

except that the Secretary may redetermine such maximum charges for any year either by agreement with the insurance company or companies issuing the policy or upon written notice given by the Secretary to such companies at least one year in advance of the beginning of the year for which such redetermined maximum charges will be effective.

(e) Each such policy shall provide for an accounting to the Secretary not later than ninety days after the end of each policy year, which shall set forth, in a form approved by the Secretary, (1) the amounts of premiums actually accrued under the policy from its date of issue to the end of such policy year, (2) the total of all mortality and other claim charges incurred for that period, and (3) the amounts of the insurers' expense and risk charge for that period. Any excess of the total of item (1) over the sum of items (2) and (3) shall be held by the insurance company or companies issuing the policy as a special contingency reserve to be used by such insurance company or companies for charges under such policy only, such reserve to bear interest at a rate to be determined in advance of each policy year by the insurance company or companies issuing the policy, which rate shall be approved by the Secretary as being consistent with the rates generally used by such company or companies for similar funds held under other group life insurance policies. If and when the Secretary determines that such special contingency reserve has attained an amount estimated by the Secretary to make satisfactory provision for adverse fluctuations in future charges under the policy, any further excess shall be deposited to the credit of the revolving fund established under section 1969(d)(1) of this title. If and when such policy is discontinued, and if after all charges have been made, there is any positive balance remaining in such special contingency reserve, such balance shall be deposited to the credit of the revolving fund, subject to the right of the insurance company or companies issuing the policy to make such deposit in equal monthly installments over a period of not more than two years.

(Added Pub. L. 89-214, §1(a), Sept. 29, 1965, 79 Stat. 884, §771; amended Pub. L. 93-289, §8, May 24, 1974, 88 Stat. 169; renumbered §1971 and amended Pub. L. 102-83, §§4(b)(1), (2)(E), 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 404-406; Pub. L. 104-275, title IV, §405(b)(1)(E), Oct. 9, 1996, 110 Stat. 3339.)

AMENDMENTS

1996—Subsec. (b). Pub. L. 104-275 substituted "Servicemembers' Group" for "Servicemen's Group".

1991—Pub. L. 102-83, §5(a), renumbered section 771 of this title as this section.

Subsec. (a). Pub. L. 102-83, §5(c)(1), substituted "1966" for "766".

Pub. L. 102-83, §4(b)(1), (2)(E), substituted "Secretary" for "Administrator" in two places.

Subsec. (b). Pub. L. 102-83, §5(c)(1), substituted "1969(b)" for "769(b)".

Pub. L. 102-83, §4(b)(1), (2)(E), substituted "Secretary" for "Administrator".

Subsecs. (c), (d). Pub. L. 102-83, §4(b)(1), (2)(E), substituted "Secretary" for "Administrator" wherever appearing.

Subsec. (e). Pub. L. 102-83, §5(c)(1), substituted "1969(d)(1)" for "769(d)(1)".

Pub. L. 102-83, §4(b)(1), (2)(E), substituted "Secretary" for "Administrator" wherever appearing.

1974—Subsec. (b). Pub. L. 93-289, §8(1), substituted "premiums for Servicemen's Group Life Insurance" for "premiums for the policy or policies".

Subsec. (e). Pub. L. 93-289, §8(2), substituted "section 769(d)(1) of this title" for "section 766 of this title".

§ 1972. Benefit certificates

The Secretary shall arrange to have each member insured under a policy purchased under section 1966 of this title receive a certificate setting forth the benefits to which the member is entitled thereunder, to whom such benefit shall be payable, to whom claims should be submitted, and summarizing the provisions of the policy principally affecting the member. Such certificate shall be in lieu of the certificate which the insurance company or companies would otherwise be required to issue.

(Added Pub. L. 89-214, §1(a), Sept. 29, 1965, 79 Stat. 885, §772; renumbered §1972 and amended Pub. L. 102-83, §§4(b)(1), (2)(E), 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 404-406.)

AMENDMENTS

1991—Pub. L. 102-83, §5(a), renumbered section 772 of this title as this section.

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

Pub. L. 102-83, §4(b)(1), (2)(E), substituted "Secretary" for "Administrator".

§ 1973. Forfeiture

Any person guilty of mutiny, treason, spying, or desertion, or who, because of conscientious objections, refuses to perform service in the Armed Forces of the United States or refuses to wear the uniform of such force, shall forfeit all rights to Servicemembers' Group Life Insurance under this subchapter. No such insurance shall be payable for death inflicted as a lawful punishment for crime or for military or naval offense, except when inflicted by an enemy of the United States.

(Added Pub. L. 89-214, §1(a), Sept. 29, 1965, 79 Stat. 885, §773; renumbered §1973, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406; amended Pub. L. 104-275, title IV, §405(b)(1)(F), Oct. 9, 1996, 110 Stat. 3339.)

AMENDMENTS

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.

§ 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.)

AMENDMENTS

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.

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 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to 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.)

AMENDMENTS

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.)

AMENDMENTS

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".

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

Section 3 of Pub. L. 89-214, 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) 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 Service-