

POLICY ON THE CREATION OF NEW DHS ORGANIZATIONAL SEALS AND PROGRAM IDENTITIES

I. Purpose

This Directive establishes Department of Homeland Security (DHS) policy on the creation, development, procurement, design, or production of new DHS Component and sub-Component organizational Seals, including the use of the DHS Seal. This Directive also clarifies the process for the development of Program Identities for DHS programs.

II. Scope.

A. This Directive applies to all DHS Components, and supplements DHS Management Directive 123-06, Use of the Department of Homeland Security Seal.

B. This Directive applies to the creation and use of public-facing and non-public-facing organizational Seals and Program Identities.

C. This Directive does not affect the development of Seals required by statute; however, DHS Elements are required to adhere to existing DHS branding guidelines, available at <http://dhsconnect.dhs.gov/library/brandprog/Pages/default.aspx>.

D. This Directive does not apply to United States Coast Guard heraldry development.

III. Authority.

A. Delegation No. 2001 to the Assistant Secretary for Public Affairs, dated May 7, 2012.

B. Delegation No. 0440.2 to the Office of the General Counsel, dated September 14, 2004.

C. Delegation No. 10001, Rev. 01, to the Under Secretary for Science and Technology, dated April 20, 2014.

D. Management Directive No. 012-01, Intellectual Property, dated April 1, 2010.

E. Management Directive 123-06, Use of the Department of Homeland Security Seal, dated April 2, 2013.

IV. Definitions.

A. “Seal,” as used in this Directive, means an organizational identity, such as the DHS Seal and any existing or proposed Seal of any DHS Component, sub-Component, or office.

B. “Program Identity(ies),” as used in this Directive, means words or graphics that associate a particular initiative or program of a DHS Component, sub-Component, or office within DHS. Program Identities are trademarks. They are often referred to as “logos” and include all manner of marks that can be registered with the U.S. Patent and Trademark Office, pursuant to 15 U.S.C. §§ 1051-1072, §§ 1091-1096, and §§ 1111-1129.

C. The DHS Seal and the organizational Seal of any DHS Component, sub-Component, or office are not Program Identities, whether or not registered with the U.S. Patent and Trademark Office.

V. Policy and Requirements.

A. New DHS Organizational Seals.

1. No DHS Component, sub-Component, or office shall design, procure the design of, or produce materials displaying an organizational Seal, other than those recognized by the DHS Office of Public Affairs as of the date of this Directive, without consultation with and approval of the DHS Office of Public Affairs.

2. The DHS Seal or other organizational Seals may be used in multi-agency or public-private partnership programs only with the approval of the DHS Office of Public Affairs.

3. Any request to the Office of Public Affairs for a DHS organizational Component to develop a Seal must include a discussion of whether the Seal would be developed under a contract. In general, use of a contractor is not acceptable; however, use of a contractor may be acceptable if Component resources or capabilities are limited. This sub-paragraph does not apply to the OIG who may apply directly to the Secretary for a waiver.

4. Each DHS Component will create and maintain a record of DHS-approved Seals for the Component, its sub-Components, and its offices.

B. Program Identities.


1. DHS Components, sub-Components, or offices may, with the advice and counsel of the Office of General Counsel (OGC), specifically the Assistant General Counsel for Intellectual Property, create Program Identities for DHS programs, whether trademarks, certification marks, service marks, word marks, or graphics. Program Identities offer valuable protection for DHS interests in its public-facing programs.

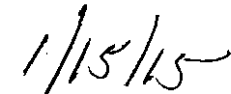
2. A Component, sub-Component, or office shall submit its proposed Program Identity to the DHS Office of Public Affairs for comment after initial consultation with OGC and prior to OGC's performing its analysis of the proposed Program Identity. The DHS Office of Public Affairs will complete its review within ten (10) working days.

3. Each DHS Component will create and maintain a record of DHS-claimed Program Identities for the Component, its sub-Components, and its offices.

VI. Questions.

Address any questions concerning this Directive as it applies to organizational Seals to the DHS Office of Public Affairs. Address any questions concerning this Directive as it applies to Program Identities to the Assistant General Counsel for Intellectual Property within the OGC Office of the Associate General Counsel for Technology Programs.


Chris Fulghum
Acting Deputy Under Secretary for Management


Date