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Dear Counselor:

We've prepared this memorandum for your use in discussions with your Stanford-affiliated client. Please call us if you have any questions about its content or interpretations.

You've probably represented many corporate clients before the "legacy" Immigration and Naturalization Service. Unlike these organizations, Stanford University does not release to attorneys its agency in matters of immigration and labor certification. We maintain in-house expertise through close cooperation among our foreign student and scholar advisors, the University's Office of General Counsel, and a firm we retain exclusively for consultations, if and when necessary, in immigration-related matters.

Of course, Stanford cannot and will not prohibit individuals from seeking counsel; the issue is the G-28 and its use in submitting petitions to the CIS. While a Stanford-affiliated client is free to seek your counsel, he or she may not retain your services for the purpose of filing a Stanford petition. Likewise, no agency may be assigned in matters of labor certification. **No individual, regardless of rank, title or affiliation, may sign a G-28 on behalf of Stanford University or release agency to an attorney in the matter of labor certification.**

As you will infer from this policy, attorneys may not file I-129 petitions for Stanford employees; neither may they file Form I-140 on which Stanford is the petitioner. We are aware that petitions filed under the "Extraordinary Ability" and "National Interest Waiver" provisions of the INA are considered to have a "better chance of success" if submitted by an employer. Our restriction on the use of the G-28, of course, does not accommodate this arrangement. Stanford-affiliated individuals named on Form I-140, however, are free to sign Form G-28 if they petition in their own behalf, that is, if the beneficiary named in Part 3 is the same as the petitioner identified in Part 1. Neither "Stanford University" nor its IRS tax number may appear in Part 1 of such a petition.

The University reserves the right to interpret the nature of the employment it offers to individuals within the context of labor, immigration and other statutes.

Thank you for your cooperation in these matters. Please contact us with any questions about this memo or the policy of Stanford University in this regard.