



The Tariff King

April 10, 2025

The fight over the president's tariffs is taking place in Congress.

Or is it?

“House Republicans blocked on April 9 an effort by Democrats to force a vote on halting the reciprocal tariffs imposed by President Donald Trump,” [explains](#) *The Epoch Times*, “which are currently paused for three months.”

Let's make that clearer. These now-infamous/much-debated “reciprocal tariffs” went “into effect” immediately after midnight yesterday. As Republicans “[sneakily](#)” worked to [change the rules](#) to disallow any congressional move to dissolve the president's declared emergency—which, by Congress's own legislation, gives the executive a great deal of latitude to change tariff rates—and Democrats moved to do just that, get rid of the “state of emergency,” President Trump put most of his tariff hikes on hold for three months.

Except for those on China—now in effect, at a rate of 125 percent.

It sure looks like Trump's main concern is trade relations with China, not Lesotho or Israel or anywhere else. And much can be said about China's trade policies (try selling American consumer goods in China) or respect for intellectual property. But it is the matter of constitutionality that interests me most.

Whatever the alleged merits of high tariffs, unilateral free trade, or any of these issues, these policies should not be decided by the president; the Constitution gives *Congress* the responsibility “to lay Taxes, Duties, Imposts and Excises” and “regulate Commerce with foreign Nations.”

By handing the president “emergency” powers to change tariff policy in the first place, Congress has abdicated its role in setting tax policy. Republicans in the House seem gung-ho about Trump's prerogatives. And Democrats haven't sought to repeal the International Emergency Economic Powers Act, which gives the president legislative taxing authority.

Apparently, Congress wants the president to be king.

This is Common Sense. I'm Paul Jacob.