



April 19th, 2016

The Honorable Steve Russell  
House of Representatives  
128 Cannon HOB  
Washington, DC 20515

Re: NDAA Amendment to Amend the Uniformed Services Former Spouse Protection Act

Dear Congressman Russell,

The National Military and Veterans Alliance, a non-partisan policy and advocacy organization composed of military and veteran service organizations, writes to thank you for your leadership regarding amending the Uniformed Services Former Spouse Protection Act. Your amendment will base all awards of military retired pay on the member's rank and time served at the time of divorce. The pay increases attributable to promotions and additional time served would be the member's separate property.

As you know, the USFSPA was passed by Congress in 1982 and it provided authority for State courts to treat retired pay as marital property subject to division. It also, for the first time, afforded former spouses the right to have direct payments of retired pay made to them by the Federal Government based on State court judgments subject to certain restrictions.

Unfortunately, state courts treat post-divorce promotions and longevity pay increases earned by the member as marital assets. This effectively means that a former spouse continues to benefit from the service members promotions and pay raises even though he or she was not a spouse of the service member at the time they were earned.

Your amendment will provide a much more equitable distribution of retired pay. It will provide a fair amount of support to the former spouse while allowing the service member to fully benefit from promotions and pay raises earned solely through his or her efforts and after the effective date of a dissolved marriage.

We salute your efforts and leadership in addressing this important issue and we would like you to know that you have our continued thanks. Please feel free to contact us regarding this and any issue affecting veterans, retirees, their families, and their surviving spouses.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Ted Painter', is written in black ink.

Ted Painter  
National Legislative Director