

THE CARMICHAEL COMPASS

"WHEN THE TIDES OF TRADE SHIFT, WE'RE YOUR COMPASS."

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IEEPA Tariff Possible Refunds

The lawsuits against the President's authority are now with the Supreme Court. The U.S. Court of Appeals for the Federal Circuit (CAFC) concurred with the Court of International Trade (CIT) that President Trump did not have the authority to assess such a wide array of duties under IEEPA. The CAFC remanded the appeal cases back to the CIT to be delivered by October 13, 2025. The U.S. government did not wait for a review by the CIT and petitioned for an expedited review by the Supreme Court. The initial briefs have been filed, and oral arguments are scheduled to begin on November 5, 2025.

If the cases are found in favor of the plaintiffs, there are questions of whether the Court will order automatic refunds or whether individual claims will have to be filed for each entry. When an entry liquidates, the importer has 180 days from the liquidation to file a protest. The liquidation cycle is set at 314 days, but CBP can liquidate an entry at any time after it is filed.

Importers should track the liquidation of their entries since February 4, 2025, when the first IEEPA duties were being assessed. Carmichael has developed a report that importers can pull from our system at any time. The report can be considerably basic with the entry number, the date of entry and the date of liquidation. The report can include the details about the entry that is in Carmichael's system. If you already have access to our website, you will be able to run the report at any time and can change the details for different runs of the report. If you have questions about producing the report, we suggest you work with your Carmichael team to understand what details you want to add to the report.

If you do not have access to Carmichael's system, your team can help you get online.



Asim Faiz
President



For those interested in learning more about CTPAT, CBP has the information on their website at this link [here](#).

After reviewing the information, if you have any questions please give us a call.

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Questions? Contact Us!

info@carmnet.com
213-353-0800

[Visit our Website](#)

Carmichael International Service | 1200 Corporate Center Dr. suite 200 | MONTEREY PARK, CA 91754 US

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