



Washington Update

Thursday, September 17, 2026 | 12:00 p.m. ET



Agenda

1. Immigration Updates
2. ED accreditation proposal
3. DOL Opinion Letters



Immigration Updates

1. DHS issues proposal to eliminate 60-day grace period for H-1B visa holders
 - a) Workers and dependents would be considered to have failed to maintain status the day after qualifying employment ceases; would need to depart immediately
 - b) Comment period open through November 10

Immigration Update

1. DHS proposes to establish \$103,265 fee for cap-subject H-1B visa petitions through regulation
 - a) Does not apply to cap-exempt employers such as IHEs
 - b) Likely an attempt for a long-term replacement for the 2025 proclamation

Immigration Update

1. Federal court postpones DHS Duration of Status rule
 - a) Rule would replace “duration of status” for F, J, and I visa holders with fixed admission periods
 - b) Preliminary injunction keeps current D/S framework in place while litigation continues; DHS expected to appeal

Immigration Update

1. OPT rule cleared OIRA review, expected to be published soon
 - a) Speculated that this will impose the \$100,000 fee on OPT petitions
2. H-1B Reform proposal at OIRA for review
 - a) Specifics unknown, but looking at eligibility for cap exemptions, greater scrutiny for program violations, and increasing oversight
3. PERM Modernization proposal at OIRA for review
 - a) Specifics unknown, but expected to address recruitment standards, worker protections, and employer compliance

ED Accreditation Rule

1. Proposed rule would revise standards accrediting agencies apply to IHEs
2. Some standards worth flagging for HR professionals:
 - a) Faculty evaluation and staffing
 - b) Academic freedom and intellectual diversity protections
 - c) Civil rights compliance
 - d) Employee access to accreditors

Opinion Letters

1. DOL issued 3 new opinion letters
 - a) Covers meal breaks, exempt employees volunteering for nonprofit employer, and tip pooling



Have a Question?



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