



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

Sent Via Email. No Hard Copy to Follow.

June 5, 2023

Laura Besong
Agency Records Officer
Department of Justice
Executive Office for U.S. Attorneys
950 Pennsylvania Avenue, NW
Washington DC 20530

Dear Laura Besong,

The National Archives and Records Administration (NARA) has received your agency's report notifying us that one record (a signed proffer agreement associated with United States v. Gonzalez Gallegos, Case No. 05-CR-2106 (S.D. Cal.) was missing from the criminal file.

We understand that the Office of the United States Attorney for the Southern District of California is maintaining the criminal file and there is no evidence of any unlawful or accidental removal, defacement, alteration, or destruction. Extensive searches for this record were conducted in response to the pending litigation in the U.S. District Court for the District of Arizona, *Eduardo Gonzalez-Gallegos v. Department of Justice*, 4:17-CV-00421-RCC (D.Az) and a Freedom of Information Act request. We understand that this office has established a local Records Management Policy, General Policy No. 12-08, Case File Creation, Organization, Preservation, and Disposition, which was created to comply with USAP No. 3-13.300.005, Case File Creation and Preservation and implemented General Policy 12-08 in December 2012. Additionally, all employees are required to review and sign the Acknowledgment of Duty to Preserve Federal Records.

Based on the information you have given us, we consider this matter resolved. If this record is located, please let us know so we can update our records. 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 blue ink color.

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

cc: Jeanette Plante, Department of Justice, Department Records Officer
Ernesto Magaña, Jr, Executive Office for US Attorneys, Supervisory Records Management
Specialist