

Clerk of the House of Representatives  
Legislative Resource Center  
B-106 Cannon Building  
Washington, DC 20515

<http://lobbyingdisclosure.house.gov>

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

<http://www.senate.gov/lobby>

## LOBBYING REPORT

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

<b>1. Registrant Name</b> <input checked="" type="checkbox"/> Organization/Lobbying Firm <input type="checkbox"/> Self Employed Individual <b>MERRILL LYNCH &amp; CO, INC</b>			
<b>2. Address</b> <input type="checkbox"/> Check if different than previously reported Address1 <u>1455 PENNSYLVANIA AVENUE, NW, SUITE 950</u> Address2 _____ City <u>WASHINGTON</u> State <u>DC</u> Zip Code <u>20004</u> - Country <u>USA</u>			
<b>3. Principal place of business (if different than line 2)</b> City _____ State _____ Zip Code _____ - Country _____			
<b>4a. Contact Name</b> <u>Steven K. Berry</u>	<b>b. Telephone Number</b> <input type="checkbox"/> International Number <u>(202) 661-7130</u>	<b>c. E-mail</b> <u>steven_berry@ml.com</u>	<b>5. Senate ID#</b> <u>24965-00012</u>
<b>7. Client Name</b> <input checked="" type="checkbox"/> Self <input type="checkbox"/> Check if client is a state or local government or instrumentality <u>MERRILL LYNCH &amp; CO, INC</u>			<b>6. House ID#</b> <u>313050000</u>

**TYPE OF REPORT** 8. Year 2008 Q1 (1/1 - 3/31)  Q2 (4/1 - 6/30)  Q3 (7/1-9/30)  Q4 (10/1 - 12/31)

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

10. Check if this is a Termination Report  Termination Date \_\_\_\_\_ 11. No Lobbying Issue Activity

### INCOME OR EXPENSES - YOU MUST complete either Line 12 or Line 13

12. Lobbying	13. Organizations
<b>INCOME</b> relating to lobbying activities for this reporting period was: <u>Less than \$5,000</u> <input type="checkbox"/> <u>\$5,000 or more</u> <input type="checkbox"/> \$ _____ Provide a good faith estimate, rounded to the nearest \$10,000, 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).	<b>EXPENSE</b> relating to lobbying activities for this reporting period were: <u>Less than \$5,000</u> <input type="checkbox"/> <u>\$5,000 or more</u> <input checked="" type="checkbox"/> \$ <u>\$ 1,240,000.00</u> <b>14. REPORTING</b> Check box to indicate expense accounting method. See instructions for description of options. <input checked="" type="checkbox"/> <b>Method A.</b> Reporting amounts using LDA definitions only <input type="checkbox"/> <b>Method B.</b> Reporting amounts under section 6033(b)(8) of the Internal Revenue Code <input type="checkbox"/> <b>Method C.</b> Reporting amounts under section 162(e) of the Internal Revenue Code

Signature Filed Electronically Date 10/17/2008

Printed Name and Title Steven K. Berry-Managing Director

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

15. General issue area code   (one per page)

16. Specific lobbying issues

H.R. 698 & S. 1356-Industrial Loan Companies; H.R. 3010 & S. 1782-Arbitration; H.R. 6312-Credit Union, Bank, and Thrift Regulatory relief Act of 2008; H.R. 6513-Securities Act of 2008; H.R. 1424, Economic Stabilization Act of 2008

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

U.S. HOUSE OF REPRESENTATIVES, U.S. SENATE, Treasury - Dept of, Federal Reserve System, Federal Deposit Insurance Commission (FDIC), Securities & Exchange Commission (SEC), White House Office

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

First Name	Last Name	Suffix	Covered Official Position (if applicable)	New
Steven K.	Berry		Managing Director, Government Relations	<input type="checkbox"/>
Louis A.	Costantino	Jr.	Director, Government Relations	<input type="checkbox"/>
Lon N.	Goldstein		Director, Government Relations	<input type="checkbox"/>
Mark A.	Micali		Director, Government Relations	<input type="checkbox"/>
Janelle C. M.	Thibau		Director, Government Relations	<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>

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

Printed Name and Title Steven K. Berry-Managing Director

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

15. General issue area code  FINANCIAL INSTITUTIONS/INVESTMENTS/SECURITIES (one per page)

16. Specific lobbying issues

H.R. 1433, H.R. 3010 & S. 1782-makes arbitration clauses in consumer contracts enforceable; S. 221-abrogates arbitration agreements in farm product contracts; S. 1135-amends arbitrations provided by contract; (no bill number)-fee based accounts

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

U.S. HOUSE OF REPRESENTATIVES, Securities & Exchange Commission (SEC)

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

First Name	Last Name	Suffix	Covered Official Position (if applicable)	New
Steven K.	Berry		Managing Director, Government Relations	<input type="checkbox"/>
Louis A.	Costantino	Jr.	Director, Government Relations	<input type="checkbox"/>
Lon N.	Goldstein		Director, Government Relations	<input type="checkbox"/>
Mark A.	Micali		Director, Government Relations	<input type="checkbox"/>
Janelle C.M.	Thibau		Director, Government Relations	<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>

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

Printed Name and Title Steven K. Berry-Managing Director

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

15. General issue area code   (one per page)

16. Specific lobbying issues

H.R. 888-business travel facilitation; H.R. 2942-currency reform in China; H.R. 5724-US-Colombia Trade Promotion Agreement; S. 1607-exchange rate oversight; S. 1677-exchange rates; S. 2830-US-Colombia Free Trade Agreement; (no bill number)-FINSAs Implementation; H.R. 7081/S. 3548-US-India Agreement for cooperation on peaceful uses of nuclear energy.

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

U.S. HOUSE OF REPRESENTATIVES, U.S. SENATE, Treasury - Dept of, Federal Reserve System, Commerce - Dept of (DOC), Commodity Futures Trading Commission (CFTC), Securities & Exchange Commission (SEC), State - Dept of (DOS), U.S. Trade Representative (USTR), White House Office

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

First Name	Last Name	Suffix	Covered Official Position (if applicable)	New
Steve K.	Berry		Managing Director, Government Relations	<input type="checkbox"/>
Louis A.	Costantino	Jr.	Director, Government Relations	<input type="checkbox"/>
Lon N.	Goldstein		Director, Government Relations	<input type="checkbox"/>
Mark A.	Micali		Director, Government Relations	<input type="checkbox"/>
Janelle C.M.	Thibau		Director, Government Relations	<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>

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

Printed Name and Title Steven K. Berry-Managing Director

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

15. General issue area code   (one per page)

16. Specific lobbying issues

H.R. 6- Energy Independence Security Act of 2007; H.R. 878 & S. 601- broker reporting; H.R. 1509 & S. 940- Subpart F; H.R. 2136, H.R. 2345 & S. 681- tax shelters; H.R. 3970- tax reform/corporate tax; H.R. 3996- Temporary Tax Relief Act of 2007; H.R. 4912- prepaid derivatives; H.R. 5351 & S. 1508- energy tax credit extensions; S. 2- minimum wage; S. 349- small business tax issues; S. 2242- alternative energy tax incentives; (no bill #-) regulations re: foreign tax credit & non-compulsory payments; continued . . .

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

U.S. HOUSE OF REPRESENTATIVES, U.S. SENATE, Executive Office of the President (EOP), Internal Revenue Service (IRS), Treasury - Dept of

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

First Name	Last Name	Suffix	Covered Official Position (if applicable)	New
Steven K.	Berry		Managing Director, Government Relations	<input type="checkbox"/>
Louis A.	Costantino	Jr.	Director, Government Relations	<input type="checkbox"/>
Lon N.	Goldstein		Director, Government Relations	<input type="checkbox"/>
Mark A.	Micali		Director, Government Relations	<input type="checkbox"/>
Janelle C.M.	Thibau		Director, Government Relations	<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>

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

Printed Name and Title Steven K. Berry-Managing Director

H.R. 5160- Small Business Add Value for Employees Act of 2008; H.R. 2167- Automatic IRA Act of 2007; H.R. 3361- Pension Protection Technical Corrections Act of 2007; H.R. 6382- Pension Protection Technical Corrections Act

Printed Name and Title Steven K. Berry-Managing Director

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

15. General issue area code   (one per page)

16. Specific lobbying issues

H.R. 2419- Farm Bill, CEA provisions; H.R. 2776- renewable energy, climate change; H.R. 5351- tax incentives for renewable energy; H.R. 5575- coal generation emissions; S. 577- oil and gas trading oversight; S. 2191- climate change; S. 2555- state control of GHG emissions; S. 2642- renewable energy; S. 2821- clean energy production incentives; S. 2991/S.3044--market speculator; S. 2995--oil trading; S. 3122--energy commodities regulation; S. 3130--energy prices; S. 3131--energy markets; continued . . .

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

U.S. HOUSE OF REPRESENTATIVES, U.S. SENATE, Commodity Futures Trading Commission (CFTC), Federal Energy Regulatory Commission (FERC), Treasury - Dept of

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

First Name	Last Name	Suffix	Covered Official Position (if applicable)	New
Steven K.	Berry		Managing Director, Government Relations	<input type="checkbox"/>
Louis A.	Costantino	Jr.	Director, Government Relations	<input type="checkbox"/>
Lon N.	Goldstein		Director, Government Relations	<input type="checkbox"/>
Mark A.	Micali		Director, Government Relations	<input type="checkbox"/>
Janelle C.M.	Thibau		Director, Government Relations	<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>

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

Printed Name and Title Steven K. Berry-Managing Director

S. 3183--CFTC authority on speculation; S. 3185--energy prices; S. 3202--gas prices; S. 3205--CFTC authority; S. 3248--commodity markets; S. 3255--CFTC large trade oversight; H.R. 6130--futures markets; H.R. 6238--CFTC oversight; H.R. 6264--commodities markets; H.R. 6330--energy commodities; H.R. 6334--CFTC oversight and energy prices; H.R. 6349--energy prices; H.R. 6377--CFTC authority for energy markets; S. 3335, Energy Extenders Act; H.R. 6049, Energy Extenders Act; H.R. 6346, Energy Speculation Act; H.R. 6604, Commodity Markets Transparency; H.R. 6899, Comprehensive Energy Act; H.R. 7060, Renewable Energy Job Creation Act; S. 1766, Low Carbon Economy Act; S. 3036, Climate Security Act of 2008; H.R. 6186, Investing in Climate Action & Protection Act; H.R. 6316, Climate Market, Auction, Trust & Trade Act

Printed Name and Title Steven K. Berry-Managing Director



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

15. General issue area code   (one per page)

16. Specific lobbying issues

S. 1145-patent reform

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

U.S. SENATE

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

First Name	Last Name	Suffix	Covered Official Position (if applicable)	New
Steven K.	Berry		Managing Director, Government Relations	<input type="checkbox"/>
Louis A.	Costantino	Jr.	Director, Government Relations	<input type="checkbox"/>
Lon N.	Goldstein		Director, Government Relations	<input type="checkbox"/>
Mark A.	Micali		Director, Government Relations	<input type="checkbox"/>
Janelle C.M.	Thibau		Director, Government Relations	<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>

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

Printed Name and Title Steven K. Berry-Managing Director

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

15. General issue area code   (one per page)

16. Specific lobbying issues

H.R. 5818- The Neighborhood Stabilization Act of 2008; H.R. 5830- the FHA Housing and Homeowner Retention Act; H.R. 3915- Mortgage Reform and Anti-Predatory Lending Act

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

U.S. SENATE

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

First Name	Last Name	Suffix	Covered Official Position (if applicable)	New
Steven K.	Berry		Managing Director, Government Relations	<input type="checkbox"/>
Louis A.	Costantino		Director, Government Relations	<input type="checkbox"/>
Lon N.	Goldstein		Director, Government Relations	<input type="checkbox"/>
Mark A.	Micali		Director, Government Relations	<input type="checkbox"/>
Janelle C.M.	Thibau		Director, Government Relations	<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>

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

Printed Name and Title Steven K. Berry-Managing Director