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NCLA Asks D.C. Circuit to Uphold District Court’s Valid Injunction Against Unlawful Emergency Tariffs

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

Washington, DC (July 30, 2025) – The New Civil Liberties Alliance filed an *amicus curiae* [brief](#) today in the *Learning Resources v. Trump* case challenging President Trump’s orders that impose tariffs under the International Emergency Economic Powers Act (IEEPA). On behalf of the four plaintiffs in [Simplified, et al. v. Trump](#), NCLA urges the U.S. Court of Appeals for the D.C. Circuit to affirm the district court’s *Learning Resources* ruling and uphold the injunction it put into place. The district court correctly held that it had jurisdiction over *Learning Resources*, rejecting the government’s attempt to move the case to the Court of International Trade (C.I.T.). It also held that President Trump’s orders imposing tariffs under IEEPA are unlawful, and it imposed an injunction prohibiting enforcement of the tariffs against the lawsuit’s two plaintiffs.

The C.I.T.’s jurisdiction is limited to cases arising under statutes that authorize tariffs. IEEPA does not authorize any tariffs—only defensive emergency actions such as imposing sanctions or freezing assets to protect the United States from foreign threats. While not objecting to President Trump’s emergency declaration, NCLA agrees that his orders seeking to impose tariffs under purported authority from the IEEPA statute are unlawful.

NCLA released the following statements:

“The D.C. Circuit should affirm the district court’s well-reasoned opinion, holding that jurisdiction lay in the district court and that IEEPA does not authorize the President to order any tariffs whatsoever.”

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

“The Government can’t force litigants into the Court of International Trade by fancifully deeming a non-tariff statute to be a tariff statute. Our clients deserved to have their case heard in the judicial district they reside in, not in a court a thousand miles from home. *Learning Resources* should be affirmed.”

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

“The Constitution puts Congress in charge of setting tariff rates. No president can unilaterally impose them.”

— **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.

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