Instructions for Form 4461-B

(Rev. December 2026)

Application for Approval of Standardized or Nonstandardized Pre-Approved Plan

Section references are to the Internal Revenue Code unless otherwise noted.

Future Developments

For the latest information about developments related to Form 4461-B and its instructions, such as legislation enacted after they were published, go to *IRS.gov/Form4461B*.

Reminders

As of August 1, 2024, Form 4461-B applications must be submitted electronically through Pay.gov. See *How To File*, later.

General Instructions

Purpose of Form

Use Form 4461-B to apply for approval of a plan submitted by a mass submitter on behalf of an adopting provider, which is based on a plan submitted by the mass submitter.

Completing Form 4461-B

Be sure to submit a complete and accurate application. Complete every applicable line on the application. If your application isn't complete, we will return it without processing it.

User fee. All applications must be accompanied by the appropriate user fee from the schedule set forth in Rev. Proc. 2026-4, 2026-1 I.R.B. 160, available at *IRS.gov/irb/2026-01_IRB* (or the most recent version, updated annually). Form 8717-A, User Fee for Employee Plan Opinion Letter Request, is not needed for cases submitted through Pay.gov. Applications submitted without the proper user fee will not be processed and will be returned to the applicant.

Don't submit a copy of the plan, except as provided under the instructions to line 5 later.

Who May File

Only mass submitters may file this form. See *Mass submitter*, later.

How To File

The IRS requires that Form 4461-B be completed and submitted through Pay.gov.

To submit Form 4461-B, you must:

1. Register for an account on *Pay.gov*,
2. Enter "4461-B" in the search box, select Form 4461-B, and
3. Complete the form.

Pay.gov can accommodate only one uploaded file. Consolidate your attachments into a single PDF file, which cannot exceed 15MB. If your PDF file exceeds 15MB, remove any items over the limit and fax documents to 844-255-4818. Be sure the Pay.gov tracking ID number is listed on the fax coversheet along with the employer identification number (EIN), applicant name, and plan name. Size of fax should not exceed 150MB. You may split a large fax by sending separate smaller faxes. You may fax the Employee Plans Customer Service line at 855-224-1311 if you want to confirm your fax or faxes have been delivered.

Signature. The application must be signed by the mass submitter.

Disclosure requested by taxpayer. A taxpayer may request the IRS to disclose and discuss the return or return information with any person or persons whom the taxpayer designates in a written request. If you want to designate a person(s) to assist in an application for approval, you must provide the IRS office of jurisdiction with a written request that contains the following.

- The taxpayer's name, address, EIN, and plan number(s).
- The name, address, social security number, and telephone number(s) of the person or persons whom you are authorizing to receive return information.
- A paragraph that clearly describes the return or return information that you authorize the IRS to disclose.
- An authorized signature (see *Signature*, above).

As an alternative to providing the above statement, Form 2848, Power of Attorney and Declaration of Representative, may be submitted.

Definitions

Mass submitter. As set forth in Rev. Proc. 2023-37, 2023-51 I.R.B. 1491, available at *IRS.gov/irb/2023-51_IRB*, a mass submitter is any person that (1) has an established place of business in the United States where it is accessible during every business day, and (2) submits applications on behalf of at least 15 unaffiliated providers each of which is sponsoring, on a word-for-word identical basis, the same plan. A mass submitter is treated as a mass submitter with respect to all of its plans, provided the 15 unaffiliated provider requirement is met with respect to at least one plan.

Affiliation is determined under sections 414(b) and (c). Additionally, any law firm, accounting firm, consulting firm, etc., is considered to be affiliated with its partners, members, associates, etc.

For purposes of determining whether 15 unaffiliated providers sponsor on a word-for-word identical basis the same plan document, the mass submitter is treated as an unaffiliated provider if the mass submitter is also a provider.

Provider. As set forth in Rev. Proc. 2023-37, 2023-51 I.R.B. 1491, available at *IRS.gov/irb/2023-51_IRB*, a provider is any person (including a mass submitter, if applicable) that (1) has an established place of business in the United States where it is accessible during every business day, and (2) represents to the IRS that it has at least 15 employer-clients, each of which is reasonably expected to adopt one of the pre-approved plans of the provider.

In addition, any person that has an established place of business in the United States where it is accessible during every business day may offer a plan that is word-for-word identical to a mass submitter's plan as an identical adopter or a plan that includes minor modifications to a mass submitter's plan as a minor modifier adopter regardless of the number of employers that are expected to adopt the plan.

Specific Instructions

Line 2a. Enter the name and address of the applicant. If the post office doesn't deliver mail to the street address and the applicant has a P.O. box number, show the box number instead of the street address.

Line 3a. The person to contact must be an employee or an authorized representative of the mass submitter. If the person to be contacted is other than an employee of the applicant, enclose an authorized power of attorney. See *Disclosure requested by taxpayer*, earlier.

Line 4a. Enter the two-digit number you have assigned to your single document plan or basic plan document that accompanies the adoption agreement for which you are requesting approval. If multiple adoption agreements are linked to the same basic plan document, the same two-digit basic plan document number should be used for all applications.

Line 4b. Enter the three-digit number you have assigned to the adoption agreement, if applicable, for which this application is submitted. Each different adoption agreement designed to accompany a single basic plan document should be given a different three-digit number beginning with "001." For example, if the first basic plan document of a provider has four separate adoption agreements, they should be numbered "001" through "004" and the mass submitter should submit four separate Forms 4461-B. Adoption agreements submitted with the second or any subsequent basic plan documents (that aren't word-for-word identical to a previously submitted basic plan document) should be similarly numbered beginning with "001."

Line 5. In the case of a provider adopting a plan (including a flexible plan) that is word-for-word identical to a plan of the mass submitter, a copy of the plan doesn't have to be submitted. If the plan includes minor modifications to the mass submitter's plan, the mass submitter should submit Form 4461-B as a "placeholder." When the mass submitter receives notification from the IRS that the IRS has determined that the lead plan appears to be in full compliance with the applicable qualification requirements, it must submit a copy of the mass submitter's plan with minor modifications underlined in red, or otherwise highlighted, as well as a statement indicating the location and effect of each change. This must be filed within 21 days of the mass submitter's receipt of the notification regarding their lead plan.

Line 7. If this application is simultaneously filed with the mass submitter's application or filed before the information under line 7 is available, enter on the "File folder number" line the basic plan document number and adoption agreement number or the single document plan number of the mass submitter's plan on which this plan is based. Don't complete the rest of line 7.

Paperwork Reduction Act Notice. We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us this information. We need it to determine whether you meet the legal requirements for plan approval.

You aren't required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their content may become material in the administration of any Internal Revenue law. Generally, tax return and return information are confidential, as required by section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average is:

Recordkeeping	5 hr., 58 min.
Learning about the law or the form	0 hr., 52 min.
Preparing and sending the form to the IRS	1 hr., 56 min.
Copying, assembling, and sending the form to the IRS	0 hr., 16 min.

Comments and suggestions. We welcome your comments about this publication and suggestions for future editions.

You can send us comments through *IRS.gov/FormComments*. Or, you can write to the Internal Revenue Service, Tax Forms and Publications, 1111 Constitution Ave. NW, IR-6526, Washington, DC 20224.

Although we can't respond individually to each comment received, we do appreciate your feedback and will consider your comments and suggestions as we revise our tax forms, instructions, and publications. **Don't** send tax questions, tax returns, or payments to the above address. Instead, see *How To File*, earlier.