



FEDERAL RETIREMENT THRIFT INVESTMENT BOARD
1250 H Street, NW Washington, DC 20005

March 5, 2002

Death Benefits
- Policy / Problem

MEMORANDUM TO JAMES B. PETRICK
DIRECTOR, OFFICE OF BENEFITS AND INVESTMENTS

FROM: ELIZABETH S. WOODRUFF
GENERAL COUNSEL

SUBJECT: Department of Defense Report of Casualty Form

Lt. Col. Thomas Emswiler asked whether the TSP would accept the Department of Defense (DoD) Report of Casualty form, DD Form 1300, in lieu of a certified death certificate in death benefit cases involving members of the uniformed services. I have attached a copy of that form along with the instructions used by DoD personnel to complete the form.

TSP regulations require a Form TSP-17 to be accompanied by "a copy of a certified death certificate of the participant." 5 C.F.R. § 1651.3. We require a death certificate so that we will know when the participant died and because we must be able to rule out homicide by a beneficiary. As you wrote in your memorandum of May 4, 1993 (copy attached), we should accept an official government document in lieu of a death certificate if it provides the TSP with those two pieces of information.

A signed and properly completed DD Form 1300 reports the date, cause and circumstances of the participant's death. See items 5(d) and (f); see also Instructions for Completing the Report of Casualty, p. 29. In addition, because the form is signed by a DoD employee, see item 13, it is authenticated. Therefore, the DD Form 1300 is a legally sufficient substitute for a death certificate. We can amend the regulations to make this requirement more generic.

Recommendation

I recommend that the TSP accept a signed and properly completed DD Form 1300 in lieu of a death certificate in death benefit claims involving members of the uniformed services.

Approve:  Disapprove: _____ Other: _____ Date: 3/17/02

Attachments

cc: Pamela-Jeanne Moran