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2026 AILA Fall CLE Conference and Webcast: Business Hot Topics

This year's business track brings together advanced, practice-focused conversations on the developments reshaping employment-based immigration. Expert panelists will examine how regulatory changes, government technology, and shifting adjudication trends affect your daily work. They also will share practical approaches for guiding clients through their employment sponsorship pathways, maintaining status, and managing challenges in PERM and beyond. In addition, panelists will explore specialized issues in the arts, culture, entertainment, and sports (ACEs) industries, and offer forward-thinking strategies for navigating these unique categories.

October 15–16, 2026
The Hyatt Regency Atlanta
Atlanta, GA

Times listed on the program are Eastern Time (ET)
Note: All sessions and events are subject to change without notice.

Thursday, October 15, 2026

8:00 am–5:00 pm **Registration and Exhibits**

8:50 am–9:00 am **Welcome and Remarks**

9:00 am–10:00 am **Hot Topics in Business Immigration**

Eighteen months into the current administration, and with the midterm elections unlikely to alter an agenda built almost entirely on executive action, practitioners are experiencing seismic shifts in the immigration landscape. Included in these changes are the weighted H-1B lottery that governed the FY2027 registration, the \$100,000 petition fee, and a massive escalation in worksite enforcement. Panelists will cover the impact of the changes enacted by the current administration, as well as unfinished agenda items most consequential for employers. Finally, they will offer concrete preparation strategies for each.

- Litigation updates

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* = invited, not confirmed

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- Visa Bulletin movement
- Compliance developments
- Request for Evidence (RFE)/Notice of Intent to Deny (NOID) trends
- Latest executive orders/proclamations/regulations

10:00 am–10:30 am **Networking Break**

10:30 am–11:30 am **AI and Technology in Business Immigration: Best Practices, Firm Adoption, and Government Usage (Technology/General)**
 Navigating technology and artificial intelligence (AI) in immigration law is rapidly transforming how business practitioners deliver services and how the government reviews petitions and applications. From AI-assisted legal research to AI government review, innovation is reshaping the legal landscape. Panelists will provide insights on best practices, risks, and the evolving role of technology in modern immigration law practice and government tools.

- What technology is the government currently using and how can we tell?
- Evaluating technology for your practice's response needs
- Best practices in rolling out new technology

11:30 am–12:00 pm **Networking Break**

12:00 pm–1:00 pm **Understanding the New Coordinated Enforcement Architecture with FDNS, DOL, and ICE**
 The September 2025 raid at the Hyundai plant in Georgia was not an anomaly, it was a harbinger of things to come. U.S. Immigration and Customs Enforcement (ICE) worksite audits, Fraud Detection and National Security Directorate (FDNS) site visits, and U.S. Department of Labor (DOL) H-1B enforcement under Project Firewall are surging simultaneously, and agencies are sharing data in ways that amplify the risk of any single filing or compliance gap. Our panelists will examine how the enforcement ecosystem has changed structurally and what steps corporate immigration programs can take to prepare.

- How FDNS, DOL Wage and Hour Division, ICE, and the U.S. Department of Justice's Immigrant and Employee Rights Section (IER) are coordinating referrals and sharing data across enforcement actions
- Triggers for each type of action: third-party placements, wage anomalies, prior RFEs, B-1 visits, interagency referrals, and random selection
- Home-based and remote worksite FDNS visits: unique challenges and preparation protocols for hybrid and distributed workforces
- E-Verify desk audits, I-9 inspections, and Project Firewall: understanding overlapping compliance obligations

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- Building the employer response protocol: what human resources, managers, and counsel need to know before the knock at the door

1:00 pm–2:00 pm

Lunch Break (*Provided for in-person attendees*)

2:00 pm–3:00 pm

PERM Program Integrity: Compliance and Best Practices

The permanent labor certification process asks employers to meet detailed regulatory requirements — in recruitment, documentation, and recordkeeping — and both DOL and IER play distinct roles in ensuring the program operates as intended. For practitioners, effective counseling increasingly means looking beyond the individual application to the sponsorship program as a whole: consistent recruitment practices, disciplined documentation, and internal processes that align with the expectations of both agencies. Our panel of experts will discuss how the agencies approach program integrity and how employers can build PERM programs that meet their obligations from the outset.

- Requests for Information and audits: understanding their purpose, common documentation issues the agency encounters, and how to prepare complete and responsive submissions
- Good-faith recruitment: designing and documenting recruitment that satisfies DOL requirements while remaining consistent with IER's anti-discrimination framework
- Layoffs, Worker Adjustment and Retraining Notification Act (WARN) notifications, and reductions in force: applying the INA §656.17(k) analysis, notice-and-consideration obligations, and timing considerations for sponsors navigating workforce changes
- Program governance: internal review protocols, recordkeeping practices, and maintaining program-wide quality across filings
- Consistency across the program: aligning recruitment, documentation, and workforce-notification practices so that compliance holds up under review by either agency

3:00 pm–3:30 pm

Networking Break

3:30 pm–4:30 pm

Wage Issues and Consistency: From LCA to I-140 and Beyond

The stakes have never been higher on wage requirements and consistency across filings. From the wage-weighted H-1B lottery to heightened USCIS scrutiny of prior petitions, a misstep at any stage — the labor condition application (LCA), I-129, PERM, or I-140 — can have cascading consequences. Panelists will examine wage strategy and filing consistency across the full employment-based immigration lifecycle.

- Wage level selection under the weighted H-1B lottery: Standard Occupational Classification (SOC) code strategy, LCA compliance, and the I-129 consistency trap

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- Alternative wage surveys: when they are appropriate, how to use them effectively, and how USCIS and DOL are scrutinizing them
- PERM prevailing wage determinations: DOL Notice of Proposed Rulemaking (NPRM) implications, audit risk, and recruitment design in an environment of heightened scrutiny
- I-140 and nonimmigrant visa wages: proving ability to pay and maintaining consistency with prior nonimmigrant filings

Friday, October 16, 2026

8:30 am–4:30 pm **Registration and Exhibits**

9:00 am–10:00 am **From F-1 Studies to Full-Time Employment**

As immigration scrutiny intensifies for F-1 nonimmigrants under the current administration, these students face unprecedented complexities in maintaining status across the full academic lifecycle. New rules to limit the duration of stay for F-1 students will complicate matters further. In addition, international student athletes and creatives are drawn to the United States due to new compensation models such as Name, Image, and Likeness (NIL) and influencer revenues. Our panel of experts will offer a comprehensive, compliance-driven framework for advising F-1 students, institutions, and stakeholders navigating overlapping risks related to employment authorization, status maintenance, and enforcement trends.

- Maintaining F-1 status: Student and Exchange Visitor Information System (SEVIS) compliance, full-time enrollment, reporting requirements, and the shift from duration of status (D/S) to fixed admission periods
- High-risk scenarios: unauthorized employment, status violations, travel concerns, social media scrutiny, visa revocations, SEVIS terminations, and reinstatement issues
- F-1 employment rules in a changing landscape: NIL activities, internships, sponsorships, passive income vs. employment, and work authorization requirements
- Institutional compliance strategies: risk management, documentation standards, program integrity, and stakeholder coordination
- Planning for the future: work authorization compliance, Optional Practical Training (OPT)-to-H-1B transitions, and advanced options such as National Interest Waivers (NIW) and O-1 pathways for high-achieving students and athletes

10:00 am–10:30 am **Networking Break**

10:30 am–11:30 am **Maintaining Status in Today's Immigration Landscape: Navigating Compliance Challenges and Changes**

In today's enforcement-heavy environment, the period between immigration authorizations has become one of the riskiest stages in an

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employee's journey. Panelists will examine how layoffs, evolving lottery wage requirements, and lengthy adjudication timelines intersect to create complex vulnerability points for foreign national employees and their employers. They also will address heightened scrutiny and aggressive enforcement trends, including the end of "duration of status" for individuals in F-1 and J-1 status, and how these impact day-to-day status management decisions. Finally, panelists will share real-world scenarios, risk-mitigation tactics, and communication strategies that immigration practitioners can use to better guide their clients.

- B-2 bridge strategies, grace periods, and travel planning: managing gaps between employment-authorized statuses
- Specific status risks created by layoffs, changes in role or location, and lottery-related wage and position requirements, including recent changes to duration of status
- How slow adjudication, USCIS pause, RFEs, and increased enforcement activity affect timing and sequencing of filings
- Common "between status" scenarios, including humanitarian relief: practical, risk-based options
- Communication and documentation best practices: defensible decision-making in status maintenance and transition planning

11:30 am–12:00 pm **Networking Break**

12:00 pm–1:00 pm **Arising Issues for International Athletes Coming to the United States**

The United States is scheduled to continue hosting high profile international sporting events during an administration that is hyper-focused on border issues and increasing vetting on all foreign nationals coming into the country. Athletes, along with their support staff, families, and fans, will have to navigate a mix of visa bans, processing pauses, and visa bonds that make the ever-challenging consular landscape more fraught than ever. Our panelists will examine consular processing for international athletes and visitors for upcoming sporting events (including the 2028 Olympics), and they will discuss lessons learned from recent sporting events (especially the 2026 FIFA World Cup) during this heightened period of scrutiny.

- Analysis of changes to B-1 permissible activities and the Electronic System for Travel Authorization (ESTA) for international sporting events
- Inadmissibility issues and the state of play and process for nonimmigrant waivers
- Waivers of visa bans (including criminal, drug use, and others) for athletes, coaches, and immediate relatives of athletes
- U.S. Customs and Border Protection (CBP) and admission issues
- Visa bonds and third-country national processing

1:00 pm–2:00 pm **Lunch Break (*Provided for in-person attendees*)**

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2:00 pm–3:00 pm	The Impact of RFEs, NOIDs, and Interviews on Arts, Culture, Entertainment, and Sports Petitions Union delays, separation of O-1 and O-2 petitions, DS-160 submission requirements, mandatory in-person interviews, and diminished help from government agencies have extended processing times for highly urgent creative fields. Panelists will discuss advanced tricks and strategies to push your clients’ cases to successful and faster outcomes. • Is there another visa option such as the B, I, or E-2? • Managing client expectations: What’s a realistic timeframe? • What is interfiling, how to do it, and does it work? • Obtaining early copies of RFEs and negotiating expedites • Navigating consular processing with new hurdles • When to ask for an I-193 (Application for Waiver of Passport and/or Visa)
3:00 pm–3:30 pm	Networking Break
3:30 pm–4:30 pm	From Famous to Infamous: Navigating the Most Challenging ACEs Cases From sold-out arenas to RFEs and site visits, this lively panel dives into ACEs practice using some of Atlanta’s most recognizable “famous to infamous” scenarios. From 21 Savage’s high profile removal case to how Atlanta strip club/adult entertainment culture is using O visas, panelists will unpack how celebrity status, complicated immigration history, and public narratives can collide with legal strategy. • How to spot eligibility and credibility red flags early in O and P visa cases involving artists, entertainers, and athletes • When clients have complex immigration histories: strategies for documenting eligibility • Preparing high-profile clients for increased scrutiny • Techniques for aligning public narratives with the legal record to strengthen credibility • Consular and CBP issues: counteracting bias/preconceived notions for influencers and content creators (e.g., OnlyFans) with controversial social media posts
4:30 pm – 5:30 pm	Fall Conference Happy Hour Join us for networking and drinks following the sessions.

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Business Hot Topics Track Committee

Sharon L. Cook, Conference Track Committee Chair, Atlanta, GA

Amanda S. Brill, London, UK

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Timothy D'Arduini, Washington, D.C.

Brittany T. Faith, Chattanooga, TN

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