



# CHAIRMAN OF THE JOINT CHIEFS OF STAFF NOTICE

Directive current as of 25 February 2014

---

DOM/SJS  
DISTRIBUTION: A, B, C, J

CJCS Notice 5761  
29 February 2008

## PRESERVATION OF DETAINEE RECORDS

### Reference(s):

a. Department of Defense Office of General Counsel, 19 December 2007, "Preservation of Detainee Records"

b. General Counsel of the Department of Defense, 30 August 2005, "Preservation of Records - Guantanamo Bay Detainees"

1. Purpose. To provide guidance on the requirement to preserve and maintain records relating to all detainees ever held by the Department of Defense at Guantanamo Bay, Cuba.
2. Cancellation. None.
3. Applicability. This notice is applicable to the Joint Staff, Services, combatant commands, Defense agencies, and joint activities.
4. Background. Preservation of all evidence, documents, and recorded information of every detainee now or ever held at Guantanamo Bay, Cuba, must be maintained as they are important historical documents. The preserved materials are essential to generate lessons learned to assist in the planning, shaping, and implementing of our Nation's defense in the future. These records must be available to assist in litigation proceedings and to assist detainee family members inquiring about the disposition of relatives.

5. Action or Procedure

a. In August 2005, in response to several orders issued by federal court judges, the General Counsel of the Department of Defense directed that certain information relating to all detainees ever held by the Department of Defense at Guantanamo Bay be preserved and maintained.

b. Specifically, you are to preserve and maintain “all documents and recorded information of any kind (i.e., electronic records, written records, telephone records, correspondence, computer records, e-mail, storage devices, video recordings, handwritten or typed notes) that is in, or comes into, your possession or control” relating to all detainees.

c. This directive remains in effect and must continue to be followed.

d. This notice covers all evidence, documents, and information concerning all Guantanamo detainees, whether or not it pertains to alleged “torture, mistreatment, and abuse.”

6. Releasability. This notice is approved for public release; distribution is unlimited. DOD components (to include the combatant commands), other federal agencies, and the public may obtain copies of this notice through the Internet from the CJCS Directives Home Page -- [http://www.dtic.mil/cjcs\\_directives](http://www.dtic.mil/cjcs_directives). Copies are also available through the Government Printing Office on the Joint Electronic Library CD-ROM.

7. Effective Date. This notice is effective upon receipt and will remain in effect until formally canceled.

For the Chairman of the Joint Chiefs of Staff:



STEPHEN M. GOLDFEIN  
Major General, USAF  
Vice Director, Joint Staff