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Cuban mercenary leader claims FBI harassment

MIAMI (AP) — An FBI attempt to squelch efforts to send Cuban exile volunteers to fight Cuban Communist troops in Angola will be fought in the courts if necessary, a refugee recruiter and his attorney said Friday.

"We have men ready to go to Africa and they are going no matter what," said Pedro Martinez, leader of a recently disclosed recruiting operation in Miami, New York and Chicago.

Martinez was visited at his home by two FBI agents Wednesday and warned that he would be charged with violating American neutrality laws if he didn't stop his activities.

Miami lawyer Ellis Rubin, representing the anti-Castro militant, said Martinez was not breaking the law. "I am contemplating legal action against the government if they continue this policy of intimidation and harassment," Rubin said.

Rubin said he had told the U.S. attorney's office in Miami the FBI's interpretation of the law was erroneous, and that he would file suit against the

government if such "pressure tactics" continued.

"We have had 365 men ready for weeks," said Martinez. "We have been delayed because of lack of funds" in mercenary recruiting operations headquartered in Africa.

Martinez says he gets no payment or fees for his recruiting efforts.

"They are desperately anxious to get there. Now we have the FBI trying to stop us. They won't. We'll go no matter what happens."

FBI agent Francis Gibbons said he and another agent visited Martinez for their investigation of the case, and that their report would go to Washington for possible action by the Justice Department.

Rubin, a Miami attorney whose law practice is often linked with Cuban exile causes, said the law in question — U.S. Code 18-959 — specifically exempts noncitizens of the United States. Martinez and his recruits are not American citizens.

"I don't read the law the way the FBI

reads it," Rubin said. "These people are in no way involving the U.S. government or its citizens."

Under the law, citizens are banned from enlisting or recruiting anyone to fight for a foreign country.

A Justice Department spokesman in Washington said the involvement of both Americans and non-Americans in such recruiting in this country is under investigation, but he declined to give any details.

Martinez and a colleague, Jose Antonio Prat, disclosed plans earlier this month to send combat-trained Cuban exiles and other Latins to Angola, the former Portuguese colony caught in a civil war, to fight on the side of UNITA — National Union for the Total Independence of Angola.

U.S. intelligence sources say Cuba now has more than 10,000 combat troops in the field alongside the MPLA — Popular Movement for the Liberation of Angola — fighting the Westernbacked UNITA and the FNLA — National Front for the Liberation of Angola.