

TaxNewsFlash

United States

No. 2025-013
January 10, 2025

Proposed regulations: Automatic enrollment requirements under section 414A

The U.S. Treasury Department and IRS today issued [proposed regulations](#) (REG-100669-24) that would provide guidance with respect to the automatic enrollment requirements that apply to certain retirement plans under section 414A.

The proposed regulations reflect statutory changes made by the “SECURE 2.0 Act of 2022” (SECURE 2.0 Act) requiring that certain cash or deferred arrangements and salary reduction agreements be eligible automatic contribution arrangements that satisfy additional specified requirements.

- The proposed regulations would add new regulations under section 414A, which was added to the Code by section 101 of the SECURE 2.0 Act and provides that certain retirement plans must automatically enroll employees.
- The proposed regulations also include proposed amendments to the regulations under section 414(w) that would reflect the application of section 414A and the exception to the notice requirements for unenrolled participants set forth in section 414(bb), as added to the Code by section 320 of the SECURE 2.0 Act.
- The proposed amendments to Treas. Reg. § 1.414(w)-1 also would address section 402A(e)(5)(C), which was added to the Code by section 127 of the SECURE 2.0 Act, as well as section 341 of the SECURE 2.0 Act, which permit the consolidation of certain notices required under the Code and ERISA.

Comments on the proposed regulations, as well as requests to speak and outlines for topics to be discussed at the public hearing (scheduled for April 8, 2025, at 10:00 AM ET), are due by the date that is 60 days after the proposed regulations are published in the Federal Register (which is scheduled to be January 14, 2025). If no outlines are received by that date, the public hearing will be cancelled.

Read a related IRS release—[IR-2025-9](#) (January 10, 2025)

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