



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

Dear Reader,

DHS has proposed eliminating the policy under which USCIS generally gives deference to its prior approval when reviewing an extension involving the same facts. If finalized, this change would allow USCIS to review H-1B, L-1, and other extension petitions without automatically relying on previous approvals. Employers could face additional scrutiny and requests for evidence, even when the job duties and other circumstances have not changed.

In a separate development, DHS has taken steps to end automatic extensions of Employment Authorization Documents (EADs) for certain renewal applicants. This change could affect foreign workers and their employers, including some H-4 and L-2 spouses. Individuals whose work authorization is approaching expiration should review their renewal deadlines and file as early as permitted to help avoid possible gaps in employment authorization.

DHS has also proposed significant new fees for Optional Practical Training (OPT). Under the proposal, SEVP-certified schools would pay \$70,000 for an initial OPT recommendation and \$30,000 for each subsequent recommendation. These fees are not yet in effect, but the proposal could have serious implications for international students, universities, and employers that rely on OPT and STEM OPT programs.

As immigration policies continue to change, it is important for employers, foreign workers, and international students to understand how these developments may affect their plans. If you have questions about your immigration 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:

PROPOSED OPT FEE RULE: DHS SEEKS \$70,000 FOR INITIAL F-1 OPT.

On October 8, 2026, DHS published a proposed rule in the Federal Register that would attach a fee to Optional Practical Training for F-1 students. The notice proposes \$70,000 for a student's initial OPT and \$30,000 for any subsequent OPT.

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

CPT LAWSUIT FILED: UNIVERSITIES CHALLENGE ICE'S NEW F-1 RULES.

A group of higher education organizations went to federal court in Massachusetts on October 5, 2026, to contest the way ICE has narrowed Curricular Practical Training for F-1 students. The groups behind the case are NAFSA, the Association of American Universities, the Presidents' Alliance, and AICUM, which speaks for independent colleges in Massachusetts.

[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 . . .](#)

WHY EB-1A APPROVAL RATES HAVE DROPPED SHARPLY IN 2026.

USCIS's own quarterly data tells a striking story about the EB-1A extraordinary ability green card this year. Approval rates have fallen from roughly 66.9% for all of FY 2025 to about 47.5% in the first quarter of FY 2026, then to roughly 41.7% in the second quarter, and down to approximately 32% by the third quarter of FY 2026.

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

USCIS RFE VS. NOID: HOW TO RESPOND AND WHAT HAPPENS NEXT.

A Request for Evidence and a Notice of Intent to Deny can both show up after you file with USCIS, and at first glance they look alike. They are different notices with different deadlines, and knowing which one you hold is the first step toward a response the officer will accept.

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

CALIFORNIA COURT BLOCKS \$100,000 H-1B FEE POLICIES: WHAT EMPLOYERS SHOULD KNOW.

On September 30, 2026, a federal judge in the Northern District of California issued an order in *Global Nurse Force v. Trump* that stops federal agencies from carrying out the \$100,000 H-1B payment requirement.

[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.

STUDYING IN CANADA AFTER THE PROPOSED OPT FEE: STUDY PERMITS AND THE PGWP.

On October 8, 2026, DHS published a proposed rule that would add a fee of \$70,000 for a student's initial OPT. It is only a proposal, and we explained it in our earlier post.

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

CANADA FOR SKILLED WORKERS AFTER THE PERM SUSPENSION: EXPRESS ENTRY AND THE H-1B PATHWAY.

On October 8, 2026, the administration announced that it was suspending Microsoft, Adobe, and other employers from PERM, the labor certification step in many employment-based green card cases. ABC News reports that Vice President

Vance said the suspension will last as long as needed.

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

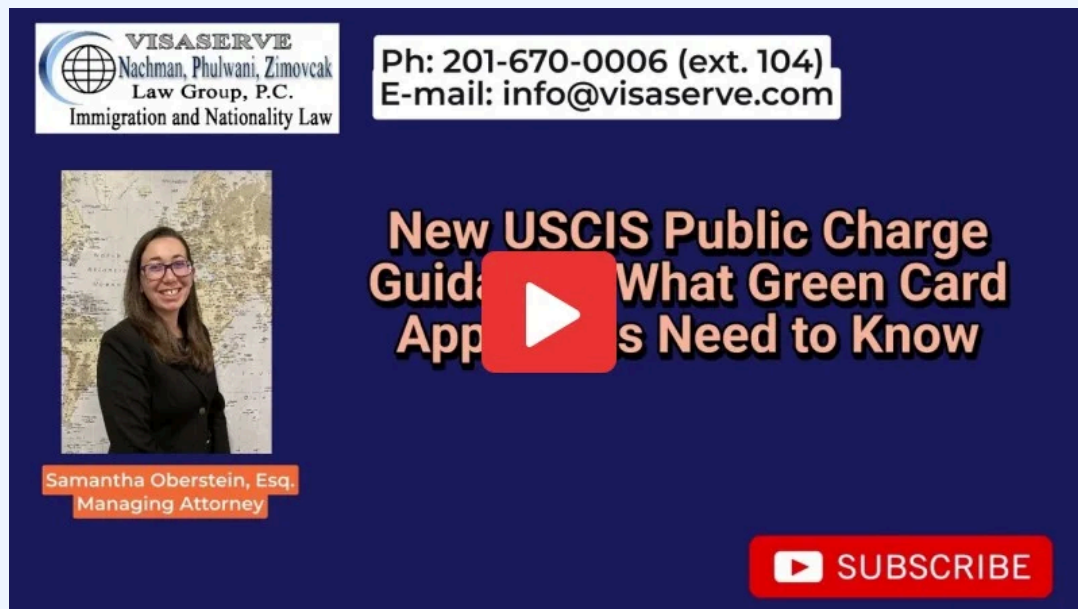
CANADA OPTIONS FOR U.S. EMPLOYERS: INTRA-COMPANY TRANSFERS AND THE GLOBAL TALENT STREAM.

U.S. employers that sponsor skilled foreign workers are watching several changes at once, including the proposed OPT fee and the October 8 announcement that Microsoft, Adobe, and others are suspended from PERM, which we cover separately.

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

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

NEW USCIS PUBLIC CHARGE GUIDANCE: WHAT GREEN CARD APPLICANTS NEED TO KNOW.



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New USCIS Public Charge Guidance: What Green Card Applicants Need to Know

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RENOUNCING U.S. CITIZENSHIP: PROCESS, RISKS & CAN YOU RETURN TO THE U.S.?



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Renouncing U.S. Citizenship: Process & Can You Return to the U.S.?



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UPCOMING EVENT

Alien: American Dream Denied – Teaneck International Film Festival

Date: Saturday, November 7, 2026

Time: 2:00 PM – 4:00 PM ET

Location: Teaneck Cinemas, 503 Cedar Lane, Teaneck, NJ

Get Tickets:

<https://events.humanitix.com/2026-teaneck-intern>

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