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CUMMING & PARTNERS
U.S. & CANADIAN IMMIGRATION INSIGHTS

U.S. IMMIGRATION

EB-5 PROGRAM FEES ON THE RISE

U.S. Citizenship and Immigration Services is raising fees for the EB-5 Immigrant Investor Program, effective Nov. 30, 2026. The program allows foreign investors to pursue permanent U.S. residency by investing in the U.S. economy and creating jobs.

The new fees will help pay for application reviews, background checks, fraud prevention efforts, and other program integrity measures. Among the increases:

- the I-526E Integrity Fund fee goes from $1,000 to $1,100;
- the Regional Center fee increases from $10,000 to $11,000; and
- at certain Regional Centers the fee goes from $20,000 to $22,000.

Filing fees are also set to increase significantly, with some fees more than doubling:

- Form I-526E (Regional Center Investor Petition): $3,675 to $7,850
- Form I-526 (Standalone Investor Petition): $3,675 to $7,615
- Form I-829 (Petition to Remove Conditions on Permanent Resident Status): $3,750 to $5,000

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AUTOMATIC EAD EXTENSION ELIMINATED

For certain classes of aliens, U.S. Citizenship and Immigration Services issues employment authorization documents (Forms I-766 or EADs). These are valid for a set period. Aliens who want to continue their employment beyond the date specified on their EAD must generally file an application to renew.

In the past, aliens who applied in a timely manner automatically got extra time to keep using their old permits while awaiting a decision. USCIS has now issued a final rule making permanent the elimination of the 540-day EAD extension. This formalizes an interim policy in effect since October 30, 2025.

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NEW VISA BOND REQUIREMENTS IN EFFECT FOR SELECT B-1/B-2 APPLICANTS

The Department of State has updated its webpage on countries subject to visa bonds. While the countries are unchanged, B-1/B-2 visa applicants are required to post a bond for $10,000, $15,000 or $20,000. The amount will be determined at the time of the visa interview.

The visa bond may be paid by either the applicant or a third party such as a friend, family member or business associate. Applicants must also submit a Department of Homeland Security Form I-352, but only after being directed to by a consular officer. The name on that form must match the name of the person paying.

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PDF UPLOADS AVAILABLE FOR FORM I-129 FILINGS

On Oct. 7, 2026, U.S. Citizenship and Immigration Services published new online filing options for Form I-129, Petition for a Nonimmigrant Worker. PDFs can now be uploaded for these classifications: E-3; cap-exempt H-2B; H-3; L-1 (including blanket L); O-1/O-2; P-1/P-2/P-3 (including essential support); and Q-1 petitions.

Online PDF uploads are also available for Form I-129CW, Petition for a CNMI-Only Nonimmigrant Transitional Worker.

Filing fees are listed in the current USCIS Fee Schedule (Form G-1055).

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CANADIAN IMMIGRATION

NEW CRS POINTS FOR HIGH-WAGE OCCUPATIONS

Effective Nov. 3, 2026, Immigration, Refugees and Citizenship Canada will introduce additional Comprehensive Ranking System (CRS) points. These will apply to Express Entry candidates with eligible Canadian work experience or qualifying job offers in 186 higher-wage occupations.

Candidates may receive up to 100 additional points, depending on the applicable wage threshold. Occupations are grouped into three levels, where the median wage is either 1.3, 1.5, or 2 times higher than the national median wage.

Under the new rules, a Labour Market Impact Assessment (LMIA) will no longer be required for qualifying job offers to receive these additional points or meet job offer requirements under the Federal Skilled Worker Program and Federal Skilled Trades Program. IRCC will continue to assess job offers for program eligibility.

For existing candidates, CRS scores will be recalculated automatically to account for eligible Canadian work experience. Candidates seeking additional points for a qualifying job offer must update their Express Entry profiles before Nov. 3, 2026. The recalculation process may take up to two weeks, during which invitation rounds will be paused.

The increased emphasis on factors linked to stronger economic outcomes aims to help Canada attract and retain the skilled workers who are best positioned to succeed in our labour market.

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PERSONALIZED PROCESSING TIMES NOW AVAILABLE FOR WORK PERMIT APPLICATIONS

Are you wondering about processing times for work permit extensions and first-time post-graduation work permits? The Government of Canada will now provide personalized estimates based on when you applied. Applicants can see both the remaining wait time and the number of work permit applications ahead of them, as well as the estimated wait time if they applied right now.

Click button below, select “temporary residence” as the application type, and then select “work permit extension in Canada” from the drop-down menu.

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OINP ADDS SCORING POINTS FOR EARNINGS HISTORY

The Ontario Immigrant Nominee Program has updated its scoring system, giving an extra 10 points for candidates who’ve earned at least $80,000 in any year within the past five years. That gives them a higher chance of being selected for provincial nomination for Canadian permanent residency. The change has been applied automatically to all existing Expressions of Interest in the system.

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