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EB-2 Approved - Applying for EB-3

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Submitted by Chief Editor on Jan 10th 2019

I applied for EB3 in 2011 and port to EB2, now EB3 dates are moving forward and if it reach to my priority date am I still eligible for EB3 as I initially applied for or do I need to downgrade to EB3. Will there be any questions raised?

ANSWER:

[Watch the Video on this FAQ: EB-2 approved applying for EB-3](#) ^[2]

Video Transcript

This is mostly a question of procedure and policy. The USCIS has been indicating that if you have only one I-140 approved under EB-2 but you want to file under EB-3 you have to file another I-140 using the copy of the same labor certification - perm application and get an EB-3 approval first. [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/eb-2-approved-applying-eb-3>
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- [3] <https://immigration.com/greencard/green-card/employment-based-green-cards/eb2-green-card>
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