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ROLANDO MASFERRER
ROLANDO MASFERRER ROJAS

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Office Memorandum • UNITED STATES GOVERNMENT

Director, Federal Bureau of Investigation

DATE: June 11, 1959

Walter Yeagley
Acting Assistant Attorney General
Internal Security Division

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SUBJECT: ANTI-FIDEL CASTRO ACTIVITIES
INTERNAL SECURITY - CUBA

Reference is made to your memorandum dated June 5, 1959, in which you requested to be advised on an expedite basis when any of the data furnished this Division concerning subject points to a possible violation, if the facts were proved, of a law within the jurisdiction of the Bureau.

The information furnished in a memorandum dated June 5, 1959 at Washington, D.C. and captioned Anti-Fidel Castro Activities points to a possible violation, if the allegations contained therein were proved by competent and legally sufficient evidence.

It appears from your memorandum that Rolando Arcadio Masferrer Rojas, Justo Luis Pozo del Puerto, and Pedro Diaz have entered into an agreement which could constitute a conspiracy to violate Section 956, Title 18, United States Code, in that they appear to have agreed to injure or destroy specific property situated in Cuba. It will, of course, be necessary to establish that the property to be destroyed belongs to the Cuban Government or a political subdivision thereof, or that it is a public utility. However, for the present, it is assumed that such proof can be adduced because of the targets discussed, viz., telegraph office, microwave station and teletype office.

It would also be necessary to establish an overt act by one of the conspirators to effect the object of the conspiracy. Such an overt act could be the purchasing or acquiring of planes to carry out the conspiracy.

If it can be proved that Richard Jaffee, Robert Daut, Hayson Jones, Arthur Vining Davis, William Johnson, Chester Maier, General Jose Pedraza and Erle Peacock have knowingly joined in the illegal agreement, they would be considered co-conspirators.

It is further noted that the agreement of Masferrer and his co-conspirators could be considered as a conspiracy to violate Section 960, Title 18, United States Code, as well as Section 956. The sending of planes and men on a sabotage mission from the United States for the purpose of assisting in the overthrow of the Government of Cuba could be considered as an expedition, or military enterprise within the meaning of Section 960. Again, it would be necessary to establish an overt act by one of the conspirators to effect the object of the conspiracy.

F.B.I. INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
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(JK)

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It does not appear that there is sufficient evidence to link Salvador Diaz Verson, Jose Luis Pujol, and Ray Molan to the Masferrer conspiracy. However, it does appear they have agreed to attack Cuba, from the United States. If this is established and if an overt act to effect the object of the conspiracy is committed, such as the gathering together of individuals under such circumstances as to make clear that they were about to engage in an expedition against Cuba from the United States, there could be a conspiracy to violate Section 960.

We are reviewing other information furnished by the Bureau and will review future information concerning subject and if any such information points to a possible violation of law, we will advise you.