ILLUSTRATIVE SAMPLE · FICTITIOUS TRAINING DOCUMENT

Sample DOL / EBSA Audit Letter

How to Read It

A training packet showing what a Department of Labor benefits-investigation opening letter typically looks like — so your team can recognize one on sight and know exactly what the clock looks like.

All names, addresses, case numbers, and identifiers are invented. Real letters vary by regional office and plan type; treat this as a representative pattern, not a verbatim template.

ABOUT THIS PACKET

What This Guide Does

This packet shows what a Department of Labor benefits-investigation opening letter typically looks like, so your team can recognize one on sight and know what the clock looks like. It has two parts:

Part 1

The Sample Letter

Written to mirror the standard structure and language EBSA uses in a real opening letter, complete with a sample document request enclosure.

Part 2

Annotated Walkthrough

Points out each element to look for — most importantly, how much time you get to respond and what to do in the first 48 hours.

THE SHORT ANSWER ON TIMING

EBSA opening letters usually ask for the documents within roughly **two to three weeks** — commonly stated as **10 to 30 days** from the date of the letter. In this sample the plan is given 21 calendar days. Extensions are routinely granted when you ask in writing before the deadline and propose a reasonable schedule. **The single worst move is to let the date pass in silence.**

Reminder: This is a fictitious training document. It is not legal advice and not a government communication. If a real EBSA letter arrives, engage qualified ERISA counsel promptly.

U.S. Department of Labor
Employee Benefits Security Administration
Mid-Atlantic Regional Office
Suite 870, 170 S. Independence Mall West, Philadelphia, PA 19106-3317

July 15, 2026

Case No.: EBSA-2026-FICTITIOUS-00147

Jane A. Employer, President
Acme Manufacturing Company, Inc.
1234 Commerce Boulevard
Anytown, PA 19100

Re: Investigation of the Acme Manufacturing Company Employee Health and Welfare Benefit Plan

Dear Ms. Employer:

The Employee Benefits Security Administration (EBSA) of the U.S. Department of Labor is conducting an investigation of the above-referenced employee benefit plan (the "Plan") pursuant to the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. § 1001 et seq. The purpose of this investigation is to determine whether the Plan and its fiduciaries are operating in compliance with the provisions of ERISA.

This letter constitutes formal notice of the investigation. You are required to furnish to this office, within **21 calendar days of the date of this letter**, the documents and information described in the enclosure (Document Request No. 1). The enclosure also identifies the authorized representative for this investigation.

Pursuant to ERISA Section 504, 29 U.S.C. § 1134, the Secretary of Labor is authorized to conduct investigations and to require the submission of records, books, and documents. Failure to cooperate with this investigation may result in the issuance of a subpoena.

Please be advised that you have the right to retain legal counsel in connection with this investigation. If you have legal counsel, please have your attorney contact the investigator identified below within five business days of receipt of this letter.

The investigating officer for this matter is:
Maria L. Investigator, Benefits Advisor
EBSA Mid-Atlantic Regional Office
Phone: (215) 555-0100 | Fax: (215) 555-0199
Email: m.investigator@dol-fictitious-example.gov

Please reference the above case number on all correspondence.

Sincerely,

Thomas B. Director

Regional Director

EBSA Mid-Atlantic Regional Office

Enclosure: Document Request No. 1

FICTITIOUS TRAINING SAMPLE — ENCLOSURE

Document Request No. 1

Case No.: EBSA-2026-FICTITIOUS-00147
Acme Manufacturing Company Employee Health and Welfare Benefit Plan

Please provide the following documents and information for the plan year(s) indicated. Unless otherwise noted, requests cover the period January 1, 2023 through the present date.

1. Plan Documents

- Current plan document and all amendments
- Summary Plan Description (SPD) and all Summaries of Material Modification (SMM)
- Insurance contracts, certificates of coverage, and stop-loss policies

2. Administrative Documents

- All Form 5500 annual reports and schedules filed for the investigation period
- Minutes of trustee or plan committee meetings
- Service agreements with third-party administrators (TPAs) and other service providers

3. Financial Records

- Bank statements for all plan accounts
- Documentation of all plan contributions (employer and employee)
- Claims payment registers or summaries
- Evidence of timely remittance of participant contributions to the plan

4. Participant Information

- Current participant census (name, date of birth, date of hire, enrollment status)
- Documentation of eligibility determinations for the investigation period
- COBRA notices and election records for any qualifying events during the period

5. Claims and Appeals

- Claims denied during the investigation period and the written denial notices
- Documentation of any internal appeals and their outcomes
- External review records, if any

6. Religious Accommodation / Exemption Records (if applicable)

- Any written exemption requests submitted to insurers or TPAs
- Responses received from insurers or TPAs regarding exemption requests
- Documentation of plan provisions reflecting sincerely held religious beliefs

Submission instructions: Documents may be submitted electronically to the secure upload portal listed in the cover letter, or by mail to the address above. If any requested document does not exist, please provide a written statement to that effect. If you need additional time, contact the investigating officer *before* the response deadline and propose an alternative schedule in writing.

PART 2

Annotated Walkthrough

What each section of the letter means and what you should do about it

ELEMENT 1 — SENDER

EBSA Regional Office Header

The EBSA operates out of 10 regional offices. The office listed determines which investigators and legal team will handle the case. Note the full mailing address — certified mail replies go here.

ELEMENT 2 — CASE NUMBER

Reference on All Correspondence

Every piece of correspondence — including your extension request — must cite this number. A missing case number can cause your response to be logged under the wrong matter and miss the deadline.

ELEMENT 3 — DEADLINE ⚠

"Within 21 Calendar Days"

The clock starts on the letter date, not the date you receive it. Calculate from the letter date immediately. If you need more time, call and email the investigator before the deadline. Extensions are routinely granted.

ELEMENT 4 — ERISA CITATION

Section 504 Authority

This is standard boilerplate establishing legal authority. The mention of subpoena power is not a threat — it is required disclosure. Cooperating voluntarily is always preferable to a subpoena.

ELEMENT 5 — RIGHT TO COUNSEL

Retain ERISA Counsel Promptly

If you have ERISA counsel, they must contact the investigator within five business days. CEA members should contact the CEA legal team

ELEMENT 6 — INVESTIGATOR CONTACT

Your Direct Point of Contact

This person handles your case. Call and email proactively — especially if you need an extension or have questions about the document list.

ACTION PLAN

Your First 48 Hours

Do these things immediately upon receiving a real EBSA letter

1. **Note the letter date and calculate the deadline**
   Count 21 days (or whatever number the letter states) from the letter date — not the receipt date. Mark it on your calendar. Build in a 3-day internal buffer.

2. **Contact CEA legal support immediately**
   CEA members have access to legal guidance. Reach out before contacting the EBSA investigator. Do not respond to the letter without legal review.

3. **Preserve all documents — issue a litigation hold**
   Do not delete, modify, or archive any plan documents, emails, or financial records. Notify your TPA, insurer, and payroll processor to preserve relevant records.

4. **Review the document request list against what you have**
   Go through each item in the enclosure. Identify gaps early. If any documents do not exist, prepare a written statement to that effect — do not leave gaps unexplained.

5. **Request an extension if you need one — in writing, before the deadline**
   Call and email the investigator. Propose a specific alternative date. Extensions are routinely granted to cooperative respondents who ask proactively.

MEMBER BENEFIT

What CEA Members Have When a Letter Arrives

Legal Guidance Access

CEA members have access to ERISA-informed legal guidance to help evaluate the letter and formulate a response strategy before the clock runs out.

Pre-Built Document Systems

Members are guided to maintain the plan documents, SPDs, and contribution records that EBSA most commonly requests, so they are ready before any letter arrives.

Religious Exemption Support

If your plan includes faith-based provisions, CEA has template letters and documented precedent to support your exemption position in an EBSA inquiry.

EMPLOYERADVOCATES
STRATEGIC BENEFITS & HR SOLUTIONS

BENEFITS PARTNER

Employer Advocates

Employer Advocates works alongside CEA members to ensure their benefit plans are built on solid documentation, faith-consistent structure, and defensible compliance posture — so you are audit-ready before the letter arrives.

Don't Face an EBSA Audit Alone

CEA members have access to legal guidance, pre-built compliance frameworks, and benefits partner support — so you are prepared long before any letter arrives.

Visit joinceanow.org

Questions? Contact your CEA membership coordinator.

This document is a fictitious training sample produced by the Christian Employers Alliance for member education purposes only. It is not legal advice, not a government communication, and not a substitute for qualified ERISA counsel. All names, case numbers, addresses, and identifying details are invented.