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MEMORANDUM
OF CALL

Previous editions usable

TO:

CUAT 18

☒ YOU WERE CALLED BY-- ☐ YOU WERE VISITED BY--

Joe Onak

OF (Organization)

deputy Counsel under Carter

☒ PLEASE PHONE ☐ FTS ☐ AUTOVON

775-0184

☐ WILL CALL AGAIN ☐ IS WAITING TO SEE YOU

☐ RETURNED YOUR CALL ☐ WISHES AN APPOINTMENT

MESSAGE

limitations
in using pictures
of WH for commercial
purposes.

RECEIVED BY

NLB

DATE

3-14

TIME

9 am

63-110 NSN 7540-00-634-4018 STANDARD FORM 63 (Rev. 8-81)

GPO : 1984 O - 430-306

Prescribed by GSA
FPMR (41 CFR) 101-11.6

REFERENCES TO FEDERAL BUILDINGS

Office of the Counsel to the President

- 235 Following is a statement on references to the White House in advertising provided by the Office of the Counsel to the President November 1984.

REFERENCES TO THE WHITE HOUSE IN ADVERTISING

Neither the name nor the photograph or likeness of the White House should be used in advertising in any way that would suggest an endorsement or approval. If asked, the Counsel to the President would decline to give authorization for such use.

For additional guidance, contact the Office of the Counsel to the President, the White House, Washington, D.C. 20500; telephone (202) 456-1414. [End of text]

Office of the Architect of the Capitol

- 235a Following is a statement on references to the Capitol and other congressional buildings provided by the Office of the Architect of the Capitol November 1984.

POLICY STATEMENT OF THE OFFICE OF THE ARCHITECT OF THE CAPITOL

Neither the name nor the photograph or likeness of the Capitol or other congressional buildings should be used in any advertising whatsoever. If asked, the Architect of the Capitol would decline to give authorization for such use.

Inquiries may be addressed to the Office of the Architect, U.S. Capitol Building, Washington, D.C. 20515; (202) 225-1200. [End of text]

National Park Service

- 235b The National Park Service, a bureau of the Department of the Interior, manages national park areas and historic properties throughout the country; use of properties under Park Service management in advertising is generally permissible. Those who want access for commercial purposes should contact the Office of Public Affairs, National Park Service, Department of the Interior, Washington, D.C. 20240; telephone (202) 343-6843 or (202) 343-7394.

Use of Historic Sites and National Monuments

Following is a statement on commercial use of historic sites and national monuments provided by the National Park Service June 1984.

COMMERCIAL USE OF NATIONAL HISTORIC SITES, MONUMENTS, OR MEMORIALS

While the use of buildings under management of the Park Service is generally permissible, written permit for commercial filming is required. The prospective advertisers or their agents should contact the Service's Office of Public Affairs at the address [listed above] to ar-

range shooting schedules compatible with visitors' needs and protection of park resources.

The Park Service encourages the portrayal of historic properties and national symbols in an appropriate manner. The Park Service manages a wide range of properties throughout the nation, including the Statue of Liberty, Mt. Rushmore, the Gateway Arch in St. Louis, and major monuments in Washington, D.C. Both the National Park Service and the Counsel to the President discourage the use of the White House in any form of commercial advertising. [End of text]

Federal Trade Commission

In a number of cases, the Federal Trade Commission (FTC) has ruled against advertising where there has been a stated or implied government approval or endorsement of a product or service. Unless there is a misleading representation of government endorsement or approval, FTC does not challenge representations of federal buildings in advertising.

General Services Administration

The General Services Administration (GSA) establishes policy for and manages government buildings. Such buildings usually are identified by a GSA lobby plaque; federal office buildings and courthouses across the country are examples of GSA properties.

GSA additionally is responsible for the operation and maintenance of the White House East and West Wings and the Old Executive Office Building; here GSA adheres to the policies established by the Park Service and the Counsel to the President. Additional information about GSA policies may be obtained from the agency's Public Information Office, GSA, Washington, D.C. 20405; telephone (202) 566-1231.

GSA Rules for Commercial Advertising

Printed below is the text of the Federal Property Management Regulations pertaining to the distribution of commercial advertising on GSA-controlled property and to on-site photography for commercial purposes. Under the rules, on-site photographs for advertising or commercial purposes may be taken with advance approval of the agency "occupying the space where the photographs are to be taken."

PUBLIC BUILDINGS AND GROUNDS (41 CFR 101-20.308 published at 46 FR 3525, Jan. 15, 1981; 41 CFR 101-20.310 published at 43 FR 29002, July 5, 1978)

§ 101-20.308 Soliciting, vending, and debt collection

Soliciting alms, commercial or political soliciting, and vending of all kinds, displaying or distributing commercial advertising or collecting private debts on GSA-controlled property is prohibited. This rule does not apply to (a) national or local drives for funds for welfare, health, or other purposes as authorized by the "Manual on Fund Raising Within the Federal Service," issued by

- 235d the U.S. Office of Personnel Management under Executive Order 10927 of March 18, 1961, and sponsored or approved by the occupant agencies; (b) concessions or personal notices posted by employees on authorized bulletin boards; (c) solicitation of labor organization membership or dues authorized by occupant agencies under the Civil Service Reform Act of 1978 (Public Law 95-454); and (d) a lessee, or its agents and employees, with respect to space leased for commercial, cultural, educational, or recreational use under the Public Buildings Cooperative Use Act of 1976 (Title 40, U.S. Code 490(a)(16)). Public areas of GSA-controlled property may be used for other activities permitted in accordance with Subpart 101-20.7.

§ 101-20.310 Photographs for news, advertising, or commercial purposes

Photographs may be taken in space occupied by a tenant agency only with the consent of the occupying agency concerned. Except where security regulations apply or a Federal court order or rule prohibits it, photographs for news purposes may be taken in entrances, lobbies, foyers, corridors or auditoriums when used for public meetings. Subject to the foregoing prohibitions, photographs for advertising and commercial purposes may be taken only with written permission of an authorized official of the agency occupying the space where the photographs are to be taken. [End of text]

USE OF THE NAME OR LIKENESS OF THE PRESIDENT OF THE UNITED STATES

Use of the President's Name or Likeness

- 236 President Reagan is adhering to a long-standing policy of refusing permission to use the name or likeness of the President of the United States, or of the First Lady, in advertising or commercial promotion in any way that suggests a connection between the President or First Lady and such advertising or promotion, notwithstanding the merits or reasons that accompany the request. The reproduction of the President's or First Lady's name or likeness for sale as such, or inclusion in an educational game, book, collection of portraits and/or biographies shall not be considered advertising or promotion if there is no indication or suggestion of endorsement or approval by the President or First Lady of a commercial product, service or enterprise.

The Counsel to the President has advised the Council of Better Business Bureaus, Inc. (CBBB) that exceptions to this rule, which has been adhered to by all Presidents, can be granted only after a request in writing has been submitted to and approved by the Counsel to the President.

The policy applies with equal force to the use of the name or likeness of the President, or of the First Lady, for any promotion or similar publicity purposes. The only instances where permission has been granted have been in connection with fund-raising campaigns sponsored by the Federal Government, or conducted under government auspices, such as those of the American National Red Cross. Even to such organizations, no overall permission is granted. Each individual case must be brought to the attention of the White House for approval and such exceptional cases could be considered only on their individual merits.

Exception may also be made with respect to advertisements promoting books or articles about the President authored by him or radio-TV programs featuring him, but only if such advertisements are submitted to the Counsel to the President for approval in advance.

This procedure must also be followed in connection with similar advertisements proposing to make use of the name or likeness of the First Lady. (See also 2-394 and 16-415.)

For additional guidance, contact the Office of the Counsel to the President, the White House, Washington, D.C. 20500; telephone (202) 456-1414.

Use of the Presidential Seal

It is not permissible to use the Seal of the President of the United States in advertising copy. The Presidential Seal may be used only as authorized by Federal statute or by the Counsel to the President. 18 U.S.C. § 713 and Executive Order No. 11649 (1972).

Use of the Vice President's Name or Likeness

Counsel to Vice President Bush has informed the Council of Better Business Bureaus that the Vice President and his family would ask that their names and likenesses not be used for advertising commercial enterprises. The Vice President has adopted exactly the same policy on use of his or his family name or likeness as maintained by the President.

Council of Better Business Bureaus' Recommendations

The Council of Better Business Bureaus recommends to advertisers and advertising agencies that if any use of the President's or Vice President's name or likeness, or those of their families, office or staff, or of the Presidential Seal, is contemplated for advertising or commercial purposes, it be submitted in advance to the Counsel to the President or Vice President for approval.

CBBB recommends to media that they require all advertisers offering advertising which uses the name or likenesses of the President, Vice President, their offices, seals or staff, or members of their families, to submit evidence of authorization of such use.

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