VISASERVE
Nachman, Phulwani, Zimovcak & Batra
LAW GROUP, P.C.
Immigration & Nationality Law

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

Dear Reader,

As we approach November, several important developments deserve the attention of immigrants, families, and employers.

The U.S. midterm elections will take place on November 3, 2026. We encourage eligible U.S. citizens to exercise their right to vote. We also remind lawful permanent residents and individuals awaiting naturalization that voting in federal elections is generally limited to U.S. citizens. Improper voter registration or voting can have serious immigration consequences. If you are unsure about your eligibility or have registered by mistake, please seek legal guidance before taking further action.

The November 2026 Visa Bulletin brings encouraging movement in several family-sponsored immigration categories, including significant advances in F1, F2B, F3, and F4 for most countries. Employment-based categories experienced more limited movement, with continued backlogs for certain applicants. We encourage individuals waiting for green cards to review their priority dates and filing eligibility carefully.

Meanwhile, the Department of Homeland Security has proposed eliminating USCIS's policy of giving deference to certain prior petition approvals. If finalized, this change could affect H-1B, L-1, and other nonimmigrant extension petitions, potentially requiring employers to provide more extensive supporting documentation. The proposal remains open for public comment through November 13, 2026.

At Nachman, Phulwani, Zimovcak & Batra Law Group, P.C., we remain committed to keeping our readers informed about immigration developments in the United States and Canada. If you have questions about your immigration status, employment-based petitions, green card process, or travel plans, please contact us at **info@visaserve.com** or **201-670-0006 (ext. 104)**.

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 . . .

AUTOMATIC VISA REVALIDATION: RETURNING TO THE U.S. AFTER A SHORT TRIP TO CANADA OR MEXICO.

Many nonimmigrants with an expired U.S. visa stamp can return from a trip of 30 days or less to Canada or Mexico using a valid I-94. This is called automatic revalidation, and it ends the moment you apply for a new visa during the trip.

To read more, please click here . . .

USCIS DEFERENCE TO PRIOR APPROVALS MAY END: WHAT THE OCTOBER 14 PROPOSAL MEANS FOR H-1B, L-1, AND O-1 EXTENSIONS.

A proposed rule published in the Federal Register on October 14, 2026 would repeal the regulation that directs USCIS to follow its own earlier approvals of Form

I-129 extension petitions. DHS calls it Removing Deference to Prior USCIS Determinations of Eligibility

To read more, please click here . . .

VISA REFUSED AT THE CONSULATE? WHAT CONSULAR NON-REVIEWABILITY MEANS FOR APPLICANTS.

Most visa applicants expect the consular interview to be routine, particularly if they have been approved before. Then the officer asks new questions, the answers do not satisfy, and the visa is refused.

To read more, please click here . . .

EXTENDING H-1B STATUS PAST SIX YEARS WHILE YOUR GREEN CARD CASE IS DELAYED.

H-1B status is generally limited to six years. Many workers reach that point while a green card case is still moving through the Department of Labor or USCIS, and a delay at the PERM stage, such as the October 2026 suspension of eight large employers from the program, makes the question more urgent.

To read more, please click here . . .

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

The U.S. Department of State has released the November 2026 Visa Bulletin, and it brings significant forward movement across several employment-based categories. After October's mixed picture — which included a retrogression in EB-2 All Chargeability Areas — November offers welcome relief for many applicants, particularly those in EB-1, EB-2, and EB-3. **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.

CANADA'S INTERNATIONAL MOBILITY PROGRAM: HOW LMIA-EXEMPT WORK PERMITS WORK FOR EMPLOYERS.

Employers that want to bring a foreign national to Canada usually think first of the Labour Market Impact Assessment, or LMIA. Canada also has a second route, the International Mobility Program (IMP), that lets an employer hire certain workers without one.

To read more, please click here . . .

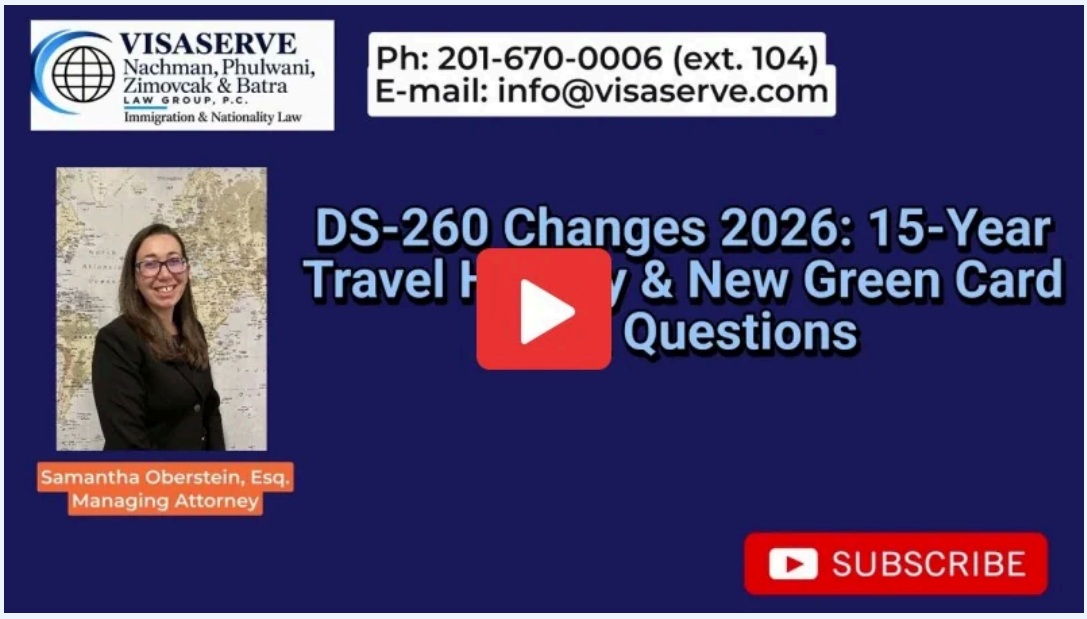
CANADA EXPRESS ENTRY 2026: NEW 70-POINT CRS BOOST FOR ELIGIBLE SKILLED WORKERS.

Canada’s upcoming Express Entry changes could provide a significant advantage to certain skilled foreign workers seeking permanent residence. Beginning November 3, 2026, eligible candidates with at least 12 months or 1,560 hours of qualifying Canadian work experience in designated high-wage occupations may receive 70 additional Comprehensive Ranking System (CRS) points.

To read more, please click here . . .

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

DS-260 CHANGES 2026: 15-YEAR TRAVEL HISTORY & NEW GREEN CARD VISA QUESTIONS.



NVC CASE TERMINATED? REINSTATEMENT OPTIONS UNDER INA 203(G)

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

Stay updated on the latest immigration news by joining our monthly newsletter mailing list. Sign up click here

Nachman, Phulwani, Zimovcak & Batra Law Group - Immigration & Nationality Law

VISASERVE Plaza, 487 Goffle Road, Ridgewood, New Jersey 07450
USA
Phone: 201-670-0006 | E-mail: info@visaserve.com | Website: https://visaserve.com

Locations: Raritan Office | New York City Office | Florida Office | Canada Office | Affiliated Office in India

---

Unsubscribe | Update preferences