

CSRS

Civil Service
Retirement System

**Information on
Electing a
Survivor Annuity
for
Your Spouse
When You Are
Providing a
Former Spouse
Survivor Annuity**



United States Retirement
Office of and
Personnel Insurance
Management Service

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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

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I. Introduction

This pamphlet provides information you need to know in order to provide a survivor annuity benefit for your spouse. A survivor annuity is a monthly payment that begins after your death. The information provided applies to annuitants who —

1. Retired after May 6, 1985, or who married after February 26, 1986, and
2. Have a former spouse currently entitled to a survivor annuity benefit based on a court order or the annuitant's election.

This information applies only to persons who retired under the Civil Service Retirement System, and not to persons who are under the Federal Employees Retirement System.

This pamphlet explains:

- how court ordered benefits may affect your election,
- how your annuity will be adjusted to provide survivor benefits,
- when we can stop the reduction in your annuity to provide survivor benefits, and
- how your spouse can receive Federal health benefits coverage.

Please do not complete the accompanying election letter until you read this pamphlet.

II. Conditions You and Your Spouse Must Meet

You can provide a survivor annuity benefit if your election is timely (see Part X). If you provide a survivor annuity, your spouse must be married to you for

a total of at least nine months to be eligible for benefits. However, this requirement does not apply if your death is accidental or your spouse is the parent of your child. A death is accidental if it results from homicide or from bodily injuries incurred solely through violent, external, and accidental means as defined in OPM regulations.

If you die and your surviving spouse remarries before age 55, his or her survivor benefit stops. However, the benefit can be reinstated if the remarriage ends.

If You Retired After May 6, 1985, And Remarried The Person You Were Married To At Retirement:

If this election is for the same person you were married to at retirement, you cannot provide a benefit that is greater than the survivor benefit you both agreed to in writing when you retired.

III. How Your Former Spouse Obligations Affect Your Election

Your monthly annuity has already been reduced to provide for one or more former spouse survivor benefits. If you provide a survivor annuity for your spouse, the total annuities paid after your death cannot exceed the maximum survivor benefit. The maximum survivor benefit is based on 55% of your annuity. (It is based on 50% if your final separation was before October 11, 1962.)

If Your Former Spouse(s) Are Entitled To The Maximum Survivor Benefit: We must honor the terms of a court order or a previous election to provide survivor benefits for your former spouse(s) before paying benefits to your spouse. Therefore, if your annuity is reduced for the maximum former spouse survivor annuity, your spouse would not receive payments unless the former spouse loses entitlement to benefits. **However, you must elect to provide a survivor annuity for your current spouse if you want to protect his or her eligibility to receive payments.**

For example, suppose a court order awarded 100% of the maximum survivor benefit to your former spouse (and there are no other former spouses eligible for benefits). You elect a survivor benefit for your current spouse. Your spouse will receive the amount you elect if your former spouse loses entitlement, even if the entitlement is lost after your death.

If Your Former Spouse(s) Are Entitled to LESS Than The Maximum Survivor Benefit: In this event, the amount your spouse will receive depends on your election AND the amount of the former spouse benefit. For example, suppose a court order awarded 70% of the maximum survivor benefit to your former spouse. You decide to provide the maximum survivor benefit for your current spouse. He or she would receive payments based on the remaining 30% of the maximum benefit (provided there are no other former spouses eligible for benefits). If your former spouse loses entitlement, we would increase the benefit to your spouse to the full amount you elected.

If You Elect Less Than The Maximum Survivor Benefit For Your Spouse: If your former spouse loses entitlement, you can increase the benefit for your current spouse by the amount of the former spouse benefit, under certain conditions. For example, suppose you previously elected 25% of the maximum survivor benefit for a former spouse. You provide a survivor annuity for your current spouse that equals 50% of the maximum benefit. Your former spouse later loses entitlement to benefits. You can then increase the benefit for your spouse by the amount of the former spouse benefit. To do so, you must notify the Office of Personnel Management in writing within two years after the date the former spouse loses entitlement.

IV. How Your Annuity Will Be Affected If You Make an Election

If your annuity has not been continuously reduced since your date of retirement for the maximum survivor benefit, it will be adjusted as explained below.

If Your Annuity Has Not Been Reduced For The Maximum Survivor Benefit Since Retirement: If you make this election, your annuity will be adjusted depending on the amount of the survivor benefit you provide. Generally, there will be two reductions in your annuity. The first reduction is for the regular cost of the survivor benefit. This reduction may stop if your marriage ends. (See Part VIII.)

The second reduction is **permanent** even if your marriage ends. This reduction is based on (1) your age and (2) the difference between your reduced annuity rate and the annuity paid you each month, plus 6 percent interest compounded annually. We refer to this as an “actuarial” reduction because it is designed to pay back the difference in annuity rates (plus interest) over the average life expectancy of a person your age.

The difference in your annuity rates is generally computed from the date of your retirement. However, you will not be charged for any period where your annuity was reduced at a rate equal to or greater than the total reduction required by your new election. For example, if your annuity was previously reduced for the maximum survivor benefit, you will not be charged for the period that the maximum survivor reduction was in effect.

If a further reduction in your annuity is required, it will begin depending on when you complete and return the enclosed election notice. However, it cannot begin earlier than 9 months after the date of your marriage.

If Your Annuity Has Been Reduced For The Maximum Survivor Benefit Since Your Date of Retirement: If your annuity has been reduced ever since retirement for the maximum survivor benefit, no

additional reduction is required to provide survivor benefits for your spouse.

V. If You Elect the Maximum Available Survivor Benefit

Part B on the front side of the enclosed election letter shows how much you and your spouse will receive if you provide the maximum available survivor benefit. If the permanent actuarial reduction applies in your case, it was tentatively computed through the date shown in item 2 of Part B. If we do not receive your election by that date, the amount of the reduction may increase.

If you do not provide the maximum available survivor benefit, your annuity will be reduced in rough proportion to the reduced benefit you elect. If you want information on the exact cost of providing a smaller survivor annuity benefit, please see below.

VI. Electing Less than the Maximum Available Survivor Benefit

To obtain information on the exact cost of providing a smaller survivor benefit, please specify the amount you want your spouse to receive in Part D of the election letter. Provide your signature and the date. After we receive your request, we will send you another election letter showing the cost of the smaller survivor annuity.

VII. Federal Health Benefits Coverage For Your Spouse

If you have self-and-family health benefits coverage under the Federal Employees Health Benefits (FEHB) Program, your spouse is covered under your enrollment. If you are enrolled for yourself only, you may change to family coverage up to 60 days after your marriage, or during any health benefits open season.

Your spouse will be eligible to receive health benefits coverage under the Federal Employees Health Benefits Program after your death only if you meet both of the following requirements:

1. You elect to provide a survivor annuity benefit for your spouse, AND
2. You are enrolled in a self-and-family health benefits plan on your date of death.

VIII. If Your Marriage Ends After You Make This Election

If you provide a survivor annuity and your marriage ends because of divorce, annulment, or death, please notify us immediately. Send proof of the terminating event (court order or death certificate) so we can adjust your annuity, if applicable. However, any actuarial reduction that is made in your annuity to provide survivor benefit protection will NOT be eliminated, even if your marriage ends.

Generally, the reduction for the regular cost of a current spouse survivor annuity benefit stops the first of the month after your marriage ends. However, this reduction will continue if a qualifying court order requires you to provide a former spouse survivor annuity. If your marriage ends due to divorce, you may also elect to continue the reduction in order to provide a former spouse survivor annuity. If you retired before May 7, 1985, you cannot elect a survivor annuity for a former spouse unless he or she was entitled to a survivor annuity as your spouse prior to May 7, 1985, and the marriage ended on or after that date. To make a former spouse survivor annuity election, you must notify us in writing within two years after the divorce.

IX. Events that Terminate a Former Spouse's Entitlement to Benefits

Your former spouse will lose entitlement to survivor annuity benefits if he or she remarries before age 55 (unless the remarriage is to you and your annuity remains reduced or unless you had been married to each other for at least 30 years), dies, or as provided under the terms of a qualifying court order.

Generally, the reduction in your annuity for the regular cost of the former spouse survivor annuity stops the first of the month after your former spouse loses entitlement. However, the reduction will continue if a qualifying court order requires you to provide another former spouse annuity. You may also elect to continue the regular survivor reduction to provide or increase a survivor annuity for another former spouse or for a current spouse. To do so, you must notify the Office of Personnel Management in writing within two years after the former spouse loses entitlement to benefits.

If your former spouse loses entitlement, please notify us immediately. Send proof of the terminating event (marriage or death certificate). We will adjust your annuity, if applicable. However, any actuarial reduction in your annuity to provide survivor benefits will not stop.

X. How to Apply

Two-Year Filing Deadline: If you decide to provide a survivor annuity benefit for your spouse, please complete the accompanying election letter. It must be received by the Office of Personnel Management within (a) 2 years after the date of your marriage or (b) within 2 years after the date a former spouse lost entitlement to a survivor annuity benefit for which your annuity was reduced (see below for exception).

Exception: If you retired before May 7, 1985, you cannot make an election under (b) above, if the

survivor annuity for your former spouse was based on an election you made before September 9, 1987.

Mailing Address: Send your completed election to:

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

Please read all of the information on the front of the election letter and the information in this pamphlet before making your election.

Important: After we have received a valid election from you to provide a survivor annuity benefit for your spouse, you **cannot** revoke your election or reduce the amount of the benefit.

Documents You May Need to Provide: If you have **not** already submitted them, please include the following with your election.

1. If you are eligible to apply because you married within the last 2 years, please provide a copy of your marriage certificate.
2. If you are eligible to apply because a former spouse lost entitlement within the last 2 years to a survivor annuity benefit for which your annuity was reduced, please provide a copy of your marriage certificate plus proof of the event that terminated your former spouse's entitlement to benefits (marriage or death certificate).

XI. If You Decide Not to Provide a Survivor Benefit

If you decide not to provide a survivor benefit for your spouse, please provide his or her name, your signature, and the date in Part E of the election letter.

Please note that you may change your mind and elect to provide a survivor benefit for your spouse only if you again notify us in a signed notification that is received within 2 years after the date of your marriage. Or, it must be received within 2 years after the date a former spouse lost entitlement to a survivor annuity benefit for which your annuity was reduced.

XII. How to Contact Us

If this pamphlet does not answer your questions about this survivor annuity election, telephone the person who signed the election letter you received with this booklet. The telephone number is at the bottom of the letter under the signature block.

For general information about your benefits, call the Retirement Information Office at 1-888-767-6738. Customers within local calling distance to Washington, DC, must contact us on 202-606-0500.

When you call on a touch tone telephone, you will be greeted by an automatic answering system which will guide you through a menu of most frequently requested topics. The automated telephone system is available seven days a week, even after business hours. If you call between 7:30 a.m. and 5:30 p.m., Eastern time, you also have the option of talking to a Customer Service Specialist. The Specialists are not available on weekends and Federal holidays.

If you do not have a touchtone telephone, you will need to call during the hours shown. After you have heard the recording, stay on the line and you will be able to speak to a Customer Service Specialist.

Persons who have TDD equipment should call 1-800-878-5707.

Notes

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Retirement & Insurance Service



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