

announced sentence; and the staff judge advocate's concise recommendation."

(r) R.C.M. 1106(f) and (f)(1) are amended to read as follows:

*"(f) Service of recommendation on defense counsel, accused, and victim; defense response.*

*(1) Service of recommendation on defense counsel, accused, and victim.* Before forwarding the recommendation and the record of trial to the convening authority for action under R.C.M. 1107, the staff judge advocate or legal officer shall cause a copy of the recommendation to be served on the counsel for the accused. A separate copy will be served on the accused. If it is impracticable to serve the recommendation on the accused for reasons including the transfer of the accused to a different place, the unauthorized absence of the accused, or military exigency, or if the accused so requests on the record at the court-martial or in writing, the accused's copy shall be forwarded to the accused's defense counsel. A statement shall be attached to the record explaining why the accused was not served personally. If the accused was found guilty of any offense that resulted in direct physical, emotional, or pecuniary harm to a victim or victims, a separate copy of the recommendation will be served on that victim or those victims. When a victim is under 18 years of age, incompetent, incapacitated, deceased, or otherwise unavailable, service shall be made on one of the

following (in order of precedence): the victim's attorney, spouse, legal guardian, parent, child, sibling, or similarly situated family member. For a victim that is an institutional entity, service shall be made on an authorized representative of the entity.

(s) R.C.M. 1106(f)(4) is amended to read as follows:

"(4) *Response.* Counsel for the accused may submit, in writing, corrections or rebuttal to any matter in the recommendation and its enclosures believed to be erroneous, inadequate, or misleading, and may comment on any other matter."

(t) R.C.M. 1107(b)(3)(A) is amended by inserting new subsection (iv) immediately after R.C.M. 1107(b)(3)(A)(iii) as follows:

"(iv) Any statement submitted by a crime victim pursuant to R.C.M. 1105A."

(u) R.C.M. 1107(b)(3) is amended by inserting new subsection (C) immediately after R.C.M. 1107(b)(3)(B)(iii) as follows:

"(C) *Prohibited matters.* The convening authority shall not consider any matters that relate to the character of a victim unless such matters were presented as evidence at trial and not excluded at trial."

(v) R.C.M. 1306(a) is amended to read as follows:

"(a) *Matters submitted.*

(1) *By a crime victim.* After a sentence is adjudged, a crime victim may submit a written statement to the convening