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IEEPA tariffs struck down: where importer refunds stand

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The Supreme Court ruled on 20 February 2026 that IEEPA does not authorise tariffs. By late June CBP had paid about $71 billion of refunds, but many importers are still waiting.

Country reference

- Country: United States (planned expansion country)
- Authorities: US Supreme Court; US Customs and Border Protection (CBP); Court of International Trade
- Topic: Refunds of tariffs imposed under the International Emergency Economic Powers Act (IEEPA)
- Key date: Supreme Court decision 20 February 2026; refunds through CBP's CAPE system
- Law: IEEPA; Tariff Act of 1930 (19 U.S.C. 1514)

The ruling

In Learning Resources, Inc. v. Trump, decided on 20 February 2026, the Supreme Court held that IEEPA does not authorise tariffs. About $166 billion of IEEPA duties had been collected from more than 330,000 importers across over 53 million entries, according to a government declaration cited by Skadden.

How refunds work

- On 4 March 2026 the Court of International Trade ordered CBP to liquidate open entries without IEEPA duties and to reliquidate liquidated entries that are not final.
- CBP built the CAPE module in ACE. Refunds are not automatic: importers must file claims.
- Refunds are rejected until the importer completes ACH refund registration.
- Protests under 19 U.S.C. 1514 are due within 180 days of liquidation and can keep entries open.

Progress

- By 29 June 2026, CBP had authorised $104.3 billion and paid $71.1 billion, including interest, according to the Cato Institute.
- Most refunds so far appear to have gone to large importers.
- The government appealed on 2 June over finally liquidated entries, arguing those importers must sue at the Court of International Trade first.
- About $25 billion relates to entries outside the current CAPE phases, such as some anti-dumping entries and entries with drawback claims.

What to do now

- List every entry with IEEPA duties and its liquidation status.

- Register for ACH refunds and file CAPE claims.
- For finally liquidated entries, take legal advice on filing at the Court of International Trade.
- Exporters to the US: check whether US customers will pass refunds back.

Our take

The money is real but slow, and procedure decides who gets it. Gulf exporters who paid duties as importer of record should not wait for CBP to act.

Sources

- Skadden: Tariff refund mechanism takes shape (24 March 2026)
- Cato Institute: IEEPA tariff refunds update (9 July 2026)

Important. This summary is for general information and is not legal, customs or financial advice. It is based on public sources, together with adviser commentary and research commentary, and may be incomplete or out of date. The official publications prevail; check the official source before acting.

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