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Description of document: United States Trade Representative (USTR) Emails between May 1-7, 2025 regarding President Trump's intent to establish 100% tariffs on all "foreign movies"

Requested date: 06-May-2025

Release date: 21-April-2026

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Source of document: FOIA request
FOIA Office
Office of the US Trade Representative
Anacostia Naval Annex
Building 410/Door 123
250 Murray Lane SW
Washington DC 20509
Email: FOIA@ustr.eop.gov
FOIA.gov

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From: FN-USTR-FOIA <fn-ustr-foia@ustr.eop.gov>
Cc: FN-USTR-FOIA <fn-ustr-foia@ustr.eop.gov>
Sent: Tuesday, April 21, 2026 at 08:46:06 AM EDT
Subject: USTR FOIA Request FY25-85 Final Response

This email is the final response of the Office of the United States Trade Representative (USTR) to Freedom of Information Act (FOIA) No. FY25-85 submitted on May 6, 2025 requesting emails sent to and from the USTR Offices of Intellectual Property and Innovation, General Counsel and Intergovernmental Affairs and Public Engagement regarding President Trump's intent to establish 100% tariffs on all "foreign movies". The timeframe for the search was between May 1, 2025 and May 7, 2025.

After a search of our files utilizing eDiscovery software, we have located 7 pages which we are releasing in part. Portions of the documents have been redacted because we reasonably foresee that disclosure would harm an interest protected by FOIA Exemption 5 and FOIA Exemption 6.

FOIA Exemption 5, or the deliberative process privilege, protects the decision-making processes of the executive branch in order to safeguard the quality and integrity of governmental decisions. The deliberative process privilege protects materials that are both pre-decisional and deliberative. The privilege covers records that reflect the give-and-take of the consultative process and may include recommendations, draft documents, proposals, suggestions and other subjective documents which reflect the personal opinions of the writer rather than the policy of the agency. Release of these documents would expose the USTR's decision-making process in such a way as to discourage candid discussion within the agency, and thereby undermine its ability to perform its mandated functions.

Furthermore, we reasonably foresee that disclosure of certain information would harm an interest protected by FOIA Exemption 6, which protects personal information, the release of which would not shed light on the performance of the agency's statutory duties.

This constitutes a complete response to your request. You may contact the FOIA Office at FOIA@ustr.eop.gov or (202) 395-0418 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601

Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with the response to this request, you may also administratively appeal by writing to: FOIA Office, GSD/RDF; ATTN: Arthur Tsao, Anacostia Naval Annex, Bldg. 410/Door 123, 250 Murray Lane, S.W., Washington, D.C. 20509.

Your appeal must be postmarked or electronically transmitted within 90 days of the date of the response to your request. Both the letter and the envelope should be clearly marked: "Freedom of Information Act Appeal" and should include a reference to the FOIA Case File number listed above. Heightened security in force may delay mail delivery; therefore, we suggest that you also email any such appeal to foia@ustr.eop.gov.

In the event you are dissatisfied with the results of any such appeal, judicial review will thereafter be available to you in the United States District Court for the judicial district in which you reside or have your principal place of business, or in the District of Columbia, where we searched for the records you requested.

MPA

From: "Stallings, Marshall EOP/USTR" <ethan.m.stallings@ustr.eop.gov>
To: "Starr, Michael P. EOP/USTR" <michael.p.starr@ustr.eop.gov>
Cc: "Bang, Jennifer D. EOP/USTR" <jennifer.d.bang@ustr.eop.gov>, "Baldwin, Lauren C. EOP/USTR" <lauren.c.baldwin@ustr.eop.gov>
Date: Mon, 05 May 2025 17:43:24 -0400
Attachments: Teamsters Film Tariff Statement.jpg (278.52 kB); AJG Meeting Memo Motion Picture Association 5.5.2025.docx (32.83 kB)

Mike, sorry for the delay and I wasn't able to upload the correct version of the memo to sharepoint so here is the attached memo plus a statement from the teamsters on the tariffs!

May 6, 2025

MEETING WITH THE MOTION PICTURE ASSOCIATION (MPA)

TO: USTR JAMIESON GREER

FROM: AUSTR KEN SCHAGRIN

THROUGH: EXECUTIVE SECRETARY MICHAEL STARR

EXECUTIVE SUMMARY

- Tuesday, May 6 at 4:45 pm.
- The Motion Picture Association (MPA) will **EXEMPTION 5** [REDACTED]
- **EXEMPTION 5** [REDACTED]
- The Teamsters and other unions are very concerned that **(b) (5)** [REDACTED]
[REDACTED] Many Teamsters workers are employed by the member companies of MPA.
- **(b) (5)** [REDACTED] These barriers range from local content investment obligations on film producers, local content quotas on streaming services, predatory tax regimes, and other practices that reduce access to legitimate access to U.S. content and push foreign audiences toward online piracy.

MEETING OBJECTIVES

- YOU should **EXEMPTION 5** [REDACTED]
- Seek to **EXEMPTION 5** [REDACTED] and ask for **EXEMPTION 5** [REDACTED]

ATTENDEES

USTR
YOU
S. Scales
J. Bang
K. Schagrin
D. Lee

EXTERNAL (Non-USG)
TBD

BACKGROUND

MPA

- According to MPA, the American motion picture, television, and streaming industry supported 2.32 million jobs and \$229 billion in total wages in 2023, and earned \$22.6 billion in audiovisual exports. This resulted in a positive trade balance (\$15.3 billion).
- (b) (5)
- In addition, (b) (5)
- MPA (b) (5). It filed comments in both the National Trade Estimate Report, and in response to the *Request for Comments to Assist in Reviewing and Identifying Unfair Trade Practices and Initiating All Necessary Actions to Investigate Harm for Non-Reciprocal Trade Arrangements*.

Intellectual Property

- **Online piracy is the most challenging copyright enforcement issue** in many foreign markets. For example, during the 2025 **Special 301** review period, countries such as Argentina, Bulgaria, Canada, Chile, China, Colombia, Ecuador, Guatemala, India, Mexico, the Netherlands, Pakistan, Poland, Romania, Russia, Switzerland, Thailand, and Vietnam had high levels of online piracy and lacked effective enforcement.
- A June 2019 report, titled *Impacts of Digital Video Piracy on the U.S. Economy*, estimated that **global online video piracy costs the U.S. economy at least \$29.2 billion** and as much as \$71 billion in lost revenue each year.

Union Position and Prior Section 301 Implications

- Another element alleged unfair trade practices in the film industry is the use of various incentive programs to lure production of films overseas. The Association of Digital Artists Professionals and Technicians (ADAPT) estimates that foreign incentive programs cost the United States \$2-3 billion in direct wages, \$750 million in tax revenue, and indirect economic losses of between \$3 to 5 billion annually, for a total economic impact of \$5-8 billion.
- These incentives are subsidies and favorable tax structures for movie producers to film in foreign countries. In 2007, a motion picture video FX association petitioned USTR, under section 301(a) of the Trade Act of 1974, to challenge Canada's subsidies to video FX producers under the Agreement on Subsidies and Countervailing Measures.
- USTR rejected that petition on the basis that there was no likelihood of success in such a challenge, given that the SCM Agreement pertains to trade in goods, not services. More recently, in March 2025, **EXEMPTION 5**

EXEMPTION 5

U.S.-China Films Memorandum of Understanding (MOU)

- In 2009, the United States prevailed in a WTO dispute challenging importation, distribution and other restrictions placed on U.S. audiovisual products, such as imported films for theatrical release, audiovisual home entertainment products, sound recordings and publications. China issued several revised measures, and repealed other measures, relating to certain market access restrictions. With respect to theatrical films, the parties agreed in a 2012 MOU on compensation that China would provide to the United States.

Canada Online Streaming Act

- The Canadian Government passed the Online Streaming Act on April 27, 2023, amending the Broadcasting Act to give the CRTC authority to impose conditions on the operation of online streaming platforms.
- The Canadian Government instructed the Canadian Radio-television and Telecommunications Commission (CRTC) to create a methodology for financial contributions and obligations on streaming platforms to support and promote Canadian programming, and to prioritize a review of how it defines Canadian programs given the foundational nature of these definitions to the regulatory framework.
- On June 4, 2024, before beginning a review of the definitions, the CRTC announced that streaming services would be required to contribute five percent of their Canadian revenues to support the Canadian broadcasting system, beginning in the broadcast year 2024 to 2025.
- The rules include criteria that, based on available information, may effectively exclude Canadian streaming services from the new obligations, and under current definitions, would prevent U.S. suppliers from accessing the funding mechanisms that they will pay into.

Drafted: L. Baldwin (IAPE), K. Schagrin (Services), D. Lee (IP)
Cleared: M. Stallings (IAPE), J. Bang (IAPE), (OGC)



TEAMSTER *News*

25 LOUISIANA AVENUE NW | WASHINGTON, DC 20001 | TEAMSTER.ORG | SEAN M. O'BRIEN, GENERAL PRESIDENT

**For Immediate Release
May 5, 2025**

**Contact:
Matt McQuaid, (617) 894-0669
mmcquaid@teamster.org**

TEAMSTERS STATEMENT ON PRESIDENT TRUMP'S UNION JOB-PROTECTING FILM TARIFFS

(WASHINGTON) – The following is a statement from Teamsters General President Sean M. O'Brien and Teamsters Motion Picture Division Director Lindsay Dougherty on President Donald Trump's announcement to place a 100 percent tariff on films produced abroad:

"For years, Hollywood studios have hollowed out the industry by following Corporate America's crooked playbook of outsourcing good union jobs. Studios chase cheap production costs overseas while gutting the American workforce that built the film and TV industry.

"These gigantic corporations line their pockets by recklessly cutting corners, abandoning American crews, and exploiting tax loopholes abroad. While these companies get rich fleeing to other countries and gaming the system, our members have gotten screwed over.

"The Teamsters Union has been sounding the alarm for years. If studios want to benefit from American box offices, they must invest in American workers.

"We thank President Trump for boldly supporting good union jobs when others have turned their heads. This is a strong step toward finally reining in the studios' un-American addiction to outsourcing our members' work.

"The Teamsters applaud any elected official — Republican, Democrat, Independent — who's willing to fight for American workers. We look forward to continuing to work with the administration to build a trade agenda that benefits our members and workers throughout the American motion picture and TV industry.

"It's time to create good film jobs here at home by bringing production back to America."

Founded in 1903, the International Brotherhood of Teamsters represents 1.3 million hardworking people in the U.S., Canada, and Puerto Rico. Visit [Teamster.org](https://www.teamster.org) for more information. Follow us on X [@Teamsters](https://twitter.com/Teamsters) and on Facebook at [Facebook.com/teamsters](https://www.facebook.com/teamsters).

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from an industry journal: White House Says “No Final Decisions” Have Been Made on Movie Tariffs, Still “Exploring All Options”

From: "Lee, Daniel E. EOP/USTR" (b) (6)
To: "Mulopulos, Sam J. EOP/USTR" (b) (6) "Thornton, Jennifer EOP/USTR" (b) (6)
Cc: "Kenneth A. Schagrin" (b) (6)
"Nissen, Todd M. EOP/USTR" <todd_nissen@ustr.eop.gov>, "Michelle Yang (Michelle.C.Yang@ustr.eop.gov)" <michelle.c.yang@ustr.eop.gov>, "Claire Avery-Page (Claire.R.Avery-Page@ustr.eop.gov)" <claire.r.averypage@ustr.eop.gov>
Date: Mon, 05 May 2025 12:14:01 -0400

FYI that MPA forwarded us the following article...

<https://www.hollywoodreporter.com/business/business-news/white-house-clarifies-trump-movie-tariff-1236207216/>

White House Says “No Final Decisions” Have Been Made on Movie Tariffs, Still “Exploring All Options”

The administration says it is still intent on "Making Hollywood Great Again" though it suggests it will take time for tariff plan to come to fruition.

By Alex Weprin

May 5, 2025 8:18am

Although the entertainment business is still grappling with President Donald Trump’s post suggesting that a tariff on foreign-made films is in the works, the White House said in a clarifying statement Monday that “no final decisions on foreign film tariffs have been made.”

“Although no final decisions on foreign film tariffs have been made, the Administration is exploring all options to deliver on President Trump’s directive to safeguard our country’s national and economic security while Making Hollywood Great Again,” White House spokesman Kush Desai tells The Hollywood Reporter.

The comment suggests that any further clarity on the tariffs, what form they would take, how they would be implemented, etc. will likely take some time to be revealed. It also suggests that the White House may be exploring what legal avenues it has to pursue them, given the complexities and uncertainties on implementing a tariff on what amounts to a service rather than a physical good.

Trump announced the tariff on Sunday night, writing that “The Movie Industry in America is DYING a very fast death,” and that a 100 percent tariff could help solve that problem, ordering the Commerce Department and U.S. Trade Representative to begin exploring options.

The news instantly reverberated across the industry, with executives, filmmakers and other stakeholders wondering what it meant for their businesses, and how they would work. The announcement instantly created more questions than it did answers, with uncertainty around

whether it would apply to TV shows, streaming films, co-productions, or films with some production done in the U.S. and other pieces done abroad.

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