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Collection: Roberts, John G.: Files
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THE WHITE HOUSE

WASHINGTON

October 1, 1984

MEMORANDUM FOR BECKY NORTON DUNLOP
DEPUTY ASSISTANT TO THE PRESIDENT
FOR PRESIDENTIAL PERSONNEL

CAROLYN DOPPELT GRAY
EXECUTIVE DIRECTOR, INTERAGENCY COMMITTEE
ON WOMEN'S BUSINESS ENTERPRISE

FROM: JOHN G. ROBERTS 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Use of Presidential Seal on Letterhead
and Other Questions Regarding Stationery
for the Interagency Committee on Women's
Business Enterprise

This will confirm the oral responses to your inquiries concerning the stationery for the Interagency Committee on Women's Business Enterprise. You asked whether the stationery could use the Seal of the President, whether "President's" could be added to the name of the Committee, whether the members could be listed on the left hand margin, and whether the Committee, staffed by the Small Business Administration (SBA), could use SBA franked envelopes.

I advised Mrs. Dunlop that the Seal of the President could not be used on the stationery. Use of the Seal by advisory or interagency committees is not authorized. I further advised that "President's" should not be added to the name of the Committee. The name was established by Executive Order 12138, Section 1-201, and it would require an amendment of the executive order officially to change the name. An amendment for such a cosmetic purpose would not be justified. I advised Mrs. Dunlop that this office had no objection to listing the name of Committee members on the stationery, and no objection to the use of SBA franked envelopes if SBA counsel determined that such use was appropriate for each mailing. Mrs. Dunlop agreed to consult with SBA counsel and obtain approval before using SBA franked envelopes.

Thank you for raising these questions with us. Please do not hesitate to contact me if we may be of any further assistance.

WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 1/1

Name of Correspondent:

Carolyn S. Gray

☐ MI Mail Report

User Codes: (A) _____

(B) _____

(C) _____

Subject:

Use of Presidential Seal on letterhead
and other questions re: Stationing for
the Interagency Committee on Women's
Business Enterprise (IAC)

ROUTE TO:

ACTION

DISPOSITION

Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
WHolland		ORIGINATOR	8/10/11			1/1
CUAT 18		Referral Note: R	8/10/12			5/8/10/12
		Referral Note:				1/1
		Referral Note:				1/1
		Referral Note:				1/1
		Referral Note:				1/1

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.



U.S. SMALL BUSINESS ADMINISTRATION
WASHINGTON, D.C. 20416

255813

Date: SEP 7 1982

To: Sherrie Cooksey, Associate Counsel
to the President

From: (C. B. Kellum for)
Carolyn Doppelt Gray, Executive Director
Interagency Committee on Women's Business Enterprise (IAC)

Subject:

The Interagency Committee on Women's Business Enterprise was created by Executive Order 12138 and reactivated by President Reagan. One of our projects involves holding a series of fifteen to twenty regional two-hour workshops across the country for women business owners on the topic of selling to the Federal government.

Becky Norton Dunlop, Chairperson of the committee, has asked me to inquire about the following modifications in ordering new stationery:

1. For invitations to these workshops, we would like to use the Presidential Seal on our letterhead;
2. We would like to add "President's" to the name of the Committee, thereby making it the "President's Interagency Committee on Women Business Enterprise"; (a copy of old stationery is attached)
3. We would like to list the members of the committee in the left hand margin; (a list of committee members is attached)
4. Finally, as the committee is staffed by SBA, we would use SBA's franked envelopes.

Should you foresee any problems with the above, please let me know. I may be reached at 653-6620.

Thank you for your attention to this matter.

Attachments

cc: Becky Norton Dunlop

INTERAGENCY COMMITTEE
ON
WOMEN'S BUSINESS ENTERPRISE

White House

Becky Norton Dunlop 456-6440
Chairperson of ICWBE (PA)
Deputy Assistant to the President
Presidential Personnel
145 OEOB

Nancy Risque 456-2230
Member of ICWBE (PA)
Special Assistant to the President
Legislative Affairs
2nd Floor/WW

Functions and Goals
Subcommittee
(Chairman)

Ann Wrobleski 456-7905
Member of ICWBE (PA)
Director of Projects and Correspondence
Office of the First Lady
2nd Floor/EW

Communications
Subcommittee
(Chairman)

Small Business Administration

Carolyn Gray 653-6620
Executive Director of ICWBE
Director
Office of Women's Business Ownership
Small Business Administration
Room 412
1441 L Street
Washington, D.C. 20416

Department of Agriculture

Karen Darling 447-4031
Deputy Assistant Secretary
Marketing and Inspection Services
Department of Agriculture
Room 242-E
14th and Independence Avenue, S.W.
Washington, D.C. 20250

Hearings
Subcommittee

Alternate: Alma Esperza

Department of Commerce

Mary Ann Knauss 377-3281
Deputy Assistant Secretary
Intergovernmental Affairs
Department of Commerce
Room 5417
14th between E and Constitution, N.W.
Washington, D.C. 20230

Hearings
Subcommittee
(Chairman)

Department of Energy

Martha Hesse
Assistant Secretary
Management and Administration
Department of Energy
Room 7A-145
1000 Independence Avenue, S.W.
Washington, D.C. 20585

252-8010

VERA DOWNAN

Alternate: Mindy Carmen (252-5246)

Department of Health and Human Services

Dorcas Hardy 245-7246
Assistant Secretary
Human Development Services
Department of Health and Human Services
Room 309F
200 Independence Avenue, S.W.
Washington, D.C. 20201

Procurement
Subcommittee
(Chairman)

Alternate: John O'Shaughnessy

Department of Housing and Urban Development

Bernice Williams 755-1428
Director
Office of Small and Disadvantaged Business
Department of Housing and Urban Development
Room 10226
451 7th Street, S.W.
Washington, D.C. 20410

Liaison with WBO

Alternate: Dr. Koch

Department of Interior

Richard Hite 343-4502
Acting Assistant Secretary
Policy, Budget, and Administration
Department of the Interior
Room 5100
18th and C Streets, N.W.
Washington, D.C. 20240

Procurement
Subcommittee

Department of Justice
Judy Pond
Deputy Director
Office of Public Affairs
Department of Justice
Room 5114
10th and Constitution Avenue, N.W.
Washington, D.C. 20530

Alternate: Eleanor Geary (724-6271)

Department of Labor
Dr. Lenora Cole-Alexander
Director
Women's Bureau
Department of Labor
Room S-3002
200 Constitution Avenue, N.W.
Washington, D.C. 20210

523-6611

Budget
Subcommittee
(Chairman)

Department of Transportation
Mari Maseng
Assistant Secretary
Public Affairs
Department of Transportation
Room 10414
400 7th Street, S.W.
Washington, D.C. 20590

426-4570

Communications
.. Outreach

Alternate: Thelma Duggin

Department of the Treasury
Carole Dineen
Fiscal Assistant Secretary
Department of the Treasury
Room 2112
15th and Pennsylvania Avenue, N.W.
Washington, D.C. 20220

566-2112

Liaison with WBO
(Chairman)

Federal Trade Commission
Wendy Gramm
Director
Economics Bureau
Federal Trade Commission
Room 700
2120 L Street, N.W.
Washington, D.C. 20580

634-6881

Hearings
Subcommittee

Alternate: Merrie Spaeth

CAROL CRAWFORD
DIRECTOR
BUREAU OF CONSUMER PROTECTION
FEDERAL TRADE COMMISSION
6TH & PA. AVE. NW.
WASHINGTON, DC. 20580
523-3727

General Services Administration
Josephine Good 523-1522
Director
Office of the Executive Secretariat
General Services Administration
Room 6126
18th and F Streets, N.W.
Washington, D.C. 20405

Procurement
Subcommittee

Office of Federal Procurement Policy
Donald E. Sowle 395-5802
Administrator
Office of Federal Procurement Policy
Office of Management and Budget
Room 9001/NEOB

Procurement
Subcommittee

Alternate: Owen Birnbaum

U.S. GOVERNMENT

Interagency Committee on Women's Business Enterprise

1441 L. Street N.W.
Washington, D.C. 20416

Presidential Documents

Executive Order 12138 of May 18, 1979

Creating a National Women's Business Enterprise Policy and Prescribing Arrangements for Developing, Coordinating and Implementing a National Program for Women's Business Enterprise

In response to the findings of the Interagency Task Force on Women Business Owners and congressional findings that recognize:

1. the significant role which small business and women entrepreneurs can play in promoting full employment and balanced growth in our economy;
2. the many obstacles facing women entrepreneurs; and
3. the need to aid and stimulate women's business enterprise;

By the authority vested in me as President of the United States of America, in order to create a National Women's Business Enterprise Policy and to prescribe arrangements for developing, coordinating and implementing a national program for women's business enterprise, it is ordered as follows:

1-1. *Responsibilities of the Federal Departments and Agencies.*

1-101. Within the constraints of statutory authority and as otherwise permitted by law:

(a) Each department and agency of the Executive Branch shall take appropriate action to facilitate, preserve and strengthen women's business enterprise and to ensure full participation by women in the free enterprise system.

(b) Each department and agency shall take affirmative action in support of women's business enterprise in appropriate programs and activities including but not limited to:

- (1) management, technical, financial and procurement assistance,
- (2) business-related education, training, counseling and information dissemination, and
- (3) procurement.

(c) Each department or agency empowered to extend Federal financial assistance to any program or activity shall issue regulations requiring the recipient of such assistance to take appropriate affirmative action in support of women's business enterprise and to prohibit actions or policies which discriminate against women's business enterprise on the ground of sex. For purposes of this subsection, Federal financial assistance means assistance extended by way of grant, cooperative agreement, loan or contract other than a contract of insurance or guaranty. These regulations shall prescribe sanctions for noncompliance. Unless otherwise specified by law, no agency sanctions shall be applied until the agency or department concerned has advised the appropriate person or persons of the failure to comply with its regulations and has determined that compliance cannot be secured by voluntary means.

1-102. For purposes of this Order, affirmative action may include, but is not limited to, creating or supporting new programs responsive to the special needs of women's business enterprise, establishing incentives to promote business or business-related opportunities for women's business enterprise, collecting and disseminating information in support of women's business enterprise, and insuring to women's business enterprise knowledge of and

ready access to business-related services and resources. If, in implementing this Order, an agency undertakes to use or to require compliance with numerical set-asides, or similar measures, it shall state the purpose of such measure, and the measure shall be designed on the basis of pertinent factual findings of discrimination against women's business enterprise and the need for such measure.

1-103. In carrying out their responsibilities under Section 1-1, the departments and agencies shall consult the Department of Justice, and the Department of Justice shall provide legal guidance concerning these responsibilities.

1-2. Establishment of the Interagency Committee on Women's Business Enterprise.

1-201. To help insure that the actions ordered above are carried out in an effective manner, I hereby establish the Interagency Committee on Women's Business Enterprise (hereinafter called the Committee).

1-202. The Chairperson of the Committee (hereinafter called the Chairperson) shall be appointed by the President. The Chairperson shall be the presiding officer of the Committee and shall have such duties as prescribed in this Order or by the Committee in its rules of procedure. The Chairperson may also represent his or her department, agency or office on the Committee.

1-203. The Committee shall be composed of the Chairperson and other members appointed by the heads of departments and agencies from among high level policy-making officials. In making these appointments, the recommendations of the Chairperson shall be taken into consideration. The following departments and agencies and such other departments and agencies as the Chairperson shall select shall be members of the Committee: the Departments of Agriculture; Commerce; Defense; Energy; Health, Education, and Welfare; Housing and Urban Development; Interior; Justice; Labor; Transportation; Treasury; the Federal Trade Commission; General Services Administration; National Science Foundation; Office of Federal Procurement Policy; and the Small Business Administration. These members shall have a vote. Nonvoting members shall include the Executive Director of the Committee and at least one but no more than three representatives from the Executive Office of the President appointed by the President.

1-204. The Committee shall meet at least quarterly at the call of the Chairperson, and at such other times as may be determined to be useful according to the rules of procedure adopted by the Committee.

1-205. The Administrator of the Small Business Administration shall provide an Executive Director and adequate staff and administrative support for the Committee. The staff shall be located in the Office of the Chief Counsel for Advocacy of the Small Business Administration, or in such other office as may be established specifically to further the policies expressed herein. Nothing in this Section prohibits the use of other properly available funds and resources in support of the Committee.

1-3. Functions of the Committee. The Committee shall in a manner consistent with law:

1-301. Promote, coordinate and monitor the plans, programs and operations of the departments and agencies of the Executive Branch which may contribute to the establishment, preservation and strengthening of women's business enterprise. It may, as appropriate, develop comprehensive interagency plans and specific program goals for women's business enterprise with the cooperation of the departments and agencies.

1-302. Establish such policies, definitions, procedures and guidelines to govern the implementation, interpretation and application of this order, and generally perform such functions and take such steps as the Committee may deem to be necessary or appropriate to achieve the purposes and carry out the provisions hereof.

1-303. Promote the mobilization of activities and resources of State and local governments, business and trade associations, private industry, colleges and universities, foundations, professional organizations, and volunteer and other groups toward the growth of women's business enterprise, and facilitate the coordination of the efforts of these groups with those of the departments and agencies.

1-304. Make an annual assessment of the progress made in the Federal Government toward assisting women's business enterprise to enter the mainstream of business ownership and to provide recommendations for future actions to the President.

1-305. Convene and consult as necessary with persons inside and outside government to develop and promote new ideas concerning the development of women's business enterprise.

1-306. Consider the findings and recommendations of government and private sector investigations and studies of the problems of women entrepreneurs, and promote further research into such problems.

1-307. Design a comprehensive and innovative plan for a joint Federal and private sector effort to develop increased numbers of new women-owned businesses and larger and more successful women-owned businesses. The plan should set specific reasonable targets which can be achieved at reasonable and identifiable costs and should provide for the measurement of progress towards these targets at the end of two and five years. Related outcomes such as income and tax revenues generated, jobs created, new products and services introduced or new domestic or foreign markets created should also be projected and measured in relation to costs wherever possible. The Committee should submit the plan to the President for approval within six months of the effective date of this Order.

1-4. Other Responsibilities of the Federal Departments and Agencies.

1-401. The head of each department and agency shall designate a high level official to have the responsibility for the participation and cooperation of that department or agency in carrying out this Executive order. This person may be the same person who is the department or agency's representative to the Committee.

1-402. To the extent permitted by law, each department and agency upon request by the Chairperson shall furnish information, assistance and reports and otherwise cooperate with the Chairperson and the Committee in the performance of their functions hereunder. Each department or agency shall ensure that systematic data collection processes are capable of providing the Committee current data helpful in evaluating and promoting the efforts herein described.

1-403. The officials designated under Section 1-401, when so requested, shall review the policies and programs of the women's business enterprise program, and shall keep the Chairperson informed of proposed budget, plans and programs of their departments or agencies affecting women's business enterprise.

1-404. Each Federal department or agency, within constraints of law, shall continue current efforts to foster and promote women's business enterprise and to support the program herein set forth, and shall cooperate with the Chairperson and the Committee in increasing the total Federal effort.

1-5. Reports

1-501. The Chairperson shall, promptly after the close of the fiscal year, submit to the President a full report of the activities of the Committee hereunder during the previous fiscal year. Further, the Chairperson shall, from time to time, submit to the President the Committee's recommendations for legislation or other action to promote the purposes of this Order.

1-502. Each Federal department and agency shall report to the Chairperson as hereinabove provided on a timely basis so that the Chairperson and the Committee can consider such reports for the Committee report to the President.

1-6. *Definitions.* For the purposes of this Order, the following definitions shall apply:

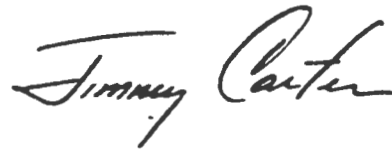
1-601. "Women-owned business" means a business that is at least 51 percent owned by a woman or women who also control and operate it. "Control" in this context means exercising the power to make policy decisions. "Operate" in this context means being actively involved in the day-to-day management.

1-602. "Women's business enterprise" means a woman-owned business or businesses or the efforts of a woman or women to establish, maintain or develop such a business or businesses.

1-603. Nothing in subsections 1-601 or 1-602 of this Section (1-6) should be construed to prohibit the use of other definitions of a woman-owned business or women's business enterprise by departments and agencies of the Executive Branch where other definitions are deemed reasonable and useful for any purpose not inconsistent with the purposes of this Order. Wherever feasible, departments and agencies should use the definition of a woman-owned business in subsection 1-601 above for monitoring performance with respect to women's business enterprise in order to assure comparability of data throughout the Federal Government.

1-7. *Construction.* Nothing in this Order shall be construed as limiting the meaning or effect of any existing Executive order.

THE WHITE HOUSE.
May 18, 1979.



THE WHITE HOUSE
WASHINGTON

October 22, 1984

Dear Mr. Orenstein:

Thank you for your letter of October 19 to Counsel to the President Fred F. Fielding. In that letter you requested permission to use the Seal of the President on the cover of "Management Magazine," a publication of the Office of Personnel Management. The Seal would be used to illustrate the theme of the January issue -- Reagan Administration initiatives in the area of management efficiency.

The permitted uses of the Seal are limited by law. Section 713 of Title 18 of the United States Code generally prohibits use of the Seal except in accordance with regulations promulgated by the President. Those regulations are embodied in Executive Order 11649. A copy of the statute and implementing regulations is enclosed for your information.

Your contemplated use of the Seal appears to fall within subsections 1(b) and 1(g) of the Executive Order. Accordingly, this office has no objection to your planned use. Thank you for raising this matter with us.

Sincerely,



John G. Roberts
Associate Counsel to the President

Mr. Michael W. Orenstein
Office of Public Affairs
Office of Personnel Management
Washington, D.C. 20415

**WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

- ☐ O - OUTGOING
☐ H - INTERNAL
☐ I - INCOMING
 Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Michael W. Orenstein

☐ MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Requests approval to use a picture of the Presidential Seal on the cover of MANAGEMENT magazine

ROUTE TO:		ACTION	DISPOSITION		
Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response Code	Completion Date YY/MM/DD
<u>W Holland</u>		ORIGINATOR	<u>84/10/20</u>		<u>1 1</u>
<u>WAT 18</u>		Referral Note: <u>R</u>	<u>84/10/23</u>		<u>S 84/11/02</u>
		Referral Note:	<u>1 1</u>		<u>1 1</u>
		Referral Note:	<u>1 1</u>		<u>1 1</u>
		Referral Note:	<u>1 1</u>		<u>1 1</u>
		Referral Note:	<u>1 1</u>		<u>1 1</u>

- 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
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 - C - Completed
 - S - Suspended
- FOR OUTGOING CORRESPONDENCE:**

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

Comments: _____



United States
**Office of
Personnel Management**

Washington, D.C. 20415

267083 *cu*

In Reply Refer To

Your Reference

Mr. Fred Fielding
Special Counsel to the President
The White House
Washington, D.C.

19 October 1984



Dear Mr. Fielding,

Per my conversation with White House attorney John Roberts, I am requesting your approval to use a picture of the Presidential seal on the cover of MANAGEMENT magazine, a publication of the U.S. Office of Personnel Management.

The cover photo will picture Washington's National Theatre with the theater's marquee displaying the message--"Sneak Preview: Reagan's Second Term--What's Ahead For Feds?"

The theme of MANAGEMENT'S January issue focuses on the initiatives the Reagan Administration will offer federal government managers in an effort to make the bureaucracy more efficient.

Mr. Roberts says our intended use of the Presidential seal, which will be displayed in a showcase below and to the left of the marquee, is permissible.

Your earliest approval is requested.

Sincerely,

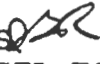
Michael W. Orenstein
Office of Public Affairs
632-4401

THE WHITE HOUSE

WASHINGTON

December 29, 1983

MEMORANDUM FOR DIANE POWERS
PHOTO OFFICE

FROM: JOHN G. ROBERTS 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Presidential Seal

Please send a color print of the Seal of the President to:

Mr. Tom Riedlinger
Managing Editor
Better Roads Magazine
Post Office Box 558
Park Ridge, IL 60068

Mr. Riedlinger's contemplated use of the Seal, to accompany the reprinting of a message from the President, has been reviewed and approved by this office.

Many thanks.

THE WHITE HOUSE

WASHINGTON

September 17, 1984

Dear Mr. Allen:

Thank you for your letter of September 10, 1984 to Counsel to the President Fred F. Fielding. In that letter you requested a copy of the Seal of the President, to be used in crafting a stained glass reproduction of the Seal. You expressed your desire to present the reproduction as a gift to the President.

I am happy to enclose a color photograph of the Seal, for use only as indicated in your letter. The permitted uses of the Seal are limited by law. Title 18 of the United States Code, Section 713 generally prohibits use of the Seal of the President except in accordance with regulations promulgated by the President. These regulations are embodied in Executive Order 11649. A copy of the statute and implementing regulations is enclosed for your information.

The statute and implementing regulations make clear that you may reproduce the Seal only for use by the Government of the United States or the President, since none of the other categories of permitted uses apply to your project.

Since you do not plan to sell or hold your reproduction, but rather present it to the President or the Government of the United States, your contemplated use of the Seal appears to comply with applicable law.

Sincerely,

A handwritten signature in dark ink, appearing to read "John G. Roberts", with a stylized, flowing script.

John G. Roberts
Associate Counsel to the President

Mr. Robert R. Allen
1330 California Avenue, S.W.
Camden, Arkansas 71701

JV

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

F8004

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 1 1Name of Correspondent: Robert R. Allen

JR-dumb

☐ MI Mail Report

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

Subject: Requests a copy of the Presidential
Letter

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response Code	Completion Date YY/MM/DD
<u>WHolland</u>	ORIGINATOR	<u>84/09/13 PY</u>		<u>1 1</u>
<u>CVAT 1.8</u>	Referral Note: <u>R</u>	<u>84/09/14 PY</u>	<u>S</u>	<u>84/09/24 PY</u>
	Referral Note:	<u>1 1</u>		<u>1 1</u>
	Referral Note:	<u>1 1</u>		<u>1 1</u>
	Referral Note:	<u>1 1</u>		<u>1 1</u>
	Referral Note:	<u>1 1</u>		<u>1 1</u>

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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.

256139 *cu*

September 10, 1984

Honorable Fred S. Fielding
Council For The President
White House, Washington, D. C. 20500

Dear Mr. Fielding:

I would like to request an authentic color copy of the presidential seal.

My intended use of this copy is to make a stained glass reproduction of the seal as a gift to the president, in appreciation for his excellent leadership of our country.

Yours truly,

Robert R. Allen

Robert R. Allen, Artist
1330 California Ave. S.W.
Camden, Arkansas 71701
(501) 836-7374

THE WHITE HOUSE

ADMINISTRATION

October 9, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Request for a Copy of the Presidential
Seal for Reproduction of a Letter
From The First Lady

Brenda Smith of an Austin public relations firm has written you to request a copy of the Seal of the President. One of Smith's clients, ShowBiz Pizza, recently received a letter of commendation from the First Lady for its activities to combat drug and alcohol abuse among teenagers. ShowBiz wants to display the letter in each of its pizza parlors, but the embossed Presidential Seal will not, of course, reproduce. Smith would like a copy of the Seal to accompany the letter.

It is our policy to permit the Seal to be used in connection with the publication of Presidential or First Lady letters. Smith called Friday, and I told her that we could send her a copy of the Seal, although I cautioned her concerning the legal limits on its use. Smith indicated she was facing an immediate deadline, so I expressed a copy of the Seal to her, at her company's expense. I told her that a letter memorializing my oral caution would follow shortly. A draft of such a letter is attached for your review and signature.

Attachment

October 9, 1984

Dear Ms. Smith:

Thank you for your letter of October 2, 1984. In that letter you requested, on behalf of ShowBiz Pizza, a copy of the Seal of the President. ShowBiz recently received a letter of commendation from the First Lady in connection with its Teen Dance After Hours activity to combat drug and alcohol abuse, and would like to display the letter with the Seal.

You have discussed this matter with John Roberts of my staff, who advised you that the Seal could be used in the contemplated manner. Mr. Roberts further advised you, however, that the permitted uses of the Seal were limited by law and that the Seal could not be reproduced or displayed by you or ShowBiz Pizza for any other purpose. I have enclosed for your information a copy of the statute and regulations governing use of the Seal. You should have already received the copy of the Seal you requested.

Thank you for your inquiry. If you have any additional questions, please do not hesitate to contact this office.

Sincerely,

Fred F. Fielding
Counsel to the President

Ms. Brenda Smith
Media Communications
of Austin, Inc.
1001 MoPac Circle
Austin, Texas 78746

FFF:JGR:aea 10/9/84
cc: FFFielding/JGRoberts/Subj/Chron

100-100000

October 9, 1984

Dear Ms. Smith:

Thank you for your letter of October 2, 1984. In that letter you requested, on behalf of ShowBiz Pizza, a copy of the Seal of the President. ShowBiz recently received a letter of commendation from the First Lady in connection with its Teen Dance After Hours activity to combat drug and alcohol abuse, and would like to display the letter with the Seal.

You have discussed this matter with John Roberts of my staff, who advised you that the Seal could be used in the contemplated manner. Mr. Roberts further advised you, however, that the permitted uses of the Seal were limited by law and that the Seal could not be reproduced or displayed by you or ShowBiz Pizza for any other purpose. I have enclosed for your information a copy of the statute and regulations governing use of the Seal. You should have already received the copy of the Seal you requested.

Thank you for your inquiry. If you have any additional questions, please do not hesitate to contact this office.

Sincerely,

100-100000

Fred F. Fielding
Counsel to the President

Ms. Brenda Smith
Media Communications
of Austin, Inc.
1001 MoPac Circle
Austin, Texas 78746

FFF:JGR:aea 10/9/84
cc: FFFfielding/JGRoberts/Subj/Chron

FE00-

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 1/1

Name of Correspondent:

Brenda Smith

☐ MI Mail Report

User Codes:

(A)

(B)

(C)

Subject:

Requests a copy of the Presidential Seal for reproduction of a letter from Nancy Reagan

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response Code	Completion Date YY/MM/DD
W Holland	ORIGINATOR	84/10/03		1/1
CUAT 18	Referral Note: D	84/10/04	S	84/10/14
	Referral Note:	1/1		1/1
	Referral Note:	1/1		1/1
	Referral Note:	1/1		1/1
	Referral Note:	1/1		1/1

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.

THE WHITE HOUSE

WASHINGTON

October 16, 1984

Dear Ms. Dimon:

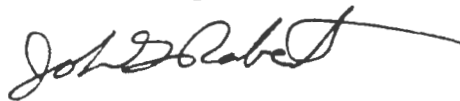
Thank you for your letter of October 12, 1984 to Counsel to the President Fred F. Fielding. In that letter you requested a copy of the Seal of the President for use as a standard to ensure accuracy in an artist's rendition of the Seal. The artist's rendition is to be used in a book on the Presidency.

The requested copy of the Seal is enclosed. I must caution you, however, that the permitted uses of the Seal -- including an artist's rendition -- are limited by law. Title 18 of the United States Code, Section 713 generally prohibits use of the Seal except in accordance with regulations promulgated by the President. These regulations are embodied in Executive Order 11649. A copy of the statute and implementing regulations is enclosed for your information.

You will notice that use of the Seal "in...books...incident to a description or history of...the Presidency" is permitted, Executive Order 11649 § 1(b), and accordingly this office has no objection to your contemplated use. The Seal -- either the enclosed copy or the artist's rendition -- should not, however, be used for any other purpose.

Thank you for your inquiry. If we may be of any further assistance, please do not hesitate to contact us.

Sincerely,



John G. Roberts
Associate Counsel to the President

Ms. Linda J. Dimon
Bookmakers Inc.
305 North Main Street
Westport, CT 06880

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

- ☐ O - OUTGOING
☐ H - INTERNAL
☐ I - INCOMING

Date Correspondence
Received (YY/MM/DD) 1 1

Name of Correspondent: Linda J. Demon

☐ MI Mail Report

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

Subject: Requests copy of the Presidential Seal for a book on the Presidents

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)

Action
Code

Tracking
Date
YY/MM/DD

Type
of
Response

Completion
Date
YY/MM/DD

ORIGINATOR

Referral Note:

Referral Note:

Referral Note:

Referral Note:

Referral Note:

ACTION CODES:

A - Appropriate Action
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 to be used as Enclosure

I - Info Copy Only/No Action Necessary
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FOR OUTGOING CORRESPONDENCE:

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

Comments: _____

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 Send all routing updates to Central Reference (Room 75, OEOB).
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 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

BOOKMAKERS INC.

October 12, 1984

266258 *12 - 12*

Hon. Fred F. Fielding
Counsel to the President
The White House
Washington, D.C. 20500

Dear Mr. Fielding:

We are preparing the artwork for a book on the presidents of the United States for another company. The book will deal with the various duties of the presidency.

For this book, we need a picture of the presidential seal, preferably in color, that one of our artist's can use as a standard to ensure that all details of the seal are correct. His picture, not the copy you send, will be used in the book.

Our deadline is October 31. Any attention you can give to this matter will be greatly appreciated. Please call me at (203) 226-4293 if you need any more information.

Best regards,

Linda J. Dimon

Linda J. Dimon

THE WHITE HOUSE

WASHINGTON

October 19, 1984

Dear Mr. du Prez:

Thank you for your letter of October 2, 1984, requesting a copy of the Seal of the President. You indicated that the Seal would be kept with your files on the United States Presidency.

The permitted uses of the Seal are limited by law. Section 713 of Title 18 of the United States Code generally prohibits use of the Seal except in accordance with regulations promulgated by the President. Those regulations are embodied in Executive Order 11649. I have enclosed a copy of the statute and implementing regulations for your information.

Since your contemplated use of the Seal is not among the permitted uses, we cannot comply with your request to forward a copy. Thank you for your inquiry.

Sincerely,



John G. Roberts
Associate Counsel to the President

Mr. P. du Prez
13 Van Reenen Street
Parow 7500
South Africa

JV

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 1/1/Name of Correspondent: P. du Prez☐ MI Mail Report

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

Subject: Requests a copy of the Seal of the President

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)

Action
CodeTracking
Date
YY/MM/DDType
of
Response

Code

Completion
Date
YY/MM/DD

ORIGINATOR

Referral Note:

Referral Note:

Referral Note:

Referral Note:

Referral Note:

ACTION CODES:

A - Appropriate Action
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DISPOSITION CODES:

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

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

Comments: _____

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Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

13 Van Rieumen Street
Parow 7500
South Africa
2 October 1984

265383 CC

White House Council Office
Washington, D.C.

Dear Sir/Madame,

I have been referred to this office by Lydia Barker,
White House Curatorial Assistant.

I would like ~~of~~ clear, colour photograph of the Seal of
the President of the United States for my files on the
U. S. Presidency. I am well aware of the fact that
the use of this seal is restricted and reserved for Mr
Reagan only.

I do not intend to display the seal in any manner -
it will be put among my other photographs which
are under lock & key.

I understand that my request might be met with
mixed reactions, but I can assure you of my
sincerity.

Thank you.

Yours faithfully

P. du Prez

1906 - 1 11 3 82

13 Van Reenen Street
Parow 7500
Cape Province
Republic of South Africa
2 November 1984

Associate Council to the President
White House
Washington, D.C

Dear Mr J. Roberts

I am hereby requesting a copy of the Presidential Seal
and Vice-Presidential Seal for display at my exhibit
on the Presidency of Mr Gerald Ford.

I am aware of the Section 713 of Title 18 of the United
States Code, and Executive Order 11649, which permits
me to exhibit the Seals.

Thank you for your advice. (previous letter)

Yours faithfully
P. du Preez

P.O. DU PREEZ

THE WHITE HOUSE

WASHINGTON

December 13, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 
SUBJECT: Proposed Response to Ed Skinner
Regarding "Independence" Yacht

Commodore Ed Skinner, with whom we have corresponded in the past, has written Mr. Meese to offer the President and his Cabinet complimentary use of the new 112-foot yacht Independence, owned by Mr. and Mrs. Herbert Molz. Meese has prepared a brief response, thanking Skinner for his thoughtfulness and advising that his generous offer will be kept in mind.

I cannot foresee any circumstances under which we would approve acceptance of Skinner's offer, but I have no objection to the draft response. The response certainly does not commit the Administration to anything, and can hardly be used by Skinner in any commercially exploitive fashion.

Attachment

THE WHITE HOUSE

WASHINGTON

December 13, 1984

MEMORANDUM FOR EDWIN MEESE III
COUNSELLOR TO THE PRESIDENT

FROM: FRED F. FIELDING **Orig.** signed by FFF
COUNSEL TO THE PRESIDENT

SUBJECT: Proposed Response to Ed Skinner
Regarding "Independence" Yacht

You have asked that I review your proposed response to a letter from Ed Skinner, offering the President and Cabinet complimentary use of the yacht Independence. While I do not foresee any circumstances under which I would approve acceptance of this offer, I have no objection to your response thanking Skinner for extending it.

FFF:JGR;aea 12/13/84
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

December 13, 1984

MEMORANDUM FOR EDWIN MEESE III
COUNSELLOR TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Proposed Response to Ed Skinner
Regarding "Independence" Yacht

You have asked that I review your proposed response to a letter from Ed Skinner, offering the President and Cabinet complimentary use of the yacht Independence. While I do not foresee any circumstances under which I would approve acceptance of this offer, I have no objection to your response thanking Skinner for extending it.

FFF:JGR;aea 12/13/84
cc: FFFielding/JGRoberts/Subj/Chron

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 1 / 1 / 1Name of Correspondent: Edwin Meese III☐ MI Mail Report

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

Subject: Proposed response to Ed Skinner
Re: "Independence" yacht

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>W Holland</u>	ORIGINATOR	<u>84/12/11</u>			<u>1</u>
<u>CVAT/8</u>	Referral Note: <u>D</u>	<u>84/12/12</u>		<u>S</u>	<u>84/12/12</u>
	Referral Note:	<u>1</u> / <u>1</u>			<u>1</u> / <u>1</u>
	Referral Note:	<u>1</u> / <u>1</u>			<u>1</u> / <u>1</u>
	Referral Note:	<u>1</u> / <u>1</u>			<u>1</u> / <u>1</u>
	Referral Note:	<u>1</u> / <u>1</u>			<u>1</u> / <u>1</u>

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I - Info Copy Only/No Action Necessary
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FOR OUTGOING CORRESPONDENCE:

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

Comments: _____

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Refer questions about the correspondence tracking system to Central Reference, ext. 2590.



THE COUNSELLOR TO THE PRESIDENT

21 November 1984

Commodore Edgar Martin Skinner, III
Box 32241
Washington, D.C. 20007

Dear Ed:

Thank you for your recent letter informing me about the availability of the yacht, "Independence", for use by the President and other senior Administration officials.

Your thoughtfulness is very much appreciated, and you may be sure that we will keep your generous offer in mind.

It's good to hear from you, and you have my best personal wishes.

Sincerely,

EDWIN MEESE III
Counsellor to the President

Commodore Edgar Martin Skinner, III

Box 32241

Washington, DC 20007

(202) 362-8297

November 7, 1984

270379

The Honorable Edwin Meese, III
Counsellor to the President
The White House

Dear Ed:

First, I send you my heartfelt congratulations for the historic victory. What a victory for America!

Second, I would be totally remiss if I did not inform you of the availability of one of the finest opportunities for private entertaining to be available in Washington in a long, long time, the world-class yacht INDEPENDENCE.

Very proudly, the yacht owners, Mr. & Mrs. Herbert Molz, and I wish to extend the availability of this private yacht to the President and his cabinet on a complimentary basis, and to the President's Senior Staff on whatever reasonable basis is deemed appropriate by them at the time.

Under the circumstances, it seems appropriate to point out that neither the owners of the yacht, nor I, seek any favor, appointment or personal recognition in this offer. It is merely a humble expression of support to the President and the outstanding members of the Administration.

Although the owners of the private yacht, INDEPENDENCE, are allowing me to represent their yacht to be available for private charter by private citizens on an honorable business basis, we recognize that it is the largest and finest yacht ever to be so regularly available in our area.

Therefore, it is with a great deal of pride that I convey to you this invitation, despite the controversy that has surrounded the other yacht project in the area, as I am sure John Rogers will attest.

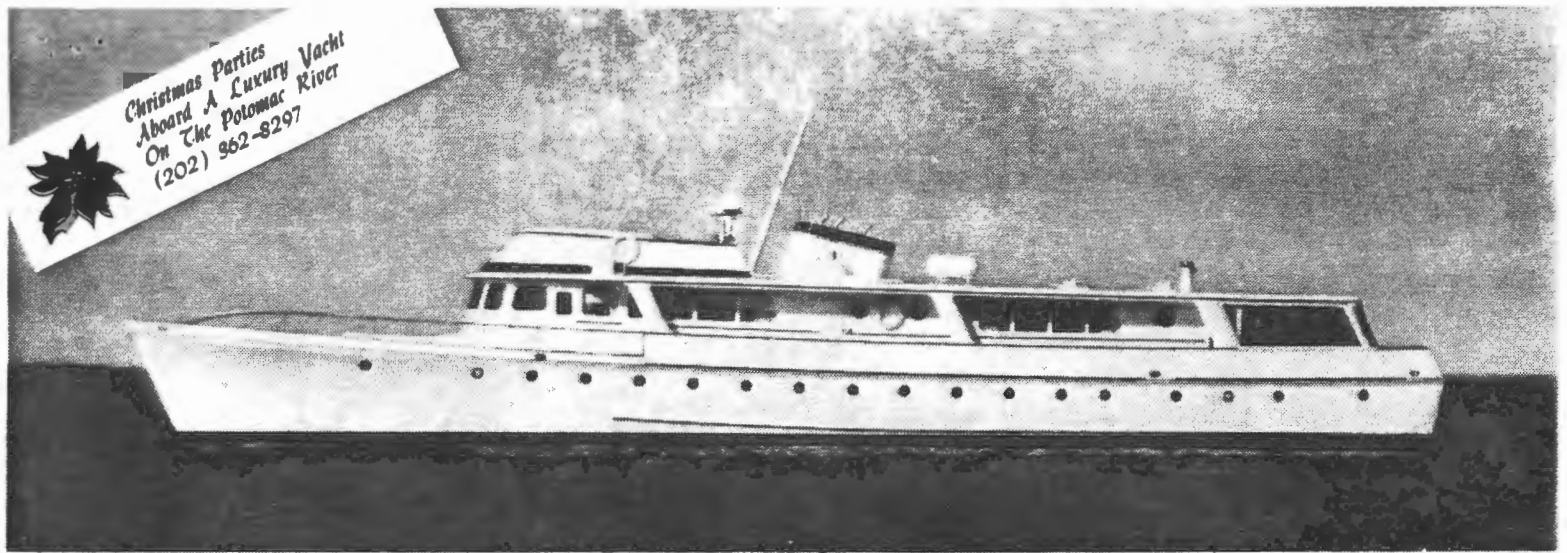
Best wishes to you and the Administration for continued historic success on behalf of our great country.

With continued respect and admiration, I remain,

Sincerely,



Christmas Parties
Aboard A Luxury Yacht
On The Potomac River
(202) 362-8297



THE MOST EXCITING NEW OPPORTUNITY FOR ELEGANT ENTERTAINING

*Introducing Washington's first world-class yacht,
the magnificent 112'*

INDEPENDENCE

*largest and grandest luxury yacht ever available for private parties
in the nation's capital.*

with special introductory rates

SAVINGS OF UP TO \$1,200 +

for all future charters with deposits in by 12/31/84

YEAR-ROUND CRUISING ON THE POTOMAC...AT LAST A REALITY...

due to the sheer size and elegance of the central heat & air conditioned yacht.

- FORMAL DINING OR BOARD MEETINGS OF UP TO 28 AT A SINGLE TABLE.
- ELEGANT COCKTAIL CRUISES, DAY OR NIGHT, FOR UP TO 75 GUESTS.
- EXCLUSIVE LUNCHEON OUTINGS FOR 6, 12 OR 20 GUESTS, SERVED BY YOUR CHOICE OF THE AREA'S FINEST CATERERS.
- SUPER EXCLUSIVE 4-DAY BUSINESS/HERITAGE CRUISES OF THE POTOMAC RIVER AND CHESAPEAKE BAY, COMBINING ON-BOARD BUSINESS MEETINGS WITH OVERNIGHT PORTS-OF-CALL OF CULTURAL ENCHANTMENT.

To do it is one thing. To do it aboard the area's finest yacht, is yet another.

Destined to become one of Washington's most exclusive spots for private entertaining, the INDEPENDENCE features a huge fireplace adorned grand salon leading to a fully enclosed aft deck beautifully furnished in a setting of palm trees, and a formal dining salon and richly appointed wheel house forward. All of this expansive interior is surrounded by outside walkways with mahogany rails over brass stanchions leading to a spacious bow area and upper flying bridge area for guests as well...elegantly appointed and immaculate !

A YACHT SO VERY SPECIAL, YET SO PRACTICAL, YOU MUST SEE IT TO APPRECIATE IT.

for information and inspection by appointment: (202)362-8297

WINTER IS NOW WONDERFUL...ABOARD THE INDEPENDENCE!

THE INDEPENDENCE - WASHINGTON'S FIRST WORLD-CLASS YACHT.

ABOUT OUR SERVICES: Our total service concept provides you with the bareboat yacht plus licensed captain and uniformed crew who are all under your command during your cruise, departing and returning at the times and locations (Washington, Old Town Alexandria, etc.) of your choosing. We will also aid in selecting the catering and live entertainment of your choosing to ensure that you have the outing that is most fitting to your tastes and desires as a master host or hostess.

Rates: (charters are 3-hour minimum, except luncheon cruises)

	BASE HRLY.
Regular rate, 1st 4 hrs., $\frac{1}{2}$ rate thereafter.....	\$ 655
Introductory rate (charters with deposits in 12/31/84) \$ 480 (deduct an additional \$500 from total if 20 or less guests)	
Intro. luncheon rate ('til 4p.m.) if 20 or less guests	\$ 250

To determine the total cost of the charter (excluding catering), add operating expenses of \$95 per hour (fuel, captain, crew, port charge, and vessel insurance), required by the Coast Guard to be listed separately.

Commissions to authorized agents are 10% of base hrly. rates.

TOTAL COST OF CHARTERS:	2-hrs.	3-hrs.	4-hrs.	5-hrs.	6-hrs.
Regular rate (effective 1/1/85)	-	\$2,250	\$3,000	\$3,423	\$3,846
Intro. rate (to 75 guests)*....	-	1,725	2,300	2,635	2,970
Intro. rate (20 or less guests)*	-	1,225	1,800	2,135	2,470
Luncheon (20 or less 'til 4p.m.)*\$ 690	-	-	-	-	-

* Introductory rates for future charters if deposits in by 12/31/84.

Reservation deposit is 50% of the "Total Cost" of charter (above), subject to inspection and approval of yacht by charterer at least 30 days prior to date requested for charter.

AN EVER POPULAR PREMIUM BRAND OPEN BAR FOR JUST \$3.95 PER PERSON PER HR. will be purchased and stocked on board for this service fee. Sufficient quantities of all items will be guaranteed, provided charterer agrees to leave any remaining quantities on board for subsequent charters.



SPECIAL MESSAGE FROM THE COMMODORE:

Proud to have built the oldest and largest yacht charter firm in the Washington area, our dream for a truly world-class yacht is now fulfilled with the arrival of the magnificent INDEPENDENCE. We are doubly blessed with owners who have made it their personal objective to see that the yacht is maintained and presented in perfect condition, and offered to our citizens on such a truly reasonable basis with their gracious personal touch.

Feel free to call any day 'til 8p.m. (202)362-8297.

PRESIDENTIAL Yacht Charters, Inc., Box 32241, Washington, DC 20007.

THE WHITE HOUSE

WASHINGTON

May 3, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS 

SUBJECT:

Response to Your Letter With Regard
to Use of the Presidential Seal for
Presidential Yacht Memorabilia

Commodore Skinner of Presidential Yacht Charters, Inc., has responded to your letter of April 19. That letter (copy attached) demanded that Skinner cease using the Seal of the President on "Presidential Yacht memorabilia" distributed to those purchasing his charter services, and also advised Skinner to revise his brochure touting the charter and memorabilia in order to avoid the false impression that the Federal Government was in some fashion connected with his operation. You requested that Skinner advise you of the steps taken to comply with the law on the use of the Seal and to correct the false impression of association with the Government.

Skinner temporizes in his reply, asking for guidance on the extent to which the prohibitions governing use of the Seal apply to the Presidential Yacht Trust, a non-profit entity he formed in 1981 to restore and preserve the Sequoia. The question is, of course, completely irrelevant so far as the marketing of the memorabilia bearing the Seal is concerned. The rules on use of the Seal are of general applicability and apply to the Presidential Yacht Trust as they apply to any other private entity. The Executive Order does permit use of the Seal on monuments to former Presidents, and I can readily conceive of our office approving the use of the Seal in an historically accurate manner on a restored Sequoia operated by a non-profit entity. The Presidential Yacht Trust could not, however, have general permission to use the Seal, on its stationery, in fundraising, or in other ways.

This view is consistent with the advice we have given to those heading the 501(c)(3) organization established to restore and operate FDR's yacht, the Potomac. You will recall that we denied a request made on behalf of that organization to use the Seal in fundraising, but noted that it was possible the Seal could be used in historically accurate ways on the restored vessel itself (copy of letter attached).

- 2 -

The attached draft reply to Skinner notes that the Seal rules do apply to the Presidential Yacht Trust, that the Trust cannot generally use the Seal, but that specific instances of use of the Seal in historically accurate fashion on the yacht itself may be acceptable after review by this office. The letter also points out that this has nothing to do with the use of the Seal on souvenirs given to those who charter the yacht.

Attachment

THE WHITE HOUSE

WASHINGTON

July 6, 1983

Dear Mr. Tonkel:

Thank you for your letter on behalf of the Board of Directors of the Association for the Restoration of the Presidential Yacht Potomac. In that letter you requested permission to use the Seal of the President in connection with a campaign to raise funds to restore, maintain, and operate the Potomac.

I regret to inform you that we cannot grant the permission you seek. Our decision is in no sense a reflection on the praiseworthy effort to restore President Roosevelt's yacht. The project, as described in the materials you forwarded to us, is very exciting and filled with great possibilities for average citizens and serious students of FDR's era. We cannot, however, agree to any use of the Presidential Seal in connection with private fundraising efforts. To do so would convey the misleading impression of official sponsorship of the fundraising.

We would be happy to consider requests for permission to use the Presidential Seal in historically appropriate ways on the yacht itself. Such use on the finished monument to President Roosevelt does not present the difficulties that inexorably accompany any use of the Seal in connection with fundraising.

Thank you for advising us of the efforts to restore the Potomac. You have our best wishes for success.

Sincerely,

Orig. signed by FFF

Fred F. Fielding
Counsel to the President

Mr. J. Rock Tonkel
Managing Partner
Jerold Panas, Young
& Partners, Inc.
2504 Pacific Avenue
San Francisco, California 94115

FFF:JGR:aw 7/6/83
cc: FFFielding/JGRoberts/Subj./Chron

THE WHITE HOUSE

WASHINGTON

May 3, 1984

Dear Commodore Skinner:

Thank you for your letter of April 27, 1984. That letter was written in response to mine of April 19, which advised you that use of the Seal of the President on your "Presidential Yacht memorabilia" violated 18 U.S.C. § 713, and the regulations promulgated thereunder, and also recommended that the brochure issued by Presidential Yacht Charters, Inc., be revised to avoid conveying the false impression of association with the Federal Government. Your letter in response asked for guidance on the extent to which the law governing use of the Seal applied to the Presidential Yacht Trust.

The criminal statute governing use of the Seal is of general applicability, and applies to the Presidential Yacht Trust as it applies to any private entity or individual. There may be discrete instances in which it would be permissible, after review by this office, to use the Seal in an historically accurate manner on the restored yacht itself, pursuant to the provision in Executive Order 11649 authorizing use of the Seal on monuments to former Presidents. The Presidential Yacht Trust may not, however, generally use the Seal, and in no sense is exempt from the applicable legal provisions. This advice is, incidentally, fully in accord with that I have given to the Association for the Restoration of the Presidential Yacht Potomac when the question was raised in connection with that organization's efforts to restore and maintain FDR's yacht.

In any event, I must reiterate my advice that use of the Seal on the Presidential Yacht memorabilia constitutes a violation of 18 U.S.C. § 713 and must cease immediately. I would be happy to review any specific questions you might have about other uses of the Seal by the Presidential Yacht Trust. I look forward to your further reply to my letter of April 19.

Sincerely,

Fred F. Fielding
Counsel to the President

Commodore Ed Skinner
Presidential Yacht Charters, Inc.
Box 32241
Washington, D.C. 20007

FFF:JGR:aea 5/3/84
bcc: FFFfielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

May 3, 1984

Dear Commodore Skinner:

Thank you for your letter of April 27, 1984. That letter was written in response to mine of April 19, which advised you that use of the Seal of the President on your "Presidential Yacht memorabilia" violated 18 U.S.C. § 713, and the regulations promulgated thereunder, and also recommended that the brochure issued by Presidential Yacht Charters, Inc., be revised to avoid conveying the false impression of association with the Federal Government. Your letter in response asked for guidance on the extent to which the law governing use of the Seal applied to the Presidential Yacht Trust.

The criminal statute governing use of the Seal is of general applicability, and applies to the Presidential Yacht Trust as it applies to any private entity or individual. There may be discrete instances in which it would be permissible, after review by this office, to use the Seal in an historically accurate manner on the restored yacht itself, pursuant to the provision in Executive Order 11649 authorizing use of the Seal on monuments to former Presidents. The Presidential Yacht Trust may not, however, generally use the Seal, and in no sense is exempt from the applicable legal provisions. This advice is, incidentally, fully in accord with that I have given to the Association for the Restoration of the Presidential Yacht Potomac when the question was raised in connection with that organization's efforts to restore and maintain FDR's yacht.

In any event, I must reiterate my advice that use of the Seal on the Presidential Yacht memorabilia constitutes a violation of 18 U.S.C. § 713 and must cease immediately. I would be happy to review any specific questions you might have about other uses of the Seal by the Presidential Yacht Trust. I look forward to your further reply to my letter of April 19.

Sincerely,

Fred F. Fielding
Counsel to the President

Commodore Ed Skinner
Presidential Yacht Charters, Inc.
Box 32241
Washington, D.C. 20007

FFF:JGR:aea 5/3/84
bcc: FFFielding
JGRoberts
Subj
Chron

SHIP TO SHORE COMMUNICATION
Box 32241, Washington, DC 20007
24-hour hotline: (202) 362-8297

April 27, 1984

Fred F. Fielding
Counsel to the President
The White House
Washington, D.C. 20500

Dear Fred:

Yesterday, I received your letter of April 19, 1984, which related to the Seal of the President and other matters.

In order for me to give you a full and timely response to your letter, I would appreciate you informing me of the extent to which the prohibition of the use of the Seal of the President applies to, or the extent to which the use of the seal is permitted by, The Presidential Yacht Trust, which I conceived and formed in 1981 as a non-profit entity for the restoration and preservation and presentation to the general public of the yacht, SEQUOIA.

I will await your response in order that I give you a complete and timely response to the requests in your aforesaid letter.

Let me assure you that I have absolutely no intent to in any way imply an association with or endorsement by any government agency, body or branch.

Sincerely,



Ed Skinner
Commodore
Presidential Yacht Charters, Inc.

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 1/1Name of Correspondent: Ed Skinner☐ MI Mail Report

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

Subject: Response to FFF letter with request
to use of the Presidential Seal
for Presidential grant memorabilia

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)

Action
CodeTracking
Date
YY/MM/DDType
of
Response

Code

Completion
Date
YY/MM/DDW4 Holland

ORIGINATOR

Referral Note:

Referral Note:

Referral Note:

Referral Note:

Referral Note:

ACTION CODES:

A - Appropriate Action
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D - Draft Response
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to be used as Enclosure

I - Info Copy Only/No Action Necessary
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S - For Signature
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DISPOSITION CODES:

A - Answered C - Completed
B - Non-Special Referral 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.

THE WHITE HOUSE

WASHINGTON

April 19, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Flyer for Cruise on the Presidential Yacht

John Rogers sent you a flyer distributed by Presidential Yacht Charters, Inc., the private firm that markets cruises on the former U.S.S. Sequoia. As you know, President Carter sold the Sequoia and it is now in private hands. As might be expected, the flyer makes much of the ship's heritage, extending an invitation to "share a Presidential tradition" by taking a "Presidential Cruise."

The flyer also promises that guests will receive "exclusive Presidential Yacht memorabilia" (emphasis in original) bearing "the Presidential Yacht seal of one of the former 'First Yachts' we have proudly commanded," items that "are not available in stores or from any other source." The memorabilia bear a reproduction of the Seal of the President, complete except for the encircling banner with the inscription "Seal of the President of the United States." In lieu thereof the encircling banners are inscribed with "Honey Fitz -- Presidential Yacht" or "U.S.S. Sequoia -- Presidential Yacht."

The "Presidential Yacht seal" constitutes a clear violation of 18 U.S.C. § 713. The fact that the banner inscribed "Seal of the President of the United States" is omitted is insignificant, since the pertinent statute covers reproduction of "any substantial part" of the Seal of the President. The use of the Seal by Presidential Yacht Charters clearly violates 18 U.S.C. § 713(b), since it is not authorized by the Executive Order, and may well also violate 18 U.S.C. § 713(a), by conveying a false impression of Governmental sponsorship or approval.

Quite apart from the criminal misuse of the Seal, the flyer as a whole may suggest an association with the President, at least to those not familiar with the fate of the Sequoia. Accordingly, the attached draft letter to Presidential Yacht Charters not only demands an immediate end to distribution or use of the items bearing the Seal of the President, but also recommends that when the flyer is revised to correct the Seal problem it also be revised to make clear that there is no association between Presidential Yacht Charters and the Federal Government.

THE WHITE HOUSE

WASHINGTON

April 19, 1984

Dear Commodore Skinner:

The attached flyer distributed by your company recently came to my attention. The flyer, and some of the items depicted in it, raise very serious concerns about compliance with Federal law and potential misrepresentations concerning associations with the Federal Government.

Of particular concern is the so-called "Presidential Yacht memorabilia" depicted in the flyer, bearing what is described as "the Presidential Yacht seal." According to the flyer, such items are distributed to those who have chartered the yacht. These items contain a reproduction of the Seal of the President, complete except for the banner describing the seal as such. The permitted uses of the Seal of the President, however, are limited by law. Section 713(a) of Title 18, United States Code, prohibits any display of the Seal for the purpose of conveying or in a manner reasonably calculated to convey a false impression of sponsorship or approval by the Federal Government. In addition, section 713(b) of Title 18, United States Code, prohibits any manufacture, reproduction, sale, or purchase for resale of any item bearing the Seal, or any substantial part thereof, except as authorized under regulations promulgated by the President. The regulations referred to in the statute are embodied in Executive Order 11649, as amended. I have enclosed for your information copies of the pertinent statute and Executive Order.

You will notice that the permitted uses of the Seal listed in the Executive Order do not include your use on the "Presidential Yacht memorabilia." I must accordingly insist that you cease immediately any further use or distribution of any such items bearing the likeness of the Seal of the President, or a substantial part thereof. The fact that the above-referenced statutes limiting use of the Seal provide for criminal penalties for violations should suffice to signify the seriousness of this matter.

Quite apart from this misuse of the Seal of the President, the flyer taken as a whole could be considered to convey a false impression of association with the Federal Government.

The frequent references to "Presidential Cruise," "Presidential Yacht," and "Presidential Tradition" suggest that your company and your yacht is connected to the Federal Government, which is not the case. To avoid confusion on this point, and the need for action by the Government to correct any false impressions that may be conveyed, I recommend that during the revision of your brochure that will be necessary to correct the Seal problem you also include language making clear that Presidential Yacht Charters is not in any way connected to the Federal Government.

I look forward to hearing from you concerning the steps you have taken to comply with the law governing use of the Seal of the President, and to correct the false impression of association with the Federal Government conveyed by your flyer.

Sincerely,

Original signed by FFF

Fred F. Fielding
Counsel to the President

Commodore Ed Skinner
Presidential Yacht Charters, Inc.
Box 32241
Washington, D.C. 20007

FFF:JGR:aea 4/19/84
bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

April 19, 1984

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Sincerely,

Fred F. Fielding
Counsel to the President

Commodore Ed Skinner
Presidential Yacht Charters, Inc.
Box 32241
Washington, D.C. 20007

FFF:JGR:aea 4/19/84
bcc: FFFielding/JGRoberts/Subj/Chron

JV

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

PR014-09

- ☐ O - OUTGOING
☐ H - INTERNAL
☐ I - INCOMING
 Date Correspondence Received (YY/MM/DD) _____

Name of Correspondent: John F. W. Rogers

John 3 pl
 begin out what
 this is all about

☐ MI Mail Report User Codes: (A) _____ (B) _____ (C) _____
Subject: Urges for Cruise on the Presidential Yacht

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Completion Date YY/MM/DD
<u>CU/Holland</u>	<u>ORIGINATOR</u>	<u>84/03/30</u>		<u>1 1</u>
<u>CUAT18</u>	<u>Referral Note: A</u>	<u>84/04/02</u>		<u>84/04/12</u>
	<u>Referral Note:</u>	<u>1 1</u>		<u>1 1</u>
	<u>Referral Note:</u>	<u>1 1</u>		<u>1 1</u>
	<u>Referral Note:</u>	<u>1 1</u>		<u>1 1</u>
	<u>Referral Note:</u>	<u>1 1</u>		<u>1 1</u>

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