

(ee) R.C.M. 1103A(b)(5) is inserted immediately after R.C.M. 1103A(b)(4)(E)(viii) and reads as follows:

“(5) *Examination of sealed matters.* For the purpose of this rule, “examination” includes reading, viewing, photocopying, photographing, disclosing, or manipulating the sealed matters in any way.”

(ff) R.C.M. 1105 is amended by inserting the following Note before the rule’s heading:

“[Note: R.C.M. 1105(b)(1) and (b)(2)(C) apply to offenses committed on or after 24 June 2014.]”

(gg) R.C.M. 1105(b)(1) is amended to read as follows:

“(1) The accused may submit to the convening authority any matters that may reasonably tend to affect the convening authority’s decision whether to disapprove any findings of guilty or to approve the sentence, except as may be limited by R.C.M. 1107(b)(3)(C). The convening authority is only required to consider written submissions.”

(hh) R.C.M. 1105(b)(2)(C) is amended to read as follows:

“(C) Matters in mitigation that were not available for consideration at the court-martial, except as may be limited by R.C.M. 1107(b)(3)(B); and”

(ii) R.C.M. 1107 is amended by inserting the following Note before the rule’s heading:

“[Note: Subsections (b)-(f) of R.C.M. 1107 apply to offenses committed on or after 24 June 2014; however, if at least one offense in a case occurred prior to 24 June 2014, then the prior version of RCM 1107 applies to all offenses in the case, except that mandatory minimum sentences under Article 56(b) and applicable rules under RCM 1107(d)(1)(D)-(E) still apply.]”

(jj) R.C.M. 1107(b)(1) is amended to read as follows:

“(1) *Discretion of convening authority.* Any action to be taken on the findings and sentence is within the sole discretion of the convening authority. The convening authority is not required to review the case for legal errors or factual sufficiency.”

(kk) R.C.M. 1107(b)(3)(A)(iii) is amended to read as follows:

“(iii) Any matters submitted by the accused under R.C.M. 1105 or, if applicable, R.C.M. 1106(f);”

(ll) R.C.M. 1107(b)(3)(A)(iv) is amended to read as follows:

“(iv) Any statement submitted by a crime victim pursuant to R.C.M. 1105A and subsection (C) of this rule.”

(mm) R.C.M. 1107(b)(3)(B)(i) is amended to read as follows:

“(i) The record of trial, subject to the provisions of R.C.M. 1103A and subsection (C) of this rule;”

(nn) R.C.M. 1107(c) is amended to read as follows:

“(c) *Action on findings.* Action on the findings is not required. However, the convening authority may take action subject to the following limitations:

(1) For offenses charged under subsection (a) or (b) of Article 120, offenses charged under Article 120b, and offenses charged under Article 125:

(A) The convening authority is prohibited from:

(i) Setting aside any finding of guilt or dismissing a specification; or

(ii) Changing a finding of guilty to a charge or specification to a finding of guilty to an offense that is a lesser included offense of the offense stated in the charge or specification.

(B) The convening authority may direct a rehearing in accordance with subsection (e) of this rule.