



TaxNewsFlash

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Notice 2026-34: 2026 cumulative list of changes in plan qualification requirements for defined contribution qualified pre-approved plans

The IRS today released [Notice 2026-34](#), providing the “2026 cumulative list” of changes in plan qualification requirements for defined contribution qualified pre-approved plans.

- The 2026 cumulative list will assist pre-approved plan providers applying to the IRS for opinion letters for the fourth remedial amendment cycle for defined contribution qualified pre-approved plans (Cycle 4) under the IRS’s pre-approved plan program.
- The 2026 cumulative list identifies recent changes in the qualification requirements of the Code that were not taken into account during the first three remedial amendment cycles for defined contribution qualified pre-approved plans and that will be taken into account by the IRS with respect to the form of a plan submitted to the IRS for Cycle 4 (beginning on August 1, 2026, and ends on July 31, 2027).

Background

Under Rev. Proc. 2023-37, every pre-approved plan has a recurring remedial amendment cycle, and a provider of a pre-approved plan may apply for a new opinion letter for the plan for each remedial amendment cycle. Further, defined contribution qualified pre-approved plans, defined benefit qualified pre-approved plans, and section 403(b) pre-approved plans all have separate remedial amendment 2 cycles. Part III of Rev. Proc. 2023-37 sets forth the procedures for a provider to apply for a Cycle 4 opinion letter for a defined contribution qualified pre-approved plan as well as the scope of reliance provided by a Cycle 4 opinion letter to adopting employers of a provider’s defined contribution pre-approved plan.

Pursuant to section 17 of Rev. Proc. 2023-37, the IRS publishes a cumulative list for each remedial amendment cycle to identify the recent changes in the qualification requirements that will be taken into account with respect to the form of a pre-approved plan submitted to the IRS for that remedial amendment cycle. A change in the qualification requirements includes a statutory change or a change in the requirements provided in regulations or other guidance published in the Internal Revenue Bulletin, without regard to whether the change is required to be reflected in plan terms or relates to an optional provision that a provider could choose to reflect in plan terms as a discretionary amendment.

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