

chapter II (§851 et seq.) of chapter 13 of former Title 38, Pensions, Bonuses, and Veterans' Relief, and was repealed by act Aug. 1, 1956, ch. 837, title V, §502(9), 70 Stat. 886.

The National Service Life Insurance Act of 1940, referred to in subsec. (d), is act Oct. 8, 1940, ch. 757, title VI, pt. I, §§ 601 to 623, 54 Stat. 1008, as amended, which was classified generally to subchapter I (§§801 to 824) of chapter 13 of former Title 38, Pensions, Bonuses, and Veterans' Relief, and which was repealed by Pub. L. 85-857, §14(75), Sept. 2, 1958, 72 Stat. 1272, and the provisions thereof reenacted generally as this subchapter by the first section of Pub. L. 85-857 which enacted Title 38, Veterans' Benefits. Section 602(n) of the 1940 Act, also referred to in subsec. (d), is covered by this section.

#### AMENDMENTS

1991—Pub. L. 102-83, §5(a), renumbered section 712 of this title as this section.

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

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

Pub. L. 102-83, §4(a)(2)(C)(ii), substituted "by the Secretary" for "in the Veterans' Administration".

Subsec. (d). Pub. L. 102-83, §5(c)(1), substituted "1922(b)" for "722(b)".

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

1986—Subsecs. (a), (b), (d). Pub. L. 99-576 substituted "the insured's" for "his" wherever appearing, and "the insured" for "he" in first sentence of subsec. (d).

1982—Subsec. (d). Pub. L. 97-295 substituted "June 8, 1960" for "the date of enactment of this subsection" in two places.

1964—Subsec. (a). Pub. L. 88-364 extended from age 60 to age 65 the age before which a person must become totally disabled to be eligible for waiver of premiums, and provided that where total disability commenced on or after the 60th birthday but before the 65th, the Administrator shall not waive premiums becoming due prior to Jan. 1, 1965.

1960—Subsec. (d). Pub. L. 86-497 added subsec. (d).

#### EFFECTIVE DATE OF 1964 AMENDMENT

Pub. L. 88-364 provided that the amendment made by Pub. L. 88-364 is effective Jan. 1, 1965.

### § 1913. Death before six months' total disability

Whenever premiums are not waived under section 1912 of this title solely because the insured died prior to the continuance of total disability for six months, and proof of such facts, satisfactory to the Secretary, is filed by the beneficiary with the Department within one year after the insured's death, the insurance shall be deemed to be in force at the date of the death, and the unpaid premiums shall become a lien against the proceeds of the insurance. If the beneficiary is insane or a minor, proof of such facts may be filed within one year after removal of such legal disability.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1150, §713; Pub. L. 99-576, title VII, §701(26), Oct. 28, 1986, 100 Stat. 3292; renumbered §1913 and amended Pub. L. 102-83, §§4(a)(3), (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 713 of this title as this section.

Pub. L. 102-83, §5(c)(1), substituted "1912" for "712".

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

Pub. L. 102-83, §4(a)(3), (4), substituted "Department" for "Veterans' Administration".

1986—Pub. L. 99-576 substituted "the" for "his" in three places.

### § 1914. Statutory total disabilities

Without prejudice to any other cause of disability, the permanent loss of the use of both feet, of both hands, or of both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or the total loss of hearing of both ears, or the organic loss of speech, shall be deemed total disability for insurance purposes.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1151, §714; renumbered §1914, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406.)

#### AMENDMENTS

1991—Pub. L. 102-83 renumbered section 714 of this title as this section.

### § 1915. Total disability income provision

The Secretary shall, except as hereinafter provided, upon application by the insured and proof of good health satisfactory to the Secretary and payment of such extra premium as the Secretary shall prescribe, include in any National Service Life Insurance policy on the life of the insured (except a policy issued under section 620 of the National Service Life Insurance Act of 1940, or section 1922 of this title) provisions whereby an insured who is shown to have become totally disabled for a period of six consecutive months or more commencing after the date of such application and before attaining the age of sixty-five and while the payment of any premium is not in default, shall be paid monthly disability benefits from the first day of the seventh consecutive month of and during the continuance of such total disability of \$10 for each \$1,000 of such insurance in effect when such benefits become payable. The total disability provision authorized under this section shall not be issued unless application therefor is made either prior to the insured's fifty-fifth birthday, or before the insured's sixtieth birthday and prior to January 1, 1966. The total disability provision authorized under this section shall not be added to a policy containing the total disability coverage heretofore issued under section 602(v) of the National Service Life Insurance Act of 1940, or the provisions of this section as in effect before January 1, 1965, except upon surrender of such total disability coverage, proof of good health, if required, satisfactory to the Secretary, and payment of such extra premium as the Secretary shall determine is required in such cases. Participating policies containing additional provisions for the payment of disability benefits may be separately classified for the purpose of dividend distribution from otherwise similar policies not containing such benefits.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1151, §715; Pub. L. 88-355, July 7, 1964, 78 Stat. 272; renumbered §1915 and amended Pub. L. 102-83, §§4(b)(1), (2)(E), 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 404-406.)

#### REFERENCES IN TEXT

Section 620 of the National Service Life Insurance Act of 1940, referred to in text, is section 620 of act Oct. 8, 1940, ch. 757, title VI, pt. I, as added Apr. 25, 1951, ch.