

45-day review draft. Send comments to [Chick\\_Fagan@nps.gov](mailto:Chick_Fagan@nps.gov) by May 24, 2012.

## DIRECTOR'S ORDER #52D: USE OF THE ARROWHEAD SYMBOL

Approved: \_\_\_\_\_  
Director

Effective Date: \_\_\_\_\_

**Sunset Date:** This Order will remain in effect until amended or rescinded

This Director's Order supersedes Special Directive 93-7, and any conflicting policies, procedures, or instructions pertaining to the use of the trademarked National Park Service Arrowhead symbol.

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### 1.0 Purpose and Objectives

The purpose of this Director's Order is to update the policies, procedures, and requirements that govern the use of the National Park Service<sup>1</sup> Arrowhead symbol<sup>2</sup> (Arrowhead). The use of the Arrowhead is governed by law and regulation and must meet criteria established by Servicewide policy.

The objectives of this Order are to:

- Prevent unauthorized, unprofessional, or inappropriate use of the Arrowhead;
- Promote the consistent and proper use of the Arrowhead and the approved Arrowhead graphics; and
- Provide guidance for an "Arrowhead Pride" program, whereby NPS employee morale and *esprit de corps* may be enhanced through purchase of merchandise bearing the Arrowhead.

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<sup>1</sup> The terms "National Park Service," "Service," and "NPS" are used interchangeably in this document.

<sup>2</sup> The Arrowhead Symbol is sometimes referred to as a "logo," "insignia," "mark," or "emblem."

This Order is one in a series of Orders that together set standards for how the mission of the National Park Service, and graphics associated with the Service's identity, are communicated to the public. The series consists of:

- Director's Order 52A: Communicating the National Park Service Mission;
- Director's Order 52B: Graphic Design Standards;
- Director's Order 52C: Park Signage; and
- Director's Order 52D: Use of the Arrowhead Symbol.

Use of the Arrowhead in connection with the NPS uniform is addressed in more detail in Director's Order #43, which governs the NPS uniform program.

## **2.0 Background**

**2.1 Statutory and Regulatory Protection.** The Service's authority to protect the Arrowhead is found in title 18 section 701 of the United States Code. This law prohibits the unauthorized manufacture, sale or possession of "any badge, identification card, or other insignia" of any department or agency of the United States, and forbids the manufacture of any "engraving, photograph, print or impression of any such badge, identification card, or other insignia." In addition, the Arrowhead is protected by:

- The trademark laws of the United States as a service mark registered with the U.S. Patent and Trademark Office; and
- Title 36, part 11 of the Code of Federal Regulations, which limits uses to those that will contribute to the NPS's education and conservation mission and for which the Director has granted permission.

**2.2 The Symbol's History.** Since its inception more than 60 years ago, the Arrowhead has come to symbolize the major facets of the national park system: the sequoia tree and bison represent vegetation and wildlife, the mountains and water represent scenic and recreational values, and the Arrowhead shape represents historical and archaeological values. Equally important, the Arrowhead has been a symbol of NPS employee pride.

In 1951, historian Aubrey V. Neasham submitted an elongated Arrowhead design to Director Conrad Wirth. Director Wirth referred the idea to a regional group that designed the classic Arrowhead symbol. The Arrowhead was authorized by the Secretary of the Interior as the official National Park Service emblem on July 20, 1951.

Once the Arrowhead was approved in 1951, it soon gained recognition as the NPS symbol and began appearing widely on signs and publications. On September 2, 1952, the Director authorized the Arrowhead to be worn on uniforms. On March 20, 1954, he approved slightly revised Arrowhead design specifications. With the January 31, 2001 approval of Director's Order #52A, the Service adopted further refinements of the Arrowhead design so that it would better meet the needs of media that did not exist in the 1950s.

The first action taken by the NPS to forestall commercial use of the Arrowhead occurred with publication of an official notice of the NPS Insignia in the Federal Register in March of 1962 (27 F.R. 2486). Special Directive 93-70 (replaced by this Director's Order) further clarified use of the Arrowhead. The symbol continues to enjoy strong acceptance among NPS employees, and a

growing segment of the public has come to recognize it as representing high standards of stewardship for the public lands and community assistance programs managed by the Service.

### **3.0 Authority to Issue this Director's Order**

The authority to issue this Director's Order is found in the NPS Organic Act (16 USC 1 through 4) and in delegations of authority found in section 245 of the Department of the Interior Manual. This Order is intended only to improve the internal management of the NPS and is not intended to, and does not, create any right or benefit, substantive or procedural, that is enforceable at law or equity by a party against the United States, its department, agencies, instrumentalities or entities, its officers or employees, or any other person.

### **4.0 Responsibilities**

#### **4.1 All National Park Service Employees**

The trademarked Arrowhead is the Service's most important graphic identifier. Failure to adhere to proper use standards can diminish our ability to protect it as a trademark. All NPS employees must be mindful of its proper use and thereby help reinforce the Arrowhead as the NPS's brand identifier. To this end, all employees will:

- Comply with the policies and procedures contained in this Director's Order;
- Be particularly observant of Arrowhead use as it pertains to their area of responsibility and ensure that it is used appropriately (for example, Park Facility Management Division monitoring use in connection with signage; uniform coordinators monitoring use in connection with the NPS uniform program);
- Ensure that any agreements or contracts they enter into contain an explicit requirement that any use of the Arrowhead symbol will require prior NPS approval;
- Notify the Office of Policy when they observe external entities using the Arrowhead without proper authorization;
- Refer to the Office of Communications requests received from outside entities to use the Arrowhead.

#### **4.2 Office of Communications (WASO)**

The Office of Communications will:

- Review requests received from non-NPS sources to use the Arrowhead;
- Coordinate reviews, as appropriate, with the Office of Policy, the Office of Partnerships and Philanthropic Stewardship, Harpers Ferry Center, the Interpretation and Education Division; the Uniform Program Manager; and other parks and programs;
- Approve or disapprove requests from non-NPS entities in those cases where the appropriate decision is clearly in accord with this Order and is not likely to generate significant controversy;
- Forward for the Director's decision those requests for which approval or disapproval is not clearly guided by this Order, or which are likely to generate significant controversy.

### **4.3 Office of Policy**

- Maintain the Arrowhead as a service mark under U.S. trademark laws;
- Coordinate the Arrowhead Pride Committee and Program with an appropriate non-profit organization;
- Provide advice to the Office of Communications about the merits of a proposed use of the Arrowhead;
- Seek advice from the Solicitor's Office on legal issues relating to this Order, including the resolution of unauthorized uses of the Arrowhead by entities outside the National Park Service.

### **4.4 Office of Partnerships and Philanthropic Stewardship (WASO)**

This office will:

- Provide advice to the Office of Communications about the merits of a proposed use of the Arrowhead;
- Provide initial screening of uses proposed in conjunction with friends groups, fundraising organizations, cause-related promotional partners, and for-profit entities such as concessioners and business permittees;
- Educate national partner organizations about the circumstances and terms under which the Arrowhead may be used by a partner organization;
- Assist park and program managers in understanding the circumstances and terms under which the Arrowhead may be used by their partner organizations.

### **4.5 Harpers Ferry Center**

The Harpers Ferry Center will:

- Have lead responsibility to develop, and to coordinate review of and changes to, design standards for the Arrowhead and for its application in various forms of media;
- Help monitor use of the Arrowhead within the NPS to ensure that it is used appropriately in various forms of media as prescribed by Director's Order #52B: Graphic Design Standards;
- Post the design standards in readily usable form online, and otherwise make the standards conveniently available for authorized uses;
- Provide digital files and graphics advice to those who are authorized to reproduce the Arrowhead;
- Ensure that the Arrowhead is used appropriately on all media produced by or with the assistance of the Center.

### **4.6 Park and Program Managers**

In addition to the section 4.1 responsibilities attendant to all employees, park and program managers may authorize the official uses listed in section 5.2.2, and uses in connection with their official partners as described in section 5.3.1.

## 5.0 Categories of Uses

Uses of the Arrowhead generally fall into four categories:

- (1) Prohibited use;
- (2) Use exclusive to the NPS (including uses that are carried out pursuant to an NPS contract or formal agreement that explicitly prescribes the use of the Arrowhead);
- 3) Use in connection with partnership activities; and
- (4) “Fair use” and other miscellaneous permissible uses.

### 5.1 Prohibited Uses

- In accordance with 36 CFR Part 11, no entity outside the Service may use the Arrowhead without approval from the Director or the Director’s delegated representative.
- Those to whom approval authority is delegated may approve only uses that conform to graphic identity standards referenced in this Order and in Director’s Order #52B.
- The Arrowhead must not be employed in any manner or for any purpose that would reflect adversely on the NPS’s employees, mission, or image.
- No reproduction of the Arrowhead is permitted that in any way changes the official wording, shape, or design elements, or that embellishes or combines the Arrowhead with other graphic elements, without explicit approval by the Director (as delegated to the Director of Communications).
- The use of the Arrowhead on souvenirs or other items or merchandise presented for sale to the public by private enterprise operating either within or outside of areas of the National Park System will not be authorized without explicit approval by the Director. (Cooperating association publications reviewed and approved by an NPS manager are considered official NPS publications for the purposes of this Order.) This authority will not be further delegated.
- In accordance with ethics regulations (5 CFR 2635.702(c)(2)), the Arrowhead will not be used in any manner that would imply endorsement by the Service of a product, service, or enterprise unless the endorsement is consistent with a program of recognition in support of the NPS mission.
- The Arrowhead will not be used in fundraising activities except as authorized by Director’s Order #21 and an approved fundraising agreement. The NPS program of recognition for fundraising campaigns can be found in section 7.1 of the Reference Guide to Director’s Order #21.
- Where the Arrowhead is affixed to shirts or other apparel, the apparel may NOT be worn in place of, or mixed with, official NPS uniform items. (Also see section 5.2.2, below, and Director’s Order #43.)

### 5.2 Uses Exclusive to the NPS

#### 5.2.1 Promoting a Consistent Message.

(a) **Consistency in content and appearance.** One of the goals of this Order is the effective use of the Arrowhead symbol to help us achieve a greater public understanding of the scope of the National Park Service’s activities. Achieving this goal requires consistency in the content and appearance of what the Service presents to the public. As a general matter,

the Arrowhead should appear on, or in close connection with, all official NPS products, communications, and activities.

**(b) Unique park and program logos.** Along with ensuring consistency in how the NPS presents itself graphically to the public, we must avoid actions that inadvertently work against this goal. One such action occurs when individual parks and programs adopt other logos that compete with the Arrowhead for the public's attention. Graphically, the Arrowhead is the one symbol that we want the public to associate with the National Park Service and all that it does. All requests to develop and/or use a logo other than the Arrowhead for individual logos for parks, programs, or initiatives must be submitted to the Office of Communications.

**5.2.2 Authorized Uses.** The following uses of the Arrowhead are authorized without further WASO review, provided that they comply with Servicewide Arrowhead artwork, business card, signage, and other design standards published on the Harpers Ferry Center graphic identity website:

- Business cards that are printed for the official use of an NPS employee;
- Plaques, gifts, and awards for presentation to employees, to non-employees who have rendered service to the NPS, to visiting dignitaries, or to foreign hosts by international NPS delegation members;
- Publications and other media that are prepared for, or commissioned by, the NPS;
- Conference materials such as folders, pads, pens, and any other items used at NPS sponsored or co-sponsored conferences;
- Signs and exhibits designed, constructed, or commissioned by the NPS for official NPS sponsored or co-sponsored functions and purposes; and
- Apparel, utilitarian items, and commemorative items produced under the Arrowhead Pride program.
- Uses listed above that are done in concert with partners must comply with guidance found in *"The NPS and its Partners: Graphic Identity Framework."* See section 5.3.1, below, regarding other partnership activities that do not necessarily require WASO review and approval.
- Non-uniformed and uniformed employees may wear apparel bearing the Arrowhead;
- additional guidance is outlined in sections 5.1 Prohibited Uses and 5.2.3 Arrowhead Pride Program. (NOTE: The Government Accountability Office has indicated that, absent specific statutory authority, appropriated funds may NOT be used to purchase this apparel.)

**5.2.3 Arrowhead Pride Program.** Commemorative and other items bearing the Arrowhead can enhance the morale and *esprit de corps* of NPS employees and, in some situations, should be used to recognize the valued services provided by others. Therefore, the "Arrowhead Pride" program, begun in 1993 to address the desire among employees, alumni, and partners for Arrowhead products, will continue. Those eligible to directly purchase items under this program include NPS employees and retirees, National Park Foundation employees, and cooperating association employees. (A special line of similar products is available exclusively for volunteers.) These items may also be presented to others in recognition for their service or achievements.

The Office of Policy will maintain an agreement with an appropriate non-profit organization to market approved products to employees and other eligible purchasers. Approved items, including apparel, coffee mugs, note cards, notebooks, etc., may be customized to meet specific park or program needs. Proposals will be vetted through a committee convened and chaired by the Office of Policy. The committee will include individuals who represent a cross-section of NPS employees—including field and program staff and the Service's Uniform Program Manager. The committee will identify apparel, utilitarian items, and commemorative items that may be purchased by employees through the program. The committee may include items such as plaques, awards, and briefcases that may be used in conjunction with official NPS business. Any NPS employee may propose items for the committee's consideration either by contacting the Office of Policy or the designated marketing organization.

The Office of Policy will develop procedures under which the Committee and the Program will operate. The procedures will take into account the following:

- The designated marketing organization will administer the program on a not-for-profit basis, recovering only direct and indirect expenses associated with administration. Products should be of high quality and must not detract from the NPS's image.
- Care must be taken to avoid apparel that might be mistaken for an NPS uniform item.
- Uniformed NPS employees may NOT wear shirts or other apparel in place of, or mixed with, the official NPS uniform; nor may non-NPS employees wear the apparel to serve as a uniform in connection with their NPS-related activities.
- No employee of the NPS or the Department of the Interior may profit financially from the design, production, or sale of an item.
- Products purchased through this program are NOT to be offered for re-sale.

The Arrowhead Pride Committee and the non-profit marketing organization will be the primary source of authorized Arrowhead items. An NPS manager may also authorize the manufacture of other Arrowhead merchandise for use in an NPS awards or recognition program only if the merchandise is not available through the Arrowhead Pride program and if the merchandise otherwise meets the requirements of this Order. Individual employees are not authorized to commission the production of Arrowhead merchandise for their personal use.

### **5.3 Uses in Connection with Partnership Activities**

The National Park Service has a wide range of partnerships with individuals, organizations, and government agencies at all levels. These partnerships help us fulfill the NPS mission and have produced countless benefits for the Service, the national park system, and our nation. Most often, these partnerships are formalized by a written agreement, but sometimes the relationship is less formal. The NPS also enters into concession contracts with private companies that provide visitor services in parks. It may sometimes be appropriate to use the Arrowhead to underscore some aspect of these special relationships. In any situation where the NPS authorizes Arrowhead use by outside entities, the use must conform to this

Director's Order and guidance found in *"The NPS and its Partners: Graphic Identity Framework."*

Uses of the Arrowhead proposed by entities outside the Service will be referred to the Director of Communications. The Partnership and Philanthropic Stewardship Office will provide initial screening of uses proposed in conjunction with friends groups, fundraising organizations, and for-profit organizations with which we have specific cause-related marketing or other agreements. Proposed uses that are in accord with the standards for approval expressed in this Order and that would clearly promote the educational and conservation activities of the National Park Service may be approved by the Director of Communications. The Director of Communications will disapprove uses that are not in accord with the standards for approval expressed in this Order. Proposed uses for which approval or disapproval is not sufficiently guided by this Order, or which are likely to generate significant controversy, will be considered in consultation with the Office of Policy, the Office of Partnerships and Philanthropic Stewardship, the Interpretation and Education Division, Harpers Ferry Center, and/or other park and program managers, as appropriate. Proposed uses that remain unresolved after these consultations will be referred to the NPS Director.

The Director of Communications may prescribe procedures to expedite processing of requests. Some uses of the Arrowhead—such as photographic images incidental to First Amendment protected activities—may be beyond the Service's control and no "processing" will be necessary.

**5.3.1 Approvals by Park and Program Managers.** Notwithstanding the review procedures outlined in the preceding paragraphs, NPS park and program managers may review and approve use of the Arrowhead by partner organizations with which they have a formal written agreement, provided that the proposed use otherwise conforms to this Director's Order and to guidance found in *"The NPS and its Partners: Graphic Identity Framework"* (as well as guidance found in Director's Order #21, when the proposed use is related to donations and fundraising).

**5.3.2 "Partnership Parks."** As Congress has expanded the NPS mission, situations have been created where the Service has an explicit or implied partner relationship with some other entity that is responsible for administering a park or park-like area. Heritage areas are an obvious example, as are affiliated areas. Although these areas are not part of the national park system and are not managed by the NPS, they nevertheless encompass important aspects of our nation's heritage and the Service has an official association with them that we want to nurture. It is therefore important that the Service's role be made known to the public, in keeping with our goal of enhancing the public's understanding of the benefits associated with the NPS's programs and activities.

But we must also avoid confusing the public by leading them to believe that these areas are part of the national park system or are administered by the Service. NPS managers who work with these types of areas must be thoughtful when making decisions about deploying the Arrowhead. Unless Congress has indicated the area is part of the national park system, the Arrowhead should not be used in any way that would imply that the NPS has control over or primary responsibility for the area.

However, if the entity responsible for managing a national heritage area or an affiliated area believes that a display of the Arrowhead would promote its conservation or educational activities, a regional director may approve Arrowhead use on entrance, directional, and informational signs and exhibits, and in publications or other media, provided that it conforms to the guidance found in *“The NPS and its Partners: Graphic Identity Framework”* and Director’s Order #52C: Park Signage (and related supplementary materials). It is especially important in these cases that graphic media not misrepresent the nature of the relationship between the NPS and the heritage area. Technical assistance may be requested, if necessary, through the Office of Policy, the Office of Communications, or Harpers Ferry Center.

**5.3.3 National Register and National Landmark Properties.** The NPS encourages and applauds the listing of non-NPS properties in the National Register of Historic Places, and the designation of non-NPS properties as national historic landmarks or national natural landmarks. However, it is not appropriate for the NPS Arrowhead to be displayed on or at these properties. NPS managers may, of course, utilize the Arrowhead in NPS-produced materials that promote or otherwise refer to these properties or to the programs under which they are managed.

#### **5.4 Miscellaneous Permissible Uses**

Certain other third-party uses of the Arrowhead are allowed in accordance with First Amendment rights pertaining to “free speech” (including artistic and editorial parodies or criticism). In addition, the following uses may sometimes be allowable in accordance with the principles of “fair use”:

- Photographic images of the Arrowhead—as found on park entrance signs, for example—in still and motion pictures (regardless of whether the product serves a commercial purpose); and
- Within the body of published media when the use is descriptive or referential. This may include, for example, books and news media that reference the National Park Service, provided that it does not imply NPS authorship, review, or endorsement.)

When the Arrowhead is used in these ways, the context must not imply affiliation with or endorsement by the NPS. In addition, the Service may insist that it be accompanied by the registered trademark symbol (®) and/or a credit line or disclaimer stating (for example): “[This organization] is not affiliated with the National Park Service and our [products, services, activities] are not licensed or endorsed by the National Park Service.”

Entities outside the NPS may, with permission, use the Arrowhead to graphically identify a hyperlink to an NPS website, provided that:

- The context does not imply affiliation with or endorsement by the NPS;
- The graphic is accompanied by the registered trademark symbol (®); and
- A disclaimer similar to the example in the previous paragraph is included.

## 6. Protecting the Arrowhead Symbol

The trademarked Arrowhead is the Service's most important graphic identifier. All NPS employees must be mindful of its proper use and thereby help reinforce the Arrowhead as the NPS's brand identifier. Failure to adhere to proper use standards diminishes the NPS's ability to protect it as a trademark. As with all of its intellectual property, the Service will seek to protect the Arrowhead from unauthorized and inappropriate uses, including uses that are likely to confuse the public or dilute the Arrowhead's value. The following procedures will be followed to resolve violations of the NPS's policies on use of the Arrowhead:

- Violations by NPS employees will be resolved by ensuring that the responsible employees are made aware of the violation and that they take corrective action.
- Violations by parties outside the NPS who fail to obtain required NPS approval will be resolved at the lowest level, which may consist of a telephone call, an email message, or a letter to the violator informing them that they must either cease and desist or take some other corrective action. "Other corrective action" may include requesting, and receiving, authorization from the NPS to use the Arrowhead.
- Violations by parties outside the NPS that cannot be resolved by the mechanisms noted above will be referred to the Office of the Solicitor for possible legal action.

A written record will be kept of all actions taken in connection with approvals, disapprovals, and violations of the Arrowhead use policies.

## 7. Related Sources of Guidance

- Director's Orders:
  - [21: Donations and Fundraising](#)
  - [43: Uniform Program](#)
  - [52A: Communicating the National Park Service Mission](#)
  - 52B: Graphic Design Standards
  - [52C: Park Signage](#)
  - 67: Copyright and Trademarks (not yet available)
- NPS Graphic Identity Program Website ([www.graphics.nps.gov](http://www.graphics.nps.gov))
- NPS UniGuide Sign Standards (<http://www.hfc.nps.gov/uniguide/>)
- ["The NPS and its Partners: Graphic Identity Framework"](#)
- [Title 36, part 11](#) of the Code of Federal Regulations

-----End of Director's Order-----