

## AMENDMENTS

2008—Subsec. (a). Pub. L. 110-289, §2602(b)(5)(A), substituted “individual” for “veteran” in two places.

Subsec. (b). Pub. L. 110-289, §2602(b)(5)(B), substituted “An individual” for “A veteran” and “an individual” for “a veteran” and substituted “such individual” for “such veteran” in two places.

1996—Subsec. (b). Pub. L. 104-275 substituted “section 1717(a)(2)” for “section 1712(a)” in two places.

1991—Pub. L. 102-83, §5(a), renumbered section 804 of this title as this section.

Subsec. (a). Pub. L. 102-83, §5(c)(1), substituted “2101” for “801”.

Subsec. (b). Pub. L. 102-83, §5(c)(1), substituted “2101(b)” for “801(b)” in two places, “2101(a)” for “801(a)”, and “1712(a)” for “612(a)” in two places.

1980—Pub. L. 96-385 designated existing provisions as subsec. (a), substituted “except as provided in subsection (b) of this section, the assistance authorized by section 801 of this title” for “the assistance authorized by this chapter”, and added subsec. (b).

## EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-385 effective Oct. 1, 1980, see section 601(b) of Pub. L. 96-385, set out as a note under section 1114 of this title.

**§ 2105. Nonliability of United States**

The Government of the United States shall have no liability in connection with any housing unit, or necessary land therefor, or adaptation acquired under the provisions of this chapter.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1169, §805; Pub. L. 96-385, title III, §301(d), Oct. 7, 1980, 94 Stat. 1531; renumbered §2105, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406.)

## PRIOR PROVISIONS

Prior section 2105, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1224, related to administration of mustering-out payments provisions, prior to repeal by Pub. L. 89-50, §1(a), June 24, 1965, 79 Stat. 173, effective July 1, 1966.

## AMENDMENTS

1991—Pub. L. 102-83 renumbered section 805 of this title as this section.

1980—Pub. L. 96-385 made the United States not liable for any adaptation in connection with any housing unit.

## EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-385 effective Oct. 1, 1980, see section 601(b) of Pub. L. 96-385, set out as a note under section 1114 of this title.

**§ 2106. Veterans' mortgage life insurance**

(a) The United States shall automatically insure any eligible individual age 69 or younger who is or has been granted assistance in securing a suitable housing unit under this chapter against the death of the individual unless the individual (1) submits to the Secretary in writing the individual's election not to be insured under this section, or (2) fails to respond in a timely manner to a request from the Secretary for information on which the premium for such insurance can be based.

(b) The amount of insurance provided an individual under this section may not exceed the lesser of \$150,000, or after January 1, 2012, \$200,000, or the amount of the loan outstanding on the housing unit. The amount of such insurance shall be reduced according to the amortiza-

tion schedule of the loan and may not at any time exceed the amount of the outstanding loan with interest. If there is no outstanding loan on the housing unit, insurance is not payable under this section. If an eligible individual elects not to be insured under this section, the individual may thereafter be insured under this section, but only upon submission of an application, payment of required premiums, and compliance with such health requirements and other terms and conditions as may be prescribed by the Secretary.

(c) The premiums charged an individual for insurance under this section shall be paid at such time and in such manner as the Secretary prescribes. The rates for such premiums shall be based on such mortality data as the Secretary considers appropriate to cover only the mortality cost of insuring standard lives. In the case of an individual receiving compensation or other cash benefits paid to the individual by the Secretary, the Secretary shall deduct from such compensation or other benefits the premiums charged the individual under this section.

(d)(1) The United States shall bear the costs of insurance under this section to the extent that such costs exceed premiums established by the Secretary. Premiums collected on insurance under this section shall be credited to the “Veterans Insurance and Indemnities” appropriation account, and all disbursements of insurance proceeds under this section shall be made from that account.

(2) There are authorized to be appropriated to the Secretary for such account such amounts as may be necessary to carry out this section.

(e) Any amount of insurance in force under this section on the date of the death of an individual insured under this section shall be paid to the holder of the mortgage loan, for payment of which the insurance was granted, for credit on the loan indebtedness. Any liability of the United States under such insurance shall be satisfied when such payment is made. If the Secretary is the holder of the mortgage loan, the insurance proceeds shall be credited to the loan indebtedness and deposited in the Veterans Housing Benefit Program Fund established by section 3722 of this title.

(f) The Secretary may prescribe such regulations relating to eligibility for insurance under this section, the maximum amount of insurance, the effective date of insurance, the maximum duration of insurance, and other pertinent matters not specifically provided for in this section as the Secretary determines are in the best interest of veterans or the United States.

(g) The amount of the insurance in force at any time shall be the amount necessary to pay the mortgage indebtedness in full, except as otherwise limited by subsection (b) of this section or regulations prescribed by the Secretary under this section.

(h) The Secretary shall issue to each individual insured under this section a certificate setting forth the benefits to which the individual is entitled under the insurance.

(i) Insurance under this section shall terminate upon whichever of the following events first occurs:

(1) Satisfaction of the individual's indebtedness under the loan upon which the insurance is based.

(2) Termination of the individual's ownership of the property securing the loan.

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

(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; Pub. L. 110-289, div. B, title VI, §2602(b)(6), July 30, 2008, 122 Stat. 2860; Pub. L. 111-275, title IV, §407(a), Oct. 13, 2010, 124 Stat. 2880.)

#### AMENDMENTS

2010—Subsec. (b). Pub. L. 111-275 substituted “\$150,000, or after January 1, 2012, \$200,000,” for “\$90,000”.

2008—Subsec. (a). Pub. L. 110-289, §2602(b)(6)(A), (F), substituted “any eligible individual” for “any eligible veteran” and “the individual’s” for “the veterans’” and substituted “the individual” for “the veteran” in two places.

Subsec. (b). Pub. L. 110-289, §2602(b)(6)(B), (F), (G), substituted “an individual” for “a veteran”, “an eligible individual” for “an eligible veteran”, and “the individual” for “the veteran”.

Subsec. (c). Pub. L. 110-289, §2602(b)(6)(F), (G), substituted “the individual” for “the veteran” and “an individual” for “a veteran” in two places each.

Subsec. (e). Pub. L. 110-289, §2602(b)(6)(C), substituted “an individual” for “an eligible veteran”.

Subsec. (h). Pub. L. 110-289, §2602(b)(6)(D), (F), substituted “each individual” for “each veteran” and “the individual” for “the veteran”.

Subsec. (i). Pub. L. 110-289, §2602(b)(6)(E), (F), substituted “the individual” for “the veteran” and substituted “the individual’s” for “the veterans’” in two places.

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 2010 AMENDMENT

Pub. L. 111-275, title IV, §407(b), Oct. 13, 2010, 124 Stat. 2880, provided that: “The amendment made by subsection (a) [amending this section] shall take effect on October 1, 2011.”

#### 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

Pub. L. 100-322, title III, §333(b), May 20, 1988, 102 Stat. 539, 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

Pub. L. 100-322, title III, §333(c)-(e), May 20, 1988, 102 Stat. 539, 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.)

#### § 2108. Specially adapted housing assistive technology grant program

(a) AUTHORITY TO MAKE GRANTS.—The Secretary shall make grants to encourage the development of new assistive technologies for specially adapted housing.

(b) APPLICATION.—A person or entity seeking a grant under this section shall submit to the Secretary an application for the grant in such form and manner as the Secretary shall specify.

(c) GRANT FUNDS.—(1) Each grant awarded under this section shall be in an amount of not more than \$200,000 per fiscal year.

(2) For each fiscal year in which the Secretary makes a grant under this section, the Secretary shall make the grant by not later than April 1 of that year.

(d) USE OF FUNDS.—The recipient of a grant under this section shall use the grant to develop assistive technologies for use in specially adapted housing.

(e) REPORT.—Not later than March 1 of each fiscal year following a fiscal year in which the Secretary makes a grant, the Secretary shall submit to Congress a report containing information related to each grant awarded under this section during the preceding fiscal year, including—

- (1) the name of the grant recipient;
- (2) the amount of the grant; and
- (3) the goal of the grant.

(f) FUNDING.—From amounts appropriated to the Department for readjustment benefits for each fiscal year for which the Secretary is authorized to make a grant under this section, \$1,000,000 shall be available for that fiscal year for the purposes of the program under this section.

(g) DURATION.—The authority to make a grant under this section shall begin on October 1, 2011, and shall terminate on September 30, 2016.

(Added Pub. L. 111-275, title II, §203(a), Oct. 13, 2010, 124 Stat. 2874.)

#### § 2109. Specially adapted housing destroyed or damaged by natural disasters

(a) IN GENERAL.—Notwithstanding the provisions of section<sup>1</sup> 2102 and 2102A of this title, the Secretary may provide assistance to a veteran whose home was previously adapted with assistance of a grant under this chapter in the event the adapted home which was being used and occupied by the veteran was destroyed or substantially damaged in a natural or other disaster, as determined by the Secretary.

(b) USE OF FUNDS.—Subject to subsection (c), assistance provided under subsection (a) shall—

(1) be available to acquire a suitable housing unit with special fixtures or moveable facilities made necessary by the veteran's disability, and necessary land therefor;

(2) be available to a veteran to the same extent as if the veteran had not previously received assistance under this chapter; and

(3) not be deducted from the maximum uses or from the maximum amount of assistance available under this chapter.

(c) LIMITATIONS.—The amount of the assistance provided under subsection (a) may not exceed the lesser of—

(1) the reasonable cost, as determined by the Secretary, of repairing or replacing the damaged or destroyed home in excess of the available insurance coverage on such home; or

(2) the maximum amount of assistance to which the veteran would have been entitled under sections 2101(a), 2101(b), and 2102A of this title had the veteran not obtained previous assistance under this chapter.

(Added Pub. L. 112-154, title VII, §701(a)(1), Aug. 6, 2012, 126 Stat. 1202.)

##### EFFECTIVE DATE

Pub. L. 112-154, title VII, §701(g), Aug. 6, 2012, 126 Stat. 1205, provided that: “The amendments made by this section [enacting this section and amending sections 3108, 3120, 3703, and 3903 of this title] shall take effect on the date that is one year after the date of the enactment of this Act [Aug. 6, 2012].”

##### ANNUAL REPORT

Pub. L. 112-154, title VII, §701(f), Aug. 6, 2012, 126 Stat. 1204, provided that:

“(1) IN GENERAL.—Each year, the Secretary of Veterans Affairs shall submit to Congress a report on the assistance provided or action taken by the Secretary in the last fiscal year pursuant to the authorities added by the amendments made by this section [enacting this section and amending sections 3108, 3120, 3703, and 3903 of this title].

“(2) ELEMENTS.—Each report submitted under paragraph (1) shall include the following for the fiscal year covered by the report:

“(A) A description of each natural disaster for which assistance was provided or action was taken as described in paragraph (1).

“(B) The number of cases or individuals, as the case may be, in which or to whom the Secretary provided assistance or took action as described in paragraph (1).

“(C) For each such case or individual, a description of the type or amount of assistance or action taken, as the case may be.”

<sup>1</sup> So in original. Probably should be “sections”.