

March 6, 2018

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John P. Cronan  
Acting Assistant Attorney General  
U.S. Department of Justice, Criminal Division  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

**Re: Request for Criminal Investigation into Violation of 18 U.S.C. § 713**

Mr. Cronan:

According to publicly available images and news sources,<sup>1</sup> the Trump Organization has violated federal law by knowingly reproducing the presidential seal, in order to convey a false impression of sponsorship or approval of the federal government in connection with the Trump brand.<sup>2</sup> Pursuant to 18 U.S.C. § 713, we request an immediate criminal investigation into the Trump Organization for the blatant violations described herein.

As reported by ProPublica, “the Trump Organization has ordered the manufacture of new tee markers for golf courses that are emblazoned with the seal of the president of the United States.”<sup>3</sup> The report goes on to confirm that “Eagle Sign and Design, a metalworking and sign company... received an order to manufacture dozens of round, 12-inch replicas of the presidential seal to be placed next to the tee boxes at Trump golf course holes.”<sup>4</sup> According to the owner of Eagle Sign, “[w]e made the design, and the client confirmed the design.”<sup>5</sup> After reportedly reviewing the order form for the tee markers, ProPublica identified the client who placed the order as “Trump International.”<sup>6</sup> ProPublica also obtained a photograph of the tee markers produced by Eagle Signs—all of which prominently and exclusively display the presidential seal—which is attached hereto as Exhibit A.<sup>7</sup>

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<sup>1</sup> Katherine Sullivan, *‘Trump, Inc.’ Podcast Extra: The Trump Organization Ordered Golf Course Markers With the Presidential Seal. That May Be Illegal*, ProPublica (Mar. 5, 2018), available at <https://www.propublica.org/article/trump-inc-podcast-extra-the-trump-organization-ordered-golf-course-markers-with-the-presidential-seal-that-may-be-illegal>; see also Exhibit A, Image of Presidential Seal Tee Markers Produced at Request of President.

<sup>2</sup> 18 U.S.C. § 713(a).

<sup>3</sup> Sullivan, *supra* note 1.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> Sullivan, *supra* note 1.

<sup>7</sup> Exhibit A, Image of Presidential Seal Tee Markers Produced by Private Company at Request of President.

Such conduct is strictly and explicitly prohibited by federal law: no person may knowingly display the presidential seal or “any facsimile thereof” in connection with any advertisement, publication, monument, stationary, or on any building, “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.”<sup>8</sup>

Here, the Trump Organization has done what is expressly prohibited by 18 U.S.C. § 713(a). By directing a company to reproduce copies of the presidential seal onto tee markers for its golf courses, the Trump Organization is not only using the presidential seal for a commercial purpose, it has literally created a “facsimile” of the presidential seal to display on its property in direct violation of the law.<sup>9</sup> Moreover, the Trump Organization has clearly presented the seals in a manner reasonably calculated to convey a false impression of sponsorship of its golf courses — tee markers are “placed on the ground at the start of a hole...to indicate where golfers should stand to take their first swing” meaning that Trump Organization patrons will be surrounded by presidential seals throughout their time on a golf course.<sup>10</sup> Any reasonable person would interpret the use of the presidential seal in this manner and frequency to mean the federal government or the Office of the President has sponsored the golf course.

The law requires that a knowing violation of this provision result in a fine or imprisonment of up to six months, or both.<sup>11</sup> In this instance, such a brazen violation of federal law must be promptly investigated and should result in the maximum penalty permitted by law.

Thank you for your prompt attention to this matter.

Sincerely,



Brad Woodhouse  
American Democracy Legal Fund

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<sup>8</sup> 18 U.S.C. § 713(a).

<sup>9</sup> *Id.*

<sup>10</sup> Sullivan, *supra* note 1.

<sup>11</sup> *Id.*

**EXHIBIT A**

**Image of Tee Markers with Presidential Seal Produced at Request of President**

