

Agency: Office of Personnel Management
Document Citation: 90 FR 14664
Document Number: 2025-05696
Document Type: Notice
Pages 14664-14665 (2 Pages)
Publication Date: 04/03/2025

Public Comment on OPM's Request for Input on SF-3106 and SF-3106A Burden and Collection

To the Office of Personnel Management,

I respond to your invitation for comments with unfiltered candor. Your request for input on the so-called burden and necessity of these forms reeks of bureaucratic arrogance and a willful blindness to the true human cost hidden behind your sterile language.

1. On the Necessity and Practical Utility of the Collection

The agency asks whether this information collection is “necessary for the proper performance of functions” and if it has “practical utility.”

Let me be unequivocal: while an application form for refunding retirement deductions *may* be necessary in a vacuum, your insistence on SF-3106A , the spousal notification form , in all cases is not only unnecessary but actively harmful and legally unsupportable in many instances.

For applicants like myself, who have submitted binding, final court orders explicitly waiving spousal interest, the notification requirement is a pointless procedural noose. It serves no practical utility beyond perpetuating delay, denying rightful refunds, and inflicting needless stress.

The agency's function should be to *deliver* benefits owed, not to manufacture procedural obstacles based on a one-size-fits-all form, blind to legal context.

Your failure to distinguish between cases that *require* notification and those where the law or court orders negate it demonstrates a systemic disregard for efficiency, equity, and the rule of law.

2. On the Accuracy of Your Burden Estimates and Methodology

You estimate the burden of SF-3106 at 30 minutes and SF-3106A at 5 minutes per respondent.

This estimate is not merely inaccurate; it is an insult.

It ignores the real-world Kafkaesque maze that applicants are forced to navigate: printing, mailing, re-submitting forms multiple times; chasing elusive approvals; responding to arbitrary denials; enduring endless requests for proof even when court orders stand unchallenged.

This estimate fails to consider the crushing burden on applicants with disabilities, those lacking ready access to printing or postal services, or those caught in protracted disputes where notification is a mere formality that serves no purpose other than delay.

The methodology used to derive this estimate is opaque and disconnected from lived experience, underestimating the true cost to respondents by orders of magnitude.

3. On Enhancing the Quality, Utility, and Clarity of Collected Information

Your form SF-3106A and its instructions are vague at best and misleading at worst.

They offer no guidance on when spousal notification is unnecessary due to overriding court orders, creating confusion and inconsistent application.

There is no clear path for applicants to claim exemptions or accommodations based on disability or legal circumstance.

The form and instructions do not reflect modern realities, they are relics encouraging a one-size-fits-none approach that fosters error, delay, and frustration.

Enhancements should include explicit criteria for when notification is required or waived, accessible language acknowledging legal nuances, and integration of accommodations for those with disabilities.

4. On Minimizing Burden Through Technology and Process Improvements

Your notice touts “appropriate automated, electronic, mechanical, or other technological collection techniques,” including “electronic submissions.”

This claim is disingenuous.

OPM’s actual practices reveal a near-total absence of effective digital infrastructure. There is no public-facing online portal for status tracking, no reliable electronic submission platform, no transparent case management system.

Applicants are left to endure a paper-chase via USPS and cryptic email addresses.

The agency's insistence on "wet" signatures from applicants and former spouses, when digital alternatives or alternative proofs of notification are available and routinely accepted in other legal contexts, including at the OPM itself, is both hypocritical and a relic of a bygone era.

This digital stagnation amplifies the burden, particularly for disabled applicants and those with limited access to physical mailing services, contradicting the Paperwork Reduction Act's mandate to minimize burden.

True modernization must prioritize streamlined, accessible electronic submission and case tracking, flexible accommodations, and a wholesale overhaul of outdated "wet" signature mandates.

Conclusion

Let's be crystal clear. The "burden" OPM boasts about when it cites "5 or 30 minutes to complete a form" is not a metric. It is a farce, a flimsy fig leaf meant to mask the true devastation wrought by this bureaucracy's iron grip.

Those counting minutes do so comfortably detached from the lives they recklessly disrupt. To them, the SF-3106A is a few boxes on a page. To those like me, it is a slow death by a thousand cuts, a prolonged, grinding torment that devours nights, frays nerves, and extinguishes hope.

This burden is measured not in minutes, but in the *loss of sleep* when you lie awake wondering if the government will ever honor a court order, or if you are forever doomed to live at the mercy of opaque rules that twist logic and justice into a pretzel.

It is the *gnawing anxiety*, the relentless uncertainty, of having your fate trapped in the cold gears of a machine that neither sees nor cares about your humanity. A machine that treats lawful entitlement as an inconvenient bureaucratic quibble, and your pleas as background noise.

For those of us disabled by medical conditions recognized by law, this is no mere inconvenience. It is a dagger twisting deeper with every denied extension, every ignored request for accommodation, every hollow assurance that "your case is under review."

It is the bitter taste of betrayal. Betrayal by an institution that swore an oath, to serve the public, to uphold the law, to honor constitutional mandates, and instead wields its power as a cudgel to keep lawful benefits just out of reach.

And this betrayal is not an isolated crime against an individual. It is an *institutional rot* that gnaws at the very foundation of public trust.

The real cost spills far beyond the person trapped in this Kafkaesque maze.

It erodes the bedrock faith that citizens place in federal institutions. It turns the agency tasked with safeguarding retirement benefits into a symbol of cold indifference and arbitrary cruelty.

The illusion of “regulatory fairness” dissolves when agencies routinely ignore binding court orders, disavow constitutional provisions, and refuse to adapt to the realities of disabled applicants. When the federal bureaucracy treats the law as a mere suggestion, and the citizen as an adversary, faith in governance crumbles.

This institutional cynicism breeds a pernicious, self-reinforcing cycle.

Officials emboldened by unchecked power grow ever more cavalier in their disregard for the law. As one agency tightens its grip with ironclad rules and endless red tape, others follow suit, pushing out more layers of delay and denial.

The result is a labyrinthine hellscape where justice is no longer swift or sure. It is a commodity rationed to the privileged and withheld from the vulnerable.

The public watches, and the message is clear: rights can be ignored, court orders set aside, and disabilities dismissed, so long as you have enough paperwork to drown in.

This is more than inefficiency; it is *tyranny by paperwork*.

And it is a betrayal of the fundamental social contract.

Where the government is meant to be the protector of rights, it has become the architect of delay.

Where laws exist to guarantee fairness, they have become shields for arbitrary cruelty.

Where disabled Americans should find accommodation, they find obstacles.

The very agencies entrusted to uphold justice and equity instead wield regulation as a weapon, a tool of exclusion, delay, and despair.

And the ripple effect cannot be overstated.

When one agency violates the Administrative Procedure Act, when another tramples the Americans with Disabilities Act, when they both mock the Full Faith and Credit Clause, the message radiates outward: law is negotiable, rights are conditional, and justice is deferred indefinitely.

This breeds not just individual suffering, but societal disillusionment. It plants seeds of distrust so deep they threaten to rot the entire democratic framework.

Make no mistake: the real cost of SF-3106A is paid in health shattered by stress, in justice denied by delay, and in trust fractured beyond repair.

This is not a mere administrative complaint. It is a clarion call to recognize the human toll behind the burden of the paperwork.

It is a demand that the system either reform to honor its sacred duties or resign itself to irrelevance.

For when the government betrays its citizens, it does not merely lose their benefits, it loses their faith.

And once faith is lost, democracy itself is on the line.