

SERFF Tracking Number: NYLA-126178976 State: Arkansas
 Filing Company: New York Life Insurance and Annuity Corporation State Tracking Number: 42616
 Company Tracking Number: 6238-09
 TOI: A02.11 Individual Annuities- Deferred Non- Variable and Variable Sub-TOI: A02.11.003 Single Premium
 Product Name: TSA Endorsement 2009
 Project Name/Number: TSA Endorsement 2009/6238-09

Company and Contact

Filing Contact Information

Rina Zornetsky, Contract Consultant rina_zornetsky@newyorklife.com
 1 Rockwood Road 914-846-5813 [Phone]
 3N848
 Sleepy Hollow, NY 10591

Filing Company Information

New York Life Insurance and Annuity Corporation CoCode: 91596 State of Domicile: Delaware
 1 Rockwood Road Group Code: 826 Company Type:
 3N738 Group Name: State ID Number:
 Sleepy Hollow, NY 10591 FEIN Number: 13-3044743
 (914) 846-3508 ext. [Phone]

Filing Fees

Fee Required? Yes
 Fee Amount: \$50.00
 Retaliatory? Yes
 Fee Explanation: 1 form
 Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
New York Life Insurance and Annuity Corporation	\$50.00	06/05/2009	28404359

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Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Approved- Closed	Linda Bird	06/12/2009	06/12/2009

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Schedule	Schedule Item	Schedule Item Status	Public Access
Supporting Document	Flesch Certification		No
Supporting Document	Application		No
Supporting Document	Life & Annuity - Acturial Memo		No
Supporting Document	Cover Letter		Yes
Supporting Document	Statement of Variability		Yes
Supporting Document	Compliance Certification		Yes
Supporting Document	Fee form		Yes
Form	Endorsement Tax Sheltered Annuity ((403(b)))		Yes

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Form Schedule

Lead Form Number: 6238-09

Schedule Item Status	Form Number	Form Type Form Name	Action	Action Specific Data	Readability	Attachment
	6238-09	Policy/Cont ract/Fratern al Certificate: Amendmen t, Insert Page, Endorseme nt or Rider	Initial			Endorsement 6238-09.pdf

ENDORSEMENT

TAX SHELTERED ANNUITY (403(b))

SPECIMEN COPY

This endorsement is attached to and made a part of this policy so that it can qualify as a Tax Sheltered Annuity (TSA or Section 403(b) Annuity) under Section 403(b) of the Internal Revenue Code ("the Code"). The terms of this endorsement apply even if they do not agree with the other terms of this policy.

I. Ownership You, the Owner, are also the Annuitant. You cannot assign your policy or change the Owner. This policy is non-transferable, but this shall not be deemed to preclude a transfer of all or part of the policy value under a "qualified domestic relations order" within the meaning of Code Section 414(p). The Owner's whole interest in and rights under this policy are nonforfeitable except for failure to pay premiums.

II. Contributions Except as permitted under Code Section 414(v), the salary reduction contributions to this policy and other TSAs shall not exceed (i) the applicable annual limit under Code Section 402(g)(the "402(g) limit"); and (ii) the limit on annual additions under Code Section 415 (the "Code Section 415 limits").

The Owner or the Owner's employer shall be solely responsible for compliance with the 402(g) limit, the Code Section 415 limits and Code Section 414(v). The Owner's employer shall be solely responsible for applicable employment taxes, withholding and reporting with respect to any contributions, including, without limitation, contributions in excess of the Code Section 402(g) and 415 limits. NYLIAC (and/or its affiliates) may distribute contributions in excess of the limits, consistent with Code requirements, without further consent from the Owner.

Premiums may be paid only by an eligible employer described in Code Section 403(b)(1)(A). The Owner's employer shall be solely responsible for determining that the employer satisfies the requirements of Code Section 403(b)(1)(A). If life insurance or death benefits will be purchased with contributions to this policy, then in the case of term or variable life insurance, no more than 25% (or less than 50% in the case of ordinary life insurance) of total contributions on behalf of the Owner to the policy and other TSAs can be used to pay premiums on such insurance. Effective for policies issued after September 23, 2007, qualifying death benefits may only be provided as part of an annuity policy and not through a separate life insurance policy.

To the extent that premiums paid to this policy are subject to the coverage and nondiscrimination requirements of Code Section 403(b)(12) or the requirements of the Employee Retirement Income

Security Act of 1974, as amended ("ERISA"), the Owner's employer shall be solely responsible for compliance with such requirements.

III. Annuity Benefits Annuity benefits will be paid under the terms of your policy, starting on the Annuity Commencement Date, unless you elect a later date or other form of distribution (such as a rollover to an eligible retirement plan). Once annuity income payments have begun and to the extent that the Accumulation Value has been applied to provide those payments, the annuity cannot be surrendered and payments cannot be made in one lump sum.

An Annuity Commencement Date may only occur at a time a withdrawal is permitted or required under this policy and Code Sections 403(b)(10), 403(b)(11), 401(a)(9) and 401(a)(31), and their accompanying Treasury regulations (including the minimum distribution incidental benefit rules of Section 401(a)(9)(G)).

You may be required to take a withdrawal, even if you have not elected an Annuity Commencement Date, no later than April 1 of the year following the later of (i) the calendar year in which you will attain 70^{1/2} years of age, or (ii) the calendar year you retire from the employer maintaining the Plan. (See "Required Minimum Distributions," below.)

If you die before the entire Accumulation Value is distributed, the following provisions shall apply:

- 1) If you die after distribution of the Accumulation Value has commenced, the remaining portion of such value, if any, will be distributed at least as rapidly as under the method of distribution being used prior to your death.
- 2) If you die before distribution of the Accumulation Value commences, the entire Accumulation Value will be distributed in accordance with one of the following three provisions:
 - (a) The Accumulation Value will be paid within five (5) years after the date of your death.
 - (b) If the Accumulation Value is payable to a Beneficiary designated by you and the Beneficiary has not elected (a) above, then the entire Accumulation Value will be distributed in substantially equal installments over the life or life expectancy of the designated Beneficiary commencing no later than one year after the

date of your death. The designated Beneficiary may accelerate these payments at any time.

- (c) If the designated Beneficiary is your surviving spouse, he or she may elect, within five years after the date of your death, to receive equal or substantially equal payments over his or her life expectancy commencing at any date on or prior to the date on which you would have attained age 70^{1/2}. Your surviving spouse may accelerate these payments at any time.

IV. Loans Policy loans may be available under this policy, as provided below, after the first policy anniversary and must be taken prior to the Annuity Commencement Date. Loans are subject to the terms of the policy, the Plan under which this policy is maintained, and the Code, which may impose restrictions upon them.

There must be a minimum Accumulation Value of \$5,000 in the policy at the time of the loan. The minimum loan amount is \$500. The maximum loan value that may be taken is the lesser of \$50,000 or 50% of the Accumulation Value of all Section 403(b) annuities under the Plan at the time of the loan. This \$50,000 limitation will be reduced by the excess, if any, of the highest outstanding balance of loans from all Section 403(b) annuities under the Plan during the one year period ending on the day before the date on which such loan was made over the outstanding balance of loans from all Section 403(b) annuities under the Plan on the date that such loan was made.

A loan processing fee of \$25 will be withdrawn from the Accumulation Value for each loan taken. The fee will be assessed on a pro-rata basis for a variable annuity policy. A portion of the Account's Loan Accumulation Value representing the value of the loan will be held as collateral. For this purpose, the Loan Accumulation Value will be the full Accumulation Value for a fixed annuity policy, but only the Accumulation Value in the Fixed Account for a variable annuity policy. However, the policy's Accumulation Value will not be reduced by the value of any loan. While a loan is outstanding, no partial withdrawal or transfer may be processed which would reduce the Loan Accumulation Value to an amount less than 125% of the outstanding loan balance.

If the Accumulation Value in the Fixed Account for a variable annuity policy at the time a loan is taken is less than 125% of the amount of the loan, the difference will be transferred to the Fixed Account from the Separate Account. Such a transfer will be allocated among the Investment Divisions of the Separate Account on a pro-rata basis.

If you have purchased a variable annuity policy, and your policy does not allow for transfers from the Separate Account to the Fixed Account, does not have a Fixed Account, or the policy otherwise does not allow for

loans, no loans will be permitted under this endorsement (even if the Accumulation Value in the Fixed Account for a variable annuity policy at the time a loan might be taken is otherwise adequate).

A portion of the Loan Accumulation Value equal to the amount of the loan will continue to earn interest at the applicable account rate. The interest charged on the loan will be applied against each repayment at an applicable loan rate. These rates will be fixed for the life of the loan.

For a policy under a Plan not governed by ERISA, the applicable account rate is 3% per annum and the applicable loan rate is 5% per annum. For a policy under a Plan that is governed by ERISA, the applicable account rate is 2% less than the applicable loan rate, but not less than 1% per annum, and the applicable loan rate is equal to the Moody's Corporate Bond Yield Average for the calendar month ending two months before the date on which the rate is determined.

Any outstanding loan balance will be deducted from the Loan Accumulation Value on the date the policy is surrendered or on the Annuity Commencement Date. In the event of your death while a loan is outstanding, the full amount of the loan plus interest due will be repaid by means of a partial withdrawal. The repayment will be made as of the date of death for a fixed annuity. This repayment will be made on the date we receive notice of death for a variable annuity policy. No surrender charges will be applied to such a partial withdrawal.

The loan must be repaid on a periodic basis not less frequently than quarterly and in a period not greater than five years from the date it is taken. If a loan repayment is in default, we will withdraw the full amount of the outstanding loan plus interest due from the policy's Loan Accumulation Value when and to the extent permitted by Federal Income Tax rules and ERISA (should the policy be subject to ERISA). That withdrawal shall be taken from the policy's Loan Accumulation Value as of the last policy anniversary and then from subsequent payments in the order received.

Under Federal Income Tax rules, if you default upon your loan payments and do not timely correct missed payments, the entire amount of your outstanding loan may be treated as a taxable distribution to you.

Loans to acquire a principal residence are permitted under the same terms described above, except that:

- (a) the minimum loan amount is \$5,000;
- (b) repayment of the loan amount may be extended to a maximum of twenty-five years.

Unless we agree otherwise, the number of outstanding loans at any time is limited to one.

We reserve the right to suspend, modify, or terminate the availability of loans under this policy at any time. However, any action taken by us will not affect already outstanding loans.

V. Withdrawals This policy shall not permit distributions which would violate the provisions of Code Sections 403(b)(10) and (11), or to the extent that amounts have been transferred to this policy from a custodial account under Code Section 403(b)(7), which would violate the provisions of Code Section 403(b)(7)(A)(ii). Withdrawals from this policy are not permitted except as follows:

- (a) After you have a severance from employment from your employer, provided we receive a written notice from your employer in a form satisfactory to us.
- (b) After you die, in which case distributions will be made within the provisions of Section III of this endorsement.
- (c) After you are disabled (according to the Code Section 72(m)(7)), and provided we receive written notice of that fact in a form satisfactory to us.
- (d) After you are 59^{1/2} years of age.
- (e) On account of hardship (within the meaning of Code Section 403(b)(11)), provided that we receive written notice from your employer of that fact in a form satisfactory to us. No withdrawals attributable to income from Salary Reduction Contributions will be permitted for hardship.
- (f) Transfers to purchase permissive service credit under a qualified governmental defined benefit plan under Code Section 403(b)(13).

VI. Eligible Rollover Distributions Distributions under this policy shall meet the requirements of Code Sections 403(b)(10) and 401(a)(31). A distributee may elect to have any portion of an eligible rollover distribution paid or transferred directly to an eligible retirement plan specified by the distributee as a direct rollover.

An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include: any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint lives (or joint life expectancies) of the distributee and the distributee's designated beneficiary, or for a specified period of ten years or more; any distribution to the extent such distribution is required under Code Section 401(a)(9); any distribution made upon the hardship of the Owner; and any distribution to correct an excess contribution.

The term eligible rollover distribution shall not include the portion of any distribution that is not includible in gross income except to the extent that such portion is transferred (i) directly to an eligible retirement plan that is an annuity contract described in Code Section 403(b) or is a qualified trust described in Code Section 401(a) which is part of a defined contribution plan and which agrees to separately account for such amounts so transferred, including separately accounting for the portion of such distribution that is includible in gross income and the portion that is not so includible, or (ii) to an individual retirement account described in Code Section 408(a) or an individual retirement annuity described in Code Section 408(b).

An eligible retirement plan is an individual retirement account described in Code Section 408(a), an individual retirement annuity described in Code Section 408(b), an annuity plan described in Code Section 403(a), an annuity contract described in Code Section 403(b), a qualified trust described in Code Section 401(a), or an eligible deferred compensation plan described in Code Section 457(b) which is maintained by an eligible governmental employer described in Code Section 457(e)(1)(A), that accepts the distributee's eligible rollover distribution.

A distributee includes the Owner. In addition, an Owner's surviving spouse and an Owner's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in Code Section 414(p), are distributees with regard to the interest of such spouse or former spouse.

VII. Required Minimum Distributions In compliance with Internal Revenue Code requirements, required minimum distributions must begin by April 1 of the calendar year following the later of (i) the calendar year in which you attain age 70^{1/2}, or (ii) the calendar year you retire. However, if you are a 5% owner of an employer, you are required to take your minimum distribution by April 1 of the calendar year following the calendar year you become age 70^{1/2} whether or not you are employed. Required minimum distributions from amounts accumulated under this policy will be calculated and, if consistent with communications with you or any Plan sponsor, paid to you by the required beginning date. Each subsequent year, unless you or any Plan sponsor have requested otherwise, you will receive the required minimum distribution amount once a year, in accordance with the Internal Revenue Code and related regulations.

VIII. Five-Year and Ten-Year Income Averaging Five-year income averaging was repealed effective January 1, 2000. Only those participants who attained age 50 prior to January 1, 1986 are potentially eligible for ten-year income averaging in accordance with Section 1122(h)(5) of the Tax Reform Act of 1986.

IX. Maintenance Under a Plan. Effective January 1, 2009, all Section 403(b) Annuity policies must be maintained, in form and operation, pursuant to a Plan of an eligible employer, except for certain church plans. If NYLIAC (and/or its affiliates) is informed that any provision of the relevant Plan or other documents controlling administration of the Plan (such as a service agreement or information sharing agreement with the sponsor) is more restrictive than any term of this policy, the Plan documents will govern. If a Plan is terminated and this policy remains in place as a contract deemed distributed from the Plan, NYLIAC (and/or its affiliates) reserves the right to not apply policy provisions requiring action, information or confirmation from a Plan sponsor, except to the extent required by Code Section 403(b) and related rules and regulations.

X. Employer Contributions. This policy (including this endorsement) is not intended to be a part of a Plan that accepts employer contributions other than Salary Reduction Contributions. However, if NYLIAC is informed that employer contributions have been made under the policy, it may allow withdrawals no earlier than severance from employment or upon the occurrence of certain events, as prescribed by the Plan (and consistent with Treasury Regulation Section 1.403(b)-6(b)).

XI. Miscellaneous NYLIAC (and/or its affiliates) shall not be responsible or liable: (i) for any contributions or propriety of any distribution (including, without limitations, loans) ordered in accordance with this endorsement; (ii) for the consequences of any such contributions or distributions or compliance thereof with the Code, ERISA, if applicable, and other applicable law; (iii) determining whether you are disabled, have severed from employment, are 59½ years of age, or are suffering a hardship; and/or (iv) for assuring that Plan documentation required after 2008 has been adopted or maintained. NYLIAC (and/or its affiliates) is not acting as a fiduciary with respect to your TSA under this policy and/or your employer's Section 403(b) plan. NYLIAC (and/or its affiliates) is entitled to rely on the information given to it by your employer relating to this policy and your balances under the Plan, including without limitation whether amounts contributed to this policy are Salary Reduction Contributions. NYLIAC (and/or its affiliates) shall be entitled to regard the policy as not subject to Title I of ERISA, unless notified otherwise in writing by the Owner's employer. NYLIAC may agree in a separate writing to assist your employer in fulfilling its responsibilities or to apply Plan rules to the extent they do not violate Code Section 403(b).

If the Owner has more than one policy under the Plan, all policies under the Plan will be treated as a single policy for applying the rights and limitations in this endorsement, provided NYLIAC has been informed of the other policies.

You, as Owner, agree that NYLIAC (and/or its affiliates) may share confidential information on your holdings with a Plan sponsor (or its agent) as is reasonably necessary for the proper administration of the Plan.

NYLIAC (and/or its affiliates) reserves the right to either refuse to accept, to return to the employer, or to forward (at the employer's direction) to another policy any contribution that NYLIAC (and/or its affiliates) determines it cannot properly account for or provide reports on to the Owner or the employer in compliance with the law or rules applicable to a Section 403(b) Annuity and the Plan of which it is a part. This includes a contribution subject to Title I of ERISA that NYLIAC has not specifically agreed to accept and hold.

The provisions of this policy shall be construed to comply with the requirements applicable to a TSA under Code Section 403(b) and may be amended from time to time as necessary to comply with such requirements. NYLIAC reserves the right to change this policy from time to time to comply with the Code and the Federal Income Tax rules relating to a Section 403(b) plan. In such a situation, we would send a revised endorsement form to you with a clear explanation of the reason for the change and give you the option to accept or reject this change. If you do not agree to such a change, the policy will not be continued as a TSA and this endorsement will terminate.

NEW YORK LIFE INSURANCE AND ANNUITY CORPORATION



President



Secretary

SERFF Tracking Number: NYLA-126178976 State: Arkansas
 Filing Company: New York Life Insurance and Annuity Corporation State Tracking Number: 42616
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 Project Name/Number: TSA Endorsement 2009/6238-09

Supporting Document Schedules

	Item Status:	Status Date:
Bypassed - Item: Flesch Certification		
Bypass Reason: N/A		
Comments:		

	Item Status:	Status Date:
Bypassed - Item: Application		
Bypass Reason: N/A - This is a TSA endorsement form.		
Comments:		

	Item Status:	Status Date:
Bypassed - Item: Life & Annuity - Acturial Memo		
Bypass Reason: N/A - This is a TSA endorsement form.		
Comments:		

	Item Status:	Status Date:
Satisfied - Item: Cover Letter		
Comments:		
Please see our cover letter for a full description of this form and a list of the policy forms with which it will be used.		
Attachment:		
Cover Letter-AR.pdf		

	Item Status:	Status Date:
Satisfied - Item: Statement of Variability		
Comments:		

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See the attached Statement of Variability for this form.

Attachment:

SOV-6238-09.pdf

Item Status:

**Status
Date:**

Satisfied - Item: Compliance Certification

Comments:

A certificate of compliance is attached for this form.

Attachment:

Cert-compliance-AR.pdf

Item Status:

**Status
Date:**

Satisfied - Item: Fee form

Comments:

We are enclosing a transmittal form applicable to the filing fee.

Attachment:

Filing Fee Transmittal-AR.pdf



NEW YORK LIFE INSURANCE COMPANY
NEW YORK LIFE INSURANCE AND ANNUITY CORPORATION
(A Delaware Corporation)
1 Rockwood Road, Sleepy Hollow, NY 10591

"The Company You Keep"®

Suzanne Wolf
Assistant Vice President - Product Development
Bus: (914) 846-3508 Fax: (914) 846-4487 Toll Free: (800) 280-3551
E-Mail: Suzanne_M._Wolf@newyorklife.com

June 5, 2009

Hon. Julie Benafield Bowman
Commissioner
Department of Insurance
1200 W. Third Street
Little Rock, AR 72201-1904

RE: NEW YORK LIFE INSURANCE AND ANNUITY CORPORATION
Form No.: 6238-09 Tax Sheltered Annuity (403 (b)) Endorsement

N.A.I.C. NO.: 826-91596
F.E.I.N.: 13-3044743

Dear Hon. Julie Benafield Bowman:

We are enclosing for your approval a new Tax Sheltered Annuity (TSA) (IRS Section 403 (b)) endorsement, form number 6238-09. This endorsement will be used with our previously approved fixed and variable individual deferred annuity policies that are issued as TSAs by New York Life Insurance and Annuity Corporation (NYLIAC).

This endorsement will be included at issue with all individual deferred annuity policies issued on or about September 30, 2009 and will replace the existing TSA endorsements, form numbers 6223-04, 6223NL-04, 6224-04, 6234-04, and 6235-04, which were approved by your Department on 8/22/2005. Attached is a list of the policy forms with which this new TSA endorsement will be used. Included in this list is the form number, description of each policy and your Department's date of approval.

This endorsement is similar to the forms being replaced, except that it consolidates the provisions of the forms into one, and it includes changes associated with Rev. Rule 90-24 transfers. Primarily, the areas of consolidation cover the loan features and ERISA/Non-ERISA provisions.

Because this endorsement was drafted to conform to federal laws, the language in this form is not subject to state readability requirements.

Domicile Approval Status

This form was filed with the Insurance Department of our domicile State of Delaware on 6/2/2009 and is pending approval.

We would appreciate receiving approval of this new form at your earliest convenience.

Sincerely,



Suzanne Wolf
Assistant Vice President– Product Development

SW: rz

New York Life Insurance and Annuity Corporation Forms that will be used with TSA Endorsement 6238-09 in AR		
Policy Form	Description	Approval Date
205-190	Individual Deferred Fixed Annuity	3/16/2005
207-198	Individual Deferred Fixed Annuity	7/10/2007
207-199	Individual Deferred Fixed Annuity	7/10/2007
208-193	Individual Deferred Fixed Annuity	3/18/2008
204-180	Individual Deferred Fixed Annuity	7/1/2003
204-185	Individual Deferred Fixed Annuity	7/1/2003
202-192	Individual Deferred Variable Annuity	3/5/2002
203-190	Individual Deferred Variable Annuity	3/24/2003
203-195	Individual Deferred Variable Annuity	3/24/2003
203-193	Individual Deferred Variable Annuity	7/1/2003
204-191	Individual Deferred Variable Annuity	9/22/2004
204-193	Individual Deferred Variable Annuity	9/17/2004
202-190	Individual Deferred Variable Annuity	2/13/2002
000-190	Individual Deferred Variable Annuity	6/23/1999
208-190	Individual Deferred Variable Annuity	10/22/2008
208-191	Individual Deferred Variable Annuity	10/22/2008
208-192	Individual Deferred Variable Annuity	10/22/2008
Discontinued Products		
200-190	Individual Deferred Variable Annuity	3/16/2000
200-195	Individual Deferred Variable Annuity	3/16/2000
202-181	Individual Deferred Fixed Annuity	4/4/2002
202-183	Individual Deferred Fixed Annuity	7/10/2002
204-183	Individual Deferred Fixed Annuity	7/1/2003
204-188	Individual Deferred Fixed Annuity	3/5/2004
204-189	Individual Deferred Fixed Annuity	3/5/2004
982-180	Individual Deferred Fixed Annuity	8/26/1981
982-181	Individual Deferred Fixed Annuity	8/26/1981
983-180	Individual Deferred Fixed Annuity	11/9/1983
983-181	Individual Deferred Fixed Annuity	11/9/1983
990-181	Individual Deferred Fixed Annuity	3/11/1991
994-181	Individual Deferred Fixed Annuity	7/13/1993
997-180	Individual Deferred Fixed Annuity	5/6/1997
997-181	Individual Deferred Fixed Annuity	5/6/1997
999-190	Individual Deferred Variable Annuity	8/7/1998
200-090	Individual Deferred Variable Annuity	2/7/2000

993-190	Individual Deferred Variable Annuity	10/27/1992
995-190	Individual Deferred Variable Annuity	12/27/1994
983-190	Individual Deferred Variable Annuity	10/6/1983
983-191	Individual Deferred Variable Annuity	10/6/1983
983-192	Individual Deferred Variable Annuity	10/6/1983
983-193	Individual Deferred Variable Annuity	10/6/1983

New York Life Insurance and Annuity Corporation (NYLIAC)

**Statement of Variability For
Individual Annuity Endorsement for Tax Sheltered Annuity (403(b))
Form Number: 6238-09**

Any use of variability shall be administered in a uniform and non-discriminatory manner and shall not result in unfair discrimination. The following information, that is bracketed, is denoted as variable.

Officer Signatures and or Title: For any change to the corporation's officers and or their titles.

NEW YORK LIFE INSURANCE AND ANNUITY CORPORATION
NEW YORK LIFE INSURANCE COMPANY

STATE OF ARKANSAS

In Re: Form (s): 6238-09

I certify that the Endorsement form contained in this filing complies with Arkansas Insurance Regulation 19.

Suzanne Wolf

Signature

Suzanne Wolf

Name

Assistant Vice President

Title

June 5, 2009

Date

**ARKANSAS
INSURANCE
DEPARTMENT**

FILING FEE TRANSMITTAL FORM ***

ATTN: LIFE & HEALTH DIVISION, ARKANSAS INSURANCE DEPARTMENT

Company Name : New York Life Insurance and Annuity Corporation NAIC#: 826-91596

Company Contact Person: Suzanne Wolf Telephone No.: Toll Free: (800) 280-3551

<u>INSURANCE DEPARTMENT USE ONLY</u>		
ANALYST :	AMOUNT:	ROUTE SLIP:

ALL FEES ARE PER EACH INSURED, PER ANNUAL STATEMENT LINE OF BUSINESS,
UNLESS OTHERWISE INDICATED.

FEE SCHEDULE FOR ADMITTED INSURERS

RATE/ FORM FILINGS

Life and/or Disability policy form filing and review, per each policy, contract, annuity form , per each insurer, per each filing	## x \$50= \$ #### **Retaliatory \$###.##
Life and/or Disability- Filing and review of each rate filing or loss ratio guarantee filing, per each insurer.	* ### x \$50= \$ ###.## **Retaliatory \$###.##
Life and/or Disability Policy, Contract or Annuity Forms: Filing and review of certificate, rider, endorsement or application if each is filed separately from the basic form.	* 1 x \$20= \$50.00 **Retaliatory \$50.00
Policy and contract forms, all lines, filing corrections in previously filed policy and contract forms.	* ### x \$20= \$ ###.## **Retaliatory \$###.##
Life and/or Disability: Filing and review of Insured's advertisements, per advertisement, per each insurer.	* ### x \$25= \$ ###.## **Retaliatory \$###.##

AMEND CERTIFICATE OF AUTHORITY

Review and processing of information to amend an Insurer's Certificate of Authority. * ## x \$ 400 = \$ ###.##

Filing to amend Certificate of Authority. *** ### x \$100 = \$ ###.##

*THESE FEES ARE PAYABLE UNDER THE NEW FEE SCHEDULE AS OUTLINED UNDER RULE AND REGULATION 57.

**THESE FEES ARE PAYABLE UNDER THE OLD FEE SCHEDULE AS OUTLINED UNDER ARK. CODE ANN. 23-63-102, RETALIATORY TAX.

***THESE FEES ARE PAYABLE AS REQUIRED IN ARK. ANN. 23-61-401.