



# Thrift Savings Plan BULLETIN

for Agency TSP Representatives

**Subject:** Revision of Form TSP-16, Exception to Spousal Requirements

**Date:** August 1, 2002

The Federal Retirement Thrift Investment Board has revised [Form TSP-16, Exception to Spousal Requirements](#), for use in the new record keeping system. The August 2002 revision of the form will be available from the **civilian section** of the Thrift Savings Plan (TSP) Web site at [www.tsp.gov](http://www.tsp.gov) beginning August 23, 2002. An advance copy of the revised form is attached to this bulletin.

**Purpose of Form TSP-16.** Form TSP-16 is used by married participants who are requesting a waiver of the spousal requirements that must be met to obtain a TSP loan or withdrawal (in-service or post-employment). These requirements are delineated on the back of Form TSP-16 and are explained in the TSP loan and withdrawal booklets.

**Dissemination of Form TSP-16.** Participants may obtain Form TSP-16 from the TSP Web site or from the TSP Service Office. Agencies should also provide the form to participants upon request. Agencies may obtain the form by downloading it from the Web site, or they may order supplies by following the procedures contained in TSP Bulletin 95-1, dated January 3, 1995.

A handwritten signature in cursive script that reads "Pamela-Jeanne Moran".

PAMELA-JEANNE MORAN  
Deputy Director  
Office of External Affairs

Attachment: Form TSP-16, Exception to Spousal Requirements

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- Inquiries:** Questions concerning this bulletin should be directed to the Federal Retirement Thrift Investment Board at **(202) 942-1460**.
- Chapter:** This bulletin may be filed in Chapter 8, Loan Program, or Chapter 9, Withdrawal Program.
- Supersedes:** This bulletin supersedes TSP Bulletin 98-12, Revision of Form TSP-16, Exception to Spousal Requirements, dated April 9, 1998.



# THRIFT SAVINGS PLAN EXCEPTION TO SPOUSAL REQUIREMENTS

TSP-16

Use this form to request an exception to the Thrift Savings Plan (TSP) spouse notice and signature requirements. **Read the instructions on the back before completing this form.** Type or print the information requested.

## I. INFORMATION ABOUT YOU

1. Name \_\_\_\_\_  
Last First Middle
2. Social Security No. \_\_\_\_\_ - \_\_\_\_ - \_\_\_\_\_ 3. Date of Birth \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
mm dd yyyy
4. Daytime Phone (Area Code and Number) (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_
5. Address \_\_\_\_\_  
Street address or box number
6. City \_\_\_\_\_ 7. \_\_\_\_\_ 8. \_\_\_\_\_  
State/Country Zip Code
9. I am applying for a Thrift Savings Plan:  Loan  Withdrawal

## II. REQUEST FOR EXCEPTION

10. \_\_\_\_\_ 11. \_\_\_\_\_  
Name of Spouse (Last) (First) (Middle) Spouse's Social Security Number

### 12. Whereabouts Unknown

- For Federal Employees' Retirement System (FERS) Participants.** I am asking for an exception to the requirement to obtain the signature of my spouse identified above because I do not know where my spouse is. I have made a good faith effort to locate my spouse in the 90 days before I submitted this request and have been unable to do so through any person or other source. The required statements or police agency or judicial determinations are attached to this form.
- For Civil Service Retirement System (CSRS) Participants.** I am asking for an exception to the requirement to notify my spouse identified above because I do not know where my spouse is. I have made a good faith effort to locate my spouse in the 90 days before I submitted this request and have been unable to do so through any person or other source. The required statements or police agency or judicial determinations are attached to this form.

### 13. Exceptional Circumstances

- For FERS Participants Only.** I am asking for an exception to the requirement to obtain the signature of my spouse identified above because exceptional circumstances make it inappropriate for me to obtain my spouse's signature. A copy of an order or determination of a court or other governmental body which recites the exceptional circumstances is attached.

## III. YOUR SIGNATURE AND CERTIFICATION

I certify that the information I have provided in connection with this request is true and complete to the best of my knowledge. **Warning:** Any intentional false statement or willful misrepresentation in this form is a violation of law that is punishable by a fine of as much as \$10,000 or imprisonment for as long as 5 years or both (18 U.S.C. 1001).

14. \_\_\_\_\_ 15. \_\_\_\_\_  
Participant's Signature Date Signed

## OFFICIAL USE ONLY

16.  Approved  Disapproved 17. \_\_\_\_\_  
Date

**PRIVACY ACT NOTICE.** We are authorized to request this information under 5 U.S.C. chapter 84. Executive Order 9397 authorizes us to ask for your Social Security number, which will be used to identify your account. We will use the information you provide to process your request for an exception to spousal requirements. This information may be shared with other Federal agencies for statistical, auditing, or archiving purposes. In addition, we may share the information with law enforcement agencies investigating a violation of civil or criminal law, or agencies

implementing a statute, rule, or order. It may also be shared with congressional offices, private sector audit firms, spouses, former spouses, and beneficiaries, and their attorneys. We may also disclose relevant portions of the information to appropriate parties engaged in litigation. You are not required by law to provide this information, but if you do not provide it, we will not be able to process your request for an exception to spousal requirements.

## INFORMATION AND INSTRUCTIONS

### GENERAL INFORMATION

Make a copy of this form and all documents for your records. Mail the original form along with supporting documents to the **TSP Service Office, National Finance Center, P.O. Box 61500, New Orleans, LA 70161-1500**. Telephone numbers are: (504) 255-8777, TDD: (504) 255-5113.

By law, your spouse (including a separated spouse) has certain rights which must be taken into consideration when you withdraw or borrow from your TSP account. The legal requirements are summarized in the chart below. If you are covered by FERS, it is your responsibility to obtain the signature of your spouse; your spouse's signature is required to waive the required joint annuity when you make a post-separation full withdrawal or to consent to your loan, in-service withdrawal, or post-separation partial withdrawal. Your spouse's signature for a withdrawal must be notarized. If you are covered by CSRS, the TSP is responsible for sending the required notice to your spouse. The notice does not contain personal information about you; it informs your spouse that you have applied for a withdrawal or a loan from your TSP account. The notice does not give your spouse a right to the money in your TSP account.

The TSP will notify you of the decision regarding your request for an exception to the spouses' rights requirements. An exception may be granted only under limited conditions.

Activity	Retirement System	Requirement	Exception
Loan, In-Service Withdrawal, or Partial Withdrawal After Separation	FERS	Consent of spouse	Whereabouts unknown or exceptional circumstances
	CSRS	Notification of spouse	Whereabouts unknown
Full Withdrawal After Separation	FERS	Waiver of annuity benefit by spouse*	Whereabouts unknown or exceptional circumstances
	CSRS	Notification of spouse*	Whereabouts unknown

\* These requirements do not apply if your vested account balance is \$3,000 or less at reimbursement.

**Note:** A withdrawal request or loan application received within 90 days of an approved exception may be processed as long as the spouse identified on the form is the spouse for whom the exception has been approved.

### SECTION I

**1 – 9:** Complete all items in this section.

### SECTION II

**10 – 11:** Enter your spouse's name and Social Security number.

**12: Whereabouts Unknown.** If you are requesting an exception to the spousal requirements because your spouse's whereabouts are unknown, you must attach to this form either:

- a court order which states that the whereabouts of your spouse are unknown, **OR**
- a police or governmental agency determination issued by the appropriate department or division head which states that the whereabouts of your spouse are unknown, **OR**
- three statements, including:
  - a statement by you that
    - (1) provides the full name(s) of your spouse;
    - (2) clearly states that you are unable to locate your spouse;
    - (3) states the last time you knew your spouse's location;
    - (4) explains why your spouse's location is not known, and
    - (5) describes in detail the efforts you have made to locate your spouse in the 90 days preceding your submission of this request and the results of those efforts; **and**
  - statements from two persons supporting your statement that you do not know your spouse's location and describing the person's knowledge of your efforts within the last 90 days to locate your spouse.

Each statement must be signed and dated and must contain the following statement:

I understand that a false statement or willful misrepresentation in this form is a violation of law that is punishable by a fine of as much as \$10,000 or imprisonment for as long as 5 years or both (18 U.S.C. § 1001).

**13: Exceptional Circumstances (FERS only).** If you are a **married FERS participant** and **exceptional circumstances** make it inappropriate to obtain your spouse's signature, you must attach either a court order or a governmental agency determination issued by the appropriate department or division head explaining the exceptional circumstances. For example, a court order could indicate that you and your spouse have been maintaining separate residences with no financial relationship for three or more years; or indicate that your spouse abandoned you, but for religious or other compelling reasons, you chose not to divorce; or state that you may borrow money from or withdraw all or a portion of your TSP account notwithstanding the absence of your spouse's signature.

### SECTION III

**14 – 15:** You must sign and date this section certifying that the information you provided is true and complete to the best of your knowledge.

### SECTION IV

**16 – 17:** The TSP completes this section.