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Collection: Roberts, John G.: Files
Folder Title: JGR/Seal of the President
(9 of 9)
Box: 49

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THE WHITE HOUSE

WASHINGTON

December 24, 1985

MEMORANDUM FOR RICHARD A. HAUSER

FROM:

JOHN G. ROBERTS 

SUBJECT:

Request for Permission to Use
Presidential Seal on Cover of
National Energy Policy Plan

Ted Garrish has asked for permission to use the Seal of the President on the next report to Congress on the National Energy Policy Plan. The Department of Energy Organization Act of 1977 requires the President to submit such a report to Congress biennially. This will be the fifth such report; previous reports have borne the Department of Energy seal. Garrish also asks permission to include a transmittal letter from the President.

Since the report is from the President, the Seal may, as a legal matter, be used. Granting Garrish's request, however, could create a precedent that would lead other Departments to seek the Seal for their reports to Congress, most of which, like this one, are nominally required of the President. I see no reason to depart from the prior practice of using the departmental seal. In fact, since the President will have no personal knowledge of the issues discussed in the report, an argument can be made that he should be distanced from it. Using the Seal would more closely identify the President with the report.

I have, however, no objection to a transmittal letter from the President, assuming the text is staffed for White House review. Unlike the Seal, such letters are commonly used with such statutory reports.

Attachment

THE WHITE HOUSE

WASHINGTON

December 24, 1985

MEMORANDUM FOR THEODORE J. GARRISE
ASSISTANT SECRETARY, CONGRESSIONAL,
INTERGOVERNMENTAL AND PUBLIC AFFAIRS
U.S. DEPARTMENT OF ENERGY

FROM: RICHARD A. HAUSER
DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: Request for Permission to Use
Presidential Seal on Cover of
National Energy Policy Plan

You have asked for our approval to use the Seal of the President on the fifth report on the National Energy Policy Plan, required by law to be submitted to Congress by the President. You have also requested approval to include a transmittal letter from the President with the report.

We have no objection to an appropriately worded transmittal letter from the President, assuming of course that the letter is reviewed at the White House before transmittal. We would not, however, approve use of the Seal on the report. As I am certain you are aware, there are countless reports to Congress required by law, many, like the National Energy Policy Plan, nominally required to be submitted by the President. It would be inconsistent with our policy of restricting use of the Seal of the President to those items with which the President is directly involved or closely identified to permit the Seal to be used on these various reports. On balance, we see no need to depart from the past practice of using the departmental seal on the National Energy Policy Plan.

RAH:JGR:aea 12/24/85

cc: FFFielding

RAHauser

JGRoberts

Subj

Chron

THE WHITE HOUSE

WASHINGTON

December 24, 1985

MEMORANDUM FOR THEODORE J. GARRIS
ASSISTANT SECRETARY, CONGRESSIONAL,
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U.S. DEPARTMENT OF ENERGY

FROM: RICHARD A. HAUSER
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SUBJECT: Request for Permission to Use
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National Energy Policy Plan

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RAH:JGR:aea 12/24/85

cc: FFFielding
RAHauser
JGRoberts
Subj
Chron

FED04

**WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

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

Name of Correspondent: Jed Marshall

MI Mail Report Bear Codes: (A) _____ (B) _____ (C) _____

Subject: Request for permission to use Presidential seal on cover of NEPP National Energy Policy Plan.

ROUTE TO:	ACTION	DISPOSITION
Office/Agency (Staff Name)	Action Code	Type of Response Code
<u>CUHOLL</u>	<u>ORIGINATOR</u>	<u>1 1</u>
<u>CUAT 18</u>	<u>Referral Note: for RAH signature</u>	<u>1 1</u>
	<u>D 5/12/18</u>	<u>S 8/31/2027</u>
	<u>Referral Note:</u>	<u>1 1</u>
	<u>Referral Note:</u>	<u>1 1</u>
	<u>Referral Note:</u>	<u>1 1</u>
	<u>Referral Note:</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

- ~~T - Take Copy Only, No Action Necessary~~
- ~~R - Direct Reply w/ Copy~~
- ~~S - For Signature~~
- ~~X - Interim Reply~~

- DISPOSITION CODES:**
- A - Answered
 - B - Non-Special Interest
 - 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, OEGB).
 Always return completed correspondence record to Central Files.
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

THE WHITE HOUSE

WASHINGTON

DGH: David is not due back until 12/31. John Sullivan, DOE, has called twice today.

Says Sec. of Energy wants a response ASAP.

Please respond to DR



Department of Energy

Washington, DC 20585

December 12, 1985

370979 *cu*

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

Dear Mr. Fielding: *Fred*

The Department of Energy will, very shortly, be completing the fifth National Energy Policy Plan (NEPP). The Department would like to publish it with the Presidential seal on the cover, inasmuch as this is, by statute, a Presidential Report to the Congress. Title IV of the Department of Energy Organization Act of 1977 (P.L. 95-91) requires the President biennially to submit such a plan to Congress. The Department also proposes to publish a foreword or letter of transmittal with the document, for the President's signature.

I would appreciate your consideration of this matter, specifically our request for use of the Presidential seal on NEPP-V, and for permission to use a transmittal letter from the President. For your information, I am enclosing a copy of the fourth and last NEPP that was delivered to Congress for 1983.

Sincerely,

TJG

Theodore J. Garrish
Assistant Secretary
Congressional, Intergovernmental
and Public Affairs

Enclosure

Return to file
TJG
G

THE WHITE HOUSE

WASHINGTON

December 30, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS

SUBJECT: Use of Presidential Seal on Stamps

Next year the U.S. Postal Service will issue a series of stamps honoring each of the 35 deceased Presidents. The Postal Service will sell a collector's set of the stamps in a book with the stamps, background material, and photographs, as it usually does for major stamp series. "The Presidential Mint Set" book will contain facts and anecdotes on each of the Presidents, along with the President's stamp. The Postal Service would like permission to reproduce the Seal of the President on the book cover.

The Postal Service is "an independent establishment of the executive branch of the Government of the United States," 39 U.S.C. § 201. Even apart from the Service's governmental status, this contemplated use of the Seal would seem to be permitted by Subsection 1(b) of Executive Order 11649, which authorizes use of the Seal in books or pamphlets "incident to a description or history of...the Presidency." I have no difficulty viewing a booklet featuring stamps of the Presidents, with background information on each President, as a "history of...the Presidency," particularly since it will be issued by a governmental entity.

Attachment

THE WHITE HOUSE

WASHINGTON

December 30, 1985

Dear Mr. McCaffrey:

Thank you for your letter of December 13. In that letter you described the plans of the U.S. Postal Service to issue a set of stamps honoring the first 35 Presidents, and to issue a book for collectors containing the stamps and additional background information on the Presidents. You requested approval to reproduce the Seal of the President on the cover of the book.

The permitted uses of the Seal are limited by law. Section 713 of Title 18 of the United States Code makes it a criminal offense to use the Seal, except in accord with regulations issued by the President. Those regulations are embodied in Executive Order 11649. Copies of the pertinent statute and Executive Order are enclosed for your information.

You will notice that the Executive Order permits use of the Seal in books or pamphlets incident to a description or history of the Presidency. In view of this provision, and recognizing the unique status of the U.S. Postal Service, I have no objection to your contemplated use of the Seal. Although the Seal may be used on the book cover, as described in your letter, it should not otherwise be used in promotional materials without the prior approval of this office.

I have enclosed a black and white and a color photograph of the Seal, as you requested. Thank you for your inquiry. *at good luck*

Sincerely,

Orig. signed by FFF

Fred F. Fielding
Counsel to the President

Mr. Terrence W. McCaffrey
United States Postal Service
475 L'Enfant Plaza, S.W.
Washington, D.C. 20260-3100

FFF:JGR:aea 12/30/85
bcc: FFFielding/JGRoberts/Subj/Chron

§ 713. Use of likenesses of the great seal of the United States, and of the seals of the President and Vice President

(a) Whoever knowingly displays any printed or other likeness of the great seal of the United States, or of the seals of the President or the Vice President of the United States, or any facsimile thereof, in, or in connection with, any advertisement, poster, circular, book, pamphlet, or other publication, public meeting, play, motion picture, telecast, or other production, or on any building, monument, or stationery, for the purpose of conveying, or in a manner reasonably calculated to convey, a false impression of sponsorship or approval by the Government of the United States or by any department, agency, or instrumentality thereof, shall be fined not more than \$250 or imprisoned not more than six months, or both.

(b) Whoever, except as authorized under regulations promulgated by the President and published in the Federal Register, knowingly manufactures, reproduces, sells, or purchases for resale, either separately or appended to any article manufactured or sold, any likeness of the seals of the President or Vice President, or any substantial part thereof, except for manufacture or sale of the article for the official use of the Government of the United States, shall be fined not more than \$250 or imprisoned not more than six months, or both.

(c) A violation of subsection (a) or (b) of this section may be enjoined at the suit of the Attorney General upon complaint by any authorized representative of any department or agency of the United States.

Added Pub.L. 89-807, § 1(a), Nov. 11, 1966, 80 Stat. 1525, and amended Pub.L. 91-651, § 1, Jan. 5, 1971, 84 Stat. 1940.

Historical Note

1971 Amendment. Catchline. Pub.L. 91-651 substituted "Use of likenesses of the great seal of the United States, and of the seals of the President and Vice President" for "Use of the great seal of the United States".

Subsec. (a). Pub.L. 91-651 redesignated existing provisions as subsec. (a), and, as so redesignated, expanded prohibition to include likenesses of the seals of the President and Vice President, and added to the enumerated list of prohibited uses for likenesses of the great seal of the United States and for the seals of the President and Vice President, use in posters, public meetings, or on any building, monument, or stationery.

Subsecs. (b), (c). Pub.L. 91-651 added subsecs. (b) and (c).

Effective Date of 1971 Amendment. Section 3 of Pub.L. 91-651 provided that: "The amendments made by this Act [amending this section] shall not make unlawful any preexisting use of the design of the great seal of the United States or of the seals of the President or Vice President of the United States that was lawful on the date of enactment of this Act [Jan. 5, 1971], until one year after the date of such enactment."

Legislative History. For legislative history and purpose of Pub.L. 89-807, see 1966 U.S. Code Cong. and Adm. News, p. 4408. See, also, Pub.L. 91-651, 1970 U.S. Code Cong. and Adm. News, p. 5903.

EXECUTIVE ORDER NO. 11849

Feb. 16, 1972, 37 F.R. 3625, as amended by Ex.Ord.No.11916.
May 28, 1976, 41 F.R. 22031

REGULATIONS GOVERNING SEALS OF PRESIDENT AND
VICE PRESIDENT OF UNITED STATES

By virtue of the authority vested in me by section 713(b) of title 18, United States Code [subsec. (b) of this section], I hereby prescribe the following regulations governing the use of the Seals of the President and the Vice President of the United States:

Section 1. Except as otherwise provided by law, the knowing manufacture, reproduction, sale, or purchase for resale of the Seals or Coats of Arms of the President or the Vice President of the United States, or any likeness or substantial part thereof, shall be permitted only for the following uses:

(a) Use by the President or Vice President of the United States;

(b) Use in encyclopedias, dictionaries, books, journals, pamphlets, periodicals, or magazines incident to a description or history of seals, coats of arms, heraldry, or the Presidency or Vice Presidency;

(c) Use in libraries, museums, or educational facilities incident to descriptions or exhibits relating to seals, coats of arms, heraldry, or the Presidency or Vice Presidency;

(d) Use as an architectural embellishment in libraries, museums, or archives

established to house the papers or effects of former Presidents or Vice Presidents;

(e) Use on a monument to a former President or Vice President;

(f) Use by way of photographic or electronic visual reproduction in pictures, moving pictures, or telecasts of bona fide news content;

(g) Such other uses for exceptional historical, educational, or newsworthy purposes as may be authorized in writing by the Counsel to the President.

Sec. 2. The manufacture, reproduction, sale, or purchase for resale, either separately or appended to any article manufactured or sold, of the Seals of the President or Vice President, or any likeness or substantial part thereof, except as provided in this Order or as otherwise provided by law, is prohibited.

RICHARD NIXON

Library References

United States Code 5½.

C.J.S. United States § 8.

West's Federal Forms

Actions by United States or officers thereof, see §§ 1069 to 1072.

Preliminary injunctions and temporary restraining orders, matters pertaining to, see § 5271 et seq.

Sentence and fine, see § 7531 et seq.

§ 714. "Johnny Horizon" character or name

As used in this Act, the name or character "Johnny Horizon", means the representation of a tall, lean man, with strong facial features, who wears slacks and sport shirt buttoned to the collar (both green, when colored), no tie, a field jacket (red, when colored), boot-type shoes (brown, when colored) and who carries a backpack, which was originated by the Bureau of Land Management, United States Department of the Interior, as the official symbol for a public service antilitter program to maintain the beauty and utility of the Nation's public lands.

THE WHITE HOUSE

WASHINGTON

December 30, 1985

Dear Mr. McCaffrey:

Thank you for your letter of December 13. In that letter you described the plans of the U.S. Postal Service to issue a set of stamps honoring the first 35 Presidents, and to issue a book for collectors containing the stamps and additional background information on the Presidents. You requested approval to reproduce the Seal of the President on the cover of the book.

The permitted uses of the Seal are limited by law. Section 713 of Title 18 of the United States Code makes it a criminal offense to use the Seal, except in accord with regulations issued by the President. Those regulations are embodied in Executive Order 11649. Copies of the pertinent statute and Executive Order are enclosed for your information.

You will notice that the Executive Order permits use of the Seal in books or pamphlets incident to a description or history of the Presidency. In view of this provision, and recognizing the unique status of the U.S. Postal Service, I have no objection to your contemplated use of the Seal. Although the Seal may be used on the book cover, as described in your letter, it should not otherwise be used in promotional materials without the prior approval of this office.

I have enclosed a black and white and a color photograph of the Seal, as you requested. Thank you for your inquiry.

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. Terrence W. McCaffrey
United States Postal Service
475 L'Enfant Plaza, S.W.
Washington, D.C. 20260-3100

FFF:JGR:aea 12/30/85
bcc: FFFielding/JGRoberts/Subj/Chron

**WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

FEB 04

K → F

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

Name of Correspondent: Terrence McCaffrey

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

Subject: Use of Presidential Seal on Stamps

ROUTE TO:	ACTION	DISPOSITION
Agency (Short Name)	Action Code	Tracking Date YY/MM/DD
<u>CUHOLL</u>	<u>ORIGINATOR</u>	<u>8512116</u>
<u>CUAT18</u>	<u>D</u>	<u>8512173</u>

- ACTION CODES:**
- A - Appropriate Action
 - C - Comment/Recommendation
 - D - Draft Response
 - F - Furnish Fact Sheet to be used as Enclosure
 - I - Info Copy to the Action Secretary
 - IR - Direct Reply or Copy
 - S - For Signature
 - X - Interim Reply
- DISPOSITION CODES:**
- A - Answered
 - B - Non-Special Referral
 - C - Completed
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- 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, DEOB).
 Always return completed correspondence record to Central Files.
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.



370869 *cc*

UNITED STATES POSTAL SERVICE
Public and Employee Communications Department
475 L'Enfant Plaza, SW
Washington, DC 20260-3100

December 13, 1985

Mr. Fred Fielding
Office of Counsel to the President
The White House
Washington, DC 20500-0001

Dear Mr. Fielding:

This letter is in reference to obtaining permission to reproduce the official Presidential seal.

In May 1986, the U.S. Postal Service is issuing a unique series of stamps honoring the first thirty-five Presidents of the United States. These stamps will be grouped on four sheets, nine Presidents to a sheet, the thirty-sixth being the White House. The U.S. Postal Service is positioning these stamps as the premier issuance of 1986.

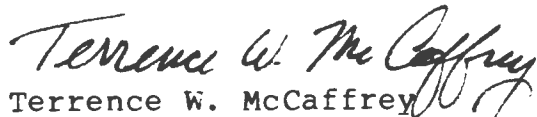
To emphasize the importance of these issuances, the Postal Service has chosen to produce a full-color, 28-page, soft cover book featuring the actual stamps, photos and background material on each President entitled "The Presidential Mint Set." This book will officially go on sale the opening day of AMERIPEX '86, the world's largest stamp exhibition. This prestigious show, hosted by the United States, featuring exhibitions from major countries around the world, will be held in Chicago, Illinois from May 22 through June 1, 1986. The Presidential Mint Set will become the only official U.S. souvenir of the AMERIPEX '86 show. Collectors from around the world will return home with this unique book on presidential history.

The contents of the book will feature interesting facts and anecdotes concerning the presidents. The visual material will consist mainly of memorabilia from the various campaigns and events of each presidency. To compliment this material it is felt that the official presidential seal would be the most appropriate design for the cover. It would be a very simple, classic design featuring only the seal and the title of the book.

We would very much appreciate obtaining your permission in reproducing the seal. I have already discussed this matter briefly with Mr. John Roberts of your staff. He has recommended that I send a detailed explanation of our needs to your attention. If permission is given, I will need to obtain a reproducible copy of the seal, both in black and white and color.

If you have any questions, you may contact me at 268-2194. I look forward to your response at your earliest possible convenience. Thank you in advance for your assistance.

Sincerely,




Terrence W. McCaffrey
Program Manager
Graphics & Design Division

THE WHITE HOUSE

WASHINGTON

January 23, 1986

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Requests Permission to Use
the Seal of the Vice President

The Minnesota Historical Society has asked for your written authorization to use the Seal of the Vice President on guides to the donated papers of former Vice President Mondale and other publications promoting scholarly use of the papers.

In my view, this qualifies as an "exceptional historical... purpose" that you may authorize under subsection 1(g) of Executive Order 11649. This was staffed to me for direct response, but under the Executive Order the written permission must be from the Counsel to the President. The attached draft for your signature grants permission, with appropriate limitations. The draft also responds to the statement in the incoming that permission was first sought in 1981, with no response. I caused a search to be made for this 1981 letter in Central Files and the Vice President's files, but we have no record of the incoming.

Attachment

THE WHITE HOUSE

WASHINGTON

January 24, 1986

Dear Mr. Fogerty:

Thank you for your letter requesting permission to use the Seal of the Vice President in connection with the papers of former Vice President Walter F. Mondale housed at the Minnesota Historical Society. I was troubled to learn from your letter that you first requested such permission in 1981, but received no response. I caused a search to be made of the White House files in an effort to locate the 1981 letter, and was advised that we have no record of having received it. In any event, I hope the delay in obtaining the necessary permission to use the Seal has not inconvenienced your work with the Mondale papers.

As you are aware, the permitted uses of the Seal of the Vice President are limited by 18 U.S.C. § 713. Among other things, that provision prohibits use of the Seal of the Vice President except in accordance with regulations promulgated by the President. The regulations are embodied in Executive Order 11649, as amended. Subsection 1(g) permits use of the Seal for "exceptional historical, educational, or newsworthy purposes as may be authorized in writing by the Counsel to the President."

You have requested permission to use the Seal of the Vice President "on the cover of published guides to the papers, on a flyer promoting research use of the papers, and in similar publications relating to the scholarly use of the papers." You have represented that you will not use the Seal in such a manner as to suggest sponsorship or approval by the Government of the United States, nor will you use the Seal in any profit-making activity. In light of the foregoing, I am pleased to authorize you to use the Seal of the Vice President for the limited purposes outlined above. Those purposes satisfy the exceptional historical and educational requirement of subsection 1(g) of the Executive Order. Should you desire to use the Seal for any purpose beyond those specified, it will be necessary to request additional permission.

- 2 -

Thank you for raising this matter with us, and best of luck with your important work.

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. James E. Fogerty
Deputy State Archivist
Minnesota Historical Society
1500 Mississippi Street
St. Paul, MN 55101

FFF:JGR:aea 1/24/86

cc: FFFielding
JGRoberts
Subj
Chron

FE004

WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

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

file later?

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

Name of Correspondent: Janner Fogerty

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

Subject: Requests permission to use V.P. Seal

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>CUTTOLL</u>	<u>CJ</u> <u>85/12/23</u>	<u>CJ</u> <u>1 1</u>
<u>cu Bakke</u>	<u>D CJ</u> <u>85/12/26</u>	<u>C 86/10/10</u>
<u>WAT 18</u>	<u>K</u> <u>86/10/10</u>	<u>S 86/10/10</u>

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FOUNDED IN 1849

MINNESOTA HISTORICAL SOCIETY

Research Center, 1500 Mississippi Street, St. Paul, Minnesota 55101 • (612) 296-6980

December 18, 1985

Counsel to the President
White House
Washington, D.C. 20500

371734 *cu*

Dear Counsel:

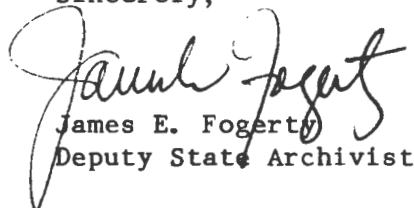
In accordance with Executive Order 11649 (February 16, 1972), "Regulations Governing the Seals of the President and the Vice President of the United States," the Minnesota Historical Society Division of Archives and Manuscripts would like to have written permission to use a copy of the Vice Presidential seal for an exceptional historical purpose (see Section 1 (g)).

The papers of Walter F. Mondale have been transferred to the Minnesota Historical Society. We are having labels for the 2,000 boxes of papers especially made, and we would like to use the Vice Presidential seal on the cover of published guides to the papers, on a flyer promoting research use of the papers, and in similar publications relating to the scholarly use of the papers.

We first requested this permission from your office in 1981, but received no response. We have already received permission for use of the seal as outlined above on the papers of Hubert H. Humphrey.

We are a nonprofit institution receiving most of our support from the State Legislature. We will not in any way be attempting to convey an impression that the U.S. government or any of its agencies is sponsoring or approving our activities, and we shall not use the proposed version of the seal in any profit-making activity.

Sincerely,


James E. Fogarty
Deputy State Archivist

JEF:gjh

Encl.

THE WHITE HOUSE

WASHINGTON

January 23, 1986

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As you are aware, the permitted uses of the Seal of the Vice President are limited by 18 U.S.C. § 713. Among other things, that provision prohibits use of the Seal of the Vice President except in accordance with regulations promulgated by the President. The regulations are embodied in Executive Order 11649, as amended. Subsection 1(g) permits use of the Seal for "exceptional historical, educational, or newsworthy purposes as may be authorized in writing by the Counsel to the President."

You have requested permission to use the Seal of the Vice President "on the cover of published guides to the papers, on a flyer promoting research use of the papers, and in similar publications relating to the scholarly use of the papers." You have represented that you will not use the Seal in such a manner as to suggest sponsorship or approval by the Government of the United States, nor will you use the Seal in any profit-making activity. In light of the foregoing, I am pleased to authorize you to use the Seal of the Vice President for the limited purposes outlined above. Those purposes satisfy the exceptional historical and educational requirement of subsection 1(g) of the Executive Order. Should you desire to use the Seal for any purpose beyond those specified, it will be necessary to request additional permission.

- 2 -

Thank you for raising this matter with us, and best of luck with your important work.

Sincerely,

Orig. signed by FFF

Fred F. Fielding
Counsel to the President

Mr. James E. Fogerty
Deputy State Archivist
Minnesota Historical Society
1500 Mississippi Street
St. Paul, MN 55101

FFF:JGR:aea 1/24/86

cc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

January 24, 1986

Dear Mr. Fogerty:

Thank you for your letter requesting permission to use the Seal of the Vice President in connection with the papers of former Vice President Walter F. Mondale housed at the Minnesota Historical Society. I was troubled to learn from your letter that you first requested such permission in 1981, but received no response. I caused a search to be made of the White House files in an effort to locate the 1981 letter, and was advised that we have no record of having received it. In any event, I hope the delay in obtaining the necessary permission to use the Seal has not inconvenienced your work with the Mondale papers.

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Thank you for raising this matter with us, and best of luck with your important work.

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. James E. Fogerty
Deputy State Archivist
Minnesota Historical Society
1500 Mississippi Street
St. Paul, MN 55101

FFF:JGR:aea 1/24/86
cc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

February 4, 1986

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS 

SUBJECT:

Request to Use Presidential Seal
on Cover of Report (Victims of Crime)

Assistant Attorney General Lois Herrington has asked for permission to use the Seal of the President on a report her Office of Justice Programs is preparing. The report will review the implementation of the recommendations of the President's Task Force on Victims of Crime, and will be presented to the President during Victims of Crime Week, April 20-26.

Our office approved Mrs. Herrington's request to use the Seal on the cover of the December 1982 report of the Task Force, which was chaired by Mrs. Herrington. Ms. Owen recently approved Mrs. Herrington's request of December 3, 1985 to use the Seal on various materials being prepared for a meeting of the President's Child Safety Partnership (correspondence attached).

This request, however, does not concern a Presidential task force, commission, or partnership, but rather a report prepared by an office within the Department of Justice. The only connection to the President is that the report is being presented to him, and that only because of the staging: there is no statutory requirement that there be a report to the President.

I recommend denying Mrs. Herrington's request, and have attached a memorandum for her accomplishing this.

Attachment

THE WHITE HOUSE

WASHINGTON

February 4, 1986

MEMORANDUM FOR LOIS HERRINGTON
ASSISTANT ATTORNEY GENERAL
OFFICE OF JUSTICE PROGRAMS
U.S. DEPARTMENT OF JUSTICE

FROM: FRED F. FIELDING **F3/RAH**
COUNSEL TO THE PRESIDENT

SUBJECT: Request to Use Presidential Seal
on Cover of Report (Victims of Crime)

Thank you for your letter of January 24, requesting permission to use the Seal of the President on a report prepared by your Office of Justice Programs on implementation of the recommendations of the President's Task Force on Victims of Crime. You advised that the report will be presented to the President during Victims of Crime Week, April 20-26.

I must decline to grant the permission you seek. You are aware that the permitted uses of the Seal are limited by law, 18 U.S.C. § 713, and by regulations issued pursuant to that statute and embodied in Executive Order 11649. Although the Executive Order authorizes the Counsel to the President to grant permission to use the Seal for "exceptional historical, educational, or newsworthy purposes," I have generally tried to limit use of the Seal within the Government to Presidential entities. Thus, for example, this office approved the use of the Seal on the final report of the President's Task Force on Victims of Crime, and recently approved your request to use the Seal on specified materials for the President's Child Safety Partnership. Your present request, however, concerns a report prepared by an office within the Department of Justice. The fact that the report is to be presented to the President is not sufficient.

Thank you for raising this matter with us. I trust you will appreciate the reasons for my response.

FFF:JGR:aea 2/4/86
cc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

February 4, 1986

MEMORANDUM FOR LOIS HERRINGTON
ASSISTANT ATTORNEY GENERAL
OFFICE OF JUSTICE PROGRAMS
U.S. DEPARTMENT OF JUSTICE

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Request to Use Presidential Seal
on Cover of Report (Victims of Crime)

Thank you for your letter of January 24, requesting permission to use the Seal of the President on a report prepared by your Office of Justice Programs on implementation of the recommendations of the President's Task Force on Victims of Crime. You advised that the report will be presented to the President during Victims of Crime Week, April 20-26.

I must decline to grant the permission you seek. You are aware that the permitted uses of the Seal are limited by law, 18 U.S.C. § 713, and by regulations issued pursuant to that statute and embodied in Executive Order 11649. Although the Executive Order authorizes the Counsel to the President to grant permission to use the Seal for "exceptional historical, educational, or news-worthy purposes," I have generally tried to limit use of the Seal within the Government to Presidential entities. Thus, for example, this office approved the use of the Seal on the final report of the President's Task Force on Victims of Crime, and recently approved your request to use the Seal on specified materials for the President's Child Safety Partnership. Your present request, however, concerns a report prepared by an office within the Department of Justice. The fact that the report is to be presented to the President is not sufficient.

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FFF:JGR:aea 2/4/86
cc: FFFielding
JGRoberts
Subj
Chron

WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

FE004
K check file
purs

- D - OUTGOING
- I - INTERNAL
- I - INCOMING

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

Name of Correspondent: Lois Harrington

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

Subject: Request to use Presidential Seal on cover of report (victims of crime)

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>CWHOLL</u>	<u>ORIGINATOR</u>	<u>86101129</u>			<u>1 1</u>
<u>Unit 18</u>	<u>D</u>	<u>86101130</u>		<u>S</u>	<u>86102110</u>
	Referral Note:				
	Referral Note:				
	Referral Note:				
	Referral Note:				
	Referral Note:				

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 - Suspected

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. Department of Justice

Office of Justice Programs

380205cu

Office of the Assistant Attorney General

Washington, D.C. 20531

JAN 24 1986

The Honorable Fred Fielding
Counsel to the President
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20050

Dear Fred:

Every year since 1981, President Reagan has proclaimed a Victim of Crime Week to draw national attention to the plight of victims and to the Administration's commitment to helping them. This year, the week beginning Sunday, April 20, has been designated as Victims of Crime Week. It may be commemorated at a special White House ceremony honoring selected victims who have made significant contributions to the victims movement.

The Office of Justice Programs is publishing a report to be presented to President Reagan during Victims of Crime Week. The document, tentatively titled, "The Task Force Report: Three Years Later," will detail progress to date on the implementation of the recommendations made by President Reagan's Task Force on Victims of Crime and other Federal efforts on behalf of crime victims. The final printed version will be approximately 100 pages long. Three hundred copies will be available at the ceremony.

We are requesting authorization, pursuant to Executive Order 11649 Section 1 (g) (as amended by Executive Order 11916), to use the Presidential Seal on the cover of this report. The Presidential Seal would be centered on the cover and the approved title of the report would be below it.

Sincerely,

Lois Haight Herrington
Assistant Attorney General

THE WHITE HOUSE

WASHINGTON

March 31, 1986

MEMORANDUM FOR DIANNA G. HOLLAND

FROM:

JOHN G. ROBERTS 

SUBJECT:

Proposal to Modify the Seal of the President

The attached items are letters of support for James R. Bird's proposal to change the legend surrounding the Seal of the President from "Seal of the President of the United States" to "Seal of the President of the United States of America." The writers have already received an acknowledgement from Andrew Card of Intergovernmental Affairs, and I do not think any further action is necessary. I have not seen anything from Bird himself, only these lobbying letters sending along copies of his brochure. I do not think Bird's proposal has merit, and would not recommend changing the Seal as he suggests.