB-2 to EB-3 and Consequences ^[1]

Submitted by Chief Editor on Nov 20th 2018

ANSWER:

[Watch the Video on this FAQ: How can I downgrade from EB2 to EB3 and the consequences](#) ^[2]

Video Transcript

If we have an EB-2 approved I-140 we apply for an EB-3 approval on the same form or you can file EB-3 I-140 and I-485 concurrently if the dates are current. If you file a I-485 that is prematurely filed when the priority date of EB-2 is not current, if EB-3 is denied on which basis you had filed the I-485 then the I-485 will also be denied. I would want your lawyers to review your case very carefully. Make sure that you don't have any other issues. If the second EB-3 filing gets denied it should not have any impact on the already approved I-140 unless the second filing reveals some problem with the case that was not addressed earlier.[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:

[Employment Based Green Cards](#) ^[3]

[EB1 Green Card](#) ^[4]

[EB2 Green Card](#) ^[5]

[EB3 Green Card](#) ^[6]

[Form I-140](#) ^[7]

[Form I-485](#) ^[8]

[Priority Date](#) ^[9]

[EB1 Green Card](#) ^[4]

[EB2 Green Card](#) ^[5]

[EB3 Green Card](#) ^[6]

[Form I-140](#) [7]

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[Employment Based Green Cards](#) [3]

[Priority Date](#) [9]

FAQ Transcript:

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Unless the context shows otherwise, all answers here were provided by Rajiv [10] and were compiled and reported by our editorial team from comments and blog on [immigration.com](#) [11]

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Links:

[1] <https://immigration.com/faq/employment-based-green-cards-eb1-green-card-eb2-green-card-eb3-green-card-form-i-140-form-i-48-0>

[2] <https://youtu.be/htSoREU4MVM?t=446>

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

[4] <https://immigration.com/greencard/green-card/employment-based-green-cards/eb1-green-card>

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

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

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

[8] <https://immigration.com/greencard/green-card/form-i-485>

[9] <https://immigration.com/greencard/green-card/priority-date>

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

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

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