

GRANT OF IMMUNITY (TRANSACTIONAL)

IN THE MATTER OF)
)
) TRANSACTIONAL GRANT
NAME) OF IMMUNITY AND
RATE/RANK) ORDER TO TESTIFY
SERVICE)
) DATE
_____)

To: (WITNESS TO WHOM IMMUNITY IS TO BE GRANTED)

1. As an officer empowered to convene general court-martial under Rule for Courts-Martial (RCM) 704, Manual for Courts-Martial, United States, 1998, I hereby make the following findings:

a. (GENERALLY DESCRIBE THE INFORMATION THE WITNESS POSSESSES AND WILL DISCLOSE PURSUANT TO THE GRANT OF IMMUNITY)

b. Presentation of this information ("PRIOR TO JUDICIAL ACTION AND SUBSEQUENTLY") at the court-martial of (NAME OF THE ACCUSED) is in the public interest.

c. It is likely that (NAME OF WITNESS) will refuse to answer and to testify on the basis of the privilege against self-incrimination, if subpoenaed to appear as a witness.

d. (REASONS WHY IT IS EXPECTED THAT THE WITNESS WILL NOT TESTIFY). [Examples:. "(NAME OF WITNESS) has previously refused to answer questions regarding this matter, relying on the right to remain silent" OR "Counsel for (NAME OF WITNESS) has indicated to trial counsel that he/she would advise (NAME OF WITNESS) to invoke his/her right against self-incrimination if subpoenaed to testify as a witness at subject court-martial."]

2. Based on the foregoing facts, pursuant to RCM 704, I hereby order (NAME OF WITNESS) to appear and testify truthfully at any court-martial that may take place in this matter. (INSERT THE FOLLOWING IF NECESSARY: "I FURTHER ORDER (NAME OF WITNESS) TO PROVIDE TRUTHFUL AND COMPLETE INFORMATION CONCERNING THESE MATTERS TO MILITARY INVESTIGATORS, GOVERNMENT COUNSEL, AND DEFENSE COUNSEL.")

3. In consideration of the ("INFORMATION AND") testimony in the foregoing matter, (NAME OF WITNESS) is hereby granted immunity from prosecution, for any offense or offenses arising out of the matters about which he/she may be required to ("GIVE INFORMATION OR") testify, in a trial by court-martial, except a prosecution for perjury, giving a false statement, or otherwise failing to comply with this order.

4. This order is issued pursuant to my authority under RCM 704 and not pursuant to the

provisions of 18 U.S.C. §§ 6001-5. It was determined on (DATE) that there is no Department of Justice interest in any potential case against (NAME OF WITNESS) concerning criminal conduct arising out of the incidents and subsequent investigation of this matter.

5. The grant of immunity embodied in this order constitutes a transactional ("FULL") grant.

/s/

Grade, Title
Officer Exercising General
Court-Martial Jurisdiction

GRANT OF IMMUNITY (TESTIMONIAL)

IN THE MATTER OF)
)
) TESTIMONIAL GRANT
 NAME) OF IMMUNITY AND
 RATE/RANK) ORDER TO TESTIFY
 SERVICE)
) DATE
 _____)

To: (WITNESS TO WHOM IMMUNITY IS TO BE GRANTED)

1. As an officer empowered to convene general courts-martial under Rule for Courts-Martial (RCM) 704, Manual for Courts-Martial, United States, 1998, I hereby make the following findings:

a. (GENERALLY DESCRIBE THE INFORMATION THE WITNESS POSSESSES AND WILL DISCLOSE PURSUANT TO THE GRANT OF IMMUNITY)

b. Presentation of this information ("PRIOR TO JUDICIAL ACTION AND SUBSEQUENTLY") at the court—martial of (NAME OF THE ACCUSED) is in the public interest.

c. It is likely that (NAME OF WITNESS) will refuse to answer and to testify on the basis of his privilege against self-incrimination, if subpoenaed to appear as a witness.

d. (REASONS WHY IT IS EXPECTED THAT THE WITNESS WILL NOT TESTIFY) [Examples: "(NAME OF WITNESS) has previously refused to answer questions regarding this matter, relying on the right to remain silent" OR "Counsel for (NAME OF WITNESS) has indicated to trial counsel that he/she would advise (NAME OF WITNESS) to invoke his/her right against self-incrimination if subpoenaed to testify as a witness at subject court-martial."]

2. Based on the foregoing facts, pursuant to RCM 704, I hereby order (NAME OF WITNESS) to appear and testify truthfully at any court-martial that may take place in this matter. ("I FURTHER ORDER (NAME OF WITNESS) TO PROVIDE TRUTHFUL AND COMPLETE INFORMATION CONCERNING THESE MATTERS TO MILITARY INVESTIGATORS, GOVERNMENT COUNSEL, AND DEFENSE COUNSEL.")

3. In consideration of the ("INFORMATION AND") testimony in the foregoing matter, (NAME OF WITNESS) is hereby granted immunity from use of the ("INFORMATION AND") testimony, or any evidence directly or indirectly derived from the ("INFORMATION OR") testimony, against him/her in a trial by court-martial, except a prosecution for perjury, giving a false statement, or otherwise failing to comply with this order.

4. This order is issued pursuant to my authority under RCM 704 and not pursuant to the provisions of 18 USC §§ 6001-5. It was determined on (DATE) that there is no

Department of Justice interest in any potential case against (NAME OF WITNESS) concerning criminal conduct arising out of the incidents and subsequent investigation of this matter.

5. The grant of immunity embodied in this order constitutes a testimonial (USE) grant.

/s/

Grade, Title
Officer Exercising General
Court-Martial Jurisdiction

GRANT OF IMMUNITY (TESTIMONIAL/CIVILIAN)

IN THE MATTER OF)
)
) TESTIMONIAL GRANT
 NAME) OF IMMUNITY AND
 RATE/RANK) ORDER TO TESTIFY
 SERVICE)
) DATE
 _____)

To: (WITNESS TO WHOM IMMUNITY IS TO BE GRANTED)

1. As an officer empowered to convene general courts-martial under Rule for Courts—Martial (RCM) 704, Manual for Courts-Martial, United States, 1998,

I hereby make the following findings:

a. (GENERALLY DESCRIBE THE INFORMATION THE WITNESS POSSESSES AND WILL DISCLOSE PURSUANT TO THE GRANT OF IMMUNITY)

b. Presentation of this information ("PRIOR TO JUDICIAL ACTION AND SUBSEQUENTLY") at the court—martial of (NAME OF THE ACCUSED) is in the public interest.

c. It is likely that (NAME OF WITNESS) will refuse to answer and to testify on the basis of his privilege against self-incrimination, if subpoenaed to appear as a witness.

d. (REASONS WHY IT IS EXPECTED THAT THE WITNESS WILL NOT TESTIFY) [Examples:. "(NAME OF WITNESS) has previously refused to answer questions regarding this matter, relying on the right to remain silent" OR "Counsel for (NAME OF WITNESS) has indicated to trial counsel that he/she would advise (NAME OF WITNESS) to invoke his/her right against self-incrimination if subpoenaed to testify as a witness at subject court-martial."]

2. Based on the foregoing facts, pursuant to RCM 704, and 18 U.S.C. §6004, I hereby order (NAME OF WITNESS) to appear and testify truthfully at any court-martial that may take place in this matter. ("I FURTHER ORDER (NAME OF WITNESS) TO PROVIDE TRUTHFUL AND COMPLETE INFORMATION CONCERNING THESE MATTERS TO MILITARY INVESTIGATORS, GOVERNMENT COUNSEL, AND DEFENSE COUNSEL.")

3. In consideration of the ("INFORMATION AND") testimony in the foregoing matter, (NAME OF WITNESS) is hereby granted immunity from use of the ("INFORMATION AND") testimony, or any evidence directly or indirectly derived from the ("INFORMATION OR") testimony, against him/her in a trial by court-martial or in Federal District Court or a state court, except a prosecution for perjury, giving a false statement, or otherwise failing to comply with this order.

4. This order is issued with the approval of the Attorney General of the United States as

set forth in Exhibit I annexed hereto.

5. The grant of immunity embodied in this order constitutes a testimonial (USE) grant.

/s/

Grade, Title
(OFFICER EXERCISING GENERAL
COURT-MARTIAL JURISDICTION)