

FOREIGN CLAIMS SETTLEMENT COMMISSION  
OF THE UNITED STATES  
WASHINGTON, D.C. 20579

IN THE MATTER OF THE CLAIM OF

HARVEY L. STRELZIN

Under the International Claims Settlement  
Act of 1949, as amended

Claim No. CU-0176

Decision No. CU-22

Appeal and objections from a Proposed Decision entered November 30, 1966.  
Oral hearing requested.

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Oral hearing held on June 14, 1967.

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FINAL DECISION

Under date of November 30, 1966, the Commission issued its Proposed Decision denying this claim for claimant's failure to establish his ownership of "old" Cuban currency on the date of any action by the Government of Cuba effecting the value thereof. Claimant objected to the Proposed Decision and testified at an oral hearing held before the Commission on June 14, 1967. Subsequent to the oral hearing, claimant submitted an affidavit in support of his objections.

The Commission has carefully considered all of the evidence of record, including claimant's testimony at the oral hearing and the affidavit submitted subsequent thereto, and finds it not persuasive in establishing the elements of a compensable claim under the Act. Accordingly, it is

ORDERED that the Proposed Decision denying this claim be and it hereby is affirmed.

Dated at Washington, D. C.,  
and entered as the Final  
Decision of the Commission

**AUG 23 1967**

*Edward D. Re*

Edward D. Re, Chairman

*Theodore Jaffe*

Theodore Jaffe, Commissioner

*LaVern R. Dilweg*

LaVern R. Dilweg, Commissioner

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PROPOSED DECISION

This claim against the Government of Cuba, under Title V of the International Claims Settlement Act of 1949, as amended, was presented by HARVEY L. STRELZIN for \$20,000 based upon the asserted ownership of currency of the Republic of Cuba. Claimant states that he has been a national of the United States since his birth in the United States.

Under Section 503 of the International Claims Settlement Act of 1949, as amended (64 Stat. 12; 69 Stat. 562; 72 Stat. 527; 78 Stat. 1110; 79 Stat. 988) the Commission is given jurisdiction over claims of nationals of the United States against the Government of Cuba. That section provides that the Commission shall receive and determine in accordance with applicable substantive law, including international law, the amount and validity of claims by nationals of the United States against the Government of Cuba arising since January 1, 1959 for

(a) . . . losses resulting from the nationalization, expropriation, intervention or other taking of, or special measures directed against, property including any rights or interests therein owned wholly or partially, directly or indirectly at the time by nationals of the United States, . . .

Claimant bases his claim on twenty 1,000 peso notes of the Republic of Cuba, of the issue of 1950. He states that he received these notes sometime in 1961 in payment of expenditures, disbursements and legal fees resulting from his defense of certain persons in legal proceedings.

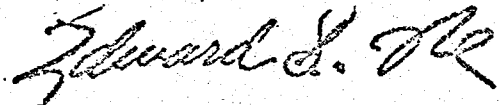
During the first half of 1961, inflation was a problem in Cuba. In this connection, new Cuban bank notes were printed and by Law 963, published in the Official Gazette on August 4, 1961, a currency exchange was ordered, to be carried out on August 6 and 7, 1961. All old currency was to be turned in at designated Exchange Centers. No one was allowed, under the Law, to receive more than 200 pesos, and all currency in excess of that amount was placed in a special account in the individual's name. Thereafter old currency was null and of no value. A 60-day extension was provided in Article X for those showing good reason for their absence on the specified days of exchange. Article XI of Law 963 declared all currency which, at the time of promulgation, was outside the territory under the jurisdiction of the Cuban State to be null and of no legal force. By Law 964, published on August 9, 1961, it was provided that all such special accounts over 10,000 pesos established pursuant to Law 963, passed to the Cuban State Treasury.

Claimant has not informed the Commission, although requested, as to the exact date in 1961 on which he received the notes. It appears from the record that on March 27, 1964, claimant stated he had made no effort to convert the peso notes into United States currency outside of Cuba.

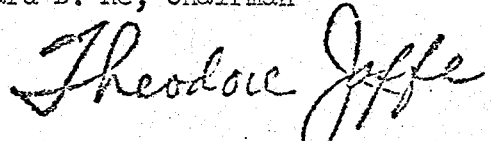
Inasmuch as claimant has not established that he owned the 20,000 pesos in "old" Cuban currency on the date of any action by the Government of Cuba affecting his interest therein, the Commission holds that claimant has not established that his claim falls within the purview of Title V of the Act, and it is, accordingly, denied.

Dated at Washington, D. C.,  
and entered as the Proposed  
Decision of the Commission

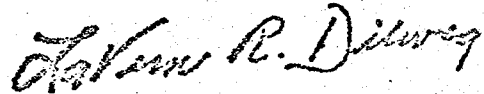
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Edward D. Re, Chairman



Theodore Jaffe, Commissioner



LaVern R. Dilweg, Commissioner

NOTICE: Pursuant to the Regulations of the Commission, if no objections are filed within 20 days after service or receipt of notice of this Proposed Decision upon the expiration of 30 days after such service or receipt of notice, the decision will be entered as the Final Decision of the Commission, unless the Commission otherwise orders. (FCSC Reg., 45 C.F.R. 531.5(e) and (g) (1964))