

February 3, 1991

Mr. David Miner  
Chairman, Americans for a Balanced Budget  
Washington, D.C. 20069-1086

Re: NCUA Logo

Dear Mr. Miner:

This letter is to follow-up on the January 14, 1990 telephone conversation you had with one of our staff attorneys. As you know, your solicitation concerning the budget deficit (see enclosure) contains two facsimile checks that feature the National Credit Union Administration's (NCUA) logo, as well as a version of the NCUA sign containing the NCUA logo.

Use of the NCUA logo in this manner violates federal law. 18 U.S.C. ~701 states in part that:

Whoever manufactures, sells, or possess any badge, identification card, or other insignia, of the design prescribed by the head of any department or agency of the United States for use by any officer or employee thereof . . . except as authorized under regulations made pursuant to law, shall be fined not more than \$250 or imprisoned not more than six months, or both.

Furthermore, 18 U.S.C. ~709 provides, among other things, that whoever falsely advertises or represents that a business, product, or service has been in any way endorsed, authorized or approved by NCUA shall be fined or imprisoned or both. The use of the logo in your solicitation may be viewed as a quasi-endorsement of your message by NCUA. In a January 17 conversation with one of our staff attorneys, Colin Chapman of your office stated that no further solicitations containing the NCUA logo will be mailed. We appreciate your cooperation in this matter.

Sincerely,

Hattie M. Ulan  
Associate General Counsel Enclosure

GC/MM:sg  
SSIC 3000  
91-0102

February 3, 1991

Frederic W. Airy  
President Common Bond Communications, Inc.  
Box 251  
Albuquerque, New Mexico 87103

Re: Americans for a Balanced Budget Solicitation

Dear Mr. Airy:

Enclosed is a copy of our letter to David Miner, Chairman of Americans for a Balanced Budget. As you can

see by the letter, his organization agreed to cease using the NCUA logo in its solicitations. Thank you for bringing this matter to our attention.

Sincerely,

HATTIE M. ULAN Associate General Counsel

Enclosure

GC/MM:sg  
SSIC 91-0102  
91-0102