PERMANENT MEMORANDUM 26
INTERNATIONAL EMPLOYEES AND VISITORS

POLICY DIGEST
Monitoring Unit: Office of Academic Affairs
Initially Issued: March 9, 2005
Last Revised: February 12, 2026

I. PURPOSE

The purpose of PM 26 is to define the appropriate authority and routing required to process immigration-related documentation, eligibility for the sponsorship of nonimmigrant and immigrant visa petitions, and compensation/reimbursement of international visitors to LSU System institutions.

II. ROUTING AND APPROVAL OF DOCUMENTATION REQUIRED FOR NON-IMMIGRANT/IMMIGRANT BENEFITS

To ensure compliance with applicable immigration laws, all matters and documentation pertaining to international employees and visitors including, but not limited to, recruitment, offers of employment, support letters for immigration-related benefits, compensation, and reimbursement, must be routed through and approved by the appropriate office(s) as designated by the President. The appropriate office for respective LSU institutions is provided in Appendix A.

III. SIGNATURE AUTHORITY

Authorization to sign official immigration-related documents rests with the Chancellor or the Chancellor's designee. Designees include authorized individuals in the appropriate respective office listed in Appendix A. Attorneys and law firms for immigration matters may only be retained pursuant to PM 72 Obtaining Legal Services. Once retained, no university employee, other than those designated officials, may sign Form G-28 (Notice of Entry of Appearance as Attorney or Representative) to designate an attorney to assist, advise, or represent LSU System institutions in the preparation and submission of employer-based petitions or documents including, but not limited to, the following forms:

DS-2019 (Certificate of Eligibility for J-1 Exchange Visitor Status)
ETA-9035 (Labor Condition Application)
ETA- 9089 (Application for Alien Employment Certification)
ETA-9141 (Application for Prevailing Wage Determination)
I-129 (Petition for a Nonimmigrant Worker)
I-140 (Immigrant Petition for Alien Worker)

Furthermore, only authorized employees in the offices listed in Appendix A may sign employer-based petitions or documents that have been prepared by an outside attorney on behalf of the LSU System or any LSU institution. Individual employees are not authorized to engage, retain, hire, or contract with an attorney to represent the university in immigration-related matters unless directed by an

authorized university employee. An individual employee may engage counsel at any time to represent their own interests, in a personal capacity, provided such representation does not relate to any legal interests of the university.

Failure to comply with these provisions will result in notification to the U. S. Citizenship and Immigration Service and/or the Department of Labor that the employer-based petition or documents were unauthorized and that the Form G-28 designation is null, void, and without force or effect. The petition(s) or document(s) will be reviewed by the Chancellor or Chancellor's designee, as well as the appropriate office(s), in order to ascertain whether the petition(s) or document(s) will be ratified and adopted (upon approval and if in compliance with applicable laws, regulations, and PM 26) or withdrawn.

Execution of such documents by an individual employee other than those expressly designated by the President or Chancellor is a violation of PM 26 and is an action outside of their authority which may result in discipline, sanctions, and/or individual liability being imposed.

IV. SPONSORSHIP OF INTERNATIONAL EMPLOYEES FOR NONIMMIGRANT WORKER STATUS

The university may, but is not required to, sponsor work visas for international employees with an official job offer. Employer-based petitions will be prepared in accordance with federal guidelines and any corresponding Policy Statement to PM 26. Employer-based nonimmigrant work visas include H-1B, E-3, O-1, TN.

The J-1 Exchange Visitor category was developed to implement the Mutual Educational and Cultural Exchange Act (Fulbright – Hays Act) of 1961. The overall purpose of the Act, and the objective of the J-1 Exchange Visitor category is "to increase mutual understanding between the people of the United States and the people of other countries by means of educational and cultural exchanges." Therefore, while the J-1 Exchange Visitor category may be used for temporary employment, it is not to be used for the sole purpose of employment.

V. SPONSORSHIP OF INTERNATIONAL EMPLOYEES FOR PERMANENT RESIDENT STATUS

It is the policy of the LSU System to sponsor for permanent residence only those employees whose positions are full-time and permanent in nature (expected to last a minimum of three years) and who possess exceptional and/or outstanding ability or who are the most qualified.

Individuals in the following categories may be supported for permanent residence with the appropriate approvals:

A. Category A

   Full-time tenured or tenure-track faculty members.

B. Category B

   Full-time non-tenured or non-tenure-track teaching or non-teaching research positions of a

permanent nature (It is not LSU System policy to support permanent residence petitions for lecturers, visiting professors, or other temporary or term faculty appointments.)

C. Category C

Other full-time professional, administrative, and technical positions (Positions considered by the LSU System to be permanent in nature, who otherwise meet criteria may be sponsored for permanent residence as approved on a case-by-case basis.)

D. Category D

Exceptions for instructors, fellows, and research associates that are typically temporary in nature (The positions of instructor, postdoctoral fellow, research associate, research scholar, and research fellow are normally considered temporary and are therefore not eligible for sponsorship. However, special exceptions may be granted by the Chancellor provided that prior written justification has been provided. A copy of each exception approved by the Chancellor must be forwarded to the Office of the President.)

NOTE: For CATEGORIES B, C, & D there will generally be a minimum one-year waiting period and a satisfactory performance evaluation before initiation of the permanent residence process.

Deviations from this general policy will require justification and prior written approval of the President.

VI. NONIMMIGRANT AND IMMIGRANT PETITION FEES AND RELATED COSTS

With the exception of fees and costs required to be employer paid, payment of fees for nonimmigrant and immigrant petitions are generally the responsibility of the foreign national. It is recognized that there may be exceptions when LSU institutions wish to pay fees primarily depending upon to whom the benefit flows. Therefore, if the institution wishes to make such exceptions, it must develop a specific institutional policy with regard to the payment and source of fees. University funds from state, federal, or private sources may be utilized to pay these and any future federally mandated fees. Federal or non-federal funds utilized for this purpose must be in accordance with the rules and regulations of the granting agency. When any fees are paid by the university, the beneficiary may be required to sign an agreement providing that the university will be reimbursed for all or a portion of such fees and costs should the employee not remain at the university for a set amount of time.

VII. COMPENSATION AND REIMBURSEMENT TO INTERNATIONAL VISITORS

Federal laws are complex with regard to payments made to international visitors in various visa classifications. University personnel are reminded that reimbursements and/or compensation for international lecturers and other business-related visitors must be in accordance with the law, as well as the individual LSU institution's policy.

Prior to offering an invitation to international visitors, please contact the designated office(s) as listed in Appendix A for the respective institutions for information regarding individual institutional policy, required routing, and approvals.

VIII. ENGLISH PROFICIENCY REQUIREMENTS FOR EXCHANGE VISITORS

It is the obligation of each respective LSU institution to set forth guidelines and/or requirements to determine whether a participant possesses sufficient oral and written proficiency in the English language to accomplish their goal.

As it relates to the J-1 Exchange Visitor Program, the Code of Federal Regulations (22 C.F.R. 62.10) states that sponsors should ensure that a potential exchange participant possesses sufficient proficiency in the English language to participate in their program.

IX. SOURCES

Code of Federal Regulations (22 C.F.R. 62.10)
Mutual Educational and Cultural Exchange Act (Fulbright – Hays Act) of 1961
PM 72 Obtaining Legal Services

X. APPENDIX A

LSU Offices for International Services

Louisiana State University:
Office of Global Engagement
(225) 578-3191

LSU Agricultural Center:
Office of Human Resource Management
(225) 578-2258

LSU Alexandria:
Office of Human Resource Management
(318) 473-6401

LSU Eunice:
Office of Human Resources
(337) 550-1222

LSU Health Sciences Center – New Orleans:
International Services Office
(504) 568-4802

LSU Health Sciences Center – Shreveport:
Office of Legal Affairs
(318) 675-5571

LSU Shreveport:
Office of Human Resource Management
(318) 797-5279

Pennington Biomedical Research Center:
Office of Human Resource Management
(225) 763-2776