

Union Calendar No. 111

109TH CONGRESS
1ST SESSION

H. R. 3200

[Report No. 109-177]

To amend title 38, United States Code, to enhance the Servicemembers' Group Life Insurance program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 11, 2005

Mr. MILLER of Florida (for himself and Ms. BERKLEY) introduced the following bill; which was referred to the Committee on Veterans' Affairs

JULY 20, 2005

Additional sponsors: Mr. UDALL of New Mexico, Ms. GINNY BROWN-WAITE of Florida, Mr. BRADLEY of New Hampshire, Mr. MICHAUD, Mr. EVANS, Mr. SNYDER, Mr. BILIRAKIS, Mr. BROWN of South Carolina, Mr. MORAN of Kansas, Mr. FILNER, Ms. HERSETH, Mr. GUTIERREZ, Mr. STRICKLAND, Ms. CORRINE BROWN of Florida, Mr. REYES, Ms. HOOLEY, and Mr. BUYER

JULY 20, 2005

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend title 38, United States Code, to enhance the Servicemembers' Group Life Insurance program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Servicemembers’
5 Group Life Insurance Enhancement Act of 2005”.

6 **SEC. 2. REPEALER.**

7 Effective as of August 31, 2005, section 1012 of divi-
8 sion A of the Emergency Supplemental Appropriations Act
9 for Defense, the Global War on Terror, and Tsunami Re-
10 lief, 2005 (Public Law 109–13; 119 Stat. 244), including
11 the amendments made by that section, are repealed, and
12 sections 1967, 1969, 1970, and 1977 of title 38, United
13 States Code, shall be applied as if that section had not
14 been enacted.

15 **SEC. 3. INCREASE FROM \$250,000 TO \$400,000 IN AUTOMATIC**
16 **MAXIMUM COVERAGE UNDER**
17 **SERVICEMEMBERS’ GROUP LIFE INSURANCE**
18 **AND VETERANS’ GROUP LIFE INSURANCE.**

19 (a) MAXIMUM UNDER SGLI.—Section 1967 of title
20 38, United States Code, is amended—

21 (1) in subsection (a)(3)(A)(i), by striking
22 “\$250,000” and inserting “\$400,000”; and

23 (2) in subsection (d), by striking “of \$250,000”
24 and inserting “in effect under paragraph (3)(A)(i) of
25 that subsection”.

1 (b) MAXIMUM UNDER VGLI.—Section 1977(a) of
2 such title is amended by striking “\$250,000” each place
3 it appears and inserting “\$400,000”.

4 (c) EFFECTIVE DATE.—The amendments made by
5 this section shall take effect on September 1, 2005, and
6 shall apply with respect to deaths occurring on or after
7 that date.

8 **SEC. 4. NOTIFICATION TO MEMBER’S SPOUSE OR NEXT OF**
9 **KIN OF CERTAIN ELECTIONS UNDER**
10 **SERVICEMEMBER’S GROUP LIFE INSURANCE**
11 **PROGRAM.**

12 Effective September 1, 2005, section 1967 of title 38,
13 United States Code, is amended by adding at the end the
14 following new subsection:

15 “(f)(1)(A) Whenever a member who is eligible for in-
16 surance under this section executes a life insurance option
17 specified in subparagraph (B), the Secretary concerned
18 shall notify the member’s spouse or, if the member is un-
19 married, the member’s next of kin, in writing, of the exe-
20 cution of that option.

21 “(B) A life insurance option referred to in subpara-
22 graph (A) is any of the following:

23 “(i) An election under subsection (a)(2)(A) not
24 to be insured under this subchapter.

1 “(ii) An election under subsection (a)(3)(B) for
2 insurance of the member in an amount that is less
3 than the maximum amount provided under sub-
4 section (a)(3)(A)(i).

5 “(iii) An application under subsection (e) for in-
6 surance coverage under this subchapter or for a
7 change in the amount of such insurance coverage.

8 “(iv) In the case of a married member, a des-
9 ignation under section 1970(a) of this title of any
10 person other than the spouse or a child of the mem-
11 ber as the beneficiary of the member for any amount
12 of insurance under this subchapter.

13 “(2) Whenever an unmarried member who is eligible
14 for insurance under this section marries, the Secretary
15 concerned shall notify the member’s spouse in writing as
16 to whether the member is insured under this subchapter.
17 In the case of a member who is so insured, the Secretary
18 shall include with such notification—

19 “(A) if the member has made an election de-
20 scribed in paragraph (1)(B)(ii), notice that the
21 amount of such insurance is less than the maximum
22 amount provided under subsection (a)(3)(A)(i); and

23 “(B) if the member has designated a bene-
24 ficiary other than the spouse or a child of the mem-

1 ber for any amount of such insurance, notice that
2 such a designation has been made.

3 “(3)(A) Notification of a spouse under paragraph (1)
4 or (2), or of any other person under paragraph (1), for
5 purposes of this subsection shall consist of a good faith
6 effort to provide information to the spouse or other person
7 at the last address of the spouse or other person in the
8 records of the Secretary concerned.

9 “(B) Failure to provide such notification, or to pro-
10 vide such notification in a timely manner, does not affect
11 the validity of any life insurance option referred to in
12 paragraph (1)(B).”.

13 **SEC. 5. INCREMENTS OF INSURANCE THAT MAY BE ELECT-**
14 **ED.**

15 (a) INCREASE IN INCREMENT AMOUNT.—Subsection
16 (a)(3)(B) of section 1967 of title 38, United States Code,
17 is amended by striking “member or spouse” in the last
18 sentence and inserting “member, be evenly divisible by
19 \$50,000 and, in the case of a member’s spouse,”.

20 (b) EFFECTIVE DATE.—The amendment made by
21 subsection (a) shall take effect on September 1, 2005.

1 **SEC. 6. AUTHORITY TO ELECT NEW TRAUMATIC INJURY**
2 **PROTECTION.**

3 (a) OPT-OUT AUTHORITY.—Section 1980A of title
4 38, United States Code, is amended by adding at the end
5 of subsection (b) the following new paragraph:

6 “(4)(A) A member may elect in writing not to be in-
7 sured under this section.

8 “(B) If a member eligible for insurance under this
9 section is not so insured by reason of an election made
10 under subparagraph (A), the member may thereafter elect
11 to be insured under this section upon written application
12 by the member, proof of good health, and compliance with
13 such other terms and conditions as may be prescribed by
14 the Secretary. Insurance under this section upon such an
15 election is effective upon the date of the receipt by the
16 Secretary of such application and shall apply only with
17 respect to injuries incurred after that date.

18 “(C) The Secretary shall prescribe by regulation con-
19 ditions as to how and when elections under subparagraph
20 (B) shall be made. Such regulations may include limiting
21 the time for such elections to an annual open season, for
22 a duration each year prescribed by the Secretary.”.

23 (b) EFFECTIVE DATE.—The amendment made by
24 subsection (a) shall take effect immediately after section
25 1980A of title 38, United States Code, takes effect pursu-
26 ant to section 1032(d)(1) of division A of the Emergency

- 1 Supplemental Appropriations Act for Defense, the Global
- 2 War on Terror, and Tsunami Relief, 2005 (Public Law
- 3 109–13; 119 Stat. 260).

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