

Editorial Notes

AMENDMENTS

2008—Pub. L. 110-389 inserted “and Veterans’ Group Life Insurance” before “under this subchapter”.

1996—Pub. L. 104-275 substituted “Servicemembers’ Group” for “Servicemen’s Group”.

1991—Pub. L. 102-83 renumbered section 773 of this title as this section.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-389, title IV, §403(e)(4), Oct. 10, 2008, 122 Stat. 4175, provided that: “The amendment made by subsection (d) [amending this section] shall apply with respect to any act of mutiny, treason, spying, or desertion committed on or after the date of the enactment of this Act [Oct. 10, 2008] for which a person is found guilty, or with respect to refusal because of conscientious objections to perform service in, or to wear the uniform of, the Armed Forces on or after the date of the enactment of this Act.”

§ 1974. Advisory Council on Servicemembers’ Group Life Insurance

(a) There is an Advisory Council on Servicemembers’ Group Life Insurance. The council consists of—

- (1) the Secretary of the Treasury, who is the chairman of the council;
- (2) the Secretary of Defense;
- (3) the Secretary of Commerce;
- (4) the Secretary of Health and Human Services;
- (5) the Secretary of Homeland Security; and
- (6) the Director of the Office of Management and Budget.

Members of the council shall serve without additional compensation.

(b) The council shall meet at least once a year, or more often at the call of the Secretary of Veterans Affairs. The council shall review the operations of the Department under this subchapter and shall advise the Secretary on matters of policy relating to the Secretary’s activities under this subchapter.

(Added Pub. L. 89-214, §1(a), Sept. 29, 1965, 79 Stat. 885, §774; amended Pub. L. 91-291, §6, June 25, 1970, 84 Stat. 331; Pub. L. 93-289, §10(3), May 24, 1974, 88 Stat. 172; Pub. L. 97-295, §4(95)(A), Oct. 12, 1982, 96 Stat. 1313; Pub. L. 99-576, title VII, §701(41), Oct. 28, 1986, 100 Stat. 3294; Pub. L. 102-54, §14(b)(18), June 13, 1991, 105 Stat. 284; renumbered §1974, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406; Pub. L. 104-275, title IV, §405(b)(1)(G), (2)(B), Oct. 9, 1996, 110 Stat. 3339; Pub. L. 108-183, title VII, §708(a)(4), Dec. 16, 2003, 117 Stat. 2673.)

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2003—Subsec. (a)(5). Pub. L. 108-183 substituted “Secretary of Homeland Security” for “Secretary of Transportation”.

1996—Pub. L. 104-275, §405(b)(2)(B), substituted “Servicemembers’ Group” for “Servicemen’s Group” in section catchline.

Subsec. (a). Pub. L. 104-275, §405(b)(1)(G), substituted “Servicemembers’ Group” for “Servicemen’s Group” in introductory provisions.

1991—Pub. L. 102-83 renumbered section 774 of this title as this section.

Pub. L. 102-54 amended section generally. Prior to amendment, section read as follows: “There is hereby established an Advisory Council on Servicemen’s Group Life Insurance consisting of the Secretary of the Treasury as Chairman, the Secretary of Defense, the Secretary of Commerce, the Secretary of Health and Human Services, the Secretary of Transportation, and the Director of the Office of Management and Budget each of whom shall serve without additional compensation. The Council shall meet once a year, or oftener at the call of the Administrator, and shall review the operations under this subchapter and advise the Administrator on matters of policy relating to the Administrator activities thereunder.”

1986—Pub. L. 99-576 substituted “the Administrator” for “his” before “activities”.

1982—Pub. L. 97-295 substituted “Health and Human Services” for “Health, Education, and Welfare”.

1974—Pub. L. 93-289 substituted “Office of Management and Budget” for “Bureau of the Budget”.

1970—Pub. L. 91-291 added the Secretary of Transportation to the membership of the Advisory Council on Servicemen’s Group Life Insurance.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-291 effective June 25, 1970, see section 14(a) of Pub. L. 91-291, set out as a note under section 1317 of this title.

TERMINATION OF ADVISORY COUNCILS

Advisory councils in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a council established by the President or an officer of the Federal Government, such council is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a council established by the Congress, its duration is otherwise provided by law. See sections 1001(2) and 1013 of Title 5, Government Organization and Employees.

§ 1975. Jurisdiction of District Courts

The district courts of the United States shall have original jurisdiction of any civil action or claim against the United States founded upon this subchapter.

(Added Pub. L. 89-214, §1(a), Sept. 29, 1965, 79 Stat. 885, §775; renumbered §1975, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406.)

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1991—Pub. L. 102-83 renumbered section 775 of this title as this section.

§ 1976. Effective date

The insurance provided for in this subchapter and the deductions and contributions for that purpose shall take effect on the date designated by the Secretary and certified by the Secretary to each Secretary concerned.

(Added Pub. L. 89-214, §1(a), Sept. 29, 1965, 79 Stat. 885, §776; amended Pub. L. 99-576, title VII, §701(42), Oct. 28, 1986, 100 Stat. 3294; renumbered §1976 and amended Pub. L. 102-83, §§4(b)(1), (2)(E), 5(a), Aug. 6, 1991, 105 Stat. 404-406.)

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1991—Pub. L. 102-83, §5(a), renumbered section 776 of this title as this section and substituted “Secretary” for “Administrator” in two places.

1986—Pub. L. 99-576 substituted “the Administrator” for “him” after “certified by”.

Statutory Notes and Related Subsidiaries

INTERIM COVERAGE UNTIL EFFECTIVE DATE OF GROUP PLAN; \$5,000 DEATH GRATUITY

Pub. L. 89-214, §3, Sept. 29, 1965, 79 Stat. 886, as amended by Pub. L. 89-730, §6(a)-(d), Nov. 2, 1966, 80 Stat. 1159, provided for payment of a death gratuity of up to \$5,000 in certain cases of death of veterans while in active military, naval, or air service during the period from Jan. 1, 1957, to the date immediately preceding the date on which the Servicemen's Group Life Insurance program was placed in effect under this section, and required that an application for such gratuity had to be made within one year after Sept. 29, 1965.

Pub. L. 89-730, §6(e), Nov. 2, 1966, 80 Stat. 1159, provided that any waiver of future benefits executed by any person under section 3(a) of Pub. L. 89-214 (see above), as in effect prior to Nov. 2, 1966, was to have no effect.

Pub. L. 89-730, §6(f), Nov. 2, 1966, 80 Stat. 1159, provided that in any case in which the death gratuity paid to any person under section 3 of Pub. L. 89-214 (see above), was reduced pursuant to clause (B) of subsection (c)(1) of such section, as in effect prior to Nov. 2, 1966, the Administrator of Veterans' Affairs was to pay to such person an amount equal to the amount by which such death gratuity was reduced.

Pub. L. 89-730, §6(g), Nov. 2, 1966, 80 Stat. 1159, provided that notwithstanding the time limitation prescribed in section 3(a) of Pub. L. 89-214 (see above), any application for death gratuity filed under such section shall be valid if filed within one year after Nov. 2, 1966.

§ 1977. Veterans' Group Life Insurance

(a)(1) Except as provided in paragraph (3), Veterans' Group Life Insurance shall be issued in the amounts specified in section 1967(a) of this title. In the case of any individual, the amount of Veterans' Group Life Insurance may not exceed the amount of Servicemembers' Group Life Insurance coverage continued in force after the expiration of the period of duty or travel under section 1967(b) or 1968(a) of this title. No person may carry a combined amount of Servicemembers' Group Life Insurance and Veterans' Group Life Insurance at any one time in excess of the maximum amount for Servicemembers' Group Life Insurance in effect under section 1967(a)(3)(A)(i) of this title.

(2) If any person insured under Veterans' Group Life Insurance again becomes insured under Servicemembers' Group Life Insurance but dies before terminating or converting such person's Veterans' Group Insurance, Veterans' Group Life Insurance shall be payable only if such person is insured under Servicemembers' Group Life Insurance for less than the maximum amount for such insurance in effect under section 1967(a)(3)(A)(i) of this title, and then only in an amount which, when added to the amount of Servicemembers' Group Life Insurance payable, does not exceed such maximum amount in effect under such section.

(3) Not more than once in each five-year period beginning on the one-year anniversary of the date a person becomes insured under Veterans' Group Life Insurance, such person may elect in writing to increase by \$25,000 the amount for which the person is insured if—

(A) the person is under the age of 60; and

(B) the total amount for which the person is insured does not exceed the amount provided for under section 1967(a)(3)(A)(i) of this title.

(b) Veterans' Group Life Insurance shall (1) provide protection against death; (2) be issued on a renewable five-year term basis; (3) have no cash, loan, paid-up, or extended values; (4) except as otherwise provided, lapse for nonpayment of premiums; and (5) contain such other terms and conditions as the Secretary determines to be reasonable and practicable which are not specifically provided for in this section, including any provisions of this subchapter not specifically made inapplicable by the provisions of this section.

(c) The premiums for Veterans' Group Life Insurance shall be established under the criteria set forth in sections 1971(a) and (c) of this title, except that the Secretary may provide for average premiums for such various age groupings as the Secretary may decide to be necessary according to sound actuarial principles, and shall include an amount necessary to cover the administrative cost of such insurance to the company or companies issuing such insurance. Such premiums shall be payable by the insureds thereunder as provided by the Secretary directly to the administrative office established for such insurance under section 1966(b) of this title. In any case in which a member or former member who was mentally incompetent on the date such member or former member first became insured under Veterans' Group Life Insurance dies within one year of such date, such insurance shall be deemed not to have lapsed for nonpayment of premiums and to have been in force on the date of death. Where insurance is in force under the preceding sentence, any unpaid premiums may be deducted from the proceeds of the insurance. Any person who claims eligibility for Veterans' Group Life Insurance based on disability incurred during a period of duty shall be required to submit evidence of qualifying health conditions and, if required, to submit to physical examinations at their own expense.

(d) Any amount of Veterans' Group Life Insurance in force on any person on the date of such person's death shall be paid, upon the establishment of a valid claim therefor, pursuant to the provisions of section 1970 of this title. However, any designation of beneficiary or beneficiaries for Servicemembers' Group Life Insurance filed with a uniformed service until changed, shall be considered a designation of beneficiary or beneficiaries for Veterans' Group Life Insurance, but not for more than sixty days after the effective date of the insured's Veterans' Group Insurance, unless at the end of such sixty-day period, the insured is incompetent in which event such designation may continue in force until the disability is removed but not for more than five years after the effective date of the insured's Veterans' Group Life Insurance. Except as indicated above in incompetent cases, after such sixty-day period, any designation of beneficiary or beneficiaries for Veterans' Group Life Insurance to be effective must be by a writing signed by the insured and received by the administrative office established under section 1966(b) of this title.

(e) An insured under Veterans' Group Life Insurance shall have the right at any time to convert such insurance to an individual policy of life insurance upon written application for con-