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115TH CONGRESS
1ST SESSION

H. R. 98

To replace references to ''wives'' and ''husbands'' in Federal law with references to ''spouses'', and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2017

Ms. BROWNLEY of California introduced the following bill; which was referred to the Committee on the Judiciary

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A BILL

To replace references to ''wives'' and ''husbands'' in Federal law with references to ''spouses'', and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Amend the Code for Marriage Equality Act of 2017''.

SEC. 2. AMENDMENTS.

(a) ACT OF AUGUST 16, 1941.—Section 2(b) of the Act of August 16, 1941, entitled ''An Act to provide compensation for disability or death to persons employed at military, air, and naval bases outside the United States.''

(42 U.S.C. 1652(b)) is amended by striking ''wife'' each place such term appears and inserting ''spouse''.

(b) ACT OF AUGUST 4, 1955.—Section 43(a) of the Act of August 4, 1955, entitled ''An Act to direct the Secretary of Agriculture to release on behalf of the United States conditions in two deeds conveying certain submarginal lands to Clemson Agricultural College of South Carolina so as to permit such college, subject to certain conditions, to sell, lease, or otherwise dispose of such lands.'' (42 U.S.C. 2333(a)) is amended by striking ''husband and wife'' and inserting ''married couple''.

(c) ACT OF DECEMBER 2, 1942.—Section 101(c) of the Act of December 2, 1942, entitled ''An Act to provide compensation for the injury, disability, death, or enemy detention of employees of contractors with the United States, and for other purposes.'' (42 U.S.C. 1701(c)) is amended by striking ''wife or husband'' each place such term appears and inserting ''spouse''.

(d) ACT OF FEBRUARY 28, 1891.—Section 5 of the Act of February 28, 1891 (25 U.S.C. 371), is amended by striking ''husband and wife'' and inserting ''a married couple''.

(e) ACT OF SEPTEMBER 2, 1960.—The Act of September 2, 1960, entitled ''An Act to provide for continued delivery of water under the Federal reclamation laws to

lands held by husband and wife upon the death of either'' (43 U.S.C. 423h) is amended—

(1) in the title, by striking ''husband and wife upon the death of either'' and inserting ''a married couple upon the death of either spouse''; and

(2) by striking ''husband or wife'' and inserting ''married person''.

(f) CENTRAL INTELLIGENCE AGENCY ACT OF 1949.—The Central Intelligence Agency Act of 1949 (50 U.S.C. 3501 et seq.) is amended—

(1) in the heading of section 16(c), by striking ''Wives or Husbands'' and inserting ''Spouses''; and

(2) in section 19(b)(4), by striking ''widow or widower, former spouse, and/or a child or children as defined in section 204 and section 232 of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees'' and inserting ''surviving spouse, former spouse, or child as defined in section 102 of the Central Intelligence Agency Retirement Act''.

(g) CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT.—The Central Intelligence Agency Retirement Act (50 U.S.C. 2001 et seq.) is amended—

(1) in section 221(d)(5), by striking ''former wife or husband of'' and inserting ''person who has been, but is no longer, married to'';

(2) in section 232(c)(3), by striking ''former wife or husband of'' and inserting ''person who has been, but is no longer, married to'';

(3) in section 241—

(A) in subsection (b)—

(i) in paragraph (2), by inserting after ''former spouse'' the following: ''(as defined under section 102)'';

(ii) in paragraph (3)—

(I) in the heading, by striking ''wife or husband'' and inserting ''spouse other than as defined under section 102''; and

(II) by striking ''former wife or husband of the former participant'' and inserting ''person who has been, but is no longer, married to the former participant, but who is not a former spouse as defined under suction 102''; and

(iii) in paragraph (4)(A), by striking ''former wife or husband'' and inserting ''person'';

(B) in subsection (c)(2), by striking ''surviving wife or husband of such participant'' and

inserting ''person who was married to such participant at the participant's death''; and

(C) in paragraph (d)(2)—

(i) by striking ''surviving former spouse or surviving former wife or husband of such participant'' and inserting ''person''; and

(ii) by striking ''to such former spouse or former wife or husband'' and inserting ''under such paragraph''; and

(4) in section 304(d)(2), by striking ''widow or widower'' each place such term appears and inserting ''surviving spouse''.

(h) ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT OF 2000.—The Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384 et seq.) is amended—

(1) in section 3628(e)(3)(A), by striking ''wife or husband of that individual'' and inserting ''person''; and

(2) in section 3630(e)(3)(A), by striking ''wife or husband of that individual'' and inserting ''person''.

(i) ETHICS IN GOVERNMENT ACT OF 1978.—Section 109(16) of the Ethics in Government Act of 1978 (5

U.S.C. App. 109(16)) is amended by striking ''husband, wife'' and inserting ''spouse''.

(j) FAMILY AND MEDICAL LEAVE ACT OF 1993.—Section 102(f) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(f)) is amended—

(1) in paragraph (1), by striking ''husband and wife'' and inserting ''married couple''; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''that husband and wife'' and inserting ''such spouses''; and

(B) in subparagraph (B), by striking ''husband and wife'' and inserting ''married couple''.

(k) FEDERAL ELECTION CAMPAIGN ACT OF 1971.—Section 313(c)(3)(B) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30114(c)(3)(B)) is amended by striking ''husband, wife'' and inserting ''spouse''.

(l) FEDERAL MINE SAFETY AND HEALTH ACT OF 1977.—The Federal Mine Safety and Health Act of 1977 (30 U.S.C. 801 et seq.) is amended—

(1) in section 402—

(A) in subsection (a)(2)—

(i) by striking ''wife who is a member of the same household of the miner'' and

inserting ''spouse who is a member of the same household as the miner'';

(ii) by striking ''miner for her support'' and inserting ''miner for his or her support'';

(iii) by striking ''whose husband is a miner who has been ordered by a court to contribute to her support'' and inserting ''for whose support the miner has been ordered by a court to contribute'';

(iv) by striking ''216(b) (1) or (2)'' and inserting ''216(b)(1) or (2)'';

(v) by striking ''status as the 'wife' of a miner'' and inserting ''status as the 'spouse' of a miner'';

(vi) by striking '' 'wife' also includes a 'divorced wife' as defined in section 216(d)(1)'' and inserting '' 'spouse' also includes a 'divorced spouse' as defined in section 216(d)(9)'';

(vii) by striking ''one-half of her support'' and inserting ''half of his or her support''; and

(viii) by inserting ''his or'' before ''her support from such miner''; and

(B) in subsection (e)—

(i) by striking ''widow includes the wife'' and inserting ''surviving spouse includes the spouse'';

(ii) by striking ''individual's status as the 'widow' '' and inserting ''individual's status as the 'surviving spouse' '';

(iii) by striking ''surviving divorced wife'' and inserting ''surviving divorced spouse''; and

(iv) by inserting ''his or'' before ''her'' each place such term appears;

(2) in section 411(c)(4)—

(A) by striking ''widow's,'' and inserting ''surviving spouse's,''; and

(B) by striking ''wife's'' and inserting ''spouse's''; and

(3) in section 413(b)—

(A) by striking ''wife's'' and inserting ''surviving spouse's''; and

(B) by striking ''widow,'' and inserting ''surviving spouse,''.

(m) FOREIGN SERVICE ACT OF 1980.—The Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.) is amended—

(1) in the item relating to the first section 830 in the table of contents, by striking ''wives and husbands'' and inserting ''spouses'';

(2) in section 804—

(A) in paragraph (6), by striking ''former wife or husband of a participant or former participant'' and inserting ''person''; and

(B) in paragraph (13), by striking ''surviving wife or husband of a participant or annuitant who was married to the'' and inserting ''person who was married to a'';

(3) in section 815(f)(2), by striking ''wife or husband'' and inserting ''spouse''; and

(4) in the first section 830 (relating to qualified former wives and husbands)—

(A) in the heading of such section, by striking ''former wives and husbands'' and inserting ''spouses'';

(B) in subsection (a), by striking ''qualified former wife or husband'' and inserting ''qualified former spouse''; and

(C) in subsection (c), by striking ''former wife or husband'' each place such term occurs and inserting ''former spouse''.

(n) IMMIGRATION AND NATIONALITY ACT.—The Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended—

(1) in section 101(a)(35) (8 U.S.C. 1101(a)(35))—

(A) by striking ", 'wife', or 'husband' "; and

(B) by striking ", wife, or husband";

(2) in section 202(b) (8 U.S.C. 1152(b)), by striking "husband and wife" and inserting "spouses";

(3) in section 278 (8 U.S.C. 1328), by striking "a husband or wife shall be admissible and competent evidence against each other" and inserting "an individual shall be admissible and competent evidence against such individual's spouse"; and

(4) in section 283 (8 U.S.C. 1353), by striking "wives" and inserting "spouses".

(o) INDIAN LAND CONSOLIDATION ACT.—Section 207(j)(3)(A)(ii) of the Indian Land Consolidation Act (25 U.S.C. 2206) is amended by striking "husband and wife" and inserting "the participants as spouses".

(p) INTERNAL REVENUE CODE.—The Internal Revenue Code of 1986 is amended—

(1) in the matter following section 21(d)(2)(B), by striking ''husband and wife'' and inserting ''married couple'';

(2) in section 22(e)(1), by striking ''husband and wife'' and inserting ''married couple'';

(3) in section 38(c)(6)(A), by striking ''husband or wife'' and inserting ''spouse'';

(4) in section 42(j)(5)(C)—

(A) in the heading of clause (i), by striking ''Husband and wife'' and inserting ''Married couple''; and

(B) in clause (i), by striking ''a husband and wife'' and inserting ''a married couple'';

(5) in section 62(b)(3)(A), by striking ''husband and wife'' and inserting ''married couple'';

(6) in section 121—

(A) in subsection (b)(2), by striking ''husband and wife'' and inserting ''married couple''; and

(B) in subsection (d)(1), by striking ''husband and wife make'' and inserting ''married couple makes'';

(7) in section 165(h)(4)(B), by striking ''husband and wife'' and inserting ''married couple'';

(8) in section 179(b)(4), by striking ''husband and wife'' and inserting ''married couple'';

(9) in section 213(d)(8), by striking ''husband and wife'' and inserting ''a married couple'';

(10) in section 219(g)(4), by striking ''A husband and wife'' and inserting ''Spouses'';

(11) in section 274(b)(2)(B), by striking ''husband and wife'' and inserting ''married couple'';

(12) in the matter following section 643(f)(2), by striking ''husband and wife'' and inserting ''married couple'';

(13) in section 682—

(A) in subsection (a)—

(i) in the heading, by striking ''wife'' and inserting ''recipient'';

(ii) by striking ''gross income of a wife'' and inserting ''gross income of an individual'';

(iii) by striking ''separated from her husband'' and inserting ''separated from his or her spouse'';

(iv) by striking ''such wife is entitled to receive'' and inserting ''such person is entitled to receive'';

(v) by striking ''gross income of her husband'' and inserting ''gross income of his or her spouse'';

(vi) by striking ''gross income of such husband'' and inserting ''gross income of such spouse''; and

(vii) by striking ''minor children of such husband'' and inserting ''minor children of such spouse''; and

(B) in subsection (b)—

(i) in the heading, by striking ''Wife'' and inserting ''Recipient'';

(ii) by striking ''a wife to whom subsection (a) applies'' and inserting ''an individual who receives income from a trust to which subsection (a) applies''; and

(iii) by striking ''such wife'' and inserting ''such individual'';

(14) in section 761(f), by striking ''husband and wife'' each place such term appears and inserting ''married couple'';

(15) in section 911—

(A) in subsection (b)(2)(C)—

(i) by striking ''husband or wife'' and inserting ''member of a married couple''; and

(ii) by striking ''husband and wife'' and inserting ''married couple''; and

(B) in subsection (d)(9), by striking ''a husband and wife'' and inserting ''the members of a married couple'';

(16) in section 1244(b)(2), by striking ''husband and wife'' and inserting ''married couple'';

(17) in section 1272(a)(2)(E)(iii)—

(A) in the heading of such clause, by striking ''husband and wife'' and inserting ''married couple''; and

(B) by striking ''husband and wife'' and inserting ''married couple'';

(18) in section 1313(c)(1), by striking ''husband and wife'' and inserting ''spouse'';

(19) in section 1361(c)(1)(A)(i), by striking ''husband and wife'' and inserting ''married couple'';

(20) in the heading of section 2040(b), by striking ''husband and wife'' and inserting ''spouses'';

(21) in the item relating to section 2513 in the table of contents for subchapter B of chapter 12 of

subtitle B, by striking ''husband or wife'' and inserting ''spouse'';

(22) in the heading of section 2513, by striking ''husband or wife'' and inserting ''spouse'';

(23) in section 2516, by striking ''a husband and wife'' and inserting ''the members of a married couple'';

(24) in section 5733(d)(2), by striking ''a husband or wife'' and inserting ''an individual'';

(25) in the item relating to section 6013 in the table of contents for subpart B of part II of subchapter A of chapter 61 of subtitle F, by striking ''husband and wife'' and inserting ''married couple'';

(26) in section 6013—

(A) in the heading, by striking ''husband and wife'' and inserting ''married couple'';

(B) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking ''husband and wife'' and inserting ''married couple'';

(ii) in paragraph (1), by striking ''the husband or wife'' and inserting ''spouse''; and

(iii) in paragraph (2), by striking ''husband and wife'' and inserting ''spouses'';

(C) in subsection (b)(1)—

(i) by striking ''filed by the husband and wife'' and inserting ''filed by the married couple''; and

(ii) by striking ''the return of the husband and wife'' and inserting ''the return of both spouses'';

(D) in subsection (c), by striking ''the husband and wife'' and inserting ''the spouses''; and

(E) in subsection (d)(1), by striking ''husband and wife'' and inserting ''a married couple'';

(27) in the matter following section 6014(b)(4), by striking ''husband and wife'' and inserting ''a married couple'';

(28) in section 6017, by striking ''husband and wife'' and inserting ''married couple'';

(29) in section 6096(a), by striking ''husband and wife'' and inserting ''a married couple'';

(30) in section 6166(b)(2)(B)—

(A) in the heading of such subparagraph, by striking ''husband and wife'' and inserting ''a married couple'';

(B) in clause (i), by striking ''husband and wife'' and inserting ''married couple''; and

(C) in clause (ii) by striking ''husband and wife'' and inserting ''married couple'';

(31) in section 6212(b)(2), by striking ''husband and wife'' and inserting ''a married couple'';

(32) in section 6231(a)—

(A) in paragraph (1)(B)(i), by striking ''a husband and wife'' and inserting ''a married couple''; and

(B) in paragraph (12)—

(i) by amending the heading to read as follows:

''(12) SPOUSES.—''; and

(ii) by striking ''a husband and wife'' and inserting ''spouses'';

(33) in section 7428(c)(2)(A), by striking ''husband and wife'' and inserting ''married couple'';

(34) in section 7701(a), by amending paragraph (17) to read as follows:

''(17) DIVORCED SPOUSES.—As used in sections 682 and 2516, if the married couple therein

referred to are divorced, wherever appropriate to the meaning of such sections the term 'spouse' shall be read 'former spouse' and the term 'married couple' shall be read 'former married couple'.''; and

(35) in section 7872(f)(7)—

(A) in the heading, by striking ''Husband and wife'' and inserting ''Married couple''; and

(B) by striking ''husband and wife'' and inserting ''married couple''.

(q) LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT.—The Longshore and Harbor Workers' Compensation Act (33 U.S.C. 901 et seq.) is amended—

(1) in section 2(16), by striking ''wife or husband'' and inserting ''spouse'';

(2) in section 5(a), by striking ''husband or wife'' and inserting ''spouse'';

(3) in section 8(d)(1)(D), by striking ''wife, husband,'' and inserting ''spouse''; and

(4) in section 9—

(A) in subsection (d), by striking ''wife or husband'' each place such term appears and inserting ''spouse''; and

(B) in subsection (g), by striking ''wife'' each place such term appears and inserting ''spouse''.

(r) NATIONAL HOUSING ACT.—Section 527(a) of the National Housing Act (8 U.S.C. 1735f–5(a)) is amended by striking ''husband and wife'' and inserting ''spouses''.

(s) ACT OF SEPTEMBER 5, 1962.—Section 3(c) of the Act of September 5, 1962, entitled ''An Act to provide for the division of the tribal assets of the Ponca Tribe of Native Americans of Nebraska among the members of the tribe, and for other purposes.'' (25 U.S.C. 973(c)) is amended by striking ''wife'' and inserting ''spouse''.

(t) RAILROAD RETIREMENT ACT OF 1974.—The Railroad Retirement Act of 1974 (45 U.S.C. 231 et seq.) is amended—

(1) in section 2—

(A) in subsection (c)—

(i) in paragraph (1)(ii), by striking ''(C), in the case of a wife, has in her care (individually or jointly with her husband)'' and inserting ''(C) has in his or her care (individually or jointly with his or her spouse)'';

(ii) in paragraph (2), by striking ''divorced wife'' each place such term appears and inserting ''divorced spouse'';

(iii) in paragraph (3)—

(I) by striking ''(i)''; and

(II) by striking ''; and (ii) in the case of a husband, was receiving at least one-half of his support from his wife at the time his wife's annuity under subsection (a)(1) began'';

(iv) in paragraph (4), by striking ''divorced wife'' each place such term appears and inserting ''divorced spouse''; and

(v) in the matter following paragraph (4), by striking ''divorced wife's annuity'' and inserting ''divorced spouse's annuity'';

(B) in subsection (d)—

(i) in paragraph (1)—

(I) in clause (i)—

(aa) by striking ''a widow (as defined in section 216 (c) and (k) of the Social Security Act) or widower (as defined in section 216 (g) and (k) of the Social Security Act)'' and inserting ''a surviving spouse (as defined in section 216(a) of the Social Security Act)''; and

(bb) by striking '', and who, in the case of a widower, was re-

ceiving at least one-half his support from the deceased employee at the time of her death or at the time her annuity under subsection (a)(1) began'';

(II) in clause (ii)—

(aa) by striking ''a widow (as defined in section 216 (c) and (k) of the Social Security Act)'' and inserting ''a surviving spouse (as defined in section 216(a) of the Social Security Act)''; and

(bb) by inserting ''his or'' before ''her'';

(III) in clause (iv), by striking ''widow or widower'' and inserting ''surviving spouse''; and

(IV) in clause (v)—

(aa) by striking ''The widow (as defined in section 216(c) of the Social Security Act)'' and inserting ''the surviving spouse (as defined in section 216(a) of the Social Security Act)'';

(bb) by striking ''wife (as defined in section 216(d)'' and inserting ''spouse (as defined in section 216(a)'';

(cc) by striking ''mother (as defined'' and inserting ''parent (as defined'';

(dd) by striking ''widow, surviving divorced wife, or surviving divorced mother'' each place such term appears and inserting ''surviving spouse, surviving divorced spouse, or surviving divorced parent''; and

(ee) by striking ''202(f)'' and inserting ''202(e)'';

(ii) in paragraph (2)—

(I) by striking '', (B) in the case of a widow, the last month for which she was entitled to an annuity under paragraph (ii) of subdivision (1) as the widow of the deceased employee,''; and

(II) by striking ''widow or widower'' and inserting ''surviving spouse'';

(iii) in paragraph (3), by striking ''widow, widower, or child'' and inserting ''surviving spouse or child''; and

(iv) in paragraph (4)—

(I) by striking ''wife, husband, widow, widower'' and inserting ''spouse, surviving spouse'';

(II) by striking ''or (c)'';

(III) by striking ''subsection, (e), (f), or (g)'' and inserting ''subsection (e) or (g)''; and

(IV) by striking ''202(d)(7)(c)(i)'' and inserting ''202(d)(7)(C)(i)'';

(C) in subsection (e)(5), by striking ''divorced wife'' and inserting ''divorced spouse'';

(D) in subsection (f)(2), by striking ''wife's'' each place such term appears and inserting ''spouse's''; and

(E) in subsection (h)(3), by striking ''wife'' and inserting ''spouse'';

(2) in section 3—

(A) in subsection (f)—

(i) in paragraph (1), by striking ''wife's or husband's'' and inserting ''spouse's''; and

(ii) in paragraph (2), by striking ''wife'' and inserting ''spouse''; and

(B) in subsection (h)—

(i) by striking ''wife, husband, widow, or widower'' each place such term appears and inserting ''spouse or surviving spouse''; and

(ii) by striking ''wife's, husband's, widow's, or widower's'' and inserting ''spouse's or surviving spouse's'';

(3) in section 4—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) by striking ''divorced wife'' each place such term appears and inserting ''divorced spouse''; and

(II) by striking ''wife's insurance benefit or the husband's insurance benefit'' and inserting ''spouse's insurance benefit''; and

(ii) in paragraph (3), by striking ''section 202(a), section 202(b), or section 202(c)'' and inserting ''section 202(a) or section 202(c)'';

(B) in subsection (e)—

(i) by striking ''wife's or husband's insurance benefit'' each place such term appears and inserting ''spouse's insurance benefit''; and

(ii) in paragraph (4), by striking ''wife's and husband's'' and inserting ''spouse's'';

(C) in subsection (f)—

(i) in paragraph (1)—

(I) by striking ''widow's insurance benefit, widower's insurance benefit, mother's insurance benefits, parent's insurance benefit, or child's insurance benefit'' and inserting ''surviving spouse's insurance benefit, parent's insurance benefit, or child's insurance benefit'';

(II) by striking ''widow or widower'' and inserting ''surviving spouse''; and

(III) by striking ''widow's insurance benefit or widower's insurance benefit payable under section 202(e) or 202(f)'' and inserting ''surviving spouse's insurance benefit payable under section 202(e)'';

(ii) in paragraph (2)—

(I) by striking ''widow or widower'' each place such term appears and inserting ''surviving spouse'';

(II) in clause (ii), by striking ''widow's insurance benefit, a widower's insurance benefit, or'' and inserting ''surviving spouse's benefit or''; and

(III) in clause (iii), by striking ''widow, surviving divorced wife, or surviving divorced mother'' and inserting ''surviving spouse, surviving divorced spouse, or surviving divorced parent''; and

(iii) in paragraph (3), by striking ''widow or widower'' and inserting ''surviving spouse'';

(D) in subsection (g)—

(i) in paragraph (1)(i), by striking ''widow or widower'' each place such term appears and inserting ''surviving spouse'';

(ii) in paragraph (4)—

(I) by striking ''widow or widower'' each place such term appears and inserting ''surviving spouse''; and

(II) by striking ''widow's or widower's'' each place such term appears and inserting ''surviving spouse's'';

(iii) in paragraph (5), by striking ''widow, surviving divorced wife, or surviving divorced mother'' and inserting ''surviving spouse, surviving divorced spouse, or surviving divorced parent''; and

(iv) in paragraph (10)—

(I) by striking ''widow or widower'' each place such term appears and inserting ''surviving spouse'';

(II) by striking ''widow's or widower's'' each place such term appears and inserting ''surviving spouse's''; and

(III) in clause (ii), by striking ''widow or widower's'' and inserting ''surviving spouse's'';

(E) in subsection (h)—

(i) in paragraph (1)—

(I) by striking ''widow or widower'' each place such term appears and inserting ''surviving spouse'';

(II) by striking ''widow's or widower's'' each place such term appears and inserting ''surviving spouse's''; and

(III) by striking ''or 202(f)''; and

(ii) in paragraph (2), by striking ''widow, surviving divorced wife, or surviving divorced mother'' and inserting ''surviving spouse, surviving divorced spouse, or surviving divorced parent''; and

(F) in subsection (i), by striking ''spouse or divorced wife'' each place such term appears and inserting ''spouse or divorced spouse'';

(4) in section 5—

(A) in subsection (a)—

(i) in clause (v), by striking ''wife, husband, widow, or widower'' and inserting ''spouse or surviving spouse''; and

(ii) in clause (vii), by striking ''wife's or husband's'' and inserting ''spouse's'';

(B) in subsection (b), by striking ''widow or widower'' and inserting ''spouse''; and

(C) in subsection (c)—

(i) in paragraph (3)—

(I) by striking ''wife'' each place such term appears and inserting ''spouse''; and

(II) by inserting ''his or'' before ''her'';

(ii) in paragraph (4), by striking ''widow or widower'' and inserting ''surviving spouse'';

(iii) in paragraph (5), by striking ''widow or widower'' and inserting ''surviving spouse'';

(iv) in paragraph (6)—

(I) by striking ''widow'' and inserting ''surviving spouse'';

(II) by striking ''she dies'' and inserting ''such surviving spouse dies'';

(III) by striking ''she remarries'' and inserting ''such surviving spouse remarries''; and

(IV) by striking ''she no longer'' and inserting ''such surviving spouse no longer''; and

(v) in paragraph (9)(B), by striking ''widow's or widower's'' and inserting ''surviving spouse's'';

(5) in section 6—

(A) in subsection (a)—

(i) in paragraph (1), by striking ''widow or widower'' each place such term appears and inserting ''surviving spouse'';

(ii) in paragraph (2), by striking ''widow or widower'' each place such term appears and inserting ''surviving spouse'';

(iii) in paragraph (3)—

(I) by striking ''wife'' and inserting ''spouse''; and

(II) by striking ''wife's'' and inserting ''spouse's'';

(iv) in paragraph (6), by striking ''widow or widower'' and inserting ''surviving spouse''; and

(v) in paragraph (7), by striking ''widow, widower'' and inserting ''surviving spouse'';

(B) in subsection (b)—

(i) in paragraph (1), by striking ''wife'' and inserting ''spouse''; and

(ii) in paragraph (2)—

(I) by striking ''widow surviving divorced wife, widower'' and inserting ''no surviving spouse, surviving divorced spouse''; and

(II) by striking ''widow or widower'' each place such term appears and inserting ''surviving spouse'';

(C) in subsection (c)—

(i) in paragraph (1)—

(I) by striking ''widow, widower, or parent'' and inserting ''surviving spouse or parent'';

(II) in clause (i), by striking ''widow or widower'' and inserting ''surviving spouse'';

(III) in clause (ii), by striking ''widow or widower'' and inserting ''surviving spouse'';

(IV) in clause (iii), by striking ''widow, widower, or child'' and inserting ''surviving spouse or child'';

(V) in clause (iv), by striking ''widow, widower'' and inserting ''surviving spouse'';

(VI) in clause (v), by striking ''widow, widower'' and inserting ''surviving spouse'';

(VII) in clause (vi), by striking ''widow, widower'' and inserting ''surviving spouse''; and

(VIII) in the matter following clause (vi), by striking ''widow, widower, or parent'' each place such term appears and inserting ''surviving spouse or parent''; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking ''divorced wife'' and inserting ''surviving divorced spouse'';

(II) in subparagraph (B), by striking ''widow'' and inserting ''surviving spouse''; and

(III) in the matter following subparagraph (B), by striking ''divorced wife'' and inserting ''survivor'';

(D) in subsection (d)(1), by striking ''widow or widower'' each place such term appears and inserting ''surviving spouse''; and

(E) in subsection (e)(1), by striking ''widow or widower'' each place such term appears and inserting ''surviving spouse'';

(6) in section 7—

(A) in subsection (b)(2)(B), by striking ''wife or divorced wife or husband'' and inserting ''spouse or divorced spouse''; and

(B) in subsection (d)(2)(i), by striking ''in the case of a spouse or divorced wife, had such spouse's husband or wife'' and inserting ''in the case of a spouse or divorced spouse, had such person's spouse''; and

(7) in section 19(a)—

(A) by striking ''wife's insurance benefits payable to a wife, husband's insurance benefits''

and inserting ''spouse's insurance benefits''; and

(B) by striking ''widow's insurance benefits payable to a widow, widower's insurance benefits, mother's insurance benefits payable to a widow'' and inserting ''surviving spouse's benefits payable to a surviving spouse, parent's insurance benefits payable to a surviving spouse''.

(u) SMALL BUSINESS INVESTMENT ACT OF 1958.—Section 503(a)(2) of the Small Business Investment Act of 1958 (15 U.S.C. 697(a)(2)) is amended by striking ''wife, husband'' and inserting ''spouse''.

(v) SOCIAL SECURITY ACT.—The Social Security Act (42 U.S.C. 301 et seq.) is amended—

(1) in section 202—

(A) in subsection (b)—

(i) in the heading, by striking ''Wife's'' and inserting ''Spouse's'';

(ii) by striking ''wife'' each place such term appears and inserting ''spouse'';

(iii) in paragraph (1)—

(I) by striking ''(as defined in section 216(b))'';

(II) by striking ''(as defined in section 216(d))'';

(III) in subparagraph (B), by striking ''her'' and inserting ''such spouse's'';

(IV) in subparagraph (D)(i), by striking ''she'' and inserting ''such spouse or divorced spouse'';

(V) in the matter following subparagraph (D)(ii)(II), by inserting before ''she'' each place such word appears the following: ''he or'';

(VI) in subparagraph (E), by striking ''she'' and inserting ''such spouse'';

(VII) in subparagraph (G), by striking ''she'' each place such term appears and inserting ''such spouse'';

(VIII) in subparagraph (H), by inserting ''he or'' before ''she''; and

(IX) in subparagraph (J), by striking ''she'' and inserting ''such spouse''; and

(iv) in paragraph (2)—

(I) by inserting before ''her'' each place such term appears ''his or''; and

(II) by striking ''husband'' each place such term appears and inserting ''spouse'';

(B) by striking subsection (c);

(C) in subsection (e)—

(i) in the heading, by striking ''Widow's'' and inserting ''Surviving spouse's'';

(ii) in paragraph (1)—

(I) in the matter preceding subparagraph (A)—

(aa) by striking ''widow (as defined in section 216(c))'' and inserting ''surviving spouse'';

(bb) by striking ''wife (as defined in section 216(d))'' and inserting ''spouse''; and

(cc) by striking ''widow or surviving divorced wife'' and inserting ''surviving spouse or surviving divorced spouse'';

(II) in subparagraph (C)—

(aa) in clause (i), by striking ''widow's'' and inserting ''surviving spouse's'';

(bb) in clause (ii)—

(AA) in the matter preceding subclause (I), by striking ''wife's'' and inserting ''spouse's''; and

(BB) in subclause (III), by inserting ''he or'' before ''she'' and by inserting ''him or'' before ''her''; and

(cc) in clause (iii), by inserting ''father's or'' before ''mother's'';

(III) in the matter preceding subparagraph (E), by striking ''widow's'' and inserting ''surviving spouse's'';

(IV) in subparagraph (E), by inserting before ''she'' each place such word appears the following: ''he or'';

(V) in subparagraph (F), by inserting before ''she'' each place such word appears the following: ''he or''; and

(VI) in the matter following subparagraph (F)(ii) by inserting before ''she'' each place such word appears the following: ''he or'';

(iii) in paragraph (2)—

(I) by striking ''widow's insurance'' each place such term appears and inserting ''surviving spouse's insurance'';

(II) by striking ''surviving divorced wife'' each place such term appears and inserting ''surviving divorced spouse''; and

(III) by striking ''widow'' each place such term appears and inserting ''surviving spouse'';

(iv) in paragraph (3)—

(I) by striking ''widow'' each place such term appears and inserting ''surviving spouse'';

(II) by striking ''surviving divorced wife'' each place such term appears and inserting ''surviving divorced spouse''; and

(III) by inserting ''he or'' before ''she'';

(v) in paragraph (4)—

(I) by inserting before ''her'' each place such term appears the following: ''his or'';

(II) by inserting before ''she'' each place such term appears the following ''he or'';

(III) by striking ''widow or surviving divorced wife'' and inserting ''surviving spouse or surviving divorced spouse''; and

(IV) in subparagraph (B), by inserting ''or father's'' before ''insurance'';

(vi) in paragraph (5)—

(I) by striking ''widow or surviving divorced wife'' each place such term appears and inserting ''surviving spouse or surviving divorced spouse''; and

(II) in subparagraph (A)—

(aa) in clause (i), by inserting ''he or'' before ''she''; and

(bb) in clause (ii)(I), by inserting ''his or'' before ''her''; and

(vii) in the matter following paragraph (7)(B), by striking ''she'' and inserting ''such individual'';

(D) by striking subsection (f);

(E) in the matter following subsection (i)(2), by striking ''wife's or husband's'' and inserting ''spouse's'';

(F) in subsection (j)(4)(B)(i)—

(i) by striking ''widow, surviving divorced wife or widower'' and inserting ''surviving spouse or surviving divorced spouse'';

(ii) by striking ''widow or widower'' and inserting ''surviving spouse''; and

(iii) by striking ''surviving divorced wife'' and inserting ''surviving divorced spouse'';

(G) in subsection (q)—

(i) in paragraph (1)—

(I) by striking ''wife's, husband's, widow's, or widower's'' and inserting ''spouse's, or surviving spouse's''; and

(II) in subparagraph (A)—

(aa) by striking ''wife's or husband's'' and inserting ''spouse's''; and

(bb) by striking ''widow's or widower's'' and inserting ''surviving spouse's'';

(ii) in paragraph (3)—

(I) in subparagraph (A)—

(aa) by striking ''wife's, husband's, widow's, or widower's'' and inserting ''spouse's or surviving spouse's'';

(bb) by striking ''wife's or husband's'' and inserting ''spouse's''; and

(cc) by striking ''widow's or widower's'' and inserting ''surviving spouse's'';

(II) in the matter following subparagraph (A)(ii), by striking ''wife's, husband's, widow's, or widower's'' and inserting ''spouse's or surviving spouse's'';

(III) in subparagraph (B), by striking ''wife's or husband's'' each

place such term appears and inserting ''spouse's'';

(IV) in subparagraph (C), by striking ''wife's, husband's, widow's, or widower's'' each place such term appears and inserting ''spouse's or surviving spouse's'';

(V) in subparagraph (D), by striking ''wife's, husband's, widow's, or widower's'' and inserting ''spouse's or surviving spouse's''; and

(VI) in subparagraph (E), by striking ''widow's or widower's'' each place such term appears and inserting ''surviving spouse'';

(iii) in paragraph (5)—

(I) by striking ''wife's or husband's'' each place such word appears and inserting ''spouse's''; and

(II) in subparagraph (D), by striking ''widow's or widower's'' and inserting ''surviving spouse's'';

(iv) in paragraph (6)—

(I) by striking ''wife's, husband's, widow's, or widower's'' and inserting ''spouse's, or surviving spouse's''; and

(II) in subparagraph (A)—

(aa) in clause (ii), by striking ''wife's or husband's'' and inserting ''spouse's''; and

(bb) in clause (iii), by striking ''widow's or widower's'' and inserting ''surviving spouse's'';

(v) in paragraph (7)—

(I) by striking ''wife's, husband's, widow's, or widower's'' and inserting ''spouse's, or surviving spouse's'';

(II) by striking ''wife's or husband's'' each place such term appears and inserting ''spouse's''; and

(III) as amended by subclause (I), by striking ''widow's or widower's'' each place such term appears and inserting ''surviving spouse's'';

(vi) in paragraph (9)—

(I) in subparagraph (A), by striking ''old-age insurance benefits, wife's insurance benefits, and husband's in-

surance benefits'' and inserting ''old-age insurance benefits and spouse's insurance benefits''; and

(II) in subparagraph (B), by striking ''widow's insurance benefits and widower's insurance benefits'' and inserting ''surviving spouse's insurance benefits''; and

(vii) in paragraph (10)—

(I) in subparagraph (A), by striking ''old-age, wife's, and husband's'' and inserting ''old-age and spouse's''; and

(II) by striking ''widow's and widower's'' each place such term appears and inserting ''surviving spouse's'';

(H) in subsection (r)—

(i) in the heading, by striking ''Wife's or Husband's'' and inserting ''Spouse's'';

(ii) in paragraph (1), by striking ''wife's or husband's'' each place such term appears and inserting ''spouse's''; and

(iii) in paragraph (2), by striking ''wife's or husband's'' and inserting ''spouse's''; and

(I) in subsection (t)(11)(B), by striking ''a wife, a husband, a widow, a widower, a divorced wife, a divorced husband, a surviving divorced wife, a surviving divorced husband'' and inserting ''a spouse, a surviving spouse, a surviving divorced spouse'';

(2) in section 203—

(A) in subsection (c)—

(i) in paragraph (2)—

(I) by striking ''wife or husband'' and inserting ''spouse''; and

(II) by striking ''wife's or husband's'' each place such term appears and inserting ''spouse's'';

(ii) in paragraph (3), by striking ''widow or widower'' and inserting ''surviving divorced spouse''; and

(iii) in the matter following subparagraph (4)—

(I) by striking ''widow's or widower's'' and inserting ''surviving spouse's''; and

(II) by striking ''widow, surviving divorced wife, widower, or surviving divorced husband'' and inserting ''surviving spouse or surviving divorced spouse'';

(B) in subsection (d)—

(i) by striking ''wife's, husband's, or child's'' each place such term appears and inserting ''spouse's or child's''; and

(ii) by striking ''wife, divorced wife, husband, divorced husband'' and inserting ''spouse or divorced spouse''; and

(C) in subsection (f)(1), by striking ''widow's or widower's'' and inserting ''surviving spouse's'';

(3) in section 205—

(A) in subsection (b)—

(i) in paragraph (1), by striking ''wife, divorced wife, widow, surviving divorced wife, surviving divorced mother, surviving divorced father, husband, divorced husband, widower, surviving divorced husband'' and inserting ''spouse, divorced spouse, surviving spouse, surviving

divorced spouse, surviving mother, surviving father''; and

(ii) in paragraph (2)(A), by striking ''child's, widow's, or widower's'' and inserting ''child's or surviving spouse's'';

(B) in subsection (e)(1)(C), by striking ''spouse, surviving divorced wife, surviving divorced husband'' and inserting ''spouse, surviving divorced spouse'';

(C) in subsection (i), by striking ''wife or husband'' and inserting ''spouse'';

(D) in subsection (j)(8), by striking ''child's, widow's, or widower's'' and inserting ''child's or surviving spouse's''; and

(E) in subsection (q)(5)—

(i) by striking ''wife, husband or child'' and inserting ''spouse or child''; and

(ii) by striking ''widow or widower'' and inserting ''surviving spouse'';

(4) in section 215(h)—

(A) in paragraph (1), by striking ''him, his wife, and his children, or, if he has died, to his widow and children'' and inserting ''him, his spouse, and his children, or, if he has died, to his surviving spouse and children''; and

(B) in paragraph (2)—

(i) by striking ''himself, his wife, and his children'' and inserting ''himself, his spouse, and his children''; and

(ii) by striking ''his widow, if any'' and inserting ''his surviving spouse, if any'';

(5) in section 216—

(A) in subsection (a), by adding at the end the following new paragraph:

''(3) The term 'surviving divorced spouse' means a surviving divorced wife or a surviving divorced husband.'';

(B) in subsection (d), by adding at the end the following new paragraph:

''(9) The term 'divorced spouse' means a divorced wife or a divorced husband.''; and

(C) in subsection (l)(2)—

(i) by striking ''old-age, wife's, or husband's'' and inserting ''old-age or spouse's''; and

(ii) by striking ''widow's or widower's'' and inserting ''surviving spouse's'';

(6) in section 222—

(A) in subsection (c)(1), by striking ''202(d), 202(e), or 202(f)'' and inserting ''202(d), or 202(e)''; and

(B) in subsection (d)(1)—

(i) in subparagraph (C), by striking ''widow's'' and inserting ''surviving spouse's''; and

(ii) by striking subparagraph (D);

(7) in section 225(a), by striking ''or that a widow or surviving divorced wife who has not attained age 60 and is entitled to benefits under section 202(e), or that a widower or surviving divorced husband who has not attained age 60 and is entitled to benefits under section 202(f)'' and inserting ''or that a surviving spouse or surviving divorced spouse who has not attained age 60 and is entitled to benefits under section 202(e)'';

(8) in section 226—

(A) in subsection (b)(2)(A)(iii), by striking ''widow's insurance benefits under section 202(e) or widower's insurance benefits under section 202(f)'' and inserting ''surviving spouse's insurance benefits under section 202(e)'';

(B) in the matter following subsection (b)(2)(C)(ii)(II), by striking ''in the last sentence of section 202(e)(1), and in the last sentence of section 202(f)(1)'' and inserting ''and in the last sentence of section 202(e)(1)''; and

(C) in subsection (e)—

(i) in paragraph (1)—

(I) in subparagraph (A)—

(aa) by striking ''widows and widowers'' and inserting ''surviving spouses'';

(bb) in clause (i), by striking ''sections 202(e)(1)(B)(ii), 202(e)(4), 202(f)(1)(B)(ii), and 202(f)(4)'' and inserting ''sections 202(e)(1)(B)(ii) and 202(e)(4)''; and

(cc) in clause (ii), by striking ''and the phrase 'before he attained age 60' in the matter following subparagraph (F) of section 202(f)(1) shall each'' and inserting ''shall''; and

(II) in subparagraph (B), by striking ''widow's or widower's'' and inserting ''surviving spouse's'';

(ii) in paragraph (2)—

(I) by striking ''widow's insurance benefits or widower's insurance benefits'' each place such term appears and inserting ''surviving spouse's insurance benefits''; and

(II) by striking ''widow's or widower's'' and inserting ''surviving spouse's'';

(iii) in paragraph (3)—

(I) by striking ''any disabled widow aged 50 or older who is entitled to mother's insurance benefits (and who would have been entitled to widow's insurance benefits by reason of disability if she had filed for such widow's benefits), and any disabled widower aged 50 or older who is entitled to father's insurance benefits (and who would have been entitled to widower's insurance benefits by reason of disability if he had filed for such wid-

ower's benefits)'' and inserting ''any disabled surviving spouse aged 50 or older who is entitled to mother's or father's insurance benefits (and who would have been entitled to surviving spouse's insurance benefits by reason of disability if he or she had filed for such surviving spouse's benefits)''; and

(II) by striking ''such widow's or widower's'' and inserting ''such surviving spouse's''; and

(iv) in paragraph (4), by striking ''widow's or widower's insurance benefits under section 202(e) or (f)'' and inserting ''surviving spouse's benefits under section 202(e)'';

(9) in section 227—

(A) by striking ''section 202(e) or section 202(f)'' each place such term appears and inserting ''section 202(e)''; and

(B) by striking ''section 202(b) or section 202(c)'' each place such term appears and inserting ''section 202(b)'';

(10) in section 228—

(A) in subsection (c)—

(i) in paragraph (2), by striking ''husband and wife'' and inserting ''married couple'';

(ii) in paragraph (3), by striking ''husband or wife'' and inserting ''married couple'';

(iii) in paragraph (6), by striking ''husband and wife both of whom'' and inserting ''married couple of which both spouses''; and

(iv) in paragraph (8), by striking ''of a husband and wife'' and inserting ''of a married couple''; and

(B) in subsection (d), by striking ''husband or wife'' each place such term appears and inserting ''spouse'';

(11) in section 1107, by striking ''wife, husband, widow, widower, divorced wife, divorced husband, surviving divorced wife, surviving divorced husband'' each place such term appears and inserting ''spouse, surviving spouse, divorced spouse, surviving divorced spouse'';

(12) in section 1128(j)(1)(A), by striking ''husband or wife'' and inserting ''spouse'';

(13) in section 1611(e)(3)—

(A) by striking ''husband and wife are'' and inserting ''married couple is''; and

(B) as amended by subparagraph (A), by striking ''husband and wife'' each place such term appears and inserting ''married couple'';

(14) in subsection 1614(b)—

(A) by striking ''husband or wife'' and inserting ''spouse''; and

(B) by striking ''husband and wife'' and inserting ''a married couple''; and

(15) in section 1631(b)(1)(A)(i), by striking ''husband or wife'' and inserting ''spouse''.

(w) TITLE 1.—Section 7 of title 1, United States Code, is amended by striking ''one man and one woman as husband and wife, and the word 'spouse' refers only to a person of the opposite sex who is a husband or wife'' and inserting ''two people as spouses''.

(x) TITLE 5.—Title 5, United States Code, is amended—

(1) in section 2108(3)—

(A) in subparagraph (E), by striking ''wife or husband'' and inserting ''spouse'';

(B) by amending subparagraph (F) to read as follows:

''(F) the parent of an individual who lost his life under honorable conditions while serving in the armed forces during a period named by paragraph (1)(A) of this section;''; and

(C) by amending subparagraph (G) to read as follows:

''(G) the parent of a service-connected permanently and totally disabled veteran; and'';

(2) in section 3110(a)(3), by striking ''husband, wife'' and inserting ''spouse'';

(3) in section 5561(3)(A), by striking ''wife'' and inserting ''spouse'';

(4) in section 8110(a)—

(A) in paragraph (1)—

(i) in the matter before subparagraph (A), by striking ''wife'' and inserting ''spouse'';

(ii) in subparagraph (A), by striking ''she'' and inserting ''the spouse'';

(iii) in subparagraph (B)—

(I) by striking ''she'' and inserting ''the spouse''; and

(II) by striking ''her'' and inserting ''the spouse's''; and

(iv) in subparagraph (C), by striking ''her'' and inserting ''the spouse's'';

(B) by striking paragraph (2);

(C) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(D) as amended by subparagraph (C), in the matter following paragraph (3), by striking ''paragraph (3)'' and inserting ''paragraph (2)'';

(5) in section 8133, in the matter following subsection (b)(3), by striking ''husband or wife'' and inserting ''spouse''; and

(6) in the matter following section 8443(b)(3)(E), by striking ''wife or husband'' each place such term appears and inserting ''spouse''.

(y) TITLE 10.—Section 701(j)(1) of title 10, United States Code, is amended by striking ''wife'' and inserting ''spouse''.

(z) TITLE 11.—Section 522(b)(1) of title 11, United States Code, is amended by striking ''husband and wife'' and inserting ''married to one another''.

(aa) TITLE 18.—Section 879(b)(1)(A) of title 18, United States Code, is amended—

(1) by striking ''wife'' and inserting ''spouse'';

(2) by inserting after ''during his'' the following: ''or her'';

(3) by striking ''widow'' and inserting ''surviving spouse''; and

(4) by inserting before ''her death'' the following: ''his or''.

(bb) TITLE 28.—Section 3014(a) of title 28, United States Code, is amended by striking ''husband and wife'' and inserting ''married to one another''.

(cc) TITLE 38.—Section 101 of title 38, United States Code, is amended by striking ''of the opposite sex'' each place such term appears.

(dd) TRADING WITH THE ENEMY ACT.—Section 31 of the Trading With the Enemy Act (50 U.S.C. App. 31) is amended by striking ''wife'' and inserting ''spouse''.

(ee) WORKFORCE INVESTMENT ACT OF 1998.—Section 101(15) of the Workforce Investment Act of 1998 (29 U.S.C. 2801(15)) is amended—

(1) in subparagraph (A), by striking ''husband, wife,'' and inserting ''married couple''; and

(2) in subparagraph (C), by striking ''husband and wife'' and inserting ''married couple''.

○