

**TITLE 10 - ARMED FORCES**  
**Subtitle A - General Military Law**  
**PART II - PERSONNEL**  
**CHAPTER 45 - THE UNIFORM**

**§ 772. When wearing by persons not on active duty authorized**

- (a) A member of the Army National Guard or the Air National Guard may wear the uniform prescribed for the Army National Guard or the Air National Guard, as the case may be.
- (b) A member of the Naval Militia may wear the uniform prescribed for the Naval Militia.
- (c) A retired officer of the Army, Navy, Air Force, or Marine Corps may bear the title and wear the uniform of his retired grade.
- (d) A person who is discharged honorably or under honorable conditions from the Army, Navy, Air Force, or Marine Corps may wear his uniform while going from the place of discharge to his home, within three months after his discharge.
- (e) A person not on active duty who served honorably in time of war in the Army, Navy, Air Force, or Marine Corps may bear the title, and, when authorized by regulations prescribed by the President, wear the uniform, of the highest grade held by him during that war.
- (f) While portraying a member of the Army, Navy, Air Force, or Marine Corps, an actor in a theatrical or motion-picture production may wear the uniform of that armed force if the portrayal does not tend to discredit that armed force.
- (g) An officer or resident of a veterans' home administered by the Department of Veterans Affairs may wear such uniform as the Secretary of the military department concerned may prescribe.
- (h) While attending a course of military instruction conducted by the Army, Navy, Air Force, or Marine Corps, a civilian may wear the uniform prescribed by that armed force if the wear of such uniform is specifically authorized under regulations prescribed by the Secretary of the military department concerned.
- (i) Under such regulations as the Secretary of the Air Force may prescribe, a citizen of a foreign country who graduates from an Air Force school may wear the appropriate aviation badges of the Air Force.
- (j) A person in any of the following categories may wear the uniform prescribed for that category:
  - (1) Members of the Boy Scouts of America.
  - (2) Members of any other organization designated by the Secretary of a military department.

(Aug. 10, 1956, ch. 1041, 70A Stat. 35; Pub. L. 99-145, title XIII, § 1301(a)(1), Nov. 8, 1985, 99 Stat. 735; Pub. L. 101-189, div. A, title XVI, § 1621(a)(1), Nov. 29, 1989, 103 Stat. 1602; Pub. L. 104-201, div. A, title V, § 551(b), Sept. 23, 1996, 110 Stat. 2525.)

**Historical and Revision Notes**

Revised section	Source (U.S. Code)	Source (Statutes at Large)
772(a)		
772(b)		
772(c)		

Revised section	Source (U.S. Code)	Source (Statutes at Large)
772(d)		
772(e)		
10:1393 (words before 1st semicolon of 1st proviso of 1st par.).		
10:1393 (15th through 18th words after 1st semicolon of 1st proviso of 1st par.).		
10:1023 (1st sentence).		
34:43g(i).		
34:389 (less 1st and 3d sentences).		
10:1393 (words between 3d and 4th semicolons of 1st proviso of 1st par.).		
10:1028b.		
10:1393 (words between 2d and 3d semicolons of 1st proviso of 1st par.).	June 3, 1916, ch. 134, § 12 (words before 4th semicolon, and words after 7th semicolon, of 1st proviso of 1st par.; and last proviso of last par.), 39 Stat. 216; July 9, 1918, ch. 143, subch. XVII, § 10 (last proviso), 40 Stat. 892; June 4, 1920, ch. 228, § 8, 41 Stat. 836; June 6, 1942, ch. 382, 56 Stat. 328; May 24, 1949, ch. 139, § 15(b) (last proviso), 63 Stat. 91; July 6, 1953, ch. 180, § 1, 67 Stat. 140.	
772(f)	34:399d. 10:1393 (words between 8th and 9th semicolons of 1st proviso of 1st par.).	R.S. 1256 (1st sentence). R.S. 1457 (less 1st and 3d sentences); May 5, 1950, ch. 169, § 14(f), 64 Stat. 147.
772(g)		
772(h)	10:1393 (last proviso of last par.).	
10:1393 (words between 7th and 8th semicolons of 1st proviso of 1st par.).	Apr. 16, 1947, ch. 38, § 207(j), 61 Stat. 50; as redesignated (i); Aug. 7, 1947, ch. 512, § 434(d), 61 Stat. 882.	
772(i)		
772(j)	10:1393 (words after 9th semicolon of 1st proviso of 1st par.).	
10:1393 (words between 1st and 2d semicolons of 1st proviso of 1st par., less 15th through 18th words).	June 21, 1930, ch. 563, § 2; restated Aug. 4, 1949, ch. 393, § 12, 63 Stat. 559; July 6, 1953, ch. 180, § 2, 67 Stat. 140.	

In subsections (a), (b), (d), (f), (g), (h), (i), and (j), the rules stated in the corresponding clauses of the first proviso of the first paragraph, and the last proviso of the last paragraph, of 10:1393, are restated to make positive the authority of the persons described in those subsections to wear the uniform prescribed for the appropriate organization or activity.

In subsection (c), the words “bear the title”, in 34:43g(i), applicable only to retired officers of the Navy Nurse Corps, are made applicable to other retired officers, to make explicit what has heretofore been implicit, that a retired officer may continue to bear the title of his retired grade.

*NB: This unofficial compilation of the U.S. Code is current as of Jan. 5, 2009 (see <http://www.law.cornell.edu/uscode/uscpri.html>).*

In subsection (e), the words between the second and third semicolons of the first proviso of the first paragraph of 10:1393 are omitted as superseded by 10:1028b and 34:399d, which authorize the wearing of the uniform by members who are discharged honorably or under honorable conditions. The words “when authorized by regulations prescribed by” are substituted for the words “occasions authorized by regulations of”.

In subsection (f), the words “while portraying a member of the Army, Navy, Air Force, or Marine Corps, an actor in a theatrical or motion-picture production” are substituted for the words “any person from wearing the uniform of the United States Army, Navy, or Marine Corps, in any playhouse or theater or in moving-picture films while actually engaged in representing therein a military or naval character”.

In subsection (g), the word “resident” is substituted for the word “members”, since the word “members” related to members of the now disbanded National Home for disabled volunteer soldiers to which were admitted “members” of an organization called the “Disabled Volunteer Soldiers”. The words “veterans’ home” are substituted for the words “national home for veterans”, since there are now no “national homes” administered by the Veterans’ Administration.

In subsection (h), the words “authorized and” and “for wear during such course of instruction” are omitted as surplusage. The word “naval” is omitted as covered by the word “military”. The words “Army, Navy, Air Force, or Marine Corps” are substituted for the words “military or naval authorities”. The words “that armed force” are substituted for the words “such military or naval authorities”.

In subsection (i), the words “Air Force school” are substituted for the words “Air Force advanced flying schools or Air Force service schools”. The words “in such manner” are omitted as surplusage.

### **Amendments**

1996—Subsec. (h). Pub. L. 104–201 inserted before period at end “if the wear of such uniform is specifically authorized under regulations prescribed by the Secretary of the military department concerned”.

1989—Subsec. (g). Pub. L. 101–189 substituted “Department of Veterans Affairs” for “Veterans’ Administration”.

1985—Subsec. (c). Pub. L. 99–145 struck out provisions relating to a retired officer of the Navy Nurse Corps.

### **Ex. Ord. No. 10554. Delegation of Authority To Prescribe Regulations**

Ex. Ord. No. 10554, Aug. 18, 1954, 19 F.R. 5295, as amended by Ex. Ord. No. 13286, § 77, Feb. 28, 2003, 68 F.R. 10631, provided:

The authority vested in the President (1) by section 125 of the act of June 3, 1916, 39 Stat. 216, as amended by the first section of the act of July 6, 1953, 67 Stat. 140, and (2) by section 2 of the act of June 21, 1930, 46 Stat. 793, as amended by section 2 of said act of July 6, 1953, to prescribe regulations authorizing occasions upon which the uniform may be worn by persons who have served honorably in the armed forces of the United States in time of war is hereby delegated to the Secretary of Defense so far as it pertains to the uniforms of the Army, Navy, Air Force, and Marine Corps, and to the Secretary of Homeland Security so far as it pertains to the uniform of the Coast Guard.