

**INSTRUCTIONS**  
**ELECTION OF ANNUITY BENEFITS**  
Foreign Service Retirement System

**THIS FORM IS TO BE COMPLETED ONLY BY PARTICIPANTS WHO SEPARATED FROM THE FOREIGN SERVICE ON OR AFTER FEBRUARY 15, 1981.**

This form will be completed in triplicate by the participant at the time of his or her retirement from the Foreign Service and after the participant has received a computation of his or her annuity benefits from the Department. This form is also applicable to persons entitled to deferred annuities under Sections 607(c) (1), 607(c) (2), 608(b), 610(b) and 810 of the Foreign Service Act of 1980.

Foreign Service Act of 1980 provisions may affect your annuity at retirement, or after retirement.

**TYPES OF ANNUITY FOR ELECTION:**

**A. Unmarried Participants Only (including Widowed or Divorced)**

1. **Full Annuity.** You elect this annuity if you are unmarried, widowed, or divorced at retirement and you do not have a former spouse who qualifies for an annuity under Section 814(a) or (b) of the Act.
2. **Full Annuity with no reduction for former spouse benefit (spouse agreement).** You elect this annuity if you are unmarried at retirement and you have a former spouse who qualifies for an annuity under Section 814(a) or (b) of the Act and you both wish to waive the payment of former spouse benefits through a spousal agreement at retirement. Please note that the spousal agreement must be notarized to be effective.
3. **Reduced Annuity with designation of beneficiary.** You elect this annuity if you are unmarried and in good health. It provides a reduced annuity to you and a survivor annuity to the person designated as your beneficiary to receive the annuity after your death. The beneficiary annuity will be 55% of the reduced annuity you receive. (Your annuity would be reduced by 10% of your full annuity and by 5% of your full annuity for each 5 years your designated beneficiary is younger than you. The total reduction cannot exceed 40%.) If you chose this type of annuity, you will be required to undergo a medical examination which will be arranged by the Department of State at no cost to you. In the event the beneficiary predeceases you, upon proper notification to the Department, you would be eligible to have your annuity restored to the full amount at retirement plus cost of living increases, as applicable, payable the first of the month after the beneficiary's death,
4. **Reduced Annuity to provide former spouse benefit and designation of former spouse to receive annuity benefit.** You elect this type of annuity if you are unmarried at the time of retirement and have a former spouse who qualifies for an annuity under Section 814(b) of the Act.

**NOTE:** A participant who is unmarried on the date of retirement and who later marries, may, within 1 year after such marriage, irrevocably elect in writing a reduced annuity with benefit to any surviving spouse who qualifies under Section 806(g) of the Act. Receipt by the Department of State Retirement Division of notice of an election to provide a survivor benefit for a spouse voids prospectively any election previously made under A(1) or A(3) above.

**B. Married Participants Only**

1. **Full Annuity without survivor benefit.** You elect this annuity if you and your spouse waive the survivor annuity which would be payable to your spouse after your death. This election is irrevocable and cannot be changed after retirement. If the marriage is terminated after retirement, and you are remarried, a survivor election for the new spouse cannot be made. A divorce would not entitle the former spouse to any survivor benefits.
2. **Reduced Annuity with survivor benefit.** You elect this annuity if you wish to receive a reduced annuity to provide a survivor annuity for your spouse upon your death, and you have not former spouse eligible for benefits under Section 814(a) or (b) of the Foreign Service Act of 1980. The annuity payable to you during your lifetime will be reduced by 2 1/2% of any amount used as a base for the survivor benefits up to \$3,600.00, plus 10% of any amount above \$3,600.00 used as the base (the base is divided by 55% of the elected amount). The survivor annuity will not begin until after your death. If the marriage is dissolved due to death of the spouse, divorce, or annulment, the annuity will be recomputed to eliminate the reduction for survivor benefits beginning the first of the month following the one in which the marriage is dissolved, and for each full month thereafter during which the annuitant is not married. If and when the annuitant again marries, the annuity will be reduced by the same percentage reduction which was in effect at the time of retirement, beginning the first of the month following 1 year of marriage, or after a child is born of the marriage, whichever occurs first. Former spouse benefits

under the provisions of Section 814(b) of the Act would be determined by the Department. If you wish to make a spousal agreement at retirement, please have the signatures witnessed by a Notary in order for it to be effective. In the event the marriage at retirement is terminated after retirement, the spousal agreement made at retirement would serve to provide the total survivor benefit elected to your former spouse under Section 814(b) of the Act, if you were married to that spouse for 10 years or more during your Foreign Service career, including periods of unhealthful service if the spouse resided with you at the unhealthful post. If there is no spousal agreement at the time of retirement and in the event of divorce after retirement, Section 813(b) of the Act provides that the maximum survivor annuity that may be provided for a former spouse is limited to the amount provided for her or him at retirement. Within that limit, the former spouse is entitled to a pro rata share of the maximum survivor benefit, unless a different amount is specified by a court order prior to the annuitant's death. In the absence of a spousal agreement or court order, the former spouse is entitled to a pro rata share (length of marriage during creditable service divided by the total creditable service) or the maximum provided. The same future cost-of-living increases applicable to the participant's annuity will adjust the potential survivor benefits. A former spouse shall not be qualified for an annuity under Section 814(b) if, before the commencement of that annuity, the former spouse remarries before becoming 60 years of age. Any change in marital status after retirement should be reported to the Retirement Division, Department of State.

**3. Reduced Annuity with survivor benefit for present spouse and reduction for former spouse benefits.**

You elect this annuity if you want to receive a reduced annuity to provide a survivor annuity for your present spouse and you have a former spouse who qualifies for a survivor annuity under Section 814(b) of the Foreign Service Act of 1980. The annuity payable to you during your lifetime will be reduced by 2 1/2% of any amount used as a base for the survivor benefits up to \$3,600.00, plus 10% of any amount above \$3,600.00 used as the base (the base is divided by 55% of the elected amount). If you wish to make a spousal agreement at retirement, please have the signatures witnessed by a Notary in order for it to be effective. In the event the marriage at retirement is terminated after retirement is terminated after retirement, the spousal agreement made at retirement would serve to provide the total survivor benefit elected at the time of retirement for your spouse, to you former spouse under Section 814(b) of the Act, if you were married to that spouse for 10 years or more during your Foreign Service career, including periods of unhealthful service if the spouse resided with you at the unhealthful post. In the event of divorce after retirement, Section 814(b) of the Act provides that the maximum survivor annuity that may be provided for a former spouse is limited to the amount provided for her or him at retirement. Within that limit, the former spouse is entitled to a pro rata share of the survivor benefit, unless a different amount is specified by a court order prior to the annuitant's death. In the absence of a spousal agreement or court order, the former spouse is entitled to a pro rata share (length of marriage during creditable service divided by the total creditable service) of the maximum provided. The same future cost-of-living increases applicable to the participant's annuity under Section 814(b) if, before the commencement of that annuity, the former spouse remarries before becoming 60 years of age. Any changes in marital status after retirement should be reported to the Retirement Division, Department of State.

**4. Reduced Annuity with survivor benefit for present spouse and reduction for pension and survivor benefits former spouse.**

You elect this annuity if you want to receive a reduced annuity to provide a survivor annuity for your present spouse and you have a former spouse who qualifies for a pension and survivor benefits under Section 814(a) and (b) of the Foreign Service Act of 1980. The annuity payable to you during your lifetime will be reduced by the pension benefit for your former spouse and by 2 1/2% of any amount up to \$3,600.00 used as a base for survivor benefits, plus 10% of any amount above \$3,600.00 used as the base (the base is divided by 55%). The survivor annuity will not begin until after your death. The pension benefits for a former spouse begin the same day as the effective date of the participant's annuity, or on the first day of the month in which the divorce, or annulment becomes final. The pension benefits terminate the day the annuitant dies, or in the event of the former spouse's death or remarriage prior to age 60. If the marriage at retirement is dissolved due to death, divorce or annulment, the participant's annuity will be recomputed to eliminate the reduction for the present spouse's survivor benefits, and eligibility for a survivor annuity as a former spouse under Section 814(b) would be determined by the Department.

If you wish to make a spousal agreement at retirement, please have the signatures witnessed by a Notary in order for it to be effective. Section 814(a) of the Foreign Service Act of 1980 provides that unless expressly provided by a spousal agreement or court order, and if he or she is married to the participant throughout the creditable service of the participant, a former spouse of a participant or former participant is entitled to a pension equal to 50% of the annuity of the participant, or if not married to the participant throughout such creditable service, equal to that former spouse's pro rata share of such annuity. The former spouse's pension under this section commences on the day of the month in which the divorce or annulment becomes final, whichever occurs first. The pension benefits of the former spouse terminate the last day of the month before the former spouse dies or remarries before age 60, or the date the annuity of the participant terminates. In the event of divorce after retirement, Section 814(b) of the Act provides that a spousal agreement made at retirement would serve to provide the total elected

survivor benefit to your former spouse if you were married 10 years or more during your creditable service, including periods of unhealthful service if the spouse resided with you at the unhealthful post. The maximum survivor annuity that may be provided for a former spouse is limited to the amount provided for her or him at retirement. Within that limit, the spouse is entitled to a pro rata share of the maximum survivor benefit, unless a different amount is specified by court order prior to the annuitant's death or if a spousal agreement was signed at the time of retirement. In the absence of a spousal agreement or court order, the former spouse is entitled to a pro rata share (length of marriage during creditable service divided by the total creditable service) of the maximum of the annuity, the former spouse remarries before becoming 60 years of age. The same future cost-of-living adjustment applicable to the participant's annuity will adjust the potential survivor benefits. Any changes in marital status after retirement should be reported to the Retirement Division, Department of State.

### **Definitions of Terms in the Foreign Service Act of 1980**

- |                       |  |
|-----------------------|--|
| (a) Court             | Any court of any state or of the District of Columbia  |
| (b) Court Order       | Any court decree of divorce or annulment, or any court ordered or approved property settlement agreement incident to any court decree of divorce or annulment.   |
| (c) Former Spouse*    | A former wife or husband of a participant or former participant who was married to such participant for not less than 10 years during periods of service by that participant which are creditable under Section 816 of the Act provided the participant was making contributions to the Fund under Section 805 of the Act during some portion of such service, and provided, except with respect to Section 19, 11-2e, the divorce occurred after February 15, 1981. For this purpose, a former spouse shall not be considered as married to a participant for periods assumed to be creditable under Section 808 of the Act in the case of a disability annuity or Section 809 of the Act in case of a death in service. A former spouse will be considered married to a participant for any extra period of creditable service provided under Section 817 of the Act for service at an unhealthy post during which the former spouse resided with the participant. See Section 19.5-3 for procedures to determine this extra period of marriage. |
| (d) Previous Spouse   | Any person formerly married to a participant, whether or not such person qualifies as a former spouse under paragraph (c) of this section.   |
| (e) Pro Rate Share    | In the case of any former spouse of any participant or former participant , a percentage which is equal to (1) the number of years and months of creditable service of that participant during which the former spouse was married to the participant divided by (2) the total number of years and months of such creditable service. When making this calculation, item (1) is adjusted in accordance with paragraph (c) of this section and item (2) is adjusted in accordance with Section 19.4. In the total period, 30 days constitutes a month and any period of less than 30 days is not counted.   |
| (f) Spousal Agreement | Any written agreement between a participant or former participant and the participant's spouse or former spouse.   |

\*Section 804(6) of the Act defines : "former spouse" with respect to duration of marriage to a participant "for not less than 10 years during periods of service by the participant which are creditable under Section 816." The Department interprets this as necessarily implying that the marriage must have covered a period of at least 1 day while the member of the Foreign Service was a participant in the System.



## ELECTION OF ANNUITY BENEFITS

### Foreign Service Retirement System

(Three signed copies to be submitted to the Retirement Division, Department of State)

PARTICIPANT'S NAME (Last, First, Middle)		EMPLOYED BY	MARITAL STATUS MARRIED ____ SINGLE ____ DIVORCED/SEPARATED ____
DATE OF BIRTH (mm-dd-yyyy)	SOCIAL SECURITY NO.	DATE OF ELECTION (mm-dd-yyyy)	DATE OF DIVORCE (mm-dd-yyyy) _____ YEARS MARRIED _____ NAME OF FORMER SPOUSE _____

#### A. TYPES OF ANNUITY: UNMARRIED PARTICIPANTS ONLY (INCLUDING WIDOWED OR DIVORCED)

☐ **1. Full Annuity**

I hereby elect to receive upon my retirement from the Foreign Service a full annuity computed in accordance with Section 806(a) of the Foreign Service Act of 1980, and under regulations prescribed by the Secretary of State. I further certify that I have no previous spouse who may be entitled to a former spouse benefit from my annuity under Section 814 (a) or (b) of the Foreign Service Act of 1980.

\_\_\_\_\_  
Participant's Signature

\_\_\_\_\_  
Date (mm-dd-yyyy)

☐ **2. Full Annuity with no reduction for former spouse benefit (spousal agreement)**

I hereby elect to receive upon my retirement from the Foreign Service a full annuity without a former spouse benefit in accordance with Section 806(c) of the Foreign Service Act of 1980. Such section provides that if a participant or former participant has a former spouse, the participant and such former spouse may jointly elect by spousal agreement under Section 820(b)(1) to waive a survivor annuity under Section 814(b) for that former spouse if the election is made (i) before the end of the 12-month period after the divorce or annulment involving that former spouse becomes final or (ii) at the time of retirement, whichever occurs first.

\_\_\_\_\_  
Former Spouse Signature

\_\_\_\_\_  
Date (mm-dd-yyyy)

\_\_\_\_\_  
Participant's Signature

\_\_\_\_\_  
Date (mm-dd-yyyy)

NOTARY SEAL

NOTARY SEAL

**3. Reduced Annuity with designation of beneficiary**

I hereby elect to receive upon my retirement from the Foreign Service a reduced annuity in accordance with Section 806(f) of the Foreign Service Act of 1980, and under regulations prescribed by the Secretary of State and hereby designate \_\_\_\_\_ as beneficiary to receive upon my death an annuity which is equal to 55% of my reduced annuity.

Beneficiary's Date of Birth \_\_\_\_\_ Relationship \_\_\_\_\_

Social Security No. \_\_\_\_\_ (If no relation, write "NONE")

\_\_\_\_\_  
Signature of Designated Beneficiary

\_\_\_\_\_  
Date (mm-dd-yyyy)

\_\_\_\_\_  
Participant's Signature

\_\_\_\_\_  
Date (mm-dd-yyyy)

**4. Reduced Annuity to provide former spouse benefit and designation of former spouse to receive annuity benefit**

I hereby elect to receive upon my retirement from the Foreign Service a reduced annuity in accordance with Section 806(d)(2) of the Foreign Service Act of 1980, which provides that the annuity of a participant or former participant who provides a survivor benefit under this Section (or Section 814(b)), excluding any portion of the annuity not designated or committed as a base for any survivor annuity, shall be reduced by 2 1/2% of the first \$3,600.00 plus 10% of any amount over \$3,600.00. The reduction under this section shall be calculated before any reduction under Section 814(a)(5).

\_\_\_\_\_  
Former Spouse Signature

\_\_\_\_\_  
Date (mm-dd-yyyy)

\_\_\_\_\_  
Participant's Signature

\_\_\_\_\_  
Date (mm-dd-yyyy)

Social Security No. \_\_\_\_\_

Current Address: \_\_\_\_\_

Date of Birth (mm-dd-yyyy) \_\_\_\_\_

NOTARY SEAL  
(Only if Spousal Agreement)

NOTARY SEAL  
(Only if Spousal Agreement)

**B. TYPES OF ANNUITY: MARRIED PARTICIPANTS ONLY**

☐ **1. Full Annuity without survivor benefit**

I hereby elect to receive upon my retirement from the Foreign Service a full annuity computed in accordance with Section 806(b) of the Foreign Service Act of 1980, and under regulations prescribed by the Secretary of State. I do not wish my spouse to receive annuity benefits after my death. I make this election with the full knowledge that my spouse cannot be paid an annuity after my death, nor would any subsequent spouse be eligible for a survivor annuity. This election is irrevocable and may not be changed after retirement.

\_\_\_\_\_  
*Spouse's Signature*

\_\_\_\_\_  
*Date (mm-dd-yyyy)*

\_\_\_\_\_  
*Participant's Signature*

\_\_\_\_\_  
*Date (mm-dd-yyyy)*

☐ **2. Reduced Annuity with survivor benefit**

I hereby elect to receive upon my retirement from the Foreign Service a reduced annuity to provide survivor benefits in accordance with Section 806(b) of the Foreign Service Act of 1980, and under regulations prescribed by the Secretary of State. I

hereby designate my spouse, \_\_\_\_\_ to whom I was married on \_\_\_\_\_

to receive upon my death an annuity in the amount of \_\_\_\_\_. I understand that my annuity will be reduced by 2 1/2% of the first \$3,600.00 of the base for the survivor annuity plus 10% of the difference between \$3,600.00 and the base for survivor annuity. I am also aware that in the event the marriage is dissolved following this election and my spouse qualifies as a former spouse, the base used in calculating any annuity of the former spouse under Section 814(b) may not exceed the portion of the participant's annuity designated under this paragraph.

\_\_\_\_\_  
*Spouse's Signature*

\_\_\_\_\_  
*Date (mm-dd-yyyy)*

\_\_\_\_\_  
*Participant's Signature*

\_\_\_\_\_  
*Date (mm-dd-yyyy)*

*Spouse's SSN* \_\_\_\_\_

*If you wish this to be a spousal agreement at retirement, please have signatures witnessed and sealed by a Notary Public.*

NOTARY SEAL

NOTARY SEAL

☐ **3. Reduced Annuity With Survivor Benefits and Reduction for Former Spouse Survivor Benefits**

I hereby elect to receive upon my retirement from the Foreign Service a reduced annuity with survivor benefits for my present spouse under Section 806(b) and a reduction for my former spouse under Section 814(b) of the Foreign Service Act of 1980, and under regulation prescribed by the Secretary of State. I hereby designate my present spouse, \_\_\_\_\_, to whom I was married on \_\_\_\_\_ to receive upon my death an annuity in the amount of \_\_\_\_\_. I also designate my former spouse, \_\_\_\_\_ to whom I was married for 10 years or more during my Foreign Service career and divorced on \_\_\_\_\_, to receive survivor benefits under Section 814(b) of the Foreign Service Act of 1980 in the amount of \_\_\_\_\_. I am aware that my annuity will be reduced by 2 1/2 of the first \$3,600.00 of the base for the survivor annuity plus 10% of the difference between \$3,600.00 and the base for survivor benefits. I am also aware that the elections made under this section may not exceed 55% of my full annuity at retirement.

\_\_\_\_\_  
*Spouse's Signature*

\_\_\_\_\_  
*Date (mm-dd-yyyy)*

\_\_\_\_\_  
*Participant's Signature*

\_\_\_\_\_  
*Date (mm-dd-yyyy)*

*Social Security No.* \_\_\_\_\_

*If you wish this to be a spousal agreement at retirement, please have signatures witnessed and sealed by a Notary Public.*

NOTARY SEAL

NOTARY SEAL

*Former Spouse's Name* \_\_\_\_\_ *Social Security No.* \_\_\_\_\_

*Current Address* \_\_\_\_\_ *Date of Birth (mm-dd-yyyy)* \_\_\_\_\_

☐ **4. Reduced Annuity with survivor benefits for present spouse and reduction for pension and survivor benefits for former spouse**

I hereby elect to receive upon my retirement from the Foreign Service a reduced annuity with survivor benefits for my present spouse under Section 806(b) and a reduction for my former spouse under Section 814(a) and (b) of the Foreign Service Act of 1980 and under regulations prescribed by the Secretary of State. I hereby designate my present spouse, \_\_\_\_\_ to whom I was married \_\_\_\_\_, to receive upon my death an annuity in the amount of \_\_\_\_\_. I also designate my former spouse, \_\_\_\_\_ to whom I was married for 10 years or more during my Foreign Service career and divorced on \_\_\_\_\_, to receive pension benefits in the amount of benefits in the amount of \_\_\_\_\_ and survivor benefits in the amount of \_\_\_\_\_ under Section 814(a) and (b) of the Foreign Service Act of 1980. I am aware that the elections made under this paragraph for survivor benefits may not exceed 55% of my full annuity at retirement, and that the reduction for the pension benefits will be deducted from the full annuity.

\_\_\_\_\_  
*Spouse's Signature*

\_\_\_\_\_  
*Date (mm-dd-yyyy)*

\_\_\_\_\_  
*Participant's Signature*

\_\_\_\_\_  
*Date (mm-dd-yyyy)*

*Social Security No.* \_\_\_\_\_

*If you wish this to be a spousal agreement at retirement, please have signatures witnessed and sealed by a Notary Public.*

NOTARY SEAL

NOTARY SEAL

*Former Spouse's Name* \_\_\_\_\_ *Social Security No.* \_\_\_\_\_

*Current Address* \_\_\_\_\_ *Date of Birth (mm-dd-yyyy)* \_\_\_\_\_