

4174 Alton Road.  
Miami Beach, Florida  
October, 17, 1952  
DC/R

Sec. of State  
Washington  
D.C.

DEPARTMENT OF STATE

Letter directed to Mr. Schwartz  
OCT 21 1952

10/27/52 File E PA  
DIVISION OF SECURITY

Dear Sir,

I've spoken to Mr. Walters the agent in charge  
of the Miami office and he referred me to you.

I am an American citizen by birth and live in  
the U.S.A. I've accepted a position as investigator  
for the Cuban government working for the military  
intelligence service.

Please inform me of any regulations or regis-  
tration needed through your office.

Assuring you of my earnest cooperation at all  
times.

Respectfully yours,  
Irving Schwartz

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10/27/52 BY E PA Div	

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10/27/52 BY E PA Div	

4174 Alton Road  
M.B. Florida  
Nov. 1, 1952

DC/R

State Dept.  
Washington, D.C.  
DEPARTMENT OF STATE

File  
PA 154  
DIVISION OF SECURITY

Dear Sir,

On October 17, 1952 I wrote asking information whether an American citizen is required to register with the State Dept. if employed by a foreign government.

I am employed by the Republic of Cuba in the service of military intelligence.

Please advise me by return mail as to the proper procedure.

Thanking you for your cooperation and assuring you of my earnest cooperation at all times.

Respectfully yours,  
Irving Schwartz

DC/R

Rev.

NOV 17 1952

FILED

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737.0111/11-152  
CS/H

In reply refer to  
SY/EPA

NOVEMBER 3 1952

My dear Mr. Schwartz:

The receipt is acknowledged of your letter of October 17, 1952 inquiring concerning your obligation to register your activities in this country on behalf of the Government of Cuba.

Section 951, Title 18 of the United States Code states that "Whoever, other than a diplomatic or consular officer or attache, acts in the United States as an agent of a foreign government without prior notification to the Secretary of State" shall be fined or imprisoned. Since that Act is a penal statute, final determination as to whether the facts and circumstances in a particular case constitute an individual or firm an agent of a foreign government within the meaning of the Act cannot be made by the Department of State but would be a matter for the courts to decide.

However, notification by letter is sufficient to satisfy the requirements of Section 951. The notification should include the full name, nationality, business and residence addresses of the agent, a statement of the present and proposed activities of such agent, and the name of the government represented, together with an indication of the date of assumption of duties in the United States and the approximate duration thereof.

It is possible that you may have some obligation under the Foreign Agents Registration Act of 1938, as amended. Since that Act is administered by the Attorney General, a copy of your letter has been referred to the

Foreign

Mr. Irving Schwartz  
4174 Alton Road  
Miami Beach, Florida

FW 132 011/10/1952

DO/R Central Files

Foreign Agents Registration Section of the Department of Justice for consideration and reply. Section 2(a) of that Act requires that a copy of each registration statement filed be transmitted by the Attorney General to the Secretary of State. Registration under that Act would fulfill the requirements of Section 951, Title 18 of the United States Code.

Sincerely yours,



John W. Ford,  
Chief, Division of Security

NOV 1 1952  
12:15 PM

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Mr. Wm. E. Felt, Chief, Foreign Section Registration Section, Dept. of Justice	
10/27/52 JWA EPA Div 8	

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