

Executive Branch Tariff Actions in the 119th Congress: CRS Products, Experts, and Points of Contact

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Introduction

Article I, Section 8 of the U.S. Constitution grants Congress the power to lay and collect tariffs and to regulate commerce with foreign nations.¹ The last time that Congress set tariff rates was in 1930.² Since then, changes to U.S. tariffs have been the result of presidential action using authority Congress delegated through statute to the executive branch.³ Historically, most of these changes have been made by presidential proclamation following U.S. entry into various international trade agreements that generally sought to reduce or eliminate tariffs and nontariff barriers among the parties.⁴

During the 119th Congress, President Trump has imposed additional tariffs on goods from virtually every U.S. trading partner.⁵ President Trump has cited two statutes as legal authority to impose these tariffs. Most of the tariffs have been imposed using the International Emergency Economic Powers Act (IEEPA), which authorizes the President to “regulate ... importation,” among other authorities, to “deal with” declared emergencies concerning certain “unusual and extraordinary threat[s]” to the “national security, foreign policy, or economy” of the United States.⁶ The President also has imposed some tariffs using Section 232 of the Trade Expansion Act of 1962, which authorizes the President to adjust imports that the Secretary of Commerce has found threaten to impair national security.⁷ As a result of tariff actions since January 2025, the U.S. average effective tariff rate as of mid-September 2025 is the highest it has been since the 1930s; according to one estimate, the U.S. overall average effective tariff rate has increased from approximately 2.5% in January 2025 to 17.4% in September 2025.⁸

Since imposing these tariffs, the Trump Administration has been negotiating agreements with U.S. trading partners and reached preliminary agreements or understandings with some, including

¹ U.S. CONST. art. I, § 8, cls. 1, 3.

² Tariff Act of 1930, P.L. 71-361, Title I, 46 Stat. 590.

³ For example, Reciprocal Trade Agreements Act of 1934, P.L. 73-316, 48 Stat. 943.

⁴ For example, Proclamation 2761A of December 16, 1947, “Carrying Out General Agreement on Tariffs and Trade Concluded at Geneva, October 30, 1947,” 61 Stat. 1103, 3 CFR, 1943-1948 Comp., p. 139; Proclamation 6763 of December 23, 1994, “To Implement the Trade Agreements Resulting From the Uruguay Round of Multilateral Trade Negotiations, and for Other Purposes,” 60 *Federal Register* 1007, January 4, 1995.

⁵ CRS Report R48549, *Presidential 2025 Tariff Actions: Timeline and Status*, by Keigh E. Hammond and William F. Burkhardt, September 16, 2025. These tariff actions during the second Trump Administration follow previous executive branch actions to increase some tariffs. U.S. tariffs, particularly on certain imports from the People’s Republic of China, were imposed in the first Trump and Biden Administrations under authorities such as Section 301 of the Trade Act of 1974 (19 U.S.C. §§2411-2420) and Section 232.

⁶ 50 U.S.C. §1701 *et seq.*

⁷ 19 U.S.C. §1862.

⁸ The Budget Lab at Yale, “State of U.S. Tariffs: September 4, 2025,” Yale University, <https://budgetlab.yale.edu/research/state-us-tariffs-september-4-2025>.

the European Union,⁹ Japan,¹⁰ South Korea,¹¹ the United Kingdom,¹² and Vietnam,¹³ among others. So far, these arrangements generally commit to reducing the President's initially proposed tariff rates, while maintaining an overall increase in tariff rates. Some partners, such as Canada, Mexico, and South Korea, have existing free trade agreements (FTAs) with the United States, under which the majority of U.S. bilateral trade with those countries had been duty-free prior to 2025. Some partners have announced retaliatory tariffs on U.S.-produced goods¹⁴ and pursued dispute settlement at the World Trade Organization (WTO).¹⁵ Several lawsuits challenging the President's legal authority to impose tariffs under IEEPA are ongoing, and the Supreme Court has agreed to hear two of these cases.¹⁶

U.S. tariff actions present several oversight and legislative issues for Congress including: the economic, budgetary, and revenue effect of increased tariffs; the congressional role in delegating to the executive branch certain tariff authorities and in authorizing and implementing trade agreements; and U.S. compliance with international trade obligations, including the WTO and FTAs. The tariff actions also affect U.S. trade and foreign policy, including relations with key U.S. allies and trade partners. U.S. tariff policies could feature in a 2026 joint review of the U.S.-Mexico-Canada Agreement (USMCA), a key oversight issue in the 119th Congress. Depending on the Supreme Court's decision as to whether the President has the authority to impose tariffs under IEEPA, Congress may consider whether to enact legislation levying any tariffs previously imposed under IEEPA that it wishes to remain in place, codify any existing or new tariff exclusion or exemption processes, provide new delegations of tariff-setting authority, or repeal or amend any existing authorities.

This report compiles a selection of CRS products covering various aspects of the executive branch's tariff actions and related issues to support oversight and legislative work in the 119th Congress. It includes a table with names and contact information for CRS experts and points of contact on key issue areas, as well as policy and legal concerns related to tariffs.

⁹ White House, Joint Statement on a United States-European Union Framework on an Agreement on Reciprocal, Fair, and Balanced Trade, August 21, 2025, <https://perma.cc/SP5Z-4A3H>.

¹⁰ Executive Order 14345 of September 4, 2025, "Implementing the United States-Japan Agreement," 90 *Federal Register* 43535, September 9, 2025.

¹¹ President Donald J. Trump, Truth Social Post [South Korea], July 30, 2025, <https://truthsocial.com/@realDonaldTrump/posts/114944494894008041>.

¹² Executive Order 14309 of June 16, 2025, "Implementing the General Terms of the United States of America-United Kingdom Economic Prosperity Deal," 90 *Federal Register* 26419, June 23, 2025.

¹³ President Donald J. Trump, Truth Social Post [Vietnam], July 2, 2025, <https://truthsocial.com/@realDonaldTrump/posts/114784170652465525>.

¹⁴ CRS Report R48549, *Presidential 2025 Tariff Actions: Timeline and Status*, Table 6.

¹⁵ For example, Request for Consultations by Brazil, *United States – Tariff Measures on Goods from Brazil*, WT/DS640/1 (August 11, 2025); Request for Consultations by China, *United States – Universal and Country-Specific Additional Duties on Imports from China*, WT/DS638/1 (April 8, 2025); Request for Consultations by Canada, *United States – Additional Duties on Imports of Automobiles and Automobile Parts from Canada*, WT/DS637/1 (April 7, 2025).

¹⁶ CRS Legal Sidebar LSB11332, *Court Decisions Regarding Tariffs Imposed Under the International Emergency Economic Powers Act (IEEPA)*, by Christopher T. Zirpoli.

Tariffs: Related CRS Products

Overview

CRS In Focus IF11030, *U.S. Tariff Policy: Overview*, by Christopher A. Casey

CRS Report R48549, *Presidential 2025 Tariff Actions: Timeline and Status*, by Keigh E. Hammond and William F. Burkhardt

CRS In Focus IF12995, *International Trade Agreements and U.S. Tariff Laws*, by Christopher T. Zirpoli, Christopher A. Casey, and Cathleen D. Cimino-Isaacs

CRS In Focus IF10002, *World Trade Organization*, by Cathleen D. Cimino-Isaacs

CRS Report R47679, *Congressional and Executive Authority Over Foreign Trade Agreements*, by Christopher T. Zirpoli

CRS Insight IN12482, *Tariffs and Federal Finances: A Thumbnail History*, by D. Andrew Austin

Statutory Authorities

CRS Report R48435, *Congressional and Presidential Authority to Impose Import Tariffs*, by Christopher T. Zirpoli

CRS In Focus IF11400, *Presidential Authority to Address Tariff Barriers in Trade Agreements under Trade Promotion Authority (TPA)*, by Christopher A. Casey

IEEPA

CRS Report R45618, *The International Emergency Economic Powers Act: Origins, Evolution, and Use*, coordinated by Christopher A. Casey

CRS Insight IN11129, *The International Emergency Economic Powers Act (IEEPA), the National Emergencies Act (NEA), and Tariffs: Historical Background and Key Issues*, by Christopher A. Casey

CRS Legal Sidebar LSB11281, *Legal Authority for the President to Impose Tariffs Under the International Emergency Economic Powers Act (IEEPA)*, by Christopher T. Zirpoli

CRS Legal Sidebar LSB11332, *Court Decisions Regarding Tariffs Imposed Under the International Emergency Economic Powers Act (IEEPA)*, by Christopher T. Zirpoli

Section 301

CRS In Focus IF11346, *Section 301 of the Trade Act of 1974*, by Danielle M. Trachtenberg

CRS In Focus IF12125, *Section 301 and China: The U.S.-China Phase One Trade Deal*, by Karen M. Sutter

CRS In Focus IF12666, *Section 301 and China: Shipping and Shipbuilding Issues*, by Karen M. Sutter

CRS In Focus IF12958, *Section 301 and China: Mature-Node Semiconductors*, by Karen M. Sutter

Section 232

CRS In Focus IF13006, *Section 232 of the Trade Expansion Act of 1962*, by Kyla H. Kitamura

CRS Insight IN12519, *Expanded Section 232 Tariffs on Steel and Aluminum*, by Kyla H. Kitamura and Keigh E. Hammond

CRS Insight IN12545, *Section 232 Automotive Tariffs: Issues for Congress*, by Kyla H. Kitamura

Bilateral and Regional Issues

Americas

CRS Insight IN12533, *U.S.-Canada Relations amid Tariffs Under the International Emergency Economic Powers Act*, by Peter J. Meyer and Kyla H. Kitamura

CRS In Focus IF12595, *U.S.-Canada Trade Relations*, by Kyla H. Kitamura

CRS Insight IN12488, *U.S. Petroleum Trade: Crude Oil Imports from Canada and Mexico and Potential Tariffs*, by Phillip Brown and Christopher A. Casey

Asia

CRS In Focus IF12990, *U.S.-China Tariff Actions Since 2018: An Overview*, by Karen M. Sutter

CRS In Focus IF12980, *Permanent Normal Trade Relations and U.S.-China Tariffs*, by Karen M. Sutter and Michael D. Sutherland

CRS In Focus IF12125, *Section 301 and China: The U.S.-China Phase One Trade Deal*, by Karen M. Sutter

CRS In Focus IF12666, *Section 301 and China: Shipping and Shipbuilding Issues*, by Karen M. Sutter

CRS In Focus IF12958, *Section 301 and China: Mature-Node Semiconductors*, by Karen M. Sutter

CRS In Focus IF12891, *China's E-Commerce Exports and U.S. De Minimis Policies*, by Karen M. Sutter and Michael D. Sutherland

CRS Insight IN12608, *U.S. Tariffs and the 2025 U.S.-Japan Framework Agreement*, by Kyla H. Kitamura and Cathleen D. Cimino-Isaacs

CRS Insight IN12569, *U.S. Tariff Actions and U.S.-South Korea Trade*, by Liana Wong

CRS In Focus IF10384, *U.S.-India Trade Relations*, by Shayerah I. Akhtar and K. Alan Kronstadt

Europe

CRS In Focus IF13107, *U.S.-EU Tariffs and Trade Framework Agreement*, by Shayerah I. Akhtar

CRS In Focus IF11123, *U.S.-UK Trade Relations: Background and Select Issues*, by Shayerah I. Akhtar

Other Related Issues

CRS Report R48548, *Retaliatory Tariffs on U.S. Agriculture and USDA's Responses: Frequently Asked Questions*, by Benjamin Tsui and Stephanie Rosch

CRS In Focus IF13037, *Value-Added Taxes (VATs) and Tariffs*, by Jane G. Gravelle

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