

Section 2. A new Appendix 12B is inserted immediately after Appendix 12A to read as follows:

“Appendix 12B

Offense Category	Months
1	0–12
2	1–36
3	30–120
4	120–240
5	240–480
6	Confinement for life with eligibility for parole

Sentencing Parameter Table – Confinement Range Categories

Note: For all above categories, if the confinement portion of the maximum authorized punishment for the offense is less than the Offense Category’s confinement maximum, the lesser confinement portion of the maximum authorized punishment shall control as the recommended maximum confinement time for that offense. At a special court-martial, for an offense that is a category 3 offense or greater, the jurisdictional maximum period of confinement (12 months) constitutes the parameter; however, the military judge may impose a period of confinement less than the jurisdictional maximum period of confinement upon finding specific facts that warrant such a sentence.”

Section 3. A new Appendix 12C is inserted immediately after the new Appendix 12B to**read as follows:****“Appendix 12C – Offense Category Chart**

<i>Article</i>	<i>Offense</i>	<i>Offense Category</i>
77	Principals	Dependent on underlying offense
78	Accessory after the fact	Dependent on underlying offense
79	Conviction of offense charged, lesser included offenses, and attempts	Dependent on underlying offense
80	Attempts	Dependent on underlying offense
81	Conspiracy	Dependent on underlying offense
82	Soliciting commission of offenses	
	Solicitation of espionage	Category 4
	Solicitation of desertion, mutiny or sedition, misbehavior before the enemy if committed or attempted	Dependent on underlying offense
	Solicitation of desertion in time of war if not committed or attempted	Criteria
	Solicitation of desertion if not committed or attempted	Category 1
	Solicitation of mutiny or sedition if not committed or attempted	Category 3
	Solicitation of misbehavior before enemy if not committed or attempted	Category 3
	Solicitation of other offense regardless of whether committed or attempted	Dependent on underlying offense
83	Malingering	
	Feigning illness, physical disablement, mental lapse, or mental derangement	
	In time of war or in a hostile fire pay zone	Criteria
	Other	Category 1
	Intentional self-inflicted injury	
	In time of war or in a hostile fire pay zone	Criteria
	Other	Category 2
84	Breach of medical quarantine	
	Breach of medical quarantine involving a quarantinable communicable disease defined by 42 CFR 70.1	Category 1
	Breach of medical quarantine	Category 1
85	Desertion	
	In time of war	Criteria
	Intent to avoid hazardous duty or to shirk important services	Category 2
	Other cases	
	Terminated by apprehension	Category 2
	Terminated otherwise	Category 1
86	Absence without leave	
	Failing to go, going from appointed place of duty	Category 1
	Absence from unit, organization, etc.	
	Not more than 3 days	Category 1
	More than 3, not more than 30 days	Category 1
	More than 30 days	Category 1
	More than 30 days and terminated by apprehension	Category 1
	Absence from guard or watch	Category 1
	Absence from guard or watch with intent to abandon	Category 1
	Absence with intent to avoid maneuvers or field exercises	Category 1
87	Missing movement; jumping from vessel	
	Missing movement	
	Design	Category 2
	Neglect	Category 1
	Jumping from vessel into the water	Category 1
87a	Resistance, flight, breach of arrest, and escape	
	Resisting apprehension	Category 1
	Flight from apprehension	Category 1
	Breaking arrest	Category 1
	Escape from custody, pretrial confinement, or confinement pursuant to Article 15	Category 1
	Escape from post-trial confinement	Category 2
87b	Offenses against correctional custody and restriction	
	Escape from correctional custody	Category 1
	Breach of correctional custody	Category 1
	Breach of restriction	Category 1