

JULY 2026

CUMMING &amp; PARTNERS

## U.S. &amp; CANADIAN IMMIGRATION INSIGHTS

## U.S. IMMIGRATION

## U.S. DECLINES TO RENEW USMCA/CUSMA FOR NEW 16-YEAR TERM; AGREEMENT SHIFTS TO ANNUAL REVIEWS

On July 1, 2026, the USMCA/CUSMA Free Trade Commission held its mandatory six-year joint review. The United States declined to confirm an extension for another 16-year term. This triggers an annual joint review process, continuing until the parties agree to extend or the Agreement expires.

The Agreement remains fully in force and unchanged in the meantime, on both sides of the border. All current rights and obligations — including TN/CUSMA professional status — continue under the existing text, running through July 1, 2036, absent further action. Extension remains available at any point via written agreement among the three governments, not only at a scheduled review date.

For now, professionals and employers relying on TN/CUSMA status can continue operating as before. That said, given the shift from a settled 16-year term to open-ended yearly negotiations, both should monitor developments periodically and avoid assuming current labour mobility provisions under will remain stable long-term.

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## NEW RULES FOR STUDENTS AND EXCHANGE VISITORS

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The Department of Homeland Security will end “duration of status” admissions for F 1 and J 1 non-immigrants on September 15, 2026, replacing it with a fixed-period of stay.

Key impacts include:

- Students and exchange visitors will be admitted until the program end date on their Form I 20 or DS 2019, for up to four years plus a 30 day grace period.
- Those needing more time must file a USCIS extension of stay; school issued program extensions will no longer be enough.
- Those already in the U.S. on D/S as of September 15, 2026, get a transition period: status until the later of their EAD expiration or current I 20/DS 2019 program end date (capped at four years from the effective date), plus a 60-day (F) or 30-day (J) departure period.
- After the new rules take effect, anyone traveling outside the U.S. and seeking re-entry converts to the new fixed-date framework.
- The rule preserves Optional Practical Training (OPT) eligibility but tightens timelines. Some students may need an extension of stay to maintain F 1 status during OPT, and the post completion OPT application window shortens from 60 to 30 days.

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## STATE DEPARTMENT LAUNCHES EXPEDITED B VISA APPOINTMENT PILOT

As of July 1, 2026, U.S. consulates in Mexico offer a limited number of expedited B 1/B 2 visa appointments under a new State Department pilot program. For an additional non-refundable \$750 fee, applicants can secure an appointment within 10 business days. An expedited appointment doesn't affect the prospects of visa approval, and the adjudication and security processing timelines remain the same.

Generally, applicants can only attend their visa interview at a U.S. Embassy or Consulate located within their country of nationality or residence. Additional pilot locations may be announced throughout the pilot period, which runs through December 31, 2026.

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## H-1B CAP REACHED

On July 17, U.S. Citizenship and Immigration Services announced that it had reached the H-1B cap for the 2027 fiscal year. That includes the 65,000 H-1B visa regular cap and the 20,000 H-1B visa U.S. advanced degree exemption.

Accordingly, no further selection rounds will be held for FY 2027.

## CANADIAN IMMIGRATION

## ONTARIO IMMIGRANT NOMINEE PROGRAM UPDATES

Ontario has released new OINP regulations as part of Phase 1 of a two-step program redesign, which features a new 'Ontario Workforce Priority Stream.' The stream includes three pathways:

- EER 0–3 (skilled workers) — This is for higher-skilled jobs (managers, professionals, technicians, skilled trades). To qualify, you generally need: a full-time, permanent job offer in Ontario, recent work experience or a couple of years of experience over the last five years, decent English/French test scores (CLB 5–6), and a post-secondary credential.
- TEER 4–5 (essential workers) — This is for lower-skilled roles (general labour, service jobs). Requirements are lighter: some recent work experience (about nine months over the last two years), a lower language bar (CLB 4), and a high school diploma.
- Self-employed physicians — A special track just for doctors. Unlike the other two, you don't need a job offer at all. Instead, you need to be properly licensed to practice in Ontario and able to bill through OHIP.

The OINP intake system is currently closed for the transition, with all prior expressions of interest and job offer approvals withdrawn. The portal is expected to reopen sometime this summer, though Ontario hasn't set an exact date.

Employers who were already registered in the OINP portal from before won't need to re-register from scratch, but once the portal reopens, they'll need to submit brand-new job offers and get them approved again under the new stream. Old approvals will not transfer over.

Once the program reopens, Ontario is expected to keep running the same kind of targeted draws it's used historically - picking specific occupations, sectors, or regions to prioritize in a given round, rather than one general open pool.

Phase 2 is expected to introduce three more pathways (Priority Healthcare, Exceptional Talent, and Entrepreneur) though Ontario hasn't confirmed a launch date.

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## EXPRESS ENTRY INDICATES FRENCH-LANGUAGE PRIORITY

Immigration, Refugees and Citizenship Canada's July invitations to apply (ITA) through the Express Entry system showed a continued focus on French-language proficiency. On July 22, 5,000 invitations were issued in that category, following 5,000 as well on July 9.

These French-language draws directly implement the 2026–2028 Immigration Levels Plan, which set a target of 9% French-speaking admissions outside Quebec for 2026, rising to 10.5% by 2028, en route to the government's broader 12% goal by 2029. The consistently high volume and relatively low CRS cutoffs in these rounds reflect Express Entry's role as a key vehicle for meeting that target, alongside a newer 2026 measure reserving 5,000 federal selection spaces specifically for provinces and territories to nominate French-speaking immigrants.

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## CANADA PAUSES PARENTS AND GRANDPARENTS SPONSORSHIP PROGRAM

Immigration, Refugees and Citizenship Canada has paused invitations and the intake of submissions for the Parents and Grandparents Program (PGP) until further notice. Existing applications continue to be processed, with 15,000 approvals planned for 2026.

With PGP sponsorship suspended, the Super Visa is now the most practical option for those seeking family reunification. It allows parents and grandparents to stay in Canada for up to five years per visit, extendable by two years, with up to a 10-year visa validity. The sponsor must meet income thresholds, and the applicant must secure private health insurance for at least a year from time of entry.

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