

115TH CONGRESS
1ST SESSION

H. R. 2421

To amend title 38, United States Code, to amend the definition of the term “spouse” to recognize new State definitions of such term for the purpose of the laws administered by the Secretary of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2017

Ms. TITUS (for herself, Mr. CARTWRIGHT, Mr. CURBELO of Florida, Ms. DELBENE, Mr. GRIJALVA, Ms. KELLY of Illinois, Mr. LOWENTHAL, Ms. NORTON, Mr. O’ROURKE, Ms. SLAUGHTER, Mr. TAKANO, Mr. WALZ, Mr. SWALWELL of California, Mr. RUSH, Ms. TSONGAS, Ms. CLARK of Massachusetts, Ms. PINGREE, Mr. COFFMAN, Mrs. LOWEY, Mr. PERLMUTTER, and Mr. PETERS) introduced the following bill; which was referred to the Committee on Veterans’ Affairs

A BILL

To amend title 38, United States Code, to amend the definition of the term “spouse” to recognize new State definitions of such term for the purpose of the laws administered by the Secretary of Veterans Affairs, 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 “Veteran Spouses Equal
5 Treatment Act”.

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

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

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

8 (2) in paragraph (31), by striking “of the oppo-
9 site sex who is a wife or husband” and inserting “in
10 a marriage recognized under section 103 of this
11 title”.

12 (b) DETERMINATION.—Subsection (c) of section 103
13 of such title is amended to read as follows:

14 “(c)(1) For the purposes of all laws administered by
15 the Secretary, the Secretary shall recognize a marriage
16 based on the law of the State where the marriage oc-
17 curred. In the case of a marriage that occurred outside
18 a State, the Secretary shall recognize the marriage if the
19 marriage was lawful in the place where it occurred and
20 could have been entered into under the laws of any State.
21 Except in the case of a purported marriage deemed valid
22 under subsection (a), the Secretary may not recognize
23 more than one marriage for any person at the same time.

24 “(2) In this subsection, the term ‘State’ has the
25 meaning given that the term in section 101(20) of this

- 1 title, except that such term also includes the Common-
- 2 wealth of the Northern Mariana Islands.”.

