News

Trump tariffs stalled by Supreme Court decision

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The Supreme Court ruled on Friday that President Donald Trump's sweeping tariffs were unconstitutional in a 6-3 decision.

Trump had imposed many of his tariffs under the International Emergency Economic Powers Act, which gives the president the power to regulate importation in states of emergency. The coalition of plaintiffs suing Trump for the tariffs argued that IEEPA does not allow the president to control taxation, which includes tariffs.

In their decision, the Supreme Court ultimately agreed that IEEPA "does not authorize the President to impose tariffs."

In the summary of the case from Chief Justice John Roberts, Justice Neil Gorsuch and Justice Amy Coney Barrett, the court said Trump's interpretation of IEEPA would "represent a transformative expansion" of presidential power over taxation.

"It is also telling that in IEEPA's half century of existence, no President has invoked the statute to impose any tariffs, let alone tariffs of this magnitude and scope," the justices wrote.

> **"IEEPA merely allows the President to impose tariffs somewhat more efficiently to deal with foreign threats during national emergencies."**
> **JUSTICE BRETT KAVANAUGH**

The summary also noted that IEEPA was not at all explicit about tariff powers, even though it mentioned importation.

"Had Congress intended to convey the distinct and extraordinary power to impose tariffs, it would have done so expressly, as it consistently has in other tariff statutes," it said.

Roberts, Gorsuch and Barrett, who typically lean conservative, all voted to strike down the tariffs, along with more liberal justices Sonia Sotomayor, Elena Kagan and Ketanji Brown Jackson.

In the majority opinion written by Roberts, the court said IEEPA was not explicit enough to extend the president taxation powers.

"Based on two words separated by 16 others in Section 1702(a)(1)(B) of IEEPA—'regulate' and 'importation'—the President asserts the independent power to impose tariffs on imports from any country, of any product, at any rate, for any amount of time," Roberts wrote. "Those words cannot bear such weight."

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> **PRESIDENT DONALD TRUMP**

Justices Brett Kavanaugh, Samuel Alito and Clarence Thomas dissented. Kavanaugh wrote in his dissent that using IEEPA to impose tariffs did not grant "any new substantive power" to Trump.

"Since the Founding, numerous statutes have authorized—and still do authorize—the President to impose tariffs and other foreign import restrictions," he wrote. "IEEPA merely allows the President to impose tariffs somewhat more efficiently to deal with foreign threats during national emergencies."

Trump called the decision "deeply disappointing."

"I'm ashamed of certain members of the court, absolutely ashamed for not having the courage to do what's right for this country," he said in a press conference.

On the same day the decision came out, Trump announced on Truth Social that he had instated global 10% tariffs on all countries. These tariffs have a 150-day time limit. It is still unclear whether businesses will be able to argue for refunds for tariffs they had already paid.



U.S. president, Donald Trump holding a signed executive order. Trump has expressed disappointment that the Supreme Court has ruled against his imposed tariffs.
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Tuesday, February 24, 2026

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