Fourth Remedial Amendment Cycle for Defined Contribution Qualified Pre-approved Plans: Issuance of Opinion Letters, Plan Adoption Deadline, and Opening of Determination Letter Program

Announcement 2026-15

Section 1. Purpose

The Internal Revenue Service (IRS) intends to issue opinion letters for defined contribution qualified pre-approved plans that were updated for changes in plan qualification requirements listed in the 2023 Cumulative List in Notice 2024-3, 2024-2 IRB 338 and that were filed with the IRS during the fourth remedial amendment cycle (Cycle 4) under the remedial amendment cycle system for pre-approved plans established under Rev. Proc. 2023-37, 2023-51 IRB 1491. The IRS expects to issue the letters on August 31, 2026, or as soon as possible thereafter.

This announcement provides a deadline for when an employer intending to maintain a Cycle 4 defined contribution qualified pre-approved plan must adopt that plan. In addition, the announcement sets forth the period during which the IRS will accept an application for an individual determination letter from an adopting employer of a Cycle 4 defined contribution qualified pre-approved plan that is eligible to submit a determination letter request.

Section 2. Background

Rev. Proc. 2023-37 describes a recurring remedial amendment cycle system for pre-approved plans. The revenue procedure provides separate remedial amendment cycles for defined contribution qualified pre-approved plans, defined benefit qualified pre-approved plans, and section 403(b) pre-approved plans.[1]

Section 8 of Rev. Proc. 2023-37 provides that the schedules for pre-approved plan cycles are available at https://www.irs.gov/retirement-plans/determination-opinion-and-advisory-letters-6-year-cycle-for-pre-approved-plans-plans. Section 8 further provides that the IRS may revise the schedules to respond to changing circumstances and the needs of adopting employers, and that any such revision will be reflected in guidance published in the IRB (either in a revenue procedure, an announcement, or in the applicable cumulative list).

[1] The terms “remedial amendment cycle,” “qualified pre-approved plan,” “section 403(b) pre-approved plan,” “adopting employer,” and “employer adoption window” have the same meaning as “Remedial Amendment Cycle,” “Qualified Pre-approved Plan,” “Section 403(b) Pre-approved Plan, “Adopting Employer,” and “Employer Adoption Window” as used in sections 4.01(17), 4.02(2), 4.03(7), 4.01(1), and 4.01(6) of Rev. Proc. 2023-37, respectively.

In order to receive opinion letters with respect to Cycle 4, Rev. Proc. 2023-37 and the 2023 Cumulative List require that providers update their defined contribution qualified pre-approved plans for changes in plan qualification requirements set forth in the 2023 Cumulative List.

Section 5.02 of Rev. Proc. 2023-37 provides that when the review process for a cycle of pre-approved plans is near completion, the IRS will announce the employer adoption window for that cycle and the adopting employer must adopt a newly approved pre-approved plan during that window. The employer adoption window is also generally the period during which an adopting employer of a newly approved pre-approved plan may file for a determination letter, if applicable, pursuant to section 25 of Rev. Proc. 2023-37. As described in section 5.02 of Rev. Proc. 2023-37, the deadline to adopt a newly approved pre-approved plan is expected to be a uniform date that will apply to all adopting employers, and it is expected that the employer adoption window will provide virtually all employers approximately two years to adopt a newly approved pre-approved plan and file for a determination letter, if applicable.

Section 3. Deadline for Employer Adoption of Cycle 4 Defined Contribution Qualified Pre-approved Plans

The end of Cycle 4 for defined contribution qualified pre-approved plans is September 30, 2028. An adopting employer that has a defined contribution qualified pre-approved plan that is eligible for the remedial amendment cycle system under section 5 of Rev. Proc. 2023-37, and that adopts a newly approved pre-approved plan on or before September 30, 2028, will be considered to have adopted the plan within Cycle 4.

Section 4. Determination Letter Program for an Adopter of a Cycle 4 Defined Contribution Qualified Pre-approved Plan

An adopting employer of a newly approved defined contribution qualified pre-approved plan may apply for an individual determination letter (if otherwise eligible) during the period beginning October 1, 2026, and ending September 30, 2028. Additional information regarding individual determination letter applications for pre-approved plans, including guidance on employer eligibility to apply for a determination letter for a pre-approved plan and the requirements for applications filed on Form 5307, Application for Determination for Adopters of Modified Nonstandardized Pre-Approved Plans (or Form 5300, Application for Determination for Employee Benefit Plan, if applicable), may be found in Rev. Proc. 2026-4, 2026-1 IRB 160, including sections 8, 12, and 13.

Section 5. Paperwork Reduction Act

The collection of information contained in Rev. Proc. 2023-37 relating to the pre-approved plan program has been reviewed and approved by the Office of Management and Budget (OMB) under OMB Control Number 1545-1674 in accordance with the Paperwork Reduction Act (44 U.S.C. 3507). This announcement does not create any new or additional information collection requirements.

Section 6. Drafting Information

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