

27 Apr. 1983

Letter from Bill Colby to Larry
Goldwater re providing retirement &
survivor annuities to those not
covered by the Act of 1982.

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William F. Colby



April 27, 1983

The Honorable Barry M. Goldwater
Chairman
Senate Select Committee on Intelligence
U.S. Senate
Washington, D.C. 20510

Dear Mr. Chairman:

You will recall the most effective support and sympathy you provided last year in connection with the passage of the Central Intelligence Agency Spouses Retirement Equity Act of 1982 (P.L. 97-269). Your efforts and those of Senator Inouye were nothing short of spectacular in bringing about this highly appropriate recognition of the contribution made by spouses to the intelligence services of our country.

The 1982 Act vested annuities in spouses divorced after November 15, 1982, provided the marriage continued for at least 10 years of agency service and involved at least 5 years of overseas service. The November 15, 1982 date was set to avoid retroactive interference with existing retirement and survivor payments and to avoid conflict with existing divorce decrees and property settlement. However, unfortunately, the Act provided no relief for spouses divorced on November 14, 1982 and earlier, nor for divorced spouses of CIARDS participants who retired before the effective date of the Act. When he introduced the CIA Spouses Retirement Equity Act in the Senate, Senator Inouye stated that, "I feel that at some future date we should consider providing additional benefits to this group (those excluded) in recognition of their important service."

Several of these affected spouses have authorized me to approach the Committees along the lines suggested by Senator Inouye. It is our understanding that your Committee has already acted on this year's appropriations, so the attached letter was written to The Honorable Edward P. Boland, Chairman of the House Permanent Select Committee on Intelligence. You will note in it the justification for a modest appropriation to provide payment for the excluded spouses, under the same eligibility rules as affect those covered under the Act. If the House Committee can include this appropriation in their bill, it would be an

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appropriate subject of conference between your Committee and the House Committee and might thereby be included in this year's appropriations.

The attached letter to Chairman Boland contains the full justification of the inclusion of these spouses in the benefits from the Act. A contact exists with a number of them in the Washington area which demonstrates that they are both highly deserving and highly needy of this kind of protection. With the great sympathy you showed this cause in developing the 1982 legislation, we are hopeful that you will find it possible to give similar support to the spouses excluded from that legislation. This approach would not involve interference with existing retirement benefits of current spouses nor adversely change any past divorce decrees or other arrangements made at the time of the dissolution of the marriage. The modest amount required would seem highly appropriate as a supplemental cost to bring about this equity in the situation and initiate a steadily declining program of recognition of the services of these spouses.

May I once again express our appreciation of your great support for the passage of the 1982 Act. It literally could not have been done without your interest and help. We presume from that expression of sympathy to hope that you will find it possible to move in the direction of this proposal at this time.

Sincerely,

W.E. Colby

WEC:pdk
Enclosure