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In response to heightened immigration enforcement and policy uncertainty, companies are adapting quickly to protect their workforce and maintain compliance. Executive orders, increased border scrutiny, and shifting regulations around programs like optional practical training (OPT) and green cards have prompted firms to strengthen internal coordination across Legal, human resources (HR), diversity, equity and inclusion (DEI), and business units. These teams are proactively auditing processes, training staff, and updating systems to prepare for department of justice (DOJ) scrutiny and unannounced inspections. Rather than relying on broad messaging, companies are engaging in targeted, empathetic outreach to vulnerable employees, acknowledging both legal and emotional challenges. At the same time, cross-border travel and third-party visa arrangements have introduced new complexities, requiring careful, case-by-case strategies to navigate legal gray areas and support impacted workers. Together, these efforts reflect a more coordinated, responsive, and human-centered approach to managing immigration risk in a volatile landscape.

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### Key Takeaways:

#### 1. **Increased Immigration Enforcement and Policy Shifts:**

Companies are responding to a wave of executive orders and enforcement actions—like stricter travel scrutiny, potential changes to OPT/science, technology, engineering and mathematics (STEM), and heightened I-9 audits

#### 2. **Proactive Internal Coordination Across Departments:**

Legal, HR, DEI, and business units are collaborating more closely to manage risks, improve communication, and support employees without causing alarm.

#### 3. **Enhanced Risk Management and Compliance Preparedness:**

Organizations are updating systems, training recruiters, and auditing internal processes [e.g., program electronic review management (PERM) and green card workflows] to stay compliant and anticipate DOJ scrutiny or unannounced inspections.

#### 4. **Emphasis on Targeted, Empathetic Employee Support:**

Rather than broad messaging, companies are leveraging data on employee immigration status to adopt tailored, discreet outreach to vulnerable employees while also acknowledging the emotional stress and family-related concerns immigration changes bring.

#### 5. **Cross-Border and Contractor Complexities Require Nuanced Strategies:**

From managing Canadian border crossings to navigating third-party visa contractors, employers are adapting to legal gray areas and operational limitations beyond their direct control.

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### **Increased Immigration Enforcement and Policy Shifts:**

Companies are navigating a rapidly evolving immigration landscape shaped by new executive orders and heightened enforcement. Stricter scrutiny at borders, expanded vetting procedures, and the threat of travel bans are directly affecting business travelers, visa holders, and even tourists. Employers report increased delays, more Requests for Evidence (RFEs), and unexpected terminations of student visas through systems like student and exchange visitor information system (SEVIS). I-9 audits and site visits have grown more common, prompting organizations to revisit their compliance protocols. At the same time, there's concern around proposed changes to programs like OPT and STEM extensions, which are crucial to maintaining the pipeline of early-career technical talent, particularly foreign software engineers. While some policies remain in flux or face litigation—such as those related to gender identity on visa forms or birthright citizenship—the uncertainty alone has created operational strain and demanded more agile responses from employers.

### **Proactive Internal Coordination Across Departments:**

In light of this environment, internal collaboration has become essential. Legal, HR, DEI, cybersecurity, travel, and business units are working in concert to manage risk, streamline communication, and prepare for emerging challenges. Companies are leveraging cross-functional partnerships to ensure employees are informed and supported without

sparkling unnecessary anxiety. For example, coordination with cybersecurity teams has been crucial in preparing journalists and frequent travelers for phone searches at borders, while travel departments help employees determine the safest methods and timing for cross-border movements. Legal teams monitor executive orders, litigations, and policy leaks to keep leadership ahead of potential disruptions. Together, these departments are forming cohesive strategies that respond quickly to federal actions while preserving employee trust and business continuity.

**Enhanced Risk Management and Compliance Preparedness:**

Faced with DOJ scrutiny and past lawsuits against peer companies, many employers are re-examining and tightening their green card and labor condition application (LCA) processes. This includes digitizing recruitment workflows, updating job posting practices to appear more transparent and legitimate, and ensuring that hiring systems [like applicant tracking system (ATS) platforms] can properly track visa-related steps. Legal audits and mock I-9 inspections are being conducted more frequently, especially in response to increased on-site visits. Organizations are also debating the strategic use of premium processing—even at high costs—as a way to reduce employee stress and processing timelines, albeit with the trade-off of potentially greater scrutiny. These actions reflect a larger shift toward building more resilient, proactive compliance systems in anticipation of policy shifts or investigations.

**Emphasis on Targeted, Empathetic Employee Support:**

Rather than sending mass communications that may incite fear—an approach used in the past with mixed results—companies are now opting for carefully crafted, targeted outreach. These messages are tailored to specific groups impacted by new policies, such as deferred action for childhood arrivals (DACA) recipients, temporary protected status (TPS) holders, or employees affected by gender identity restrictions. Communication is focused on acknowledgment, transparency, and guidance without making definitive claims where none can be made. Employees are also offered one-on-one consultations, legal support, and dedicated ticketing systems for immigration-related inquiries. The emotional burden of immigration uncertainty is not overlooked—HR teams are fielding questions from concerned employees about their own or their family members' safety and legal standing, and employers are working to provide both information and empathy during moments of high stress.

**Cross-Border and Contractor Complexities Require Nuanced Strategies:**

Managing cross-border movement—especially between Canada and the United States—requires special attention amid rising scrutiny. Employees traveling frequently are being advised to consider applying for work permits proactively, particularly if they travel more than a few times per year. Companies have also learned to avoid less predictable land crossings, instead recommending travel by air during business hours for smoother processing. On the contractor side, Visa sponsorship becomes more complicated: since these workers are hired through third-party staffing firms, the primary company often lacks visibility into their immigration status and cannot legally inquire about it. This "don't ask, don't tell" dynamic limits an employer's ability to provide support, even when the worker may be vulnerable to sudden policy changes or enforcement actions. In both cross-border and third-party contexts, employers are developing cautious, case-by-case strategies



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