

113TH CONGRESS
1ST SESSION

H. R. 3569

To amend title 38, United States Code, to add a definition of spouse for purposes of veteran benefits that recognizes new State definitions of spouse.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 20, 2013

Mr. WALZ (for himself, Mr. HANNA, Ms. ROS-LEHTINEN, and Mr. TAKANO) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to add a definition of spouse for purposes of veteran benefits that recognizes new State definitions of spouse.

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 “Protecting the Free-
5 doms and Benefits for All Veterans Act”.

1 **SEC. 2. DEFINITION OF SPOUSE FOR PURPOSES OF VET-**
2 **ERAN BENEFITS TO REFLECT NEW STATE**
3 **DEFINITIONS OF SPOUSE.**

4 (a) SPOUSE DEFINED.—Section 101 of title 38,
5 United States Code, is amended—

6 (1) in paragraph (3), by striking “of the oppo-
7 site sex”; and

8 (2) by striking paragraph (31) and inserting
9 the following new paragraph:

10 “(31)(A) An individual shall be considered a ‘spouse’
11 if—

12 “(i) the marriage of the individual is valid in
13 the State in which the marriage was entered into; or

14 “(ii) in the case of a marriage entered into out-
15 side any State—

16 “(I) if the marriage of the individual is
17 valid in the place in which the marriage was en-
18 tered into; and

19 “(II)(aa) the marriage could have been en-
20 tered into in a State; or

21 “(bb) the marriage was valid in the place
22 in which all parties to the marriage resided at
23 the time the marriage was entered into.

24 “(B) In this paragraph, the term ‘State’ has the
25 meaning given that term in paragraph (20), except that

1 the term also includes the Commonwealth of the Northern
2 Mariana Islands.”.

3 (b) MARRIAGE DETERMINATION.—Section 103(c) of
4 such title is amended by striking “according to” and all
5 that follows through the period at the end and inserting
6 “in accordance with section 101(31) of this title.”.

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