

1991—Pub. L. 102-83, §5(a), renumbered section 765 of this title as this section.

Par. (4). Pub. L. 102-54, §14(b)(16)(A), redesignated cls. (i) and (ii) as (A) and (B), respectively.

Par. (8). Pub. L. 102-54, §14(b)(16)(B), redesignated cls. (a) to (e) as (A) to (E), respectively.

Par. (9). Pub. L. 102-83, §5(c)(1), substituted "1966(b)" for "766(b)".

Pub. L. 102-54, §14(b)(16)(B), redesignated cls. (a) to (e) as (A) to (E), respectively.

1986—Par. (5)(B). Pub. L. 99-576, §701(35)(A), substituted "such person" for "he".

Par. (9). Pub. L. 99-576, §701(35)(B), substituted "the child's" for "his" in two places.

1974—Par. (1)(C). Pub. L. 93-289, §10(1), substituted "National Oceanic and Atmospheric Administration" for "Environmental Science Services Administration".

Par. (5). Pub. L. 93-289, §3, added cls. (B) and (C), redesignated former cl. (B) as (D), and substituted "midshipman of" for "midshipman at" in cl. (A).

Par. (6). Pub. L. 93-289, §10(1), substituted "National Oceanic and Atmospheric Administration" for "Environmental Science Services Administration".

1972—Par. (1)(D). Pub. L. 92-315, §1(3), added cl. (D).

Par. (5)(A). Pub. L. 92-315, §1(4), expanded definition of "member" to include persons in active duty as a cadet or midshipman at the United States Military Academy, United States Naval Academy, United States Air Force Academy and the United States Coast Guard Academy.

1971—Pars. (7) to (9). Pub. L. 92-185 added pars. (7) to (9) defining, respectively, "widow" or "widower", "child", and "parent".

1970—Pub. L. 91-291 struck out from definition of "active duty" a reference to calls or orders to duty which specify a period of 30 days or less, inserted definitions for "active duty for training" and "inactive duty training", and, in definition of "uniformed services", inserted provisions limiting the scope of that term in the case of personnel of the Public Health Service and the Environmental Science Services Administration to the commissioned corps thereof respectively.

EFFECTIVE DATE OF 2005 AMENDMENT

Amendment by Pub. L. 109-13 effective on the first day of the first month beginning more than 180 days after May 11, 2005, see section 1032(d)(1) of Pub. L. 109-13, set out as an Effective Date note under section 1980A of this title.

EFFECTIVE DATE OF 2001 AMENDMENT

Amendment by Pub. L. 107-14 effective on the first day of the first month that begins more than 120 days after June 5, 2001, see section 4(g)(1) of Pub. L. 107-14, set out as a note under section 101 of this title.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by section 1677(d)(1) of Pub. L. 103-337 effective Dec. 1, 1994, except as otherwise provided, see section 1691 of Pub. L. 103-337, set out as an Effective Date note under section 10001 of Title 10, Armed Forces.

EFFECTIVE DATE OF 1974 AMENDMENT

Section 12(2) of Pub. L. 93-289 provided that: "The amendments relating to Servicemen's Group Life Insurance coverage on a full-time basis for certain members of the Reserves and National Guard shall become effective upon the date of enactment of this Act [May 24, 1974]."

EFFECTIVE DATE OF 1971 AMENDMENT

Section 2 of Pub. L. 92-185 provided that: "The provisions of this Act [amending this section] shall apply only to Servicemen's Group Life Insurance in effect on the life of an insured member who dies on or after the date of enactment of this Act [Dec. 15, 1971]."

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.

Section 14(b) of Pub. L. 91-291 provided that: "The provisions of section 765(7), (8), and (9) [now 1765(7), (8), and (9)] of title 38, United States Code, as added by the first section of this Act shall apply only to servicemen's group life insurance in effect on the life of an insured member who dies on and after the date of enactment of this Act [June 25, 1970]."

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

RENAMING OF GROUP LIFE INSURANCE PROGRAM

Section 405(a) of Pub. L. 104-275 provided that: "The program of insurance operated by the Secretary of Veterans Affairs under subchapter III of chapter 19 of title 38, United States Code, is hereby redesignated as the Servicemembers' Group Life Insurance program."

REFERENCES TO SERVICEMEN'S GROUP LIFE INSURANCE OR ADVISORY COUNCIL ON SERVICEMEN'S GROUP LIFE INSURANCE

Section 405(d) of Pub. L. 104-275 provided that: "Any reference to Servicemen's Group Life Insurance or to the Advisory Council on Servicemen's Group Life Insurance in any Federal law, Executive order, regulation, delegation of authority, or other document of the Federal Government shall be deemed to refer to Servicemembers' Group Life Insurance or the Advisory Council on Servicemembers' Group Life Insurance, respectively."

§ 1966. Eligible insurance companies

(a) The Secretary is authorized, without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), to purchase from one or more life insurance companies a policy or policies of group life insurance to provide the benefits specified in this subchapter. Each such life insurance company must (1) be licensed to issue life insurance in each of the fifty States of the United States and in the District of Columbia, and (2) as of the most recent December 31 for which information is available to the Secretary, have in effect at least 1 percent of the total amount of group life insurance which all life insurance companies have in effect in the United States.

(b) The life insurance company or companies issuing such policy or policies shall establish an administrative office at a place and under a name designated by the Secretary.

(c) The Secretary shall arrange with the life insurance company or companies issuing any policy or policies under this subchapter to reinsure, under conditions approved by the Secretary, portions of the total amount of insurance under such policy or policies with such other life insurance companies (which meet qualifying criteria set forth by the Secretary) as may elect to participate in such reinsurance.

(d) The Secretary may at any time discontinue any policy or policies which the Secretary has purchased from any insurance company under this subchapter.

(Added Pub. L. 89-214, §1(a), Sept. 29, 1965, 79 Stat. 880, §766; amended Pub. L. 97-295, §4(29),

Oct. 12, 1982, 96 Stat. 1307; Pub. L. 99-576, title VII, § 701(36), Oct. 28, 1986, 100 Stat. 3293; renumbered § 1966 and amended Pub. L. 102-83, §§ 4(b)(1), (2)(E), 5(a), Aug. 6, 1991, 105 Stat. 404-406.)

AMENDMENTS

1991—Pub. L. 102-83 renumbered section 766 of this title as this section and substituted “Secretary” for “Administrator” wherever appearing.

1986—Subsec. (c). Pub. L. 99-576, § 701(36)(A), substituted “the Administrator” for “him”.

Subsec. (d). Pub. L. 99-576, § 701(36)(B), substituted “the Administrator” for “he”.

1982—Subsec. (a). Pub. L. 97-295 substituted “percent” for “per centum”.

§ 1967. Persons insured; amount

(a)(1) Subject to an election under paragraph (2), any policy of insurance purchased by the Secretary under section 1966 of this title shall automatically insure the following persons against death:

(A) In the case of any member of a uniformed service on active duty (other than active duty for training)—

- (i) the member; and
- (ii) each insurable dependent of the member.

(B) Any member of a uniformed service on active duty for training or inactive duty training scheduled in advance by competent authority.

(C) In the case of any member of the Ready Reserve of a uniformed service who meets the qualifications set forth in section 1965(5)(B) of this title—

- (i) the member; and
- (ii) each insurable dependent of the member.

(2)(A) A member may elect in writing not to be insured under this subchapter.

(B) A member may elect in writing not to insure the member's spouse under this subchapter.

(3)(A) Subject to subparagraphs (B) and (C), the amount for which a person is insured under this subchapter is as follows:

- (i) In the case of a member, \$400,000.
- (ii) In the case of a member's spouse, \$100,000.
- (iii) In the case of a member's child, \$10,000.

(B) A member may elect in writing to be insured or to insure the member's spouse in an amount less than the amount provided for under subparagraph (A). The member may not elect to insure the member's child in an amount less than \$10,000. The amount of insurance so elected shall, in the case of a member, be evenly divisible by \$50,000 and, in the case of a member's spouse,¹ be evenly divisible by \$10,000.

(C) In no case may the amount of insurance coverage under this subsection of a member's spouse exceed the amount of insurance coverage of the member.

(4)(A) An insurable dependent of a member is not insured under this chapter unless the member is insured under this subchapter.

(B) An insurable dependent who is a child may not be insured at any time by the insurance cov-

erage under this chapter of more than one member. If an insurable dependent who is a child is otherwise eligible to be insured by the coverage of more than one member under this chapter, the child shall be insured by the coverage of the member whose eligibility for insurance under this subchapter occurred first, except that if that member does not have legal custody of the child, the child shall be insured by the coverage of the member who has legal custody of the child.

(5) The insurance shall be effective with respect to a member and the insurable dependents of the member on the latest of the following dates:

(A) The first day of active duty or active duty for training.

(B) The beginning of a period of inactive duty training scheduled in advance by competent authority.

(C) The first day a member of the Ready Reserve meets the qualifications set forth in section 1965(5)(B) of this title.

(D) The date certified by the Secretary to the Secretary concerned as the date Servicemembers' Group Life Insurance under this subchapter for the class or group concerned takes effect.

(E) In the case of an insurable dependent who is a spouse, the date of marriage of the spouse to the member.

(F) In the case of an insurable dependent who is a child, the date of birth of such child or, if the child is not the natural child of the member, the date on which the child acquires status as an insurable dependent of the member.

(b) Any member (other than one who has elected not to be insured under this subchapter for the period or periods of duty involved)—

(1) who, when authorized or required by competent authority, assumes an obligation to perform (for less than thirty-one days) active duty, or active duty for training, or inactive duty training scheduled in advance by competent authority; and

(2) who is rendered uninsurable at standard premium rates according to the good health standards approved by the Secretary, or dies within one hundred and twenty days thereafter, from a disability, or aggravation of a preexisting disability, incurred by such member while proceeding directly to or returning directly from such active duty, active duty for training, or inactive duty training as the case may be;

shall be deemed to have been on active duty, active duty for training, or inactive duty training, as the case may be, and to have been insured under this subchapter at the time such disability was incurred or aggravated, and if death occurs within one hundred and twenty days thereafter as a result of such disability to have been insured at the time of death. In determining whether or not such individual was so authorized or required to perform such duty, and whether or not such member was rendered uninsurable or died within one hundred and twenty days thereafter from a disability so incurred or aggravated, there shall be taken into account

¹ So in original.