Policy Brief

Tariffs to Address the Situation at the Northern Border

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Introduction

Since the mid-20th century, U.S. trade policy has evolved from the postwar era to a more assertive strategic approach, shaped by both domestic and geopolitical concerns. Following the establishment of the General Agreement on Tariffs and Trade (GATT) in 1947, the United States adopted a rules-based international trade regime aimed at reducing barriers and promoting liberalization. This framework aligned with the postwar monetary order laid out in the Bretton Woods system, fostering decades of global economic integration (World Trade Organization, 2024).

However, a significant shift began during the 1980s, under the administrations of President Ronald Reagan and British Prime Minister Margaret Thatcher, who championed neoliberal reforms emphasizing deregulation, free markets, and the strategic use of economic power. While these changes did not dismantle the existing trade architecture, they ushered in a new era of bilateralism, conditional liberalization, and trade as a tool of national power (Office of the U.S. Trade Representative, 2024).

An example of these neoliberal reforms came through the *Trade and Tariff Act of 1984* signed by President Reagan. In his own remarks he stated the intended goal of the act was to expand American exports through targeted negotiations and to give the executive branch greater power in pursuing “reciprocity” with economic partners. By connecting liberalization to executive power, the Act reflected the turn toward more unilateral tools in the service of American competitiveness (Reagan Presidential Library, 1984).

These neoliberal reforms paved a legal pathway for later presidents to pursue tariff policy as both economic instruments and national-security tools. This also led to weakened commitments to multilateral agreements by favoring executive power over collective rules. World Trade Organization principles like tariff limits, nondiscrimination, and neutral dispute settlements have been tested as security expectations grow broader, and geopolitical tensions rise. Similarly, North American agreements such as the North American Free Trade Agreement (NAFTA) and the United States-Mexico-Canada agreement (USMCA) have been strained when unilateral actions bypassed dispute panels under the banner of national security. (Global Affairs Canada, 2025; WTO, 2025).

All of these events culminated in the increasing use of executive authority in trade policy during the 21st century. One of the most controversial examples is Executive Order 14193, issued by President Donald Trump in 2025. This order imposed sweeping tariffs on Canadian imports under the International Emergency Economic Powers Act (IEEPA), citing the northern border as a conduit for illicit drug trafficking. It represents a striking departure from multilateralism– using economic coercion not merely to resolve trade disputes, but to address non-trade national security concerns (White House, 2025a).

This paper examines the economic, legal, and geopolitical consequences of EO 14193, arguing that it reflects a broader trend in American trade policy: one that prioritizes short-term strategic objectives over long-standing commitments to cooperation and institutional order.

Background/Historical Context: Executive Order 14193

What was before this EO? How did it end up being signed? This paragraph would be the pre-EO.

The U.S.-Canada border, often referred to as the Northern border, is the source of nearly $412.7 billion in imported goods annually (U.S. Census Bureau, 2024). Executive Order 14193, issued on February 1, 2025, is officially titled "Imposing Duties to Address the Flow of Illicit Drugs Across our Northern Border"(White House, 2025a). EO 14193 expands the national emergency declared at the southern border to include the northern border, citing the significant threat posed by the influx of illicit drugs, particularly synthetic opioids like fentanyl, into the United States. The order emphasizes that drug trafficking organizations (DTOs) exploit various routes, including those through Canada, to smuggle narcotics, thereby endangering Americans' lives and straining public health resources.

Donald J. Trump served as the 45th President of the United States, and is currently serving as the 47th President of the United States. During the first Trump Presidency, the President never explicitly acted on the northern border, but he consistently emphasized the necessity of protecting American sovereignty and citizens from the dangers of illicit drug trafficking. This stance remains consistent in his current presidency, but his policy approach has undergone a shift. The issue is that Executive Order 14193 is the first direct action taken by the Trump administration to address the northern border directly. Trump has also advocated for the use of tariffs as a strategic tool to protect American industries, address trade imbalances, and safeguard national interests. The president plans to impose the tariff on Canada by invoking the 1977 International Emergency Economic Powers Act (IEEPA), which authorizes the president to regulate commerce in response to an "unusual and extraordinary threat" to national security that originates outside the U.S. (White House, 2025a). By framing illicit drug trafficking and economic instability as such threats, Trump justifies the use of emergency economic powers to carry out this shift in border policy.

However, this framing is controversial. Public data from the DEA and CBP show that the overwhelming majority of fentanyl enters through the Southern border or maritime ports, not the northern border (DEA, 2025). While trafficking has been on the rise through the Canadian border, public data suggests it accounts for only a small part of fentanyl inflows. As a result, skeptics question whether the "extraordinary threat" designation actually reflects intelligence or political expediency.

The legal foundation of EO 14193 is equally unusual. Historically, the IEEPA has been applied to freeze assets, block transfers, or sanction opposing regimes– not to impose blanket tariffs tied to a domestic health crisis (Congressional Research Service, 2024). The closest parallel, Nixon's 1971 *Trading With the Enemy Act* which itself was controversial and short lived, demonstrated just how rare it is to use emergency economic laws as tariff authority. Ongoing lawsuits have already challenged the legality of EO 14193, with federal courts signaling that tariffs of this kind may exceed the IEEPA's intentions.

Beyond factual and legal doubts, EO 14193 carries significant regulatory implications. By treating fentanyl trafficking as a "trade emergency", the administration portrayed a public health-law enforcement issue as an international commerce program. This approach bypassed Congress, concentrated authority in the executive branch, and risked rerouting billions in important resources towards enforcement and trade litigation rather than proven domestic interventions such as naloxone distribution, medical treatment, and mental recovery programs (National Harm Reduction Coalition, 2025). More broadly, it sets a precedent that could normalize the use of emergency trade powers to address non-trade crises, stretching executive powers at the expense of institutional norms and legislative oversight.

This executive order aims to address the growing threat of fentanyl and other illicit substances entering the U.S. through the Northern border, a pathway increasingly utilized by international drug cartels. By imposing tariffs on goods entering from Canada, the U.S. government aims to apply economic pressure in hopes of encouraging Canadian authorities to enhance their efforts against drug trafficking networks operating along the northern border. The measure is intended to disrupt the flow of illicit narcotics by incentivizing cross-border cooperation, penalizing complicit entities, and reinforcing the strict border policy reiterated by Trump repeatedly. The executive order provides a means to implement these tariffs efficiently while asserting that the United States will not tolerate the illicit flow of drugs that contribute to the ongoing opioid crisis.

However, the executive order has drawn criticism from some sectors, including trade experts and foreign policy analysts, who argue that it could strain U.S.-Canadian relations and lead to unintended economic consequences. These critics warn that retaliatory tariffs could disrupt existing trade agreements and exacerbate economic tensions between the two nations. Nevertheless, the Trump admin maintains that the benefits of enhancing national security and protecting American citizens outweigh the potential drawbacks of increased tariffs. Additionally, this paper will examine the broader implications of EO 14193, including its legal foundation under the IEEPA, its potential to reshape economic relations between the US and Canada, and its impact on diplomatic cooperation surrounding drug enforcement. By analyzing the intersection of national security, international trade, and foreign policy, the paper will assess whether this executive action effectively addresses the opioid crisis or introduces greater geopolitical risk.

Analysis of Stakeholder Impacts and Market Response to Executive Order 14193

The Canadian Government

The Canadian federal government seeks to maintain stable trade relations with the United States – its largest export market – while preserving its sovereignty over domestic law enforcement and health policy. The U.S. accounted for roughly 75% of Canadian exports in 2024 (Statistics Canada, 2025), making economic access to the American market vital. Canada also faces internal political pressures not to appear weak in the face of perceived extraterritorial U.S. policies.

EO 14193 significantly strained diplomatic relations. The order blames Canadian ports and enforcement gaps for allowing precursor chemicals and finished synthetic opioids to pass into the U.S. While some drug smuggling does occur along the northern border, public data suggest the vast majority of fentanyl still arrives from Mexico or via international mail (DEA, 2024). Canadian officials rejected the U.S. framing, calling the move "punitive and politically motivated." Economically, early estimates from the Canadian Chamber of Commerce projected a $3.5 billion annual loss due to reduced competitiveness from the tariffs, especially in the lumber, agricultural, and energy sectors (Canadian Chamber of Commerce, 2025).

Canada has filed a complaint through the United States-Mexico-Canada Agreement (USMCA) dispute resolution process, alleging that the tariffs violate free trade commitments (Global Affairs Canada, 2025). The strength of this legal challenge depends heavily on whether a tribunal defers to the U.S. invocation of the national security exception (USMCA Article 32.2). While recent WTO rulings suggest such claims are not fully "self judged" and can be reviewed for authenticity, arbitrators are usually cautious about doubting national security justifications. THis makes the outcome of Canada's case uncertain: the U.S. legal defense isn't perfect, but Canada faces an uphill fight convincing the panel to veto American security claims.

Canada's federal government has also threatened a reciprocal tariff on the United States and has voiced an interest in diversifying exports towards Asia and Europe. Yet those threats lose credibility because of geography, infrastructural needs, and the deep integration of the North American economy. The American market remains accessible for Canadian manufacturers, with supply chains, specifically auto and energy, that cross the border many times before final assembly. This economic tension between the power of diversification threats and the reality of Canadian dependence on American markets defines the limits of Canada's options.

In contrast, however, Canadian law enforcement is increasing coordination with U.S. agencies on fentanyl interdiction efforts as a show of good faith, though without conceding the core narrative that justifies the tariffs.

Public Health Advocates

Public health advocates are committed to reducing opioid overdose deaths, expanding access to treatment and harm reduction programs, and promoting evidence-based drug policy. They generally oppose punitive, enforcement-first strategies that fail to address addiction as a chronic health condition.

Advocacy groups, including the National Harm Reduction Coalition and the American Public Health Association, have criticized EO 14193 for shifting attention from healthcare infrastructure to geopolitical blame. While acknowledging the severity of the opioid crisis – over 70,000 synthetic opioid deaths occurred in 2024 (CDC, 2025) – they argue that the order misrepresents the trafficking routes and oversimplifies the crisis. More critically, they contend that a trade war may distract from domestic investments in naloxone distribution, medication-assisted treatment (MAT), and mental health support (National Harm Reduction Coalition, 2025).

The critique is further reinforced by quantifying opportunity costs. If tariffs result in billions of dollars in trade losses, public experts say that the same funds could help provide tens of thousands of treatment programs, distribute millions of naloxone kits, or build hundreds of recovery centers nationwide. This reframing highlights the mismatch between the scale of the fentanyl crisis and the allocation of funds and resources, showing how tariff-focused enforcement diverts money away from lifesaving interventions.

Public health advocates have begun organizing congressional briefings and media campaigns to challenge the framing of EO 14193. Their goal is to redirect funding from enforcement toward public health. These stakeholders are also lobbying for a separate fentanyl response package that includes grants to community health providers and tribal health systems. By doing so, they are aiming to reshape the national debate through lobbying campaigns and legislative engagement.

U.S. Border Law Enforcement Agencies

Agencies such as U.S. Customs and Border Protection (CBP) and Homeland Security Investigations (HSI) prioritize the interdiction of illegal drugs, facilitation of lawful trade and travel, and protection of critical infrastructure. These agencies have long been focused primarily on the southern border due to higher trafficking volumes there.

Executive Order 14193 expands its operational footprint, complicating existing priorities. With new scrutiny on the northern border, resources – already stretched by obligations at the Southern Border – are now expected to shift toward ports of entry in New York, Michigan, and Washington. This comes without a significant increase in funding or personnel, as indicated through internal reports that suggest these agencies were not provided with adequate funding or guidance for expanded northern operations (Politico, 2025). There are also logistical challenges: the northern border, known for its low-traffic, high-volume commercial crossings, is less equipped with fentanyl detection systems than its southern counterpart.

These agencies operate under constrained budgets and often rely on congressional appropriations that show partisan priorities. By asking whether Congress is likely to approve additional funding, the order emphasizes a disconnect between policy goals and operational feasibility. The executive mandate enforces expanded obligations but does not guarantee the means to fulfill them, leaving agencies to navigate gaps between expectations and reality.

These agencies are likely to request supplemental funding from Congress, as well as the deployment of advanced detection technology to northern ports of entry. Some restructuring of interagency task forces (e.g., Northern Border Coordination Council) is also expected. While border enforcement leadership has expressed support for the order's goals, internal memos obtained by media outlets, such as *Politico*, suggest concern that the order may generate only a symbolic benefit unless accompanied by meaningful resourcing.

Canadian Voters and the 2025 Canadian Federal Election

Canadian voters represent a critical domestic stakeholder affected by the geopolitical and economic consequences of EO 14193. The announcement of U.S. tariffs on Canadian goods came just months before Canada's federal election, turning trade and national sovereignty into central campaign issues (Reuters, 2025a).

The economic threat posed by the tariffs heightened Canadian public concern over reliance on the U.S. market. Rising consumer prices and increased uncertainty about jobs in export-dependent sectors – especially agriculture and manufacturing – shaped voter priorities. The executive order galvanized national sentiment, with many voters viewing the policy as punitive and unjustified.

The political response, however, cannot be understood solely in economic terms. Drawing on theories of political economy and nationalism, analysts detail that voter tendencies reflect both material concerns and symbolic narratives. The key question is whether Canadians reacted primarily to higher prices and job insecurity, or to broader identity-based concerns over sovereignty. This distinction matters for policymakers: if responses are rooted in immediate economic plan, targeted relief, and trade adjustment measures may ease tensions. If they are nationalism driven, however, the conflict is more likely to create long-term skepticism toward U.S. partnership, regardless of material concessions.

In response, Liberal Party leader Mark Carney framed the election as a referendum on defending Canadian sovereignty from U.S. pressure. The issue contributed to a surge in support for the Liberals, who secured victory by promising stronger trade diversification with Asia and Europe, as well as a firmer diplomatic stance against Washington (Reuters, 2025a). Canadian voters thus emerged as both affected constituents and active agents in reshaping Canada's foreign policy posture.

Ford Motor Company (U.S. Manufacturer)

Ford Motor Company is a major U.S. auto manufacturer that operates within a deeply integrated North American supply chain. It relies heavily on Canadian imports for critical components, including aluminum, steel, and automotive parts. (U.S. International Trade Commission, 2024)

The imposition of tariffs under EO 14193 led to significant cost increases for Ford. In its Q2 2025 earnings report, Ford announced that the executive order would cost the company an estimated $3 billion over the fiscal year. Share prices dropped 3% following the earnings announcement, and the company experienced an $800 million decline in quarterly operating profits (Reuters, 2025b).

Ford executives quickly lobbied U.S. trade officials for exemptions on automotive imports and expressed concerns about the policy's long-term effects on competitiveness and consumer pricing. The company is now exploring alternative sourcing strategies, including shifting component production to Mexico or increasing its use of U.S.-based suppliers. (Automotive News, 2025).

This analysis extends beyond a single firm to the overall North American auto industry. Automakers such as General Motors and Stellantis also rely on integrated supply chains that span the U.S., Canada, and Mexico, reflecting decades of cross-border production under NAFTA and now USMCA (Officer of the U.S. Trade Representative, 2024). Tariffs disrupt this system by raising costs across the industry, hindering the efficiency of production networks and placing pressure on competitiveness. Ford's experience thus illustrates not only the collateral damage inflicted on one manufacturer but also the structural vulnerability of the entire automobile sector, showing the tension between national security objectives and the resilience of North American automotive competitiveness (Brookings, 2025).

Policy Matrix

Scoring scale:
1 = Very low/negative impact
3 = Moderate/neutral
5 = Very high/positive impact

Baseline weighting is equal (20%) across criteria.
Stakeholders value criteria differently. After the baseline matrix, you will see re-weighted scenarios to make stakeholder concerns more transparent.

Baseline Matrix (Equal Weight ; general perspective)

Policy Option	Effectiveness in Reducing Illicit Drugs	Economic Impact (US/Canada)	Legal/Constitutional Risk	Stakeholder Support	Diplomatic Implications	Total Score (Out of 25)
Maintain EO 14193 as is	2 - Northern border is a low-volume route; it lacks enforcement funding	2 - Negative for energy, agriculture, and the auto industry, Higher prices for U.S. consumers, and disrupted industries	3 - Valid under IEEPA, but controversial use of emergency powers	2 - Opposition from Public Health, Trade Lobbies, and State Governors	1 - Disagreement with the Canadian Government	9/25
Modify EO to include public health funding	4 - Helps curb illicit drug abuse domestically, far more effective than enforcement at the northern border	3 - Moderate economic disruption, but gains in opioid treatment reduce societal costs	3 - Still invokes the IEEPA, just adds public health funding	4 - Public health sector pleased, increase in bipartisan support	1 - Disagreement with the Canadian Government	15/25

Revoke EO and return to the pre-2025 policy status quo	1 - No additional action to reduce trafficking; seen as passive	2 - Trade relations normalize; economic certainty returns, and existing damage to trade	5 - Low	3 - Mixed response; welcomed by trade groups but weak on opioid response	3 - Good diplomatic standing, wounds from the previous tariff saga	14/25
Suspend tariffs, enhance joint interdiction programs	4 - Should not be a problem, assuming all joint-interdiction programs follow all domestic and international law	4- Avoids major economic fallout from tariffs; increase in security spending	4 - Should not be a problem, assuming all joint-interdiction programs follow all domestic and international laws	4 - Broad support from law enforcement, trade associations, and Canada	5 - Strengthens diplomatic ties with Canada	21/25

Weighted Matrix : Stakeholder Lenses

0-5 = Poor

6-10 = Fair

11-15 = Strong

Public Health Advocates : Effectiveness 40%, Stakeholder 25%, Economic 15%, Legal 10%, Diplomatic 10%

Trade & Industry Lobbies : Economic 40%, Effectiveness 20%, Diplomatic 15%, Stakeholder 15%, Legal 10%

Legal/Constitutional Scholars : Legal 40%, Effectiveness 20%, Diplomatic 15%, Economic 15%, Stakeholder 10%

Policy Option	Public Health	Trade/Industry	Legal/Constitutional
Maintain EO 14193 as is	5 - Ineffective on overdoses, widely opposed, high costs	5 - Tariffs drive costs up, little enforcement gain	6 - Defendable under IEEPA but controversial emergency use
Modify EO + public health funding	12 - Improves treatment access, broad health-sector	10 - Adds health funding but trade damage remains	10 - Adds legitimacy but still rests on contested IEEPA

	support		authority
Revoke EO ; return to pre-2025 status quo	6 - Restores trade for crucial resources but still weak on drug response	6 - Restores certainty but leaves opioid issues unresolved	6 - Safest legally, though weak on fentanyl policy
Suspend tariffs; enhance joint interdiction	13 -Combines effective enforcement with strong diplomacy	13 - Avoid tariff fallout, balance security and trade stability	13 - Narrow, cooperative, legally defensible, diplomatically stabilizing

Interpretive Note

Each weighted table makes clear why stakeholders diverge :
Public health advocates prize overdose prevention and treatment capacity
Trade lobbies emphasize avoiding economic harm.
Legal scholars focus on constitutional precedent and defensibility.

Despite these differences, “Suspend tariffs + joint interdiction” consistently emerges as Excellent, though for different reasons– effectiveness, trade stability, or legal soundness

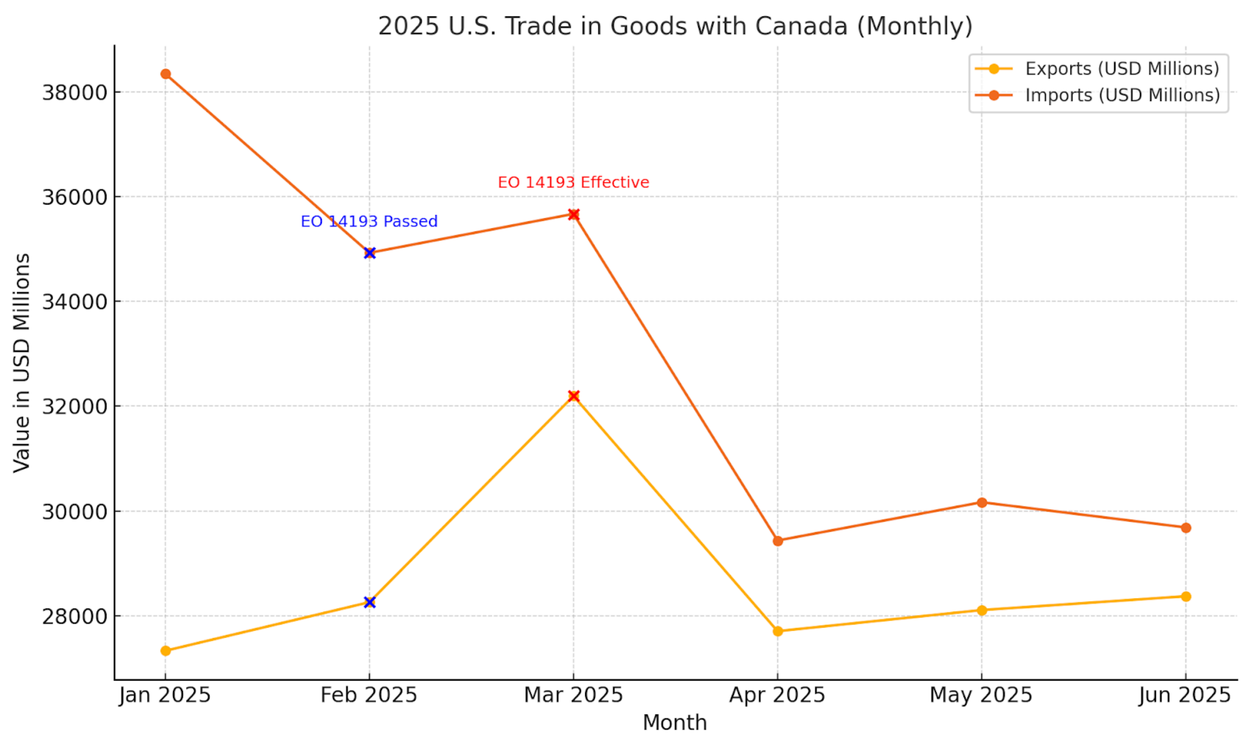
Findings

EO 14193 was enacted with the intention of reducing the flow of fentanyl into the U.S. via the northern border by leveraging tariff penalties on Canadian exports. The policy invoked the International Emergency Economic Powers Act to impose new tariffs, bypassing traditional congressional oversight. However, the northern border is not the primary route for fentanyl trafficking, and the executive order was met with economic, legal, and diplomatic challenges.

Economic Effect

The most immediate impact of EO 14193 was on U.S.-Canadian trade. As shown in Figure 1, both exports and imports dropped sharply in the months following the passage and implementation of the executive order. While tariffs directly increased costs for exporters, the uncertainty they created–combined with the threat of Canadian retaliatory tariffs– also played a major role in suppressing trade flows. Businesses faced not only higher duties but also the prospect of shifting supply chains, amplifying the economic shock beyond the immediate tariff effects.

Figure 1



Note: Data shows a marked decrease in U.S.-Canada trade following EO 14193's implementation. Source: U.S. Census Bureau (2025)

Legally, while the use of IEEPA may be technically permissible, the expansion of emergency powers to address a public health issue through a trade mechanism is unprecedented. Historically, IEEPA has been applied to freeze assets, restrict financial flows, or impose targeted sanctions on national security threats such as terrorists and hostile regimes (CRS, 2024). Using tariffs as a tool against opioid trafficking represents a controversial extension of authority, setting a precedent for unchecked executive action in economic policy that goes well beyond prior practice.

From a public health standpoint, EO 14193's enforcement-first framework fails to address the root causes of the opioid crisis. The northern border accounts for only a fraction of fentanyl inflows– most of which still originate through Mexico or maritime ports (DEA, 2024). Public health experts argue that redirecting attention toward this marginal route not only diverts resources away from proven strategies, such as medication-assisted treatment and expanded mental health infrastructure, but also undermines public confidence in the federal opioid response. By focusing on symbolic enforcement, the order risks weakening trust that federal policy is grounded in evidence.

Diplomatically, the order has significantly strained U.S.-Canada relations. Canadian officials denounced the move as punitive and politically motivated, initiating a dispute resolution process under USMCA and threatening retaliatory tariffs (Global Affairs Canada, 2025). While some limited coordination on drug interdiction has continued, goodwill between the nations has significantly deteriorated. Analysts warn that continued mistrust could diminish American influence in shaping North American security cooperation more broadly, from counterterrorism to energy policy, leaving America with less leverage in regional negotiations over time.

Recommendations

To effectively address the opioid crisis without undermining U.S. economic interests or diplomatic relations, the following two recommendations are proposed:

1. Suspend EO 14193 Tariffs and Expand Joint Enforcement with Canada

Suspend tariff measures imposed under EO 14193 and instead build out a bilateral strategy focused on info-sharing, border technology upgrades, and coordinated interdiction. Previous agreements – such as joint U.S.-- Canada Border Enforcement Security (BEST) task forces and intelligence-sharing agreements under the Beyond the Border Action Plan – demonstrate that collaborative enforcement can reduce trafficking while preserving strong trade flows. Expanding these mechanisms with targeted investments in border technology and current data exchange would allow the U.S to combat drug smuggling without damaging economic ties. As shown in the Policy Matrix, this option scores highest (21/25) for effectiveness and diplomatic cohesion.

2. Reallocate Resources Toward Public Health Initiatives

Redirect funding from tariff enforcement and trade litigation into expanding domestic opioid treatment infrastructure. Priority areas include scaling up naloxone distribution, increasing grants to tribal health systems, and supporting community-based programs. To strengthen political feasibility, these investments should be framed as cost-saving measures that reduce future healthcare expenses. A periodical approach – such as pairing initial funding with bipartisan programs in the hardest hit states– could help build durable congressional support. This option scores strongly (17/25 under a public health lens) in the Policy Matrix, reflecting its long-term-cost-effectiveness and broad stakeholder appeal.

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