

## **8 C.F.R. § 214.2(i)(16) – Intracompany Transferees**

(16) *Effect of filing an application for or approval of a permanent labor certification, preference petition, or filing of an application for adjustment of status on L-1 classification.* An alien may legitimately come to the United States for a temporary period as an L-1 nonimmigrant and, at the same time, lawfully seek to become a permanent resident of the United States provided he or she intends to depart voluntarily at the end of his or her authorized stay. The filing of an application for or approval of a permanent labor certification, an immigrant visa preference petition, or the filing of an application of readjustment of status for an L-1 nonimmigrant shall not be the basis for denying:

- (i) An L-1 petition filed on behalf of the alien,
- (ii) A request to extend an L-1 petition which had previously been filed on behalf of the alien;
- (iii) An application for admission as an L-1 nonimmigrant by the alien, or as an L-2 nonimmigrant by the spouse or child of such alien;
- (iv) An application for change of status to H-1 or L-2 nonimmigrant filed by the alien, or to H-1, H-4, or L-1 status filed by the L-2 spouse or child of such alien;
- (v) An application for change of status to H-4 nonimmigrant filed by the L-1 nonimmigrant, if his or her spouse has been approved for classification as an H-1; or
- (vi) An application for extension of stay filed by the alien, or by the L-2 spouse or child of such alien.

<http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=6fc7753391439e4ea85b8f4e607322b6&rgn=div5&view=text&node=8:1.0.1.2.18&idno=8#8:1.0.1.2.18.0.1.2> (Accessed 10/11/2012)