

1 April 1960

## MEMORANDUM FOR THE RECORD

SUBJECT: Marcos DIAZ Lens

1. It would appear that subject left the U.S. for Mexico some months ago on the advice of a lawyer, that he went to Mexico, thereby violating his parole, and then couldn't get a visa to get back into the U.S. He was a little upset about this since he says he was just trying to legalize his status in the U.S. After a couple of months, it was finally agreed that he would be allowed to re-enter the U.S. on parole. It is very confusing who advised what, who was pushing who, or why, but I&NS seemed to think CIA was pushing the hardest, but now has changed its mind. Be that as it may, they seem to have set up two interviews for subject at the Embassy, at the first of which he was told all the bad aspects of his situation, but failed to tell him they had agreed to let him back in the U.S. on parole. So subject took off on his own with the aid of some Catholic organization, swam the river and made his way to Washington where he contacted an unstated Congressional, probably Senate, committee, who passed him on to I&NS, apparently General Swing himself. The General was not pleased, because obviously he had a hot potato. In short there were objections to every possible solution. Subject has a wife and two children legally resident in Florida and one of the children is an American citizen, and owns a home there, so paroling the subject anywhere else might cause some bad publicity.

2. In the absence of Mr. Seehafer, Mr. JORDAN of WH Division was asked to go over with Mr. Pennington to a meeting with I&NS, at 11:30 on 1 April. Mr. Hennessey reviewed the case and wanted to know what CIA wanted done with DIAZ, and Mr. Pennington and another person said they had talked to Shef Edwards and it had been agreed that the new policy on paroles would probably be the best thing as that might keep him out of our hair in Florida. Mr. Hennessey reviewed a lot of the legal situation and said in practice it wouldn't work, and he wanted an immediate decision as to whether CIA would say that it was in the national interest, and in writing, that CIA wanted subject held somewhere. After consultation with Col. King, Mr. Reynolds and Miss Sharpe, Mr. JORDAN said that it didn't seem likely that CIA would express in writing such of any desires or wishes about subject. Mr. Hennessey then brought subject in and gave him a stern talk about his obligations and conduct under parole. The parole paper was finally drawn up, and at about 4 p.m., subject was released.

3. Mr. JORDAN had a brief conversation with subject in a taxi going down town as subject was in a hurry. He implied that I&NS had impressed on him to get out of town as quickly as possible, and said they had told him to go to his home in

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Florida and keep clean, and had set up an appointment with the I&S people in Dade County on 2 April at 10 a.m. Subject said he would look Freddie in Miami up next week. He said he thought CIA should look into Fernando Davalo Devalos, a Mexican pilot who lived at Loreto 11, Mexico City, who according to a padre had agreed to go to the U.S. on 2 April and pick up a plane. Later this plane would carry arms for Castro to Cuba.

4. The above, with the exception of the part about the Mexican pilot, was summarized for Mr. Reichhardt by phone at 4:30 p.m.

5. Mr. Hennessey commented several times about sending a letter to Mr. Dulles asking that a policy line be established that none of our people should discuss the details of immigration procedures and status with persons who want to, or we want to come to the U.S. He remarked that State should have some kind of overt escapee program, so that CIA wouldn't get all this "garbage".

6. JORDAN passed to Pennington via Langlin a copy of the parole document signed by subject.

03 [R. Whedbee] (JORDAN)  
R. Whedbee  
WH/4

Distribution:

Orig. & 1 - Routed to: Mr. Gomez  
Mr. Reynolds  
Mr. Seehafer

1 - WH/4/Subject  
1 - WH/4/Chrono

03  
[R. Whedbee/bl]

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