

## EFFECTIVE DATE OF 2016 AMENDMENT

Amendment by Pub. L. 114-328 effective on Jan. 1, 2019, as designated by the President, with implementing regulations and provisions relating to applicability to various situations, see section 5542 of Pub. L. 114-328 and Ex. Ord. No. 13825, set out as notes under section 801 of this title.

**§ 883. Art. 83. Malingering**

Any person subject to this chapter who, with the intent to avoid work, duty, or service—

- (1) feigns illness, physical disablement, mental lapse, or mental derangement; or
- (2) intentionally inflicts self-injury;

shall be punished as a court-martial may direct. (Added Pub. L. 114-328, div. E, title LX, § 5404, Dec. 23, 2016, 130 Stat. 2940.)

**Editorial Notes**

## PRIOR PROVISIONS

A prior section 883 was renumbered section 904a of this title.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE

Section effective on Jan. 1, 2019, as designated by the President, with implementing regulations and provisions relating to applicability to various situations, see section 5542 of Pub. L. 114-328 and Ex. Ord. No. 13825, set out as notes under section 801 of this title.

**§ 884. Art. 84. Breach of medical quarantine**

Any person subject to this chapter—

- (1) who is ordered into medical quarantine by a person authorized to issue such order; and
- (2) who, with knowledge of the quarantine and the limits of the quarantine, goes beyond those limits before being released from the quarantine by proper authority;

shall be punished as a court-martial may direct. (Added Pub. L. 114-328, div. E, title LX, § 5405, Dec. 23, 2016, 130 Stat. 2940.)

**Editorial Notes**

## PRIOR PROVISIONS

A prior section 884 was renumbered section 904b of this title.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE

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**§ 885. Art. 85. Desertion**

(a) Any member of the armed forces who—

- (1) without authority goes or remains absent from his unit, organization, or place of duty with intent to remain away therefrom permanently;
- (2) quits his unit, organization, or place of duty with intent to avoid hazardous duty or to shirk important service; or
- (3) without being regularly separated from one of the armed forces enlists or accepts an

appointment in the same or another one of the armed forces without fully disclosing the fact that he has not been regularly separated, or enters any foreign armed service except when authorized by the United States;

is guilty of desertion.

(b) Any commissioned officer of the armed forces who, after tender of his resignation and before notice of its acceptance, quits his post or proper duties without leave and with intent to remain away therefrom permanently is guilty of desertion.

(c) Any person found guilty of desertion or attempt to desert shall be punished, if the offense is committed in time of war, by death or such other punishment as a court-martial may direct, but if the desertion or attempt to desert occurs at any other time, by such punishment, other than death, as a court-martial may direct.

(Aug. 10, 1956, ch. 1041, 70A Stat. 67.)

## HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
885(a) .....	50:679(a).	May 5, 1950, ch. 169, § 1 (Art. 85), 64 Stat. 135.
885(b) .....	50:679(b).	
885(c) .....	50:679(c).	

In subsection (a), the word “unit” is substituted for the words “place of service” to conform to clause (2) of this section and section 886(3) of this title. The word “proper” is omitted as surplusage.

In subsection (b), the word “commissioned” is inserted for clarity. The word “before” is substituted for the words “prior to”. The words “its acceptance” are substituted for the words “the acceptance of the same”. The words “after tender of” are substituted for the words “having tendered” for clarity. The word “due” is omitted as surplusage.

In subsection (c), the words “attempt to desert” are substituted for the words “attempted desertion”.

**§ 886. Art. 86. Absence without leave**

Any member of the armed forces who, without authority—

- (1) fails to go to his appointed place of duty at the time prescribed;
- (2) goes from that place; or
- (3) absents himself or remains absent from his unit, organization, or place of duty at which he is required to be at the time prescribed;

shall be punished as a court-martial may direct. (Aug. 10, 1956, ch. 1041, 70A Stat. 67.)

## HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
886 .....	50:680.	May 5, 1950, ch. 169, § 1 (Art. 86), 64 Stat. 135.

The words “proper” and “other” are omitted as surplusage.

**§ 887. Art. 87. Missing movement; jumping from vessel**

(a) MISSING MOVEMENT.—Any person subject to this chapter who, through neglect or design, misses the movement of a ship, aircraft, or unit with which the person is required in the course of duty to move shall be punished as a court-martial may direct.