

U.S. Office of Personnel Management
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Frequently Asked Questions

General

- ❑ What kinds of benefits are available to survivors of Federal civilian employees who are killed in the line of duty?
- ❑ What kinds of benefits are available to Federal civilian employees who are injured in the line of duty?
- ❑ What kinds of benefits are available to Federal civilian employees who are killed or injured, but not while in the line of duty?

CSRS and FERS Benefits

- ❑ Who administers the Federal retirement programs?
- ❑ What kinds of retirement benefits are payable to survivors of employees killed in the terrorist attacks of September 11, 2001?
- ❑ Who qualifies as a survivor?
- ❑ What types of CSRS survivor benefits are payable to a spouse?
- ❑ What types of CSRS survivor benefits are payable to a child?
- ❑ What CSRS benefits are payable if the survivor(s) chooses workers' compensation benefits over CSRS survivor benefits?
- ❑ What types of FERS survivor benefits are payable to a spouse?
- ❑ What types of FERS survivor benefits are payable to a child?
- ❑ What FERS benefits are payable if the survivor(s) chooses workers' compensation benefits over the FERS Basic Employee Death Benefit and/or survivor benefits?
- ❑ What kinds of retirement benefits are payable to employees injured in the terrorist attacks of September 11, 2001?

Federal Employees Compensation Act Benefits (Workers' Compensation)

- ❑ Who administers the Federal Employees' Compensation Act and what is it?
- ❑ What types of workers' compensation benefits are paid to survivors of civilian employees who die in service?
- ❑ What types of workers' compensation benefits are payable if a Federal civilian employee is injured in the line of duty?
- ❑ Will the amount of my workers' compensation benefits ever change?
- ❑ What if the United States was not responsible for the injury or death?
- ❑ How does an employee or survivor apply for workers' compensation benefits?

Life Insurance Benefits

- ❑ What life insurance benefits are payable to the survivors of Federal civilian employees killed in the terrorist attacks of September 11, 2001?
- ❑ What if a Federal retiree was killed in the terrorist attacks?
- ❑ What are dismemberment benefits and when would they be paid?
- ❑ What if a Federal civilian employee or annuitant lost a spouse or child in the terrorist attacks?
- ❑ Who will get life insurance benefits when a Federal civilian employee or retiree with life insurance coverage dies?
- ❑ Will a beneficiary have to pay income tax on the FEGLI benefits?
- ❑ Can an employee or beneficiary receive life insurance and other benefit payments?
- ❑ If a Federal civilian employee was injured in the attacks and receives workers' compensation payments, can the employee keep his/her life insurance coverage?

Health Insurance Benefits

- ❑ What health insurance coverage is available for survivors of Federal civilian employees killed in the terrorist attacks of September 11, 2001?
- ❑ Who is an eligible family member under FEHB?
- ❑ Can Federal civilian employees entitled to workers' compensation benefits continue their coverage under the FEHB Program?
- ❑ Is there a waiver of the 5-year requirement?
- ❑ Are there any special procedures in place for the payment of FEHB claims?

Thrift Savings Plan Benefits

- ❑ Who administers the Thrift Savings Plan?
- ❑ What happens to the TSP account when a Federal civilian employee dies?
- ❑ How do beneficiaries apply for TSP benefits?

Social Security Benefits

- ❑ Who administers Social Security benefits?
- ❑ What kinds of Social Security benefits are available to survivors of Federal employees?

Other Lump Sum Death Benefits

- ❑ What happens to the unpaid salary and leave owed a deceased Federal employee?
- ❑ What is the Death Gratuity payment?
- ❑ When is the Public Safety Officers' Benefit payable?

Expedited Application Procedures for CSRS, FERS, and FEGLI Benefits

- ❑ What documentation needs to be submitted with a CSRS application for death benefits?
- ❑ What documentation needs to be submitted with a FERS application for death benefits?
- ❑ Where should agencies send the CSRS and FERS applications for death benefits?
- ❑ Are there any special procedures in place for FEGLI claims?
- ❑ Where should claims for life insurance benefits be sent?

Attachments

Election of OWCP Benefits in Lieu of Survivor Annuity
Sample Agency Statements

General

What kinds of benefits are available to survivors of Federal civilian employees who are killed in the line of duty?

Survivors of Federal civilian employees who are killed in the line of duty may be entitled to

- ◆ Worker's compensation benefits administered by the Department of Labor's Office of Workers' Compensation Programs (OWCP),
- ◆ Payments under the Civil Service Retirement System (CSRS) or the Federal Employees Retirement System (FERS),
- ◆ Federal Employees' Group Life Insurance (FEGLI) proceeds,
- ◆ Thrift Savings Plan (TSP) account proceeds,
- ◆ Social Security survivors benefits administered by the Social Security Administration,
- ◆ Lump sum final salary payments,
- ◆ A death gratuity payment,
- ◆ Public Safety Officer's benefits.

What kinds of benefits are available to Federal civilian employees who are injured in the line of duty?

Federal civilian employees who are injured in the line of duty may be entitled to

- ◆ Worker's compensation benefits administered by the Department of Labor's Office of Workers' Compensation Programs (OWCP),
- ◆ Disability payments under the Civil Service Retirement System (CSRS) or the Federal Employees Retirement System (FERS),
- ◆ Federal Employees' Group Life Insurance (FEGLI) proceeds,
- ◆ Social Security disability benefits administered by the Social Security Administration.

What kinds of benefits are available to Federal civilian employees who are killed or injured, but not while in the line of duty?

Below is a list of the benefits that may be payable when a Federal civilian employee is killed or injured, but not while in the line of duty:

- ◆ Survivor or disability payments under the Civil Service Retirement System (CSRS) or the Federal Employees Retirement System (FERS),
- ◆ Federal Employees' Group Life Insurance (FEGLI) proceeds,
- ◆ Social Security survivor or disability benefits administered by the Social Security Administration,
- ◆ Thrift Savings Plan (TSP) account proceeds,
- ◆ Lump sum final salary payments.

CSRS and FERS Benefits

Who administers the Federal retirement programs?

The U.S. Office of Personnel Management (OPM) administers both the Civil Service Retirement System (CSRS) and the Federal Employees Retirement System (FERS).

OPM also administers the Federal Employees Health Benefits Program and the Federal Employees Group Life Insurance Program.

What kinds of retirement benefits are payable to survivors of employees killed in the terrorist attacks of September 11, 2001?

A survivor of a Federal civilian employee working in the World Trade Center or Pentagon may qualify for a recurring CSRS or FERS monthly survivor annuity. However, in most cases, workers' compensation benefits and Federal retirement benefits cannot be paid for the same period of time. This means that the survivor must choose between the two benefits. In most cases, the primary benefits are paid by the Department of Labor.

A survivor of a Federal civilian employee killed on one of the hijacked airplanes may qualify for worker's compensation benefits if the employee was traveling in a duty status. If the employee was not in a duty status at the time of death, workers' compensation would generally not be paid and the survivor may qualify for only a recurring CSRS or FERS monthly survivor annuity.

If the survivor chooses benefits from the Department of Labor, a lump sum payment of the employee's retirement contributions under CSRS or FERS may be paid.

Who qualifies as a survivor?

- A spouse
- A former spouse if a qualifying court order is on file at OPM

- An unmarried child under age 18,
- An unmarried child between the ages of 18 and 22, if attending an accredited educational institution full-time.
- An unmarried disabled dependent child, regardless of age, if the disability occurred before age 18.

What types of CSRS survivor benefits are payable to a spouse?

A widow or widower and former spouse may qualify for a survivor annuity if the Federal employee died while covered by CSRS and had at least 18 months of civilian service.

What types of CSRS survivor benefits are payable to a child?

When the child has a living parent who was married to the employee, the benefit payable to that child is the lesser of:

- ◆ \$369 per month per child; or
- ◆ \$1107 per month divided by the number of eligible children.

When the child has no living parent or the child's parents were never married, the benefit payable to that child is the lesser of:

- ◆ \$442 per month per child; or
- ◆ \$1326 per month divided by the number of eligible children.

These rates are increased by annual cost-of-living adjustments.

What CSRS benefits are payable if the survivor(s) chooses workers' compensation benefits over CSRS survivor benefits?

If the survivor(s) chooses workers' compensation benefits over a CSRS survivor benefit, the employee's retirement contributions in the Civil Service Retirement and Disability Fund are payable.

The employee's retirement contributions are paid to the first person eligible under the following order of precedence:

- beneficiary designated by the deceased in writing which is signed and witnessed and is received in OPM prior to death; OR, if none, then to
- spouse of the deceased; OR, if none, then to
- children of the deceased (or descendants of deceased children); OR, if none, then to
- parents of the deceased; OR, if none, then to
- executor or administrator of the deceased person's estate; OR, if none, then to
- next of kin of the deceased according to the laws in the deceased person's state of domicile.

What types of FERS survivor benefits are payable to a spouse?

Basic Employee Death Benefit

A spouse or former spouse may qualify for this benefit if the employee died while covered by FERS and had at least 18 months of civilian service.

The Basic Employee Death Benefit is currently equal to 50% of the employee's final salary, plus \$23,386.98. This payment can be made in a single lump sum or paid out in monthly installments over 3 years.

Survivor Annuity

A spouse or former spouse may qualify for a survivor annuity if the Federal employee died while covered by FERS and had at least 10 years of creditable service. At least 18 months of this service must be civilian service.

What types of FERS survivor benefits are payable to a child?

The combined benefit payable to all eligible children is reduced by the total amount of benefits Social Security pays to all eligible children. In many cases, the FERS children's benefit is reduced to \$0.

When the child has a living parent who was married to the employee, the FERS benefit payable to that child is the lesser of:

- ◆ \$369 per month per child; or
- ◆ \$1107 per month divided by the number of eligible children.

When the child has no living parent or the child's parents were never married, the FERS benefit payable to that child is the lesser of:

- ◆ \$442 per month per child; or
- ◆ \$1326 per month divided by the number of eligible children.

These rates are increased by annual cost-of-living adjustments.

What FERS benefits are payable if the survivor(s) chooses workers' compensation benefits over the FERS Basic Employee Death Benefit and/or survivor benefits?

If the survivor(s) chooses workers' compensation benefits over the FERS Basic Employee Death Benefit and/or survivor benefits, the employee's retirement contributions in the Civil Service Retirement and Disability Fund, plus interest, are payable.

The employee's retirement contributions are paid to the first person eligible under the following order of precedence:

- beneficiary designated by the deceased in writing which is signed and witnessed and is received at his/her employing agency prior to death; OR, if none, then to

- spouse of the deceased; OR, if none, then to
- children of the deceased (or descendants of deceased children); OR, if none, then to
- parents of the deceased; OR, if none, then to
- executor or administrator of the deceased person's estate; OR, if none, then to
- next of kin of the deceased according to the laws in the deceased person's state of domicile.

What kinds of retirement benefits are payable to employees injured in the terrorist attacks of September 11, 2001?

A Federal civilian employee working in the World Trade Center or Pentagon may qualify for a recurring CSRS or FERS monthly disability annuity. However, in most cases, workers' compensation benefits and Federal retirement benefits cannot be paid for the same period of time. This means that the employee must choose between the two benefits. In most cases, the primary benefits are paid by the Department of Labor.

If the employee chooses benefits from the Department of Labor, they can still apply for disability retirement benefits to preserve their right (or their survivor's rights) to future benefits. They can also apply for a refund of their contributions to the Civil Service Retirement and Disability Fund. If they apply for a refund of retirement contributions, they forfeit all rights to future retirement or survivor benefits.

Federal Employees' Compensation Act (Workers' Compensation Benefits)

Who administers the Federal Employees' Compensation Act and what is it?

The Federal Employees' Compensation Act is administered by the Office of Workers' Compensation Programs (OWCP) of the U.S. Department of Labor. It provides compensation benefits to civilian employees of the United States for disability due to personal injury sustained while in the performance of duty or to employment-related disease. It also provides for the payment of benefits to dependents if the injury or disease causes the employee's death.

You can find more information about workers' compensation benefits for Federal civilian employees at:

<http://www.dol.gov/dol/esa/public/regs/compliance/owcp/fecacont.htm>

What types of workers' compensation benefits are paid to survivors of civilian employees who die in service?

If no child is eligible for benefits, the widow or widower's compensation is 50 percent of the employee's pay at the time of death, if death was due to the employment-related injury or disease. If a child or children are eligible for benefits, the widow or widower is entitled to 45 percent of the pay and each child is entitled to 15 percent. The total compensation may not exceed 75 percent of the employee's pay or the pay of the highest step for GS-15 of the General Schedule, except when such excess is created by authorized cost-of-living increases.

If children are the sole survivors, 40 percent is paid for the first child and 15 percent for each additional child, to be shared equally. Other persons such as dependent parents, brothers, sisters, grandparents, and grandchildren may also be entitled to benefits. The total compensation may not exceed 75 percent of the employee's pay or the pay of the highest step for GS-15 of the General Schedule, except when such excess is created by authorized cost-of-living increases.

Compensation benefits will be reduced if the employee was covered under the Federal Employees Retirement System and the survivors are eligible for Social Security benefits based on the Federal employment.

Compensation to an employee's surviving spouse terminates upon his or her death or remarriage. A widow or widower's benefit continues, however, if the remarriage takes place after the age of 55. Awards to children, brothers, sisters and grandchildren terminate at the age of 18, unless the dependent is incapable of self-support, or continues to be a full-time student at an accredited institution, until he or she reaches the age of 23, or has completed four years of education beyond the high school level.

Burial expenses not to exceed \$800 are payable. Transportation of the body to the employee's former residence in the United States is provided where death occurs away from the employee's home station. In addition to any burial expenses or transportation costs, a \$200 allowance is paid for the administrative costs of terminating an employee's status with the Federal Government.

What types of workers' compensation benefits are payable if a Federal civilian employee is injured in the line of duty?

Medical Benefits

An employee is entitled to medical, surgical and hospital services and supplies needed for treatment of an injury as well as transportation for obtaining care. The injured employee has initial choice of physician and may select any qualified local physician or hospital to provide necessary treatment or may use agency medical facilities if available. Except for referral by the attending physician, any change in treating physician after the initial choice must be authorized by OWCP. Otherwise, OWCP will not be liable for the expenses of treatment.

The term "physician" includes surgeons, osteopathic practitioners, podiatrists, dentists, clinical psychologists, optometrists and chiropractors within the scope of their practice as defined by State law. Payment for chiropractic services is limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by x-ray to exist. If the physician selected has been excluded from participating in the Compensation Program, the OWCP District

Office will advise the employee of the exclusion and the need to select another physician.

Compensation for Temporary Total Disability

An employee who sustains a disabling, job-related traumatic injury may request continuation of regular pay for the period of disability not to exceed 45 calendar days or sick or annual leave. If disability continues beyond 45 days or the employee is not entitled to continuation of pay, the employee may use sick or annual leave or enter a leave without pay status and claim compensation from OWCP.

When disability results from an occupational disease, the employing agency is not authorized to continue the employee's pay. The employee may use sick or annual leave or enter a leave without pay status and claim compensation.

Compensation for loss of wages may not be paid until after a three-day waiting period, except when permanent effects result from the injury or where the disability causing wage loss exceeds 14 calendar days. Compensation is generally paid at the rate of 2/3 of the salary if the employee has no dependents and 3/4 of the salary if one or more dependents are claimed.

The term "dependent" includes a husband, wife, unmarried child under 18 years of age, and a wholly dependent parent. An unmarried child may qualify as a dependent after reaching the age of 18 if incapable of self-support by reason of mental or physical disability, or as long as the child continues to be a full-time student at an accredited institution, until he or she reaches the age of 23 or has completed four years of education beyond the high school level.

Compensation for Permanent Effects of Injury

The Federal Employees' Compensation Act provides a schedule of benefits for permanent impairment of certain members, functions and organs of the body such as the eye, arm, or kidney and for serious disfigurement of the head, face or neck. For example, an award of 160 weeks of compensation is payable for total loss of vision in one eye.

In addition, compensation for loss of earning capacity may be paid if the employee is unable to resume regular work because of injury-related disability. This compensation is paid on the basis of the difference between the employee's capacity to earn wages after an injury and the wages of the job he or she held when injured.

OWCP may arrange for vocational rehabilitation and provide a maintenance allowance not to exceed \$200 per month. A disabled employee participating in an OWCP-approved training or vocational rehabilitation program is paid at the compensation rate for total disability.

If the employee's condition requires a constant attendant, an additional amount not to exceed \$1500 per month may be allowed.

Will the amount of my workers' compensation benefits ever change?

Compensation payments on account of a disability or death are increased by cost-of-living adjustments (COLAs). COLAs are applied to payments based on a disability or death that occurred more than one year before March 1 of each year. The COLA is effective on March 1 of each year and the increase is equal to the percentage change in the Consumer Price Index published for December of the preceding year.

What if the United States was not responsible for the injury or death?

Where an employee's injury or death in the performance of duty occurs under circumstances placing a legal liability on a party other than the United States, a portion of the cost of compensation and other benefits paid by OWCP must be refunded from any settlement obtained. OWCP will assist in obtaining the settlement and the Act guarantees that the employee may retain a certain proportion of the settlement (after any attorney fees and costs are deducted) even when the cost of compensation and other benefits exceeds the amount of the settlement.

How does an employee or survivor apply for workers' compensation benefits?

Claim forms for workers' compensation benefits are available at
<http://www.dol.gov/dol/esa/public/regs/compliance/owcp/forms.htm>

Life Insurance Benefits

What life insurance benefits are payable to the survivors of Federal civilian employees killed in the terrorist attacks of September 11, 2001?

Beneficiaries of employees covered under the Federal Employees' Group Life Insurance (FEGLI) Program are entitled to Basic insurance death benefits. The Basic insurance amount (BI A) is equal to an employee's annual salary, rounded up to the next thousand dollar amount, plus \$2,000. (A higher amount is payable if an employee was under age 45 at the time of death.)

If an employee elected Option A (standard optional insurance) and/or Option B (additional optional insurance), beneficiaries will receive those death benefits also. Option A coverage is \$10,000. Option B comes in 1-5 multiples of an employee's salary.

In addition, Basic insurance and Option A have accidental death and dismemberment (AD&D) benefits (there is no AD&D coverage with Option B). Accidental death benefits for Basic insurance are equal to the BI A; accidental death benefits for Option A are \$10,000. These benefits are payable in addition to regular death benefits.

What if a Federal retiree was killed in the terrorist attacks?

Federal annuitants (retirees) with FEGLI have the same coverage as employees, except they do not have AD&D coverage.

What are dismemberment benefits and when would they be paid?

Federal civilian employees with FEGLI coverage are entitled to dismemberment benefits if, within 90 days of an accidental injury, they lose a foot, a hand, or vision in one eye. Benefits under Basic insurance are equal to one-half the BI A; under Option A the benefit is \$5,000. If an employee loses more than one foot or

hand or the vision in both eyes, the full BI A is payable, and the full \$10,000 under Option A is payable.

What if a Federal civilian employee or annuitant lost a spouse or child in the terrorist attacks?

If the employee or annuitant had Option C (family optional insurance), benefits are payable for the death of a spouse. Benefits are also payable for the death of a child, if the child was unmarried and under the age of 22.

Option C comes in 1-5 multiples. Each multiple is worth \$5,000 for the death of a spouse and \$2,500 for the death of an eligible child. There is no AD&D coverage.

Who will get life insurance benefits when a Federal civilian employee or retiree with life insurance coverage dies?

OFEGLI will pay life insurance benefits in a particular order, set by law:

- If the Federal civilian employee had assigned ownership of the life insurance, OFEGLI will pay benefits in the following order of precedence:
 - First, to the beneficiary(ies) designated by the assignee(s), if any;
 - Second, if there is no such beneficiary, to the assignee(s).
- If the Federal civilian employee did **not** assign ownership and there **is** a valid court order on file, OFEGLI will pay benefits in accordance with that court order.
- If the Federal civilian employee did **not** assign ownership and there is **no valid court order** on file, OFEGLI will pay benefits in the following order of precedence:
 - First, to the designated beneficiary(ies);
 - Second, if there is no such beneficiary, to the widow or widower;
 - Third, if none of the above, to a child or children, with the share of any deceased child distributed among descendants of that child (a court will usually have to appoint a guardian to receive payment for a minor child);
 - Fourth, if none of the above, to parents of the deceased in equal shares or the entire amount to the surviving parent;

- Fifth, if none of the above, to the executor or administrator of the deceased's estate;
- Sixth, if none of the above, to the deceased's other next of kin as determined under the laws of the State where the deceased lived.

Will a beneficiary have to pay income tax on the FEGLI benefits?

Life insurance proceeds are not considered taxable income for the recipients for personal income tax purposes. Interest paid on FEGLI proceeds is reportable as income for Federal Income tax purposes. A beneficiary may wish to consult a tax advisor for further advice.

Can an employee or beneficiary receive life insurance and other benefit payments?

Life insurance is paid in addition to any workers' compensation, Social Security, Civil Service Retirement System or Federal Employees Retirement System survivor benefit, or Thrift Savings Plan payment.

If a Federal civilian employee was injured in the attacks and receives workers' compensation payments, can the employee keep his/her life insurance coverage?

When an employee goes into a nonpay status while receiving workers' compensation, his/her life insurance may continue for up to 12 months. The premiums are withheld from the compensation payments.

At the end of 12 months (or upon separation, if the employee separates from service before the 12 months are up), the employee can continue coverage as a compensationner if he/she had the coverage for the 5 years of service immediately before compensation started (or for the whole time the coverage was available, if that's less than 5 years). If the employee doesn't meet this 5-year requirement, the coverage terminates, and the employee has the right to convert to a private policy.

Health Insurance Benefits

What health insurance coverage is available for survivors of Federal civilian employees killed in the terrorist attacks of September 11, 2001?

If a Federal civilian employee dies while enrolled for self and family coverage under the Federal Employees Health Benefits (FEHB) Program, all eligible family members will continue to be covered under FEHB as long as at least one family member is entitled to an annuity as a survivor. Eligible survivors are entitled to the same benefits and Government contribution as active and retired employees enrolled in the same plan. The survivor annuitant's share of the premium normally is deducted from the annuity payments. The survivor needs to take no action. The change in enrollment will be processed by the employee's former agency and the Office of Personnel Management (OPM).

FERS survivors may be entitled to continue their FEHB coverage even if they will not receive a monthly survivor annuity benefit. Widow(er)s who are entitled to receive the FERS Basic Employee Death Benefit and child survivors whose FERS survivor annuity benefits are reduced by the amount of Social Security benefit payable, may continue their health benefits enrollment by payment premiums directly to the OPM.

Who is an eligible family member under FEHB?

Eligible family members include a spouse who was married to the Federal civilian employee at the time of death and unmarried dependent children under age 22. This includes:

- a legitimate child
- an adopted child
- a stepchild, foster child, or recognized natural who lived with the deceased in a regular parent-child relationship

- a recognized natural child for whom a judicial determination of support has been obtained, or to whose support the employee made regular and substantial contributions.
- an unmarried disabled child, regardless of age, if the disability occurred before age 22.

Can Federal civilian employees entitled to workers' compensation benefits continue their coverage under the FEHB Program?

Coverage under FEHB continues while an employee is receiving OWCP benefits if:

- OWCP determines the employee is unable to return to duty; and
- the employee was continuously enrolled in any FEHB plan(s) for the 5 years of service immediately before the date compensation started or for the full period(s) of service since the first opportunity to enroll, if less than 5 years. "Service" means time in a position in which the employee was eligible to be enrolled.

Is there a waiver of the 5-year requirement?

Yes. OPM has the authority to waive the 5 years of service requirement when it determines that it would be against equity and good conscience not to allow a person to continue the enrollment.

Requests for waivers of the 5-year requirement should come to: Office of Personnel Management, Retirement and Insurance Service, Office of Retirement Programs, Retirement Benefits Branch - Waiver Request, P.O. Box 14172, Washington, D.C. 20044-4172.

Are there any special procedures in place for the payment of FEHB claims?

OPM has asked all FEHB carriers to be as flexible as possible under the circumstances and to relax the requirement under the pre-certification provision that the plan must be notified within two business days of an emergency admission.

Likewise, fee-for-service and prepaid plans have been asked to relax their requirement about notification and levels of benefit payment when victims are taken to non-plan and/or non-PPO hospitals or other disaster treatment centers.

Thrift Savings Plan

Who administers the Thrift Savings Plan?

The Thrift Savings Plan is administered by the Federal Retirement Thrift Investment Board. You can find more information about the Thrift Savings Plan at <http://www.tsp.gov>.

What happens to the TSP account when a Federal civilian employee dies?

The TSP account is paid to beneficiaries designated by the Federal employee. If the employee did not designate beneficiaries for his or her TSP account, the account will be distributed according to the statutory order of precedence.

The statutory order of precedence is: to the widow or widower; if none, to a child or children equally, and to descendants of deceased children by representation; if none, to the parents of the deceased equally or to the surviving parent; if none, to the executor or administrator of the deceased's estate; if none, to the deceased's next of kin who is entitled to the estate under the laws of the state in which the employee resided at the time of death.

How do beneficiaries apply for TSP benefits?

Beneficiaries must submit a Form TSP-17, Information Relating to Deceased Participant, to the TSP Service Office together with a copy of the participant's death certificate. The address is:

TSP Service Office
National Finance Center
P.O. Box 61500
New Orleans, LA 70161-1500

The telephone number is (504) 255-6000. TDD (504) 255-5113. You can obtain copies of the Form TSP-17 at <http://www.tsp.gov/forms/index-forms.html>.

Once the beneficiaries of the account have been determined, the TSP Service Office will provide them with information about death benefit payments and a tax notice. Payments are made between 45 and 60 days after the notices to the beneficiaries have been issued.

Payments made directly to spouses of deceased participants are subject to 20 percent mandatory Federal income tax withholding. Spouses of deceased participants can avoid the mandatory withholding on all or part of their payments by having the TSP transfer that amount to an IRA (but not to another eligible retirement plan). Payments made directly to beneficiaries other than a spouse are subject to a 10 percent withholding (which may be avoided, as described in the tax notice). Payments to non-spouse beneficiaries cannot be transferred.

Social Security Benefits

Who administers Social Security benefits?

Social Security benefits are administered by the Social Security Administration. You can find more information about Social Security benefits by visiting <http://www.ssa.gov>.

What kinds of Social Security benefits are available to survivors of Federal employees?

Survivor Benefits

Social Security will pay survivor benefits to a surviving spouse and dependent children. For the spouse to qualify, he or she must be at least age 60, or between the ages of 50 and 59 and disabled, or any age and caring for a child under the age of 16 or a disabled child. Children may qualify for benefits if they are under age 18 (or under age 19, if in high school) or disabled. Dependent parents and former spouses may also qualify for survivor benefits. The amount of the benefit depends on the deceased employee's Social Security earnings and the number of survivors eligible for benefits.

Lump Sum Death Payment

A lump sum of \$255 is payable to a surviving spouse provided the deceased employee and the spouse were living together at the time of death, or the surviving spouse is entitled to survivor benefits. If there is no surviving spouse, the lump sum is paid to children who are eligible for benefits. Otherwise, the lump sum is not payable.

Other Lump Sum Death Benefits

What happens to the unpaid salary and leave owed a deceased Federal employee?

When a Federal employee dies in service, his or her survivors will receive a lump sum payment covering the deceased's final pay and unused annual leave. This lump sum is paid by the employing agency under the same order of precedence as the other payments described.

What is the Death Gratuity payment?

At the discretion of the head of the department or agency, the personal representative of any Federal employee who dies from an injury sustained in the line of duty may be paid a death gratuity of up to \$10,000. While the payment is discretionary, the U.S. Office of Personnel Management encourages all department and agency heads to make full use of this authority.

The gratuity, when combined with certain other payments, may not exceed \$10,000. The other payments that must be considered are:

1. the up to \$800 payable by the Department of Labor to a surviving spouse or children for funeral expenses of a Federal employee who died as a result of injuries sustained in the line of duty;
2. the \$200 payable by the Department of Labor for reimbursement of the costs of termination of the deceased employee's status as a Federal employee;
3. any amount paid under Public Law 103-332 to the representative of any employee of any department or agency with appropriations from a Department of Interior and Related Agencies Appropriations Act who is killed in the line of duty.

When is the Public Safety Officers' Benefit payable?

The Public Safety Officers' Benefits Act of 1976, as amended, authorizes the Bureau of Justice Assistance, Office of Justice Programs, to pay a benefit to specified survivors of public safety officers found to have died as the direct and proximate result of a personal injury, traumatic injury involving external force sustained in the line of duty, and to claimant public safety officers found to have been permanently and totally disabled as the direct result of a catastrophic injury sustained in the line of duty. As of 2001, the amount of the benefit for a qualified survivor, or a qualified disabled public safety officer, is \$151,635.00. This amount is increased by annual cost of living adjustments.

A public safety officer is defined to be any individual serving a public agency in an official capacity, with or without compensation, as a law enforcement officer, police, corrections, probation, parole and judicial officer, firefighter, rescue squad member or ambulance crew member. A public agency means an agency of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States, or any unit of State or local government.

The death benefit is payable in a lump sum to the spouse and eligible children of a deceased public safety officer. One-half of the benefit would be paid to the spouse, and one-half of the benefit would be paid, in equal amounts, to the eligible children. Eligible children are defined as children 18 years of age or younger, children 19 through 22 years of age who are full-time students, and children 19 years of age or over and incapable of self support because of a physical or mental disability.

The death benefit will be paid to the deceased public safety officer's parents if no surviving spouse or children are eligible for the benefit. If the public safety officer is not survived by any eligible spouse, children, or parents, no benefit will be paid.

The death benefit is payable to a qualified survivor of a Federal employee in addition to death benefits payable to the survivor from the Civil Service Retirement System, the Federal Employees Retirement System, and Department of Labor's Office of Workers' Compensation Program under subchapter I of chapter 81 of title 5, United States Code.

Public safety officers found to have been permanently and totally disabled as the direct result of a catastrophic injury sustained in the line of duty are also entitled to the payment if they are permanently unable to perform any gainful employment.

More information concerning the Public Safety Officers' Benefits Program can be obtained by contacting the Bureau of Justice Assistance at the following address:

Public Safety Officers' Benefits Program
Bureau of Justice Assistance
633 Indiana Avenue, NW
Washington, DC 20531-0001

You can also find more information at the Bureau of Justice Assistance's web site at www.ojp.usdoj.gov/BJA.

Expedited Application Procedures for CSRS, FERS, and FEGLI Benefits

What documentation needs to be submitted with a CSRS application for death benefits?

The survivor should complete Standard Form 2800, *Application for Death Benefits*. The survivor does not need to obtain a death certificate before applying for benefits.

If the survivor chooses workers' compensation benefits instead of a CSRS monthly survivor benefit, the survivor must also complete the attached *Election of OWCP Benefits in Lieu of Survivor Annuity* statement.

The agency needs to complete the *Agency Certification Form* (SF 2800A).

If a death certificate is not available, OPM will accept an agency statement that the employee died in the attack or was known to be in the World Trade Center/Pentagon on September 11 and is missing. If the employee was a passenger on any of the hijacked airplanes that crashed, the agency should state that the employee was aboard one of the planes and also indicate whether or not the employee was travelling while in a duty status at the time of death. The agency should determine who is an appropriate person to sign this certification. Sample statements are attached.

What documentation needs to be submitted with a FERS application for death benefits?

The survivor should complete Standard Form 3104, *Application for Death Benefits*. If the survivor chooses workers' compensation benefits in lieu of a FERS monthly survivor benefit or the Basic Employee Death Benefit, and is applying for the employee's retirement contributions in the Civil Service Retirement and Disability Fund, the survivor should complete Section 5 of Standard Form 3104 B, *Documentation and Elections in Support of Application for Death Benefits when*

Deceased was an Employee at the Time of Death (FERS). The survivor should also complete the *Election of OWCP Benefits in Lieu of Survivor Annuity* statement.

If the survivor is applying for the FERS monthly survivor benefit or the Basic Employee Death Benefit, the survivor should complete the *Application for Death Benefits* and Sections 2 through 5 of Standard Form 3104 B, *Documentation and Elections in Support of Application for Death Benefits when Deceased was an Employee at the Time of Death (FERS)*. A surviving spouse's application for the Basic Employee Death Benefit must also include a copy of the marriage certificate.

The Standard Forms 3104 and 3104 B are available at <http://www.opm.gov/forms/html/sf.htm>.

The survivor does not need to obtain a death certificate before applying for benefits.

The agency needs to complete sections 1 and 6 of the SF 3104B, *Documentation and Elections in Support of Application for Death Benefits when Deceased was an Employee at the Time of Death (FERS)*.

If a death certificate is not available, OPM will accept an agency statement that the employee died in the attack or was known to be in the World Trade Center/Pentagon on September 11 and is missing. If the employee was a passenger on any of the hijacked airplanes that crashed, the agency should state that the employee was aboard one of the planes and also indicate whether or not the employee was travelling while in a duty status at the time of death. The agency should determine who is an appropriate person to sign this certification. Sample statements are attached.

Where should agencies send the CSRS and FERS applications for death benefits?

A special P.O. Box has been set up to accept claims from survivors of employees killed in the terrorist attacks of September 11, 2001. CSRS and FERS applications for death benefits should be sent to:

United States Office of Personnel Management
Retirement Operations Center
Post Office Box 199
Boyers, PA 16017

The address for applications shipped by an overnight service should be sent to:

United States Office of Personnel Management
Retirement Operations Center
September 11, 2001 Claims
1137 Branchton Road
Boyers, PA 16017

Are there any special procedures in place for FEGLI claims?

OPM has put expedited procedures in place for claims associated with the terrorist attacks of September 11, 2001.

A death certificate is not needed to make a claim for FEGLI benefits. If a death certificate is not available, OFEGLI will accept an agency statement that the employee died in the attack or was known to be in the World Trade Center/Pentagon on September 11 and is missing. If the employee was a passenger on any of the hijacked airplanes that crashed, the agency should state that the employee was aboard one of the planes and also indicate whether or not the employee was travelling while in a duty status at the time of death. The agency should determine who is an appropriate person to sign this certification. Sample statements are attached.

The requirement for dual certification by personnel and payroll on the SF 2821, Agency Certification of Insurance Status, is waived. We will accept agency certifications with **one** authorized personnel or payroll signature.

The additional documentation that normally needs to be submitted to establish eligibility for accidental death benefits (newspaper accounts, police reports, etc.) does not need to be submitted.

OFEGLI will send payment to survivors by overnight express, if requested. Otherwise, for payments over \$7,500.00, OFEGLI will set up money market accounts as under normal procedures.

We are working closely with OFEGLI (the Office of Federal Employees' Group Life Insurance, which pays benefits) and with the affected agencies to bring about the efficient submission and payment of these claims.

Where should claims for life insurance benefits be sent?

Claims for life insurance benefits should be sent to:

Office of Federal Employees' Group Life Insurance
P.O. Box 2629
Jersey City, NJ 07303-2629

The address for claims shipped by an overnight service is:

Office of Federal Employees' Group Life Insurance
2 Montgomery Street
Jersey City, NJ 07302-3802

Election of OWCP Benefits in Lieu of Survivor Annuity

I elect to receive benefits from the Office of Workers' Compensation Programs and understand I will receive a refund of all retirement contributions. By making this election, I understand that I forfeit any future right to a survivor annuity from the Office of Personnel Management if I lose eligibility for workers' compensation, unless I receive payment as a settlement from a third party based on liability. In that instance, I understand that I may repay the refund of retirement contributions to OPM to reestablish any benefits I may otherwise be entitled to.

Signature

Date

Sample Agency Statements

John Smith was working in the World Trade Center/Pentagon when it was attacked on September 11, 2001. He was killed in the attack.

Or

John Smith was known to be in the World Trade Center/Pentagon on September 11, 2001, and is missing.

Or

John Smith was aboard Flight # 77 that crashed into the World Trade Center on September 11, 2001. He was traveling in a duty status when he died.