

**REQUEST FOR RECORDS DISPOSITION AUTHORITY**

*(See Instructions on reverse)*

LEAVE BLANK

JOB NO

*NI-299-89-1*

DATE RECEIVED

*5-11-89*

TO **GENERAL SERVICES ADMINISTRATION  
NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, DC 20408**

1 FROM (Agency or establishment)

*Department of Justice*

2 MAJOR SUBDIVISION

*Foreign Claims Settlement Commission*

3 MINOR SUBDIVISION

*Soviet Claims*

4 NAME OF PERSON WITH WHOM TO CONFER

5 TELEPHONE EXT.

DATE

*6/2/89*

ARCHIVIST OF THE UNITED STATES

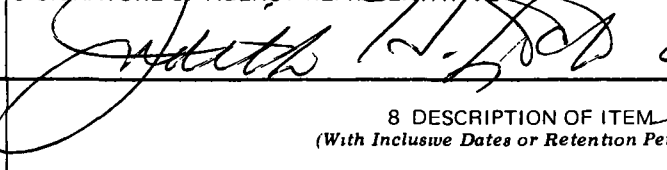


In accordance with the provisions of 44 USC 3303a the disposal request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10. If no records are proposed for disposal, the signature of the Archivist is not required.

6 CERTIFICATE OF AGENCY REPRESENTATIVE

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposal of the agency's records, that the records proposed for disposal in this Request of 2 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified, and that written concurrence from the General Accounting Office, if required under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies, is attached

A GAO concurrence  is attached, or  is unnecessary

B DATE	C SIGNATURE OF AGENCY REPRESENTATIVE	D TITLE
<i>5/18/89</i>		<i>Admin. Officer</i>

7 ITEM NO	8 DESCRIPTION OF ITEM <i>(With Inclusive Dates or Retention Periods)</i>	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN <i>(NARS USE ONLY)</i>
	<p>The Foreign Claims Settlement Commission (FCSC) was established in 1954 (69 Stat. 1279) to continue the functions of its predecessors in determining claims of United States nationals against foreign governments for property losses and injuries pursuant to the claims programs authorized under the International Claims Settlement Act of 1949, as amended.</p> <p>Claims against the Soviet Government were not possible until the official recognition of the USSR by the US in November, 1933. At that time, the USSR designated the US Government as the assignee for any amounts due the Soviet Government as the successor to previous Russian Governments. Any funds subsequently recovered by the US Government under this agreement (referred to as the Litvinov Assignment) were designated by PL 84-285 to be deposited into the Soviet Claims Fund in the Treasury for the payment of claims. The records in the following accession represent the Justice Department's files on lawsuits in which the US Government tried to claim those funds due it under the Litvinov Assignment. The files were later sent to the FCSC to aid in its</p>		

**REQUEST FOR RECORDS DISPOSITION AUTHORITY – CONTINUATION**

JOB NO.

*NI-299-89-1*

PAGE

*2 OF 2*

7 ITEM NO	8 DESCRIPTION OF ITEM <i>(With Inclusive Dates or Retention Periods)</i>	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN <i>(NARS USE ONLY)</i>
1.	<p>adjudication of Soviet Claims.</p> <p>Earlier claims against the Government of the Union of Soviet Socialist Republics had been authorized by Public Resolution 36, Seventy-sixth Congress, approved August 4, 1939 (53 Stat. 1199). That authorization was repealed in 1955 by PL 84-285, an amendment to the International Claims Settlement Act of 1949 that authorized the FCSC to administer the Soviet Claims Program (Title III, Section 305).</p> <p>Justice Department Papers Bearing on Soviet Claims, 1913-1952, transferred to FCSC by the Department of Justice. Accession 299-61A-510, boxes 1-111.</p> <p>Litigation files and related data, including testimony, memoranda, published case records, correspondence and exhibits.</p> <p>DISPOSITION: PERMANENT. Transfer to the National Archives on approval of this schedule.</p>		

**RECOMMENDATION TO THE ARCHIVIST ON RECORDS  
DISPOSITION REQUEST**

JOB NUMBER  
N1-299-89-01

ITEM COUNT 1

**SUMMARY**

The Foreign Claims Settlement Commisison (FCSC) of the Department of Justice (DOJ) requests disposition authority for the litigation files and related records of the Soviet Claims Program, 1913-1952. The records are scheduled for permanent retention.

I recommend approval of this schedule. The records document a major agency program, and also contain significant information for the history of American foreign relations, economics, and politics.

**RECOMMENDATION**

1. APPROVED FOR DISPOSAL The records described under all items of the schedule, except those that may be listed in blocks 2, 3, and 4 of this section, are disposable because they do not, or will not after the lapse of the period specified, have sufficient administrative, legal, research or other value to warrant their continued preservation by the Government
2. APPROVED FOR PERMANENT RETENTION The records described under the following item or items have been appraised by the National Archives and Records Administration (NARA) and are determined to have sufficient historical or other value to warrant their continued preservat on by the United States Government. The agency will offer these records to the National Archives as specified  
Item 1
3. DISPOSITION NOT APPROVED The records described under the following item or items are not approved for disposition
4. WITHDRAWN The records described under the following item or items have been withdrawn at the request of the agency and/or NARA

**FEDERAL REGISTER NOTICE**

- Not Required       Required - Publication Date  
Copies Requested  
Comments Received

**SIGNATURES**

	TITLE	SIGNATURE	DATE
APPRaisal 4/15/22/89	APPRaiser	<i>Richard J. ...</i>	23 May 1989
	DIRECTOR, RECORDS APPRAISAL AND DISPOSITION DIVISION	<i>Kenneth F. Rosman</i>	5/23/89
CON-CURRENCES	NNT	<i>Meredith D. Phillips</i>	6/1/89

June 13, 1989

Ms. Judith Lock, Administrative Officer  
Foreign Claims Settlement Commission  
1111 20th Street, NW, Room 400  
Washington, DC 20579

Dear Ms. Lock:

Our appraisal of the Justice Department papers bearing on Soviet Claims, registered as N1-299-89-1, has been completed. This is your agency's signed copy of this approved job. We also enclose for your convenience a copy of Standard Form 258 for the transfer of these records to the National Archives of the United States. To begin the transfer process, please complete the information in Block 6 of the form and return the form itself to the administrative staff of the Office of the National Archives (NN-B).

Thank you for scheduling this accession for immediate transfer. The records will be a valuable addition to the holdings of the National Archives. If you have any questions, please call me on 724-1450.

Sincerely,

PATRICIA RICHTER  
Records Appraisal  
and Disposition Division

Enclosures

Official File - NI  
Day File - NIR

cc: Job No. N1-299-89-1  
PR

PRichter:mj

+6/13/89

doc: PR^299^TRANS:FTLE

FILE: Justice Department (Foreign Claims Settlement Commission)

**ROUTING AND TRANSMITTAL SLIP**

Date

4/6/89

TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
1. Ms. Patricia Richter		
2.		
3.		
4.		
5.		

<input checked="" type="checkbox"/> Action	File	Note and Return
<input type="checkbox"/> Approval	For Clearance	Per Conversation
<input checked="" type="checkbox"/> As Requested	For Correction	Prepare Reply
<input type="checkbox"/> Circulate	For Your Information	See Me
<input type="checkbox"/> Comment	Investigate	Signature
<input type="checkbox"/> Coordination	Justify	

**REMARKS**

THE MICRONESIAN RECORDS CAN GO. THE SOVIET ONES ARE BEING REVIEWED BEFORE DECISION IS MADE WHETHER TO RELEASE THEM OR NOT.

**DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions**

FROM: (Name, org. symbol, Agency/Post)  J. Matthews - FCSC	Room No.—Bldg. 400 VANFUARD
	Phone No. 653-6155

5041-102

**OPTIONAL FORM 41 (Rev. 7-76)**  
Prescribed by GSA  
FPMR (41 CFR) 101-11.206

March 29, 1989

Ms. Judith Lock  
Department of Justice  
Foreign Claims Settlement Commission  
1111 20th Street, NW  
Room 400  
Washington, DC 20579

Dear Ms. Lock:

The National Archives and Records Administration has recently completed appraisals of the Soviet and Micronesian claims files of the Foreign Claims Settlement Commission (FCSC). The documents are stored at the Washington National Records Center. The claims files are the primary documentation for two of the Commission's major programs; further information on the records is contained on the attached SF 115s, Request for Records Disposition Authority (registered as Job Numbers N1-299-89-1 and N1-299-89-2). We have determined that these 305 cubic feet of records possess sufficient value for permanent retention in the National Archives.

If you concur in the proposed disposition of these records, please complete entries 6B-D of the forms and return the originals and three copies to this office. After approval of the SF 115s by the Archivist of the United States, we will send you a signed copy of each schedule.

Your assistance on this matter is appreciated. If you have any questions, please call me on 724-1450.

Sincerely,

PATRICIA RICHTER  
Records Appraisal and  
Disposition Division

Enclosures

Official File - NI  
Day File - NIR

cc: Job No. N1-299-89-1 and 2  
NIRC

PRichte:mj            t3/29/89            doc: PR^299^LTR:FILE

File - Dept. of Justice

# National Archives



Washington, DC 20408

Date February 23, 1989  
Reply to  
Attn of NIRC (Richter)  
Subject Response to NNT's questions re N1-299-89-1P  
To NNT

*H.W. 2/23/89*  
*JK 2/24/89*  
*WR 2/24*

The records included in this accession are lengthy and voluminous litigation cases. The reference material in the first four boxes and the administrative and correspondence files in the last two are not case files, but seem integrally related; the accession appears to be one series. The arrangement is roughly by case, with some material out of order, but the description on the SF 135 provides sufficient information for orderly processing and reference on these records. The SF 135 also notes the boxes which contain extra copies of documents, which will greatly facilitate internal screening. A copy is attached.

In response to NNT's inquiry about the scheduling status of FCSC files, there are approximately 900 cubic feet of unscheduled records for this agency at WNRC. They fall roughly into categories of inquiry correspondence, documents relating to the Commission itself, and background material for the various claims programs. One of my projects for this FY is the scheduling of at least a significant portion of these records.

Patricia Richter  
Records Appraisal and  
Disposition Division



# National Archives



Washington, DC 20408

*Handwritten:* 2/19/89

*Handwritten:* PJ-

*Handwritten:* make NNT's questions

Date February 9, 1989

Reply to  
Attn of NNT

Subject N1-299-89-1P

To NIR

*Handwritten:* In reply to claims

Before granting final concurrence, NNT would like to know what remains unscheduled at WNRC of Settlement Commission records. Also, the questions raised by Elaine Everly in her January 18 memo should be answered because they do have implications for future processing of the records and reference service.

*Handwritten signature:* Geraldine N. Phillips

GERALDINE N. PHILLIPS

Director

Textual Projects Division

# National Archives



Washington, DC 20409

Date January 18, 1989

Reply to  
Attn of E Everly

Subject N1-299-89-1P

To NNT

This is an informal appraisal of 111 cubic feet of unscheduled records of the Foreign Claims Settlement Commission at the Washington National Records Center. The records, dated 1913-52, were created by the Justice Department, who transferred them to the FCSC, and relate to the settlement of claims of the US against the former Imperial Russian Government. Under terms of the Litvinov Assignment of 1933, the Justice Department sued US banks and businesses to recover assets of the former Russian Government.

NNR recommends concurrence with the appraisal of these 111 cubic feet of records as permanent and their immediate transfer to NNTA-S.

I have questions about these records. How are they arranged? Is this really one series? How does one access information in the records? Is there any disposable material among the records? I would appreciate having NIRC address these issues.

# National Archives



Washington, DC 20408

Date January 12, 1989  
Reply to  
Attn of NNRC  
Subject N1-~~50~~-299-89-1  
To NNR *ram*

I agree with all of the recommendations in the appraisal report.

These records should be left in WNRC, and reference should be provided by NNRC-Suitland.

*Milton O. Gustafson*  
MILTON O. GUSTAFSON  
Chief, Civil Reference Branch

# National Archives



Washington, DC 20408

Date November 7, 1988  
Reply to Mary Frances Morrow/ Richter, NIRC  
Attn of  
Subject Job No. N1-299-89-1  
To Director, NIR <sup>11/18/88</sup>

HW, 11/18/88  
JK 11/18/88

This memorandum concerns 111 cubic feet of unscheduled records at the WNRC (Accession 61-A-510) relating to the settlement of claims in the Soviet Claims Program (PL 84-285). The Foreign Claims Settlement Commission (FCSC) was authorized in 1955 under PL 84-285 to administer the Soviet Claims Program. Its task was to "determine the validity and amounts of (1) claims of nationals of the United States against a Russian national originally accruing in favor of a national of the United States, with which judgement ... a lien was obtained ... prior to November 16, 1933, upon any property which has been ... recovered... by the Government of the US pursuant to the Litvinov Assignment; ... and (2) claims, arising prior to November 16, 1933, of nationals of the US against the Soviet Government."

On March 6, 1917, the Imperial Russian Government was overthrown by a Provisional Government, which was then succeeded by the Soviet Government on November 17, 1917. On December 27, 1917, the Soviet Government issued a decree nationalizing former Russian joint stock banks, merging them all under one State Bank. The interests of stockholders in the nationalized banks were confiscated, and all assets and liabilities became the property of the Soviet Government. One of those banks, the Russo-Asiatic, had been organized in 1910 by private stockholders in Russia and France. Among the Bank's holdings were funds loaned to it by certain New York banks. Several other Russian banks had foreign funds as well. The Russo-Asiatic also had funds on deposit in New York banks in dollars, to facilitate international banking procedures. Upon nationalization, the New York banks lost the funds on deposit in rubles in the Russo-Asiatic, and the Russo-Asiatic Bank, in turn, lost access to its deposits in New York banks. One of the New York Banks, the Guaranty Trust of New York, set off the funds in rubles against the funds in dollars, to its credit. In other words, after taking account of the loss of the funds in Russian banks, the Guaranty Trust still had a substantial amount of money on deposit from the Russo-Asiatic Bank.

On November 16, 1933, Soviet leader Maxim Litvinov wrote to President Franklin D. Roosevelt and assigned to the US Government any amounts found to be due the Soviet Government

as the successor to previous Russian governments, preparatory to a final settlement of the claims outstanding between the two governments. The US Government then sued the Guaranty Trust for an alleged \$5 million dollars on deposit from former Russian banks. There were a number of lawsuits on the part of the US government against other privately owned US banks and businesses in order to recover assets left suspended by the disruptions of the Soviet Revolution, World War I, and the delay in official recognition of the USSR. The Guaranty Trust lawsuit was one of the largest, with many ramifications. It had numerous connections with other banks and depositors, all of which spawned interconnected lawsuits. Under provisions of PL 84-285, the US Government was to deposit the money it recovered in the Treasury into the Soviet Claims Fund, to cover the claims adjudicated by the FCSC.

The records in Accession 61-A-510 are part of the Justice Department's files on these cases, in which the US Government sued private US banks and businesses for funds due to it as the assignee of amounts due to the Soviet Government, under the Litvinov Assignment. The records date from 1917 to 1952, with most of the lawsuits in the forties. The files were sent to the FCSC to aid in its adjudication of Russian Claims cases.

Individual Claims Case Files (from the fifties and sixties) have already been scheduled for permanent retention in Job NC1-299-80-3 (Accession 299-61-248). The case files contain claim applications, correspondence and memoranda, notarized exhibits, lists of property, depositions, affidavits, and copies of the proposed decision and final decision. Much of the material consists of standardized forms. The records in 61-A-510 are related to the individual claims case files in several ways. The principles established in the lawsuits formed the basis upon which many of the claims decisions were made. For example, Claim Number 41,460 in the already scheduled claims case files is the claim of Guaranty Trust Company of New York, in which it set forth its claims to a portion of the money the US Government had sued and won from it. It would not have been possible to settle its claims without reference to the previous litigation. Furthermore, the claims program itself was dependent upon the funds won by the US in the suits, and upon the Litvinov Agreement. Finally, the essential background information, such as the value of the Soviet ruble, and the interpretation of relevant Soviet laws and its constitution, were established in the lawsuits. The claims program could not have proceeded without this essential information.

The records in Accession 61-A-510 include Justice Department case files, printed copies of the lawsuits, briefs, correspondence, accounts and ledgers of the American

Consulate in Moscow, memoranda on ruble values, testimonies and exhibits, depositions, decisions, interrogations, motions and contentions, transcripts, work sheets and drafts, original bank ledgers, income tax returns, and other litigation papers. Although many of the records are either photostats or copies of printed materials available elsewhere (such as in court records), their value is enhanced by being gathered into a single reference collection. Background materials include copies of the Soviet Constitution, translations of Russian laws, pamphlets on the effects of the Russian Revolution, and papers relating to foreign relations.

I recommend that the accession of papers relating to the lawsuits conducted by the US Government to recover amounts assigned to it by the Litvinov Assignment, gathered by the Justice Department and sent to the FCSC, be transferred to NARA for permanent retention. They are important not only as evidence of the functioning of the US Government, but for their historical and research value. They contain detailed information concerning investments and assets of large US banks and business firms abroad. They represent an important era in US-Soviet relations. They document the activities of the US Government in recovering the funds assigned to it under the Litvinov Assignment, and they form the background for understanding the Soviet Claims Program administered by the FCSC.

*Mary Frances Morrow*

MARY FRANCES MORROW  
Records Appraisal and  
Disposition Division