

## CLIENT ALERT

**Rhetoric: Yes — Substance: Not Yet**

**Apr. 19. 2017**

On April 18, 2017, the president signed an Executive Order taking a modest step towards implementing his Buy American and Hire American campaign promise. With respect to Buy American, the EO directs all agencies to review all domestic preferences applicable to federal procurements or grants (collectively Buy American Laws) and propose policies to ensure maximum use of U.S. manufactured products and components. The Secretary of Commerce is to consolidate the agency findings and recommendations into a report that also assesses the impact that various WTO and Free Trade Agreements have had on buying U.S. made goods, with annual reports to follow. Effective more immediately, any public interest waivers should be made by the head of the agency involved, maximize utilization of domestic products and material, and consider whether any foreign cost advantage is the result of unfair trade practices. Signaling the potential for increased enforcement efforts, the EO requires every agency to "scrupulously monitor, enforce, and comply with Buy American Law." With respect to Hire American, the EO directs DHS, DOL, and other relevant agencies to propose reforms to ensure that H-1B visas are awarded to the most skilled or highest paid petition beneficiaries and that the immigration system is administered to protect the interests of U.S. workers, including through the prevention of fraud and abuse.

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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