



U.S. and Canadian Immigration and Nationality Law (Bimonthly) Newsletter and Updates.

Dear Reader,

The October 2026 Visa Bulletin, the first of fiscal year 2027, brings welcome relief for Indian nationals. India EB-2 and EB-5 Unreserved are available again after being unavailable in September, with India EB-2 reopening at a final action date of November 1, 2013, and India EB-1 advancing to February 1, 2023. The news is less favorable elsewhere, however. EB-2 for all other countries, including Mexico and the Philippines, has retrogressed from current to January 1, 2025, which affects many EB-2 NIW applicants. USCIS has not yet announced which chart adjustment of status applicants may use for October, so please watch for that update before filing.

A new Executive Order directs DOL, DHS, and DOS to consider an H-1B employer's recent or planned layoffs of similarly situated U.S. workers when reviewing labor condition applications, H-1B petitions, visa applications, and admissions. The order also calls for interagency coordination and a review of previously filed LCAs. Employers who have conducted or are planning reductions in force should expect this history to factor into their H-1B filings going forward, and should review their compliance posture with counsel.

The public charge rule that took effect September 18, 2026 is already facing legal challenges, with New York and a coalition of 22 states, the District of Columbia, and several cities and counties filing suit on September 14 to block it. The rule remains in effect while the litigation moves forward, so adjustment of status applicants should continue to prepare their financial and supporting documentation with the new standard in mind rather than waiting on a court outcome.

We encourage you to stay informed as immigration and travel-related policies continue to evolve. If you have any questions about how these developments may affect your status, workforce, or travel plans, please contact NPZ Law Group at info@visaserve.com or call 201-670-0006 (ext. 104). Our experienced U.S. and Canadian immigration attorneys are ready to assist you.

Know Your Rights: What to Do If ICE Comes to Your Home, Workplace, or Stops You in Public (English & Spanish Versions). [Please click here](#) to download and feel free to share it with your friends and family.

Here are this month's top stories to keep you informed:

STATE DEPARTMENT TARGETS BIRTH TOURISM NETWORKS WITH NEW VISA RESTRICTIONS.

On September 23, 2026, Secretary of State Marco Rubio announced a new visa restriction policy aimed at the people who organize and profit from birth tourism, rather than at expectant travelers alone.

[To read more , please click here . . .](#)

STATE DEPARTMENT EXPANDS SOCIAL MEDIA SCREENING TO TN, TD, AND I VISA APPLICANTS STARTING OCTOBER 1.

The U.S. Department of State (DOS) has announced an expansion of its online presence review for certain nonimmigrant visa applicants. Effective October 1, 2026, the expanded screening will include TN professionals, TD dependents, and I visa applicants who are representatives of foreign media.

[To read more, please click here . . .](#)

BREAKING H-1B UPDATE: TRUMP RENEWS \$100,000 PAYMENT REQUIREMENT AND ADDS LAYOFF-RELATED SCRUTINY.

President Trump signed two H-1B-related actions on September 18, 2026: a proclamation extending the \$100,000 H-1B fee originally imposed in September 2025 for another 12 months, and a separate Executive Order directing agencies to weigh an employer's recent layoffs when reviewing its H-1B petitions.

[To read more, please click here . . .](#)

NEW PUBLIC CHARGE RULE TAKES EFFECT TODAY AS 22 STATES SUE TO BLOCK IT.

A significant expansion of the public charge ground of inadmissibility takes effect today, September 18, 2026, even as a coalition of states and cities is actively suing

to stop it.

[To read more, please click here . . .](#)

MARRIAGE GREEN CARD IN 2026: PROCESS, TIMELINE, AND COST.

A wedding, on its own, does not change anyone's status with U.S. Citizenship and Immigration Services. It creates the possibility of a green card, but reaching that green card still runs through the right paperwork in the right sequence, real proof that the marriage is genuine, and a fork in the road that depends on where the foreign spouse currently lives.

[To read more, please click here . . .](#)

MASSACHUSETTS NOW REQUIRES EMPLOYERS TO NOTIFY EMPLOYEES WITHIN 48 HOURS OF AN ICE I-9 INSPECTION.

Employers with workers in Massachusetts have a new compliance deadline to build into their ICE response playbook. Governor Maura Healey signed the PROTECT Act into law on August 5, 2026, and one provision took effect immediately:

[To read more, please click here . . .](#)

DOS VISA BULLETIN UPDATE: VISA BULLETIN FOR OCTOBER 2026 - IF YOUR "PRIORITY DATE" IS CURRENT, PLEASE LET US KNOW?

The U.S. Department of State has released the October 2026 Visa Bulletin, marking the start of the new federal fiscal year. October is always a significant month for employment-based immigration, as all annual visa numbers reset. [Read more . . .](#)

[To view the current cutoff dates for each visa preference category and country of chargeability, please click here to access two charts provided by the U.S. Department of State's monthly visa bulletin.](#)

CANADIAN IMMIGRATION LAW NEWS.

IRCC UPDATES GUIDANCE FOR CONTRACTUAL SERVICE SUPPLIERS AND INDEPENDENT PROFESSIONALS UNDER CETA, CUKTCA, AND CKFTA.

Immigration, Refugees and Citizenship Canada (IRCC) has updated its internal Program Delivery Instructions covering contractual service suppliers and independent professionals under three trade agreements:

[To read more, please click here . . .](#)

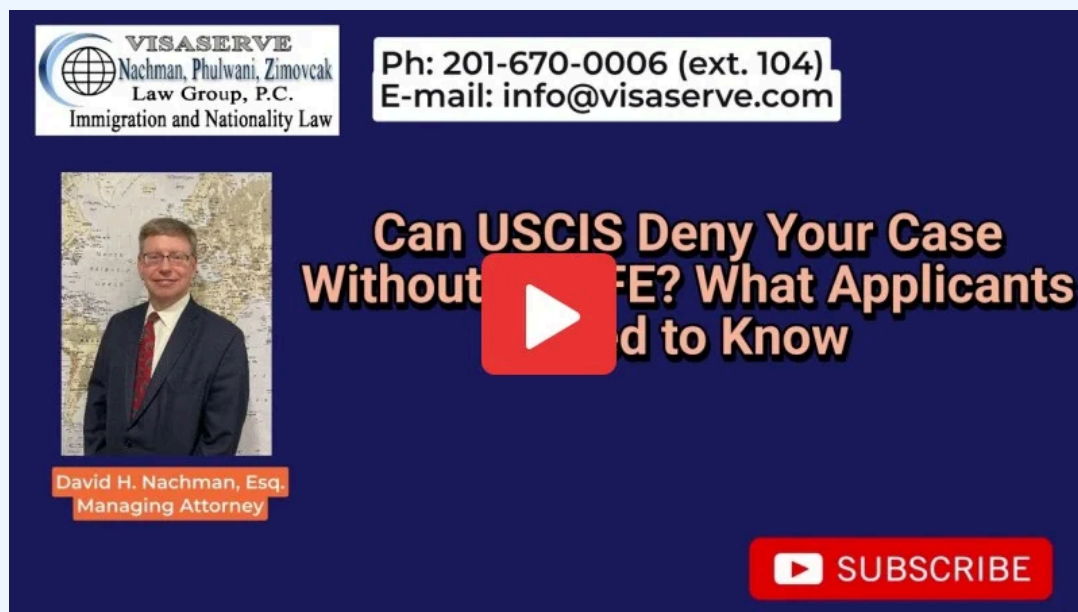
CAN WORK PERMIT HOLDERS STUDY IN CANADA WITHOUT A STUDY PERMIT? NEW 2026 RULES.

A new temporary Canadian immigration policy gives eligible work permit holders more flexibility to pursue short-term education and training without obtaining a separate study permit.

[To read more, please click here . . .](#)

NPZ's Immigration Insights: New YouTube Series on U.S. & Canadian Law

CAN USCIS DENY YOUR CASE WITHOUT AN RFE? WHAT APPLICANTS NEED TO KNOW.



The thumbnail features a dark blue background. In the top left is the logo for VISASERVE, with the text 'Nachman, Phulwani, Zimovecak Law Group, P.C. Immigration and Nationality Law'. To the right, contact information is listed: 'Ph: 201-670-0006 (ext. 104)' and 'E-mail: info@visaserve.com'. On the left is a portrait of David H. Nachman, Esq., a man in a suit and tie, with a caption below it: 'David H. Nachman, Esq. Managing Attorney'. The main title of the video is 'Can USCIS Deny Your Case Without an RFE? What Applicants Need to Know' in large, bold, orange and white text. A large red play button icon is centered over the title. In the bottom right corner is a red 'SUBSCRIBE' button with a white play icon.

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Can USCIS Deny Your Case
Without an RFE? What Applicants
Need to Know

David H. Nachman, Esq.
Managing Attorney

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THE KAZARIAN STANDARD EXPLAINED: WHY EB-1A GREEN CARDS GET DENIED.



UPCOMING EVENT

IMMIGRATION POLICY UPDATE: WHAT'S CHANGED IN 2026

October 1, 2026

Time: 12:00pm-2:00pm

Venue: [Online via Zoom](#)

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