

By virtue to the authority vested in me by section 713(b) of title 18, United States Code, 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.

**[§ 714. Repealed. Pub. L. 97-258, § 2(d)(1)(B), Sept. 13, 1982, 96 Stat. 1058]**

Section, added Pub. L. 91-419, § 3, Sept. 25, 1970, 84 Stat. 870, defined “Johnny Horizon” for purposes of Pub. L. 91-419.

**[§ 715. Repealed. Pub. L. 116-260, div. O, title X, § 1002(7), Dec. 27, 2020, 134 Stat. 2155]**

Section, added Pub. L. 92-347, § 3(b), July 11, 1972, 86 Stat. 461; amended Pub. L. 103-322, title XXXIII, § 330016(1)(E), Sept. 13, 1994, 108 Stat. 2146, penalized unauthorized use of “The Golden Eagle Insignia”.

**§ 716. Public employee insignia and uniform**

(a) Whoever—

(1) knowingly transfers, transports, or receives, in interstate or foreign commerce, a counterfeit official insignia or uniform;

(2) knowingly transfers, in interstate or foreign commerce, a genuine official insignia or uniform to an individual, knowing that such individual is not authorized to possess it under the law of the place in which the badge is the official official<sup>1</sup> insignia or uniform;

(3) knowingly receives a genuine official insignia or uniform in a transfer prohibited by paragraph (2); or

(4) being a person not authorized to possess a genuine official insignia or uniform under the law of the place in which the badge is the official official<sup>1</sup> insignia or uniform, knowingly transports that badge in interstate or foreign commerce,

shall be fined under this title or imprisoned not more than 6 months, or both.

(b) It is a defense to a prosecution under this section that the insignia or uniform is other than a counterfeit insignia or uniform and is not used to mislead or deceive, or is used or is intended to be used exclusively—

(1) as a memento, or in a collection or exhibit;

(2) for decorative purposes;

(3) for a dramatic presentation, such as a theatrical, film, or television production; or

(4) for any other recreational purpose.

(c) As used in this section—

(1) the term “genuine police badge” means an official badge issued by public authority to identify an individual as a law enforcement officer having police powers;

(2) the term “counterfeit police badge” means an item that so resembles a police badge that it would deceive an ordinary individual into believing it was a genuine police badge; and<sup>2</sup>

(3) the term “official insignia or uniform” means an article of distinctive clothing or insignia, including a badge, emblem or identification card, that is an indicium of the authority of a public employee;

(4) the term “public employee” means any officer or employee of the Federal Government or of a State or local government; and

(5) the term “uniform” means distinctive clothing or other items of dress, whether real or counterfeit, worn during the performance of official duties and which identifies the wearer as a public agency employee.

(d) It is a defense to a prosecution under this section that the official insignia or uniform is not used or intended to be used to mislead or deceive, or is a counterfeit insignia or uniform and is used or is intended to be used exclusively—

(1) for a dramatic presentation, such as a theatrical, film, or television production; or

(2) for legitimate law enforcement purposes.

(Added Pub. L. 106-547, § 3(a), Dec. 19, 2000, 114 Stat. 2739; amended Pub. L. 109-162, title XI, § 1191(a), Jan. 5, 2006, 119 Stat. 3128.)

**Editorial Notes**

**AMENDMENTS**

2006—Pub. L. 109-162, § 1191(a)(6), substituted “Public employee insignia and uniform” for “Police badges” in section catchline.

Subsec. (a)(1). Pub. L. 109-162, § 1191(a)(1), substituted “official insignia or uniform” for “police badge”.

Subsec. (a)(2). Pub. L. 109-162, § 1191(a)(1), (2), substituted “official insignia or uniform to” for “police badge to” and “official insignia or uniform;” for “badge of the police;”.

Subsec. (a)(3). Pub. L. 109-162, § 1191(a)(1), substituted “official insignia or uniform” for “police badge”.

Subsec. (a)(4). Pub. L. 109-162, § 1191(a)(1), (2), substituted “official insignia or uniform under” for “police badge under” and “official insignia or uniform;” for “badge of the police;”.

Subsec. (b). Pub. L. 109-162, § 1191(a)(3)(C), which directed the insertion of “is not used to mislead or deceive, or” before “is used or intended” was executed by making the insertion before “is used or is intended”, to reflect the probable intent of Congress.

<sup>1</sup> So in original.

<sup>2</sup> So in original. The word “and” probably should not appear.