

Office of Inspector General Issues Report on H-1B Site Visits

Article By:

Kristen W. Ng

The Office of Inspector General (OIG) issued a report titled “[USCIS Needs a Better Approach to Verify H-1B Visa Participants](#).” The report was published on Oct. 20, 2017, where OIG made the following findings, after which it gave four recommendations to USCIS:

- USCIS does not track their site visits – there is no specification for what type of visa category the visit pertains.
- USCIS has been tasked to conduct site visits, per [Executive Order 13768](#), that will target:
 - Employers where basic business information cannot be verified;
 - Employers who are H-1B dependent;
 - Employers who place beneficiaries offsite.
- USCIS needs to do more to prevent recurring violators, such as denying new petitions for that particular employer.
- USCIS has been approving petitions from employers where site visits are unverified – these petitions should be revoked.
- The revocation process typically takes 339 days.
- The Immigration Officers (IOs) are not all trained and site visits are conducted differently depending on the IO conducting the visit.
- IOs have a high turnover rate because there is no career advancement.
- USCIS collects information from site visits but they do not assess it.

The four recommendations given by OIG are the following, in light of the above findings are:

1. USCIS should develop a process to collect and analyze all data collected from an H-1B site visit, including tracking the information and the program costs. USCIS also needs to analyze adjudicative actions for unverified site visits, and use the data collected to develop performance measures to assess the effectiveness of the site visit program.
2. USCIS should identify data and assessments through the site visits and share it with external stakeholders.
3. USCIS needs to identify where resources need to go for the site visit program. This includes adjusting the number of required site visits and time and effort spent. It includes updating policies, procedures, and training so that site visits are conducted efficiently and uniformly. It also includes streamlining the employers visited and applying a risk-based approach. Lastly,

USCIS should consider providing IOs a career path so that they do not leave.

4. USCIS should develop comprehensive policies to ensure that adjudicative action is prioritized on fraudulent or noncompliant petitions.

USCIS concurred on all four recommendations, and is striving to implement them. OIG has determined that all four recommendations and USCIS actions corresponding to them are still resolved and open and OIG will need to confirm once hard evidence is received. If all the recommendations are implemented, the site visit program will be more streamlined and violators can expect to have petitions revoked.

GT will provide updates as more information is received.

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