

In subsection (a), the word “mark” is omitted as surplusage.

In subsection (a)(2), the words “persons discharged honorably or under honorable conditions from” are substituted for the words “entirely of honorably discharged officers or enlisted men, or both, of”. The words “Regular or Volunteer” are omitted as surplusage. The words “when authorized by regulations prescribed by” are substituted for the words “upon occasions authorized by regulations of”.

AMENDMENTS

1958—Subsec. (c). Pub. L. 85-355 added subsec. (c).

§ 774. Religious apparel: wearing while in uniform

(a) GENERAL RULE.—Except as provided under subsection (b), a member of the armed forces may wear an item of religious apparel while wearing the uniform of the member’s armed force.

(b) EXCEPTIONS.—The Secretary concerned may prohibit the wearing of an item of religious apparel—

(1) in circumstances with respect to which the Secretary determines that the wearing of the item would interfere with the performance of the member’s military duties; or

(2) if the Secretary determines, under regulations under subsection (c), that the item of apparel is not neat and conservative.

(c) REGULATIONS.—The Secretary concerned shall prescribe regulations concerning the wearing of religious apparel by members of the armed forces under the Secretary’s jurisdiction while the members are wearing the uniform. Such regulations shall be consistent with subsections (a) and (b).

(d) RELIGIOUS APPAREL DEFINED.—In this section, the term “religious apparel” means apparel the wearing of which is part of the observance of the religious faith practiced by the member.

(Added Pub. L. 100-180, div. A, title V, §508(a)(2), Dec. 4, 1987, 101 Stat. 1086.)

PRIOR PROVISIONS

A prior section 774 was renumbered section 776 of this title.

REGULATIONS

Pub. L. 100-180, div. A, title V, §508(c), Dec. 4, 1987, 101 Stat. 1087, directed the Secretary concerned to prescribe the regulations required by subsec. (c) of this section not later than the end of the 120-day period beginning on Dec. 4, 1987.

§ 775. Issue of uniform without charge

(a) ISSUE OF UNIFORM.—The Secretary concerned may issue a uniform, without charge, to any of the following members:

(1) A member who is being repatriated after being held as a prisoner of war.

(2) A member who is being treated at or released from a medical treatment facility as a consequence of being wounded or injured during military hostilities.

(3) A member who, as a result of the member’s duties, has unique uniform requirements.

(4) Any other member, if the Secretary concerned determines, under exceptional circum-

stances, that the issue of the uniform to that member would significantly benefit the morale and welfare of the member and be advantageous to the armed force concerned.

(b) RETENTION OF UNIFORM AS A PERSONAL ITEM.—Notwithstanding section 771a of this title, a uniform issued to a member under this section may be retained by the member as a personal item.

(Added Pub. L. 102-484, div. A, title III, §377(a)(2), Oct. 23, 1992, 106 Stat. 2386.)

PRIOR PROVISIONS

A prior section 775 was renumbered section 776 of this title.

§ 776. Applicability of chapter

This chapter applies in—

- (1) the United States;
- (2) the territories, commonwealths, and possessions of the United States; and
- (3) all other places under the jurisdiction of the United States.

(Aug. 10, 1956, ch. 1041, 70A Stat. 36, §774; Pub. L. 99-661, div. A, title XIII, §1343(a)(1), Nov. 14, 1986, 100 Stat. 3992; Pub. L. 100-26, §3(6), Apr. 21, 1987, 101 Stat. 273; renumbered §775, Pub. L. 100-180, div. A, title V, §508(a)(1), Dec. 4, 1987, 101 Stat. 1086; renumbered §776, Pub. L. 102-484, div. A, title III, §377(a)(1), Oct. 23, 1992, 106 Stat. 2386.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
774	10:1393 (less 1st and last pars.).	June 3, 1916, ch. 134, §125 (less 1st and last pars.), 39 Stat. 216; Apr. 15, 1948, ch. 188, 62 Stat. 172; June 25, 1948, ch. 645, §21 (as applicable to §125 of the Act of June 3, 1916, ch. 134), 62 Stat. 864; May 24, 1949, ch. 139, §§15(b) (less last par.), 142 (as applicable to the Act of Apr. 15, 1948, ch. 188), 63 Stat. 91, 110.

The words “the Canal Zone, Guam, American Samoa, and the Virgin Islands as well as to * * * other” are omitted as covered by the words “possessions, and all other places under its jurisdiction”.

AMENDMENTS

1992—Pub. L. 102-484 renumbered section 775 of this title as this section.

1987—Pub. L. 100-180 renumbered section 774 of this title as this section.

Pub. L. 100-26 amended directory language of Pub. L. 99-661. See 1986 Amendment note below.

1986—Pub. L. 99-661, as amended by Pub. L. 100-26, amended section generally. Prior to amendment, section read as follows: “This chapter applies in the United States, the Territories, Commonwealths, and possessions, and all other places under its jurisdiction.”

EFFECTIVE DATE OF 1987 AMENDMENT

Pub. L. 100-26, §12(a), Apr. 21, 1987, 101 Stat. 289, provided that: “The amendments made by section 3 [amending this section and sections 1032, 1408, 1450, 1588, 2007, 2364, and 5150 of this title, and section 4703 of Title 20, Education, and amending provisions set out as a note under section 1006 of Title 37, Pay and Allowances of the Uniformed Services] shall apply as if included in Public Law 99-661 when enacted on November 14, 1986.”