



AMERICANS FOR LIMITED GOVERNMENT

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November 24, 2010

Robert F. Bauer
Assistant to the President and Counsel to the President
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. Bauer:

Recently, the Center for American Progress published a paper about executive orders in which the Seal of the President of the United States was prominently featured at:

http://www.americanprogress.org/issues/issues/2010/11/pdf/executive_orders.pdf

Pursuant to 18 U.S.C. 713(b), any person who, with certain exceptions, “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 under this title or imprisoned not more than six months, or both.”

Also, pursuant Section 1(g) of Executive Order 11649, exceptions can be granted by the White House Counsel for “Such other uses for exceptional historical, educational, or newsworthy purposes as may be authorized in writing by the Counsel to the President.”

As you are well aware, the rationale for restricting the use of the Seal is to prevent any suggestion of presidential support or endorsement of third-party messages. However, as exceptions are provided for pursuant to Executive Order 11649, we would like to know if such an exception has been granted in this case.

Did you authorize the reproduction of the Seal of the President of the United States in the Center for American Progress November 2010 publication, “The Power of the President: Recommendations to Advance Progressive Change”?

Sincerely,

William A. “Bill” Wilson
President
Americans for Limited Government

CC: House Speaker Nancy Pelosi, Senate Majority Leader Harry Reid, House Republican Leader John Boehner, and Senate Minority Leader Mitch McConnell