



FOR IMMEDIATE RELEASE

Media Inquiries: [Joe Martyak](#), 703-403-1111

NCLA Asks D.C. District Court to Retain Case, Because Trade Court Lacks Jurisdiction over Tariff Suit

Learning Resources, Inc. and hand2mind, Inc. v. President Donald J. Trump, et al.

Washington, DC (May 9, 2025) – The New Civil Liberties Alliance has filed an *amicus curiae* [brief](#) opposing the government’s motion to transfer *Learning Resources v. Trump* from the U.S. District Court for the District of Columbia (D.D.C.) to the U.S. Court of International Trade (C.I.T.). Like NCLA’s lawsuit in Florida, this suit challenges President Trump’s unlawful attempt to impose import tariffs using the International Emergency Economic Powers Act (IEEPA). The IEEPA authorizes emergency actions like economic sanctions, but it neither mentions tariffs nor authorizes the President to impose them. NCLA filed the *amicus* brief on behalf of the Plaintiffs it represents in [Simplified v. Trump](#), the first lawsuit to challenge the attempt to impose tariffs under IEEPA.

The C.I.T. does not have jurisdiction over *Learning Resources* because its jurisdiction is limited to cases arising under statutes that authorize tariffs, and the IEEPA does not authorize tariffs. Although the IEEPA has been in place for 47 years, the government could not identify a single case where C.I.T. previously had asserted jurisdiction over an IEEPA case. The applicable law does not give C.I.T.—a court with specialized knowledge of tariff laws—any basis to interpret an emergency law that does not even mention tariffs.

NCLA released the following statements:

“The government is trying to transfer this case from the District of Columbia to a New York specialty court that could have jurisdiction only if the tariffs were lawful. The district court should deny the motion to transfer.”

— **Andrew Morris, Senior Litigation Counsel, NCLA**

“People injured by these illegal tariffs are allowed to file in the district courts Congress provided for that purpose. The Government cannot bootstrap its illegal tariffs into dictating the choice of courts to injured parties.”

— **John Vecchione, Senior Litigation Counsel, NCLA**

“The district court should call out the Department of Justice’s blatant forum shopping. IEEPA cases do not belong in the Court of International Trade, so NCLA will be very surprised if the D.D.C. transfers this case to that venue.”

— **Mark Chenoweth, President, NCLA**

For more information visit the *amicus* page [here](#).

ABOUT NCLA

[NCLA](#) is a nonpartisan, nonprofit civil rights group founded by prominent legal scholar [Philip Hamburger](#) to protect constitutional freedoms from violations by the Administrative State. NCLA’s public-interest litigation and other pro bono advocacy strive to tame the unlawful power of state and federal agencies and to foster a new civil liberties movement that will help restore Americans’ fundamental rights.

###