

(b) *Contents of the record of trial.* The record of trial contains the court-martial proceedings and includes any evidence or exhibits considered by the court-martial in determining the findings or sentence. The record of trial in every general and special court-martial shall include:

- (1) A substantially verbatim recording of the court-martial proceedings except sessions closed for deliberations and voting;
- (2) The original charge sheet or a duplicate;
- (3) A copy of the convening order and any amending order;
- (4) The request, if any, for trial by military judge alone; the accused's election, if any, of members under R.C.M. 903; and, when applicable, any statement by the convening authority required under R.C.M. 503(a)(2);
- (5) Exhibits, or, if permitted by the military judge, copies, photographs, or descriptions of any exhibits that were received in evidence and any appellate exhibits;
- (6) The Statement of Trial Results;
- (7) Any action by the convening authority under R.C.M. 1109 or 1110; and
- (8) The judgment entered into the record by the military judge.”

(x) R.C.M. 1117 is amended to read as follows:

“Rule 1117. Appeal of sentence by the United States

(a) *In general.* With the approval of the Judge Advocate General concerned, the Government may appeal a sentence announced under R.C.M. 1007 to the Court of Criminal Appeals on the grounds that—

- (1) The sentence violates the law;
- (2) The sentence is a result of an incorrect application of sentencing parameters or criteria established under Article 56(c); or

(3) The sentence is plainly unreasonable.

(b) *Timing.*

(1) An appeal under this rule must be filed within 60 days after the date on which the judgment of the court-martial is entered into the record under R.C.M. 1111.

(2) Any request for approval must be submitted in sufficient time to obtain and consider submissions under R.C.M. 1117(c)(5).

(c) *Approval process.*

(1) A request from the Government to the Judge Advocate General for approval of an appeal under this rule shall include a statement of reasons in support of an appeal under R.C.M. 1117(a)(1), (a)(2), or (a)(3), as applicable, based upon the information contained in the record before the sentencing authority at the time the sentence was announced under R.C.M. 1007.

(2) A statement of reasons in support of an appeal under R.C.M. 1117(a)(1) shall identify the specific provisions of law at issue and the facts in the record demonstrating a violation of the law in the announced sentence under R.C.M. 1007.

(3) A statement of reasons in support of an appeal under R.C.M. 1117(a)(2) shall identify parameters or criteria at issue and the facts supporting how parameters or criteria were applied incorrectly.

(4) A statement of reasons in support of an appeal under R.C.M. 1117(a)(3) shall identify the facts in the record that demonstrate by clear and convincing evidence that the sentence announced under R.C.M. 1007 was plainly unreasonable.

(5) Prior to acting on a request from the Government, the Judge Advocate General shall transmit the request to the military judge who presided over the presentencing proceeding for purposes of providing the military judge, the parties, and any person who, at the time of