



# TaxNewsFlash

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## Rev. Proc. 2021-37, Rev. Proc. 2021-38: Pre-approved retirement plans

The IRS today released advance versions of Rev. Proc. 2021-37 and Rev. Proc. 2021-38 concerning pre-approved section 401(a) and section 403(b) retirement plans.

- [Rev. Proc. 2021-37](#) [PDF 380 KB] (83 pages) sets forth the procedures of the IRS for issuing opinion letters regarding the satisfaction in form of section 403(b) pre-approved plans with respect to the requirements of section 403(b) for the second remedial amendment cycle. The revenue procedure also sets forth the rules for determining when remedial amendment periods expire for section 403(b) pre-approved plans.
- [Rev. Proc. 2021-38](#) [PDF 87 KB] (five pages) modifies Rev. Proc. 2016-37 to extend the deadline for adopting an interim amendment for a section 401(a) pre-approved plan to match the deadline for adopting an interim amendment for a section 403(b) pre-approved plan (which is set forth in Rev. Proc. 2021-37).

The purpose of this report is to provide text of the two revenue procedures.

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