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THE WHITE HOUSE
WASHINGTON

March 24, 1983

MEMORANDUM FOR EDWIN MEESE III
COUNSELLOR TO THE PRESIDENT

FROM: FRED F. FIELDING ^{Orig. signed by FFF}
COUNSEL TO THE PRESIDENT

SUBJECT: Correspondence from Congressman Judd Gregg

You requested preparation of a reply for your signature to the attached letter from Congressman Judd Gregg, concerning the action taken by the Department of Justice with respect to the Canadian acid rain film. A proposed reply is attached.

Attachment

FFF:JGR:aw 3/24/83

cc: FFFielding
JGRoberts
Subj.
Chron

THE WHITE HOUSE

WASHINGTON

March 24, 1983

Dear Congressman Gregg:

Thank you for your recent letter concerning the action taken by the Department of Justice with respect to the Canadian film "Acid Rain: Requiem or Recovery." Let me assure you that action was in no way an effort by the Administration to suppress views differing from its own on the issue of acid rain, to censor the film, or to curtail its dissemination.

The Department of Justice was simply enforcing the Foreign Agents Registration Act as passed by Congress. Whenever an agent of a foreign government distributes material referred to in that statute as "political propaganda," the law requires the material to be accompanied by a label disclosing the identity of the agent, the fact that the agent is registered under the Foreign Agents Registration Act, and the fact that such registration does not indicate approval of the contents of the material by the United States government. "Political propaganda" is defined by the statute as any communication "reasonably adapted to . . . influence a recipient . . . with reference to the political or public interests, policies, or relations of a government of a foreign country or a foreign political party or with reference to the foreign policies of the United States . . ." The Act does not require a listing of those who view the film. It does require the foreign agent to file a dissemination report registering the name of the station, organization, or theater using the film, the dates the film was shown, and the estimated attendance.

The Foreign Agents Registration Act, which mandated the action taken by the Department of Justice, has been on the books for several decades. The Department has publicly stated that the decision that the Act applied to the acid rain film was made solely by career personnel who are charged with enforcing the Act and have been doing so for many years through many administrations. Whatever views one

may have on the Act itself, I hope the foregoing description of its requirements and application in this instance suffices to dispel your expressed concern that "this is a move by the Administration to suppress views which differ from the Administration's."

Sincerely,

Edwin Meese III
Counsellor to the President

The Honorable Judd Gregg
House of Representatives
Washington, D.C. 20515

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-2-

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Counsellor to the President

The Honorable Judd Gregg
House of Representatives
Washington, D.C. 20515

FFF:JGR:aw 3/24/83

cc: FFFielding
JGRoberts
Subj.
Chron

MAR -8 1983

ID # 128373

HE007-01

WHITE HOUSE COUNSELLOR'S OFFICE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 83103102

Roberts

Name of Correspondent: Judd Gregg

☒ CN Mail Report

User Codes: (A) (B) (C)

Subject: Writer suggests that Mr. Meese look into the Justice Department's treatment of the Canadian produced film on acid rain.

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
CATTAMM	O	83103104			1 1
CUFIEL	D	83103114			1 1
CWATI8	D	83103114	for signature of Edwin Meese III	5	83103124

ACTION CODES:

A - Appropriate Action
C - Comment/Recommendation
D - Draft Response
F - Furnish Fact Sheet
to be used as Enclosure

I - Info Copy Only/No Action Necessary
R - Direct Reply w/Copy
S - For Signature
X - Interim Reply

DISPOSITION CODES:

A - Answered
B - Non-Special Referral
C - Completed
S - Suspended

FOR OUTGOING CORRESPONDENCE:

Type of Response = Initials of Signer
Code = "A"
Completion Date = Date of Outgoing

Comments:

Keep this worksheet attached to the original incoming letter.
Send all routing updates to Central Reference (Room 75, OEOB).
Always return completed correspondence record to Central Files.
Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

JUDD GREGG
2D DISTRICT, NEW HAMPSHIRE

COMMITTEES:
SCIENCE AND TECHNOLOGY
GOVERNMENT OPERATIONS
SELECT COMMITTEE ON AGING
REPUBLICAN POLICY COMMITTEE

VICE CHAIRMAN:
TASK FORCE ON CONGRESSIONAL AND
REGULATORY REFORM

Congress of the United States
House of Representatives
Washington, D.C. 20515

February 28, 1983

WASHINGTON OFFICE:
503 CANNON BUILDING
WASHINGTON, D.C. 20515
(202) 225-5206

DISTRICT OFFICES:
N.H. HIGHWAY HOTEL
FORT EDDY ROAD
CONCORD, NEW HAMPSHIRE 03301
(603) 228-0315

1 SPRING STREET
NASHUA, NEW HAMPSHIRE 03060
(603) 883-0800

157 MAIN STREET
BERLIN, NEW HAMPSHIRE 03570
(603) 752-5358

Mr. Edwin Meese 111
Counsellor to the President
White House
1600 Pennsylvania Avenue, N. W.
Washington, D. C. 20500

128373

Dear Mr. Meese:

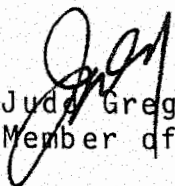
This letter is in regard to the Justice Department's recent finding that the Canadian produced film entitled "Acid Rain, Requiem or Recovery" is political propaganda and cannot be shown in the United States without a disclaimer that the U. S. government does not approve. In addition, I understand that a listing of individuals and groups that have viewed the film is required.

This film has been used widely to inform groups such as school children, church organizations and others concerning the problem and dangers of acid rain. Last year I sponsored a forum for Congressmen and staff during which the film was shown.

I am concerned that this is a move by the Administration to suppress views which differ from the Administration's and support controls on the emissions that cause acid rain.

I would appreciate your looking into this matter and exerting your influence to reverse this onerous decision by the Justice Department. In your January 31, 1983 memorandum to Agency Heads, you point out that "acid precipitation is a major environmental issue for this Administration, both domestically and internationally." The United States should promote the widest dissemination of information and views on this issue so that informed decisions can be made.

Sincerely,


Judd Gregg
Member of Congress

JG:jw

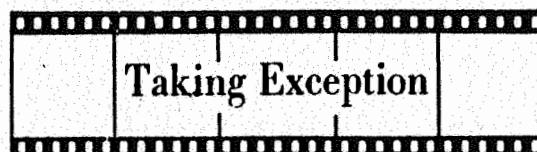
Justice Is Not Censoring Films

Contrary to the uninformed hysteria that has developed in some quarters, the Justice Department is not censoring any film in this country. Nor is it trying to curtail the dissemination of any movie. Nor does it seek to intimidate anyone who watches a movie. We are simply enforcing the Foreign Agents Registration Act as passed by Congress.

We have no other choice if we are to honor our oath that the laws be faithfully executed. The act has been on the books—and has been enforced as we are enforcing it—for many years.

The statute requires that when an agent of a foreign country distributes material referred to in the statute as "political propaganda," the identity of the agent be disclosed to the public. This term is defined in the act as any communication "reasonably adapted to . . . influence a recipient or any section of the public within the United States with reference to the political or public interests, policies, or relations of a government of a foreign country or a foreign political party or with reference to the foreign policies of the United States . . ." The films being disseminated clearly fall within this definition. This decision was made solely by career personnel who are charged with the responsibility of enforcing FARA and have been doing so for years and through many administrations.

Moreover, the label required to be placed on the film by the act does not use the words "political



propaganda," despite reports by the media. The label is neutral, and reads as follows:

"This material is prepared, edited, issued or circulated by (name and address of registrant) which is registered with the Department of Justice, Washington, D.C., under the Foreign Agents Registration Act as an agent of (name and address of foreign principal). Dissemination reports on this film are filed with the Department of Justice where the required registration statement is available for public inspection. Registration does not indicate approval of the contents of this material by the United States Government."

Thus, the label states only that "this material" is being disseminated by an agent of a foreign principal registered under the act. The purpose of the label is to notify viewers that the material is being disseminated by a foreign agent. It does not comment on the positions advocated by the film. The label is a disclosure, not unlike the disclosures that are required on almost all political advertisements and commercials,

or on packages sold in supermarkets complying with the "truth in packaging" laws mandated by Congress.

The media also reported that the names of persons who viewed the film must be given to the Department of Justice. That is untrue. The foreign agent must file a dissemination report in which he registers the number, not the name, of groups that have received the film. If the material transmitted was a film, radio, or television script the following information must be furnished by the foreign agent (*not* by the recipient): the name of the station, organization or theater using the film, the dates the film was shown and the estimated attendance. This data is kept on record in Washington for public viewing.

The agent involved here, the National Film Board of Canada, is an agency of the Canadian government and has been registered as a foreign agent under the Foreign Agents Registration Act since February 1947. It has complied without complaint with the act in the past; moreover, in an exchange of at least six letters between the Justice Department and the film board about these movies in particular, at no time did the film board raise any complaint about compliance with the filing and labeling requirements of the act.

The writer is director of the Justice Department's Office of Public Affairs.

*Foreign Agents
Registration Act*

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

March 24, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Letter from Congressman Gregg (R-N.H.) to
Ed Meese Concerning Foreign Films Controversy

Congressman Judd Gregg has written Ed Meese to complain about the action taken by the Department of Justice with respect to the Canadian acid rain film. Gregg notes that he sponsored a forum last year at which the film was shown, and expresses his concern that the DOJ action is a move by the Administration to suppress views differing from its own. Meese has asked for preparation of a reply for his signature. I have drafted such a reply, drawing on the Justice Department's public pronouncements on the issue.

Attachments