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DOJ Signals Increased Focus on AI-Related Enforcement With Launch of Super Intelligence Task Force

Key Takeaways

- **DOJ is centralizing coordination of AI-related enforcement.** On November 5, 2026, DOJ announced the Super Intelligence Task Force (DOJ-SITF) to coordinate the Department's criminal and civil enforcement efforts involving AI and to deconflict AI-related matters across DOJ components and U.S. Attorneys' Offices. Among other responsibilities, it absorbs the work of the Artificial Intelligence Task Force announced on January 9, 2026.
- **The task force will track AI matters Department-wide.** At the DOJ-SITF's request, DOJ components and U.S. Attorneys' Offices are expected to provide notice when seeking to open an investigation, before seeking charges, and before finalizing a resolution in a matter involving AI. The memorandum directs the DOJ-SITF to establish a notice process that does not delay enforcement activity.
- **Compliance measures are an express focus.** The DOJ-SITF is expressly tasked with developing guidance regarding both the prosecution of unlawful AI-related conduct and the "evaluation of compliance measures." In its November 5 announcement, DOJ also stated that companies should maintain "vigorous internal controls" so that AI technology behaves as intended.
- **Companies that use AI, not just developers, should take note.** DOJ's focus on corporate actors, compliance measures, and internal controls makes this development relevant to companies deploying AI in ordinary business operations. This matters most where AI affects regulated activities, customer interactions, financial transactions, or other consequential decisions.

On November 5, 2026, the U.S. Department of Justice (DOJ) announced the creation of a Super Intelligence Task Force (DOJ-SITF). According to the October 13, 2026, memorandum from U.S. Attorney General Todd Blanche, the DOJ-SITF will coordinate a comprehensive approach to federal criminal and civil enforcement related to artificial intelligence (AI) across the DOJ. This client alert details the responsibilities of the DOJ-SITF and the implications of its creation.

DEPARTMENT-WIDE COORDINATION FOR AI ENFORCEMENT

The DOJ-SITF centralizes coordination of the Department's criminal and civil enforcement efforts involving AI. According to the memorandum, the DOJ-SITF will:

- Organize the Department's criminal and civil law enforcement efforts involving AI;
- Deconflict investigations, cases, and other matters among Department components and U.S. Attorneys' Offices;
- Recommend enforcement priorities designed to preserve public safety and to prevent the misuse of AI;
- Serve as the Department's principal point of contact with the Administration's Super Intelligence Task Force and, as appropriate, with other departments and agencies;
- Incorporate the work of the Artificial Intelligence Task Force, which is consolidated into the DOJ-SITF;
- Coordinate the Department's affirmative civil litigation with respect to AI;
- Develop guidance regarding the prosecution of unlawful AI-related conduct and evaluation of compliance measures; and
- Advise on legislative or regulatory proposals that promote AI innovation without burdensome regulation.

The memorandum also contemplates that, at the DOJ-SITF's request, DOJ divisions and offices and U.S. Attorneys' Offices will provide notice to the DOJ-SITF at key stages of AI-related matters, including when they seek to open an investigation, before they seek charges,

and before they finalize a resolution. This process could give senior DOJ leadership greater visibility into AI-related investigations and resolutions across the Department.

The DOJ-SITF will be led by the U.S. Attorney General or his specified designees and will draw its membership from DOJ components with significant criminal, civil, national security, fraud, antitrust, and appellate responsibilities.

IMPLICATIONS FOR BUSINESSES USING OR DEVELOPING AI

The creation of the DOJ-SITF is another signal that AI is becoming part of the Department's corporate enforcement infrastructure. It builds upon the Department's updates to its Evaluation of Corporate Compliance Programs (ECCP) guidance in 2024, which defined "artificial intelligence" and directed prosecutors to consider how companies assess and manage AI-related risks when evaluating their compliance programs. The new memorandum goes further by assigning the DOJ-SITF responsibility for developing guidance regarding the prosecution of unlawful AI-related conduct and the "evaluation of compliance measures."

These implications extend beyond AI developers. DOJ has stated that companies should exercise "vigorous internal controls" so that AI technology behaves as intended. Companies deploying third-party or internally developed AI should consider whether their compliance programs provide meaningful visibility into AI use, identify legal and compliance risks, establish appropriate controls and human oversight, and detect unintended or improper use.

As the Department increases its focus on AI-related enforcement, companies should evaluate their AI governance frameworks against the ECCP's AI-related factors. At a minimum, companies should understand where AI is deployed across the organization; assess whether AI use could facilitate violations of law; define responsibility for AI-related risk; document controls around higher-risk use cases; and ensure that compliance functions have sufficient information and authority to identify and address problems before they become enforcement issues.

McGuireWoods' Artificial Intelligence Practice advises organizations on the legal, regulatory, and operational risks associated with AI and algorithmic technologies. Our multidisciplinary team works with clients across the full AI lifecycle, from governance and deployment to regulatory scrutiny and litigation, combining deep regulatory insight with extensive experience managing high-stakes investigations, enforcement actions, and complex disputes. McGuireWoods continues to monitor and report on DOJ's enforcement trends and assist clients in aligning their compliance structures with available government guidance.

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