

Department of Labor Updates National Enforcement Projects for Employee Benefit Plans

February 4, 2026

PRACTICES Employee Benefits and Executive Compensation

The DOL recently announced the overhaul of its national enforcement projects for fiscal year 2026 (the “**DOL Release**”). The DOL will prioritize any cases related to cybersecurity, barriers to mental health and substance use disorder benefits, protecting benefit distributions, retirement asset management, medical surprise billing, and criminal abuse of contributory benefit plans. Further, the DOL reiterated that it will continue to identify abusive Multiple Employer Welfare Arrangements (“**MEWAs**”) and prevent fraudulent MEWA operators from opening such arrangements in other states.

In addition, the DOL removed two items from its national enforcement list. First, consistent with DOL Assistant Secretary Daniel Aronowitz’s statement during his confirmation hearings to “end the war on” Employee Stock Ownership Plans (“**ESOPs**”) (hearing video available [here](#)), the DOL removed ESOPs from its enforcement list. Second, the DOL will reduce its focus on missing participants following the establishment of its Retirement Savings Lost and Found Database pursuant to the SECURE 2.0 Act (as we previously reported on [here](#)).

Plan sponsors of retirement and health plans should take note of these changes in DOL enforcement priorities and we will continue to monitor developments in this area.

The DOL Release is available [here](#).