

EFFECTIVE DATE OF 2016 AMENDMENT

Amendment by Pub. L. 114-328 effective on the date designated by the President, not later than the first day of the first calendar month beginning two years after Dec. 23, 2016, with implementing regulations prescribed by the President not later than one year after Dec. 23, 2016, and with provisions relating to applicability to various situations, see section 5542 of Pub. L. 114-328, set out as a note under section 801 of this title.

[§ 887a. Art. 87a]

CODIFICATION

For text of new section 887a as transferred by Pub. L. 114-328, see Amendment of Analysis and Subchapter note set out preceding section 877 of this title.

[§ 887b. Art. 87b]

CODIFICATION

For text of new section 887b as enacted by Pub. L. 114-328, see Amendment of Analysis and Subchapter note set out preceding section 877 of this title.

§ 888. Art. 88. Contempt toward officials

Any commissioned officer who uses contemptuous words against the President, the Vice President, Congress, the Secretary of Defense, the Secretary of a military department, the Secretary of Homeland Security, or the Governor or legislature of any State, Commonwealth, or possession in which he is on duty or present shall be punished as a court-martial may direct.

(Aug. 10, 1956, ch. 1041, 70A Stat. 67; Pub. L. 96-513, title V, §511(25), Dec. 12, 1980, 94 Stat. 2922; Pub. L. 107-296, title XVII, §1704(b)(1), Nov. 25, 2002, 116 Stat. 2314; Pub. L. 109-163, div. A, title X, §1057(a)(3), Jan. 6, 2006, 119 Stat. 3440.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised section, Source (U.S. Code), Source (Statutes at Large). Row 888: Revised section 888, Source (U.S. Code) 50:682, Source (Statutes at Large) May 5, 1950, ch. 169, §1 (Art. 88), 64 Stat. 135.

The word “commissioned” is inserted for clarity. The words “the Vice President, Congress, the Secretary of Defense, the Secretary of a military department, the Secretary of the Treasury, or the Governor or legislature of any State, Territory, Commonwealth, or possession” are substituted for the words “Vice President, Congress, Secretary of Defense, or a Secretary of a Department, a Governor or a legislature of any State, Territory, or other possession of the United States”.

AMENDMENTS

2006—Pub. L. 109-163 struck out “Territory,” after “State.”

2002—Pub. L. 107-296 substituted “Secretary of Homeland Security” for “Secretary of Transportation”.

1980—Pub. L. 96-513 substituted “Secretary of Transportation” for “Secretary of the Treasury”.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 of this title.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96-513, set out as a note under section 101 of this title.

§ 889. Art. 89. Disrespect toward superior commissioned officer

Any person subject to this chapter who behaves with disrespect toward his superior commissioned officer shall be punished as a court-martial may direct.

(Aug. 10, 1956, ch. 1041, 70A Stat. 67; Pub. L. 114-328, div. E, title LX, §5408, Dec. 23, 2016, 130 Stat. 2941.)

AMENDMENT OF SECTION

Pub. L. 114-328, div. E, title LX, § 5408, title LXIII, § 5542, Dec. 23, 2016, 130 Stat. 2941, 2967, provided that, effective on the date designated by the President, not later than the first day of the first calendar month beginning two years after Dec. 23, 2016, with implementing regulations prescribed by the President not later than one year after Dec. 23, 2016, and with provisions relating to applicability to various situations, this section is generally amended. See 2016 Amendment note below. For text of this section after amendment on the effective date, see Amendment of Analysis and Subchapter note preceding section 877 of this title.

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised section, Source (U.S. Code), Source (Statutes at Large). Row 889: Revised section 889, Source (U.S. Code) 50:683, Source (Statutes at Large) May 5, 1950, ch. 169, §1 (Art. 89), 64 Stat. 135.

The word “commissioned” is inserted for clarity.

AMENDMENTS

2016—Pub. L. 114-328 amended section generally. Prior to amendment, text read as follows: “Any person subject to this chapter who behaves with disrespect toward his superior commissioned officer shall be punished as a court-martial may direct.”

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§ 890. Art. 90. Assaulting or willfully disobeying superior commissioned officer

Any person subject to this chapter who—

- (1) strikes his superior commissioned officer or draws or lifts up any weapon or offers any violence against him while he is in the execution of his office; or
(2) willfully disobeys a lawful command of his superior commissioned officer;

shall be punished, if the offense is committed in time of war, by death or such other punishment as a court-martial may direct, and if the offense is committed at any other time, by such punishment, other than death, as a court-martial may direct.

(Aug. 10, 1956, ch. 1041, 70A Stat. 68; Pub. L. 114-328, div. E, title LX, §5409, Dec. 23, 2016, 130 Stat. 2942.)

AMENDMENT OF SECTION

Pub. L. 114-328, div. E, title LX, § 5409, title LXIII, § 5542, Dec. 23, 2016, 130 Stat. 2942, 2967,