



Government Use of AI

Live Online Course

COURSE OUTLINE

Artificial intelligence (AI) is rapidly becoming part of the infrastructure through which governments regulate migration. AI now profoundly impacts not only how agencies process cases, but how they gather information, identify fraud, assess credibility, allocate resources, and prioritize investigations. So, while the law itself has changed relatively little, the environment in which the law is applied has changed dramatically, making the government's use of AI not just a technology issue, but an important immigration practice issue, as well.

This course provides immigration practitioners with the knowledge needed to recognize and deal effectively with government AI use. Participants will learn how to anticipate AI's effects on clients and cases, develop stronger evidence in response, monitor emerging technologies, and identify new legal avenues for oversight and accountability. Throughout the course, participants also will learn how technology, practice, and policy inform and shape one another. Upon course completion, practitioners will be equipped with strategies for dealing with AI that they can implement immediately and use to their advantage in client advocacy.

Who Should Take This Course

This course is designed for AILA members who want to understand how government agencies are using technology-assisted review, particularly AI, in immigration systems. Participants will learn practical strategies for protecting due process and advocating for clients effectively. Each session will bring together technology experts, experienced practitioners, and government policy specialists for thoughtful discussions around these evolving immigration issues.

While the course covers a range of technology-related topics, **this is *not* a skills-based, “technology how to” course**, and **participants do not need prior AI knowledge to participate**. A series of short, pre-recorded videos will help participants build familiarity with key concepts, terminology, and the broader context for the discussions that follow.

Note: *Not all government uses of AI and related technologies are publicly disclosed. Throughout the program, panelists will rely on documented sources and immigration-specific examples that may reflect, or reasonably indicate, the use of AI, automated systems, or technology-assisted review in government decision-making.*

What to Expect

This course is presented as a series of five 90-minute online discussion panels, over three weeks. Participants will receive a variety of supplemental learning materials, including:

- On-demand videos, to build familiarity with AI-specific terminology and key concepts

- Curated readings and reference materials
- PowerPoint presentations and handouts
- Access to the AILA Course Discussion Board
- Recordings of all live sessions
- CLE credit; AILA is applying for CLE in appropriate jurisdictions

Session 1

Tuesday, October 20, 2026

1:00 pm ET

Introduction: What the Government Is Building and Why Lawyers Must Care

The United States is rapidly expanding its use of AI to support immigration, national security, and economic policies. Increasingly, these systems operate within a global digital ecosystem in which governments exchange information, collaborate on security initiatives, and rely on shared technologies that cross national boundaries. For immigration lawyers, this means that decisions affecting clients seeking to visit, study, work, invest, or immigrate to the United States are increasingly shaped by digital information long before a human officer reviews a case. This introductory session provides a practical, non-technical foundation for understanding how government AI is reshaping immigration practice in the United States and abroad, and why understanding these systems is becoming part of competent immigration representation.

- How the United States and its international partners increasingly use AI for identity verification, border security, travel screening, risk assessment, surveillance, and immigration decision-making, and how cross-border data sharing influences U.S. immigration practice
- The major categories of government AI and the practical concepts every immigration lawyer should understand, including predictive analytics, inference, confidence scores, automation bias, and model drift
- How AI is creating new constitutional and privacy questions for not only foreign nationals seeking admission here, but also for U.S. citizens travelling abroad
- How technologies developed for one purpose can creep into broader governmental uses, why the distinction between prediction and proof matters, and the continuing need for meaningful human oversight and constitutional safeguards
- Why AI literacy is becoming part of competent representation, and how all U.S. attorneys can effectively advocate for clients, challenge unreliable digital evidence, and help ensure that technological innovation advances—not diminishes—fairness and justice

Session 2

Thursday, October 22, 2026

1:00 pm ET

DOS: Technology and the Changing Consular Process

While the law governing visa adjudications has changed little, the technology surrounding it has changed dramatically. As the U.S. Department of State (DOS) expands its use of artificial intelligence for screening, data integration, fraud detection, and consular modernization, immigration practitioners face a more complex and less transparent decision-making environment. This session provides a practical roadmap for understanding DOS's

emerging AI architecture, preparing stronger cases in an era of AI-assisted review, and using existing legal, policy, and oversight tools to promote fairness, transparency, and meaningful human accountability.

- Fundamental shifts in consular technology and institutional practices
 - How expanded screening, data collection, and long-standing principles such as consular nonreviewability are reshaping visa adjudications
- Inside DOS modernization efforts: an overview of StateChat, other internal AI tools, and the policies and governance frameworks guiding their use
 - Data and Artificial Intelligence Policy Manual (20 FAM)
 - Cybersecurity Guidance (19 FAM)
 - OMB Memorandum M-25-21 on federal AI governance
- Preparing stronger cases for AI-assisted review
 - Practical strategies for addressing data inconsistencies, travel anomalies, screening concerns, and other risk factors that may influence adjudications
 - Examples of tech-friendly submissions to DOS
- Fighting fire with fire: using AI literacy, advocacy tools, and existing legal and policy frameworks to identify concerns, challenge flawed outcomes, and protect clients' interests

Session 3

Tuesday, October 27, 2026

1:00 pm ET

USCIS: AI and the Rise of Data-Driven Adjudications

As U.S. Citizenship and Immigration Services (USCIS) continues to modernize its operations, artificial intelligence and related technologies are becoming increasingly embedded in how applications and petitions are processed, reviewed, and adjudicated. From evidence classification and identity verification to fraud detection and data integration, these tools are changing how information moves through the system and how cases are evaluated. This session examines the technologies USCIS is using today, the initiatives on the horizon, and the regulatory changes supporting expanded use of data and automation. Panelists will provide practical guidance for adapting case preparation, client counseling, and filing strategies in an evolving adjudication environment.

- Understanding AI at USCIS: identifying the signs of AI-assisted review in evidence review, identity management, fraud detection, and adjudications
- Exploring current and emerging technologies at the agency and how they are being used in O-1s, National Interest Waiver (NIW) petitions, EB-1 petitions, asylum cases, etc.
- How USCIS is using the regulatory process to advance its AI use
 - Expanding agency authority to collect, use, and retain applicant data
 - Digital modernization; converting paper filings into electronic records
 - Continuous vetting and data-sharing across government agencies
- Preparing stronger filings: improving consistency across applications and petitions, strengthening supporting evidence, and reducing issues that can delay or complicate adjudications
- Counseling clients in a data-driven environment: helping clients understand increased information collection, verification processes, and long-term data use

Session 4

Thursday, October 29, 2026

1:00 pm ET

CBP and ICE: Data, Surveillance, and Border Security

As U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement (ICE) increasingly rely on artificial intelligence, biometrics, surveillance technologies, and advanced data analytics, immigration practitioners must understand how these systems are reshaping inspections, enforcement, and border security. From traveler targeting and electronic device searches to facial recognition, digital identity systems, and continuous vetting, technology now plays a significant role in how individuals are screened, investigated, detained, and removed. This session examines the technologies being deployed today. Topics covered include SEVIS, emerging enforcement tools on the horizon, and practical strategies for advising clients, preserving evidence, and responding when technology influences government decision-making.

- Understanding AI at the border: how facial recognition, traveler targeting, biometrics, digital identity systems, and data analytics are influencing inspections, screening, and enforcement activities
- Preparing clients for technology-enabled enforcement systems: counseling clients on border inspections, secondary screening, electronic device searches, social media review, and other technology-driven encounters
- Recognizing technology's role in a case: identifying how automated screening, open-source intelligence, continuous vetting, and cross-agency data sharing through systems like SEVIS, may affect enforcement decisions and case outcomes
- Preserving and evaluating digital evidence: working with travel records, electronic communications, device-related information, and other digital evidence that may become critical to client representation
- Looking ahead to the future of enforcement: understanding emerging technologies, including predictive analytics, agentic AI, and expanded interagency integration, and their implications for client advocacy and defense strategies

Session 5

Monday, November 2, 2026

1:00 pm ET

Challenging the System: Moving from Analysis to Action

As federal agencies expand their use of AI in immigration decision-making, practitioners need concrete strategies for responding when those systems get it wrong. This closing session shifts from analysis to action, walking attorneys through how to build a strong evidentiary record, access agency information through the Freedom of Information Act (FOIA), and evaluate litigation options when AI-assisted decisions cause harm. Panelists will translate the course's earlier themes into a practical roadmap for challenging flawed government determinations. Participants will leave with tools they can use immediately in their own cases.

- Building the evidentiary record: documenting AI involvement in adverse decisions, including IRS and criminal history data
- Using FOIA strategically: requesting agency AI policies, training data, and decision logs
- Litigation pathways: identifying viable claims and remedies when AI tools err or introduce bias
- Practical next steps: checklists and resources attorneys can apply in practice right away
- Staying vigilant: what to monitor as government AI adoption continues to evolve

Course Planning Committee

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AILA DOS Liaison Committee, Fountain Inn, SC

Dan Maranci, AILA Innovation & Technology Committee Vice-Chair, Needham, MA

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Gregory Howard Siskind, AILA Author, AILA's Immigration Law Practice and Procedure Manual:

A "Cookbook" of Essential Practice Materials 4th ed., Memphis, TN

Jack Jrada, New York, NY

Kathleen M. Angustia, AILA Supervisory Policy & Practice Counsel, Washington, D.C.

Steven Hubbard, Ph.D., American Immigration Council, Senior Data Scientist, Washington, D.C.

Kate Voigt, Senior Policy Counsel at ACLU /Former Senior Policy Advisor at DHS, Office for Civil Rights and Civil Liberties (CRCL), Washington, D.C.

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