

SERFF Tracking Number: TCRE-126913464 State: Arkansas
Filing Company: Teachers Insurance and Annuity Association of America State Tracking Number: 47368
Company Tracking Number: IGRSP-EACCT-E2
TOI: A02.1G Group Annuities - Deferred Non-Variable and Variable Sub-TOI: A02.1G.002 Flexible Premium
Product Name: ERISA Endorsement 2
Project Name/Number: ERISA Endorsement 2/IGRSP-EACCT-E2

Filing at a Glance

Company: Teachers Insurance and Annuity Association of America

Product Name: ERISA Endorsement 2 SERFF Tr Num: TCRE-126913464 State: Arkansas
TOI: A02.1G Group Annuities - Deferred Non-Variable and Variable SERFF Status: Closed-Approved-Closed State Tr Num: 47368
Sub-TOI: A02.1G.002 Flexible Premium Co Tr Num: IGRSP-EACCT-E2 State Status: Approved-Closed
Filing Type: Form Reviewer(s): Linda Bird
Author: Patrick McGroarty Disposition Date: 12/01/2010
Date Submitted: 11/22/2010 Disposition Status: Approved-Closed
Implementation Date Requested: On Approval Implementation Date:
State Filing Description:

General Information

Project Name: ERISA Endorsement 2 Status of Filing in Domicile: Pending
Project Number: IGRSP-EACCT-E2 Date Approved in Domicile:
Requested Filing Mode: Review & Approval Domicile Status Comments:
Explanation for Combination/Other: Market Type: Group
Submission Type: New Submission Group Market Size: Small and Large
Overall Rate Impact: Group Market Type: Employer
Filing Status Changed: 12/01/2010 Explanation for Other Group Market Type:
State Status Changed: 12/01/2010
Deemer Date: Created By: Patrick McGroarty
Submitted By: Patrick McGroarty Corresponding Filing Tracking Number: IGRSP-EACCT-E2

Filing Description:

The attached endorsement modifies and replaces our recently approved endorsement number; IGRSP-EACCT-E1 approved by your Department on July 7, 2010, SERFF tracking number TCRE-126697759, your state tracking number 46129.

For your information, the original form IGRSP-EACCT-E1 had never been marketed? We were made aware of the necessity of having to modify this form shortly after receiving your approval.

SERFF Tracking Number: TCRE-126913464 State: Arkansas
Filing Company: Teachers Insurance and Annuity Association of State Tracking Number: 47368
America
Company Tracking Number: IGRSP-EACCT-E2
TOI: A02.1G Group Annuities - Deferred Non- Sub-TOI: A02.1G.002 Flexible Premium
Variable and Variable
Product Name: ERISA Endorsement 2
Project Name/Number: ERISA Endorsement 2/IGRSP-EACCT-E2

The following is a description of this endorsement:

Attached for your approval is an endorsement to the TIAA Retirement Choice (RC) and TIAA Retirement Choice Plus (RCP) contracts to allow for the use of ERISA Accounts.

An ERISA Account is an unallocated account from which the plan sponsor can elect to pay either reasonable and necessary plan expenses or plan benefits for participants in a defined contribution plan like a 401(k) or 403(b) plan. ERISA Accounts are a way of distributing back to a plan, plan generated revenues that exceed the costs associated with plan administration by a plan record keeper or fund provider.

Provisions covering ERISA Accounts must be in the annuity contract in order to comply with insurance law anti-rebating statutes. To this end, this endorsement defines an ERISA Account and makes explicit the provision for payments from an ERISA Account. This endorsement also clarifies that the contract's accumulation for the purpose of maintaining ERISA Accounts is not attributable to any individual employee and deactivates "contractholder payments", which otherwise allow for wholesale withdrawals for the purpose of switching investments, with respect to ERISA Accounts. A certification of readability is not included as this product is a security subject to federal jurisdiction.

For your convenience, we are attaching a copy of the form with the changes highlighted.

We have bracketed all elements that are being submitted as variable.

This form 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 this form without resubmitting for approval.

We would like to implement this form as soon as possible. If you have any questions about this form or if there is anything we can do to make your review easier, please call me at 800-842-2733, extension 23-3284

Thank you for your consideration of this submission.

Company and Contact

Filing Contact Information

SERFF Tracking Number: TCRE-126913464 State: Arkansas
 Filing Company: Teachers Insurance and Annuity Association of America State Tracking Number: 47368
 Company Tracking Number: IGRSP-EACCT-E2
 TOI: A02.1G Group Annuities - Deferred Non-Variable and Variable Sub-TOI: A02.1G.002 Flexible Premium
 Product Name: ERISA Endorsement 2
 Project Name/Number: ERISA Endorsement 2/IGRSP-EACCT-E2

Pat McGroarty, Senior Contract Forms Specialist
 pmcgroarty@tiaa-cref.org
 730 Third Avenue
 730/3/33
 New York, NY 10017
 212-913-3284 [Phone]
 212-916-5903 [FAX]

Filing Company Information

Teachers Insurance and Annuity Association of America
 730 Third Avenue
 New York, NY 10017
 (212) 490-9000 ext. [Phone]
 CoCode: 69345
 State of Domicile: New York
 Group Code: 1216
 Group Name: TIAA-CREF
 FEIN Number: 13-1624203
 Company Type: L&H
 State ID Number:

Filing Fees

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

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
Teachers Insurance and Annuity Association of America	\$50.00	11/22/2010	42203385

SERFF Tracking Number: TCRE-126913464 State: Arkansas
Filing Company: Teachers Insurance and Annuity Association of America State Tracking Number: 47368
Company Tracking Number: IGRSP-EACCT-E2
TOI: A02.1G Group Annuities - Deferred Non-Variable and Variable Sub-TOI: A02.1G.002 Flexible Premium
Product Name: ERISA Endorsement 2
Project Name/Number: ERISA Endorsement 2/IGRSP-EACCT-E2

Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Approved-Closed	Linda Bird	12/01/2010	12/01/2010

SERFF Tracking Number: TCRE-126913464 State: Arkansas
 Filing Company: Teachers Insurance and Annuity Association of America State Tracking Number: 47368
 Company Tracking Number: IGRSP-EACCT-E2
 TOI: A02.1G Group Annuities - Deferred Non-Variable and Variable Sub-TOI: A02.1G.002 Flexible Premium
 Product Name: ERISA Endorsement 2
 Project Name/Number: ERISA Endorsement 2/IGRSP-EACCT-E2

Schedule	Schedule Item	Schedule Item Status	Public Access
Supporting Document	Flesch Certification	No	No
Supporting Document	Application	No	No
Supporting Document	Life & Annuity - Actuarial Memo	No	No
Supporting Document	TIAA ERISA 2 ENDORSEMENT COMPARISON	Yes	Yes
Form	Endorsement to Your TIAA Retirement Choice Annuity Contract or TIAA Retirement Choice Plus Annuity Contract	Yes	Yes

SERFF Tracking Number: TCRE-126913464 State: Arkansas
 Filing Company: Teachers Insurance and Annuity Association of America State Tracking Number: 47368
 Company Tracking Number: IGRSP-EACCT-E2
 TOI: A02.1G Group Annuities - Deferred Non-Variable and Variable Sub-TOI: A02.1G.002 Flexible Premium
 Product Name: ERISA Endorsement 2
 Project Name/Number: ERISA Endorsement 2/IGRSP-EACCT-E2

Form Schedule

Lead Form Number: IGRSP-EACCT-E2

Schedule Item Status	Form Number	Form Type	Form Name	Action	Action Specific Data	Readability	Attachment
	IGRSP-EACCT-E2	Policy/Contract/Fraternal Certificate: Amendmen t, Insert Page, Endorseme nt or Rider	Endorsement to Your TIAA Retirement Choice Annuity Contract or TIAA Retirement Choice Plus Annuity Contract	Initial		0.000	Nov 19 2010 ERISA Endorsement IGRSP-EACCT-E2.pdf

**TEACHERS INSURANCE AND ANNUITY ASSOCIATION OF AMERICA
(TIAA)**

730 Third Avenue, New York, NY 10017-3206
Telephone: [800-842-2733]

**Endorsement to Your TIAA Retirement Choice Annuity Contract or
TIAA Retirement Choice Plus Annuity Contract**

This endorsement modifies the provisions of your TIAA Retirement Choice Annuity Contract or TIAA Retirement Choice Plus Annuity Contract and becomes part of it. Please read this endorsement and attach it to your contract.

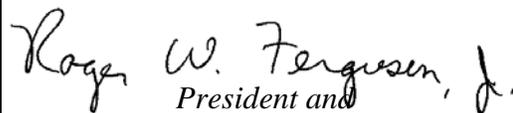
Some or all of the contract's **accumulation** is to be held in the name of the contractholder without being attributable to any individual employee under the employer plan for the purpose of maintaining an ERISA account as described below. The amount of accumulations and any benefits arising from ERISA accounts will therefore be determined without reference to any individual employee's accumulations.

The following provisions are added to your contract:

ERISA account. An ERISA account is an unallocated suspense account comprised of payments that TIAA or the plan agrees to make in order to cover reasonable and necessary plan expenses or to provide credits to participant and beneficiary plan accounts. Contract provisions pertaining to contractholder payments and participant recordkeeping provisions do not apply to ERISA account accumulations. Contractholder payments (as described under the Benefit Payments provision of both the Retirement Choice Contract and the Retirement Choice Plus Contract) are not available under ERISA accounts.

ERISA account payment. The employer may instruct us to withdraw all or part of an ERISA account accumulation to pay either reasonable and necessary plan expenses or to issue credits to participant and beneficiary Plan accounts. ERISA account payments will only be made directly to the employer following procedures that enable TIAA to determine that such payments are permitted under ERISA and/or applicable state law.

An ERISA account payment will be effective as of the end of the business day in which we receive the contractholder's written request for the ERISA account payment. The contractholder may defer the effective date of the ERISA account payment until any business day following the date on which we receive the request. TIAA will determine all values as of the end of the effective date. An ERISA account payment reduces the accumulation from which it is paid by the amount paid. If different rate schedules apply to different parts of the contract's Traditional Annuity accumulation, such reduction will be allocated among the parts on a pro-rata basis in accordance with procedures established by TIAA. An ERISA account payment may not be revoked after its effective date.


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

SERFF Tracking Number: TCRE-126913464 State: Arkansas
Filing Company: Teachers Insurance and Annuity Association of America State Tracking Number: 47368
Company Tracking Number: IGRSP-EACCT-E2
TOI: A02.1G Group Annuities - Deferred Non-Variable and Variable Sub-TOI: A02.1G.002 Flexible Premium
Product Name: ERISA Endorsement 2
Project Name/Number: ERISA Endorsement 2/IGRSP-EACCT-E2

Supporting Document Schedules

	Item Status:	Status Date:
Satisfied - Item: TIAA ERISA 2 ENDORSEMENT COMPARISON		
Comments:		
Attachment: TIAA ERISA Endorsement Comparison.pdf		

**TEACHERS INSURANCE AND ANNUITY ASSOCIATION OF AMERICA
(TIAA)**

730 Third Avenue, New York, NY 10017-3206
Telephone: [800-842-2733]

**Endorsement to Your TIAA Retirement Choice Annuity Contract or
TIAA Retirement Choice Plus Annuity Contract**

This endorsement modifies the provisions of your TIAA Retirement Choice Annuity Contract or TIAA Retirement Choice Plus Annuity Contract and becomes part of it. Please read this endorsement and attach it to your contract.

Some or all of the contract's **accumulation** is to be held in the name of the contractholder without being attributable to any individual employee under the employer plan for the purpose of maintaining an ERISA ~~accounts~~ account as described below. The amount of accumulations and any benefits arising from ERISA accounts will therefore be determined without reference to any individual employee's accumulations.

The following provisions are added to your contract:

ERISA account. An ERISA account is an unallocated suspense account comprised of payments that TIAA or the plan agrees to make in order to cover reasonable and necessary plan expenses or to provide plan-benefits-credits to participant and beneficiary plan accounts. Contract provisions pertaining to contractholder payments and participant recordkeeping provisions do not apply to ERISA account accumulations. Contractholder payments (as described under the Benefit Payments provision of both the Retirement Choice Contract and the Retirement Choice Plus Contract) are not available under ERISA accounts.

ERISA account payment. The employer may instruct us to withdraw all or part of an ERISA account accumulation to pay either reasonable and necessary plan expenses or plan-benefits-to issue credits to participant and beneficiary Plan accounts. ERISA account payments will ~~not only~~ be made directly to the employer following procedures that enable TIAA to determine that such payments are permitted under ERISA and/or applicable state law.

An ERISA account payment will be effective as of the end of the business day in which we receive the contractholder's written request for the ERISA account payment. The contractholder may defer the effective date of the ERISA account payment until any business day following the date on which we receive the request. TIAA will determine all values as of the end of the effective date. An ERISA account payment reduces the accumulation from which it is paid by the amount paid. If different rate schedules apply to different parts of the contract's Traditional Annuity accumulation, such reduction will be allocated among the parts on a pro-rata basis in accordance with procedures established by TIAA. An ERISA account payment may not be revoked after its effective date.

*President and
Chief Executive Officer*
