

The New York Times

May 18, 2000

Secrets Trial of High Immigration Official Begins

By RICK BRAGG

MIAMI, May 17— A trusted veteran United States immigration official betrayed his country when he passed on a government secret to a wealthy friend who plans to do business in Cuba after President Fidel Castro's death, a federal prosecutor said today in his opening statement in the official's espionage trial.

The official, Mariano Faget, a Cuban-American who has worked for the Immigration and Naturalization Service since 1970, is charged with violating the Espionage Act by leaking classified information in a sting operation by the Federal Bureau of Investigation, and by lying about meeting with agents of the Cuban Interest Section, Cuba's equivalent of an embassy in the United States.

"You're going to have to decide which side Mr. Faget is on," Dick Gregorie, an assistant United States attorney, told a 12-member federal jury here this afternoon.

But Edward O'Donnell, a lawyer for Mr. Faget, said his client had done nothing to warrant charges under the Espionage Act, and nothing to betray his country or to jeopardize national security.

Mr. Faget, 54, who rose up the ranks to become acting district deputy director of the immigration office in Miami, has been held without bond since his arrest in February.

Mr. Gregorie said federal agents suspicious of Mr. Faget, who has a high security clearance and access to classified information, showed him a phony document about the impending defection of a Cuban official.

Just 12 minutes later, the prosecutor said, Mr. Gregorie used his private cellular telephone to call Pedro Font, a Cuban-American boyhood friend and business associate, and told him about it.

Mr. Faget has said he did not intend for the information to be used by Cuban spies.

Both Mr. Faget and Mr. Font are on the board of a company called America-Cuba, formed to do business in post-Castro Cuba.

But Mr. Gregorie said Mr. Faget and others established a Panamanian company as a way to get around the United States embargo of Cuba. The company would buy land for cemeteries in Cuba, and ultimately transport the bodies of Cuban exiles in the United States back to Cuba for burial, for a price.

Mr. Faget used his government connections and information to help his business associates, Mr. Gregorie said.

He said Mr. Faget met in a Miami bar with Jose Imperatori, a Cuban diplomat, even though under the guidelines of his own agency, he is not supposed to meet with agents of a foreign country. As a result of the meeting, the United States expelled Mr. Imperatori.

In his opening statement, Mr. O'Donnell described Mr. Faget as a longtime public servant with an unblemished record.

Mr. Faget faces up to five years in prison if convicted.