

## FAQs: Government Site Visits

If your department employs non-immigrant workers, it may be visited by a Site Inspector from USCIS Office of Fraud Detection and National Security (FDNS). The purpose of this FAQ is to provide you with information and recommendations to prepare for potential site visits. These visits are usually random, and may occur without prior notice. For this reason, it is important to educate your department about the scope of such visits, and establish best practices in case of such a visit.

### What Is The Purpose Of Government Site Visits?

Most site visits are conducted to verify information contained in a specific immigration petition, and questions will be focused on the job title, the salary, number of hours worked, job location, job description and job duties, and degree requirements. There may also be general questions about the employer.

### Which Employee(s) May Be The Subject Of A Site Visit?

At present, site visits are primarily focused on H-1B petitions, so employees holding H-1B status are most likely to be the subject. However, the STEM OPT rule (effective 5/10/16) authorized the Department of Homeland Security (DHS) to perform site visits at employers that train STEM OPT students.

**Site visits regarding STEM OPT** will likely focus on information provided on Form I-983 Training Plan for STEM OPT Students, which the hiring department must maintain in its files.

### What Should The Department Do In Case Of A Site Visit?

Please use the attached checklist and guidance to prepare for potential site visits. In case of an actual site visit, **contact ISSO-Morningside or ISSO-CUIMC**. A representative from one of these offices will accompany the officer during the visit.

### Are There Other Types Of Government Site Visits?

DHS' Immigration and Customs Enforcement (ICE) agency and/or the FBI may make unannounced calls or in-person visits to campus to see an international student, faculty member, or employee. The reasons for inquiries vary, but are often tied to the investigation of potential immigration or criminal violations, and in the case of students, a termination of the student's record in the government's SEVIS (Student and Exchange Visitor Program) database.

## Site Visit Checklist & Guidelines

|  |   |
|--|---|
| <b>Establishing Department Protocol</b>                        | <ul style="list-style-type: none"> <li>• Designate a lead employee to serve as “go to” person in case of such visits             <ul style="list-style-type: none"> <li>○ Department Designee: [name] [contact info]</li> <li>○ Department back-up designee: [name][contact]</li> </ul> </li> <li>• Inform reception and other personnel to contact “go to” person in case of such visits</li> <li>• Report changes in terms of H-1B employment including promotions, changes in work location and transfers to another department within Columbia to ISSO or ISSO-CUIMC</li> </ul>   |
| <b>Steps to Take if a Site Inspector Arrives at Department</b> | <p><b>Contact the ISSO's Faculty and Scholar Services:</b> Jane Acton or Liz Basile at ISSO Morningside or Kathy McVeigh or Gwyneth Smith at ISSO-CUIMC.</p> <p><b>Verify investigator's identity:</b> Ask to see and take note of the officer's identification, including name and ID number. If the person does not have a badge, but has a business card, call the number on the card to verify the identity of the inspector. Inspectors should expect this and we must verify identity before disclosing or discussing employee information.</p> <p><b>Wait for ISSO</b> before releasing any information, while maintaining a spirit of cooperation</p> |
| <b>During the Visit</b>  | <ul style="list-style-type: none"> <li>• Visits are usually about 30 to 90 minutes</li> <li>• The officer will ask questions, request documentation, and may take photographs</li> <li>• Documentation that may be requested:             <ul style="list-style-type: none"> <li>○ Last 3 paystubs of employee</li> <li>○ Latest W-2 of Employee</li> </ul> </li> </ul>   |

- Columbia's accreditation & Non-Profit Status
- Employee's degree/licenses
- Questions the officer may ask the Department/Columbia:
  - Who paid the legal fees (if any) and filing fees for the petition
  - Number of employees in H-1B status
  - Columbia's policies in regard to immigration matters
  - Details about the specific H-1B petition itself (salary, job duties, work location, and title)
  - H-1B employee's qualifications (education/experience)
- The officer may ask to speak with the **H-1B employee and/or the immediate supervisor**:
  - If so, request that a representative of ISSO or ISSO-CUIMC be present in person or by phone
  - Contact the H-1B employee/supervisor to let him/her know
  - Provide the H-1B's work contact information (never home address or personal number)
  - Potential questions may include:
    - How many years have you worked in this field?
    - How many hours per week do you work?
    - Did you pay any money to the employer for the job?
    - Did you pay any of the filing fees?
    - What are your responsibilities?
    - What is your salary?
    - Where do you physically work (the officer may want to take photos of employee's work space)
    - May also be asked to complete a questionnaire
- The officer may ask to speak with **co-workers** of the H-1B employee:
  - Contact the co-worker to let him/her know
  - Provide the co-worker's work contact information (never release home address or personal phone number)
  - Advise co-worker to answer truthfully to the extent that they have knowledge, but not to guess or speculate about things they do not know

## Important Compliance Reminders

**Any material change in H-1B must be reported to the ISSO or ISSO-CUIMC as soon as such change is known.**

The H-1B is employer-specific, location-specific, and position (job) specific. A material change in employment may require that the H-1B petition be amended.

Please contact the ISSO's Faculty and Scholar Services prior to any changes in the H-1B employee's position or you have any questions about this requirement. Contact Jane Acton or Liz Basile at ISSO Morningside or Kathy McVeigh or Gwyneth Smith at ISSO-CUIMC. Routine changes in salary (for example, a 3% annual salary increase) does not need to be reported but if there is a material change in the position, (for example, if the employee is working in a remote location, telecommuting from home, or has a change in duties) this must be reported to ISSO or ISSO-CUIMC.