

**STATEMENT OF THOMAS K. EMSWILER
DIRECTOR, PARTICIPANT OPERATIONS AND POLICY
FEDERAL RETIREMENT THRIFT INVESTMENT BOARD
BEFORE THE
EMPLOYEE BENEFITS SECURITY ADMINISTRATION,
ADVISORY COUNCIL ON EMPLOYEE WELFARE AND PENSION BENEFIT PLANS
AUGUST 28, 2013**

Good morning, Chairman Kaleda and members of the Advisory Council, my name is Tom Emswiler and I am the Director of Participant Operations and Policy at the Federal Retirement Thrift Investment Board (FRTIB).

The Federal Retirement Thrift Investment Board administers the Thrift Savings Plan (TSP) for Federal employees. The TSP is not covered by ERISA, but rather was created by the Federal Employees' Retirement System Act of 1986, codified primarily at 5 U.S.C. § 8351 and §§ 8401-8479. The TSP is a retirement savings and investment plan for Federal civilian employees and members of the uniformed services that offers its participants the same type of savings and tax benefits that are offered under private sector 401(k) plans. Individual accounts are maintained for more than 4.6 million Federal and Postal employees, members of the uniformed services, retirees, and spousal beneficiaries. As of July 31, 2013, the TSP held approximately \$370 billion in retirement savings.

I understand the council is examining the issue of locating missing and lost participants and intends to make recommendations to the Secretary of Labor on seven matters related to this topic. I will outline the TSP's practices with regard to each matter.

A. Identification of current industry practices with regard to the handling of Lost Participants, including but not limited to methods of searching for Lost Participants (such as use of locator services, federal government programs and resources, internet search engines, and other publicly available electronic media) and procedures for updating addresses and advising participants to maintain current address information with the plan administrator.

The TSP principally uses three events to identify and resolve issues pertaining to lost participants: returned mail, Treasury credits, and required withdrawal elections at age 70 ½.

Returned Mail.

The participant's address is obviously a key locator for participants.¹ Before TSP mail is issued, its mail vendor compares the address against the National Change of Address

¹ The TSP is currently considering starting a project that would collect participant phone numbers and email addresses. As part of this process, it is developing requirements and cost estimates.

(NCOA) database. The vendor sends the TSP a list of participants who have a forwarding address on file with the United States Postal Service (USPS) that differs from the address that is in the TSP's system. The TSP will then send a postcard to the new address asking the participant to verify that the forwarding address on record with USPS is correct.²

In 2010, the TSP began several initiatives to help identify invalid addresses. It added a return mail barcode to its PIN and password mailers and to its quarterly and annual statements. When these pieces of mail are returned to the TSP, the data processing center will scan the barcodes in order to connect that returned mail to a participant's account. An indicator flag is then put in the participant's account record and remains in place until the participant or the participant's agency or service submits a corrected address.

This flag is viewable by TSP call center representatives.³ When these participants call the TSP call centers, the representatives will ask participants to update their addresses. Additionally, when returned mail includes a forwarding address, the TSP sends a postcard asking the participant to update his/her addresses. See attachment A.

Under current TSP procedures, the TSP depends on the employing agencies to provide the addresses of currently employed participants. Agencies provide participant addresses electronically when they make a participant's initial contribution to the TSP. Consequently, employed participants must ask their employing agencies to update their addresses.⁴ However, the TSP periodically sends returned mail reports to employing agencies and asks the agencies to update participant addresses. Separated participants can update their addresses directly with the TSP.⁵

² Although some participants will inevitably follow up with the TSP as requested, not all will. A newly initiated TSP project will analyze response rates and consider alternative methods if the postcard appears ineffective. For example, if the TSP decides to collect email addresses or phone numbers, these additional methods of notification will also be available.

³ The TSP has initiated a project that would enhance this feature. When the project is completed all returned mail would generate a returned mail flag. Additionally, if the participant's address is invalid, the address will be highlighted in red on the participant's account record (making it more visible to call center representatives). The project will also lead to modifications to the participant website: (1) an address validation screen will be the default screen; and, (2) those participants who have an invalid address will receive a pop-up message to that effect.

⁴ The TSP project noted above will examine using commercial sources to verify address information. Additionally, the TSP is considering allowing currently employed participants to directly update their addresses with the TSP.

⁵ The TSP has previously used the IRS's letter forwarding program. See Rev. Proc. 94-22 as amended by Rev. Proc. 2012-35; DOL FAB 2004-02. For example, in the late 1990s and early 2000s, the TSP used the IRS program to have notices sent to separated participants for whom certain notices were returned as undeliverable. However, since the IRS could not provide the TSP with an updated address, could not confirm whether its attempts to locate the lost

Treasury Credits.

The U.S. Department of the Treasury serves, in essence, as the TSP's bank. Many payments from the TSP are issued by Treasury check. When a TSP check is returned to the Treasury Department as undeliverable, it issues a credit to the TSP. Similarly, when a check is not cashed after one year, it goes into a limited payability status, and, at approximately the 15 month mark, results in a Treasury credit. The TSP will then attempt to locate the participant for a period of 60-90 days. If these efforts prove unsuccessful, the TSP will forfeit the amount to the plan. Participants or their beneficiaries may reclaim these amounts.

The TSP balances the efforts it makes to identify these participants based on the amount of the credit and the expense necessary to locate the participant. These attempts can include searching on-line commercial data bases to determine the participant's whereabouts and using information provided by the participant on any TSP forms submitted by the participant (e.g., the designation of beneficiary form). In order to ensure that expenses associated with locating a participant are reasonable, the TSP has adopted a policy of automatically forfeiting all credits to the plan that are under \$10.00.

In addition to generating credits when a Treasury check has been uncashed for 15 months, the use of Treasury checks protects TSP participants in an additional way. When a Treasury check is lost or stolen, participants can file requests with Treasury to have the check reissued.

All TSP withdrawals generate an IRS Form 1099-R. The TSP does not reverse this tax reporting even when it receives a Treasury credit. Consequently, if a participant neglects to report the amount of the withdrawal as income, the IRS might detect the omission and contact the participant regarding the omission. This can prompt the participant to contact the TSP and have the amount reissued.

Required Withdrawal Elections.

Under FERSA, participants must make a withdrawal election by April 1st of the year after turning age 70 ½ or separating from government service, whichever is later. The Internal Revenue Code also requires that these withdrawals satisfy the "required minimum distribution" amount.

When an employee separates from government service, the employing agency has certain responsibilities. Among other things, an employing agency representative must provide the participant with a withdrawal package. See TSP Bulletin 02-21, "Agency Responsibilities When Thrift Savings Plan Participants Separate From Federal Service"

participants were successful, and charges for this service, the TSP discontinued its use. In 2012, the IRS greatly restricted the use of its letter forwarding service and it appears that this service is no longer available to the TSP.

(16 JUL 02). The withdrawal package contains information explaining that it is now the participant's responsibility to update his/her address with the TSP and the methods of doing so (e.g., via the TSP website, by submitting form TSP-9 (see attachment B) or by writing to the TSP). As a safeguard, whenever the TSP updates a participant's address, it will send a notice of the change to both the participant's old address and new address.

In October of the year in which a participant turns 70 ½, the TSP sends the participant a leaflet explaining the required withdrawal election rules. If the participant has not made an election by the deadline, the TSP will transfer the participant's entire account balance to the G Fund. If the participant does not proceed to submit a withdrawal request at that point, the TSP will forfeit the account. Forfeited amounts can be reclaimed by the participant but will not accrue earnings from the date of forfeiture. Notices are sent to the participant at each stage of this process, and include a change of address form.

Each of these mailings presents the TSP with opportunities to locate participants whose notices are returned as undeliverable. The principal effort comes in June and July. A list is prepared of those participants who have not responded. The list is forwarded to a team at one of the TSP's call centers and they then attempt to contact the participant by phone. Although the TSP does not maintain phone numbers, participants report their phone numbers on TSP forms such as the designation of beneficiary form, loan request form, and withdrawal form. Additionally, contact information for designated beneficiaries can be of value as can some on-line commercial data bases. Traditionally, the TSP forfeits between 800 and 1,000 accounts each year. It then restores between 70 and 80 percent of these accounts. Generally 10-15 percent of the forfeited accounts relate to deceased participants. The TSP will restore these accounts and distribute the balance to the appropriate beneficiary.

B. The fiduciary obligations surrounding the location of Lost Participants, the use of plan assets to pay for locating Lost Participants, and the handling of plan benefits attributable to Lost Participants that cannot be located after appropriate search efforts.

Consistent with the requirements of FERSA, TSP fiduciaries must act prudently and solely in the interest of the plan's participants and beneficiaries and for the exclusive purpose of providing benefits and defraying reasonable expenses of administering the TSP. 5 U.S.C. § 8477(b). FERSA is silent with regard to efforts TSP fiduciaries must take to identify lost participants. Nevertheless, TSP fiduciaries must act with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent individual acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like objectives.

Although the TSP is not covered by ERISA,⁶ it is treated as a trust described in I.R.C. section 401(a) which is exempt from taxation under I.R.C. section 501(a). See I.R.C. §

⁶ The TSP is not governed by ERISA because it is a Governmental plan. 29 U.S.C. §§ 1002(32), 1003(b)(1). However, Congress designed the TSP to operate like a private-sector 401(k) plan, and deliberately modeled FERSA on ERISA. See S. Rep. No. 99-166, at 72 (1986), reprinted in

7701(j). The presentations before this committee by representatives of ERISA plans that constitute trusts described in I.R.C. section 401(a) which are exempt from taxation under I.R.C. section 501(a) will assist the TSP in ascertaining whether, under the prudent expert standard, it should revise its procedures. As discussed above, the TSP does balance the size of the participant's account balance and the expenses involved to locate these participants. Consistent with this, it has several projects underway that are examining whether it could enhance the diverse methods it uses to locate missing participants.

C. How are plans applying state abandoned property and escheatment laws to benefits of Lost Participants, what is the current state of the federal law in this regard, and what clarification, if any, is needed.

The TSP is governed by FERSA. Under the Supremacy Clause of the United States Constitution, Federal law preempts conflicting state law. U.S. Const. art. VI, cl. 2.

FERSA provides that, except as expressly allowed by FERSA, amounts in the TSP “may not be used for, or diverted to, purposes other than for the exclusive benefit of the employee, Member, former employee, or former Member or his beneficiaries” and “may not be assigned or alienated and are not subject to execution, levy, attachment, garnishment, or other legal process.” 5 U.S.C. § 8437(e)(1), (2), (3). Additionally, the TSP’s fiduciaries have a duty to manage the TSP solely in the interest of the participants and beneficiaries, for the exclusive purpose of providing benefits and defraying reasonable administrative expenses. 5 U.S.C. § 8477(b). Amounts in forfeited accounts bear interest and this interest accrues to the benefit of other participants in that it may be used to defray administrative expenses.

These provisions ensure “that the benefits actually reach the beneficiary,” “prevents the vagaries of state law from disrupting the national scheme and guarantees a national uniformity that enhances the effectiveness of congressional policy,” and should, therefore, “pre-empt[] all state law that stands in its way.” *Hisquierdo v. Hisquierdo*, 439 U.S. 572, 584 (1979). Additionally, were the Agency to transfer these funds under a state unclaimed property statute, it would not fulfill its fiduciary duty to manage the TSP solely in the interest of the participants and beneficiaries. Instead, it would be abandoning this fiduciary duty to the state. Finally, were the Agency to transfer these funds under a state unclaimed property law, it would be depleting assets of the Plan by depriving the Plan of the interest that accrues on them. For these reasons, subjecting forfeited TSP accounts to state unclaimed property laws would “cause[] the kind of injury to federal interests that the Supremacy Clause forbids.” *Id.* at 590.

1986 U.S.C.C.A.N. 1405, 1477 (“To the extent possible, the Federal Retirement Thrift Investment Management System meets the requirements of [ERISA].”). Therefore, guidance pertaining to ERISA may be instructive.

D. When does a distributed benefit cease to be a “plan asset.”

FERSA provides, at 5 U.S.C. § 8433(d)(2), that participants may not change a withdrawal election on or after the date on which a payment is made in accordance with such election or, in the case of an election to receive an annuity, the date on which an annuity contract is purchased to provide for the annuity. Similarly, a TSP regulation, at 5 C.F.R. § 1650.17(b), provides: “A withdrawal election cannot be changed or cancelled after the withdrawal request has been processed.” “Consequently, funds disbursed cannot be returned to the TSP record keeper.” *Id.* The TSP takes the position that that law and regulation provide that a properly disbursed distribution ceases to be a plan asset upon payment.

E. The benefit accounting issues involving Lost Participants.

The TSP has not encountered any accounting issues regarding lost participants.

F. Clear guidance on efforts to deal with small benefit amounts.

The TSP does not have a traditional plan document. It is qualified by statute. I.R.C. § 7701(j). Its governance structure is set-out in FERSA and in FRTIB regulations. Under 5 C.F.R. § 1650.22, separated participants with account balances of \$200.00 or more must submit properly completed withdrawal forms to request their account balances. Separated participants with account balances less than \$200.00 are automatically cashed-out. 5 C.F.R. § 1650.23. Prior to the 1996 amendments to 5 U.S.C. § 8433(f)(1), the Executive Director was required to cash-out the accounts of separated participants who had an account balance of \$3,500.00 or less. The 1996 amendments allowed the Executive Director to establish the cash-out amount by regulation. In 2003, the Executive Director reduced the automatic cash-out amount from \$3,500.00 to \$200.00. Participants with account balances of \$200.00 or more may continue to participate in the TSP (to include rolling-in amounts from other qualified plans or IRAs).

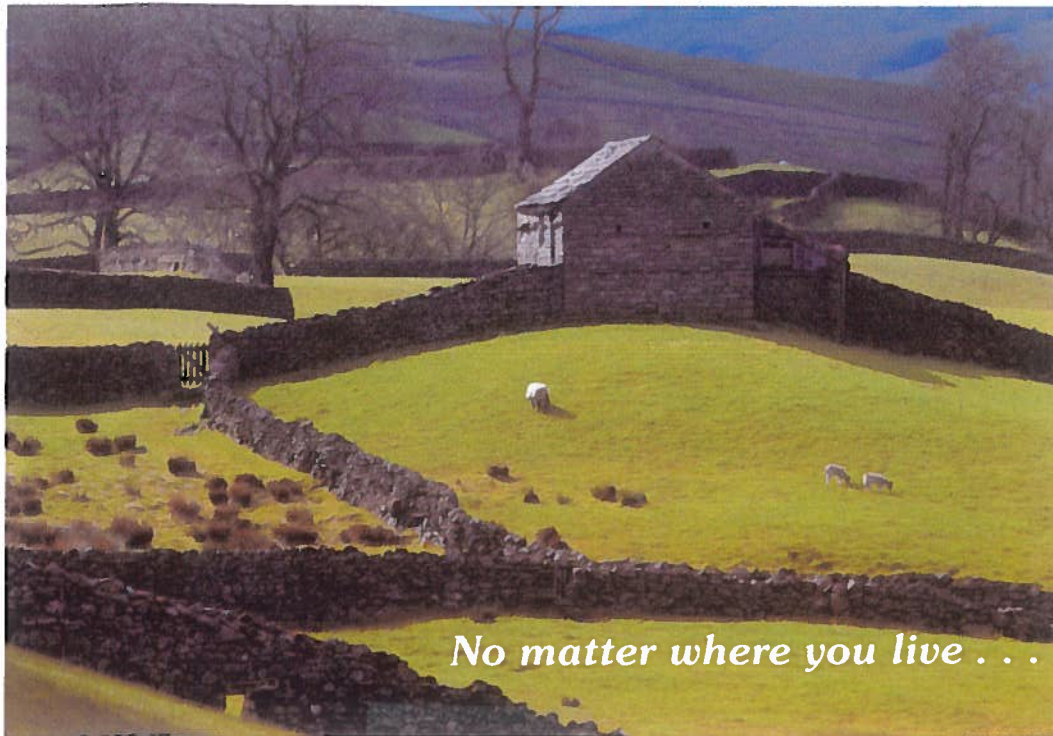
G. Identification of obligations or practices that may be helpful in reducing the number of Lost Participants, including identification of points of contact between a plan and participants once the participants leave the employer.

As discussed above, the TSP looks to several events in an effort to identify points of contact between the TSP and its participants once the participants leave government employment. Employing agencies have the initial responsibility to inform separated participants of their responsibilities regarding maintaining a current address with the TSP. Once separated, the TSP uses mail as a way to ensure it has a current address for participants. This includes the match with the National Change of Address (NCOA) database prior to sending any mailings to participants and the use of returned mail to seek to obtain updated addresses. The TSP also responds to receipt of Treasury credits in an effort to maintain up to date participant addresses. The TSP also identifies lost participants through the required withdrawal required distribution process. In addition to those enhancements already underway (discussed above), the TSP is considering

collecting and maintaining both participant phone numbers and participant email addresses. Phone numbers and email addresses would provide additional points of contact between the TSP and its participants as it continues to strive toward reducing the number of its lost participants.

Attachments

- A. Request to Update Address Postcard
- B. TSP-9, "Change in Address for Separated Participant"
- C. TSP-70-A, "Late Request for a Full Withdrawal"



. . . we need to find you.

The Postal Service recently notified us that you have a forwarding address. Although we are using that forwarding address to contact you, **we cannot store it or use it to update your permanent TSP address without your taking certain steps.** To update your address:

If you are still employed, ask your agency or service to update your TSP record.

If you have left Federal service, you can update your address through:

- The TSP website, www.tsp.gov.
- The TSP at 1-877-968-3778.
(Use 404-233-4400 outside the U.S. and Canada.)
- Form TSP-9, Change in Address for Separated Participant

Please do it today.



PRESORT
FIRST CLASS MAIL
U.S. POSTAGE PAID
BOSTON, MA
PERMIT NO 675

TSPPC01 (2/2010)

Attachment A



**THRIFT SAVINGS PLAN
CHANGE IN ADDRESS
FOR SEPARATED PARTICIPANT**

TSP-9

Use this form to change your address for your TSP account if you are **no longer employed as a Federal civilian employee or are no longer a member of the uniformed services**. **Note:** You may also request a change of address through the Account Access section of the TSP Web site, www.tsp.gov. You will need to enter your TSP account number and your Web password to make this change.

You cannot use this form to change your TSP address on any account associated with your current employment/service. Addresses for TSP accounts of active employees/members can be changed only by a participant's agency or service.

This form is designed to be read by an optical scanner. To avoid processing problems, please type or print using black or dark blue ink. If you print by hand, please use **BLOCK** letters that fit within the boxes. (See examples on back.) Limit your responses to the number of available boxes.

I. NEW INFORMATION ABOUT YOU

This change applies to my: Civilian Account Uniformed Services Account

1.
Last Name First Name Middle Name

2.
TSP Account Number 3. //19
Date of Birth (mm/dd/yyyy) 4.
Daytime Phone (Area Code and Number)

II. YOUR NEW ADDRESS

5. Foreign address?
Check here. 6.
Street Address or Box Number (For a foreign address, see instructions on back.)

Street Address Line 2

7.
City 8.
State 9. -
Zip Code

III. YOUR SIGNATURE AND CERTIFICATION

I certify that the information I have provided is true to the best of my knowledge. **Warning:** Any intentional false statement in this application or willful misrepresentation concerning it is a violation of law that is punishable by a fine of as much as \$10,000, imprisonment for as long as 5 years, or both (18 U.S.C. § 1001).

10.
Participant's Signature 11. //20
Date Signed (mm/dd/yyyy)

Do Not Write Below This Line



FORM TSP-9 (6/2008)
PREVIOUS EDITIONS OBSOLETE

Attachment B

GENERAL INFORMATION AND INSTRUCTIONS

To ensure that your request is not delayed, carefully type or print the requested information using black or dark blue ink. If printing, please use simple block letters and numbers. Keep all letters and numbers **inside** the boxes. (See examples below.)

EXAMPLES

CORRECT

C O R R E C T

3 / 6 / 1 9 8 2

INCORRECT

Incorrect

3 / 6 / 1 9 8 2

PARTICIPANTS WITH TWO ACCOUNTS. If you have two TSP accounts (civilian and uniformed services), you can use this form to change the addresses for both accounts **only if** you are no longer employed as a Federal civilian employee **and** are retired or separated from the uniformed services. Addresses for TSP accounts of active employees/members can be changed only by an employee's agency or service. For example, if you have two TSP accounts, one as an active Federal civilian employee and another as a retired or separated member of the uniformed services, you can use this form to change your uniformed services TSP account address only. You must ask your employing agency to change your address on your civilian TSP account.

APO AND FPO ADDRESSES. If you use an Air/Army Post Office (APO) or Fleet Post Office (FPO) address, enter your address in the two available address lines (include the unit designation). Enter APO or FPO, as appropriate, in the City field. In the State field, enter AE as the state abbreviation for Zip Codes beginning with 090-098, AA for Zip Codes beginning with 340, and AP for Zip Codes beginning with 962-966. Then enter the appropriate Zip Code.

FOREIGN ADDRESSES. If you have a foreign address, check the box to indicate that this is a foreign address and enter the address as follows:

First address line: Enter your street address or post office box number, and any apartment number.

Second address line: Enter the city or town name, other principal subdivision (e.g., province, state, county) and postal code, if known. (The postal code may precede the city or town.)

Third address line: Enter the entire country name in the City field; leave the State field blank.

EXAMPLE OF FOREIGN ADDRESS

Foreign address? Check here

2 0 4 5 R U E R O Y A L E
Street Address or Box Number

0 6 5 7 0 P A R I S
Street Address Line 2

F R A N C E
City

State

Zip Code

MAILING INSTRUCTIONS. Make a copy of this completed form for your records. Mail or fax this form to:

**Thrift Savings Plan
P.O. Box 385021
Birmingham, AL 35238**

Fax: 1-866-817-5023

If you have questions, call the ThriftLine at 1-TSP-YOU-FRST (1-877-968-3778) or TDD: 1-TSP-THRIFT5 (1-877-847-4385). Outside the U.S. and Canada, please call 404-233-4400.

PRIVACY ACT NOTICE. We are authorized to request the information you provide on this form under 5 U.S.C. chapter 84, Federal Employees' Retirement System. We will use this information to identify your TSP account and to process your request. In addition, this information may be shared with other Federal agencies for statistical, auditing, or archiving purposes. We may share the information with law enforcement agencies investigating a violation of civil or criminal law, or agencies implementing

a statute, rule, or order. It may be shared with congressional offices, private sector audit firms, spouses, former spouses, and beneficiaries, and their attorneys. We may disclose relevant portions of the information to appropriate parties engaged in litigation and for other routine uses as specified in the Federal Register. You are not required by law to provide this information, but if you do not provide it, we will not be able to process your request.

FORM TSP-9 (6/2008)
PREVIOUS EDITIONS OBSOLETE



Thrift Savings Plan

TSP-70-A

Late Request for Full Withdrawal

June 2013

Checklist for Completing Form TSP-70-A, Late Request for Full Withdrawal:

Be sure to read all instructions before completing this form. Only complete and submit the required pages as outlined below. All pages that are relevant to your request must be submitted **as one package**.

- ✓ Pages 1 and 2 (Sections I, IV, and VII) are required for all participants. You must **sign** and **date the form**, and your **signature must be notarized**.
- ✓ If you are **married**, you must complete Section II or III depending on your retirement coverage. If you are a married **FERS or uniformed services** participant, your spouse must also sign the form, and the signature must be notarized.
- ✓ If you have a **traditional (non-Roth)** balance and you would like to **transfer** all or a part of the **traditional (non-Roth)** portion of your withdrawal, you must check the box in Section V. You **and** the IRA trustee or plan administrator must complete Page 4. **You** must include the completed page with your withdrawal request package.
- ✓ If you have a **Roth** balance and you would like to **transfer** all or a part of the **Roth** portion of your withdrawal, you must check the box in Section V. You **and** the IRA trustee or plan administrator must complete Page 5. **You** must include the completed page with your withdrawal request package.

Note: If you would like to transfer all or a part of **both the traditional and the Roth** portions of your withdrawal, you must check the box in Section V. You **and** the IRA trustee or plan administrator must complete Page 4 **and** Page 5, **even if the transfer is to the same financial institution**. **You** must include the completed pages with your withdrawal request package.

FORM TSP-70-A, INFORMATION AND INSTRUCTIONS FOR PAGE 1

Use this form to reestablish your account and request a full withdrawal of your **entire** vested account balance after your account was declared abandoned. You may request your withdrawal in the form of a single payment, monthly payments, life annuity, or any combination of these options.

Before making a withdrawal request, read the booklet *Withdrawing Your TSP Account After Leaving Federal Service* and the TSP tax notice "Important Tax Information About Payments From Your TSP Account." If you do not have these materials, you can download them from the TSP website (www.tsp.gov).

SECTION I. INFORMATION ABOUT YOU. Complete Items 1–10. Check whether you are withdrawing money from a civilian or uniformed services account in Item 1. If you have more than one account and you do not check a box, your form will not be processed. **Check only one box.** You cannot withdraw from both accounts using one form. Also, be sure to only check the box for the account representing the employment from which you are separated.

The address you provide on this form will be used to update the address in your TSP account record. If you have a foreign address, check the box in Item 6 and enter the foreign address in Items 7–10 as follows:

First address line: Enter the street address or post office box number, and any apartment number.

Second address line: Enter the city or town name, other principal subdivision (e.g., province, state, county), and postal code, if known. (The postal code may precede the city or town.)

City/State/Zip Code fields: Enter the entire country name in the City field; leave the State and Zip Code fields blank.

If you use an **Air/Army Post Office (APO)** or **Fleet Post Office (FPO)** address, enter that address in the two available address lines (include the unit designation). Enter APO or FPO, as appropriate, in the City field. In the State field, enter AE as the state abbreviation for Zip Codes beginning with 090–098, AA for Zip Codes beginning with 340, and AP for Zip Codes beginning with 962–966. Then enter the appropriate Zip Code.

Note: Spouses' rights apply to the spouse to whom you were married on your required withdrawal date (i.e., April 1 of the year following the year you turned 70½ and were separated from service).

Spouses' rights apply to accounts that total more than \$3,500. If you are married (even if separated from your spouse), you must comply with the spouses' rights requirements outlined below:

Spouses' Rights for Full Withdrawals

Classification	Requirement	Exceptions
FERS/ Uniformed Services	Spouse is entitled to a survivor annuity unless he or she waives that right.	Whereabouts unknown or exceptional circumstances
CSRS	Spouse is entitled to notification by TSP of participant's election.	Whereabouts unknown

SECTION II. MARRIED FERS AND UNIFORMED SERVICES PARTICIPANTS. If your **total** TSP account is more than \$3,500, then by law your spouse has the right to a joint and survivor annuity with a 50% survivor benefit, level payments, and no cash refund, unless your spouse waives the right to that annuity. If you would like to use your entire account balance to purchase this annuity, check the box in Item 11 indicating that you choose the **default joint life annuity** with your spouse, skip to Section VII, and then complete Page 6.

Note about annuities: If you have **both a traditional (non-Roth) and a Roth balance** in your TSP account, the TSP will purchase **two default annuities** (one for each balance). The \$3,500 minimum applies to **each annuity** separately. If you are interested in purchasing an annuity, read the **Special Rules for Annuities** in the instructions for Page 6.

If your total TSP account balance is more than \$3,500, and you do not choose the default joint life annuity in Item 11, then your spouse must give consent to a full withdrawal from your TSP account by completing, signing, and dating Items 13–14. Your spouse's signature must be notarized (Item 15). Because this form will be filed with a Federal agency in Washington, D.C., the notary must complete the information in Item 15. **No other acknowledgement is acceptable.**

If you cannot obtain your spouse's signature, please provide your spouse's name and Social Security number in Item 12. The TSP cannot process your withdrawal unless you have a spousal exception on file or if you apply for — and receive — an exception to the spouses' rights requirements. Exceptions are granted in **rare** circumstances. If you wish to apply for an exception, submit Form TSP-16 (TSP-U-16 for uniformed services), Exception to Spousal Requirements, along with this form.

SECTION III. MARRIED CSRS PARTICIPANTS. If you are a married CSRS participant with an account balance of more than \$3,500, then by law the TSP must notify your spouse of your full withdrawal. Please provide your spouse's name in Item 16. If your spouse's address is the same as your address in your TSP record, check "Yes" in Item 17. Otherwise, check "No" in Item 17 and complete Items 18–22.

If you do not know your spouse's whereabouts, check the third box in Item 17, and provide your spouse's Social Security number. The TSP cannot process your withdrawal unless you have a spousal exception on file or if you apply for — and receive — an exception to the spouses' rights requirements. Exceptions are granted in **rare** circumstances. If you wish to apply for an exception, submit Form TSP-16, Exception to Spousal Requirements, with the required documentation.

If your spouse has a foreign address, check the box in Item 18 and follow the foreign address instructions in Section I to complete Items 19–22.

See the instructions in Section I for completing Air/Army Post Office (APO) or Fleet Post Office (FPO) addresses.

Name:
(Last, First, Middle)

TSP Account Number:

IV. WITHDRAWAL ELECTION — This section is required. Choose one or more methods. Indicate percentages in whole numbers. If choosing monthly payments, include the dollar amount of each payment or choose to have the TSP compute your payments based on your life expectancy.

23. I would like to withdraw my entire account balance as follows:

a. .0% Single Payment

b. .0% Life Annuity (Must equal \$3,500 or more. Also complete Page 6.)

c. .0% TSP Monthly Payments → Tell us how to pay your monthly payments:

100 % (Total a, b, and c) \$.00 per month (\$25.00 or more)

OR
 Compute my payments based on my life expectancy.

V. TRANSFER ELECTION

24. I would like to transfer all or a portion of my single payment and/or eligible monthly payments (indicated in Section IV) to an IRA or eligible employer plan. [See instructions for an explanation of eligible monthly payments. **Note:** You must include the completed applicable transfer page(s) from this form with your withdrawal request package.]

VI. DIRECT DEPOSIT INFORMATION — Completing this section is optional. Single payments and/or monthly payments that are not being transferred to a traditional IRA, eligible employer plan, or Roth IRA can be paid by direct deposit to a checking or savings account at a financial institution. Do not complete this section if you want direct deposit for annuity payments. The annuity provider will send you the necessary paperwork for direct deposit of those payments.

25. Pay by direct deposit (check all that apply): Single Payment TSP Monthly Payments

26. Type of Account:

Checking

OR

Savings

27.
Name of Financial Institution

28.
ACH Routing Number (Must be 9 digits)

29.
Checking or Savings Account Number

VII. CERTIFICATION AND NOTARIZATION — This section is required. I certify that I have read the information in this package, as well as the Withdrawal booklet and the TSP tax notice, and that I understand that my withdrawal election is irrevocable. I certify that the information I have provided on all pages of this form is true and complete to the best of my knowledge. Also, I certify that I am separated from Federal service and that I do not expect to be rehired by the Federal Government within 31 days of my separation. **Warning:** Any intentional false statement in this application or willful misrepresentation concerning it is a violation of law that is punishable by a fine or imprisonment for as long as 5 years, or both (18 U.S.C. § 1001).

30.
Participant's Signature

31. / /
Date Signed (mm/dd/yyyy)

32. Notary: Please complete the following. No other acknowledgement is acceptable (see instructions).

The person who signed Item 30 is known to or was identified by me, and, before me, signed or acknowledged to have signed this form. In witness thereof, I have signed below on this _____ day of _____, _____
Month Year

My commission expires: _____
Date (mm/dd/yyyy)

Notary Public's Signature

[seal]

Jurisdiction

Do not write in this section.

Form TSP-70-A, Page 2 (6/2013)

PREVIOUS EDITIONS OBSOLETE

FORM TSP-70-A, INFORMATION AND INSTRUCTIONS FOR PAGE 2

SECTION IV. WITHDRAWAL ELECTION. You must complete Item 23. You may withdraw your account balance by choosing any one, a combination of any two, or all three of the basic withdrawal options (single payment, life annuity, TSP monthly payments). In the boxes provided for each method, indicate the percentage of your account that you would like to withdraw by that method. **Use whole percentages only.** Be certain that the percentages in Items 23a, b, and c add up to 100%. **Note:** You can use the calculators on the TSP website to project a life annuity or a monthly payment amount.

If you have both a traditional (non-Roth) and a Roth balance in your TSP account, **your withdrawal will be paid proportionally** from your traditional and Roth balances for each withdrawal option that you select.

Example:

TSP account balance = \$10,000
Traditional portion of balance at time of withdrawal = \$5,000 (50%)
Roth portion of balance at time of withdrawal = \$5,000 (50%)

Withdrawal election:

Single Payment = 20%
Life Annuity = 0%
TSP Monthly Payments = 80%

Result:

Single payment = \$2,000, comprised of \$1,000 (50%) traditional money and \$1,000 (50%) Roth money.
Monthly payments = \$8,000. Each monthly payment will be comprised of 50% traditional money and 50% Roth money.

Note: If your account contains tax-exempt contributions or Roth contributions, each withdrawal method will be disbursed proportionally from taxable and nontaxable amounts.

If you choose to withdraw your account as a **life annuity**, the minimum amount to purchase the annuity is \$3,500. This means that if you are withdrawing only a portion of your account by means of an annuity (Item 23b), the percentage you choose must equal \$3,500 or more of your account balance (vested account balance if you are FERS). To complete your annuity purchase, you must also provide information needed for the annuity on Page 6 of this form.

If you have **both a traditional (non-Roth) and a Roth balance** in your TSP account, the \$3,500 minimum amount will apply to **both** balances separately. You cannot select just one balance for your annuity purchase. If you are interested in purchasing an annuity, read the **Special Rules for Annuities** in the instructions for Page 6.

If you are withdrawing any portion of your account by means of **TSP monthly payments** (Item 23c), write in the box the dollar amount that you would like to receive each month (must be at least \$25) **OR** check the box to have the TSP compute your monthly payments based on your life expectancy.

- If you write in a monthly dollar amount, you will receive that amount until you change it or until your entire account balance has been paid out.
- If you choose to have the TSP compute your payments, we will use the IRS Single Life Table, Treas. Reg. 1.401(a)(9)-9, Q&A 1 (for participants who are under age 70 after June 30 of the calendar year when payments are calculated) or the Uniform Lifetime Table, Treas. Reg. 1.401(a)(9)-9, Q&A 2 (for participants who turn age 70 before July 1 of that year).

SECTION V. TRANSFER ELECTION. Check the box in this section if you want all or a part of the single and/or eligible monthly payments you elected in Section IV to be transferred to an IRA or eligible employer plan. In order for a monthly payment to be eligible for transfer, it must be of a fixed dollar amount that results in payments that are expected to be completed in less than 120 months. You cannot transfer monthly payments expected to last 120 months or more, or those that are computed based on your life expectancy.

If you want to transfer all or any part of the traditional (non-Roth) portion of your single and/or eligible monthly payments, you and the IRA trustee or plan administrator must complete Page 4. **You** must include the completed page with your withdrawal request package. If you want to transfer all or any part of the Roth portion of your single and/or eligible monthly payments, you and the IRA trustee or plan administrator must complete Page 5. **You** must include the completed page with your withdrawal request package. If you want to transfer both the traditional and the Roth portions of your single and/or eligible monthly payments, you and the IRA trustee or plan administrator must complete Pages 4 and 5. **You** must include the completed pages with your withdrawal request package.

SECTION VI. DIRECT DEPOSIT INFORMATION. Complete this section only if you want the TSP to send your single payment or monthly payments directly to your checking or savings account by means of a direct deposit (electronic funds transfer (EFT)). Provide all of the requested information. If you do not know the 9-digit Routing Number, contact your financial institution for information. EFTs will be made only to a financial institution in the United States. **Note:** Do not complete this section if you selected a life annuity. The annuity provider will send you the necessary paperwork for direct deposit of your annuity payments.

In Item 26, check only one box. Your single and/or monthly payments can be directly deposited into only one account.

If the TSP determines that the EFT information you provided is incomplete or invalid, your request will be processed, but you will receive your payment in the form of a check mailed to you.

Note: Payments that are being transferred to an IRA or eligible employer plan **cannot** be paid by EFT.

SECTION VII. CERTIFICATION AND NOTARIZATION. Read the certification carefully and sign and date the form. By signing the certification, you are certifying that the information you have provided is true and complete to the best of your knowledge. You are also certifying that you are separated from Federal service and that your separation will last for 31 days or more. In addition, if you chose to transfer any portion of your traditional balance to a Roth IRA, you are certifying that you understand that you must pay tax on the amount transferred for the year of the transfer. Your signature must be notarized; otherwise, your request cannot be processed. Because the form will be filed with a Federal agency in Washington, D.C., the notary must complete the notarization in Item 32. **No other acknowledgment is acceptable.**

Name:

(Last, First, Middle)

TSP Account Number:

VIII. FEDERAL TAX WITHHOLDING — Completing this section is optional. Withholding will not apply to amounts transferred to an IRA or eligible employer plan or which are otherwise nontaxable (see instructions). If you complete this section, **you should not complete IRS Form W-4P.** If you complete this section **incorrectly** or choose a withholding option that does not apply to your elected withdrawal, and the rest of your form is completed correctly, **your withdrawal will be processed using the standard IRS withholding rules.**

Withholding on Single Payments

33. The TSP must withhold 20% of the taxable portion of your single payment for Federal income tax. Indicate the dollar amount of withholding you want **in addition to** the mandatory 20% for Federal income tax:

\$, .00

Withholding on Monthly Payments

The type and duration of monthly payments you elect will determine the required Federal tax withholding and which options below are available to you. You can use the monthly payment calculator on the TSP website (www.tsp.gov) to calculate the estimated duration of your payments.

34. For monthly payments that will last **less than 10 years (less than 120 payments)**, indicate the dollar amount of withholding you want on each monthly payment **in addition to** the mandatory 20% for Federal income tax:

\$, .00

35. For monthly payments that will last **10 years or more (120 payments or more)**, or are computed based on life expectancy, I want:

a. No withholding

b. Withholding based on my marital status:

Single

Married

Married, but withhold at higher single rate

Allowances (Enter the total number of allowances. If zero, enter 0.)

c. Withhold this additional dollar amount:
(Note: You must also complete Item 35b.)

\$.00

Do not write in this section.

Form TSP-70-A, Page 3 (6/2013)

PREVIOUS EDITIONS OBSOLETE

FORM TSP-70-A, INFORMATION AND INSTRUCTIONS FOR PAGE 3

SECTION VIII. FEDERAL TAX WITHHOLDING. Complete this section if you want to change the standard Federal income tax withholding for your payment(s).

The following withholding rules apply to the taxable portion of your withdrawal:

- **For single payments that are not transferred to an IRA or eligible employer plan,** the TSP must withhold a mandatory 20% for Federal income tax. You may ask the TSP to withhold an additional amount by completing Item 33.
- **For monthly payments that are expected to last less than 10 years (less than 120 payments),** the TSP must withhold a mandatory 20% for Federal income tax. You may ask the TSP to withhold an additional amount by completing Item 34.
- **For monthly payments that are expected to last 10 years or more (120 or more payments), or that are computed based on life expectancy,** the TSP will withhold taxes as if you are a married person with 3 dependents. However, you have other withholding options:
 - You may choose to have no withholding by checking the box in Item 35a.

OR

- You may change your withholding marital status and allowances by completing Item 35b. You may use the IRS Withholding Calculator on the IRS website at www.irs.gov/individuals for help in determining how many withholding allowances to claim.

OR

- You may ask the TSP to withhold an additional amount by completing Item 35c. **Note:** If you request additional withholding, you **must also** check the box indicating your withholding marital status **and** the number of allowances you would like in Item 35b. You may use the IRS Withholding Calculator on the IRS website at www.irs.gov/individuals for help in determining how many withholding allowances to claim. If you do not complete Item 35b, your withdrawal will be processed as if you are a married person with 3 dependents.

Be aware that if you elect not to have Federal income tax withheld from your payment(s) or if you do not have a sufficient amount withheld, you may be responsible for the payment of quarterly estimated taxes. Additionally, if any withholding amount and/or payments of quarterly estimated taxes are not sufficient, you may be subject to penalties under the IRS' estimated tax rules.

Note: Withholding does not apply to disbursements of tax-exempt contributions, Roth contributions, Roth qualified earnings, or any amounts transferred to an IRA or eligible employer plan.

For more information about the tax implications of your withdrawal, read the TSP tax notice "Important Tax Information About Payments From Your TSP Account."

For more information about estimated tax requirements and income tax penalties, refer to IRS Publication 505, *Tax Withholding and Estimated Tax*. You may be able to avoid quarterly estimated tax payments by having enough tax withheld from your TSP payment(s) using this form. You may use IRS Publication 919, *How Do I Adjust My Tax Withholding?*, to see how the dollar amount you are having withheld compares to your projected Federal income tax for the current year.

This section is a substitute for IRS Form W-4P, Withholding Certificate for Pension and Annuity Payments. If you complete this section, you should not complete IRS Form W-4P.

If you include an IRS Form W-4P, Withholding Certificate for Pension or Annuity Payments, with the completed withholding section of this form, the withholding information you provide on this form will supersede the information on your submitted Form W-4P.

If you complete this section incorrectly or choose a withholding option that does not apply to your elected withdrawal, and the rest of your form is completed correctly, your withdrawal will be processed using the standard IRS withholding rules.

If you elected a default joint life annuity (Item 11) or a life annuity (Item 23b), the annuity provider will send you information about making a withholding election for your annuity payments.

Name:
(Last, First, Middle)

TSP Account Number:

TRANSFER — TRADITIONAL

This page is optional. You and the IRA trustee or plan administrator must complete this page if you want to transfer (i.e., direct rollover) all or a part of the **traditional (non-Roth) portion of your single or eligible monthly payments** to a traditional IRA, an eligible employer plan, or a Roth IRA. Your traditional TSP balance consists of traditional contributions, tax-exempt contributions, all agency contributions, and the earnings associated with these contributions. **Note:** If you choose to transfer money from your traditional (non-Roth) balance to a Roth IRA, you will have to pay tax on that portion when you file your tax return for the year.

IX. YOUR TRANSFER ELECTION FOR TRADITIONAL BALANCE— After you complete this section, take or send this page (including the instructions on the back) to your IRA or plan. Your IRA trustee or plan administrator must complete Section X. You must submit the completed package in order for your transfer to be processed.

- 36. Single Payment.** Indicate the percentage of your **traditional (non-Roth) single payment** that you want to transfer: .0%
- 37. Monthly Payments.** Indicate the percentage of your **traditional (non-Roth) monthly payments** that you want to transfer: .0%

X. TRANSFER INFORMATION FOR TRADITIONAL BALANCE— This section is to be completed by the IRA trustee or plan administrator. The account described here must be a traditional IRA, eligible employer plan, or Roth IRA. Please return this completed form to the participant. **Do not submit transfer forms of financial institutions or plans.**

38. Type of Account: Traditional IRA Eligible Employer Plan Roth IRA

39.
IRA/Plan Account Number or Other Customer ID

40. Check this box if tax-exempt balances are accepted into the account identified above.

41. Provide the **name and mailing address information below exactly as it should appear** on the front of the check.

Make check payable to

If needed, use these boxes to supplement "check payable to" information above.

Street Address

City State Zip Code

Only the financial institution or plan should complete this information. It will be used to identify the account that will receive the transfer.

I confirm the accuracy of the information in this section and the identity of the individual named above. As a representative of the financial institution or plan to which the funds are being transferred, I certify that the financial institution or plan agrees to accept the funds directly from the Thrift Savings Plan and deposit them into the IRA or eligible employer plan identified above.

42. ()
Typed or Printed Name of Certifying Representative *(Last, First, Middle)* Daytime Phone *(Area Code and Number)*

43.
Signature of Certifying Representative

44. / /
Date Signed *(mm/dd/yyyy)*

Do not write in this section.

FORM TSP-70-A, INFORMATION AND INSTRUCTIONS FOR PAGE 4

GENERAL INFORMATION ABOUT TRANSFERS

You may elect to transfer all or part of your withdrawal to a traditional IRA, eligible employer plan, or Roth IRA. The type of plan to which you can transfer your withdrawal depends on whether your withdrawal consists of a traditional (non-Roth) balance, a Roth balance, or both.

To transfer all or any part of the **traditional (non-Roth)** portion of your withdrawal to an IRA or eligible employer plan, complete Page 4.

To transfer all or any part of the **Roth** portion of your withdrawal, complete Page 5.

To transfer all or any part of **both** the traditional **and** Roth portions of your withdrawal to **separate plans** or to the **same plan**, you must complete Page 4 **and** Page 5.

If you have both a traditional (non-Roth) and a Roth balance in your TSP account, any eligible transfers will be processed according to the proportion of each balance in your account.

Example:

TSP account balance = \$10,000

Traditional portion of balance at time of eligible transfer request = \$9,000 (90%)

Roth portion of balance at time of eligible transfer request = \$1,000 (10%)

Withdrawal election:

Single Payment = 100%

Transfer request:

Transfer 50% of traditional portion of the withdrawal

Transfer 50% of Roth portion of the withdrawal

Result:

Amount transferred to eligible plan(s) = \$5,000, comprised of \$4,500 traditional money and \$500 Roth money.

Amount paid to you = \$5,000, comprised of \$4,500 traditional money and \$500 Roth money.

Be aware that depending on how you choose to receive your withdrawal, you may be subject to Federal income tax withholding rules.

Note: For tax reporting purposes, the TSP will report each payment and each transfer from each balance on a separate Form 1099-R, Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc. For example, a participant who makes the election described in the above example will receive four Form 1099-Rs: one for the \$4,500 traditional balance transferred, one for the \$500 Roth balance transferred, one for the \$4,500 traditional amount paid to the participant, and one for the \$500 Roth amount paid to the participant.

TRANSFER INFORMATION FOR TRADITIONAL (NON-ROTH) BALANCE

SECTION IX. YOUR TRANSFER ELECTION FOR TRADITIONAL BALANCE. You may transfer all or any part of the **traditional (non-Roth)** portion of your eligible withdrawal to a traditional IRA, eligible employer plan, or Roth IRA.

If you elected to withdraw all or a part of your TSP account as a **single payment** and you want to transfer all or a part of the traditional (non-Roth) portion of that payment to a traditional IRA, eligible employer plan, or Roth IRA, enter a percentage between 1 and 100% in Item 36. Do not enter decimals or a percentage over 100%.

If you elected to withdraw all or a part of your TSP account as **monthly payments** and you want to transfer all or a part of the traditional (non-Roth) portion of those monthly payments to a traditional IRA, eligible employer plan, or Roth IRA, enter a percentage between 1 and

100% in Item 37. Do not enter decimals or a percentage over 100%. (You cannot transfer payments expected to last 120 months or more, or those that are computed based on life expectancy.)

Note: If you decide to transfer to a Roth IRA, be aware that Roth IRAs accept only after-tax dollars. As a result, you must pay tax on the amount you transfer, and the tax liability is incurred for the year of the transfer. We strongly recommend you consult with a tax advisor regarding your eligibility for, and the tax consequences of, making the transfer.

Payments that are not transferred directly to a traditional IRA, eligible employer plan, or Roth IRA are subject to mandatory 20% Federal income tax withholding. (See Section VIII.) Read the TSP tax notice "Important Tax Information About Payments From Your TSP Account" for detailed tax rules.

SECTION X. TRANSFER INFORMATION FOR TRADITIONAL BALANCE. If you choose to transfer all or any part of the **traditional (non-Roth)** portion of your withdrawal to a traditional IRA, eligible employer plan, or Roth IRA, **your financial institution or plan administrator must complete this section before you submit this form to the TSP.**

Do not submit transfer forms of financial institutions or plans; the TSP cannot accept them.

The institution or plan to which the payment is to be transferred must be a trust established inside the United States (i.e., the 50 states and the District of Columbia).

The financial institution or plan should retain a **copy** of Page 4 to identify the account to which the check should be deposited when it is received. If the transfer is to a traditional IRA or Roth IRA, the institution accepting the transfer should submit Form 5498, IRA Contribution Information, to the IRS. The TSP will report all payments and transfers to you and to the IRS on Form 1099-R, Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.

Information for the IRA or Plan: Complete Section X and return this form to the participant identified at the top of Page 4. The financial institution or plan administrator must ensure that the account described here is a traditional IRA, eligible employer plan, or Roth IRA.

Type of Account and Account Number. Indicate whether the transfer is to a traditional IRA, eligible employer plan, or Roth IRA in Item 38. In Item 39, enter the account number, if available, of the IRA or plan to which the money is to be transferred. If an account number is not available, provide information that will help you identify the check when it is sent to you.

Transfer of Tax-Exempt Balances. A uniformed services participant may have contributed tax-exempt money from pay earned in a combat zone to his or her traditional balance. Check the box in Item 40 if tax-exempt balances are accepted into the account identified in Item 39. If the participant's traditional balance includes tax-exempt contributions, the taxable portion of the withdrawal from the traditional balance will be transferred first. Tax-exempt money will be transferred **only** if the taxable portion of the withdrawal does not satisfy the participant's transfer election **and** the plan or IRA accepts tax-exempt balances. If the plan or IRA does not accept tax-exempt balances, that portion of the payment will be paid directly to the participant.

Name and Mailing Address. Provide the name and mailing address information in the boxes provided exactly **as it should appear on the front of the transfer check**. As the plan administrator, you will need to identify the account to which the transfer should be deposited from the information contained in these boxes.

The certifying representative must provide the requested information in Items 42–44. If we need to contact the financial institution or plan for more information, the individual named here will be used as the contact person.

Name:
(Last, First, Middle)

TSP Account Number:

TRANSFER — ROTH

This page is optional. You and the IRA trustee or plan administrator must complete this page if you want to transfer (i.e., direct rollover) all or a part of the **Roth portion of your single or eligible monthly payments** to a Roth IRA or to a Roth account maintained by an eligible employer plan. Your Roth TSP balance consists of any employee contributions that you designated as Roth when you made your contribution election and the earnings associated with these contributions. Withdrawals of Roth contributions are paid tax-free. The earnings associated with these contributions are paid tax-free only if 5 years have passed since January 1 of the calendar year in which you made your first Roth contribution, and you have reached age 59½ or have a permanent disability. (See instructions.)

XI. YOUR TRANSFER ELECTION FOR ROTH BALANCE — After you complete this section, take or send this page (including the instructions on the back) to your IRA or plan. Your IRA trustee or plan administrator must complete Section XII. You must submit the completed package in order for your transfer to be processed.

45. Single Payment. Indicate the percentage of your **Roth single payment** that you want to transfer: .0%

46. Monthly Payments. Indicate the percentage of your **Roth monthly payments** that you want to transfer: .0%

XII. TRANSFER INFORMATION FOR ROTH BALANCE — This section is to be completed by the IRA trustee or plan administrator. The account described here must be a Roth IRA or a Roth account maintained by an eligible employer plan. Please return this completed form to the participant. **Do not submit transfer forms of financial institutions or plans.**

47. Type of Account: Roth IRA Eligible Employer Plan — Roth Account

48.
IRA/Plan Account Number or Other Customer ID

49. Provide the **name and mailing address information below exactly as it should appear** on the front of the check.

Make check payable to

If needed, use these boxes to supplement "check payable to" information above.

Street Address

-
City State Zip Code

Only the financial institution or plan should complete this information. It will be used to identify the account that will receive the transfer.

I confirm the accuracy of the information in this section and the identity of the individual named above. As a representative of the financial institution or plan to which the funds are being transferred, I certify that the financial institution or plan agrees to accept the funds directly from the Thrift Savings Plan and deposit them into the IRA or eligible employer plan identified above.

50. ()
Typed or Printed Name of Certifying Representative (Last, First, Middle) Daytime Phone (Area Code and Number)

51.
Signature of Certifying Representative

52. / /
Date Signed (mm/dd/yyyy)

Do not write in this section.

FORM TSP-70-A, INFORMATION AND INSTRUCTIONS FOR PAGE 5

GENERAL INFORMATION ABOUT TRANSFERS

You may elect to transfer all or part of your withdrawal to a traditional IRA, eligible employer plan, or Roth IRA. The type of plan to which you can transfer your withdrawal depends on whether your withdrawal consists of a traditional (non-Roth) balance, a Roth balance, or both.

To transfer all or any part of the **traditional (non-Roth)** portion of your withdrawal to an IRA or eligible employer plan, complete Page 4.

To transfer all or any part of the **Roth** portion of your withdrawal, complete Page 5.

To transfer all or any part of **both** the traditional **and** Roth portions of your withdrawal to **separate plans** or to the **same plan**, you must complete Page 4 **and** Page 5.

If you have both a traditional (non-Roth) and a Roth balance in your TSP account, any eligible transfers will be processed according to the proportion of each balance in your account.

Example:

TSP account balance = \$10,000

Traditional portion of balance at time of eligible transfer request = \$9,000 (90%)

Roth portion of balance at time of eligible transfer request = \$1,000 (10%)

Withdrawal election:

Single Payment = 100%

Transfer request:

Transfer 50% of traditional portion of the withdrawal

Transfer 50% of Roth portion of the withdrawal

Result:

Amount transferred to eligible plan(s) = \$5,000, comprised of \$4,500 traditional money and \$500 Roth money.

Amount paid to you = \$5,000, comprised of \$4,500 traditional money and \$500 Roth money.

Be aware that depending on how you choose to receive your withdrawal, you may be subject to Federal income tax withholding rules.

Note: For tax reporting purposes, the TSP will report each payment and each transfer from each balance on a separate Form 1099-R, Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc. For example, a participant who makes the election described in the above example will receive four Form 1099-Rs: one for the \$4,500 traditional balance transferred, one for the \$500 Roth balance transferred, one for the \$4,500 traditional amount paid to the participant, and one for the \$500 Roth amount paid to the participant.

TRANSFER INFORMATION FOR ROTH BALANCE

SECTION XI. YOUR TRANSFER ELECTION FOR ROTH BALANCE. You may transfer all or any part of the **Roth** portion of your withdrawal to a Roth IRA or to a Roth account maintained by an eligible employer plan.

If you elected to withdraw all or a part of your TSP account as a **single payment** and you want to transfer all or a part of the Roth portion of that payment to a Roth IRA or a Roth account maintained by an eligible employer plan, enter a percentage between 1 and 100% in Item 45. Do not enter decimals or a percentage over 100%.

If you elected to withdraw all or a part of your TSP account as **monthly payments** and you want to transfer all or a part of the Roth portion of those monthly payments to a Roth IRA or a Roth account maintained by an eligible employer plan, enter a percentage between

1 and 100% in Item 46. Do not enter decimals or a percentage over 100%. (You cannot transfer payments expected to last 120 months or more, or those that are computed based on life expectancy.)

Roth contributions are not subject to mandatory Federal income tax withholding because they are not taxable upon distribution. However, if you have not met the conditions necessary for your Roth earnings to be qualified (i.e., paid tax-free), any Roth earnings that are not transferred directly to a Roth IRA or to a Roth account maintained by an eligible employer plan are taxable and are subject to the mandatory 20% Federal income tax withholding. Roth earnings become qualified when the following **two** conditions have been met: (1) 5 years have passed since January 1 of the calendar year in which you made your first Roth contribution **and** (2) you have reached age 59½ or have a permanent disability. **Note:** The TSP cannot certify to the IRS that you meet the Internal Revenue Code's definition of a disability when your taxes are reported. Therefore, you must provide the justification to the IRS when you file your taxes.

Read the TSP tax notice "Important Tax Information About Payments From Your TSP Account" for detailed tax rules.

SECTION XII. TRANSFER INFORMATION FOR ROTH BALANCE. If you choose to transfer all or any part of the **Roth** portion of your withdrawal to a Roth IRA or a Roth account maintained by an eligible employer plan, **your financial institution or plan administrator must complete this section before you submit this form to the TSP.**

Do not submit transfer forms of financial institutions or plans; the TSP cannot accept them.

The institution or plan to which the payment is to be transferred must be a trust established inside the United States (i.e., the 50 states and the District of Columbia).

The financial institution or plan should retain a **copy** of Page 5 to identify the account to which the check should be deposited when it is received. If the transfer is to a Roth IRA, the institution accepting the transfer should submit Form 5498, IRA Contribution Information, to the IRS. The TSP will report all payments and transfers to you and to the IRS on Form 1099-R, Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.

Information for the IRA or Plan: Complete Section XII and return this form to the participant identified at the top of Page 5. The financial institution or plan administrator must ensure that the account described here is a Roth IRA or a Roth account maintained by an eligible employer plan.

Type of Account and Account Number. Indicate whether the transfer is to a Roth IRA or a Roth account maintained by an eligible employer plan in Item 47. In Item 48, enter the account number, if available, of the IRA or plan to which the money is to be transferred. If an account number is not available, provide information that will help you identify the check when it is sent to you.

Name and Mailing Address. Provide the name and mailing address information in the boxes provided exactly **as it should appear on the front of the transfer check**. As the plan administrator, you will need to identify the account to which the transfer should be deposited from the information contained in these boxes.

The certifying representative must provide the requested information in Items 50–52. If we need to contact the financial institution or plan for more information, the individual named here will be used as the contact person.

Name:
(Last, First, Middle)

TSP Account Number:

Complete this page if you chose a life annuity in Item 11 or 23b.

XIII. ANNUITY ELECTION — Choose only **one** annuity. If you choose a joint life annuity, you must complete Section XIV. If the annuity you choose is marked by an asterisk (*), you must also complete Section XV.

53. Your Gender: Male Female

54. Indicate your annuity choice by checking one of the options below.

Single Life — Level Payments:

- 1a No additional features
- *1b Cash refund (Complete Section XV)
- *1c 10-year certain (Complete Section XV)

Single Life — Increasing Payments:

- 2a No additional features
- *2b Cash refund (Complete Section XV)
- *2c 10-year certain (Complete Section XV)

Joint Life With Spouse — Level Payments:

- 3a 100% to survivor, no additional features
- 3b 50% to survivor, no additional features
- *3c 100% to survivor, cash refund (Complete Section XV)
- *3d 50% to survivor, cash refund (Complete Section XV)

Joint Life With Spouse — Increasing Payments:

- 4a 100% to survivor, no additional features
- 4b 50% to survivor, no additional features
- *4c 100% to survivor, cash refund (Complete Section XV)
- *4d 50% to survivor, cash refund (Complete Section XV)

Joint Life With Joint Annuitant Other Than Spouse — Level Payments:

- 5a 100% to survivor, no additional features
- 5b 50% to survivor, no additional features
- *5c 100% to survivor, cash refund (Complete Section XV)
- *5d 50% to survivor, cash refund (Complete Section XV)

XIV. INFORMATION ABOUT SPOUSE OR OTHER JOINT ANNUITANT

55.
Name *(Last, First, Middle)*

56. / /
Date of Birth *(mm/dd/yyyy)*

57. - -
Joint Annuitant's Social Security Number

58. Gender: Male Female

59.
Relationship to Participant

XV. BENEFICIARY DESIGNATION FOR YOUR TSP ANNUITY — If you chose an annuity with a cash refund or 10-year certain feature (options in Section XIII marked by an asterisk (*)), you must provide the requested information and indicate the share of your annuity intended for each designation. (Contingent beneficiaries are not allowed.) Use whole percentages. Percentages must total to 100.

60.
Beneficiary's Name *(Last, First, Middle)*

Share: %

Social Security Number/EIN

Relationship to Participant

61.
Beneficiary's Name *(Last, First, Middle)*

Share: %

Social Security Number/EIN

Relationship to Participant

62.
Beneficiary's Name *(Last, First, Middle)*

Share: %

Social Security Number/EIN

Relationship to Participant

Check here if you are submitting additional pages. How many additional pages are you attaching to this form?

Do not write in this section.

FORM TSP-70-A, INFORMATION AND INSTRUCTIONS FOR PAGE 6

Before completing this page, read the annuity information contained in the booklet *Withdrawing Your TSP Account After Leaving Federal Service*. **Note: You cannot change your annuity option or cancel your annuity once your annuity has been purchased.**

Special Rules for Annuities: The minimum threshold for an annuity purchase is \$3,500. If you have **both** a traditional (non-Roth) and a Roth balance in your TSP account and you elect to purchase an annuity, the minimum threshold of \$3,500 applies to each balance separately. You may choose to purchase an annuity as long as you have \$3,500 in either your traditional or Roth balance. The TSP will purchase **two** of the same type of annuity (one with the traditional balance and one with the Roth balance). You cannot choose different annuities for each type of balance.

Also, the following rules apply:

- **If you choose to use 100% of your TSP account to purchase an annuity** and both balances are below \$3,500, your form will be rejected. If you have both a traditional balance and a Roth balance and at least one of the balances is at least \$3,500, the TSP will purchase an annuity with the balance that is at least \$3,500 and pay the other balance directly to you as a cash payment.
- **Alternatively, if you choose an annuity as part of a mixed withdrawal**, any amount(s) that cannot be used to purchase the requested annuity will be split proportionally and distributed according to the other withdrawal option(s) you have chosen.

SECTION XIII. ANNUITY ELECTION. Indicate your gender, then choose the one annuity option you want by checking the appropriate box. **Note:** If you are a married FERS or uniformed services participant and you checked Item 11 on Page 1, you must select Annuity Option 3b; otherwise, your form cannot be accepted.

An asterisk (*) before an annuity option number indicates that there is a cash refund or 10-year certain feature associated with that annuity. If you choose one of these annuities, you must complete Section XV and name a beneficiary(ies) for your annuity.

If you are choosing among the joint life annuities, consider both the monthly payments you will receive while you and your joint annuitant are both alive and the payments that will be made to the survivor if one of you dies. If you choose a joint life annuity with a 50% survivor benefit, the monthly annuity payment to the survivor — whether the survivor is you or your joint annuitant — **will be reduced by half (that is, 50%)** of the annuity payment made while you and your joint annuitant are alive. If you choose an annuity with a 100% survivor benefit, the monthly annuity payment to the survivor will not be reduced when one of you dies. However, with the 100% survivor benefit, the monthly annuity payment that you will receive while you and your joint annuitant are both alive will be less than if you select the 50% survivor benefit. The booklet *Withdrawing Your TSP Account After Leaving Federal Service* provides detailed information.

SECTION XIV. INFORMATION ABOUT SPOUSE OR OTHER JOINT ANNUITANT. If you chose a joint life annuity, you must provide the requested information about your joint annuitant. You must also provide a copy of your joint annuitant's birth certificate. If your joint annuitant's birth certificate is unavailable, one of the following three items may be used if the date of birth is shown: baptismal certificate, family bible record, or marriage certificate. If a birth certificate or the above items are not available, submit **two** of the following types of evidence: school or college record, church record, birth certificate of children (if parent's age is shown), family record of genealogies, driver's license, military identification, military discharge papers, passport, life insurance papers, hospital

records, census records, or voting records. **Do not send original documents;** they will not be returned to you. If the name on a document is not the same as the current name of the joint annuitant, you may be requested to submit a statement from the joint annuitant indicating that he or she is the person named in the document.

If you chose an annuity that provides for a joint annuitant other than your spouse, the joint annuitant must be either a former spouse or someone with an **insurable interest** in you. This means that the person is financially dependent on you and could reasonably expect to derive financial benefit from your continued life.

Blood relatives or adopted relatives (but not relatives by marriage) who are closer than first cousins are presumed to have an insurable interest in you. **If you name such a joint annuitant (i.e., a former spouse or someone with an insurable interest) who is more than 10 years younger than you, you must choose a joint life annuity with the 50% survivor benefit. The only exception is for a former spouse to whom all or a portion of your TSP account is payable pursuant to a retirement benefits court order.**

If the person named as your joint annuitant is not presumed to have an insurable interest in you, you must submit an affidavit (i.e., a certification signed before a notary public) from someone with personal knowledge that the named person has an insurable interest in you. The certifier must know the relationship between you and the joint annuitant and must state why he or she believes that the named joint annuitant might reasonably expect to benefit financially from your continued life.

SECTION XV. BENEFICIARY DESIGNATION FOR YOUR TSP ANNUITY.

If you chose an annuity option with a cash refund or 10-year certain feature, you must designate a beneficiary or beneficiaries to receive benefits from the annuity after your death, under the conditions outlined in that feature. The beneficiary designation on this form applies **only** to the portion of your account used for the annuity purchase. After your annuity is purchased, changes in your beneficiary designation must be made directly with the annuity provider.

The share of any beneficiary who dies before you die will be distributed among the surviving beneficiaries in proportion to the shares you indicate, or entirely to the surviving beneficiary. You may name any individual, corporation, trust, legal entity, or your estate as your beneficiary. If you need additional space, use a blank sheet of paper with your name, TSP account number, and date of birth on it. If you use additional pages, number, sign, and date each page. Use the same date on each page.

Indicate a whole percentage for each beneficiary. Percentages must add up to 100%.

- **If your beneficiary is a person**, enter for each beneficiary the last name, first name, middle name, Social Security number (SSN), and the beneficiary's relationship to you.
- **If your beneficiary is a firm, corporation, or other legal entity**, enter the legal representative's name and the Employer Identification Number (EIN).
- **If your beneficiary is a trust**, enter the trustee's name and the EIN.
- **If your beneficiary is an estate**, enter the executor's name and EIN.

After completing your withdrawal request, make a **copy** for your records.

Mail the original to:

**Thrift Savings Plan
P.O. Box 385021
Birmingham, AL 35238**

Or

Fax to: 1-866-817-5023.

Note: Do **not** mail **and** fax your request. The TSP will automatically cancel the second request it receives. If you need to make a change or correction on your form, call the TSP immediately to cancel your first request. If the TSP has processed your form prior to receiving your call, your transaction cannot be reversed.

If you have questions, call the toll-free ThriftLine at 1-TSP-YOU-FRST (1-877-968-3778) or the TDD at 1-TSP-THRIFT5 (1-877-847-4385). Outside the U.S. and Canada, please call 404-233-4400 (not toll free).

PRIVACY ACT NOTICE. We are authorized to request the information you provide on this form under 5 U.S.C. chapter 84, Federal Employees' Retirement System. We will use this information to identify your TSP account and to process your transaction. In addition, this information may be shared with other Federal agencies for statistical, auditing, or archiving purposes. We may share the information with law enforcement agencies investigating a violation of civil or criminal law, or agencies implementing a

statute, rule, or order. It may be shared with congressional offices, private sector audit firms, spouses, former spouses, and beneficiaries, and their attorneys. We may disclose relevant portions of the information to appropriate parties engaged in litigation and for other routine uses as specified in the Federal Register. You are not required by law to provide this information, but if you do not provide it, we will not be able to process your request.