US opens refund portal to start paying back Trump’s illegal tariffs



A coalition of US states sued Trump in response to the 10 percent tariff. “Having lost the battle on IEEPA, the President now dusts off a separate statute: Section 122 of the Trade Act of 1974, 19 U.S.C. § 2132, which is another statute that has never been used to impose tariffs. Indeed, it has never been used at all,” the states’ lawsuit said.

The Trump administration also “opened investigations into dozens of other countries’ trade practices” under another provision of the Trade Act, and these “inquiries are expected to result in tariffs similar in magnitude to those that the Supreme Court struck down,” The New York Times article said.

Trade group sees problem in refund

system

There is a separate dispute over who should receive refunds in cases where surety bonds were issued for imports but the importer or broker failed to pay the tariff. A trade group that represents surety and insurance professionals told the court on Friday that its members have paid millions of dollars to CBP “on entries where importers (or their brokers) have failed to pay estimated or liquidated tariffs issued under the authority of the International Emergency Economic Powers Act.”

“Customs has not included (or even mentioned) sureties in its development of CAPE and its reports to this Court, despite the fact that limiting refunds to importers and brokers will inevitably lead to IEEPA tariff refunds being issued to importers, instead of to the sureties who actually paid the IEEPA tariffs directly to Customs,” the International Trade Surety Association said in the court filing.

The group said it “advised Customs of the need to include sureties in Phase One of CAPE. While Customs has acknowledged our concerns, they have not indicated to us that the omission will be corrected, nor has Customs mentioned sureties or this issue in its presentations to the Court.”

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