



March 10, 2025

Safe Harbor for Annuity Selection: Financial Capability of the Insurer

In connection with “financial capability of the insurer” under paragraph (2) of Section 404(e) (“Safe Harbor for Annuity Selection”) of the Employee Retirement Income Security Act of 1974, as amended (“ERISA”), Teachers Insurance and Annuity Association of America (“TIAA”), an insurance company organized and existing under the laws of the State of New York, represents as follows:

1. TIAA is licensed to offer and offers “guaranteed retirement income contracts” (as defined in Section 404(e) of ERISA), which provide the option, as part of an individual account plan, for a participant to annuitize and obtain guaranteed benefits annually (or more frequently) for at least the remainder of the life of the participant or the joint lives of the participant and the participant’s designated beneficiary.
2. As of the date hereof, and for each of the immediately preceding seven (7) years, TIAA:
 - a. operates under a certificate of authority from the insurance commissioner of its domiciliary State, which has not been revoked or suspended;
 - b. has filed audited financial statements in accordance with the laws of its domiciliary State under applicable statutory accounting principles;
 - c. maintains (and has maintained) reserves which satisfies all the statutory requirements of all States where TIAA does business; and
 - d. is not operating under an order of supervision, rehabilitation, or liquidation.
3. TIAA undergoes, at least every five (5) years, a financial examination (within the meaning of the law of its domiciliary State) by the insurance commissioner of the domiciliary State (or representative, designee, or other party approved by such commissioner); and

TIAA will notify ERISA plan fiduciaries of any change in circumstances occurring after the date hereof which would preclude TIAA from making the above representations after such date.

A handwritten signature in black ink, appearing to read "Kourtney Gibson".

Kourtney Gibson
Chief Executive Officer
Retirement Solutions