



Application For Refund of Retirement Deductions

Civil Service Retirement System

To avoid delay in payment: (1) Carefully read and comply with all instructions;
(2) Complete application in full;
(3) Typewrite or print in ink.

Form Approved:
OMB Number 3206-0128

1. Name (last, first, middle)		2. Date of birth (mm/dd/yyyy)		3. Social Security Number		4. Are you a citizen of the United States of America?		Yes No		
5. List all other names you have used (including maiden name, if applicable)					6. Previous applications filed (indicate by "X")		Retirement Annuity Refund		Deposit or Redeposit Voluntary Contributions	

7. List below all of your civilian and military service for the United States Government or District of Columbia.

Department or Agency (Including bureau, branch, or division where employed)	Location of Employment (City, state and ZIP Code)	Title of Position	Periods of Service		Indicate whether Civil Service Retirement deductions were withheld from your salary (Check one)		Have you paid deposit or redeposit for any period, including military service after 1956? (Check one)	
			Beginning Date	Ending Date	Withheld	Not Withheld	Fully or Partially Paid	Not Paid

8. Have you accepted any further employment with the Federal or District of Columbia government (or arranged for such employment) to become effective within 31 days of the ending date of your last period of service?			Yes, complete items 9, 10, 11, and 12. No, skip to item 13.		
9. If you answer "Yes" to item 8, are Civil Service Retirement System or Federal Employees Retirement System deductions being withheld (or will they be withheld) from your salary during such employment? <input type="checkbox"/> Yes <input type="checkbox"/> No	10. Date of new appointment (expected date if not yet employed)	11. Department or agency, including bureau, branch, or division, in which you are (or will be) employed	12. Location of new employment (City, state, and ZIP code)		
13. Indicate below whether you wish to have Federal income tax withheld from the interest portion of your refund: <input type="checkbox"/> Withhold Federal income tax from the interest portion of my refund payment. If you elect withholding, the amount withheld will be 10% of the total interest payable. <input type="checkbox"/> Do not withhold Federal income tax from the interest portion of my refund payment.	14. Are you now married? If "Yes," attach SF 2802B, <i>Current/Former Spouse's Notification of Application for Refund of Retirement Deductions</i> , or other information as explained on pages 2 and 3 of this form and in the SF 2802B. OPM cannot pay your refund without this information. <input type="checkbox"/> No <input type="checkbox"/> Yes, give name of current spouse below.		15. Have you been divorced on or after May 7, 1985, from a person to whom you were married for at least 9 months? If "Yes," follow the instructions on pages 2 and 3 of this form and in the SF 2802B. OPM cannot pay your refund without this information. Use the space provided on the back of this form to list all such living former spouses. <input type="checkbox"/> No <input type="checkbox"/> Yes →		

WARNING
Any intentionally false or misleading statement, certification, or response you provide in this application is a violation of the law punishable by a fine of not more than \$10,000 or imprisonment of not more than 5 years, or both. (18 U.S.C. 1001)

APPLICANT CERTIFICATION: I understand that I am not legally entitled to receive a refund if I am reemployed or otherwise assigned to a position under the Civil Service Retirement System or Federal Employees' Retirement System within 31 days of separating from my most recent position. I agree to notify OPM if I am employed again within this period and will return or repay any refund paid to me under those circumstances.

I hereby certify that all statements in this application, including the information I have given pertaining to current and former spouses in items 14 and 15 and on the back, are true to the best of my belief and knowledge and that the tax withholding election made here reflects my wishes.

Your signature (Do not print)		Date		Your area code and telephone number	
Address for mailing refund check		Signature of agency official		Date received	
We cannot authorize payment if this address is erased or otherwise changed. →		For agency use only I certify that this agency received this Standard Form 2802 on the date shown at the right. →		Title	
Number and street		Agency payroll office		City, state, and ZIP code	

If you answered "Yes" in item 15, list all living former spouses to whom you were married for at least 9 months and from whom you were divorced on or after May 7, 1985.

Name of Former Spouse	Date of Marriage (MM/DD/YYYY)	Date of Divorce (MM/DD/YYYY)
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Notification to Current and Former Spouses of your Refund Application

The Civil Service Retirement law provides that your retirement contributions may be refunded to you **only** if you notify the following persons that you are applying for a refund:

- any current spouse (including any person from whom you are legally separated) and
- any former spouse from whom you were divorced on or after May 7, 1985.

You **are not required** to notify a former spouse if you were not married to that person for a total of at least nine months or if you do not have a total of at least 18 months of civilian service subject to retirement deductions including previously refunded service.

You must provide a separate copy of Standard Form 2802B, *Current/Former Spouse's Notification of Application for Refund of Retirement Deductions*, to (1) your current spouse, if any, and (2) if you have at least 18 months of civilian service subject to retirement deductions, each former spouse listed above. The current or former spouse must sign an SF 2802B and have the signature witnessed by two persons. You cannot be one of the witnesses. You can get extra copies of SF 2802B from your employing office. Attach all signed and witnessed notification forms to your refund application.

Payment of your refund is subject to the terms of any court order (related to a divorce or legal separation) that expressly relates to any portion of your refund, if the payment of the refund would end the entitlement to a survivor annuity or a portion of your annuity. A court order cannot bar payment of a refund if you do not have a future Civil Service annuity entitlement.

If your current or former spouse refuses to acknowledge the notification or you are otherwise unable to obtain acknowledgement, OPM is required to validate the acknowledgment process. This can be done in any of the following ways. (1) If you provide the name and address, OPM will attempt to send notification (by certified mail with return receipt requested). (2) You may submit affidavits documenting your attempt to deliver the notice. (3) If you do not

know the whereabouts of your current or former spouse, you may request a waiver of the notice requirement.

OPM will attempt to make notification if you can provide the current mailing address of the current or former spouse. You may use the box below. OPM will not pay you the refund until we receive the signed return receipt. If the notice is undeliverable at the address you give, OPM will not pay your refund unless you subsequently show that the notification requirement should be waived as described below. If you decide you want OPM to make the notification, it will cause a 6 to 8 week delay in the payment of your refund.

I have been unable to notify the following current or former spouse. (Enter the name and current mailing address, including ZIP Code, of the current or former spouse below.)

Verification of your attempt to deliver the notice may be documented by affidavits signed by two individuals who witnessed your attempt to personally notify the current or former spouse. The witnesses must attest that they saw you give or try to give (personally) the notification to your current or former spouse to whom your purpose should have been clear.

Waiver of the notice required may be granted if you do not know the whereabouts of your current or former spouse and you submit with your refund application:

1. A determination by a court or administrative agency empowered to make such determinations that the person is missing: or
2. Notarized statements from yourself and two other persons (one of whom is not related to you) stating that the person's whereabouts are unknown and detailing efforts to locate the person.

Privacy Act Statement

Title 5, U.S. Code, Chapter 83, Civil Service Retirement, authorizes solicitation of this information. The data you furnish will be used to determine your eligibility to receive a refund of retirement deductions. 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 in order to determine and issue benefits under their programs or to report income for tax purposes. 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. Public Law 104-134 (April 26, 1996) requires that any person doing business with the Federal government furnish a social security number or tax identification number. This is an amendment to title 31, Section 7701. If you do not furnish your Social Security Number, OPM may be unable to determine your eligibility to receive a

Public Burden Statement

We think this form takes an average 45 minutes to complete, including time for reviewing instructions, getting the needed data, and reviewing the completed form. Send comments regarding our estimate or any other aspect of this form, including suggestions for reducing completion time, to the U.S. Office of Personnel Management, Reports and Forms Officer, Paperwork Reduction Project (3206-0128), Washington, D.C. 20415-0001. The OMB Number, 3206-0128, is currently valid. OPM may not collect this information and you are not required to respond, unless this number is displayed.

Notice to Applicant

1. If you have more than five years of service, you may be entitled to annuity rights which you will forfeit by receiving this refund unless you are later reemployed subject to the Civil Service Retirement System or the Federal Employees' Retirement System. (Note: Payment of the refund will end any eligibility your former spouse(s) may have to coverage under the Federal Employees Health Benefits Program.) You should also be aware that even if you are later reemployed, the period of time covered by the refund cannot be used in computing your future annuity benefits unless (1) you redeposit the refund, plus interest, to the retirement fund, or (2) the period(s) covered by the refund ended before October 1, 1990. (Note: If you receive a refund for a period of service ending before October 1, 1990, and you later become eligible for nondisability retirement, you will receive credit for the service covered by the refund in your annuity computation — even if you choose not to pay the redeposit by the time your annuity begins. However, if the redeposit is not paid, your annuity will be actuarially reduced to reflect nonpayment of the redeposit.) Refunded service will be used for annuity title and average salary purposes regardless of when the service was performed or whether you redeposit the refund.

The amount of the redeposit will be the sum of the refund you received plus interest from the date the refund was paid to the date you pay the redeposit (or commencing date of annuity, if earlier.) The interest you will be charged on this refund will be equivalent to the rate of interest earned by new retirement fund investments as determined each year by the Secretary of the Treasury. Since 1985, this rate has ranged from a low of 6.25% to a high of 13%.

2. If you were separated on or after October 1, 1956, refund of retirement deductions is prohibited unless your separation occurred and your application is received by your employing office or the U.S. Office of Personnel Management at least 31 days before the earliest commencing date of any annuity for which you are eligible.
3. Refund of retirement deductions is also prohibited if you are currently employed in a position subject to Civil Service Retirement deductions or to Federal Employee's Retirement deductions or will be so employed within 31 days from the date of the separation on which your claim for refund is based.
4. If you are now or have ever been covered by the Federal Employee's Retirement System, you cannot use this application to request a refund, even if you are requesting a refund of Civil Service Retirement deductions. You must use Standard Form 3106.

5. If you are (or will be) contesting your separation in an administrative or judicial procedure which may result in the retroactive cancellation of your separation, the authority for OPM to pay you this refund will also be cancelled. A refund payment based on a separation that is subsequently cancelled is an erroneous payment that will be collected as a debt to the United States.
6. Your refund *is not payable* until at least 31 days have passed since your separation.
7. Interest will be paid on your refund if the refund covers more than one year of service subject to retirement deductions and you have total civilian service of fewer than five years.
8. This application should not be offered to a financial institution or other person as collateral or security for a loan. The retirement law [5 U.S.C. 8346(a)] provides that an employee's retirement contributions are not assignable. A former employee must apply for a refund personally and payment must be made directly to him or her. However, outstanding debts to the U.S. Government can, at the Government's request, be withheld from a refund, provided all legal requirements are met.

Federal Tax Withholding

Although the refund of your contributions to the Civil Service Retirement fund is not subject to Federal income tax, any interest paid on your contributions is taxable in the year that it is paid, unless you transfer the interest portion of your refund to another eligible retirement plan. If you elect not to have Federal tax withheld, you may be responsible for payment of estimated tax. In addition, you may incur penalties under the estimated tax rules if your withholdings and estimated tax payments are not sufficient.

Where to File Your Application

1. If you have been separated 30 days or less, this application should be forwarded to the office in which you were last employed.
2. If you have been separated more than 30 days, forward this application to:
- U.S. Office of Personnel Management
Civil Service Retirement System
Retirement Operations Center
Boyers, PA 16017-0001

Our Internet Address

We provide forms and other information at:
<http://www.opm.gov>

Retain this page for your records.

Current/Former Spouse's Notification of Application for Refund of Retirement Deductions Under the Civil Service Retirement System

You must notify your spouse you are applying for a refund. Also, you must notify any former spouse if the following conditions apply:

1. You have 18 months of service subject to retirement deductions (including previously refunded service);
2. You were married to the former spouse for at least 9 months; and
3. You were divorced from the former spouse on or after May 7, 1985.

OPM cannot pay your refund without this information.

Part 1 - To be Completed by Applicant

Instructions: To notify each current or former spouse of your application for refund of your retirement deductions, complete Part 1 with your name, date of birth, and Social Security Number, and have your current spouse complete Part 2, or have any former spouse complete Part 3. The current or former spouse's signature must be witnessed in Part 4. You may not be a witness. This form must be returned to you for attachment to your refund application. (*Use a separate form for your current spouse and each former spouse.*)

Name (*Last, first, middle*)

Date of birth (*mm/dd/yyyy*)

Social Security Number

Part 2 - To be Completed by Current Spouse

Instructions: Complete Part 2 and have two witnesses complete Part 4; then return the form to the applicant. Payment of the refund of retirement deductions will end any entitlement you may have to a survivor annuity or portion of any annuity to which the applicant would otherwise have been entitled (unless the applicant's entitlement is restored through later Federal employment). If a court order expressly relates to the applicant's retirement deductions and you believe that payment of the refund would end a court-ordered entitlement that you have to a portion of an annuity to which the above-named person is entitled, see the information on the back regarding such court orders. (Complete Part 2 and have the witnesses complete Part 4 even if you are submitting a court order.)

Warning: Any intentionally false or misleading statement, certification, or response you provide in this notification is a violation of law punishable by a fine of not more than \$10,000 or imprisonment of not more than five years, or both. (18 U.S.C. 1001)

I, _____, spouse of the applicant named in Part 1, have read the paragraph above and the notice on the back of this form that provides information about sending court orders to the U.S. Office of Personnel Management. I understand that my spouse is applying for a refund of Civil Service Retirement deductions.

Signature (*Do not print*)

Date signed

Part 3 - To be Completed by Former Spouse

Instructions: Complete Part 3 and have two witnesses complete Part 4; then return the form to the applicant. Payment of the refund of retirement deductions will end any entitlement you may have to a survivor annuity or portion of any annuity to which the applicant would otherwise have been entitled (unless the applicant's entitlement is restored through later Federal employment). If a court order expressly relates to the applicant's retirement deductions and you believe that payment of the refund would end a court-ordered entitlement that you have to a survivor annuity or to a portion of an annuity to which the above-named person is entitled, see the information on the back regarding such court orders. (Complete Part 3 and have the witnesses complete Part 4 even if you are submitting a court order.)

Warning: Any intentionally false or misleading statement, certification, or response you provide in this notification is a violation of law punishable by a fine of not more than \$10,000 or imprisonment of not more than five years, or both. (18 U.S.C. 1001)

I, _____, former spouse of the applicant named in Part 1, have read the paragraph above and the notice on the back of this form that provides information about sending court orders to the U.S. Office of Personnel Management. I understand that my former spouse is applying for a refund of Civil Service Retirement deductions.

Signature (*Do not print*)

Date signed

Part 4 - To be Completed by Witnesses

Instructions: Print or write your name in the body of the certification.

Note: Witnesses should be individuals who know the applicant's spouse or former spouse or have viewed sufficient documentation to establish the identity of the individual as the applicant's spouse or former spouse.

Warning: Any intentionally false or misleading statement, certification, or response you provide in this notification is a violation of law punishable by a fine of not more than \$10,000 or imprisonment of not more than 5 years, or both. (18 U.S.C. 1001)

I, _____, certify that I know or viewed documents identifying the person whose signature appears in Part 2 or 3, as the current or former spouse of the person identified in Part 1. I certify that the applicant's spouse or former spouse signed the appropriate part in my presence.

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Signature (*Do not print*)

Date signed

Signature (*Do not print*)

Date signed

Address (*Number and street*)

Address (*Number and street*)

City, state and ZIP code

City, state and ZIP code

Information about Sending Court Orders to the U.S. Office of Personnel Management (OPM)

If you are legally separated or divorced from the person named in Part 1, you should know that a refund would end your potential entitlement to a survivor annuity and to any portion of any annuity to which the applicant would be entitled. If you have a court order that expressly relates to any portion of the applicant's retirement deductions (contributions), **you should send a copy of the court order to OPM with a cover letter giving:**

1. The name, date of birth, and Social Security Number of the person applying for the refund;
2. Your statement that the court order has not been amended, superseded, or set aside;
3. Your name, date of birth, and mailing address;
4. If any payments to you are subject to termination upon your remarriage, a statement that either (1) you have remarried and the date of the remarriage, or (2) that you have not remarried and that you will notify OPM within 15 days of a remarriage should you remarry in the future.

If the court order gives you a survivor annuity after the death of the applicant, also attach a copy of your birth certificate, if available.

The court order can be honored **only if it is received before payment of the refund is authorized** to the applicant. Payment of the refund will end any entitlement you may have to a survivor annuity or portion of any annuity to which the applicant would otherwise have been entitled. Payment of the refund will also end any eligibility you may have to coverage under the Federal Employees Health Benefits Program.

Send a copy of the court order and your cover letter to the following address and complete the blocks below:

U.S. Office of Personnel Management
Civil Service Retirement System
Retirement Operations Center
ATTN: Refunds
Boyers, PA 16017-0001

Note: A former spouse who remarries before age 55 is not entitled to a survivor annuity. (Termination of the remarriage does not restore a former spouse's entitlement to a survivor annuity.) Remarriage does not affect a former spouse's court-ordered right to receive a portion of an annuity during the annuitant's lifetime, unless the court order provides otherwise.

I believe I have a court order that meets the criteria described above. I am **immediately** submitting a copy of the court order and the required cover letter to the address provided above.

Signature (*Do not print*)

Date signed

Date of court order

Privacy Act and Public Burden Statements

Public Law 98-615, which established current and former spouse notification requirements, authorizes solicitation of this information. The information will be used to satisfy the notification requirements of Public Law 98-615. 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 in order 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. Public Law 104-134 (April 26, 1996) requires that any person doing business with the Federal government furnish a social security number or tax identification number. This is an amendment to title 31, Section 7701. If you do not furnish your Social Security Number, OPM may be unable to determine your eligibility to receive a refund of retirement deductions.

We think this form takes an average 15 minutes to complete, including time for reviewing instructions, getting the needed data, and reviewing the completed form. Send comments regarding our estimate or any other aspect of this form, including suggestions for reducing completion time, to the U.S. Office of Personnel Management, Reports and Forms Officer, Paperwork Reduction Project (3206-0128), Washington, D.C. 20415-0001. The OMB Number, 3206-0128, is currently valid. OPM may not collect this information and you are not required to respond, unless this number is displayed.