

AMENDMENT OF WAR RISK INSURANCE ACT.

FEBRUARY 23, 1923.—Ordered to be printed.

Mr. SWEET, from the committee of conference, submitted the following

CONFERENCE REPORT.

[To accompany H. R. 10003.]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 10003) to further amend and modify the war risk insurance act, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the bill (H. R. 10003) to further amend and modify the war risk insurance act, and agree to the same with an amendment as follows:

In lieu of the matter inserted by the amendment of the Senate, insert the following:

Sec. 23. (1) That, except as provided in subdivision (2) of this section, when by the terms of the War Risk Insurance Act and any amendments thereto, any payment is to be made to a minor, other than a person in the military or naval forces of the United States, or to a person mentally incompetent, or under other legal disability adjudged by a court of competent jurisdiction, such payment shall be made to the person who is constituted guardian, curator, or conservator by the laws of the State or residence of claimant, or is otherwise legally vested with responsibility or care of the claimant or his estate: Provided, That prior to receipt of notice by the United States Veterans' Bureau that any such person is under such other legal disability adjudged by some court of competent jurisdiction, payment may be made to such person direct: Provided further, That for the purpose of payments of benefits under Article III of the War Risk Insurance Act, as amended, where no guardian, curator, or conservator of the person under a legal disability has been appointed under the laws of the State or residence of the claimant the director shall determine the person who is otherwise legally vested with responsibility or care of the claimant or his estate.

(2) *If any person entitled to receive payments under this Act shall be an inmate of any asylum or hospital for the insane maintained by the United States, or by any of the several States or Territories of the United States, or any political subdivision thereof, and no guardian, curator, or conservator of the property of such person shall have been appointed by competent legal authority, the director, if satisfied after due investigation that any such person is mentally incompetent, may order that all moneys payable to him or her under this Act shall be held in the Treasury of the United States to the credit of such person. All funds so held shall be disbursed under the order of the director and subject to his discretion either to the chief executive officer of the asylum or hospital in which such person is an inmate, to be used by such officer for the maintenance and comfort of such inmate, subject to the duty to account to the United States Veterans' Bureau and to repay any surplus at any time remaining in his hands in accordance with regulations to be prescribed by the director; or to the wife (or dependent husband if the inmate is a woman), minor children, and dependent parents of such inmate, in such amounts as the director shall find necessary for their support and maintenance in the order named; or, if at any time such inmate shall be found to be mentally competent, or shall die, or a guardian, curator, or conservator of his or her estate be appointed, any balance remaining to the credit of such inmate shall be paid to such inmate, if mentally competent, and otherwise to his or her guardian, curator, conservator, or personal representatives.*

And the Senate agree to the same.

BURTON E. SWEET,

W. J. GRAHAM,

SAM RAYBURN,

Managers on the part of the House.

P. J. McCUMBER,

REED SMOOT,

JOHN SHARP WILLIAMS,

Managers on the part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE.

The managers on the part of the House at the conference on the disagreeing votes of the two houses on the amendments of the Senate to H. R. 1003, an act entitled, "An act to further amend and modify the war risk insurance act," submit the following statements in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report, to wit:

Subdivision (1) of the bill is the same as the house bill with the following amendment added at the end of the subdivision, to wit:

Provided further, That for the purpose of payments of benefits under Article III of the war risk insurance act, as amended, where no guardian, curator, or conservator of the person under a legal disability has been appointed under the laws of the State or residence of the claimant, the director shall determine the person who is otherwise legally vested with responsibility or care of the claimant or his estate.

This amendment is made in view of a decision rendered by the Comptroller General of the United States, to the effect that the director of the United States Veterans' Bureau may not determine the person who is "otherwise legally vested with the responsibility or care of the claimant," if there is no guardian, curator, or conservator duly appointed, but that the determination of this question is one to be made by the Comptroller General. The amendment provides that for the purpose of payment of benefits under Article III of the war risk insurance act, where no guardian, curator, or conservator of the person under a legal disability has been appointed under the laws of the State or residence of the claimant, the director of the United States Veterans' Bureau shall determine the person who is otherwise legally vested with responsibility or care of the claimant or his estate.

Subdivision (2) of the bill is the same as in the bill passed by the House, and is practically the same as existing law.

BURTON E. SWEET.
W. J. GRAHAM.
SAM RAYBURN.