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## LOBBYING REPORT

Lobbying Disclosure Act of 1995 (Section 5) - All Filers Are Required To Complete This Page

1. Registrant Name <b>Davis &amp; Harman LLP</b>			
2. Address <input type="checkbox"/> Check if different than previously reported <b>1455 Pennsylvania Avenue NW, Suite 1200, Washington, DC 20004</b>			
3. Principal Place of Business (if different from line 2) City: _____ State/Zip (or Country) _____			
4. Contact Name <b>Janis McClintock</b>	Telephone <b>202/347-2230</b>	E-mail (optional)	5. Senate ID# <b>11674-303</b>
5. Client Name <input type="checkbox"/> Self <b>Merrill Lynch &amp; Company Inc</b>			6. House ID # <b>31318023</b>

### TYPE OF REPORT

8. Year **2005** Midyear (January 1-June 30)  OR Year End (July 1-December 31)

9. Check if filing amends a previously filed versions of this report

10. Check if this is a Termination Report  \ Termination Date \_\_\_\_\_

11. No Lobbying Activit

### INCOME OR EXPENSES - Complete Either Line 12 OR Line 13

12. Lobbying Firms	13. Organizations
INCOME relating to lobbying activities for this reporting period was:	EXPENSES relating to lobbying activities for this 1 period were:
Less than \$10,000 <input type="checkbox"/>	Less than \$10,000 <input type="checkbox"/>
\$10,000 or more <input checked="" type="checkbox"/> \ \$ 80,000.00 Income (nearest \$20,000)	\$10,000 or more <input type="checkbox"/> \ \$ Income (nearest \$20,000)
Provide a good faith estimate, rounded to the nearest \$20,000, of all lobbying related income from the client (including all payments to the registrant by any other entity for lobbying activities on behalf of the client).	14. REPORTING METHOD. Check box to indicate e: accounting method. See instructions for description.
	<input type="checkbox"/> Method A. Reporting amounts using LDA definiti
	<input type="checkbox"/> Method B. Reporting amounts under section 6033 Internal Revenue Code
	<input type="checkbox"/> Method C. Reporting amounts under section 162(e Revenue Code

Signature \_\_\_\_\_

Printed Name and Title

LD-2 (Rev. 06/98)

Registrant Name **Davis & Harman LLP**

Client Name **Merrill Lynch & Company Inc**

**LOBBYING ACTIVITY.** Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additio needed.

15. General issue area code **TAX** (one per page)

16. Specific lobbying issues  
**H.R., 1960/1961, The Pension Preservation and Savings Expansion Act; S. 6, CARE Act; S. 1698, Retirement Security Adv 219, National Employee Savings and Trust Equity Guarantee Act; H.R. 1607/S. 1366, Public Good IRA Rollover Act (Her 2830, Pension Protection Act; H.R. 1359, Retirement Savings and Security Act; savings proposals in the President's FY 20 H.R. 1162/S. 546, Retirement Savings Account Act; S. 1112/H.R. 2386, College 529 InvEST Act; H.R. 2831, Pension Preser Portability Act; proposals related to health savings accounts; proposals related to the treatment of education savings; prop to automatic enrollment; proposals related to default investment.**

17. House(s) of Congress and Federal agencies contacted  Check if None  
**House of Representatives**  
**Senate**  
**Department of the Treasury**  
**Department of Labor**  
**Pension Benefit Guaranty Corporation**

18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)
<b>Randolf Hurst Hardock</b>	
<b>James M. Delaplane, Jr</b>	
<b>Kent A. Mason</b>	

19. Interest of each foreign entity in the specific issues listed on line 16 above  Check if None

Signature *Randolf Hurst Hardock* Date 8/2/05

Printed Name and Title **Randolf Hurst Hardock, Partner**

LD-2 (Rev. 06/98)