

114TH CONGRESS
1ST SESSION

H. R. 2531

To amend section 701 of the Veterans Access, Choice, and Accountability Act of 2014 to clarify the period of eligibility during which certain spouses are entitled to assistance under the Marine Gunnery Sergeant John David Fry Scholarship.

IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2015

Ms. DUCKWORTH (for herself, Mr. RIGELL, Ms. TITUS, Ms. BORDALLO, Mr. LIPINSKI, Mr. RUSH, Mr. BISHOP of Utah, Mr. ASHFORD, Mr. GALLEG0, Mr. COOK, Mr. TAKAI, Mr. ZINKE, Mr. DANNY K. DAVIS of Illinois, Mr. COSTA, Mr. WALZ, Mr. GARAMENDI, Mr. LANGEVIN, Mr. KIND, Mr. GOHMERT, Mr. WESTERMAN, and Ms. LOFGREN) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend section 701 of the Veterans Access, Choice, and Accountability Act of 2014 to clarify the period of eligibility during which certain spouses are entitled to assistance under the Marine Gunnery Sergeant John David Fry Scholarship.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Military Spouses
3 Achieving College Education for Survivors Act of 2015”
4 or the “ACES Act of 2015”.

5 **SEC. 2. CLARIFICATION OF ELIGIBILITY FOR MARINE GUN-**
6 **NERY SERGEANT JOHN DAVID FRY SCHOLAR-**
7 **SHIP.**

8 (a) IN GENERAL.—Section 701(d) of the Veterans
9 Access, Choice, and Accountability Act of 2014 (Public
10 Law 113–146; 128 Stat. 1796; 38 U.S.C. 3311 note) is
11 amended to read as follows:

12 “(d) APPLICABILITY.—

13 “(1) IN GENERAL.—The amendments made by
14 this section shall apply with respect to a quarter, se-
15 mester, or term, as applicable, commencing on or
16 after January 1, 2015.

17 “(2) DEATHS THAT OCCURRED BETWEEN SEP-
18 TEMBER 11, 2001, AND DECEMBER 31, 2005.—For
19 purposes of section 3311(f)(2) of title 38, United
20 States Code, any member of the Armed Forces who
21 died during the period beginning on September 11,
22 2001, and ending on December 31, 2005, is deemed
23 to have died on January 1, 2006.”.

24 (b) ELECTION ON RECEIPT OF CERTAIN BENE-
25 FITS.—Section 3311(f) of title 38, United States Code,
26 is amended—

1 (1) in paragraph (3), by striking “A surviving
2 spouse” and inserting, “Except as provided in para-
3 graph (4), a surviving spouse”;

4 (2) by redesignating paragraph (4) as para-
5 graph (5); and

6 (3) by inserting after paragraph (3) the fol-
7 lowing new paragraph (4):

8 “(4) EXCEPTION FOR CERTAIN ELECTIONS.—

9 “(A) IN GENERAL.—An election made
10 under paragraph (3) by a spouse described in
11 subparagraph (B) may not be treated as irrev-
12 ocable if such election occurred before the date
13 of the enactment of this paragraph.

14 “(B) ELIGIBLE SURVIVING SPOUSE.—A
15 spouse described in this subparagraph is an in-
16 dividual—

17 “(i) who is entitled to assistance
18 under subsection (a) pursuant to para-
19 graph (9) of subsection (b); and

20 “(ii) who was the spouse of a member
21 of the Armed Forces who died during the
22 period beginning on September 11, 2001,
23 and ending on December 31, 2005.”.

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