**Section 400.305 Initial Disposition**

a) Who May Dispose of Offenses. Subject to applicable military justice policies promulgated by proper authority, each commander has discretion to dispose of offenses by members of that command. Ordinarily, the immediate commander of a person accused or suspected of committing an offense triable by court-martial initially determines how to dispose of that offense.

b) A superior commander may withhold the authority to dispose of offenses in individual cases, types of cases, or generally. A superior commander may not limit the discretion of a subordinate commander to act on cases over which authority has not been withheld.