

extends to documents subpoenaed by the investigating officer and counsel representing the United States, whether or not requested by the defense.”

(m) The following Discussion is inserted immediately after R.C.M. 1103(b)(3)(N):

“Per R.C.M. 1114(f), consult service regulations for distribution of promulgating orders.”

(n) The following Discussion is added immediately after R.C.M. 1103(g)(3)(B):

“This rule is not intended to limit the Services’ discretion to provide records of trial to other individuals.”

(o) The following Discussion is inserted immediately after R.C.M. 1103(g)(3)(D):

“Subsections (b)(3)(N) and (g)(3) of this rule were added to implement Article 54(e), UCMJ, in compliance with the National Defense Authorization Act for Fiscal Year 2012 (P.L. 112-81, § 586). Service of a copy of the record of trial on a victim is prescribed in R.C.M. 1104(b)(1)(E).”

(p) The following Discussion is added immediately after R.C.M. 1104(b)(1)(E):

“Subsection (b)(1)(E) of this rule was added to implement Article 54(e), UCMJ, in compliance with the National Defense Authorization Act for Fiscal Year 2012 (P.L. 112-81, § 586). The

content of the victim's record of trial is prescribed in R.C.M. 1103(g)(3)(D).

Promulgating orders are to be distributed in accordance with R.C.M. 1114(f)."

(q) The following Discussion is added immediately after R.C.M. 1105A(c):

"Statements should be submitted to the convening authority's staff judge advocate or legal officer, or, in the case of a summary court-martial, to the summary court-martial officer."

(r) The Discussion immediately after R.C.M. 1106(d)(3) is amended to read as follows:

"The recommendation required by this rule need not include information regarding the recommendations for clemency. See R.C.M. 1105(b)(2)(D), which pertains to clemency recommendations that may be submitted by the accused to the convening authority.

The recommendation is only required to include a crime victim's statement if the statement is submitted by the crime victim under the provisions of R.C.M. 1105A. The recommendation is not required to contain any other statements that a crime victim may have made on other occasions unless those previous statements are submitted by the crime victim under the provisions of R.C.M. 1105A."

(s) The Discussion immediately after R.C.M. 1106(f)(7) is amended to read as follows: