

Request for Records Disposition Authority

Records Schedule Number	DAA-0299-2017-0001
Schedule Status	Approved
Agency or Establishment	Foreign Claims Settlement Commission
Record Group / Scheduling Group	Records of the Foreign Claims Settlement Commission of the United States
Records Schedule applies to	Major Subdivision
Major Subdivision	Foreign Claims Settlement Commission
Schedule Subject	Claims under the Guam World War II Loyalty Recognition Act
Internal agency concurrences will be provided	No
Background Information	<p>Pursuant to the Guam War Claims Review Commission Act, Pub. L. No. 107-333, 116 Stat. 2873 (2002), the Guam War Claims Review Commission ("GWCRC") was established to evaluate the war claims compensation program conducted by the U.S. Navy on Guam during and after World War II, and to compare it with other compensation programs covering claims of U.S. nationals arising in other areas in the Pacific attacked by Japanese forces during the war. The GWCRC was required to submit a report of its findings and recommendations to the Secretary of the Interior and specified Congressional committees within nine months of its establishment. Pub. L. No. 107-333, section 5(6).</p> <p>In September 2003, the Secretary of the Interior requested the Foreign Claims Settlement Commission of the United States (Commission) to provide part-time technical assistance to GWCRC. Between 2003 and 2004, members of the Commission's staff were detailed to the GWCRC, where they planned and organized GWCRC meetings and conducted research on the Guam claims program and the other compensation programs with which it was to be compared. The GWCRC held hearings on Guam in December 2003, at which it received testimony by numerous residents of Guam who had survived the 32-month Japanese occupation of the island. The hearings on Guam were followed by a legal experts' conference convened in Washington, DC, in February 2004 to discuss the nature and extent of the United States Government's legal responsibility for the various types of claims that arose out of World War II, and the treatment the Government accorded the claims of the people of Guam as compared with that given to the claims of United States nationals elsewhere in the Pacific Ocean area.</p>

The GWCRC's Final Report, issued on June 9, 2004, determined that, in some respects, there was a lack of parity of war claims paid to the residents of Guam compared with awards made to other similarly affected U.S. citizens or nationals in territory occupied by the Imperial Japanese military forces during World War II. Based on this determination, the GWCRC recommended that Congress enact legislation providing for additional compensation to compensate the people of Guam for death, personal injury, forced labor, forced march, and internment. As required by statute, the GWCRC terminated 30 days after submission of its report. Pub. L. No. 107-333, section 7. Following from the findings and recommendations of the GWCRC, on December 23, 2016, the President signed into law the Guam World War II Loyalty Recognition Act, Title XVII, Pub. L. No. 114-328, 130 Stat. 2000, 2641-2647 (2016) (the "Guam Loyalty Recognition Act" or "Act"). The Act provides, inter alia, that "[t]he United States recognizes that, as described by the Guam War Claims Review Commission, the residents of Guam, on account of their United States nationality, suffered unspeakable harm as a result of the occupation of Guam by Imperial Japanese military forces during World War II, by being subjected to death, rape, severe personal injury, personal injury, forced labor, forced march, or internment." The Act further recognizes that "[t]he United States forever will be grateful to the residents of Guam for their steadfast loyalty to the United States, as demonstrated by the countless acts of courage they performed despite the threat of death or great bodily harm they faced at the hands of the Imperial Japanese military forces that occupied Guam during World War II." Pub. L. No. 114-328, section 1702. Pursuant to section 1705(a) of the Act, the Commission is authorized to adjudicate claims and determine the eligibility of individuals for payments under the Act, in recognition of harms suffered by residents of Guam as a result of the occupation of Guam by Imperial Japanese military forces during World War II.

Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
1	1	0	0

GAO Approval

Outline of Records Schedule Items for DAA-0299-2017-0001

Sequence Number	
1	Claims under the Guam World War II Loyalty Recognition Act, Title XVII, Pub. L. No. 114-328, 130 Stat. 2000, 2641-2647 (2016) Disposition Authority Number: DAA-0299-2017-0001-0001

Records Schedule Items

Sequence Number	
1	Claims under the Guam World War II Loyalty Recognition Act, Title XVII, Pub. L. No. 114-328, 130 Stat. 2000, 2641-2647 (2016)
	Disposition Authority Number DAA-0299-2017-0001-0001
	Claims files associated with claims filed under the Guam World War II Loyalty Recognition Act.
	Final Disposition Permanent
	Item Status Active
	Is this item media neutral? Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes
	Do any of the records covered by this item exist as structured electronic data? Yes
	Disposition Instruction
	Cutoff Instruction Cut off six months after official close of the program.
	Transfer to the National Archives for Accessioning Transfer to the National Archives 15 year(s) after Cutoff
	Additional Information
	First year of records accumulation 2017
	What will be the date span of the initial transfer of records to the National Archives? Unknown The Commission is unsure at this time how long it will take for it to complete its affairs associated with this program.
	How frequently will your agency transfer these records to the National Archives? Unknown We anticipate one transfer 15 years after the cutoff date.

Agency Certification

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal in this schedule are not now needed for the business of the agency or will not be needed after the retention periods specified.

Signatory Information

Date	Action	By	Title	Organization
05/25/2017	Return to Submitter	Rebekah Meservy	Assistant Director of RIM Operations	Justice Management Division - Office of Records Mgt Policy
06/01/2017	Certify	Rebekah Meservy	Assistant Director of RIM Operations	Justice Management Division - Office of Records Mgt Policy
10/25/2017	Submit for Concurrence	Ashby Crowder	Archives Specialist	National Archives and Records Administration - ACRA
10/27/2017	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - ACNR Records Management Services
10/27/2017	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - ACNR Records Management Services
10/30/2017	Approve	David Ferriero	Archivist of the United States	Office of the Archivist - Office of the Archivist