

MARCH 2026

CUMMING & PARTNERS

U.S. & CANADIAN IMMIGRATION INSIGHTS

U.S. IMMIGRATION

NEW USCIS PREMIUM PROCESSING FEES NOW IN EFFECT

A reminder that USCIS fees for premium processing went up on March 1, 2026. Any requests for premium processing postmarked on or after that date must include the new fee. You may only request premium processing if it's available for that specific benefit.

The fee increases reflect inflation. The revenue will be used to provide premium processing services, improve adjudication processes, and respond to adjudication demands including processing backlogs.

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WATCH FOR THE H-1B LOTTERY RESULTS

The registration period for H-1B visas closed on March 19, 2026. After USCIS conducts the draw for the H-1B lottery, candidates will be notified by March 31. USCIS will communicate results to registrants and their representatives through their USCIS online accounts.

For those selected, the H-1B visa petition needs to be completed and filed within 90 days, starting from April 1. Registrants who aren't selected will be notified only after USCIS determines that the H-1B cap for the fiscal year has been reached.

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U.S. PRECLEARANCE NOW AVAILABLE AT TORONTO'S BILLY BISHOP AIRPORT

On March 10, 2026, a new preclearance facility opened at Billy Bishop Toronto City Airport for travellers headed to the U.S. This is Canada's first U.S. Customs and Border Protection preclearance facility in 25 years.

Transport Canada says the new facility will provide several benefits for Canadians, security and the air sector. It's expected to:

- Streamline travel experience by allowing passengers to complete the customs process before departure, and proceed directly to connections or their final destinations.
- Enable Canada and the U.S. to collaborate on managing border risks, enhance early threat detection and address shared security concerns.
- Increase the airport's economic contribution in the region.
- Strengthen trade and tourism ties between the two countries.

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NEXUS AND GLOBAL ENTRY TEMPORARILY UNAVAILABLE

Several Canadian international airports have been advising travellers that NEXUS and Global Entry pre clearance for U.S.-bound flights has been suspended. The partial U.S. government shutdown that began Feb. 14, and involved the Department of Homeland Security, has been cited as a reason.

NEXUS and Global Entry offer expedited processing for pre screened travellers. For now, travellers going to the U.S. should allow extra time for security and U.S. Customs screening.

NEW VISA BULLETIN NOTES PRIORITY DATE MOVEMENTS

The U.S. Department of State has released April's Visa Bulletin, which outlines the latest priority date movements for family-sponsored and employment-based immigrant visas. The three most notable changes:

- **F1 Category** (unmarried sons and daughters of U.S. citizens) – an advancement of about six months for India, China and all other chargeability areas.
- **EB-2 Category** (advanced degree professionals and persons of exceptional ability) – India moved forward by two-and-a-half months.
- **EB-3 Category** (skilled workers and professionals) – Mexico and other chargeability areas have become "current", and India has advanced by five months since March.

Unless otherwise indicated by U.S. Citizenship and Immigration Services, applicants filing for adjustment of status must use the Final Action Dates as listed in charts in the bulletin.

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CANADIAN IMMIGRATION

MAJOR CHANGES AHEAD FOR OINP

The Ontario Immigrant Nominee Program (OINP) is poised to undergo major changes, which would see the end of all existing streams and a revamped system with targeted draws. Reports are that the redesign will roll out in two phases.

- **Phase 1** (expected later this spring): A new simplified stream, divided into two categories for applicants in TEER 0–3 and TEER 4–5 occupations. The work, education and language requirements will differ for each.
- **Phase 2** (expected late 2026): Three new streams – priority health care, entrepreneur and exceptional talent.

Details are still to come, but applicants already in the OINP pool may need to resubmit job offer forms and expressions of interest.

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UPDATED GUIDANCE ON "SIGNIFICANT BENEFITS" WORK PERMIT CATEGORY

The International Mobility Program provides work permits to eligible foreign nationals without the need for a labour market impact assessment. Now, Immigration, Refugees and Citizenship Canada has reorganized and clarified the general guidelines for the "significant benefit to Canada" category (administrative code C10).

This category applies when a foreign national's work is expected to deliver significant social, cultural or economic benefits for Canadian citizens or permanent residents. The updated instructions offer more specific guidance on when proposed employment activities may create or maintain such benefits.

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IRCC UPDATES GUIDANCE ON C20 RECIPROCITY EXEMPTION

Immigration, Refugees and Citizenship Canada has updated its webpage on the reciprocity exemption under the C20 category. This provision allows temporary workers to take up employment in Canada when Canadian citizens or permanent residents have similar reciprocal opportunities in the worker's home country. The onus remains on the applicant to demonstrate that such reciprocity exists.

The new guidance covers application reviews, approvals and refusals. A section has been added outlining eligibilities for family members of workers.

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NEW INVESTMENTS TARGET FRANCOPHONE IMMIGRATION PROJECTS

On March 20, the Minister of Immigration, Refugees and Citizenship announced an investment of about \$1.5 million in three new projects under the Francophone Immigration Support Program. These initiatives aim to:

- strengthen the Francophone presence in the information and communications technology sector;
- inform French-speaking candidates about employment, immigration and settlement opportunities; and
- retain Francophone talent in Northern Ontario.

The Minister also highlighted additional support for the Université de l'Ontario français in Toronto, which will receive up to \$575,000 to develop a micro-certificate in francophone immigration management.

The Government of Canada continues to prioritize the support of French-speaking (and bilingual) immigrants outside Quebec. The goals are to boost population growth, meet labour needs and support economic development.

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NEW INCOME RULES FOR SUPER VISA ELIGIBILITY

Starting March 31, 2026, IRCC is changing how it calculates family income for super visa eligibility. This multiple-entry visitor visa allows parents and grandparents of Canadian citizens and permanent residents to visit for extended periods.

Hosts in Canada must show they meet the income requirement to support visiting family members. The new rules allow hosts to qualify in two ways:

1. Meet the income threshold in either of the two taxation years preceding the time of application, rather than only the previous year.
2. Meet the required minimum percentage of income and add the income of the visiting parents and grandparents to cover the remaining amount.

All applications in process as of March 31 will be assessed against the new income requirements.

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CANADA ANNOUNCES SUPPORT MEASURES FOR IRANIAN WORKERS

Given the current instability in Iran, Immigration, Refugees and Citizenship Canada introduced new measures to support eligible Iranians already contributing to Canadian communities and the labour market.

Individuals with a valid work permit issued on or before February 28, 2025 can apply to extend it (standard processing fees apply). These measures remain in effect until March 31, 2027. Those looking to extend their stay as visitors or their study permit can apply through IRCC's regular processes.

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QUEBEC UPDATES LIST FOR SIMPLIFIED LMIA PROCESS

Quebec has released a revised list of occupations covered by the simplified Labour Market Impact Assessment (LMIA) process. Under this process, Quebec employers are able to hire foreign workers for certain roles without demonstrating recruitment efforts.

The new list came into effect Feb. 24, 2026, and will remain until Feb. 23, 2027. It includes 60 occupations, down from 76. Several technical roles have been removed, in areas such as information technology, engineering and transportation. The changes aim to better align with labour shortages across sectors.

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