

THOUGHT LEADERSHIP

LEGAL UPDATES

PUBLISHED: JANUARY 23, 2026

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What Manufacturers Need to Know About Trade, Tariffs, and the Evolving Supply Chain in 2026

As manufacturers look ahead to 2026, the international trade and supply chain landscape is poised for significant change. From a pivotal Supreme Court decision on tariff authority to the rapid adoption of artificial intelligence in supply chain management, operational leaders face a year of both uncertainty and opportunity. Understanding the key risks and preparing now can help manufacturers navigate this evolving environment with greater confidence.

For a deeper dive into these trends and more actionable insights, visit our full International Trade & Supply Chain Law 2025 Year in Review and Outlook for 2026.

1. Trade Policy Uncertainty: A Supreme Court Decision with Far-Reaching Impact

One of the most consequential developments for manufacturers in 2026 will be the Supreme Court's impending decision on the scope of presidential authority to impose tariffs under the International Emergency Economic Powers Act (IEEPA). This ruling will determine whether the executive branch can unilaterally levy tariffs outside of traditional trade laws, such as Sections 301 and 232.

What's at Stake?

If the Court finds that IEEPA does **not** authorize broad tariff powers, many tariffs imposed in recent years could be invalidated, and billions of dollars in duties may be subject to refund claims.

If the Court **upholds** the tariffs, the President may gain unprecedented authority to impose new tariffs, introducing increased unpredictability to trade costs.

Action Steps:

Monitor legal developments closely and be prepared to adjust sourcing and cost models quickly.

Review your company's import records and ensure all documentation is up to date in case refund opportunities arise.

Consult with trade counsel or compliance advisors about preserving your rights to potential refunds, including timely filing of protests or legal claims.

2. Preparing for a Wave of Refund Claims

Regardless of how the Supreme Court rules, refund strategy will be a major priority for manufacturers involved in importing goods. Companies that have preserved their refund rights through proactive protests or legal filings will be best positioned if tariffs are struck down.

Key Considerations:

U.S. Customs and Border Protection (CBP) may face administrative backlogs if required to process mass refund claims.

Timeliness and accuracy of documentation will be critical. Ensure entry-by-entry records are well organized. Congressional intervention is possible if refund exposure becomes significant, so stay informed on legislative developments.

3. Increased Enforcement and Trade Compliance Risk

With shifting tariff regimes and ongoing trade tensions, enforcement of trade remedy actions is expected to intensify. Manufacturers should anticipate:

Greater scrutiny of supply chains for evasion or circumvention of tariffs, including investigations into transshipment, relabeling, or changes in country of origin.

Heightened enforcement of regulations like the Uyghur Forced Labor Prevention Act (UFLPA), requiring robust supplier due diligence and documentation.

Action Steps:

Audit your supply chain for compliance risks, particularly for goods sourced from high-risk regions.

Implement or strengthen supplier verification and recordkeeping processes.

Prepare for potential audits by maintaining clear evidence of origin, classification, and valuation of imported goods.

4. The Expanding Role of AI in Trade and Supply Chain Management

Artificial intelligence is rapidly transforming how manufacturers manage customs, compliance, and logistics. In 2026, expect to see:

AI-powered tools for tariff forecasting, supply chain risk modeling, and automated documentation.

Increased adoption of technology to validate origin claims, monitor supplier integrity, and flag forced labor risks.

Regulatory attention on the use of automated systems in compliance and import documentation.

Action Steps:

Evaluate new technology solutions for compliance, procurement, and logistics functions.

Train staff on the capabilities and limitations of AI-driven tools.

Stay informed on emerging regulations related to technology use in trade compliance.

5. Geopolitical Fragmentation and Supply Chain Volatility

Global trade is becoming increasingly fragmented, with more countries enacting assertive trade policies, export controls, and retaliatory tariffs. For manufacturers, this means:

Greater exposure to sudden changes in market access, duty rates, and regulatory requirements.

Increased risk in emerging markets, particularly for critical technologies and sensitive goods.

Action Steps:

Diversify suppliers and sourcing locations where possible to reduce reliance on any single market.

Build scenario planning into procurement and pricing strategies, modeling best-, worst-, and middle-case tariff outcomes.

Strengthen coordination between compliance, finance, procurement, and logistics teams.

6. Cargo Theft and Supply Chain Security

Cargo theft is expected to become more sophisticated in 2026, with trends including strategic thefts such as fictitious pickups and rapid cross-border disappearances.

Action Steps:

Review contractual risk allocation among shippers, carriers, brokers, and consignees.

Assess insurance coverage and update security protocols.

Monitor legislative efforts, such as the proposed Cargo Security Innovation Act, which aims to enhance cargo security technologies at transportation hubs.

7. Regulatory Developments in Transportation and Logistics

Manufacturers should also keep an eye on legal and regulatory changes affecting freight brokers, detention and demurrage billing, and autonomous vehicle adoption. For example:

Ongoing court cases may impact broker liability and federal preemption.

The Federal Maritime Commission may revisit rules on detention and demurrage charges.

Autonomous vehicle regulations remain fragmented, creating compliance challenges for logistics planning.

Conclusion: Proactive Planning is Essential

2026 will be a turning point for international trade and supply chain operations. Manufacturers that take early action—by monitoring legal developments, strengthening compliance programs, adopting new technologies, and building resilient supply chains—will be best positioned to navigate volatility and seize new opportunities.