**[Note - There are brackets in the letter below to signal when an edit is needed to add state facts and detail]**

**Official letter head**

DATE, 2025

The Honorable \_\_\_\_\_\_

The United States House of Representatives

\_\_\_\_\_\_House Office Building

Washington, DC, 20510

Dear Congressman/Congresswoman \_\_\_\_,

On behalf of [STATE AND AGENCY], I write to urge your support for the Unclaimed Retirement Rescue Plan (H.R. [INSERT BILL NUMBER HERE]). This critical legislation, introduced by Rep. [INSERT REPRESENTATIVE'S NAME HERE], will empower states to help millions of Americans reclaim their lost retirement savings by allowing the voluntary transfer of unclaimed retirement distributions to state unclaimed property programs through the nationwide cooperative initiative, the States’ Unclaimed Retirement Clearing House (SURCH).

The [AGENCY] is dedicated to maximizing the return of unclaimed property to the citizens of our State. During FY’25, [AGENCY] paid more than [$X] to [Y] claimants. It is our hope that our effectiveness in returning even greater amounts of unclaimed property can be facilitated through the enactment of this legislation.

Millions of Americans work hard to accrue retirement savings they never see because their employer-sponsored retirement accounts didn't transfer after a job change or their former employer has gone out of business. Instead, hundreds of millions of dollars in unclaimed retirement distribution checks owing to workers and their families have gone uncashed and are sitting in suspense accounts. at large corporations that service retirement plans. An estimated $1 billion in unclaimed retirement distributions are currently unclaimed, with another $100 million in uncashed retirement distribution checks accumulating annually. While auto portability and other Congressional actions have helped with the problem, these solutions are primarily prospective and do not address the historical backlog or utilize the innovative outreach efforts of state programs to resolve the unclaimed retirement benefits issue.

A key obstacle is that private sector retirement plans are governed by the Employee Retirement Income Security Act (ERISA), a federal law that is generally viewed as preempting state laws, including those related to unclaimed property. This has led to a situation where, despite state unclaimed property programs' success in reuniting individuals with lost assets, these funds have typically remained unclaimed (and unpaid) within the plans.

State unclaimed property programs have technical expertise, dedicated staff, and a long history of reuniting rightful owners with their abandoned property. All 50 states, the District of Columbia, and other U.S. territories operate successful unclaimed property programs that have, for example, returned over a record-breaking $9 billion to owners in the last two fiscal years. States have developed powerful and effective methods for locating owners, including participation in the national database MissingMoney.com (https://missingmoney.com), cross-checking public databases, conducting extensive public outreach, and returning property with no fees-- in perpetuity. Retirement plan checks should not be treated differently than the other financial assets states that already successfully reunite with their owners.

The States' Unclaimed Retirement Clearing House (SURCH) initiative offers a streamlined, no-cost solution for private sector retirement plan administrators to voluntarily transfer uncashed distribution checks to state programs. This centralized reporting entity eliminates the administrative burden on retirement plans and ensures seamless compliance with state requirements. To date, 47 states have signed on to join SURCH, demonstrating widespread support and readiness.

The Unclaimed Retirement Rescue Plan will provide a crucial federal safe harbor, deeming plan administrators to have satisfied their ERISA fiduciary duties when they transfer unclaimed distributions through SURCH. This will significantly increase the likelihood of reuniting missing participants with their retirement savings, putting money back into the hands of your constituents and stimulating the economy.

In your review of the legislation, the following points may be of particular importance:

1. The transfer of custody of unclaimed plan distribution checks by a plan to the states is voluntary. Plans have other options for the disposition of these funds; however, there are a number of efficiencies offered by the initiative that will make utilization attractive.
2. Plans have clearly communicated that they wish to gain the option of voluntary transfer of uncashed retirement plan distribution checks to the states, as reflected by the recommendations of the ERISA Advisory Council, industry submissions to that body, and industry submissions to the Department of Labor.
3. The Department of Labor has communicated its determination that the states could support resolution of the lost participant problem and have supported the concept of voluntary plan transfer of checks to states under certain circumstances (see, e.g., U.S. Department of Labor Field Assistance Bulletin 2025-01),
4. The legislation directs the Department of Labor to establish an operating and oversight framework for SURCH, ensuring that the program will operate consistent with ERISA and Department of Labor protocols.

We urge you to co-sponsor and support the passage of the Unclaimed Retirement Rescue Plan (H.R. [INSERT BILL NUMBER HERE]). This is a practical, fully-prepared solution that simply needs federal approval to move forward and ensure that retirement savings end up where they belong.

I appreciate your consideration in this matter. If you have any questions, please have your staff contact [NAME] in my office at [CONTACT INFO].

Sincerely,

[YOUR NAME/TITLE]

[STATE AND AGENCY]