

FDRA BRIEF

TARIFF RESPONSE LEGISLATION AS OF APRIL 7, 2025

Below is a summary of legislation in the 119th Congress as of April 7, 2025, that would counter or potentially affect President Donald Trump's recent tariff actions or statutory authority.

Featured Legislation

The Trade Review Act of 2025 (S.1272) – This bipartisan bill, introduced on April 3, is led by Sens. Maria Cantwell (D-Wash.) and Chuck Grassley (R-Iowa), senior members of the Senate Finance Committee. It would require the President to notify Congress within 48 hours of imposing or increasing a tariff with an explanation for the tariff and an analysis of its potential impact on American businesses and consumers. Congress would then need to proactively approve the tariff within 60 days or it would expire. Congress could also terminate tariffs at any time with a resolution of disapproval. Of note, as of April 7, while President Trump issued a veto threat against the bill, Sens. Susan Collins (R-Maine), Mitch McConnell (R-Ky.), Jerry Moran (R-Kan.), Lisa Murkowski (R-Alaska), Thom Tillis (R-N.C.), and Todd Young (R-Indiana) had joined six Democrats as cosponsors. In addition, Rep. Don Bacon (R-Neb.) announced that he was preparing to introduce a companion version in the House.

S.J.Res.37/H.J.Res.72 – These joint resolutions, sponsored by Sen. Tim Kaine (D-Va.) and House Foreign Affairs Committee Ranking Member Gregory Meeks (D-N.Y.), would cancel the national emergency declared by President Trump on February 1 in Executive Order 14193. The President used this emergency declaration and his interpretation of powers under the International Economic Emergency Powers Act (IEEPA) as the basis for a 25 percent tariff on most goods imported from Canada (Meeks also introduced H.J.Res.73 to similarly address the Mexico tariffs). Significantly, S.J.Res. 37 successfully advanced out of the GOP-controlled Senate on April 2 with the votes of Sens. Susan Collins (R-Maine), Mitch McConnell (R-Ky.), Lisa Murkowski (R-Alaska) and Rand Paul (R-Ky.). House Democrats may pursue a discharge petition to force a vote in their chamber, and both Kaine and Meeks are considering similar resolutions to combat the President's new tariff announcements of April 2.

More Senate Legislation

Protecting Americans from Tax Hikes on Imported Goods Act (S.151) – Sen. Jeanne Shaheen (D-N.H.), Ranking Member of the Senate Foreign Relations Committee, joined with Sens. Ron Wyden (D-Ore.), Ranking Member of the Senate Finance Committee, and Tim Kaine (D-Va) to introduce this bill on January 17. It would clarify that Section 203 of the IEEPA does not authorize the President “to impose or increase a duty, or to impose a tariff-rate quota, on an article entering the United States,” but it states that this limitation does not prohibit the President from blocking all imports (or all of certain types of imports) from specific countries. This appears to be an amended version of the Prevent Tariff Abuse Act (see below) to account for IEEPA-authorized sanctions.

STABLE Trade Policy Act (S.348) – The Stopping Tariffs on Allies and Bolstering Legislative Exercise of (STABLE) Trade Policy Act introduced by Sen. Chris Coons (D-Del.) on January 30 would require the President to seek and secure approval from Congress before imposing any new or increased tariff on U.S. allies or free trade agreement partners.

Tariff Transparency Act (S.959) – Sen. Angela Alsobrooks (D-Md.) introduced this bill, her first in the Senate, on March 11. It would require the United States International Trade Commission (USITC) to investigate and report on how tariffs and threats of tariffs on imports from Mexico and Canada are impacting American businesses and consumers. Currently, 18 Senate Democrats have joined the bill as cosponsors.

USTR Inspector General Act of 2025 (S.1265) – Sen. Ruben Gallego (D-Ariz.) introduced this legislation on April 2 to establish an Inspector General at the Office of the U.S. Trade Representative (USTR). The President would be required to appoint a nominee for the position no later than 120 days after the legislation's enactment.

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No Taxation Without Representation Act (S.1293) – This bill introduced by Sen. Rand Paul (R-Ky.) on April 3 would require the President to submit a formal justification for a tariff to Congress and for Congress to approve the tariff before it could be imposed. This requirement would apply broadly to trade law and agreements, but it specifically does not apply to embargoes of all items (or certain types of items) from specific countries. Sen. Paul’s April 3 press release states this bill “is a critical step toward restoring transparency, reining in executive abuse, and shielding Americans from the hidden tax of tariffs.”

S.Amdt.1884 – Senate Democratic Leader Chuck Schumer (D-N.Y.) offered this amendment during the budget resolution “vote-a-rama” on April 4, presumably as a messaging vote. The amendment, which was defeated, would have established a deficit-neutral reserve fund “relating to tariffs, which may include rescinding tariffs imposed after January 20, 2025 (other than tariffs on any foreign country of concern) if the price of groceries, medicine, and other household goods increases.”

More House Legislation

Prevent Tariff Abuse Act (H.R.407) – Sponsored by Rep. Suzan DelBene (D-Wash.), this bill would clarify that Section 203 of the IEEPA does not authorize the President “to impose duties, tariff-rate quotas, or other quotas on articles entering the United States.” Introduced on January 15, this bill now has 48 cosponsors—all Democrats.

Congressional Trade Authority Act (H.R.1903) – This bill introduced by Rep. Don Beyer (D-Va.) on March 6 would require that tariffs based on Section 232 of the Trade Expansion Act of 1962 be approved by Congress within 60 days in order to take effect, and it adds a sunset for such actions after three years. The bill would also limit Section 232 investigations to goods involving military equipment, energy resources, and critical infrastructure, and it would empower the Secretary of Defense over the Secretary of Commerce in such investigations. Tariff actions within the last nine years would be in scope for repeal if they do not secure congressional approval, and the legislation would tap the USITC to manage exclusion processes for future Section 232 actions.

Protecting Families from Inflation Act (H.R.2287) – Rep. Janelle Bynum (D-Ore) introduced this bill on March 24 to require a study by the Federal Reserve on the impact of all tariffs since 2017 on costs for American consumers and small businesses.

Repealing Outdated and Unilateral Tariff Authorities Act (H.R. 2464) – This bill introduced by Rep. Brad Schneider (D-Ill.) on March 27 would repeal Section 338 of the Tariff Act of 1930. Schneider aims to proactively remove this provision that the President could potentially use to unilaterally impose up to 50 percent duties on imports in response to discrimination against U.S. commerce.

Reclaim Trade Powers Act (H.R. 2549) – This bill introduced by Rep. Jimmy Panetta (D-Calif.) on March 27 would repeal Section 122 of the Trade Act of 1974. Like Rep. Schneider (above), Panetta intends to proactively strike a provision of law that the President could potentially use to unilaterally impose tariffs — in this case, up to 15 percent tariffs to address balance-of-payments deficits.

H.Con.Res.25 – Rep Jim Costa (D-Calif.) introduced this resolution on April 1 that would declare the President’s recent tariffs on Mexico and Canada are in violation of the United States of America-Mexico-Canada Agreement.

Additional Legislation of Note

H.Con.Res.2 – This resolution sponsored by Rep. Morgan Griffith (R-W.Va.) on January 3 would prepare for a transfer of the functions and responsibilities of USTR to the legislative branch.

United States Reciprocal Trade Act (H.R.735) – The overarching aim of this bill introduced by Rep. Riley Moore (R-W.Va) on January 24 is to empower the President in the utilization of reciprocal tariffs. However, it is noteworthy this bill with nine GOP cosponsors includes a 30-day public notice-and-comment requirement before a tariff takes effect, a congressional disapproval mechanism, and a sunset after three years for tariffs imposed pursuant to the bill.