



IMMIGRATION UPDATE - OCTOBER 15, 2026

Posted on October 13, 2026 by Cyrus Mehta

Headlines:

[DHS Proposes \\$70,000 Fee for Optional Practical Training](#) – The Department of Homeland Security announced a proposed rule that would require U.S. universities to pay a \$70,000 fee for each F-1 student's initial Optional Practical Training (OPT) work authorization and \$30,000 for subsequent OPT requests.

[Trump Admin Suspends Microsoft and Adobe From PERM Labor Certification Program](#) – The Trump administration announced the suspension of Microsoft and Adobe from the PERM labor certification program, along with Cognizant, Infosys, Tata, Wipro, HCL, and Capgemini.

[Trump Admin Announces Investigation Into 'Visa Fraud' at Top U.S. Universities](#) – The Trump administration announced investigations into "J-1 visa fraud" at the University of Pittsburgh, Yale, Harvard, Stanford, Brown, the University of California at Davis, Caltech, Arizona State, and the Massachusetts Institute of Technology.

[Visa Bulletin for October Notes Retrogressions in Some Employment-Based Visa Categories](#) – With the availability of Fiscal Year 2027 immigrant visa numbers, dates for filing and final action dates have advanced across various immigrant visa categories. However, some employment-based visa categories for "Rest of World" countries have retrogressed.

[Federal Judge Temporarily Blocks Trump Admin Policy of Not Collecting Biometric Info From Detainees With Pending Immigration Applications](#) – A federal judge temporarily blocked the Trump administration's policy of not collecting the biometric information required to continue processing the immigration applications of people in immigration detention.

Firm in the News

Details:

DHS Proposes \$70,000 Fee for Optional Practical Training

On October 7, 2026, the Department of Homeland Security (DHS) [announced](#) a [proposed rule](#) that would require U.S. universities to pay a \$70,000 fee for each F-1 student's initial Optional Practical Training (OPT) work authorization and \$30,000 for subsequent OPT requests. The proposed fee would apply only to OPT recommendations made after the rule is effective, not retroactively to OPT already approved and in progress. The fee would not be tied to a specific employer. Instead, it would apply when schools recommend an F-1 nonimmigrant student for any type of OPT.

According to the proposed rule, U.S. Citizenship and Immigration Services (USCIS) will not approve OPT work authorization for a student unless the fee has been paid by the school. As proposed, the school's Designated School Official (DSO) will not be able to recommend OPT authorization in the Student and Exchange Visitor Program system until the OPT fee is paid.

Comments may be submitted through November 9, 2026. Once the rule is finalized, DHS said it would wait 60 days before putting the rule into effect to allow schools, students, and employers to prepare. Legal challenges from higher education groups and business associations are likely. Some practitioners [expect](#) a successful court challenge if DHS finalizes this rule. In the meantime, students continue to be eligible to receive up to 12 months of OPT at each education level, and STEM degree holders may be eligible for an additional 24-month extension.

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Trump Admin Suspends Microsoft and Adobe From PERM Labor Certification Program

At a [press conference](#) on H-1B and J-1 visa fraud held on October 8, 2026, Secretary of Labor Keith Sonderling [announced](#) the suspension of Microsoft and Adobe from the PERM labor certification program, along with Cognizant, Infosys, Tata, Wipro, HCL, and Capgemini. He said:

We will not accept any new or process any pending permanent labor certification applications involving these companies. Since 2009, just these companies alone have requested almost three million foreign workers. They've

received over 230,000 H-1B visa approvals and over 100,000 permanent labor certifications.

It was unclear how long the suspension would run. At the same press conference, Vice President J. D. Vance said it “is going to last as long as it needs to.” He said that “we have a number of tools to suspend it indefinitely, but we actually want these companies to change their behavior.” He claimed that “there has been no company in the United States unfortunately that has abused the system more than Microsoft.”

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Trump Admin Announces Investigation Into ‘Visa Fraud’ at Top U.S. Universities

At a [press conference](#) on H-1B and J-1 visa fraud held on October 8, 2026, Vice President J. D. Vance and Anthony D’Esposito, Inspector General for the Department of Labor, [announced](#) “a historic investigation into the J-1 visa fraud involving nine major American universities,” including the University of Pittsburgh, Yale, Harvard, Stanford, Brown, the University of California at Davis, Caltech, Arizona State, and the Massachusetts Institute of Technology (MIT). “Subpoenas have been served, investigations are underway, and nobody will be getting a free pass because their name is carved into an expensive building,” Mr. D’Esposito said.

Among other things, he said, “We will investigate whether foreign influence, improper financial relationships, or visa abuse are compromising federally funded research.” He said the Trump administration is “establishing a visa fraud strike team, bringing together investigative expertise from across government. We will follow the money, uncover the schemes, and work with Attorney General Todd Blanche to prosecute criminals.”

Several of the universities flagged by the Trump administration issued [statements](#) after the Trump administration’s announcement. For example, a Brown University spokesperson said, “Brown’s international scholars, students and employees make essential contributions on our campus, including to teaching and research that advances American innovation, competitiveness and economic vitality. We have received a subpoena from the government for various records pertaining to foreign labor programs administered by the U.S. government, and we will respond promptly and directly to the government.” A spokesperson for MIT said the university is reviewing the Labor Department’s

“very broad” subpoena. “We value international students and scholars on our campus. America’s ability to attract top talent from around the world while protecting U.S. economic and security interests is a national strength, and that competitive advantage should be supported,” she said.

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Visa Bulletin for October Notes Retrogressions in Some Employment-Based Visa Categories

The Department of State’s [Visa Bulletin for October 2026](#) notes that with the availability of Fiscal Year (FY) 2027 immigrant visa numbers, dates for filing and final action dates have advanced across various immigrant visa categories. However, some employment-based visa categories for “Rest of World” countries have retrogressed to keep visa issuances within FY 2027 quarterly and annual limits, the bulletin states. “This situation is being continually monitored, and any necessary adjustments will be made accordingly.”

The bulletin also notes that H.R. 6500, signed on September 2, 2026, extended the Employment Fourth Preference Certain Religious Workers (SR) category through December 11, 2026. “The SR category is subject to the same dates for filing and final action dates as the other Employment Fourth Preference categories per applicable foreign state of chargeability,” the bulletin says.

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Federal Judge Temporarily Blocks Trump Admin Policy of Not Collecting Biometric Info From Detainees With Pending Immigration Applications

On October 7, 2026, a federal judge [temporarily blocked](#) the Trump administration’s policy of not collecting the biometric information required to continue processing the immigration applications of people in immigration detention.

The judge noted, among other things, that “the plaintiffs have shown injury from the policy, which acts as a *de facto* denial of their applications, substantially injuring their ability to obtain the immigration statuses they may be entitled to receive and leading to ongoing detention and the concrete risk of deportation that could not occur under law if their applications are granted. ... While it may be true that some plaintiffs could continue to pursue their applications upon deportation, deportation itself is plainly injury in fact. Indeed,

in addition to the concrete injury of being removed from the country, the record contains evidence that some plaintiffs face threats to their lives in their home countries.” He also noted that the plaintiffs “have proffered credible evidence that the policy changed the status quo, in which collected biometric information, generally by taking detained people to their biometrics appointments.”

The judge ordered the Department of Homeland Security to file a status report by October 21, 2026, apprising the court of compliance with the order.

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Firm in the News

Cyrus Mehta was quoted by the *Times of India* in [PERM Freeze: Indian IT Stocks Rally, But Talent Exodus Looms](#). Mr. Mehta called the suspension a “warped approach.” “Immigration is not a zero-sum game,” he said. Responding to Vice-President JD Vance’s criticism of Microsoft over its 2025 layoffs, Mr. Mehta said that layoffs at Microsoft, criticized by J. D. Vance, did not prevent companies from recruiting foreign workers with specialized skills.

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