

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

<i>Article</i>	<i>Offense</i>	<i>Offense Category</i>
88	Contempt toward officials	Category 1
89	Disrespect toward superior commissioned officer; assault of superior commissioned officer	
	Disrespect toward superior commissioned officer	
	In command	Category 1
	In rank	Category 1
	Striking, drawing, or lifting up a weapon or offering any violence to superior commissioned officer in execution of office	
	In time or war	Criteria
	Other	Category 2
90	Willfully disobeying superior commissioned officer	
	In time of war	Criteria
	Other	Category 2
91	Insubordinate conduct toward warrant officer, noncommissioned officer, or petty officer	
	Striking or assaulting	
	Warrant officer	Category 2
	Superior noncommissioned or petty officer	Category 2
	Other noncommissioned or petty officer	Category 1
	Willfully disobeying	
	Warrant officer	Category 1
	Noncommissioned or petty officer	Category 1
	Contempt or disrespect	
	Warrant officer	Category 1
	Superior noncommissioned or petty officer	Category 1
	Other noncommissioned or petty officer	Category 1
92	Failure to obey order or regulation	
	Violation of or failure to obey general order or regulation	Category 1
	Violation of or failure to obey other lawful order	Category 1
	Dereliction in performance of duties	
	Through neglect or culpable inefficiency	Category 1
	Through neglect or culpable inefficiency resulting in death or grievous bodily harm	Category 2
	Willful	Category 1
	Willful dereliction of duty resulting in death or grievous bodily harm	Category 2
93	Cruelty and maltreatment	Category 1
93a	Prohibited activities with military recruit or trainee by person in position of special trust	Category 2
94	Mutiny or sedition	Criteria
95	Offenses by sentinel or lookout	
	Drunk or sleeping on post, or leaving post before being relieved	
	In time of war	Criteria
	While receiving special pay under 37 USC 310	Criteria
	In all other places	Category 1
	Loitering or wrongfully sitting on post by a sentinel or lookout	
	In time of war or while receiving special pay under 37 USC 310	Criteria
	Other cases	Category 1
95a	Disrespect toward sentinel or lookout	Category 1
96	Release of prisoner without authority; drinking with prisoner	
	Releasing a prisoner without authority	Category 2
	Allowing a prisoner to escape through neglect	Category 1
	Allowing a prisoner to escape through design	Category 2
	Drinking with prisoner	Category 1
97	Unlawful Detention	Category 2
98	Misconduct as prisoner	Criteria
99	Misbehavior before the enemy	Criteria
100	Subordinate compelling surrender	Criteria
101	Improper use of countersign	Criteria
102	Forcing a safeguard	Criteria
103	Spies	Category 5
103a	Espionage	
	Espionage as a capital offense	Category 5
	Espionage or attempted espionage	Category 5