



Office of the Chief
Records Officer for the
U.S. Government

Sent Via Email. No Hard Copy to Follow.

November 1, 2021

Ms. Teresa S. Fitzgerald
Department of Justice
Federal Bureau of Investigation
Information Management Division
170 Marcel Drive
Winchester, VA 22602

Dear Ms. Fitzgerald,

The National Archives and Records Administration received your report of the unauthorized destruction of files that were indexed to deceased Senators Frank Church and Barry Goldwater after the files were identified as potentially responsive to a civil suit.

Your report identified one main file and one cross-referenced file that was indexed to Frank Church and two cross referenced file serials indexed to Barry Goldwater that were subject to civil litigation. However, the destruction of these files was approved before the files were placed on the legal hold list. The destruction of the files occurred without knowledge of the pending addition to the legal hold list.

We understand that several unsuccessful attempts were initiated to reconstruct the destroyed files. To mitigate future risk of this issue recurring, the FBI implemented a new validation process to conduct final checks of the legal hold list immediately prior to the destruction of all records.

Your report meets all the requirements outlined in 36 CFR 1230.14(a). I appreciate your attention to this important matter. If you have any questions or wish to discuss further, please contact me at laurence.brewer@nara.gov.

Sincerely,

A handwritten signature in blue ink that reads "Laurence V. Brewer". The signature is written in a cursive style with a large initial 'L' and a distinct 'V'.

LAURENCE BREWER
Chief Records Officer
for the U.S. Government

cc: Jeanette Plante, Department of Justice, Department Records Officer,
jeanette.plante@usdoj.gov