**Supreme Court Agrees to Fast-Track Trump’s Tariff Appeal**

Justices will hear arguments in November in a blockbuster test for one of the president’s signature policies

*By*

[*Louise Radnofsky*](https://www.wsj.com/news/author/louise-radnofsky)

*Follow*

*Updated Sept. 9, 2025 5:47 pm ET*

The Supreme Court agreed Tuesday to quickly hear the Trump administration’s bid to save its sweeping global tariffs, setting the stage for a final ruling on a cornerstone of the president’s economic agenda.

The court in a brief order said it would hear the case in early November, a schedule that could deliver a ruling before the end of the year.

It will be the first time the high court has decided on the legality of a major policy from President Trump’s second term. In the eight months since his inauguration, Trump’s far-reaching agenda has been challenged by opponents in numerous lawsuits. The justices have at times weighed in by allowing or blocking his actions on a temporary basis, but no case has been litigated to a conclusion so far.

The tariffs, which were dealt [a string of defeats in the lower courts](https://www.wsj.com/politics/policy/appeals-court-rejects-trumps-global-tariffs-aae2dc99?mod=article_inline), are set to remain in place until the case is decided.

The Trump administration had asked the Supreme Court [to hear the challenge](https://www.wsj.com/politics/policy/trump-administration-seeks-swift-supreme-court-review-on-tariffs-5e71b4d9?mod=article_inline) on an expedited schedule, saying the legal uncertainty was already hurting the White House in ongoing trade negotiations.

A wine importer and other small businesses that challenged the tariffs also asked for swift resolution, saying they were “suffering severe economic hardships as a result of the price increases and supply chain interruptions caused by the tariffs.” Those pains threatened the survival of at least one small business in the group, they told the Supreme Court.

The trade case [raises little-explored questions](https://www.wsj.com/politics/policy/the-rough-day-in-court-for-trumps-tariffs-8f039448?mod=article_inline) about the president’s unilateral power over the economy. Trump has said that a 1977 law gives him broad powers to impose baseline levies of 10% on virtually every country, and much higher rates for countries that don’t cut deals with the U.S., as well as an additional set of tariffs for Canada, China and Mexico.

Several [courts so far have found](https://www.wsj.com/politics/policy/appeals-court-rejects-trumps-global-tariffs-aae2dc99?mod=article_inline) that the law, the International Emergency Economic Powers Act, doesn’t authorize Trump to do these things. Those include a federal appeals court and the U.S. Court of International Trade, which both ruled for the wine importer, as well as another federal district court that heard a separate tariff challenge brought by an [educational toy company](https://www.wsj.com/economy/trade/tariffs-toy-company-impact-4ec0ae28?mod=article_inline). The Supreme Court on Tuesday agreed to hear both cases. A coalition of 12 Democratic state attorneys general are also suing over the tariffs.

WSJ’s Gavin Bade explains the earlier ruling by an appeals court and its implications. Photo: Justin Sullivan/Getty Images

Trump has continued to make trade deals while the litigation has been working its way through the courts, including agreements with the European Union, Indonesia, the Philippines and Japan.

The Trump administration has said that ruling against the president would have dire results. Treasury Secretary Scott Bessent said in the government’s petition to the Supreme Court that it expects to have collected between $750 billion and $1 trillion in tariffs by next summer, and that if it was forced by a court ruling to unwind the tariffs, [the consequences could be catastrophic](https://www.wsj.com/politics/policy/trump-administration-seeks-swift-supreme-court-review-on-tariffs-5e71b4d9?mod=article_inline).

Bessent also said that the U.S. would struggle if it had to undo deals it has already made and [repay U.S. purchases or investments](https://www.wsj.com/articles/u-s-importers-eye-refund-options-as-tariff-fight-goes-to-supreme-court-cba0d85a?mod=article_inline) agreed to by those partners. At the same time, some economists have said that rolling back tariffs could boost economic growth by removing uncertainty for investment.

Several cases about [Trump’s authority in other spheres](https://www.wsj.com/politics/policy/cases-on-trumps-powers-raise-stakes-for-congress-dbf44dd8?mod=article_inline) could land on the Supreme Court’s docket in the new term that starts in October.

The White House has expressed optimism that the high court’s conservative majority will side with the president on tariffs, though rulings against the administration have come from judges across the ideological spectrum. Its brightest spot in court came in an appeals court dissent—written by an Obama appointee.