

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by section 604(b)(19), (41) of Pub. L. 104-294 effective Sept. 13, 1994, see section 604(d) of Pub. L. 104-294, set out as a note under section 13 of this title.

EFFECTIVE DATE OF 1994 AMENDMENT

Pub. L. 103-322, title XXXII, § 320911(b), Sept. 13, 1994, 108 Stat. 2128, provided that: “The amendment made by subsection (a) [amending this section] shall become effective on the date that is 90 days after the date of enactment of this Act [Sept. 13, 1994].”

EFFECTIVE DATE OF 1988 AMENDMENT

Pub. L. 100-690, title VII, § 7079(b), Nov. 18, 1988, 102 Stat. 4406, provided that: “This section [amending this section] shall take effect 90 days after the date of enactment of this Act [Nov. 18, 1988].”

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-630 effective Oct. 1, 1979, see section 1806 of Pub. L. 95-630, set out as an Effective Date note under section 1795 of Title 12, Banks and Banking.

EFFECTIVE DATE OF 1968 AMENDMENT

Amendment by Pub. L. 90-448 effective from and after a date, no more than 120 days following Aug. 1, 1968, as established by the Secretary of Housing and Urban Development, see section 808 of Pub. L. 90-448, set out as an Effective Date note under section 1716b of Title 12, Banks and Banking.

EFFECTIVE DATE OF 1950 AMENDMENT

Act Sept. 21, 1950, ch. 967, § 3(b), 64 Stat. 894, provided that: “The amendment made by subsection (a) of this section [amending this section] shall become effective on January 1, 1951.”

TRANSFER OF FUNCTIONS

For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, including the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 381, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

Functions, powers, and duties of Housing and Home Finance Agency, Federal Housing Administration, and Public Housing Authority transferred to Secretary of Housing and Urban Development who was authorized to delegate such functions, powers, and duties to such officers and employees of Department of Housing and Urban Development as the Secretary may designate, see sections 3534 and 3535 of Title 42, The Public Health and Welfare.

United States Housing Authority consolidated with other agencies into Housing and Home Finance Agency and name of Authority changed to Public Housing Administration by Reorg. Plan No. 3 of 1947, eff. July 27, 1947, 12 F.R. 4981, 61 Stat. 954, set out in the Appendix to Title 5, Government Organization and Employees.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

For creation, succession, and principal office, see section 1717 of Title 12, Banks and Banking.

§ 710. Cremation urns for military use

Whoever knowingly uses, manufactures, or sells any cremation urn of a design approved by the Secretary of Defense for use to retain the cremated remains of deceased members of the armed forces or an urn which is a colorable imitation of the approved design, except when au-

thorized under regulation made pursuant to law, shall be fined under this title or imprisoned for not more than six months, or both.

(Added Sept. 28, 1950, ch. 1092, § 1(b), 64 Stat. 1077; amended Pub. L. 103-322, title XXXIII, § 330016(1)(E), Sept. 13, 1994, 108 Stat. 2146.)

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$250”.

§ 711. “Smokey Bear” character or name

Whoever, except as authorized under rules and regulations issued by the Secretary of Agriculture after consultation with the Association of State Foresters and the Advertising Council, knowingly and for profit manufactures, reproduces, or uses the character “Smokey Bear”, originated by the Forest Service, United States Department of Agriculture, in cooperation with the Association of State Foresters and the Advertising Council for use in public information concerning the prevention of forest fires, or any facsimile thereof, or the name “Smokey Bear” shall be fined under this title or imprisoned not more than six months, or both.

(Added May 23, 1952, ch. 327, § 1, 66 Stat. 92; amended Pub. L. 93-318, § 5, June 22, 1974, 88 Stat. 245; Pub. L. 103-322, title XXXIII, § 330004(4), 330016(1)(E), Sept. 13, 1994, 108 Stat. 2141, 2146.)

AMENDMENTS

1994—Pub. L. 103-322, § 330016(1)(E), substituted “fined under this title” for “fined not more than \$250”.

Pub. L. 103-322, § 330004(4), struck out last par. which read as follows: “The Secretary of Agriculture may specially authorize the manufacture, reproduction, or use of the character ‘Smokey Bear’ for a period not to exceed one hundred and eighty days, expiring no later than one year after the enactment hereof, by any person who, because of plans or commitments made prior to the enactment of this Act, would suffer substantial loss if denied such authorization.”

1974—Pub. L. 93-318 inserted “and for profit” after “knowingly” and struck out “as a trade name or in such manner as suggests the character ‘Smokey Bear’” after “facsimile thereof, or the name ‘Smokey Bear’”.

DEPOSIT OF FEES; AVAILABILITY

Deposit of fees collected under regulations governing “Smokey Bear” and availability for use, see section 580p-2 of Title 16, Conservation.

§ 711a. “Woodsy Owl” character, name, or slogan

Whoever, except as authorized under rules and regulations issued by the Secretary, knowingly and for profit manufactures, reproduces, or uses the character “Woodsy Owl”, the name “Woodsy Owl”, or the associated slogan, “Give a Hoot, Don’t Pollute” shall be fined under this title or imprisoned not more than six months, or both.

(Added Pub. L. 93-318, § 6, June 22, 1974, 88 Stat. 245; amended Pub. L. 103-322, title XXXIII, § 330016(1)(E), Sept. 13, 1994, 108 Stat. 2146.)

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$250”.

DESCRIPTION OF “WOODSY OWL” CHARACTER

For description of character of “Woodsy Owl” as referred to in this section, see section 580p of Title 16, Conservation.

§ 712. Misuse of names, words, emblems, or insignia

Whoever, in the course of collecting or aiding in the collection of private debts or obligations, or being engaged in furnishing private police, investigation, or other private detective services, uses or employs in any communication, correspondence, notice, advertisement, or circular the words “national”, “Federal”, or “United States”, the initials “U.S.”, or any emblem, insignia, or name, for the purpose of conveying and in a manner reasonably calculated to convey the false impression that such communication is from a department, agency, bureau, or instrumentality of the United States or in any manner represents the United States, shall be fined under this title or imprisoned not more than one year, or both.

(Added Pub. L. 86-291, §1, Sept. 21, 1959, 73 Stat. 570; amended Pub. L. 93-147, §1(a), Nov. 3, 1973, 87 Stat. 554; Pub. L. 103-322, title XXXIII, §330016(1)(H), Sept. 13, 1994, 108 Stat. 2147.)

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$1,000”.

1973—Pub. L. 93-147 substituted “Misuse of names, words, emblems, or insignia” for “Misuse of names by collecting agencies or private detective agencies to indicate Federal agency” in section catchline and substituted “in the course” and “such communication is from a department” for “being engaged in the business” and “such business is a department” respectively, and struck out “as part of the firm name of such business,” after “detective services, uses”.

EFFECTIVE DATE

Pub. L. 86-291, §2, Sept. 21, 1959, 73 Stat. 570, provided that: “The provisions of this section [enacting this section] shall become effective sixty days from the enactment thereof [Sept. 21, 1959].”

§ 713. Use of likenesses of the great seal of the United States, the seals of the President and Vice President, the seal of the United States Senate, the seal of the United States House of Representatives, and the seal of the United States Congress

(a) Whoever knowingly displays any printed or other likeness of the great seal of the United States, or of the seals of the President or the Vice President of the United States, or the seal of the United States Senate, or the seal of the United States House of Representatives, or the seal of the United States Congress, or any facsimile thereof, in, or in connection with, any advertisement, poster, circular, book, pamphlet, or other publication, public meeting, play, motion picture, telecast, or other production, or on any building, monument, or stationery, 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 or by any department, agency, or instrumentality thereof, shall be fined under this title or imprisoned not more than six months, or both.

(b) Whoever, except as authorized under regulations promulgated by the President and published in the Federal Register, knowingly manufactures, reproduces, sells, or purchases for re-

sale, either separately or appended to any article manufactured or sold, any likeness of the seals of the President or Vice President, or any substantial part thereof, except for manufacture or sale of the article for the official use of the Government of the United States, shall be fined under this title or imprisoned not more than six months, or both.

(c) Whoever, except as directed by the United States Senate, or the Secretary of the Senate on its behalf, knowingly uses, manufactures, reproduces, sells or purchases for resale, either separately or appended to any article manufactured or sold, any likeness of the seal of the United States Senate, or any substantial part thereof, except for manufacture or sale of the article for the official use of the Government of the United States, shall be fined under this title or imprisoned not more than six months, or both.

(d) Whoever, except as directed by the United States House of Representatives, or the Clerk of the House of Representatives on its behalf, knowingly uses, manufactures, reproduces, sells or purchases for resale, either separately or appended to any article manufactured or sold, any likeness of the seal of the United States House of Representatives, or any substantial part thereof, except for manufacture or sale of the article for the official use of the Government of the United States, shall be fined under this title or imprisoned not more than six months, or both.

(e) Whoever, except as directed by the United States Congress, or the Secretary of the Senate and the Clerk of the House of Representatives, acting jointly on its behalf, knowingly uses, manufactures, reproduces, sells or purchases for resale, either separately or appended to any article manufactured or sold, any likeness of the seal of the United States Congress, or any substantial part thereof, except for manufacture or sale of the article for the official use of the Government of the United States, shall be fined under this title or imprisoned not more than six months, or both.

(f) A violation of the provisions of this section may be enjoined at the suit of the Attorney General,

(1) in the case of the great seal of the United States and the seals of the President and Vice President, upon complaint by any authorized representative of any department or agency of the United States;

(2) in the case of the seal of the United States Senate, upon complaint by the Secretary of the Senate;

(3) in the case of the seal of the United States House of Representatives, upon complaint by the Clerk of the House of Representatives; and

(4) in the case of the seal of the United States Congress, upon complaint by the Secretary of the Senate and the Clerk of the House of Representatives, acting jointly.

(Added Pub. L. 89-807, §1(a), Nov. 11, 1966, 80 Stat. 1525; amended Pub. L. 91-651, §1, Jan. 5, 1971, 84 Stat. 1940; Pub. L. 102-229, title II, §210(a)-(d), Dec. 12, 1991, 105 Stat. 1717; Pub. L. 103-322, title XXXIII, §330016(1)(E), Sept. 13, 1994, 108 Stat. 2146; Pub. L. 105-55, title III, §308(a)-(d), Oct. 7, 1997, 111 Stat. 1198.)