

sentencing, was a crime victim as defined by R.C.M. 1001(c)(2)(A), with an opportunity to make a submission addressing the statement of reasons in the Government's request.

(A) The military judge shall establish the time for the parties and crime victims to provide such a submission to the military judge and for the military judge to forward all submissions to the Judge Advocate General. The military judge shall ensure that the parties have not less than 7 days to prepare, review, and transmit such submissions.

(B) Submissions under this paragraph (R.C.M. 1117(c)(5)) shall not include facts beyond the record established at the time the sentence was announced under R.C.M. 1007.

(6) The decision of the Judge Advocate General as to whether to approve a request shall be based on the information developed under this rule.

(7) If an appeal is approved by the Judge Advocate General and submitted to the Court of Criminal Appeals under this rule, the following shall be included with the appeal: the statement of approval, the Government's request and statement of reasons under R.C.M. 1117(c), and any submissions under R.C.M. 1117(c)(5).

(d) *Contents of the record of trial.* Unless the record has been forwarded to the Court of Criminal Appeals for review under R.C.M. 1116(b), the record of trial for an appeal under this rule shall consist of—

(1) Any portion of the record in the case that is designated as pertinent by either of the parties;

(2) The information submitted during the presentencing proceeding; and

(3) Any information required by rule or order of the Court of Criminal Appeals.”

**Section 2.** A new Appendix 12B is inserted immediately after Appendix 12A to read as follows:

**“Appendix 12B**

Offense Category	Months
<b>1</b>	0–12
<b>2</b>	1–36
<b>3</b>	30–120
<b>4</b>	120–240
<b>5</b>	240–480
<b>6</b>	Confinement for life with eligibility for parole

**Sentencing Parameter Table – Confinement Range Categories**

*Note:* For all above categories, if the confinement portion of the maximum authorized punishment for the offense is less than the Offense Category’s confinement maximum, the lesser confinement portion of the maximum authorized punishment shall control as the recommended maximum confinement time for that offense. At a special court-martial, for an offense that is a category 3 offense or greater, the jurisdictional maximum period of confinement (12 months) constitutes the parameter; however, the military judge may impose a period of confinement less than the jurisdictional maximum period of confinement upon finding specific facts that warrant such a sentence.”