

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4702
OFFERED BY Ms. Titus

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Veterans’ Compensa-
3 tion Cost-of-Living Adjustment Act of 2016”.

4 SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSA-
5 TION AND DEPENDENCY AND INDEMNITY
6 COMPENSATION.

7 (a) RATE ADJUSTMENT.—Effective on December 1,
8 2016, the Secretary of Veterans Affairs shall increase, in
9 accordance with subsection (c), the dollar amounts in ef-
10 fect on November 30, 2016, for the payment of disability
11 compensation and dependency and indemnity compensa-
12 tion under the provisions specified in subsection (b).

13 (b) AMOUNTS TO BE INCREASED.—The dollar
14 amounts to be increased pursuant to subsection (a) are
15 the following:

16 (1) WARTIME DISABILITY COMPENSATION.—
17 Each of the dollar amounts under section 1114 of
18 title 38, United States Code.

1 (2) ADDITIONAL COMPENSATION FOR DEPEND-
2 ENTS.—Each of the dollar amounts under section
3 1115(1) of such title.

4 (3) CLOTHING ALLOWANCE.—The dollar
5 amount under section 1162 of such title.

6 (4) DEPENDENCY AND INDEMNITY COMPENSA-
7 TION TO SURVIVING SPOUSE.—Each of the dollar
8 amounts under subsections (a) through (d) of sec-
9 tion 1311 of such title.

10 (5) DEPENDENCY AND INDEMNITY COMPENSA-
11 TION TO CHILDREN.—Each of the dollar amounts
12 under sections 1313(a) and 1314 of such title.

13 (c) DETERMINATION OF INCREASE.—

14 (1) PERCENTAGE.—Except as provided in para-
15 graph (2), each dollar amount described in sub-
16 section (b) shall be increased by the same percentage
17 as the percentage by which benefit amounts payable
18 under title II of the Social Security Act (42 U.S.C.
19 401 et seq.) are increased effective December 1,
20 2016, as a result of a determination under section
21 215(i) of such Act (42 U.S.C. 415(i)).

22 (2) ROUNDING.—Each dollar amount increased
23 under paragraph (1), if not a whole dollar amount,
24 shall be rounded to the next lower whole dollar
25 amount.

1 (d) SPECIAL RULE.—The Secretary of Veterans Af-
2 fairs may adjust administratively, consistent with the in-
3 creases made under subsection (a), the rates of disability
4 compensation payable to persons under section 10 of Pub-
5 lic Law 85–857 (72 Stat. 1263) who have not received
6 compensation under chapter 11 of title 38, United States
7 Code.

8 **SEC. 3. PUBLICATION OF ADJUSTED RATES.**

9 The Secretary of Veterans Affairs shall publish in the
10 Federal Register the amounts specified in section 2(b), as
11 increased under that section, not later than the date on
12 which the matters specified in section 215(i)(2)(D) of the
13 Social Security Act (42 U.S.C. 415(i)(2)(D)) are required
14 to be published by reason of a determination made under
15 section 215(i) of such Act during fiscal year 2017.

16 **SEC. 4. DEFINITION OF SPOUSE FOR PURPOSES OF VET-**
17 **ERAN BENEFITS TO REFLECT NEW STATE**
18 **DEFINITIONS OF SPOUSE.**

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

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

23 (2) in paragraph (31), by striking “of the oppo-
24 site sex who is a wife or husband” and inserting “in

1 a marriage recognized under section 103 of this
2 title”.

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

5 “(c)(1) For the purposes of all laws administered by
6 the Secretary, the Secretary shall recognize a marriage
7 based on the law of the State where the marriage oc-
8 curred. In the case of a marriage that occurred outside
9 a State, the Secretary shall recognize the marriage if the
10 marriage was lawful in the place where it occurred and
11 could have been entered into under the laws of any State.
12 Except in the case of a purported marriage deemed valid
13 under subsection (a), the Secretary may not recognize
14 more than one marriage for any person at the same time.

15 “(2) In this subsection, the term ‘State’ has the
16 meaning given that the term in section 101(20) of this
17 title, except that such term also includes the Common-
18 wealth of the Northern Mariana Islands.”.

