UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

05-20943 CR-MOORE MAGISTRATE ... GARBER

CASE NO._____

18 U.S.C. § 951(a)
18 U.S.C. § 2

UNITED STATES OF AMERICA

vs.

CARLOS ALVAREZ,
a/k/a "David," and
ELSA ALVAREZ,
a/k/a "Deborah,"

Defendants.
_____/

D.C.

FILED BY ... CLERK U.S. DIST. CT. S.D. OF FLA. - MIAMI

INDICTMENT

The Grand Jury charges that:

GENERAL ALLEGATIONS

At all times material to this Indictment:

1. A person acting in the United States as an agent of a foreign government was required to provide prior notification to the Attorney General. The term "agent of a foreign government" includes an individual who agrees to operate within the United States subject to the direction or control of a foreign government or official.

2. The Republic of Cuba's intelligence collection agency, the Directorate of Intelligence (hereinafter "DI") and its predecessors, placed covert agents in the United States to gather information on matters of interest to the Cuban government, inform on anti-Castro individuals and groups and other elements of the Cuban exile community in South Florida, recruit young people of Cuban heritage to serve as spies for the Cuban government, and carry out other operational

directives.

3. The DI provided training and technology to its agents that would allow the receipt of instructions and assignments from the Cuban government, the recording of information and data within the United States that is of interest to the Cuban government, and the transmission of that information and data back to the Cuban government for evaluation and further action.

5. The DI carried out its activities with an extreme concern for secrecy and non-detection, including through the use of code names, meetings in various countries to avoid detection, concealed communications techniques, encryption and decryption of the contents of communications, and compartmentalization of agents and functions.

6. The defendants, **CARLOS ALVAREZ** and **ELSA ALVAREZ**, served as agents of the DI and its predecessor agencies by gathering information within the United States on matters of interest to the Cuban government, informing on anti-Castro individuals and groups and other elements of the Cuban exile community in South Florida, and carrying out other operational directives.

COUNT 1

The allegations in paragraphs 1 through 6 of this Indictment are incorporated as if fully set forth herein.

Beginning on a date unknown to the Grand Jury, but at least as early as in or about 1977, and continuing until on or about June 22, 2005, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

CARLOS ALVAREZ,
a/k/a "David,"

did knowingly act as an agent of a foreign government, that is, the Republic of Cuba, without providing prior notification to the Attorney General, in violation of Title 18, United States Code, Sections 951(a) and 2, and 28 C.F.R. Sections 73.01 et seq.

COUNT 2

The allegations in paragraphs 1 through 6 of this Indictment are incorporated as if fully set forth herein.

Beginning on a date unknown to the Grand Jury, but at least as early as in or about 1982, and continuing until on or about July 5, 2005, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

ELSA ALVAREZ,
a/k/a "Deborah,"

did knowingly act as an agent of a foreign government, that is, the Republic of Cuba, without providing prior notification to the Attorney General, in violation of Title 18, United States Code, Sections 951(a) and 2, and 28 C.F.R. Sections 73.01 et seq.

A TRUE BILL

FOREPERSON

R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

BRIAN K. FRAZIER
ASSISTANT UNITED STATES ATTORNEY