



# Department of Defense

## Military Commission Order No. 5

March 15, 2004

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**SUBJECT:** Designation of Appointing Authority

- References:**
- (a) Military Order of November 13, 2001, "Detention, Treatment, and Trial of Certain Non-Citizens in the War Against Terrorism," 66 F.R. 57833 (Nov. 16, 2001)
  - (b) Military Commission Order No. 1 (Mar. 21, 2002)
  - (c) Department of Defense Directive 5105.70, Appointing Authority for Military Commissions
  - (d) Military Commission Order No. 2 (Jun. 21, 2003)

### **1. PURPOSE**

This order assigns responsibilities under references (a), (b), and (c) for trials before military commissions of individuals subject to the President's Military Order.

### **2. REVOCATION OF MILITARY COMMISSION ORDER NO. 2**

Reference (d) designated the Deputy Secretary of Defense, Dr. Paul D. Wolfowitz, as the Appointing Authority on June 21, 2003. Reference (d) is hereby revoked.

### **3. DESIGNATION OF APPOINTING AUTHORITY**

In accordance with the President's Military Order and Military Commission Order No. 1, John D. Altenburg, Jr. is hereby designated as the Appointing Authority.

### **4. EFFECTIVE DATE**

This Order is effective immediately.

A handwritten signature in black ink, appearing to read "Donald H. Rumsfeld", is positioned above the printed name.

Donald H. Rumsfeld  
Secretary of Defense