



U.S. Citizenship and Immigration Services

USCIS Commemorates Second Anniversary of Buy American and Hire American Executive Order

The agency has strengthened policies and regulations to protect U.S. workers

WASHINGTON— Since President Trump signed the [Buy American and Hire American](#) executive order in April 2017, U.S. Citizenship and Immigration Services (USCIS) has implemented it through rules, policy memoranda, and operational changes that protect the economic interests of U.S. workers and prevent fraud and abuse in employment-based visa programs. Later today, USCIS will host a [U.S. worker listening session](#) covering the past two years' worth of policies and rulemaking in support of the Buy American and Hire American executive order.

"USCIS is achieving the president's goal of putting U.S. workers first by ensuring that our immigration system benefits the American people to the greatest extent possible," said USCIS Director L. Francis Cissna. "We still have work to do but the improvements we've made so far better protect U.S. workers' jobs and wages, enhance fraud detection and prevention in employment-based visa programs, and increase the overall transparency of those programs for the American public."

The Buy American and Hire American executive order seeks to create higher wages and employment rates for U.S. workers and protect their economic interests by rigorously enforcing and administering our immigration laws. It also directs the Department of Homeland Security, in coordination with other agencies, to advance policies to help ensure H-1B visas are awarded to the most-skilled or highest-paid beneficiaries.

Below are USCIS's key accomplishments related to the Buy American and Hire American executive order. Read more about [these accomplishments \(PDF, 1.54 MB\)](#) on our website.

Policies and Regulations Protecting U.S. Workers

- Issued [policy guidance \(PDF, 80 KB\)](#) related to fees that certain H-1B petitioners must pay that ultimately help to train U.S. workers.
- Issued [policy guidance \(PDF, 97 KB\)](#) instructing officers to apply the same level of scrutiny to both initial and extension requests for certain employment-based visa programs, emphasizing that the burden of proof for an immigration benefit request lies with the petitioner.
- Issued [policy guidance \(PDF, 119 KB\)](#) related to petitions for H-1B workers who will work at third-party worksites.
- Issued [policy guidance \(PDF, 95 KB\)](#) clarifying that a proxy vote must be irrevocable to establish the requisite control of a company in an L-1 visa petition.
- [Clarified calculation guidelines](#) in a [policy memorandum \(PDF, 121 KB\)](#) for the L-1 one-year foreign employment requirement to ensure beneficiaries spend at least one year overseas.
- [Finalized a rule](#) making simple and smart changes to the H-1B cap selection process to increase the chances of selection for beneficiaries who have earned a master's or higher degree from a U.S. institution of higher education.

Fraud Detection and Prevention in Employment-Based Visa Programs

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- [Announced](#) that USCIS and the Department of Justice [signed a Memorandum of Understanding \(PDF, 2.00 MB\)](#) that expanded their collaboration to better detect and eliminate fraud, abuse and discrimination by employers bringing foreign workers to the United States.
- Created H-1B and H-2B [fraud reporting tip lines](#) and strengthened information sharing with the Departments of State, Labor, and Justice to streamline and improve new and existing processes in our immigration system.
- Enhanced our targeted [site visit program](#) to ensure that H-1B and L-1 employers and nonimmigrant workers comply with the terms of their approved petitions.

Transparency of Employment-Based Visa Programs

- Created a [webpage](#) devoted to the Buy American and Hire American executive order providing additional data on various employment-based immigration programs and statistics on employment authorization documents provided to foreign nationals by classification and statutory eligibility.
- Created the [H-1B Employer Data Hub](#) to provide information to the public on employers petitioning for H-1B workers.

For more information on USCIS and our programs, please visit uscis.gov or follow us on Twitter ([@uscis](#)), Instagram ([/uscis](#)), YouTube ([/uscis](#)), Facebook ([/uscis](#)) and LinkedIn ([/uscis](#)).

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