

Guam World War II Loyalty Recognition Act Claims Program

Frequently Asked Questions

1. If my relative (e.g. grandparent, parent, etc.) died as a result of the Japanese occupation of Guam, who should file the claim?

Answer: Claims for the death of an individual resulting from the Japanese occupation of Guam must be individually filed by each qualifying relative (that is spouse, child or parent) of the individual who died.

2. My relative was a qualifying relative (that is spouse, child or parent) of several individuals who died as a result of the Japanese occupation of Guam, does a separate claim form need to be submitted for each individual that died?

Answer: Yes, if you had more than one relative die during the occupation of Guam you must submit a separate claim form for each individual.

3. My relative was a qualifying relative (that is spouse, child or parent) of an individual who died as a result of the Japanese occupation of Guam; but, they have now died. Who can file a claim on their behalf?

Answer: If your relative died after December 23, 2016, then the claim may be filed by their estate. However, if they died before December 23, 2016, then that claim is not eligible for compensation under the Guam World War II Loyalty Recognition Act and, therefore, not eligible for compensation under this program.

4. My relative suffered an injury as a result of the Japanese occupation of Guam; but, they have now died. Who can file a claim on their behalf?

Answer: If your relative died after December 23, 2016, then the claim may be filed by their estate. However, if they died before December 23, 2016, then that claim is not eligible for compensation under the Guam World War II Loyalty Recognition Act and, therefore, not eligible for compensation under this program.

5. Why must I get my claim form notarized?

Answer: By signing your claim form in the presence of a notary, the document will be sufficient to meet the standard of proof detailed in the Guam World War II Loyalty Recognition Act, which provides:

the Foreign Claims Settlement Commission shall treat a claim that is accompanied by an affidavit of an individual that attests to all of the material facts required for establishing the eligibility of such individual for payment under such section as establishing a prima facie case of the eligibility of the

individual for such payment without the need for further documentation, except as the Commission may otherwise require.

Please note that prima facie means that the facts that you state on your claim form (or other affidavit, if one is submitted) will be presumed to be true unless some other evidence contradicts them. On this point, please be advised that the Commission has in its possession and will refer to, as required by the Act, information pertaining to claims filed under the under the Guam Meritorious Claims Act of 1945 (Public Law 79–224)

6. Can I file my claim electronically?

Answer: You may submit your claim to the Commission via email at info.fcsc@usdoj.gov. HOWEVER, you MUST also mail an original copy to the Commission with your original notarized signature. If you do not send the original document then the form will not establish a prima facie case of your eligibility for compensation as discussed above.

7. When must I file my claim?

Answer: Claims must be postmarked by June 20, 2018 in order to be eligible for compensation under the Commission's program.

8. Whom can I contact if I have questions?

Answer: You may contact the Commission by email at info.fcsc@usdoj.gov or by phone at 202-616-6975.

9. When will my claim be decided?

Answer: While some claims may be considered by the Commission prior to the filing deadline June 20, 2018, the majority of claims will not be considered until after that date. The order in which claims will be considered will depend on several factors such as the type of claim and the evidence submitted.

10. When will I receive payment if the Commission finds that I am eligible?

Answer: If you do not object to the Commission's proposed decision, then that decision will become final after 30 days. If you do object, then the Commission will issue a final decision after the objection is considered.

Either way, once a final decision is rendered, the Commission will certify the decision to the Department of Treasury for payment. Please be advised that the Commission is not involved with the payment process. If you have questions regarding payment of your claim after your decision is final, you should contact the Financial Management Service within the Treasury Department.