# Global Immigration alert

**January 2026**

# United States

## Preparing for FDNS and other site visits and investigations

**Executive summary**

In the current environment, foreign nationals and their US employers can expect an increased emphasis on worksite enforcement, compliance inspections, and unannounced immigration site visits. Companies employing foreign nationals in the United States should always be prepared for US Citizenship and Immigration Services Fraud Detection and National Security Directorate (FDNS) and US Immigration and Customs Enforcement (ICE) site visits and inspections, as well as the potential for investigations by the Department of Labor (DOL), Department of State (DOS), and other relevant agencies.

Below are key considerations and practical steps employers should take to generally prepare for site visits and inspections.

**Background**

Site visits are an inspection on behalf of a federal governmental agency and are, for the most part, unannounced. During a site visit, government officials may:

- Request to speak with HR, Mobility, or immigration contacts, as well as a foreign national employee and/or their supervisor. If employees are placed at third party worksite locations, the end-client may also be contacted or visited to verify existence of the contract/Statement of Work (SOW), the services provided, and the requirements for the role.
- Request access to the worksite or work area, including a home office for employees that are permitted to work remotely. Photographs of the area may be taken, though employers can restrict access to secure areas.
- Verify petition details, including job title, job duties, rate of pay, hours worked, reporting relationships, work location(s), and minimum education and/or experience requirements for the role.
- Request documentation such as pay statements/payroll records, Forms W-2, organizational charts, SOW, project descriptions, or training plans (for F-1 students on STEM OPT).
- For I-9 audits, request/inspect Forms I-9, supporting identity and work authorization documents, onboarding and payroll records, E-Verify case details (if used), and the employer's I-9 policies.
- Review Labor Conditions Application (LCA) compliance including the Public Access File, wage practices, payroll records, and whether the worksite conditions and job duties match the certified LCA.

**How US employers can prepare**

- Establish a Site Visit Response Protocol, designating a point of contact at each worksite location responsible for greeting federal officers and notifying HR/Mobility immediately.
- Train front-desk, security personnel, and other employees to ensure they know how to properly verify officer credentials and that they do *not* provide any information about employees without the appropriate HR/Mobility or another authorized representative present or admit officers to non-public areas.
- Ensure petition information is accurate and up-to-date and that all stakeholders are familiar with petition and training plan details. If employment details have changed since the most recent petition filing, HR/Mobility, supervisors, and foreign nationals should be prepared to explain why those changes are non-material/do not impact eligibility.

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- During any visit, detailed notes should be made to establish a record of the officer's name and agency, questions asked, areas inspected, and any documents or photographs taken by the officer.

**What this means**
US employers and their foreign national employees should always be prepared for site visits, inspections, and investigations from US government agencies. As site visit, inspection, and investigation processes are expected to become more rigorous and thorough in an effort to identify fraud, it is critical that all stakeholders are prepared and understand the importance of compliance, and consequences of noncompliance and inaccuracies in information provided to government agencies.

EY professionals are available to assist with developing or updating site visit response protocols, implementing compliance frameworks, responding to government inquiries, training, and file audits. We will continue to monitor and share future developments. For additional information, or if you wish to discuss this further, please contact your EY Law LLP professional or Mehlman Jacobs LLP professional.


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