Subsec. (g). Pub. L. 109–233, § 501(a)(7), designated first sentence as par. (1), substituted ''may not be made under the insurance coverage under this section'' for ''will not be made'' and ''a period prescribed by the Secretary, by regulation, for such purpose that begins on the date'' for ''the period prescribed by the Secretary, in collaboration with the Secretary of Defense, which begins on the date'', designated second sentence as par. (2), and substituted ''If a member eligible for a payment under this section'' for ''If the member'', ''shall be'' for ''will be'', and ''to the beneficiary or beneficiaries to whom the payment would be made if the payment were life insurance under section 1967(a) of this title.'' for ''according to the member's most current beneficiary designation under Servicemembers' Group Life Insurance, or a by law designation, if applicable.''

Subsec. (h). Pub. L. 109–233, § 501(a)(8), substituted ''termination of the member's duty status in the uniformed services that established eligibility for Servicemembers' Group Life Insurance'' for ''member's separation from the uniformed service'' in first sentence, added second sentence, and struck out former second sentence which read as follows: ''Payment will not be made for any loss resulting from injury incurred after the date a member is separated from the uniformed services.''

Subsec. (j). Pub. L. 109–233, § 501(a)(9), added subsec. (j).

EFFECTIVE DATE

Pub. L. 109–13, div. A, title I, § 1032(d), May 11, 2005, 119 Stat. 259, provided that:

''(1) IN GENERAL.—The amendments made by this section [enacting this section and amending section 1965 of this title] shall take effect on the first day of the first month beginning more than 180 days after the date of enactment of this Act [May 11, 2005].

''(2) RULEMAKING.—Before the effective date described in paragraph (1), the Secretary of Veterans Affairs, in collaboration with the Secretary of Defense, shall issue regulations to carry out the amendments made by this section.''

RETROACTIVE PROVISION

Pub. L. 109–233, title V, § 501(b), June 15, 2006, 120 Stat. 414, provided that:

''(1) ELIGIBILITY.—A member of the uniformed services who during the period beginning on October 7, 2001, and ending at the close of November 30, 2005, sustains a traumatic injury resulting in a qualifying loss is eligible for coverage for that loss under section 1980A of title 38, United States Code, if, as determined by the Secretary concerned, that loss was a direct result of a traumatic injury incurred in the theater of operations for Operation Enduring Freedom or Operation Iraqi Freedom.

''(2) CERTIFICATION OF PERSONS ENTITLED TO PAYMENT.—The Secretary concerned shall certify to the life insurance company issuing the policy of life insurance for Servicemembers' Group Life Insurance under chapter 19 of title 38, United States Code, the name and address of each person who the Secretary concerned determines to be entitled by reason of paragraph (1) to a payment under section 1980A of title 38, United States Code, plus such additional information as the Secretary of Veterans Affairs may require.

''(3) FUNDING.—At the time a certification is made under paragraph (2), the Secretary concerned, from funds then available to that Secretary for the pay of members of the uniformed services under the jurisdiction of that Secretary, shall pay to the Secretary of Veterans Affairs the amount of funds the Secretary of Veterans Affairs determines to be necessary to pay all costs related to payments to be made under that certification. Amounts received by the Secretary of Veterans Affairs under this paragraph shall be deposited to the credit of the revolving fund in the Treasury of the United States established under section 1969(d) of title 38, United States Code.

''(4) QUALIFYING LOSS.—For purposes of this subsection, the term 'qualifying loss' means—

''(A) a loss specified in the second sentence of subsection (b)(1) of section 1980A of title 38, United States Code, as amended by subsection (a); and

''(B) any other loss specified by the Secretary of Veterans Affairs pursuant to the first sentence of that subsection.

''(5) SECRETARY CONCERNED.—For purposes of this subsection, the term 'Secretary concerned' has the meaning given that term in paragraph (25) of section 101 of title 38, United States Code.''

Pub. L. 109–13, div. A, title I, § 1032(c), May 11, 2005, 119 Stat. 259, which provided for retroactive traumatic injury benefits, was repealed by Pub. L. 109–233, title V, § 501(c)(2), June 15, 2006, 120 Stat. 415.

SUBCHAPTER IV—GENERAL

AMENDMENTS

1965—Pub. L. 89–214, § 1(a), Sept. 29, 1965, 79 Stat. 880, redesignated ''SUBCHAPTER III—GENERAL'' as ''SUBCHAPTER IV—GENERAL''.

§ 1981. Replacement of surrendered and expired insurance

(a) Any person who surrendered a policy of National Service Life Insurance or United States Government life insurance on a permanent plan for its cash value while in the active service after April 24, 1951, and before January 1, 1957, who was entitled on December 31, 1958, to reinstate or replace such insurance under section 623 of the National Service Life Insurance Act of 1940, may, upon application in writing made while on continuous active duty which began before January 1, 1959, or within one hundred and twenty days after separation therefrom, be granted, without medical examination, permanent plan insurance on the same plan not in excess of the amount surrendered for cash, or may reinstate such surrendered insurance upon payment of the required reserve and the premium for the current month. Waiver of premiums and total disability income benefits otherwise authorized under this chapter shall not be denied in any case of issue or reinstatement of insurance on a permanent plan under this section or the prior corresponding provision of law in which it is shown to the satisfaction of the Secretary that total disability of the applicant began before the date of application. The cost of the premiums waived and total disability income benefits paid by virtue of the preceding sentence and the excess mortality cost in any case where the insurance matures by death from such total disability shall be borne by the United States and the Secretary shall transfer from time to time from the National Service Life Insurance appropriation to the National Service Life Insurance Fund and from the military and naval insurance appropriation to the United States Government Life Insurance Fund such sums as may be necessary to reimburse the funds for such costs.

(b) Any person who had United States Government life insurance or National Service Life Insurance on the five-year level premium term plan, the term of which expired while such person was in the active service after April 25, 1951, or within one hundred and twenty days after separation from such active service, and in either case before January 1, 1957, who was enti-

tled on December 31, 1958, to replace such insurance under section 623 of the National Service Life Insurance Act of 1940, shall, upon application made while on continuous active duty which began before January 1, 1959, or within one hundred and twenty days after separation therefrom, payment of premiums and evidence of good health satisfactory to the Secretary, be granted an equivalent amount of insurance on the five-year level premium term plan at the premium rate for such person's then attained age.

(Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1164, § 781; Pub. L. 99–576, title VII, § 701(44), Oct. 28, 1986, 100 Stat. 3294; renumbered § 1981 and amended Pub. L. 102–83, §§ 4(b)(1), (2)(E), 5(a), Aug. 6, 1991, 105 Stat. 404–406.)

REFERENCES IN TEXT

Section 623 of the National Service Life Insurance Act of 1940, referred to in subsecs. (a) and (b), is section 623 of act Oct. 8, 1940, ch. 757, title VI, pt. I, as added Aug. 1, 1956, ch. 837, title V, § 501(a)(4), 70 Stat. 880, which enacted section 824 of former Title 38, Pensions, Bonuses, and Veterans' Relief, and which was repealed and the provisions thereof reenacted as this section by Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1105.

AMENDMENTS

1991—Pub. L. 102–83 renumbered section 781 of this title as this section and substituted ''Secretary'' for ''Administrator'' wherever appearing.

1986—Subsec. (b). Pub. L. 99–576 substituted ''such person'' for ''he'' and ''such person's'' for ''his''.

§ 1982. Administrative cost

Except as provided in sections 1920(c), 1923(d), and 1955(c) of this title, the United States shall bear the cost of administration in connection with this chapter, including expenses for medical examinations, inspections when necessary, printing and binding, and for such other expenditures as are necessary in the discretion of the Secretary.

(Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1165, § 782; renumbered § 1982 and amended Pub. L. 102–83, §§ 4(b)(1), (2)(E), 5(a), Aug. 6, 1991, 105 Stat. 404–406; Pub. L. 104–99, title II, § 201(b), Jan. 26, 1996, 110 Stat. 36.)

CODIFICATION

Amendment by Pub. L. 104–99 is based on section 107(4) of H.R. 2099, One Hundred Fourth Congress, as passed by the House of Representatives on Dec. 7, 1995, which was enacted into law by Pub. L. 104–99.

AMENDMENTS

1996—Pub. L. 104–99 substituted ''Except as provided in sections 1920(c), 1923(d), and 1955(c) of this title, the United States'' for ''The United States''.

1991—Pub. L. 102–83 renumbered section 782 of this title as this section and substituted ''Secretary'' for ''Administrator''.

§ 1983. Settlements for minors or incompetents

When an optional mode of settlement of National Service Life Insurance or United States Government life insurance heretofore or hereafter matured is available to a beneficiary who is a minor or incompetent, such option may be exercised by such beneficiary's fiduciary, person qualified under the Act of February 25, 1933 (25 U.S.C. 14), or person recognized by the Secretary as having custody of the person or the estate of such beneficiary, and the obligation of the United States under the insurance contract shall be fully satisfied by payment of benefits in accordance with the mode of settlement so selected.

(Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1165, § 783; Pub. L. 99–576, title VII, § 701(45), Oct. 28, 1986, 100 Stat. 3294; Pub. L. 102–54, § 14(b)(19), June 13, 1991, 105 Stat. 284; renumbered § 1983 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 783 of this title as this section and substituted ''Secretary'' for ''Administrator''.

Pub. L. 102–54 substituted ''the Act of February 25, 1933 (25 U.S.C. 14)'' for ''section 14 of title 25''.

1986—Pub. L. 99–576 substituted ''such beneficiary's'' for ''his''.

§ 1984. Suits on insurance

(a) In the event of disagreement as to claim, including claim for refund of premiums, under contract of National Service Life Insurance, United States Government life insurance, or yearly renewable term insurance between the Secretary and any person or persons claiming thereunder an action on the claim may be brought against the United States either in the United States District Court for the District of Columbia or in the district court of the United States in and for the district in which such person or any one of them resides, and jurisdiction is conferred upon such courts to hear and determine all such controversies. All persons having or claiming to have an interest in such insurance may be made parties to such suit, and such as are not inhabitants of or found within the district in which suit is brought may be brought in by order of the court to be served personally or by publication or in such other reasonable manner as the court may direct. In all cases where the Secretary acknowledges the indebtedness of the United States upon any such contract of insurance and there is a dispute as to the person or persons entitled to payment, a suit in the nature of a bill of interpleader may be brought at the request of the Secretary in the name of the United States against all persons having or claiming to have any interest in such insurance in the United States District Court for the District of Columbia or in the district court in and for the district in which any such claimant resides; however, no less than thirty days before instituting such suit the Secretary shall mail a notice of such intention to each of the persons to be made parties to the suit. The courts of appeals for the several circuits, including the District of Columbia, shall respectively exercise appellate jurisdiction and, except as provided in section 1254 of title 28, the decrees of such courts of appeals shall be final.

(b) No suit on yearly renewable term insurance, United States Government life insurance, or National Service Life Insurance shall be allowed under this section unless the same shall have been brought within six years after the right accrued for which the claim is made. For