



OFFICE OF THE UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

PERSONNEL AND
READINESS

Lieutenant Colonel Patricia M. Larrabee
~~503-333-8888~~
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Dear Colonel Larrabee:


Thank you for your question at the recent Town Hall meeting and subsequent letter to Secretary Donald Rumsfeld regarding the Uniformed Services Former Spouses Protection Act (USFSPA).

The Department of Defense prepared a comprehensive report on the USFSPA for Congress in 2001. This report made specific recommendations for legislative changes that would improve the fairness and efficiency of the USFSPA. One of the report's specific recommendations was that Congress amend the USFSPA to explicitly prohibit a court from requiring a member to begin payments to a former spouse before actual retirement. The Department of Defense Report to Congress is posted on our USFSPA website at <http://dod.mil/prhome/spouserev.html>.

Consistent with the recommendations in that report, the Department of Defense submitted a legislative proposal to Congress for the National Defense Authorization Act for Fiscal Year 2003, to amend USFSPA. Congress has not yet passed the DoD proposed USFSPA legislation. Whenever a Member of Congress introduces a bill which includes a provision prohibiting payments before retirement, the Department of Defense has expressed its support for that provision and for any other provision that is consistent with the views expressed in the report.

The Department of Defense is fully aware of the concerns you raised at the Town Hall meeting and in the enclosure to your letter to Secretary Rumsfeld. These concerns were addressed in our 2001 report. I would be happy to meet with you and discuss your concerns further. Please contact my office at 703-695-3177 for an appointment.

Sincerely,


Virginia S. Penrod
Colonel, USAF
Director of Compensation
(Military Personnel Policy)