

President Trump's "Made in America" Executive Order Seeks to Enforce Accuracy of U.S.-Origin Claims

March 23, 2026

WHAT: On March 13, 2026, the Trump Administration issued an Executive Order (EO) aimed at ensuring products advertised as "Made in America" or "Made in the USA" are actually made in the United States. Implementation of the EO primarily falls on the Federal Trade Commission (FTC), which is directed to prioritize enforcement of deceptive "Made in America" or "Made in the USA" claims and to consider proposing regulations that would require online marketplaces to establish procedures for verifying country-of-origin claims.

Additionally, the EO requires agencies with oversight of country-of-origin labeling, in consultation with the FTC, to consider issuing regulations that promote voluntary country-of-origin labeling for products made or manufactured in the United States. Finally, the EO directs agencies overseeing Government-wide acquisition contracts, Multiple Award Schedule contracts, or any other Government-wide indefinite delivery, indefinite quantity (IDIQ) contracts to periodically review and verify "Buy American Act," "Country of Origin USA," or similar U.S.-origin claims for goods procured through these contracts. In addition to removing noncompliant products from those contracts, the EO directs agencies overseeing contracts to consider referring contractors that misrepresent the origin of their products to the U.S. Department of Justice (DOJ), which may pursue actions under the civil False Claims Act (FCA).

WHAT IT MEANS FOR INDUSTRY: This EO continues the Trump Administration's emphasis on promoting domestic manufacturing, including by policing inaccurate claims that products originate in the

Authors

Kevin J. Maynard
Partner
202.719.3143
kmaynard@wiley.law

Duane C. Pozza
Partner
202.719.4533
dpozza@wiley.law

Maureen E. Thorson
Partner
202.719.7272
mthorson@wiley.law

Ian L. Barlow
Of Counsel
202.719.4994
ibarlow@wiley.law

W. Benjamin Phillips, III
Associate
202.719.4376
bphillips@wiley.law

Practice Areas

Buy American and Trade Agreements Acts
Civil Fraud, False Claims, *Qui Tam* and Whistleblower Actions
FTC and Consumer Protection
Government Contractors & Grantees
Government Contracts
International Trade
Trump Administration Resource Center
White Collar Defense & Government Investigations

United States. The FTC is the primary federal agency enforcing policies against deceptive "Made in the USA" claims, bringing cases under Section 5 of the FTC Act, and then in 2021 adopting the Made in USA Labeling Rule, which codified long-standing guidelines for "unqualified" U.S.-origin claims and authorized monetary penalties for violations. Under FTC guidance, unqualified claims include the specific phrase "Made in the United States," as well as product labels that have the same essential meaning, such as "American-made" and "Crafted in USA," and the like. The FTC views those unqualified claims as deceptive unless all significant processing that goes into the product occurs in the United States, including final assembly, and all or virtually all ingredients or components of the product are made and sourced within the United States. In 2025, FTC Chairman Andrew Ferguson designated July as "Made in the USA month" at the FTC and issued a statement affirming his commitment to Made in the USA enforcement, which he noted both "protect[s] Americans from deceptive advertising" and also "provides consumers with confidence that when they buy something that says 'Made in the USA' they are actually supporting American workers, American manufacturers, and American communities." Our coverage of the 2025 developments can be read [here](#).

The EO also seeks to expand the scope of the agency's enforcement. The EO directs the FTC to consider rules that would create potential liability for online marketplaces based on the misrepresentations of vendors selling goods through their sites. Notably, this type of FTC trade regulation authorizes civil penalties up to \$53,088 per violation. Additionally, the EO seeks to increase the FTC's involvement with U.S.-origin labeling, by having it coordinate with other agencies with oversight of country-of-origin labeling to consider issuing regulations that promote voluntary country-of-origin labeling for products manufactured in the United States.

The EO's direction for agencies to verify the accuracy of Buy American Act (BAA) and similar Made in America claims by government contractors also continues a trend in enforcement of country-of-origin restrictions in government procurement - including enforcement of the Trade Agreements Act (TAA), which generally governs the Multiple Award Schedules program and other IDIQ contracts targeted by the EO, and has been the basis for numerous FCA enforcement actions and settlements over the years. Likewise, the EO's direction for agencies to consider referring contractors to DOJ for enforcement under the FCA is consistent with previously announced efforts by DOJ to use the FCA to more aggressively target U.S. Customs & Border Protection (Customs) fraud and tariff evasion (see our prior alerts [here](#) and [here](#)).

Manufacturers and marketers in general using any form of "Made in America" labeling in their advertising or product labeling should review the accuracy of any unqualified Made in the USA claims, have adequate documentation to substantiate claims, and consider implementing a periodic review process to ensure claims remain accurate. Companies should also be vigilant as to country-of-origin rules' foreign-origin marking requirements, enforced by Customs, that may apply to goods produced in the United States with foreign inputs or materials, and that may complicate or render inconsistent any claims regarding U.S. production, assembly, or manufacturing. Operators of online marketplaces should keep an eye out for a potential rulemaking or opportunities to comment on any proposal that the FTC require verification of country-of-origin claims of products sold on their site. Finally, government contractors should also review the accuracy of any certifications regarding compliance with the BAA and TAA, and any other domestic preference and country-of-origin restrictions in their government contracts. It is important to note that the standards for compliance with

these government contracts restrictions are complex, and differ from the standards applied by the FTC for assessing Made in America claims. Therefore, government contractors should review their contracts to identify the applicable restrictions and certifications, and separately assess the adequacy of their processes and supporting documentation to substantiate any certifications made in connection with their government contracts.

Wiley's FTC and Consumer Protection, Government Contracts, and International Trade practices have unparalleled experience counseling clients on their compliance with "Made in America" standards, as well as the BAA, TAA, and other country-of-origin restrictions unique to government procurement. If you have any questions, please contact one of the authors listed on this alert.

To stay informed on all the Executive Orders and announcements from the Trump Administration, please visit our Trump Administration Resource Center.