

- Sec.
1388. Prohibition on disruptions of funerals of members or former members of the Armed Forces.
1389. Prohibition on attacks on United States servicemen on account of service.

Editorial Notes

AMENDMENTS

2021—Pub. L. 117–81, div. A, title X, §1045(b), Dec. 27, 2021, 135 Stat. 1905, substituted “Use of Army, Navy, Marine Corps, Air Force, and Space Force as posse comitatus” for “Use of Army and Air Force as posse comitatus” in item 1385.

2009—Pub. L. 111–84, div. E, §4712(b), Oct. 28, 2009, 123 Stat. 2843, added item 1389.

2006—Pub. L. 109–464, §1(b), Dec. 22, 2006, 120 Stat. 3481, added item 1388.

Pub. L. 109–228, §3(b), May 29, 2006, 120 Stat. 389, added item 1387.

1991—Pub. L. 102–190, div. A, title X, §1090(b), Dec. 5, 1991, 105 Stat. 1486, added item 1386.

1990—Pub. L. 101–647, title XXXV, §3547, Nov. 29, 1990, 104 Stat. 4926, struck out item 1383 “Restrictions in military areas and zones”.

1956—Act Aug. 10, 1956, ch. 1041, §18(b), 70A Stat. 626, added item 1385.

§ 1381. Enticing desertion and harboring deserters

Whoever entices or procures, or attempts or endeavors to entice or procure any person in the Armed Forces of the United States, or who has been recruited for service therein, to desert therefrom, or aids any such person in deserting or in attempting to desert from such service; or

Whoever harbors, conceals, protects, or assists any such person who may have deserted from such service, knowing him to have deserted therefrom, or refuses to give up and deliver such person on the demand of any officer authorized to receive him—

Shall be fined under this title or imprisoned not more than three years, or both.

(June 25, 1948, ch. 645, 62 Stat. 764; Pub. L. 103–322, title XXXIII, §330016(1)(I), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §94 (Mar. 4, 1909, ch. 321, §42, 35 Stat. 1097).

Mandatory punishment provisions were changed to alternative.

Words “armed forces” were substituted for repeated references to military service, naval service, soldier and seamen.

Minor changes were made in phraseology.

Editorial Notes

AMENDMENTS

1994—Pub. L. 103–322 substituted “fined under this title” for “fined not more than \$2,000” in last par.

§ 1382. Entering military, naval, or Coast Guard property

Whoever, within the jurisdiction of the United States, goes upon any military, naval, or Coast Guard reservation, post, fort, arsenal, yard, station, or installation, for any purpose prohibited by law or lawful regulation; or

Whoever reenters or is found within any such reservation, post, fort, arsenal, yard, station, or

installation, after having been removed therefrom or ordered not to reenter by any officer or person in command or charge thereof—

Shall be fined under this title or imprisoned not more than six months, or both.

(June 25, 1948, ch. 645, 62 Stat. 765; Pub. L. 103–322, title XXXIII, §330016(1)(G), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §97 (Mar. 4, 1909, ch. 321, §45, 35 Stat. 1097; Mar. 28, 1940, ch. 73, 54 Stat. 80).

Reference to territory, Canal Zone, Puerto Rico and the Philippine Islands was omitted as covered by definition of United States in section 5 of this title.

Words “naval or Coast Guard” were inserted before “reservation” and words “yard, station, or installation” were inserted after “arsenal” in two places, so as to extend section to naval or Coast Guard property.

Minor changes were made in phraseology.

Editorial Notes

AMENDMENTS

1994—Pub. L. 103–322 substituted “fined under this title” for “fined not more than \$500” in last par.

Statutory Notes and Related Subsidiaries

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 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.

Coast Guard transferred to Department of Transportation and all functions, powers, and duties, relating to Coast Guard, of Secretary of the Treasury and of other offices and officers of Department of the Treasury transferred to Secretary of Transportation by Pub. L. 89–670, Oct. 15, 1966, 80 Stat. 931, which created the Department of Transportation. See section 108 of Title 49, Transportation.

Executive Documents

TRANSFER OF FUNCTIONS

Functions of all officers of Department of the Treasury, and functions of all agencies and employees of such Department transferred, with certain exceptions, to Secretary of the Treasury, with power vested in him to authorize their performance or performance of any of his functions, by any of such officers, agencies, and employees, by Reorg. Plan No. 26 of 1950, §§1, 2, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, 1281, set out in the Appendix to Title 5, Government Organization and Employees. Coast Guard, referred to in this section, was generally a service in Department of the Treasury, but such Plan excepted from transfer functions of Coast Guard and Commandant thereof when Coast Guard was operating as a part of the Navy under former sections 1 and 3 (now 101 and 103) of Title 14, Coast Guard.

[§ 1383. Repealed. Pub. L. 94–412, title V, §501(e), Sept. 14, 1976, 90 Stat. 1258]

Section, act June 25, 1948, ch. 645, 62 Stat. 765, dealt with criminal penalties for persons entering, remaining in, leaving, or committing any act in a military area or zone contrary to restrictions imposed by Executive Order or Secretary of the Army.