

ICE is Conducting On-site Inspections for STEM OPT Employment

By [Andrew M. Wilson](#)

September 24, 2019 | **IMMIGRATION**

We always think of FDNS site visits for H-1B and L-1 employees. As immigration scrutiny and related compliance increases, employers also need to be aware of site visits for any STEM OPT employment.

DHS outlines these visits on its website at: <https://lnkd.in/dxU7Snu>

Reports show that ICE provides notice of the intended site visit by emailing the STEM OPT individual's manager. Issues for review during the visit include the structure and nature of the training provided to the STEM OPT individual, tracking what is listed in the I-983 training program and whether the individual is located at a 3rd party worksite.

Any employer needs to be mindful that compliance is important for the STEM OPT program. The I-983 creates obligations for both the employer and employee to follow.

If contacted for a STEM OPT site visit, follow the same protocols as with a FDNS site visit for an H-1B or L-1 employee, including having someone accompany the ICE Officer around during the site visit.

I am available to provide full instructions for site visit protocols upon request - awilson@lippes.com

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