



September 18, 2026

Internal Revenue Service
CC:PA:01:PR (REG-101355-26)
Room 5503
P.O. Box 7604, Ben Franklin Station
Washington, DC 20044
www.regulations.gov

Re: IRS REG-101355-26, Notice of proposed rulemaking regarding “Employer Contributions to Trump Accounts and Nondiscrimination Rules for Dependent Care Assistance Programs,”
91 *Fed. Reg.* 51611 (August 11, 2026)

Dear IRS:

Thank you for the opportunity to comment on the notice of proposed rulemaking regarding employer contributions to Trump accounts under the One, Big, Beautiful Bill Act, 26 U.S. Code § 530A (July 4, 2025). PayrollOrg’s comments are focused on payroll management and the practical application of verifying Trump accounts.

About PayrollOrg

PayrollOrg is a nonprofit and nonpartisan association representing more than 20,000 payroll professionals throughout the United States. PayrollOrg’s primary mission is to educate its members and the payroll industry regarding best practices associated with paying America’s workers while complying with applicable federal, state, and local laws.

PayrollOrg’s Government Relations Task Force works with government to help payroll professionals with complex compliance requirements, while minimizing the administrative burden on government, employers, and individual workers.

Trump Account Verification

The proposed rules under § 1.128-2 state that an employer must adopt a verification method to ensure valid Trump accounts before making contributions. PayrollOrg agrees that this is the better

approach rather than relying on information provided by employees. Payroll professionals also appreciate that the Treasury Department and IRS plan to provide a secure, electronic method for employers to validate accounts.

However, the proposed rules leave open validation methods. Usually when an employer has a benefits program, it makes the arrangement through one provider, such as a retirement plan entity. An employee signs up for the program and the amount of the contribution by the employee and employer is entered into the payroll management system. Validation comes from the employer arrangement. An employee can also instruct payroll on where to directly deposit wages, but all payroll managers know is the amount and accurate routing information. Payroll does not know what type of account the employee has established.

Since the employer does not play a role in establishing Trump accounts, the employer will not have a method to validate accounts. “Proposed § 1.128-2(d)(6) would provide that an arrangement is not a Trump account contribution program if an employer limits contributions to Trump accounts held by a particular trustee or trustees” [see 91 *Fed. Reg.* 51611 at 51615 (Aug. 11, 2026): III. Explanation of Provisions § A(1)(f)]. An employer would have to:

- Rely on employees to provide the name and contact information for the trustee and then have the burden of contacting every trustee for verification,
- Trustees would be required to provide information to employers identified by their account holders (employees, employees’ dependents), and/or
- The Treasury Department would need to mandate that trustees enter information into a database about established Trump accounts that employers could security access.

Following the ability to establish a validation process, payroll operations will need time to program management systems to receive the information, correctly enter the information for participating employees, and identify whether the limit has been exceeded and federal employment taxes are owed. With a multitude of potential trustees, making this process automatic as opposed to manual may be difficult. Especially for large employers, a manual process is a significant undertaking and an immense burden.

Contributions Exceeding \$2,500 Per Employee

The proposed rules state that an employee can only receive up to \$2,500 in employer contributions to Trump accounts and that this amount may include multiple employers. Additional contribution amounts are taxable to the employee. PayrollOrg appreciates the

examples provided in the *Federal Register* notice stating that employers do not have responsibility for excess amounts. Employees would be required to account for any excess in their individual tax reporting. This can only happen if employees receive a record of contributions.

The rules need to be clear on employer responsibility. Employers need to know what information needs to be included on a Form W-2, Wage and Tax Statement. Employees and tax preparers need to know whether trustees will provide them with a report for tax purposes.

To reach PayrollOrg, please contact me at ajacobsohn@payroll.org or 202-669-4001.

Sincerely,

A handwritten signature in cursive script that reads "Alice P. Jacobsohn".

Alice P. Jacobsohn, Esq.
Director, Government Relations

For: Government Relations Task Force – Federal Issues Subcommittee
Cochairs Rebecca Harshberger, CPP; Mindy Mayo, CPP; and Jon Schausten, CPP