



MANUAL TRANSMITTAL

Department of the Treasury
Internal Revenue Service

7.11.5

AUGUST 21, 2025

EFFECTIVE DATE

(08-21-2025)

PURPOSE

- (1) This transmits revised IRM 7.11.5, *Employee Plans Determination Letter Program, Proper Use of Determination Letter Caveats*.

MATERIAL CHANGES

- (1) Added IRM 7.11.5.1(5), Primary Stakeholders.
- (2) Added IRM 7.11.5.1.3, Roles and Responsibilities.
- (3) Added IRM 7.11.5.1.4, Program Management and Review.
- (4) Added IRM 7.11.5.1.5, Program Controls.
- (5) Changed the name of IRM 7.11.5.1.6, from Acronyms to Terms and Acronyms and added the acronyms EEE (Associate Chief Counsel for Employee Benefits, Exempt Organizations, and Employment Tax, R&A (Rulings and Agreements), and TE/GE (Tax Exempt/Government Entities).
- (6) Added IRM 7.11.5.1.7, Related Resources.
- (7) Updated IRM 7.11.5.4, Letter 6570 for Individually-Designed 403(b) Plans.
- (8) Various edits have been made throughout the IRM for clarity, removal of outdated items and for plain language.

EFFECT ON OTHER DOCUMENTS

This supersedes IRM 7.11.5, dated July 24, 2024.

AUDIENCE

Tax Exempt and Government Entities
Employee Plans

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7.11.5

Proper Use of Determination Letter Caveats

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7.11.5.1 (08-21-2025) Program Scope and Objectives

- (1) **Purpose:** This IRM gives guidance for using caveats (selective paragraphs) in favorable Determination Letters (DL):
 - a. Letter 1132 - issued for terminating plans submitted on Form 5310.
 - b. Letter 5274 - issued for ongoing plans submitted on Form 5300 or 5307.
 - c. Letter 6569 - issued for use with 403(b) Plans.
 - d. Letter 6570 - Issued for use with 403(b) Plans.
- (2) **Audience:** Employee Plans (EP) Determinations and Quality Assurance (QA) staff.
- (3) **Policy Owner:** Director, EP.
- (4) **Program Owner:** EP.
- (5) **Primary Stakeholders:**
 - a. Internal - Director, Employee Plans; Director, Employee Plans Rulings and Agreements; EP Tax Law Specialists and Agents; Actuaries; Associate Chief Counsel (EEE), TE/GE Division.
 - b. External - Plan sponsors, plan representatives, and plan participants.
- (6) **Program Goals:** The goal of EP Determinations is to ensure that plans comply with the tax laws. We do this by reviewing applications for determination and opinion letters and protecting the public interest by applying the tax law with integrity and fairness to all.
- (7) EP Determinations employees should use the *Forms/Pubs/Products Repository* to draft closing and other correspondence letters and their related attachments.

7.11.5.1.1 (11-23-2020) Background

- (1) A plan is qualified if it meets the requirements of IRC 401(a) or 403(b) in form and operation. A qualified plan is entitled to favorable tax treatment.
- (2) To help taxpayers ensure their plans comply with the tax law, EP Determinations:
 - a. Reviews applications and issues opinion letters on whether the form of the plan meets the qualification requirements, and
 - b. Issues DLs for plans that meet the requirements of the code. (IRM 7.11.1).
- (3) The DL is the end product after a specialist reviews the application package and concludes the plan is qualified. Add caveats to the DLs for:
 - a. Plan, trust and amendment execution dates.
 - b. Cover letter dates for proposed amendments.
 - c. Other applicable explanations for the request type.
- (4) It is critical that the DL is accurate because it gives a historical record and the plan sponsor can rely on it for future DL applications or plan examinations.
- (5) Use the letter repository to generate all letters. Letters saved to your desktop should be scrubbed of all prior employer information.
- (6) Letters 1132 and 5274 refer to the Publication 794, *Favorable Determination Letter*. Publication 794 may be obtained at: *IRS Forms & Publications* or by calling 800-TAX-FORM (800-829-3676). Publication 794:

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- a. Explains the significance of a favorable DL.
- b. Points out some features that may affect the qualified status of an employee retirement plan and nullify the DL without specific notice from the IRS.
- c. Provides general information on the plan's reporting requirements.
- d. States that the DL applies only to the plan sponsor who submitted the application. Therefore, for controlled groups or Affiliated Service Groups (ASG) who adopt the same plan, we issue the DL only to the employer who submitted the application.

7.11.5.1.2 (11-23-2020) **Authority**

- (1) The authority to issue favorable DLs on the qualified status of pension, profit-sharing, stock bonus, annuity, and employee stock ownership plans under IRC 401, IRC 403(a), IRC 409, and IRC 4975(e)(7), and IRC 403(b) and the status for exemption of any related trusts or custodial accounts under IRC 501(a) is delegated to the Director, Employee Plans, and has been re-delegated to the Director, EP Rulings and Agreements, Delegation Order 7-1, IRM 1.2.2.8.1.1.
- (2) The authority to allow a plan to be amended after the expiration of its IRC 401(b) remedial amendment period is delegated to the Director, EP Rulings and Agreements. (Delegation Order 7-16 and IRM 1.2.2.8.16).
- (3) See *Delegation Orders and Policy Statements by Process* for a complete list of delegation orders governing EP Rulings and Agreements.
- (4) See IRM 7.1.1, Exhibit 7.1.1-1 for a list of the major EP revenue procedures currently in effect.

7.11.5.1.3 (08-21-2025) **Roles and Responsibilities**

- (1) The mission of Employee Plans is to provide EP's customers top-quality service by helping them understand and comply with applicable tax laws and to protect the public interest by applying the tax laws with integrity and fairness to all.
- (2) The Director, EP, reports to the Deputy Commissioner, TE/GE, and is responsible for planning, managing, directing and executing nationwide EP activities.
- (3) EP responsibilities include:
 - a. Employee plans (including the qualification of pension, annuity, profit-sharing, and stock bonus plans, simplified employee pensions, saving incentive match plans for employees, and tax-sheltered annuities) and related trusts.
 - b. Tax treatment of participants and their beneficiaries and deductions for employer contributions.
 - c. Procedural and administrative provisions with respect to such plans.
- (4) The Director, EP R&A, reports to the Director, EP, and is responsible for three types of services for retirement plans - voluntary compliance, determination letters, and technical guidance.
- (5) Responsibilities of the EP R&A staff include:
 - a. Processing determination letter requests from employers regarding the qualified status of their pension, annuity, profit sharing and stock bonus plans.
 - b. Issuing opinion and advisory letters to specific requestors regarding pre-approved pension, annuity, and profit-sharing plans, including individual

retirement accounts, simplified employee pensions and savings incentive match plans for employees, and tax-sheltered annuities.

- c. Developing and operating voluntary correction programs, such as the Employee Plans Compliance Resolution System (EPCRS) program and issuing compliance statements or entering into closing agreements under these programs.
- d. Processing requests for changes in funding method and making other actuarial determinations and interpretations.
- e. Coordinating with Chief Counsel on requests for funding waivers.
- f. Developing and maintaining responsibility for actuarial publications and other standards for the valuation of transfers of future interests for income, estate and gift tax purposes.
- g. Coordinating with TE/GE Division Counsel, Associate Chief Counsel and the DOJ on litigation issues and declaratory judgment cases under the Internal Revenue Code (IRC 7476).

7.11.5.1.4
(08-21-2025)

**Program Management
and Review**

(1) Program Reports

- a. The EP Determinations program uses Business Objects to view, create, and modify inventory and employee records. Business Objects uses tools to provide a built-in interface to query and analyze data and to build reports.
- b. Monthly reports detailing the current inventory of cases by area and their status are produced and provided to the Director, EP R&A, Area Managers, and frontline managers.
- c. Ad-hoc reports are produced as requested by determinations personnel with appropriate permission.
- d. Each quarter, EP Determinations Quality Assurance issues reports to summarize the results of the TEQMS reviews. See IRM 7.11.3 Tax Exempt Quality Measurement System (TEQMS)

- (2) Program effectiveness: EP Determinations monitors business unit progress toward completing and closing cases in inventory. They provide status and progress reports to IRS leadership on a regular, recurring basis. Effectiveness is measured by analysis of compliance trends and results.

7.11.5.1.5
(08-21-2025)

Program Controls

- (1) The IRS receives EP determination letter applications and user fees from taxpayers on Pay.gov.
- (2) The user fee information is then transferred to LINUS to ensure it is properly recorded.
- (3) The application information from Pay.gov is transferred to Tax Exempt Determination System (TEDS) and EP/EO Determination Systems (EDS) which are the systems that EP Determinations uses to control their inventory.
- (4) TEDS contains roles and permissions to ensure proper separation of duties. (IRM 7.15.4).
- (5) The EP Determinations Area Managers coordinate the assignment of inventory.
- (6) In order to ensure a consistent level of managerial engagement in the process of making key strategic decisions during a determination letter review, the specialist submits requests for approval by their manager through TEDS.

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- (7) The manager approves or rejects any request through TEDS.
- (8) EP Determinations QA reviewers perform reviews on mandatory review cases and for cases selected for the Tax Exempt Quality Measurement System (TEQMS) to ensure that specialists are conducting their determination letter reviews per technical, procedural and administrative requirements. See IRM 7.11.3 and IRM 7.11.9 for more information.
- (9) The IRS is fully committed to protecting the privacy rights of taxpayers and employees. Privacy laws are included in the Privacy Act of 1974, the Freedom of Information Act, and IRS policies and practices. For more information about these laws, visit the *FOIA Library*.
 - a. For questions about privacy, email **Privacy*.
 - b. For questions about disclosure, email **Disclosure*.

7.11.5.1.6
(08-21-2025)

Terms and Acronyms

- (1) These acronyms are used in this IRM:

Acronym	Term
ASG	Affiliated Service Groups
CAP	Closing Agreement Program
CBA	Collective Bargaining Agreement
CL	Cumulative List
DL	Determination Letter
DB	Defined Benefit
DC	Defined Contribution
EEE	Associate Chief Counsel for Employee Benefits, Exempt Organizations, and Employment Tax
EP	Employee Plans
EIN	Employer Identification Number
FDL	Favorable Determination Letter
IDP	Individually-Designed Plan
LFDL	Last Favorable Determination Letter
LGS	Letter Generation Subsystem
POA	Power of Attorney
QA	Quality Assurance
R&A	Rulings and Agreements
RAC	Remedial Amendment Cycle
RA List	Required Amendment List
SSN	Social Security Number

Acronym	Term
TE/GE	Tax Exempt/Government Entities
TEDS	Tax Exempt Determination System
VCP	Voluntary Compliance Program

7.11.5.1.7
(08-21-2025)
Related Resources

- (1) *What is a favorable determination letter?*, provides if you need to file a determination letter, the benefits of a favorable letter, scope of determination review and reliance on a favorable letter.
- (2) *Apply for a determination letter for an Individually Designed Plan*, provides when and how to apply.

7.11.5.2
(07-19-2021)
Letter 5274 for Individually-Designed Plans

- (1) Use the chart in Exhibit 7.11.5-1, *DL for Ongoing Plans (Letter 5274)*, to help you select the appropriate caveats for current applications. The chart is not an all-inclusive list; all caveat paragraphs are included in the repository for historical purposes.
- (2) For ongoing IDPs, include caveats:
 - a. “B” to show that the DL doesn’t apply to qualification items that become effective after the dates specified on the applicable Required Amendment List (RA List).
 - b. “5” with a variable for the year for the applicable RA List.
- (3) For ongoing IDPs, include on Letter 5274 the date(s) of a), b), c), d), and e):
 - a. The initial plan document if effective on or after January 1, 2016, and not previously ruled on. Use Caveat 12.
 - b. The current restatement if subsequent to the initial plan document.
 - c. All interim amendments to comply with the 2015 CL, unless previously ruled on, and/or all amendments adopted to comply with the RA List for which the application was submitted and any other RA List item that has not been previously ruled on.
 - d. All discretionary or required amendments effective on or after January 1, 2016, that the employer elected to use in operation, unless previously ruled on.
 - e. All corrective amendments the plan sponsor submitted or IRS secured with a VCP application or Audit CAP effective on the later of the date of the LFDL or January 1, 2016.

Example: A plan sponsor, with an EIN ending in 2, submits an initial application on June 15, 2020, for a plan that has existed since 2008 and never received a DL. Include on the DL: all amendments listed on the 2016 - 2018 RA List, all items listed on the 2015 CL (which includes interim amendments for 2011-2015), and any discretionary or required amendments the employer put in place in the plan’s operation effective on or after January 1, 2016.

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7.11.5.3 (11-29-2021) **Letter 5274 for Pre-Approved Plans**

- (1) Use the chart in Exhibit 7.11.5-1, *DL for Ongoing Plans (Letter 5274)*, to help you select the appropriate caveat(s) for current applications. The chart is not an all-inclusive list; it also includes all caveat paragraphs in the repository for historical purposes.
- (2) Include these caveats for a pre-approved plan submitted during an IRS-announced two-year window:
 - a. "A" to show that the DL doesn't apply to qualification items that become effective after the dates specified on the applicable CL.
 - b. "4" with a variable for the year of the applicable CL year we ruled on.
 - c. "7" with a variable "contribution" for DC plans or "benefit" for DB plans to indicate the letter's expiration date.
- (3) Include on Letter 5274 of pre-approved plan adopters, the date(s) of a), b) and c) below, regardless of the date of the LFDL:
 - a. The restated document and interim amendments adopted (including amendments adopted on behalf of a plan sponsor) to comply with the applicable CL for the cycle when the application was submitted.
 - b. All discretionary or required amendments the employer adopted since the last restatement that satisfied the CL for the prior cycle.
 - c. All corrective amendments the plan sponsor submitted, or IRS secured with a VCP application or Audit CAP in the applicable cycle.

7.11.5.4 (08-21-2025) **Letter 6570 for Individually-Designed 403(b) Plans.**

- (1) All caveat paragraphs are included in the repository.
- (2) For ongoing IDP's include caveats:
 - a. "B" to show that the DL doesn't apply to qualification items that become effective after the dates specified on the applicable Required Amendment List (RA List).
 - b. "2" to complete the RA List year changes.
- (3) For ongoing IDPs, include on Letter 6570 the date(s) of a), b), c), d), and e).
 - a. The initial plan document, if not previously ruled on. Use paragraph 4.
 - b. The current restatement if subsequent to the initial plan document.
 - c. All interim amendments and/or all amendments adopted to comply with the RA List for which the application was submitted and any other RA List item that has not been previously ruled on.
 - d. All discretionary or required amendments that the employer elected to use in operation.
 - e. All corrective amendments the plan sponsor submitted, or IRS secured with a VCP application or Audit CAP.

7.11.5.5 (07-19-2021) **Letter 1132 for Individually-Designed Plans**

- (1) Use the chart in Exhibit 7.11.5-2, *Letter 1132 for Terminating Plans*, for help in selecting the appropriate caveat(s) for current applications. The chart is not an all-inclusive list; all caveat paragraphs are included in the repository for historical purposes.
- (2) For 5310 applications, include on Letter 1132, the date(s) of a), b), c), d) and e):
 - a. The initial plan document or the restated plan document effective on or after January 1, 2016, if not previously ruled on.

- b. All amendments listed on the applicable RA List, including amendments adopted to comply with laws that are effective as of plan termination date, if not previously ruled on, and include amendments for which the RAP for that law hasn't otherwise ended.
- c. Any interim amendments adopted to comply with the 2015 CL, except for interim amendments previously ruled on.
- d. All discretionary or required amendments effective on or after January 1, 2016, which the employer implemented in operation.
- e. All corrective amendments submitted or secured with a VCP application or Audit CAP effective on the later of the date of the LFDL or after January 1, 2016.

Example: Employer X terminates an individually-designed plan and submits a Form 5310 application on June 17, 2022. Employer X has an EIN that ends in 4 and received an LFDL for the 2013 CL. Therefore, include on Letter 1132, interim amendments that appeared on the 2014 and 2015 CL, any applicable item from the 2016-2022 RA List and any discretionary or required amendments effective on or after January 1, 2016.

7.11.5.6
(11-09-2023)
**Letter 1132 for
Pre-Approved Plans**

- (1) Use the chart in Exhibit 7.11.5-2, *Letter 1132 for Terminating Plans*, in selecting the appropriate caveat(s) for current applications. The chart is not an all-inclusive list; all caveat paragraphs are included in the repository for historical purposes.
- (2) Include on Letter 1132 for applications of pre-approved plan adopters, the date(s) of a), b), c), and d) below, regardless of the date of the LFDL:
 - a. The restated document and interim amendments adopted (including amendments adopted on behalf of a plan sponsor) to comply with the applicable CL for which the latest advisory or opinion letter was issued.
 - b. All discretionary or required amendments the employer adopted since the last restatement that satisfied the Cumulative List for the prior cycle.
 - c. All interim amendments adopted to comply with a law that is effective on the plan termination date even if the RAP for that law hasn't otherwise ended.
 - d. All corrective amendments the plan sponsor submitted or IRS secured with a VCP application or Audit CAP in the applicable cycle.

Example: A Pre-approved DC plan terminates December 31, 2022, and has a restatement adopted April 30, 2022 to comply with the 2017 Cumulative List. Include on Letter 1132 all restated documents and interim amendments to comply with the 2017 CL; any additional interim amendments required through the date of termination; and all discretionary amendments adopted after the prior restatement of April 30, 2016. If the latest adoption of the pre-approved plan was April 30, 2016 for the 2010 CL verify they timely adopted all interim amendments after 2010 CL, but only caveat for interim amendments and discretionary amendments as noted above.

7.11.5.7
(11-09-2023)
**Letter 6569 for
Individually-Designed
403(b) Plans**

- (1) All caveat paragraphs are included in the repository for historical purposes.
- (2) For 5310 applications, include on Letter 6569 the date(s) of a), b), c), d) and e):

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- a. The initial plan document or the restated plan document, if effective on or after January 1, 2016.
- b. All amendments listed on the applicable RA List, including amendments adopted to comply with laws that are effective by the plan termination date even if the RAP for that law hasn't otherwise ended.
- c. Any interim amendments adopted to comply with the Cumulative List.
- d. All discretionary or required amendments which the employer implemented in operation.
- e. All corrective amendments submitted or secured with a VCP application or Audit CAP.

7.11.5.8
(05-26-2022)

Additional Guidance / Common Errors

- (1) Consult your manager or EP Determinations QA before you add any customized caveat that will be printed as an addendum. You must include an addendum in the enclosures and include caveat 37 on Letter 5274 and caveat 19 on Letter 1132 to indicate that letter has a third-page addendum. Don't indent the paragraph on the addendum.

Caution: This addendum will need to be prepared as a separate document and attached as an addendum to the repository letter.

- (2) If the plan sponsor submits an adopted trust document:
 - a. Before the initial plan document, use caveat 22 on Letter 5274, or caveat 28 on Letter 1132.
 - b. On the same date as the initial plan document, use caveat 12 on Letter 5274, or caveat 6 on Letter 1132, which covers both the plan and trust adoption.
 - c. After the initial plan document, use caveat 13, 14, or 15 on Letter 5274, or caveat 5 or A7 on Letter 1132. Also, treat trust amendments like any other plan amendment.
- (3) Governmental Plans - For governmental entities that apply for a DL, add caveat 29 to Letter 5274 and caveat A31 to Letter 1132 to show that the DL is based on the plan sponsor's assertion that the plan is a government plan under IRC 414(d).

Note: If the governmental plan is submitted with material that isn't adopted, in other words, statute based, also add caveat 30 or 32, as applicable, to Letter 5274.

- (4) Proposed Amendments: Don't include the LFDL's proposed amendment adoption dates on your current DL.
- (5) Mergers: If the application is submitted with plan merger documentation, include only the amendments for the surviving plan on the DL. The plan sponsor can still rely on this DL for the merged plan(s) even though their amendment dates aren't included on the DL.
- (6) International: Dual-qualified plans have trusts in the U.S. and intend to have dual qualification under both the Puerto Rico Code and Internal Revenue Code. If the plan includes an addendum for dual qualification, include caveat 2 on Letter 5274 or caveat 29 on Letter 1132.
- (7) Non-electing church: If the plan indicates that it is a non-electing church plan, include caveat 40 on Letter 5274 and caveat 30 on Letter 1132.

- (8) Retiree medical benefit: If the application includes the information in Rev. Proc. 2025-4, (revised annually) Section 18, for IRC 401(h) retiree medical benefits and the plan meets the requirements of IRC 401(h) and IRC 420, include caveat 31 on Letter 5274 and caveat 14 on Letter 1132 for the second and subsequent cycles. If the application requests a ruling under IRC 401(h) only, include caveat 39 on Letter 5274.
- (9) Accident and health plans: If the plan has provisions for health and disability benefits, include on the DL the following customized addendum caveat: "This determination is not an opinion on whether disability benefits or medical care benefits are accident and health plan benefits under IRC section 105 or whether contributions are contributions by an employer to accident and health plans under IRC section 106."
- (10) Power of Attorney (POA) copies: Attach to Letter 937-A, only copies of the DL to a POA if the Form 2848 box is checked to send the POA notices and communications.
- (11) Interested party comment cases: Select the appropriate opening caveat. Paragraph 1 for a complete application or Paragraph 2 if the application is incomplete or going to be returned. Delete dates from Letter 1935 and Letter 1939 before forwarding the case to EP Determinations QA.
- (12) Partial Terminations Ruling Request Only: If the plan sponsor is requesting only a partial termination ruling, prepare Letter 5889, Partial Termination Determination. In the letter repository, select either Selectable Paragraph B for "Partial Termination Occurred" or Selectable Paragraph C for "Partial Termination did not occur."

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Exhibit 7.11.5-1 (07-19-2021)
DL for Ongoing Plans (Letter 5274)

Repository Paragraph Number	Use for	Explanation	Variable
A	For all pre-approved plans, if “A” is selected, add caveat 4.	Use to show that the DL doesn’t apply to qualification items that become effective after the dates specified on the applicable CL.	N/A
B	For all individually-designed plans that apply for a DL, if “B” is selected, add caveat 5.	Use to show that the DL doesn’t apply to qualification items that become effective after the dates specified on the applicable RA List.	N/A
2	Plans with an addendum for dual qualification under both the Puerto Rico Code and Internal Revenue Code.	Use to show the DL only applies to IRC 401(a) and not for the qualification requirements under the Puerto Rico Internal Revenue Code.	N/A
4	Applications submitted under a CL.	Include the year of the CL that the application has reliance.	CL (20XX) format
5	Applications submitted under an RA List.	Include the year of the RA List that the application has reliance.	RA List (20XX) format
7	Plans that remain on the six-year cycle.	Include applicable variables depending on whether the plan is a DC or DB plan.	“contribution” or “benefit”
8	Foreign trusts.	Use when a plan is using a foreign trust.	N/A
9	Plans that include IRC 403(b) provisions.	Ruling only for the IRC 401(a) plan and not the IRC 403(b).	N/A
11	Applications that request a leased employee status ruling. See Rev. Proc. 2025-4, section 17 (revised annually).	Include applicable variables depending on whether the plan does or doesn’t meet the leased employee requirements of IRC 414(n).	“satisfies” or “isn’t subject to”
12	Initial plan adoption and separate initial trust document when adopted on same date.	Indicate the date the initial plan was adopted (and the trust when adopted on same date); this date is intended to cover both documents.	Date: (Month XX, Year)

Exhibit 7.11.5-1 (Cont. 1) (07-19-2021)
DL for Ongoing Plans (Letter 5274)

Repository Paragraph Number	Use for	Explanation	Variable
13	Plan and trust amendments. Reminder: If a separate trust document is adopted after the date of the initial plan document, use caveat 13; don't create a new caveat.	Refer to IRM 7.11.5.2, <i>Letter 5274 for Individually-Designed Plans</i> , and IRM 7.11.5.3, <i>Letter 5274 for Pre-Approved Plans</i> , for the rules of which amendments to caveat.	Date: <ul style="list-style-type: none"> (Month XX, Year), if only one date (Month XX, Year) for multiple dates
14	Additional Amendments.	Use with caveat 13.	Date: (Month XX, Year)
15	Additional Amendments.	Use with caveats 13 and 14.	Date: (Month XX, Year)
16	Conditioning the DL on adoption of proposed amendments.	Enter the date of the letter used to submit the proposed amendment. If the letter or fax is undated, use the received date.	Date: (Month XX, Year)
17	Additional Proposed Amendments.	Enter the date of the letter used to submit the proposed amendment. If the letter or fax is undated, use the received date.	Date: (Month XX, Year)
18	Conditioning the DL on adoption of a proposed restated plan.	Enter the date of the letter used to submit the proposed restated document. If the letter or fax is undated, use the received date.	Date: (Month XX, Year)
21	Form 5300 submitted with Form 5309.	Use to state that the ESOP meets the requirements of IRC 4975(e)(7).	N/A
22	Initial trust document when adopted before the initial plan.	Use to indicate the date the initial trust was adopted if before the initial plan.	Date: (Month XX, Year)
24	Multiple employer plans. See Rev. Proc. 2025-4, section 14 (revised annually).	Use when multiple employer plans meet IRC 413(c).	N/A

Exhibit 7.11.5-1 (Cont. 2) (07-19-2021)
DL for Ongoing Plans (Letter 5274)

Repository Paragraph Number	Use for	Explanation	Variable
26	Partial termination with a determination request on a Form 5300.	Use to indicate that based on the information supplied, a determination was made that a partial termination occurred on Month XX, Year.	Date: (Month XX, Year)
27	Partial termination with a determination request on a Form 5300.	Use to indicate that based on the information you have supplied, a determination was made that a partial termination did not occur.	N/A
28	Correction of a prior Letter 5274.	Use to correct a prior letter and include the date of the letter being replaced.	Date: (Month XX, Year)
29	Governmental Plan.	Use to indicate that the DL is based on the plan sponsor's assertion that plan is a government plan under IRC 414(d).	N/A
30	Form 5300 Governmental.	Use for an application submitted with a plan that is not adopted.	Date: (Month XX, Year)
31	Plans that meet the requirements of IRC 401(a)(2), as modified by IRC 420, for plan asset transfers in a DB plan to an IRC 401(h) health account.	Use caveat 62 for transfers before January 1, 2026.	N/A
32	Form 5300 Governmental.	Use for applications submitted with a plan and documents that aren't adopted, that is, statute-based plans with no cover letter.	N/A
37, Enclosures	Alerting recipient of attached addendum because you added a customized caveat paragraph.	Use to inform recipient that you attached an addendum to the letter as a third page.	N/A
38	Collectively bargained plans.	Use to state that the DL doesn't provide reliance on CBA or auxiliary agreements that are incorporated by reference.	N/A
39	IRC 401(h) retiree medical benefit account features.	Use when a plan requests a ruling on IRC 401(h) retiree medical benefit account features.	N/A

Exhibit 7.11.5-1 (Cont. 3) (07-19-2021)**DL for Ongoing Plans (Letter 5274)**

Repository Paragraph Number	Use for	Explanation	Variable
40	Non-electing church.	Use when plan indicates it's a non-electing church plan.	N/A
41	Sub-Trust.	Use when plan includes sub-trust arrangement language.	N/A

Exhibit 7.11.5-2 (07-24-2024)**Letter 1132 for Terminating Plans**

Repository Paragraph Number	Use for	Explanation	Variable
In the body of the Letter	Proposed date of plan termination.	Enter the termination date of the plan from the terminating board resolution or amendment.	Date: (Month XX, Year)
1, 3, 33, Form 15091	A terminating plan that has a reversion.	Generates the Benefit Assurance Form Alert and alerts the plan sponsor of certain filing requirements. May not apply to certain tax-exempt entities or governmental plans.	N/A
4	Conditioning the DL on adoption of a proposed amendment(s).	Enter the date of the letter used to submit the proposed amendment. If the letter or fax is undated, use the received date.	Date (Month XX, Year)
5	Executed plan and trust amendments. Initial trust document adoption if adopted after the initial plan adoption date.	Refer to IRM 7.11.5.5, <i>Letter 1132 for Individually-Designed Plans</i> , and IRM 7.11.5.6, <i>Letter 1132 for Pre-Approved Plans</i> , for the rules of which amendments to caveat.	Date (Month XX, Year)
6	Initial plan adoption and separate initial trust document adoption when adopted on same date.	Indicate the date the initial plan was adopted (and trust when adopted on same date); caveat is intended to cover both documents. See caveat 17 if adopted on different days.	Date (Month XX, Year)
7, 8	Foreign Trusts.	Use when a plan is using a foreign trust.	N/A
14	Plans that meet the requirements of IRC 401(a)(2) for plan asset transfers in a DB plan to an IRC 401(h) health account. Transfers on or after December 31, 2013-require a customized addendum paragraph.	Use caveat 14 for transfers after that date and before January 1, 2022. Addendum paragraph: "This determination letter establishes that the plan meets the requirements of Internal Revenue Code Section 401(a)(2) as modified by IRC Section 420 for certain transfers of plan assets made before January 1, 2026. It doesn't establish whether the plan meets the requirements of IRC Section 401(a)(2) for any other transfer of plan assets."	N/A

Exhibit 7.11.5-2 (Cont. 1) (07-24-2024)
Letter 1132 for Terminating Plans

Repository Paragraph Number	Use for	Explanation	Variable
15	ESOPs that meet the requirements of IRC 4975(e)(7).	Used to indicate verification that the plan met IRC 4975(e).	N/A
18	Replacement Letter.	This letter replaces our letter dated on or about [Month XX, Year].	Date: (Month XX, YYYY)
19	Plans with an enclosed addendum.	The information on the enclosed addendum is an integral part of this determination. Please be sure to read it and keep it with this letter.	N/A
20	Conditioning the DL on adoption of a proposed restated plan.	Enter the date of the letter used to submit the proposed restated document. If the letter or fax is undated, use the received date.	Date: (Month XX, Year)
21	Conditioning the DL on additional contribution	This determination letter is conditioned upon the plan sponsor making additional contributions to the trust to fund all accrued benefits under the plan.	N/A
22	Collectively bargained plans.	DL does not provide reliance on CBA or auxiliary agreements that are incorporated by reference.	N/A
26	Conditioning the letter on the full vesting of affected participants.	Used when a sponsor agrees to fully vest affected participants under IRC 411(d)(3). Enter the date of the sponsor/POA's letter providing for the full vesting.	Date: (Month XX, Year)
27	Proposed amendments (use for a proposed restated plan) included with the application, <u>but no cover letter</u> . Note: This caveat paragraph is also applicable to a proposed restated plan.	Include the date the application is dated.	Date: (Month XX, Year)
28	Initial trust document when adopted before the initial plan.	Indicate the date the initial trust was adopted if before the initial plan.	Date: (Month XX, Year)

Exhibit 7.11.5-2 (Cont. 2) (07-24-2024)
Letter 1132 for Terminating Plans

Repository Paragraph Number	Use for	Explanation	Variable
29	Plan with an addendum for dual qualification under both the Puerto Rico Code and Internal Revenue Code.	The DL only applies to IRC 401(a) and not with respect to the qualification requirements under the Puerto Rico Internal Revenue Code.	N/A
30	Non-electing church.	Used when plan indicates that it's a non-electing church plan.	N/A
32	Sub-Trust.	Used when plan has sub-trust language.	N/A
A7	Executed amendments. Used in addition to caveat 5.	Used with caveat 5.	Date: (Month XX, Year)
A31	Terminating governmental plan.	Indicates that the DL is based on the plan sponsor's assertion that the plan is a governmental plan under IRC 414(d).	N/A

