

**Wall Street Journal Editorial Board Opinion Mar. 6  
Calls IEEPA Tariffs Illegal and Calls for Trump to be Sued:**

<https://www.wsj.com/opinion/donald-trump-tariffs-emergency-power-ieepa-trade-mexico-canada-33e2739a> (subscriber accessible)

Per <https://www.mediaite.com/news/the-wall-street-journal-calls-for-someone-to-sue-trump-over-tariffs-treating-the-economy-as-a-personal-plaything/> :

*The Wall Street Journal* argued that “someone should sue” the Trump administration over the massive tariffs it has imposed on Mexico and Canada, excoriating President **Donald Trump** for treating the North American economy as his “personal plaything” in a new editorial.

Under the headline “Trump’s Tariffs Are No ‘Emergency’” and subheading “The President invokes a law that doesn’t give him power to impose sweeping tariffs. Someone should sue,” the *Journal* took Trump to task:

President Trump delayed his Mexico-Canada tariffs again on Thursday—this time for another month. He’s treating the North American economy as a personal plaything, as markets gyrate with each presidential whim. It’s doubtful Mr. Trump even has the power to impose these tariffs, and we hope his afflatus gets a legal challenge.

The editorial continued:

Mr. Trump’s executive orders imposing 25% across-the-board tariffs on Canada and Mexico and 10% (now 20%) on China instead invoke the 1977 International Emergency Economic Powers Act (IEEPA), which gives the President authority to address an “unusual and extraordinary threat” if he declares a national emergency. Mr. Trump deems fentanyl and other drugs such an emergency.

IEEPA’s language is intentionally broad to give the President latitude to address wide-ranging threats. But Mr. Trump’s tariffs arguably constitute a “fundamental revision of the statute, changing it from [one sort of] scheme of . . . regulation’ into an entirely different kind,” to quote the Supreme Court’s *West Virginia v. EPA* precedent distilling its major questions doctrine.

Under that ruling, Congress must expressly authorize economically and politically significant executive actions, which Mr. Trump's tariffs undeniably are. Whether fentanyl is an unusual and extraordinary threat is debatable, however, since drugs have been pouring across the borders for decades.