U.S. GOVERNMENT ACCOUNTABILITY OFFICE
**441 G St. N.W.
Washington, DC 20548**

B-337845

September 30, 2025

The Honorable Mike Crapo
Chairman
The Honorable Ron Wyden
Ranking Member
Committee on Finance
United States Senate

The Honorable Jason Smith
Chairman
The Honorable Richard Neal
Ranking Member
Committee on Ways and Means
House of Representatives

Subject: *Department of the Treasury, Internal Revenue Service: Catch-Up Contributions*

Pursuant to section 801(a)(2)(A) of title 5, United States Code, this is our report on a major rule promulgated by the Department of the Treasury, Internal Revenue Service (IRS) entitled “Catch-Up Contributions” (RIN: 1545-BR11). We received the rule on September 18, 2025. It was published in the *Federal Register* on September 16, 2025. 90 Fed. Reg. 44527. The effective date of the rule is November 17, 2025.

This rule sets forth final regulations that provide guidance for retirement plans that permit participants who have attained age 50 to make additional elective deferrals that are catch-up contributions. 90 Fed. Reg. 44527. The regulations reflect statutory changes made by the SECURE 2.0 Act of 2022, including the requirement that catch-up contributions made by certain catch-up eligible participants must be designated Roth contributions. *Id.* The regulations affect participants in, beneficiaries of, employers maintaining, and administrators of certain retirement plans. *Id.*

Enclosed is our assessment of IRS’s compliance with the procedural steps required by section 801(a)(1)(B)(i) through (iv) of title 5 with respect to the rule. If you have any questions about this report or wish to contact GAO officials responsible for the evaluation work relating to the subject matter of the rule, please contact Charlie McKiver, Assistant General Counsel, at (202) 512-5992.

Shirley A. Jones

Shirley A. Jones
Managing Associate General Counsel

Enclosure

cc: Kalle Wardlow
Federal Register Liaison
Internal Revenue Service

ENCLOSURE

REPORT UNDER 5 U.S.C. § 801(a)(2)(A) ON A MAJOR RULE
ISSUED BY THE
DEPARTMENT OF THE TREASURY,
INTERNAL REVENUE SERVICE
ENTITLED
"CATCH-UP CONTRIBUTIONS"
(RIN: 1545-BR11)

(i) Cost-benefit analysis

In its submission to us, the Department of the Treasury, Internal Revenue Service (IRS) indicated that it was not required to prepare an analysis of the costs and benefits of this rule.

(ii) Agency actions relevant to the Regulatory Flexibility Act (RFA), 5 U.S.C. §§ 603–605, 607, and 609

IRS certified that this rule will not have a significant economic impact on a substantial number of small entities. 90 Fed. Reg. 44546.

(iii) Agency actions relevant to sections 202–205 of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. §§ 1532–1535

IRS determined that this rule will not have an effect on state, local, or tribal governments, in the aggregate, or on the private sector, of $100 million in 1995 dollars, updated annually for inflation, in any one year. *See* 90 Fed. Reg. 44546.

(iv) Other relevant information or requirements under acts and executive orders

Administrative Procedure Act, 5 U.S.C. §§ 551 *et seq.*

On January 13, 2025, IRS published a proposed rule. 90 Fed. Reg. 2645. IRS stated that it received comments from various interested parties. *See* 90 Fed. Reg. 44527, 44530. IRS responded to comments in the rule. *Id.*

Paperwork Reduction Act (PRA), 44 U.S.C. §§ 3501–3520

IRS determined that this rule contains no new information collection requirements under the Act. 90 Fed. Reg. 44545–44546.

Statutory authorization for the rule

IRS promulgated this rule pursuant to 26 U.S.C. §§ 401(m)(9), 414(v)(7)(D), and 7805.

Executive Order No. 12866 (Regulatory Planning and Review)

According to IRS, this rule is not subject to review under section 6(b) of Executive Order No. 12866. 90 Fed. Reg. 44545.

Executive Order No. 13132 (Federalism)

IRS determined that this rule does not have federalism implications. 90 Fed. Reg. 44546.