

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 1735
OFFERED BY MR. SMITH OF WASHINGTON**

At the end of subtitle D of title V, add the following
new section:

1 **SEC. 5__ . DEFINITION OF SPOUSE FOR PURPOSES OF**
2 **MILITARY PERSONNEL POLICIES AND MILI-**
3 **TARY AND VETERAN BENEFITS TO REFLECT**
4 **NEW STATE DEFINITIONS OF SPOUSE.**

5 (a) TITLE 10.—

6 (1) DEFINITION.—Paragraph (5) of section
7 101(f) of title 10, United States Code, is amended
8 to read as follows:

9 “(5) Notwithstanding section 7 of title 1, an in-
10 dividual shall be considered a ‘spouse’ if the mar-
11 riage of the individual is valid in the State in which
12 the marriage was entered into or, in the case of a
13 marriage entered into outside any State, if the mar-
14 riage is valid in the place in which the marriage was
15 entered into and the marriage could have been en-
16 tered into in a State. In this paragraph, the term
17 ‘State’ means the several States, the District of Co-
18 lumbia, the Commonwealth of Puerto Rico, the Com-

1 monwealth of the Northern Mariana Islands, and
2 the territories and possessions.”.

3 (2) CONFORMING AMENDMENTS.—Such section
4 is further amended—

5 (A) in the matter preceding paragraph (1),
6 by striking “In this title—” and inserting “The
7 following rules of construction apply in this
8 title.”;

9 (B) in paragraphs (1), (2), and (4), by in-
10 sserting “The term” after the enumerator;

11 (C) in paragraphs (1), (2), and (3), by
12 striking the semicolon at the end and inserting
13 a period;

14 (D) in paragraph (3), by inserting “The
15 phrase” after the enumerator; and

16 (E) in paragraph (4), by striking “; and”
17 and inserting a period.

18 (b) TITLE 32.—Paragraph (18) of section 101 of title
19 32, United States Code, is amended to read as follows:

20 “(18) Notwithstanding section 7 of title 1, an
21 individual shall be considered a ‘spouse’ if the mar-
22 riage of the individual is valid in the State in which
23 the marriage was entered into or, in the case of a
24 marriage entered into outside any State, if the mar-
25 riage is valid in the place in which the marriage was

1 entered into and the marriage could have been en-
2 tered into in a State. In this paragraph, the term
3 ‘State’ means the several States, the District of Co-
4 lumbia, the Commonwealth of Puerto Rico, the Com-
5 monwealth of the Northern Mariana Islands, and
6 the territories and possessions.”.

7 (c) TITLE 37.—Section 101 of title 37, United States
8 Code, is amended by adding at the end the following new
9 paragraph:

10 “(27) Notwithstanding section 7 of title 1, an
11 individual shall be considered a ‘spouse’ if the mar-
12 riage of the individual is valid in the State in which
13 the marriage was entered into or, in the case of a
14 marriage entered into outside any State, if the mar-
15 riage is valid in the place in which the marriage was
16 entered into and the marriage could have been en-
17 tered into in a State. In this paragraph, the term
18 ‘State’ means the several States, the District of Co-
19 lumbia, the Commonwealth of Puerto Rico, the Com-
20 monwealth of the Northern Mariana Islands, and
21 the territories and possessions.”.

22 (d) TITLE 38.—Section 101 of title 38, United States
23 Code, is amended—

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

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

3 “(31) Notwithstanding section 7 of title 1, an indi-
4 vidual shall be considered a ‘spouse’ if the marriage of
5 the individual is valid in the State in which the marriage
6 was entered into or, in the case of a marriage entered into
7 outside any State, if the marriage is valid in the place
8 in which the marriage was entered into and the marriage
9 could have been entered into in a State. In this paragraph,
10 the term ‘State’ has the meaning given that term in para-
11 graph (20), except that the term also includes the Com-
12 monwealth of the Northern Mariana Islands.”.

