

CHAPTER 4

PROOF OF EXISTENCE

30401. General

For the protection of the government, certain safeguards are required for retired pay checks mailed through the international postal system or payable to legal representatives of mentally incompetent members.

30402. Competent Retiree

a. When retired pay checks are delivered to the retired member through the international postal system to foreign countries, the retiree must furnish a report of existence semiannually. The retiree does this by filling out a form provided by the Military Department or by letter over the retiree's signature.

b. The report of existence is not required when the retiree's check is mailed to a financial institution in the United States. The endorsement by the financial institution constitutes a certificate of the existence of the retiree.

c. A competent retiree residing in the United States whose retired pay check is mailed to an address other than a financial institution is not required to submit a report of existence.

d. Retired pay checks mailed to an APO, FPO, or a finance officer or disbursing officer at an overseas address do not require submission of a report-of-existence. Checks are not addressed to a United States Consulate, Embassy, or Military Attache unless the retiree is employed by that particular agency.

30403. Mentally Incompetent Retiree

Treasury Department regulations prohibit forwarding checks directly to retirees who are found mentally incompetent to manage their own affairs. Checks may be drawn payable to a legal guardian, trustee, or other legal representative after receipt of proper documentation of the authority of the guardian, trustee, or other legal representative to receive such payments. See part three, chapter 5, for appointment or designation of legal representatives.

a. The legal representative must sign the monthly report of his or her ward's continued existence. The retired pay check may be mailed to the legal representative or to a financial institution established by the legal representative for the retiree (ward).

b. In the absence of the appointment of a guardian, trustee, or other legal representative for an incompetent retiree, payment may be made to the Administrator of a VA hospital to provide the retiree with health and comfort items. See part three, chapter 5.

30404. Mailing of Retired Pay Checks

Retired pay checks are mailed at the end of each month, provided a signed report of existence, when required, has been received certifying the retiree's existence.

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