

jurisdiction, if required), on or about _____ 20__, without legal justification or lawful authorization, knowingly (broadcast) (distribute) a recording of the private area of _____, when the said accused knew or reasonably should have known that the said recording was made without the consent of _____ and under circumstances in which (he) (she) had a reasonable expectation of privacy.”

(m) Paragraph 64.d.(1)(c) is amended to read as follows:

“(c) *Property other than military property of a value of more than \$1,000 or any motor vehicle, aircraft, vessel, firearm, or explosive not included in subparagraph d.(1)(b).* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 5 years.”

(n) Paragraph 69.c.(1) is amended to read as follows:

“(1) *Access.* “Access” means to gain entry to, instruct, cause input to, cause output from, cause data processing with, or communicate with, the logical, arithmetical, or memory function resources of a computer, computer system, or computer network.”

(o) Paragraph 77.d.(1) is amended to read as follows:

“(1) *Simple assault.*

(a) *Generally.* Confinement for 3 months and forfeiture of two-thirds pay per month for 3 months.

(b) *When committed with an unloaded firearm or other dangerous weapon.* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 2 years.

(c) *When committed with a loaded firearm.* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 4 years.”

(p) Paragraph 77.d.(5) is amended to read as follows:

“(5) *Assault with intent to commit specified offenses.*

(a) *Assault with intent to commit murder, rape, or rape of a child.* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 20 years.

(b) *Assault with intent to commit voluntary manslaughter, robbery, arson, burglary, kidnapping, sexual assault, or sexual assault of a child.* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 10 years.”

(q) Paragraph 78. is amended by deleting:

“[NOTE: For Article 128b, UCMJ, Domestic Violence, added as part of the FY19 National Defense Authorization Act, *See* Appendix 2, Article 128b, UCMJ]”

(r) Paragraph 89.c.(2) is amended to read as follows:

“(2) *Personnel action.* For purposes of this offense, “personnel action” means—

(a) any action taken on a Servicemember that affects, or has the potential to affect, that Servicemember’s current position or career, including promotion; disciplinary or other corrective action; transfer or reassignment; performance evaluations; decisions concerning pay, benefits, awards, or training; relief and removal; separation; discharge; referral for mental health evaluations; and any other personnel actions as defined by law or regulation, such as 5 U.S.C. § 2302 and DoD Directive 7050.06 (17 April 2015); or,

(b) any action taken on a civilian employee that affects, or has the potential to affect, that person’s current position or career, including promotion; disciplinary or other corrective action; transfer or reassignment; performance evaluations; decisions concerning pay, benefits, awards, or training; relief and removal; discharge; and any other personnel actions as defined by law or regulation such as 5 U.S.C. § 2302.”

(s) The title of Paragraph 90 is amended to read as follows:

“90. Article 133 (10 U.S.C. 933)—Conduct unbecoming an officer”