

Clerk of the House of Representatives  
Legislative Resource Center  
B-1 06 Cannon Building  
Washington, DC 20515

Secretary of the Senate  
Office of Public Records  
232 Hart Building  
Washington, DC 20510

RECEIVED.  
SECRETARY OF THE SENATE  
05 FEB 15 PM 11:02

## 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>11674-30</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 **2004** 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 Activities

### 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 period were:
Less than \$10,000 <input type="checkbox"/>	Less than \$10,000 <input type="checkbox"/>
\$10,000 or more <input checked="" type="checkbox"/> \$ 60,000.00 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 accounting method. See instructions for description
	<input type="checkbox"/> Method A. Reporting amounts using LDA definition
	<input type="checkbox"/> Method B. Reporting amounts under section 603 Internal Revenue Code
	<input type="checkbox"/> Method C. Reporting amounts under section 162 Revenue Code

Signature \_\_\_\_\_

Printed Name and Title \_\_\_\_\_



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 behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach add needed.

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

16. Specific lobbying issues

**H.R. 518, The Retirement Account Portability Improvement Act; H.R. 975, The Bankruptcy Abuse Prevention and Con Protection Act; H.R. 1000, The Pension Security Act; H.R., 1776, The Pension Preservation and Savings Expansion Act; Pension Fairness Act; S.9, The Pension Protection and Expansion Act; S. 228, The Social Security Number Misuse Prev- 629, The Catch-up Lost Retirement Act; S. 1054, The Jobs and Growth Tax Relief Reconciliation Act; S. 476, CARE Ac Consolidated Appropriations; H.R. 2989/S. 1589, Transportation, Treasury and Independent Agencies Appropriations . Pension Funding Equity Act; H.R. 3397, Individual Investment Account Act; S. 1698, Retirement Security Advice Act; ! Women's Pension Protection Act; S. 1550 & S. 2005, Pension Stability Act; S. 2424, National Employee Savings and Tru Guaranteed Act; H.R. 1779, Guardsman and Reservist Financial Relief Act; H.R. 4520, American Jobs Creation Act; S. Jumpstart our Business Strength Act; H.R. 4279, HEALTH Act of 2004; proposals related to health savigs accounts; pr to the treatment of education savings; proposals related to savings.**

17. House(s) of Congress and Federal agencies contacted  Check if None

**House of Representatives  
Senate  
Department of the Treasury  
Department of Labor**

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>	
<b>Jason K. Bortz</b>	

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

Signature \_\_\_\_\_

Date \_\_\_\_\_



Registrant Name Davis & Harman LLP

Client Name Merrill Lynch & Company

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

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


16. Specific lobbying issues  
**S. 979, The Broad-Based Stock Option Plan Transparency Act; H.R. 2420, Mutual Fund Integrity Act; S. 1958, Mutual Protection Act; S. 1971, Mutual Fund Investor Confidence Restoration Act.**

17. House(s) of Congress and Federal agencies contacted  Check if None  
**House of Representatives**  
**Senate**  
**Securities and Exchange Commission**

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>	

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

Signature  Date 2/10/05

Printed Name and Title **Randolf Hurst Hardock**

