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OPTIONAL FORM NO. 10

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
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 Gandy _____

TO : Mr. A. H. Belmont

DATE: 1-26-61

FROM : Mr. F. J. Baumgardner

- 1 - Mr. Parsons
- 1 - Mr. Belmont
- 1 - Mr. Baumgardner
- 1 - Mr. Nasca
- 1 - Mr. Simpson

SUBJECT: ROLANDO ARCADIO MASFERRER ROJAS
NEUTRALITY MATTERS

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 7/10/81 BY 2942 haw/lat

There is enclosed for the Director's information a detailed memorandum concerning Masferrer which includes information concerning his background, Government attempts to remove him from the Miami area, and a summary of the various investigations the Bureau has conducted of him.

Of primary interest is the present status of the current neutrality case against Masferrer. Briefly, the facts of the case are: On 10-4-60, 27 men invaded Cuba from the United States and these men were either killed or imprisoned by the Cuban Government. Upon authorization of the Department, we investigated this incident and established that Masferrer was behind it and on interview Masferrer admitted his participation.

During interviews Masferrer told Bureau Agents he would cease all operations if requested by the United States Government. We furnished this information to State, the Attorney General and Central Intelligence Agency on 11-30-60. On 12-30-60, State asked us to contact Masferrer and take him up on his offer but we refused on ground we had no legal basis to act. We have had no indication that any representative from State or Central Intelligence Agency has contacted Masferrer concerning his offer.

In January, 1961, some of Masferrer's men were arrested by the Miami Police Department for vagrancy and Masferrer was ordered to give up the house in which his followers resided. An informant reported on 12-30-60 that Masferrer is broke and his group disbanded.

On the basis of our investigative reports, the Department considered prosecution of Masferrer and on 1-5-61 Assistant Attorney General Yeagley conferred with the Director concerning the feasibility of prosecution. The Director pointed out the anti-Castro feelings in Florida and the recent break in diplomatic relations with Cuba and suggested that before taking any action Justice secure, in writing, a statement from State Department that Masferrer should be prosecuted. On 1-25-61 Yeagley said he had conferred with State on several occasions and on 1-19-61 was told State had no objection to the prosecution, but Yeagley insisted on having a statement that prosecution would be in the national interest. State Department representative he talked to has now left State; Yeagley has had no further word from State; and, consequently, contemplates no further action against Masferrer until State sets forth its position definitely in writing.

Enclosure
 2-1622 RDS:pw (6)