

SERFF Tracking Number: TCRE-125745839 State: Arkansas
 Filing Company: Teachers Insurance and Annuity Association of America State Tracking Number: 40203
 Company Tracking Number: TIAA-ROTH-IA-END
 TOI: A06.11 Individual Annuities- Immediate Non-Variable and Variable Sub-TOI: A06.11.000 Annuities - Immediate Variable and Non-Variable
 Product Name: TIAA Roth Payout Endorsements
 Project Name/Number: 2008-07 TIAA Roth Payout 401(k) 403(b) Endorsements/TIAA-ROTH-IA-END

Filing at a Glance

Company: Teachers Insurance and Annuity Association of America

Product Name: TIAA Roth Payout Endorsements SERFF Tr Num: TCRE-125745839 State: ArkansasLH

TOI: A06.11 Individual Annuities- Immediate Non-Variable and Variable SERFF Status: Closed State Tr Num: 40203

Sub-TOI: A06.11.000 Annuities - Immediate Variable and Non-Variable Co Tr Num: TIAA-ROTH-IA-END State Status: Approved-Closed

Filing Type: Form Co Status: Reviewer(s): Linda Bird
 Author: Audrey Bozzetto Disposition Date: 09/15/2008
 Date Submitted: 09/09/2008 Disposition Status: Approved

Implementation Date Requested: On Approval Implementation Date:

State Filing Description:

General Information

Project Name: 2008-07 TIAA Roth Payout 401(k) 403(b) Endorsements Status of Filing in Domicile: Pending

Project Number: TIAA-ROTH-IA-END Date Approved in Domicile:

Requested Filing Mode: Review & Approval Domicile Status Comments:

Explanation for Combination/Other: Market Type: Individual

Submission Type: New Submission Group Market Size:

Overall Rate Impact: Group Market Type:

Filing Status Changed: 09/15/2008

State Status Changed: 09/15/2008 Deemer Date:

Corresponding Filing Tracking Number:

Filing Description:

Enclosed for approval are the attached forms. These forms do not replace any previously submitted forms.

Form TIAA-ROTH-IA-END is an endorsement to be issued with, or mailed to enforce policyholders of the following previously approved fixed and variable immediate annuity contracts:

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TIAA Fixed-Period Annuity, TIAA One-Life Annuity, TIAA Two-Life Annuity, Real Estate Account Fixed-Period Unit-Annuity, Real Estate Account One-Life Unit-Annuity, Real Estate Account Two-Life Unit-Annuity, Interest Payment and Retirement Annuity Contract, Transfer Payment Annuity, Instalment Refund Life Annuity, Principal and Interest Contract, Real Estate Account Accumulation Unit Deposit Contract.

Form TIAA ROTH-MDO-END is an endorsement to be issued with, or mailed to inform policyholders of our previously approved non-variable and variable Minimum Distribution Annuity Contracts.

The purpose of the endorsements is to allow the contracts to be issued in settlement of after-tax Roth 401(k)/403(b) accumulations and to account for such accumulations separately in accordance with the requirements of the Internal Revenue Code.

The forms score over 50 on the Flesch readability test. Variable text elements are bracketed.

These forms will be pre-printed or laser emitted with identical language approved by the Department. We reserve the right to change the book-turn duplex printing, pagination, location of print lines and words, signature graphics, and the type of font (but not point size to less than 10) of these forms without resubmitting for approval.

We would like to implement these forms as soon as possible. If you have any questions about these forms or if there is anything we can do to make your review easier, please call me at 800-842-2733, extension 1600.

Thank you for your consideration of this submission.

Company and Contact

Filing Contact Information

Audrey Bozzetto, Senior Contract Forms Specialist
abozzetto@tiaa-cref.org

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730 Third Avenue (800) 842-2733 [Phone]
New York, NY 10017 (212) 916-5903[FAX]

Filing Company Information

Teachers Insurance and Annuity Association of America CoCode: 69345 State of Domicile: New York

730 Third Avenue Group Code: 1216 Company Type: L&H
New York, NY 10017 Group Name: TIAA-CREF State ID Number:
(212) 490-9000 ext. [Phone] FEIN Number: 13-1624203

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Filing Fees

Fee Required? Yes
Fee Amount: \$40.00
Retaliatory? No
Fee Explanation: 2 endorsements x \$20 each.
Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
Teachers Insurance and Annuity Association of America	\$40.00	09/09/2008	22371327

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Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Approved	Linda Bird	09/15/2008	09/15/2008

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Disposition

Disposition Date: 09/15/2008

Implementation Date:

Status: Approved

Comment:

Rate data does NOT apply to filing.

SERFF Tracking Number: *TCRE-125745839* State: *Arkansas*
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Item Type	Item Name	Item Status	Public Access
Supporting Document	Certification/Notice		Yes
Supporting Document	Application		No
Supporting Document	Life & Annuity - Actuarial Memo		No
Supporting Document	Statement of Variability		Yes
Form	Endorsement to Immediate Annuity Contract		Yes
Form	Endorsement to Annuity Contract		Yes

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Form Schedule

Lead Form Number: TIAA-ROTH-IA-END

Review Status	Form Number	Form Type	Form Name	Action	Action Specific Data	Readability	Attachment
	TIAA-ROTH-IA-END	Policy/Cont ract/Fratern al	Endorsement to Immediate Annuity Contract	Initial		59	TIAA-ROTH-IA-END.pdf
	TIAA-ROTH-MDO-END	Policy/Cont ract/Fratern al	Endorsement to Annuity Contract	Initial		57	TIAA-ROTH-MDO-END.pdf

Teachers Insurance and Annuity Association of America
730 Third Avenue, New York, NY 10017-3206
Telephone: [800-842-2733]

Endorsement to your Immediate Annuity Contract

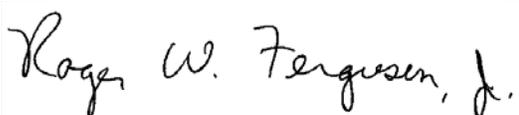
Effective Date: [Upon receipt / Attached at issue]

Please read this endorsement and attach it to your contract. This endorsement changes your contract and becomes part of it. It does not take away any of the rights established under your contract.

The purpose of this endorsement is to change your contract to allow for amounts under Roth 401(k) and Roth 403(b) plans.

The following provision is added to your contract:

Roth Accounting. Notwithstanding any other provision in your contract, all amounts added to or deducted from your contract will be accounted for separately to the extent required by IRC Section 402A, or any successor section governing Roth 401(k) and/or Roth 403(b) amounts. If there is a change in IRC Section 402A, this provision shall be construed as referring to such section as changed.


Roger W. Ferguson, Jr.
President and
Chief Executive Officer

Teachers Insurance and Annuity Association of America
730 Third Avenue, New York, NY 10017-3206
Telephone: [800-842-2733]

Endorsement to your Annuity Contract

Effective Date: [Upon receipt / Attached at issue]

Please read this endorsement and attach it to your contract. This endorsement changes your contract and becomes part of it. It does not take away any of the rights established under your contract.

The purpose of this endorsement is to change your contract to allow for accumulations under Roth 401(k) and Roth 403(b) plans.

The following provision is added to your contract:

Roth Accounting. Notwithstanding any other provision in your contract, all amounts added to or deducted from your accumulation will be accounted for separately to the extent required by IRC Section 402A, or any successor section governing Roth 401(k) and/or Roth 403(b) amounts. If there is a change in IRC Section 402A, this provision shall be construed as referring to such section as changed.

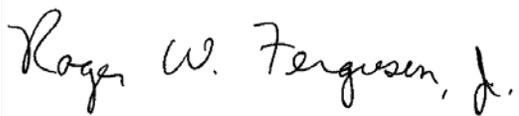
The Right to a Tax-Free Rollover provision is replaced with the following:

Right to a Tax-Free Rollover. If you or your surviving spouse (or your spouse or former spouse as an alternate payee under a “qualified domestic relations order,” as defined in the IRC) receive a distribution from your contract which qualifies as an eligible rollover distribution under IRC Section 402(c)(4), any portion of it may be paid as a direct rollover to an eligible retirement plan.

An eligible retirement plan is, to the extent permitted by law:

- for accumulations accounted for as Roth 401(k) or Roth 403(b) accumulations, a plan satisfying the requirements of IRC Section 402A(c)(3)(A); and
- for all other accumulations, a plan satisfying the requirements of IRC Section 401(a), 403(a), 403(b), 408, or to the extent that the plan sponsor is a state or local government, Section 457(b).

Retirement plans eligible for such rollovers may, in the future, be changed by law. If such changes become effective, your contract will be governed by the laws and regulations then applicable.


*President and
Chief Executive Officer*

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Rate Information

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Supporting Document Schedules

Review Status:
Satisfied -Name: Certification/Notice **07/23/2008**
Comments:
Attachment:
AR ComplianceCertification.pdf

Review Status:
Satisfied -Name: Statement of Variability **07/28/2008**
Comments:
Attachment:
Statement of Variability.pdf

STATE OF ARKANSAS

CERTIFICATIONS

You have our assurance that we are in compliance with the applicable sections of Ark. Code Ann. 23-79-138.

You also have our assurance that we provide the Life and Health Guaranty Association notice to each contract holder in compliance with the requirements of Regulation 49.

I hereby certify that I have reviewed the forms listed below; and that, to the best of my knowledge, information, and belief the forms listed below meet the provisions of the Arkansas Insurance Regulation 19 and all applicable requirements of the Arkansas State Insurance Department.

I hereby certify that the attached forms achieve a readability score of over 50 and meet all the Flesch reading ease requirements of your jurisdiction.

Forms: TIAA-ROTH-IA-END
 TIAA-ROTH-MDO-END



Peretz Perl, FSA, MAAA
Director and Actuary
September 5, 2008

Memorandum of Variable Material

August 4, 2008

Policy Forms:
TIAA-ROTH-IA-END
TIAA-ROTH-MDO-END

Bracketed Item

Range of Values

Telephone Number

Company telephone
number as of issue date.

Effective Date

“Upon receipt”
or
“Attached at issue”

Signatures & Titles

Names of company
officers as of issue date.