SPOUSE'S CONSENT TO SURVIVOR ELECTION

(for retirements commencing on or after May 7, 1985, under the Civil Service Retirement System)

Instructions: If you are married and you do not elect a reduced annuity to provide a full survivor annuity for your current spouse, complete Part 1. If you mark Item a, fill in the blank to show the amount of your annuity that you entered on SF 2801 or SF 2801-3. Have your spouse complete Part 2. Part 2 must be completed in the presence of a Notary Public or other person authorized to administer oaths (e.g., a Justice of the Peace). The Notary Public must complete Part 3.

Part 1 - To Be Completed by the Retiring Employee

Name *(Last, first, middle)*	Date of birth *(Month, day, year)*	Social Security Number

I have elected: (Mark the box which describes the election you have made with regard to your current spouse.)

☐ a. A partial survivor annuity for my current spouse equal to:
(1) 55% of $ _____ a year. (This agrees with my election in Section D, Item 1b, on my completed Standard Form 2801.)
OR
(2) _____% of my annuity. (This agrees with my election on my completed SF 2801-3.)

☐ b. No regular survivor annuity for my current spouse. but I am electing an insurable interest survivor annuity for my current spouse. (I have completed Section D, Item 4, on my Standard Form 2801 naming my current spouse.)

☐ c. No regular or insurable interest survivor annuity for my current spouse.

Part 2 - To Be Completed by the Current Spouse of the Retiring Employee

I freely consent to the survivor annuity election described in Part 1. I understand that my consent is final (not revocable).

Name *(Type or print)*	Signature *(Do not print)*	Date

Part 3 - To Be Completed by a Notary Public or Other Person Authorized to Administer Oaths

I certify that the person named in Part 2 presented identification (or was known) to me, gave consent, signed or marked this form and acknowledged that the consent was freely given in my presence on this

the _____ day of _____, 19_____, at _____.
(Month) *(Year)* *(City and State)*

(SEAL)	Signature
	Expiration date of commission, if Notary Public

General Information: Public Law 98-615 requires that a retiring, married employee whose annuity begins on or after May 7, 1985, must elect to provide a full survivor annuity for a current spouse, unless the current spouse consents to some other election by signing this form.

A court order which requires a retiring employee to provide a survivor annuity for a former spouse is not an election and spousal consent is not required. In other words, such a court order does not require a current spouse to waive the right to a survivor annuity. The retiring employee can still elect to provide survivor annuity for the current spouse even though the Office of Personnel Management must honor the terms of the court order before it can honor the election for the current spouse. The current spouse may, therefore, receive a smaller annuity than elected, or none at all, unless the former spouse loses eligibility for the court-ordered survivor annuity (through remarriage before age 55 or death).

Important: If the current spouse consents to an election to provide no survivor annuity or a partial survivor annuity and is later divorced from the retired employee, the retired employee may not then elect (nor can OPM honor a court order) to provide a former spouse annuity for that spouse which exceeds the amount elected at retirement.

PRIVACY ACT STATEMENT

Public Law 98-615, which establishes the spousal consent requirement, authorizes solicitation of this information. The data furnished will be used to determine the type of annuity awarded. The information may be shared and is subject to verification, via paper, electronic media, or through the use of computer matching programs, with national, state, local or other charitable or social security administrative agencies to determine and issue benefits under their programs. It may also be shared and verified, as noted above, with law enforcement agencies when they are investigating a violation or potential violation of the civil or criminal law. Executive Order 9397 (November 22, 1943) authorizes the use of the Social Security number to distinguish between people with similar names. Furnishing the Social Security number, as well as other data, is voluntary, but failure to do so may delay or prevent action on the retirement application.

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Standard Form 2801-2
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