



Applying for Immediate Retirement Under the Civil Service Retirement System

This pamphlet is for you if you are currently a Federal employee covered by the Civil Service Retirement System (CSRS) and you want to apply for retirement which begins within 30 days after the date of your final separation from Federal service.

U.S. Office of Personnel Management



SF 2801A
June 2007

We provide retirement information on the Internet. You will find retirement brochures, forms, and other information at:

<http://www.opm.gov/retire>

You may also communicate with us using email at:

retire@opm.gov

Table of Contents

	<i>Page</i>
Introduction	1
Eligibility	2
Age and Service Requirements.	2
Continuing Health Benefits and Life	
Insurance Coverage into Retirement	3
Health Benefits	3
Life Insurance	3
Long Term Care Insurance.	4
Applying for Benefits	5
Form to Use	5
Submitting the Application.	5
What To Do If Your Address Changes Before Processing Is Complete	5
What Happens After You File Your Retirement Application	6
Payments	7
Beginning Date of Annuity.	7
Payment and Accrual of Annuity	7
How to Have Annuity Payments Sent to a Bank or Financial Institution	7
Federal Income Tax Withholding	8
State Income Tax Withholding.	9
Cost of Living Increases	9
How The Basic Annuity is Computed	9
Reductions to the Basic Annuity	10
<i>Service You Have Not Paid For</i>	10
<i>Service You Paid For and Later Took a Refund of Your Retirement Deductions</i>	10
Reduction for Early Retirement.	11
Reduction to Provide a Survivor Annuity	11
Guaranteed Minimum Disability Annuity	12
Military Service	12
Post-1956 Military Service	13
Military Retired Pay	14
Limitation on Basic Annuity	15

Unused Sick Leave	16
Voluntary Contributions	16
Retirement and Benefits from the Office of Workers' Compensation Programs	17
Survivor Benefits	18
Waiving the Spousal Consent Requirement	19
Electing a Survivor Annuity for a Former Spouse	19
Electing a Survivor Annuity for a Current Spouse When a Court Order Gives a Survivor Annuity to a Former Spouse	20
Electing an Insurable Interest Annuity for a Current Spouse When a Court Order Gives a Survivor Annuity to a Former Spouse	21
Electing an Insurable Interest Survivor Annuity for an Individual Other than Your Spouse	22
Termination of the Reduction in Your Annuity to Provide a Survivor Benefit.	23
<i>Current Spouse.</i>	23
<i>Former Spouse.</i>	23
<i>Insurable Interest</i>	24
Changing Your Survivor Election After Retirement	24
<i>Within 30 days after your first regular monthly payment</i>	24
<i>More than 30 days after the date of your first regular monthly payment, but less than 18 months after the beginning date of your annuity</i>	25
Elections Based on Post- Retirement Marriages	25
Eligibility for Survivor Annuity Benefits.	26
<i>For Widows, Widowers, and Former Spouses.</i>	26
<i>For Children</i>	27
More Information and Assistance in Applying for Retirement	27

Introduction

This pamphlet, along with Standard Form (SF) 2801, *Application for Immediate Retirement Under the Civil Service Retirement System*, is for you if you are currently a Federal employee covered by the Civil Service Retirement System (CSRS), and you want to apply for retirement with an immediate annuity (annuity beginning within 30 days after the date of final separation from Federal service).

Do not use this pamphlet, or SF 2801, *Application for Immediate Retirement*, if you are a former employee applying for a deferred annuity. A deferred annuity begins at age 62. If you want to apply for a deferred annuity, you should request OPM Form 1496A, *Application for Deferred Retirement*, from the:

U.S. Office of Personnel Management
Retirement Operations Center
P.O. Box 45
Boyers, PA 16017-0045.

Eligibility

Age and Service Requirements

The following chart outlines the requirements for an immediate annuity under the Civil Service Retirement System (CSRS).

Type of Retirement	Minimum Age	Minimum Years of Service	Special Requirements
Optional	62	5	None
	60	20	None
	55	30	None
	Any age	25	You must retire under special provisions for air traffic controllers, law enforcement or firefighter personnel.
	50	20	
	Any age	25	The Office of Personnel Management must have determined your agency is undergoing a major reorganization, reduction-in-force, or transfer of function.
	50	20	
Dis-continued Service	Any age	25	Your separation must be involuntary and not for misconduct or delinquency.
	50	20	
Disability	Any age	5	You must be disabled for useful and efficient service in both your current position and any other vacant position at the same grade or pay level for which you are qualified. There are also other requirements.

Continuing Health Benefits and Life Insurance Coverage into Retirement

If you wish to continue your Federal Employees Health Benefits (FEHB) and/or Federal Employees' Group Life Insurance (FEGLI) coverage as a retiree, you must meet the following basic requirements. You must be retiring on an immediate annuity and you must have been enrolled in the program for the five years of Federal service immediately preceding your retirement, or if less than five years, since your earliest opportunity to enroll.

Health Benefits

FEHB coverage as a family member counts toward the five-year requirement. TRICARE, Peace Corps, or CHAMPVA coverage also counts, provided you are an FEHB enrollee when you retire. If you are eligible to continue your FEHB coverage, your agency will transfer your enrollment to the Office of Personnel Management (OPM). You do not need to do anything unless you want to make some change in your coverage.

If you have a court or administrative order to provide health benefits coverage for your child or children and you are eligible to continue your FEHB coverage in retirement, you must continue in a self and family enrollment. You **cannot** refuse to continue family coverage, unless you can show your children have other coverage.

Life Insurance

The FEGLI Program Booklet, RI 76-21, has more information about eligibility to continue your FEGLI coverage as a retiree and the cost of coverage. If you are eligible to continue your FEGLI basic coverage, you must complete an SF 2818, *Continuation of Life Insurance Coverage As an Annuitant or Compensation*. Any optional FEGLI coverage you have and are eligible to retain as a retiree will continue unless you make some change. Our experience has been some people cancel all or a portion of their life insurance coverage at retirement due to its cost.

You should let OPM know at retirement, if you do not want to continue a portion of your life insurance coverage. You may also want to file an SF 2823, *FEGLI Designation of Beneficiary* form.

Based on the documentation your employing agency is required to submit with your retirement application, OPM will determine whether you are eligible to continue your health and life insurance coverage as a retiree. However, if you have any questions about your eligibility, ask your employing office for assistance before you retire.

Long Term Care Insurance

If you are currently enrolled in the Federal Long Term Care Insurance Program (FLTCIP), you will automatically continue your coverage into retirement, as long as you continue to pay the premiums. There is no “five-year rule” like there is with the health (FEHB) and life insurance (FEGLI) programs. If you are currently paying FLTCIP premiums by agency payroll deduction, you must arrange to start paying through a deduction from your annuity, automatic bank debit or direct pay by calling the insurance company at 1-800-582-3337 (1-800-LTC-FEDS).

If you are not currently enrolled in the FLTCIP, you may still be eligible to enroll. However, you must demonstrate you are insurable by answering questions about your state of health. Your spouse may also be eligible to enroll. Call the insurance company at the above number for more details.

After your death, your spouse will be eligible to apply for coverage under the Federal Long Term Care Insurance Program **only if** you elect a reduced annuity to provide a survivor annuity of at least one dollar a month. If your spouse is already enrolled in the FLTCIP when you die, the enrollment will continue as long as he/she continues to pay the premiums.

Applying for Benefits

Form to Use

Use Standard Form (SF) 2801, *Application for Immediate Retirement*, to apply for an immediate annuity. You can obtain the form from your employing agency or from the Office of Personnel Management (OPM) website.

Submitting the Application

Submit the completed application to your employing agency. Give your agency at least 60 days notice before the date you intend to retire. Your agency needs to complete the Schedule D, Agency Checklist of Immediate Retirement Procedures, and the SF 2801-1, *Certified Summary of Federal Service*, which are included in the SF 2801, *Application for Immediate Retirement*.

Your agency will complete the SF 2801-1 and forward it to you for your review and signature. You should review it carefully before signing it. Any errors, omissions, or discrepancies will delay the processing of your application and may result in incomplete credit for service in the initial computation of your annuity.

If you are applying for disability retirement, you must also complete SF 3112, *Documentation in Support of Disability Retirement Application*. Ask your employing agency for SF 3112.

Your agency will forward the application to OPM.

What To Do If Your Address Changes Before Processing Is Complete

If your address changes before you receive your claim number, contact us, giving your name, date of birth, and your Social Security number. If you have received your claim number, you can telephone us, use email, or write to us to report your new address. Please refer to your claim number in any correspondence. You can call us at 1-888-767-6738. If you use TDD equipment, call 1-800-878-5707. Our Internet address is www.opm.gov/retire.

Our email address is retire@opm.gov. If you prefer to write to us, you should report your new address to:

U.S. Office of Personnel Management
ATTN: Change of Address
P.O. Box 440
Boyers, PA 16017-0440

In addition, notify your old post office of your forwarding address.

What Happens After You File Your Retirement Application

Your employing office will close out your records, using the Agency Checklist to assure that all necessary steps are taken. When this process (which includes paying you any unpaid compensation, such as unpaid annual leave) has been completed, the agency will forward your application and records to the Office of Personnel Management (OPM). In most cases, the agency should forward the retirement package to OPM within 30 days after your separation. Until OPM has received your application and supporting documents, OPM does not know you have retired.

After we receive your application, we will assign your claim number, which will begin with the letters “CSA.” This number will be very important to you because you will need to refer to it any time you contact OPM in connection with your annuity.

When we finish processing your application, we will send you a booklet explaining your benefits and any monthly survivor benefits payable after your death. The booklet contains information you will need after you retire, including how to contact OPM to make various changes (tax withholding, address, health benefits, etc.).

OPM's goal is to process nondisability retirement applications within 35 days of receipt from your former employing agency. However, the processing time for each case will vary depending upon whether the retirement package submitted by your agency is complete and accurate.

Note: Applications for disability retirement are processed differently. Your agency normally will forward your application, evidence supporting your claim of disability and preliminary records, to the Office of Personnel Management (OPM) for a disability determination based on a review of both medical and non-medical evidence. After your disability retirement is approved, your application will be processed as described above.

Payments

Beginning Date of Annuity

The beginning date of most annuities is the first day of the month after pay ceases and all other requirements for title to annuity are met. There are three exceptions to this: (1) disability annuities, (2) annuities based on involuntary separations, and (3) annuities based on voluntary retirement of employees who are in pay status for three days or less in the month of retirement. In these three instances, annuities begin no later than the day after pay ceases and all other requirements for title to annuity are met.

Payment and Accrual of Annuity

All annuities are payable on the first business day of the month following the one for which the annuity has accrued. For example, your check dated July 1 is for the month of June.

How to Have Annuity Payments Sent to a Bank or Financial Institution

The law requires most Federal payments be made by direct deposit. This applies to all retirees and survivor annuitants. If you are not already enrolled in the Direct Deposit Program and you live

where direct deposit is available, we recommend you make arrangements soon to comply with this law.

Direct deposit is a win-win situation all around. You avoid the bother of traveling to a bank or other financial institution to cash or deposit your check. Both you and the Office of Personnel Management are saved the worry that checks will be lost in the mail. It also assures that payments are deposited and available for your use, even when you are away from home.

When you elect direct deposit, you will continue to receive other information at your mailing address. Complete Section H of SF 2801, *Application for Immediate Retirement*, to have your payments sent to a financial institution. If you change to this option or change accounts after your payments begin, you should call us at 1-888-767-6738. If you use TDD equipment, call 1-800-878-5707. If you prefer, you can send SF 1199A, *Direct Deposit Sign-Up Form*, to OPM. You can obtain the form where you bank. Both you and your bank need to complete the form. Include your claim number on the form. It's a good idea to leave your old account open until you have verified a payment has been deposited in your new account.

Federal Income Tax Withholding

If we do not receive instructions indicating the rate at which you want Federal income tax withheld, tax will be withheld from your annuity at the rate for a married person with 3 exemptions. If you want to have the tax withheld at the rate currently being withheld from your salary, attach a copy of the W-4 form on file with your employing agency to your application for retirement. If you do not want Federal income tax withheld from your annuity payments, indicate this in Section H of SF 2801, *Application for Immediate Retirement*.

State Income Tax Withholding

If your state participates in our State Tax Withholding Program, you can instruct us to withhold monies for state income tax. We will transmit these monies to the proper state official. We can start state income tax withholding after we have put you on our regular rolls. To start, stop, or change your state income tax withholding you need to contact us. If you move to another state and need to change your withholding, it is your responsibility to contact us.

Cost of Living Increases

Cost-of-living increases are effective on December 1 and are payable in the January annuity payment. They are determined by the percentage increase in the average Consumer Price Index for the “base quarter” of the year in which they are effective over the “base quarter” of the preceding year. The “base quarter” is July, August, and September. The first cost-of-living increase you receive will be prorated to reflect the number of months you are on the retirement rolls before the increase is effective.

How The Basic Annuity Is Computed

The following discussion is not detailed enough to answer every question you may have. Your agency is responsible for giving you an annuity estimate and specific advice about your individual circumstances.

Basic Annuity Computation — The amount of your annuity depends primarily on your “high-3” average pay and length of service.

High-3 Average Pay — The “high-3” average pay is the highest pay obtainable by averaging the rates of basic pay in effect during any 3 consecutive years of service with each rate weighted by the time it was in effect.

Basic Annuity Formula — For employees generally, (a) take: 1-1/2% of the “high-3” average pay and multiply the result by 5 years of service; (b) add:

1-3/4% of the “high-3” average pay multiplied by years of service between 5 and 10; and (c) add: 2% of the “high-3” average pay multiplied by all service over 10 years.

Members of Congress, Congressional employees, air traffic controllers, law enforcement and firefighter personnel, and others who are subject to special annuity computations need to contact their employing agencies to obtain their annuity formulas.

Reductions to the Basic Annuity

Service You Have Not Paid For

Civilian service during which no retirement deductions were withheld from your salary is called “nondeduction” service. A **deposit** is a payment to the retirement fund to cover a period of nondeduction service. You do not have to make a deposit if you do not wish to do so. However, if you do not make the deposit —

- For nondeduction service performed on or after October 1, 1982**, you will receive no credit in the computation of your annuity. The period of service will be creditable for title and average salary purposes whether or not a deposit is made.
- For nondeduction service performed before October 1, 1982**, you will receive credit toward your retirement annuity. Your annuity will be permanently reduced by 10% of the amount due as a deposit. For example, if a deposit of \$600 is required and it is not paid, the annuity is permanently reduced by \$60 a year (or \$5 a month). On the other hand, if a deposit of \$600 is made, it will increase the annuity by \$60 a year.

Service You Paid For and Later Took a Refund of Your Retirement Deductions

Civilian service for which retirement deductions were withheld from your salary and later refunded to you is called “refunded” service. A **redeposit** is a payment to the retirement fund to cover a period of refunded service. Generally, you do not have to make a redeposit if you do not wish to do so. However, if you do not make the redeposit —

- For service which ended on or after October 1, 1990**, you will receive no credit in the computation of your annuity for the period of refunded service. This usually results in a reduction in the amount of your annuity, or, in the event of death, your eligible widow's (or widower's) annuity. The period of service will be creditable for title and average salary purposes whether or not a redeposit is made.
- For service which ended before October 1, 1990**, you will receive credit in your annuity computation for the period of refunded service. If you do not pay the redeposit for this service, your annuity will be permanently, actuarially reduced because the redeposit is not paid. The amount of the reduction will be based on factors which will be divided into the amount of redeposit and interest you owe at retirement.
- If you retire on disability**, you will not receive credit for service with unpaid redeposits.

Reduction for Early Retirement

Unless retirement is for disability or under the special provision for law enforcement or fire-fighter personnel, the annuity of an employee who retires before age 55 will be reduced by 1/6 of 1% (2% a year) for each full month, if any, under age 55.

Reduction to Provide a Survivor Annuity

Please read the Survivor Benefits information starting on page 18.

Guaranteed Minimum Disability Annuity

An employee retiring before age 60 because of disability is guaranteed a minimum basic annuity which amounts to the LESSER of (a) 40% of the “high-3” average pay, or (b) the sum obtained by using the basic formula, but increasing the length of actual service by the period between the date of the employee’s separation for retirement and the date age 60 is reached.

If the “earned” annuity computed using the basic formula is greater than the guaranteed minimum, this “earned” annuity is the amount payable. Persons receiving military retired pay or pension or compensation from the Department of Veterans Affairs in lieu of military retired pay are generally not eligible for the guaranteed minimum annuity computation.

Military Service

If you have performed active duty that terminated under honorable conditions in the armed services or other uniformed services of the United States, we may be able to use the service to increase your annuity. In Section B, item 4 and Schedule A, give us the requested information about your service in the following:

- a. Army, Navy, Marine Corps, Air Force or Coast Guard of the United States,
- b. Commissioned Corps of the Public Health Service after June 30, 1960,
- c. Commissioned Corps of the National Oceanic and Atmospheric Administration (formerly Coast and Geodetic Survey and Environmental Science Services Administration) after June 30, 1961,

- d. Cadet or Midshipman of the U.S. Military Academy, U.S. Air Force Academy, U.S. Coast Guard Academy, or U.S. Naval Academy.

Active, honorable service in the reserve components is potentially creditable. However, service in the National Guard is not active Federal military service except when ordered to active duty in the service of the United States. In addition, full time National Guard duty (as such term is defined in Section 101(d) of title 10) is creditable if such service interrupts Civil Service Retirement System creditable civilian service and is followed by reemployment in accordance with Chapter 43 of title 38, that occurs on or after August 1, 1990.

We need information about your active duty military service so that we can compare your statement with other records and request verification of any military service you claim which is not verified. This assures that you are credited with the correct amount of active military service.

Post-1956 Military Service

If you performed military service on or after January 1, 1957, you may pay a deposit of 7% of your military basic pay, plus interest, to cover that service.

You must pay the military service deposit to your agency while you are still employed. If the deposit is not paid, your post-1956 military service will be credited as described below.

If you were first employed in a position subject to civil service retirement before October 1, 1982:

If you do not make the deposit and you are eligible for Social Security benefits at age 62, your annuity will be recomputed (at age 62) to eliminate credit for the post-1956 military service. (If you are age 62 or over when you retire and are eligible for Social Security benefits, no credit for post-1956 military service will be allowed in the computation of your annuity unless you pay the deposit before you separate.)

If you were first employed in a position subject to civil service retirement on or after October 1, 1982:

You will **not** receive any retirement credit for your post-1956 military service if you do not make the deposit for it before you separate.

If you have questions concerning the crediting of your post-1956 military service and how to make the deposit, contact your employing agency.

Military Retired Pay

If you are receiving, or have applied for, any form of military retired pay, and/or pension or compensation from the Department of Veterans Affairs (DOVA) in lieu of military retired pay, we need to know about it. If you answer “yes” to Section B, item 5, please complete and attach Schedule B.

This information is needed to assure correct credit for military service. Receipt of military retired pay or pension, or compensation from the Department of Veterans Affairs in lieu of military retired pay, may affect the computation of your annuity rate. You cannot receive retirement credit for military service if you receive military retired pay unless you were awarded the retired pay (a) due to a disability incurred in combat with an enemy of the United States or caused by an instrumentality of war and incurred in the line of duty during a period of war or (b) under the provisions of Chapter 1223 of title 10, sections 12731 through 12739 (pertaining to retirement from a reserve component of the Armed Forces).

Attach a copy of the notice of the award to your application. If you do not have this documentation, you can request verification of the type of award from:

For Army, Navy, Air Force, and Marine Corps retired pay verifications:

DFAS
U.S. Military Retirement Pay
P.O. Box 7130
London, KY 40742-7130.

For Coast Guard retired pay verification:

Commanding Officer (RAS)
CGHRSIC
444 SE Quincy Street
Topeka, KS 66683-3591.

If you are waiving military retired pay for civil service retirement purposes, your agency can help you prepare your request for waiver. Attach a copy of the finance center acknowledgment (if available) to your application to help us to process your claim more quickly. (Even if you have already waived your military retired pay to receive benefits from the Department of Veterans Affairs, you also need to file a waiver of your military retired pay for civil service retirement purposes.)

Limitation on Basic Annuity

The basic annuity based on civilian and military service may not be more than 80% of the employee's "high-3" average pay. Retirement deductions withheld after the month the 80% limitation is reached are, at separation, set aside as a special credit. At retirement, this special credit is applied to any unpaid deposit or redeposit. Any balance, or the entire special credit if no deposit or redeposit is due, is refundable before annuity has been granted or may be used as voluntary contributions to purchase additional annuity. The Office of Personnel Management (OPM) will pay the refund, unless there is a written election from the employee asking for additional annuity.

Unused Sick Leave

An employee who retires with unused sick leave will have the number of working days represented by such leave added to the creditable service for the purpose of computing the annuity. Additional annuity earned thereby will not be subject to the 80% limitation on basic annuity. Days of unused sick leave may not be used in determining average pay or length of service for annuity eligibility.

Voluntary Contributions

An employee who, in addition to the amounts withheld from salary, has made voluntary contributions to the Retirement Fund may request a refund of the voluntary contributions, plus interest, at any time. If the voluntary contributions and interest are not refunded, we will pay, in addition to the regular annuity, \$7.00 per year, plus \$0.20 for each full year the individual is over age 55 at retirement, for each \$100.00 in his or her voluntary contributions account. If, with respect to voluntary contributions, an employee elects a survivor annuity, the additional annuity purchased will be reduced based on the difference between the annuitant's age and the survivor's age as shown in the table on page 23. The survivor's additional annuity will be 50% of the employee's additional reduced annuity. **Note:** The additional annuity purchased by voluntary contributions is not increased by cost-of-living adjustments.

Retirement and Benefits from the Office of Workers' Compensation Programs

If you have applied for, or received, workers' compensation from the Office of Workers' Compensation Programs (OWCP), U.S. Department of Labor, because of a job-related illness or injury, we need to know because the law prohibits the dual compensation which would exist if you received both a Civil Service retirement annuity and compensation for total or partial disability under the Federal Employees' Compensation Act for the same period of time. However, you may receive annuity and a "scheduled award" from workers' compensation for the same period of time.

Any overpayment of workers' compensation or retirement annuity you receive is subject to collection by the Office of Personnel Management or the Office of Workers' Compensation Programs.

Indicate in SF 2801, Schedule C, whether you agree to notify us if the status of your workers' compensation claim changes and whether or not you authorize the Office of Personnel Management and/or the Office of Workers' Compensation Programs to collect any overpayment if we find you were paid, but not eligible for, both compensation and annuity benefits covering the same period of time. Without this authorization from you, we will not pay your annuity until we can confirm that OWCP is not paying you compensation.

The Department of Labor has determined the alternative annuity lump sum payment is a payment within the terms of the dual compensation provision. If you receive the alternative annuity lump sum payment and later elect compensation from OWCP, no compensation would be payable until the amount of the lump sum payment and annuity paid is returned to the Civil Service Retirement System.

Survivor Benefits

A survivor annuity is a monthly amount payable after your death to eligible spouses, former spouses, and children. Your spouse and former spouse may be entitled to a survivor annuity based on your election or on a court order. Your annuity will be reduced to provide this benefit.

The maximum survivor benefit available for a spouse or former spouse is 55% of your unreduced annuity. Your annual annuity is reduced by 2-1/2% of the first \$3,600 and 10% of the remainder to provide this benefit. If you are married when your annuity begins, it will be computed with a reduction to provide maximum survivor benefits for your spouse upon your death. You can elect to provide less than the maximum survivor benefit or no survivor benefit; however, you must get your spouse's consent to elect either of these options. Your spouse must complete SF 2801-2, *Spouse's Consent to Survivor Election*, which is part of form SF 2801, *Application for Immediate Retirement*. Forward SF 2801-2 to the Office of Personnel Management (OPM) along with your application for retirement.

After your death, your spouse will **not** be eligible to continue health benefits based on your Federal service unless

- you elect a reduced annuity to provide a survivor annuity of at least one dollar a month; and
- you are enrolled for Self and Family health benefits coverage when you die.

Waiving the Spousal Consent Requirement

The Office of Personnel Management (OPM) may waive the spousal consent requirement if you show that your spouse's whereabouts cannot be determined. A request for waiver on this basis must be accompanied by:

- a judicial determination your spouse's whereabouts cannot be determined; or
- affidavits by you and two other persons, at least one of whom is not related to you, attesting to the inability to locate the current spouse and stating the efforts made to locate the spouse. You must also give documentary evidence, such as tax returns filed separately or newspaper stories, about the spouse's disappearance.

OPM may also waive the spousal consent requirement if you present a judicial determination regarding the current spouse that would warrant waiver of the consent requirement based on exceptional circumstances. (Illness or injury of the retiring employee is not justification for waiving the spousal consent requirement.)

Electing a Survivor Annuity for a Former Spouse

To elect a survivor annuity for a former spouse, you must have been married to the person for a total of at least 9 months. A former spouse who remarries before reaching age 55 is not eligible for a former spouse survivor annuity, unless you and your former spouse were married for at least 30 years.

You may elect to provide a survivor annuity for more than one former spouse. The total of the survivor annuities cannot exceed 55% of your unreduced annuity. Also, if you are married, you must have your spouse's consent to choose this option, because any benefit elected for a former spouse may limit what can be paid to your current spouse.

Electing a Survivor Annuity for a Current Spouse When a Court Order Gives a Survivor Annuity to a Former Spouse

If a court order has given a survivor annuity to a former spouse, you still need to make your election concerning a survivor annuity for your current spouse as if there were no court-ordered former spouse annuity. By electing survivor benefits for your current spouse at retirement, you can protect your spouse's rights in case your former spouse loses entitlement in the future (because of remarriage before age 55, death, or under the terms of the court order). Another option that you should consider is outlined on page 21 under "*Electing an Insurable Interest Annuity for a Current Spouse When a Court Order Gives a Survivor Annuity to a Former Spouse.*" The following paragraphs explain in more detail how your election at the time of retirement can affect your current spouse's future rights if the court has given a survivor annuity to a former spouse.

If a court order gives a survivor annuity to a former spouse, your annuity will be reduced to provide it. If you elect a survivor annuity for your current spouse (or another former spouse), your annuity will be reduced no more than it would be to provide a survivor annuity equal to 55% of your unreduced annuity. Your current spouse will be eligible for any portion of the benefit not ordered for the former spouse.

If you die before your current and former spouses, the total amount of the survivor annuities paid cannot exceed 55% of your annuity and the Office of Personnel Management must honor the terms of the court order before it can honor your election. The former spouse having the court-ordered survivor benefit would receive an annuity according to the terms of the court order. If the court order gives the entire survivor annuity to the former spouse, your widow(er) would receive no survivor annuity until the former spouse loses entitlement. Then your widow(er) would receive a survivor annuity according to your election. If the court order gives less than the entire survivor annuity to the former spouse, your widow(er) would receive an annuity no greater than the difference between the court-ordered survivor

annuity and 55% of your annuity. However, if the former spouse loses entitlement to the survivor annuity (through remarriage before age 55, death, or under the terms of the court order), your widow(er) would then receive the survivor annuity you elected.

Note: If you and your former spouse were married for at least 30 years, remarriage before age 55 does not terminate entitlement to a former spouse's survivor annuity.

For example, if there is a court-ordered former spouse survivor annuity that equals 40% of your annuity, you elect a maximum survivor annuity for your current spouse, and you die before the former spouse's entitlement to a survivor annuity ends, the former spouse would receive a survivor annuity equal to 40% of your annuity and your widow(er) would receive a survivor annuity equal to 15% of your annuity. However, if the former spouse later loses entitlement to the survivor annuity, your widow(er) would then receive a survivor annuity equal to 55% of your annuity.

Electing an Insurable Interest Annuity for a Current Spouse When a Court Order Gives a Survivor Annuity to a Former Spouse

If a former spouse's court-ordered survivor annuity will prevent your current spouse from receiving a survivor annuity that is sufficient to meet his or her anticipated needs, you may want to elect an insurable interest annuity for your spouse. You must provide documentation that you are in good health in order to choose this benefit. The amount of the benefit and the amount of the reduction in your annuity to provide it are explained below in "*Electing an Insurable Interest Survivor Benefit for an Individual Other Than Your Spouse*".

If you elect an insurable interest survivor annuity for your current spouse, your current spouse must sign SF 2801-2, *Spouse's Consent to Survivor Election*, which is part of SF 2801, *Application for Immediate Retirement*, consenting to receive the insurable interest annuity instead of a regular survivor annuity. (Choose item b. in Part 1 of the SF 2801-2.)

If you elect an insurable interest survivor annuity for your current spouse and your former spouse loses entitlement **before** you die, you may request the reduction in your annuity to provide the insurable interest annuity be converted to the regular survivor annuity reduction. Your current spouse would then be entitled to the regular survivor annuity. If your former spouse loses entitlement **after** you die, your widow(er) can substitute the regular survivor annuity for the insurable interest survivor annuity.

If for any reason the Office of Personnel Management cannot allow your insurable interest election for your current spouse, your current spouse will be considered elected for the maximum regular survivor annuity.

Electing an Insurable Interest Survivor Annuity for an Individual Other than Your Spouse

At retirement you can initial Box 4 in Section F, SF 2801, to elect to provide a survivor annuity for an individual (such as a close relative) who may reasonably expect to derive financial benefit from your continued life. This election is not available to any one who is applying for disability retirement. You must provide documentation that you are in good health in order to choose this type of annuity. If you choose this type of annuity, the amount of the reduction in your annuity will depend upon the difference between your age and the age of the person named as the survivor annuitant, as shown in the table on page 23. The survivor's rate will be 55% of your reduced annuity.

You cannot make an insurable interest election after you are retired.

Age of the Person Named in Relation to that of Retiring Employee	Reduction in Annuity of Retiring Employee
Older, same age, or less than 5 years younger	10%
5 but less than 10 years younger	15%
10 but less than 15 years younger	20%
15 but less than 20 years younger	25%
20 but less than 25 years younger	30%
25 but less than 30 years younger	35%
30 or more years younger	40%

You can elect this insurable interest survivor annuity in addition to a regular survivor annuity for a current or former spouse.

Termination of the Reduction in Your Annuity to Provide a Survivor Benefit

Current Spouse

The reduction in your annuity to provide a survivor annuity for your current spouse stops if your marriage ends because of death, divorce, or annulment.

Note: The reduction does not end if a court orders you to continue to provide the survivor annuity benefit.

Former Spouse

The reduction in your annuity to provide a survivor annuity for a former spouse ends if the former spouse dies, if the former spouse remarries before reaching age 55, or under the terms of the court order that required you to provide the survivor annuity for the former spouse when you retired. (Modifications to the court order issued after you retire do not affect the former spouse survivor annuity.)

Note: Remarriage before age 55 does not terminate the reduction if you and your former spouse were married for at least 30 years.

Insurable Interest

The reduction in your annuity to provide an insurable interest annuity ends if the person you name to receive the insurable interest annuity dies or if the person you name is your current spouse and you change your election because a former spouse has lost entitlement to a survivor annuity. The reduction also ends if, after you retire, you marry the insurable interest beneficiary and elect to provide a spousal survivor annuity for that person. If you marry someone other than the insurable interest beneficiary after you retire and elect to provide a survivor annuity for your spouse, you may elect to cancel the insurable interest reduction at that time.

Changing Your Survivor Election After Retirement

If it is within 30 days after your first regular monthly payment —

You may change your election if, not later than 30 days after the date of your first regular monthly payment, you file a new election in writing. You must write to the Retirement Operations Center address given in the Introduction.

Your first regular monthly payment is the first annuity check payable on a recurring basis (other than an estimated payment or an adjustment check) after the Office of Personnel Management has computed the regular rate of annuity payable to you.

When the 30-day period following the date of your first regular monthly payment has passed, you cannot change your election, except under the circumstances explained in the following paragraphs.

If it is more than 30 days after the date of your first regular monthly payment, but less than 18 months after the beginning date of your annuity —

If you are married at retirement and you elect not to provide a survivor annuity for your spouse (or you elect less than the full survivor annuity), you may, within 18 months after retirement, elect a reduction in your annuity to provide (or increase) the survivor benefit if you are still married to the same person. By law, you must also pay a deposit consisting of the amount by which your annuity would have been reduced had the election been made at retirement plus an amount equal to 24.5% of the increase in the base designated for the survivor annuity. Interest is charged on the deposit.

You must request the election change in writing **and** pay the deposit no later than 18 months after the beginning date of your annuity. Failure to pay the deposit in full within the deadline (or within 30 days after we notify you of the amount due, if later) will void the election. An election to provide or increase a survivor benefit during this 18-month period cancels any spousal consent to a less than full survivor annuity.

Elections Based on Post-Retirement Marriages

If you marry after retirement, you are eligible to elect a reduced annuity to provide a survivor annuity for your spouse. You must contact the Office of Personnel Management (OPM) in writing to request the benefit within two years after the date of your marriage. OPM will send you detailed information about the effect of the election and the cost when you want to make such an election. The election is irrevocable upon receipt at OPM. You need to inform OPM promptly of any change in your marital status.

Post-retirement survivor elections are subject to the following restrictions:

- They cannot be honored to the extent that they conflict with the terms of a qualifying court order that requires you to provide a survivor annuity for a former spouse.

- They cannot be honored if they cause combined current and former spouse survivor annuities to exceed 55% of your unreduced annuity; and
- If, during any period after you retired, your annuity was not reduced to provide a current or former spouse survivor annuity, **you must pay into the Retirement Fund an amount equal to the amount your annuity would have been reduced during that period plus 6% annual interest.**

Please note that a **new survivor annuity election** is required to provide a survivor annuity, even if you elected to provide a survivor annuity for a spouse at retirement and later the marriage ended but the reduction erroneously continued. There is no provision in the law that permits the continuation of that survivor reduction without a new election (or reelection) or a court-ordered award of a survivor annuity. The continued reduction does not, *by itself*, demonstrate an unmistakable intent to elect or reelect a survivor annuity for a spouse you marry after retirement. This is true whether the continued reduction after divorce or death of a spouse is caused by mistake, error, or inadvertence on your part or by OPM.

Eligibility for Survivor Annuity Benefits

For Widows, Widowers, and Former Spouses

To be eligible for a survivor annuity after your death, your widow(er) must have been married to you for a total of at least 9 months or be a parent of your child. The marriage duration requirement does not apply if your death is accidental.

A former spouse cannot receive a survivor annuity unless:

- He or she was married to you for at least 9 months; and
- He or she has not remarried before reaching age 55. However, if the two of you were married for 30 years or longer, your former spouse can receive a survivor annuity.

For Children

The eligibility of your children for survivor annuity after your death does not depend on your marital status or the type of annuity you elect. Your annuity is not reduced to provide this benefit. Your unmarried dependent children may qualify for survivor annuity until age 18. Benefits may be payable to an unmarried child after age 18 if the child is a full-time student at a recognized educational institution or is incapable of self-support due to a disability incurred before age 18. (Benefits for a student child are generally not payable after the child is 22.)

Information about your children in your annuity claim file will help to expedite the processing of claims for childrens' survivor benefits.

Children will not be denied benefits after your death solely because they were not identified on your retirement application.

More Information and Assistance in Applying for Retirement

Contact the Human Resources Office at the agency where you work for retirement counseling, detailed information, and other assistance you need to prepare for retirement. Your agency must certify you are eligible for an immediate annuity. Office of Personnel Management employees cannot advise you before you are separated and your certified records are forwarded to us.



United States Office
of
Personnel Management
1900 E Street, NW
Washington, DC 20415

www.opm.gov/forms