MEMORANDUM

July 13, 1995

To: Phil Golrick/ARRB
cc: T. Jeremy Gunn/ARRB, Kevin Tiernan/ARRB

From: Tammi Long/ARRB

Subject: FBI Files-Review of Correspondence Re: Requests for Sections 1-16
            Giancana File

I have reviewed the ARRB file 4.16.2.7--HSCA correspondence and the memorandum-Review of Sections 1-16-- Sam Giancana file, and the attached copies of correspondence from the HSCA to the FBI.   There are discrepancies between the two records.   The FBI material appears to give a more complete documentation of the correspondence between HSCA and the FBI.

The chronological listing of the exchange between the HSCA and the FBI contains a letter dated March 9, 1977, which requests information and records pertaining to both the Martin Luther King, Jr. assassination and the John F. Kennedy assassination.   Paragraph 4 of the letter contains a specific request for "[t]he undeleted and complete files and/or reports on the following: . . . SAM GIANCANA."   The corresponding letter in the ARRB file contains essentially the same request. However, the letter is dated March 8, 1977 and does not reference the request for information on the King assassination.   The entry in the Department of Justice-FBI log contained in the ARRB file dates the letter as March 9, 1977.

The next item referenced by the FBI is a letter dated May 11, 1977 which did not pertain to Giancana but was a partial response to the HSCA request.   The May 11, 1977 letter was not provided by the FBI, nor is it recorded in the log.

The next item is an FBI internal memorandum dated March 15, 1977 which requests a review, by FBI's legal counsel,   of the problems inherent in complying in full with the HSCA request.   The next item is an internal memorandum from the Legal Counsel to the Associate Director advising that the FBI should comply with the HSCA request in only two areas.

> 1)   Preparation by the Criminal Division of   redacted information concerning
> Santos Trafficante, 1959-1964.

2)   Requested material which pertains to the Special Investigative Division
will be processed by that division.

The HSCA made a subsequent request on October 7, 1977 for "logs and communications pertaining to the logs from field Offices to the Seat of Government during the period of time from October 1, 1963 through December 31, 1963, for . . . Sam Giancana." This letter of October 7, 1977 is referenced in the log next to the name of Sam Giancana. There is a notation to see the alphabetical listings at the end of the log for information regarding the reply. I have been unable to locate this alphabetical listing.

On October 17, 1977, HSCA Director Blakey supplemented his request of October 7, 1977 to include electronic surveillance records for Giancana during the time period of January 1, 1963 to August 1, 1963.

The final document from HSCA referenced in the FBI's review of Giancana file sections 1-16 was a request from HSCA to the FBI for "portions of the . . . Sam Giancana files for the period of January 1, 1964 through January 1, 1976." The FBI asserts that this body of correspondence indicates that after the FBI informed the HSCA of its inability to comply fully with the HSCA's initial request, HSCA altered its request for documents related to the FBI's investigation of Giancana to three definite periods of time.

The FBI refers in its review memorandum and in an internal memorandum dated July 25, 1978 to a "Memorandum of Understanding" between the HSCA and the FBI. ("Where information is not provided, it is either not retrievable from FBI files or is not being produced pursuant to the Memorandum of Understanding.") However, neither the information given to us from the FBI nor the file of HSCA correspondence at ARRB contains a clearly identifiable Memorandum of Understanding. The FBI has assumed that because the HSCA modified its requests to include specific time periods, especially pertaining to electronic surveillance information, that HSCA tacitly altered its request to include only those delineated periods of time. There is a lack of documentation in the HSCA correspondence file to challenge this assumption.