

UNITED STATES GOVERNMENT

# Memorandum

- Asst. Dir. \_\_\_\_\_
- Dep. AD Adm. \_\_\_\_\_
- Dep. AD Inv. \_\_\_\_\_
- Asst. Dir. \_\_\_\_\_
- Adm. Serv. \_\_\_\_\_
- Crim. Inv. \_\_\_\_\_
- Fin. & Pers. \_\_\_\_\_
- Ident. \_\_\_\_\_
- Laboratory \_\_\_\_\_
- Legal Coun. \_\_\_\_\_
- Plan. & Insp. \_\_\_\_\_
- Rec. Mgnt. \_\_\_\_\_
- Spec. Inv. \_\_\_\_\_
- Tech. Serv. \_\_\_\_\_
- Training \_\_\_\_\_
- Public Affs. Off. \_\_\_\_\_
- Telephone Rm. \_\_\_\_\_
- Director's Sec'y \_\_\_\_\_

DATE: July 19, 1977

TO : Mr. Feh1

FROM : J. S. Peelman

SUBJECT: ASSASSINATION OF PRESIDENT  
JOHN F. KENNEDY  
NOVEMBER 22, 1963  
DALLAS, TEXAS

- 1 - Mr. Held
- 1 - Mr. Adams
- 1 - Mr. Feh1
- 1 - Mr. Peelman
- 1 - Mr. Lawn
- 1 - Mr. [REDACTED]
- 1 - FOI-PA (Attn: Mr. Bresson)
- 1 - Mr. Mintz (Attn: Mr. Daily)

Reference is made to J. S. Peelman to Mr. Feh1 memorandum dated 7/13/77, captioned as above.

**PURPOSE:** To furnish results of additional records searches and recommend forwarding of attached memorandum to the Attorney General.

**SYNOPSIS:** Referenced memo set forth details of FBIHQ file searches in response to Director's inquiry following 7/7/77, appearance of "Midnight/Globe" article alleging Frank Sturgis in possession of "Secret" FBI document. Searches disclosed document mentioned in article may be an FD-302 which is not classified and which was contained in a 4/4/64, report by Miami Division in Lee Harvey Oswald case. Additional record searches through FOI-PA Branch and National Archives and Records Service (NARS) indicate Sturgis has not received article through FBI, FOI-PA request, or NARS, but that report with 302 has been available at NARS since 12/27/76, and was furnished by NARS to assassination researcher Harold Weisberg and the private "Committee to Investigate Assassinations," approximately one month ago. Since article appears to be based on 302 available through NARS, it is recommended that attached memorandum be forwarded to Attorney General advising him that the FBI does not intend to interview Sturgis unless specifically requested by the Department.

Enclosures

DJC:sas

REC-126

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FBI/DOJ

Memorandum to Mr. Feh1

**RECOMMENDATION:** That attached memorandum be forwarded to the ~~Assistant~~  
Attorney General, ~~for his review~~

*11/12/77*  
*K* *M*

<b>APPROVED:</b>	Adm. Serv. _____	Legal Coun. _____
Director _____	Crim. Inv. _____	Plan. & Insp. _____
Assoc. Dir. _____	Fin. & Pers. _____	Rec. Mgnt. _____
Dep. AD Adm. _____	Ident. _____	Spec. Inv. _____
Dep. AD Inv. _____	Intell. _____	Tech. Servs. _____
	Laboratory _____	Training _____
		Public Affs. Off. _____

**DETAILS:** J. S. Peelman to Mr. Feh1 memorandum of 7/13/77, captioned "Assassination of President John F. Kennedy; 11/22/63, Dallas, Texas" provided results of FBIHQ file searches responding to Director's inquiry re 7/7/77, "Midnight/Globe" article which stated it was based on an interview of Frank Sturgis and claimed that Sturgis was in possession of a "Secret" document bearing "Number MM105-8342, dated March 24, 1964."

A search of Bufiles disclosed that Miami Division reported investigation in the Lee Harvey Oswald file under MM105-8342. A search of Bufile 105-82555, the Lee Harvey Oswald file, disclosed a 4/4/64, Miami report originally classified "Secret" but downgraded on 12/14/76, to "Confidential" on a paragraph by paragraph basis.

This report contained a five-page 302 reflecting interview of Cuban exile John V. Martino by SA James J. O'Connor on 3/21, 23, 24/64, at Miami Beach, Florida, in Miami file 105-8342 and reflected the date dictated and transcribed as 3/24/64, which is the date set forth in the article. This 302 is not classified.

The 4/4/64, report was disseminated to the Warren Commission on 4/20/64, and to CIA on 5/4/64. As previously noted, it was downgraded from "Secret" on 12/14/76, and inquiry through the FOI-PA Branch, Records Management Division, disclosed that the downgrading markings on the cover page of the 4/4/64, report indicate that it was reviewed by the Document Classification Review Unit since it was the subject of an FOI-PA request.

It was determined that the article contained sufficient information to indicate it may refer to the Martino 302 as the alleged "Secret" document.

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Memorandum to Mr. Mohl

On 7/14/77, Mr. Marion Johnson, NARS, Washington, D. C., advised that a search of his records disclosed that the 4/4/64, Miami report of SA James J. O'Connor, captioned "Lee Harvey Oswald; IS-R-Cuba," Miami file 105-8342, containing the FD-302 re John V. Martino, dated 3/24/64, is part of Warren Commission Document Number 812.

Mr. Johnson further advised that his records reflect that he received a copy of the downgraded, 4/4/64, report from the FBI by letter, dated 12/27/76, and that it and the Martino FD-302 have been available to the general public with certain excisions or deletions since that time.

In addition, he recalls that copies of the 4/4/64, report were requested approximately one month ago by well known assassination theorist Harold Weisberg and the private "Committee to Investigate Assassinations." Mr. Johnson could not locate any record reflecting that Frank Sturgis had made a specific request for the 4/4/64, report or the 3/24/64, 302.

Additional searches by the FOI-PA Branch disclose that while Sturgis has a pending FOI-PA request, he has received no documents to date, but the Martino 302 is among the documents being processed for release to Sturgis at a later time.

Since much of the information appearing in the article has been found to be contained in the Martino FD-302 and since this 302 has been available to the general public through NARS since 12/76, it is being recommended that the attached memorandum be sent to the Attorney General advising him of the results of our records searches and that the FBI does not intend to interview Sturgis unless specifically requested to do so by the Department.