

(3) Discontinuance of payment of premiums by the veteran.

(j) Termination of life insurance under this section shall not affect the guaranty or insurance of the loan by the Secretary.

(Added Pub. L. 92-95, §1, Aug. 11, 1971, 85 Stat. 320, §806; amended Pub. L. 94-433, title III, §302, Sept. 30, 1976, 90 Stat. 1377; Pub. L. 99-576, title VII, §701(49), Oct. 28, 1986, 100 Stat. 3295; Pub. L. 100-322, title III, §333(a)(1), May 20, 1988, 102 Stat. 537; renumbered §2106 and amended Pub. L. 102-83, §§4(b)(1), (2)(E), 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 404-406; Pub. L. 102-568, title II, §204(a), Oct. 29, 1992, 106 Stat. 4325; Pub. L. 103-446, title XII, §1201(h)(2), Nov. 2, 1994, 108 Stat. 4688; Pub. L. 105-368, title VI, §602(e)(2), Nov. 11, 1998, 112 Stat. 3347; Pub. L. 107-330, title III, §302, Dec. 6, 2002, 116 Stat. 2824.)

#### AMENDMENTS

2002—Subsec. (a). Pub. L. 107-330, §302(1), inserted “age 69 or younger” after “any eligible veteran”.

Subsec. (i)(2) to (4). Pub. L. 107-330, §302(2), redesignated pars. (3) and (4) as (2) and (3), respectively, and struck out former par. (2) which read as follows: “The veteran’s seventieth birthday.”

1998—Subsec. (e). Pub. L. 105-368 substituted “deposited in the Veterans Housing Benefit Program Fund established by section 3722 of this title” for “, as appropriate, deposited in either the direct loan or loan guaranty revolving fund established by section 3723 or 3724 of this title, respectively”.

1994—Pub. L. 103-446 substituted “Veterans’ mortgage life insurance” for “Veterans’ Mortgage Life Insurance” as section catchline.

1992—Subsec. (b). Pub. L. 102-568 struck out “initial” after “The” and substituted “\$90,000” for “\$40,000”.

1991—Pub. L. 102-83, §5(a), renumbered section 806 of this title as this section.

Subsecs. (a) to (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 “3723 or 3724” for “1823 or 1824”.

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

Subsecs. (f) to (h), (j). Pub. L. 102-83, §4(b)(1), (2)(E), substituted “Secretary” for “Administrator” wherever appearing.

1988—Pub. L. 100-322 amended section generally, substituting provisions relating to veterans’ mortgage life insurance for former provisions relating to mortgage protection life insurance.

1986—Subsec. (b). Pub. L. 99-576, §701(49)(A), substituted “the veteran’s” for “his”.

Subsec. (c). Pub. L. 99-576, §701(49)(B), substituted “the veteran” for “he” before “may thereafter”.

Subsec. (d). Pub. L. 99-576, §701(49)(C), substituted “the veteran’s” for “he” in last sentence.

Subsec. (g)(2). Pub. L. 99-576, §701(49)(D)(i), substituted “the Administrator” for “he” in two places, “the Administrator’s” for “his”, and “the Administrator” for “him” in two places.

Subsec. (g)(3). Pub. L. 99-576, §701(49)(D)(ii), substituted “the veteran” for “he”.

Subsec. (g)(5). Pub. L. 99-576, §701(49)(D)(iii), substituted “the Administrator” for “him” in two places.

Subsec. (h). Pub. L. 99-576, §701(49)(E), substituted “the Administrator’s” for “his” in first sentence and “the veteran’s” for “his” in second sentence.

1976—Subsec. (c). Pub. L. 94-433 substituted \$40,000 for \$30,000.

#### EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105-368, title VI, §602(f), Nov. 11, 1998, 112 Stat. 3348, provided that: “This title [enacting sections 3722

and 3771 to 3775 of this title, amending this section and sections 3702, 3703, 3711, 3720, 3727, 3729, 3733 to 3735, and 3763 of this title, repealing sections 3723 to 3725 of this title, and enacting provisions set out as a note under section 3722 of this title] and the amendments made by this title shall take effect on October 1, 1998.”

#### EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-568 effective Dec. 1, 1992, see section 205 of Pub. L. 102-568, set out as an Effective Date note under section 1922A of this title.

#### EFFECTIVE DATE OF 1988 AMENDMENT

Section 333(b) of Pub. L. 100-322 provided that: “The amendment made by subsection (a) [amending this section] shall take effect on the first day of the fourth month beginning after the date of the enactment of this Act [May 20, 1988].”

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-433 effective Oct. 1, 1976, see section 406 of Pub. L. 94-433, set out as a note under section 1101 of this title.

#### SAVINGS PROVISION; DISCONTINUANCE OF CONTRACT PROGRAM; DEFINITION

Section 333(c)–(e) of Pub. L. 100-322 provided that:

“(c) SAVINGS PROVISION.—Mortgage protection life insurance granted to any veteran under the former section 806 shall continue in force with the United States as insurer, subject to the terms of subsection (d). Nothing in that subsection shall impair any rights of any veteran or mortgage loan holder under the former section 806 that matured before the effective date specified in subsection (b) [see Effective Date of 1988 Amendment note above].

“(d) DISCONTINUANCE OF CONTRACT PROGRAM.—(1) Effective as of the effective date specified in subsection (b), the Administrator shall discontinue the policy of insurance purchased in accordance with the former section 806.

“(2) All premiums collected or received by the insurer on or after such effective date under a policy purchased under the former section 806 shall be promptly forwarded to the Administrator and shall be credited to the ‘Veterans Insurance and Indemnities’ appropriation account. Any positive balance of the contingency reserve maintained by the insurer under such policy remaining after all charges have been made shall be payable to the Administrator and shall be deposited by the Administrator in such account, except that such balance may, upon the election of the insurer, be paid by the insurer in equal monthly installments over a period of not more than two years beginning on the date, after such effective date, that the Administrator specifies.

“(e) FORMER SECTION 806 DEFINED.—For the purpose of subsections (c) and (d), the term ‘former section 806’ means section 806 [this section] of title 38, United States Code, as in effect on the day before the effective date specified in subsection (b).”

#### § 2107. Coordination of administration of benefits

The Secretary shall provide for the coordination of the administration of programs to provide specially adapted housing that are administered by the Under Secretary for Health and such programs that are administered by the Under Secretary for Benefits under this chapter, chapter 17, and chapter 31 of this title.

(Added Pub. L. 109-233, title I, §101(c), June 15, 2006, 120 Stat. 399.)

#### CHAPTER 23—BURIAL BENEFITS

Sec.	
2301.	Flags.
2302.	Funeral expenses.

Sec.	
2303.	Death in Department facility; plot allowance.
2304.	Claims for reimbursement.
2305.	Persons eligible under prior law.
2306.	Headstones, markers, and burial receptacles.
2307.	Death from service-connected disability.
2308.	Transportation of deceased veteran to a national cemetery.

## AMENDMENTS

1996—Pub. L. 104-275, title II, §213(b)(2), Oct. 9, 1996, 110 Stat. 3332, substituted "burial receptacles" for "grave liners" in item 2306.

1991—Pub. L. 102-83, §5(b)(1), Aug. 6, 1991, 105 Stat. 406, renumbered items 901 to 908 as 2301 to 2308, respectively.

Pub. L. 102-83, §4(a)(3), (4), Aug. 6, 1991, 105 Stat. 404, substituted "Department" for "Veterans' Administration" in item 903.

1988—Pub. L. 100-322, title III, §344(b)(2), May 20, 1988, 102 Stat. 540, substituted "Headstones, markers, and grave liners" for "Headstones and markers" in item 906.

1976—Pub. L. 94-433, title III, §304(b), Sept. 30, 1976, 90 Stat. 1377, added item 908.

1973—Pub. L. 93-43, §5(b), June 18, 1973, 87 Stat. 81, inserted "; plot allowance" in item 903 and added items 906 and 907.

## § 2301. Flags

(a) The Secretary shall furnish a flag to drape the casket of each—

(1) deceased veteran who—

(A) was a veteran of any war, or of service after January 31, 1955;

(B) had served at least one enlistment; or

(C) had been discharged or released from the active military, naval, or air service for a disability incurred or aggravated in line of duty; and

(2) deceased individual who at the time of death was entitled to retired pay under chapter 67<sup>1</sup> of title 10 or would have been entitled to retired pay under that chapter but for the fact that the person was under 60 years of age.

(b) After the burial of the veteran the flag so furnished shall be given to the veteran's next of kin. If no claim is made for the flag by the next of kin, it may be given, upon request, to a close friend or associate of the deceased veteran. If a flag is given to a close friend or associate of the deceased veteran, no flag shall be given to any other person on account of the death of such veteran.

(c) For the purpose of this section, the term "Mexican border period" as defined in paragraph (30) of section 101 of this title includes the period beginning on January 1, 1911, and ending on May 8, 1916.

(d) In the case of any person who died while in the active military, naval, or air service after May 27, 1941, the Secretary shall furnish a flag to the next of kin, or to such other person as the Secretary considers most appropriate, if such next of kin or other person is not otherwise entitled to receive a flag under this section or under section 1482(a) of title 10.

(e) The Secretary shall furnish a flag to drape the casket of each deceased person who is buried in a national cemetery by virtue of eligibility for burial in such cemetery under section 2402(6)

of this title. After the burial, the flag shall be given to the next of kin or to such other person as the Secretary considers appropriate.

(f)(1) The Secretary shall furnish a flag to drape the casket of each deceased member or former member of the Selected Reserve (as described in section 10143 of title 10) who is not otherwise eligible for a flag under this section or section 1482(a) of title 10—

(A) who completed at least one enlistment as a member of the Selected Reserve or, in the case of an officer, completed the period of initial obligated service as a member of the Selected Reserve;

(B) who was discharged before completion of the person's initial enlistment as a member of the Selected Reserve or, in the case of an officer, period of initial obligated service as a member of the Selected Reserve, for a disability incurred or aggravated in line of duty; or

(C) who died while a member of the Selected Reserve.

(2) A flag may not be furnished under subparagraph (A) or (B) of paragraph (1) in the case of a person whose last discharge from service in the Armed Forces was under conditions less favorable than honorable.

(3) After the burial, a flag furnished under paragraph (1) shall be given to the next of kin or to such other person as the Secretary considers appropriate.

(g) A flag may not be furnished under this section in the case of a person described in section 2411(b) of this title.

(h)(1) The Secretary may not procure any flag for the purposes of this section that is not wholly produced in the United States.

(2)(A) The Secretary may waive the requirement of paragraph (1) if the Secretary determines—

(i) that the requirement cannot be reasonably met; or

(ii) that compliance with the requirement would not be in the national interest of the United States.

(B) The Secretary shall submit to Congress in writing notice of a determination under subparagraph (A) not later than 30 days after the date on which such determination is made.

(3) For the purpose of paragraph (1), a flag shall be considered to be wholly produced in the United States only if—

(A) the materials and components of the flag are entirely grown, manufactured, or created in the United States;

(B) the processing (including spinning, weaving, dyeing, and finishing) of such materials and components is entirely performed in the United States; and

(C) the manufacture and assembling of such materials and components into the flag is entirely performed in the United States.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1169, §901; Pub. L. 87-240, Sept. 14, 1961, 75 Stat. 512; Pub. L. 89-358, §9, Mar. 3, 1966, 80 Stat. 28; Pub. L. 90-77, title IV, §402, Aug. 31, 1967, 81 Stat. 190; Pub. L. 91-588, §9(g), Dec. 24, 1970, 84 Stat. 1585; Pub. L. 97-306, title IV, §402(a), Oct. 14, 1982, 96 Stat. 1442; Pub. L. 99-576, title VII, §701(50), Oct. 28, 1986, 100 Stat. 3295; Pub. L. 101-237, title III,

<sup>1</sup> See References in Text note below.