

JEROME R. SCHINDLER
ATTORNEY AT LAW
395 S. Chesterfield Road
Columbus, Ohio 43209-1917
Phone 614-239-9980; Fax 239-9981
Toll Free 1-877- 343-1464
schindlerjerome@mindspring.com

September 27, 2005

Office of Regulations and Interpretations
Employee Benefits Security Administration
Room N-5669
US Dept. of Labor
200 Constitution Avenue NW
Washington, DC 20210

Re: RIN 1210-AB04 Form 5500 E-filing Regulation Comments

Gentlemen:

I am a self employed sole proprietorship with no employees. I assume that this e-Filing requirement will extend to the Form 5500-EZ as well. Every year I struggle to fill out the Form 5500-EZ for my one participant Keogh plans. I am not at all looking forward to having to do this by e-Filing.

The purpose of this report for one person defined contribution plans has forever eluded me.

I send money to a mutual fund company for a defined contribution PSP Keogh Plan and a defined contribution MPP Keogh plan. The total amount is reported as an adjustment to income on my personal 1040. I am sure that the mutual fund company reports the contributions I made so the government can verify that I made the contributions claimed as an adjustment to income on my personal 1040.

When the time comes for me to withdraw from my Keogh plans in retirement, I am sure that the mutual fund companies will duly report that to the government on a Form 1099R so the government will be able to verify that these withdrawals were reported as income on my personal 1040.

Therefore, what purpose does this 5500-EZ information serve.

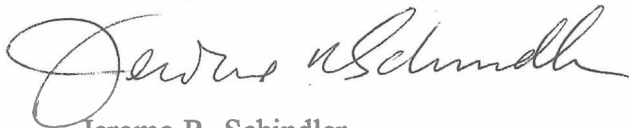
I generally get a 4 month automatic extension to file my federal income tax return by filing Form 4868 which also extends the 5500 Filing Deadline by just 15 days to August 15th. One year I forget to attach a copy of this Form 4868 to the 5500-EZ forms and was sent a bill for

a \$700 penalty for missing the July 31st deadline. This was abated by sending in the copy of my Federal Extension Form 4868 (which was legit but could have been a fake as the IRS does not approve the extension as it is automatic nor do they acknowledge receipt of that form) but I could not help but wonder why the Dept. of Labor was so adamant about getting this information from me by July 31st.

MY PROPOSAL: In addition to the filing exemption for plans having less than \$100,000 in assets at the end of a calendar year, there should also be a filing exemption for single member (and perhaps even multiple member) defined contribution plans of any size where all of the activity consists of contributions to an entity or entities (such as a mutual fund company) that reports all such contributions to the IRS, and/or of disbursements by an entity or entities (such as a mutual fund company) that reports all such distributions to the IRS on a 1099R. The exemption would not be available if there was any activity in the plan other than contributions and distributions as detailed above, and would not be applicable to defined benefit plans.

This change would reduce the burden on both the Department and many small business taxpayers.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerome R. Schindler". The signature is written in a cursive, flowing style with a large initial "J".

Jerome R. Schindler