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CTA.tech

February 11, 2026

Re: Tariffs Vote

Dear Representative:

We write to urge you to restore Congress's constitutional authority over tariffs and vote to support this evening's resolution of disapproval of tariffs imposed on all imports from Canada. The United States Senate previously passed this resolution on October 29, 2025 (see S.J. Res.77). We also urge you to reassess the continued use of "economic emergency" declarations for countries around the globe as justification for broad-based trade taxes.

Democrats and Republicans should say clearly what so many believe: these tariffs do not make sense and are hurting American consumers and American businesses, large and small. More, they are destroying relationships with our closest allies.

Recent corporate earnings reports and SEC filings make clear that tariffs materially affect American companies across all sectors of the economy. The terms "tariff" or "tariffs" were mentioned more than 1000 times in S&P 500 company earnings calls between Q1 and Q3 of 2025. Major American employers, including Caterpillar, Ford, General Motors, Hershey, Macy's, Polaris, Procter & Gamble, and PVH Corp., report that tariffs are raising input costs, compressing margins, reducing earnings guidance, or creating significant financial headwinds.

Some companies quantified these impacts directly. For example, Ford disclosed \$2 billion in tariff-related costs in a recent earnings call. Stellantis stated that its estimated tariff costs are over \$1.9 billion. Procter & Gamble projected approximately \$500 million in added costs associated with tariffs. PVH Corp. disclosed a \$65 million unmitigated impact attributable to tariffs. These are not abstract projections. They are material disclosures to investors about diminished profitability, higher consumer prices, and constrained capital allocation.

Tariffs are taxes. Under Article I, Section 8 of the Constitution, the power to "lay and collect Taxes, Duties, Imposts and Excises" belongs to Congress. While Congress has delegated certain authorities to the executive branch under limited statutory frameworks, those delegations were not intended to allow sweeping, open-ended tariff regimes justified under broadly defined or perpetual "economic emergency" rationales.

When tariffs are imposed for purposes beyond genuine national security threats, particularly when used to advance unrelated policy objectives, they represent a significant shift of taxing authority away from the legislative branch. This raises serious constitutional and structural concerns. The

Framers of the Constitution vested taxing authority in Congress precisely because taxation carries broad economic consequences and requires democratic accountability.

Given the mounting evidence that tariffs are materially harming American companies, including raising costs, suppressing earnings, and increasing uncertainty for business leaders and investors, CTA respectfully urges Congress to:

1. Use its existing statutory authority to end the flawed “economic emergency” justifications for tariffs imposed on imports from Canada and Mexico, as well as global tariffs on imports from other major U.S. allies. The justification for the global tariffs is weak at best and relies on economically unsound view of the U.S. goods trade deficit, which excludes key exports and has never been considered a credible measure of the actual benefits of mutual trade to each country.
2. Clarify statutory limits on executive tariff authority to ensure it remains tied to clearly defined national security purposes.
3. Reassert Congress’s primary role in setting tariff policy and taxation, consistent with Article I of the Constitution.
4. Establish greater transparency and time limits for any emergency-based trade measures, including providing opportunities for stakeholders to provide input to the government on possible effects of proposed measures.

Trade policy should be deliberate, accountable, and grounded in the constitutional allocation of powers. The current approach risks normalizing executive taxation authority beyond what the Constitution envisions and beyond what economic evidence supports.

We respectfully ask that you work with your colleagues to restore legislative oversight and ensure that tariff policy reflects both constitutional principles and sound economic stewardship. Thank you for your attention to this important matter. We look forward to your leadership on restoring Congress’s rightful role in trade and tax policy.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Shapiro". The signature is fluid and cursive, with the first name "Gary" and last name "Shapiro" clearly distinguishable.

Gary Shapiro
CEO and Executive Chair
Consumer Technology Association