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Sent: Tuesday, July 05, 2005 2:47 PM
To: EBSA - EFAST2
Subject: RFC: EFAST Program

Good afternoon;

This comment is submitted in regards to the proposed web-based electronic 5500 submission, specifically the consideration of filing fees.

While it is understandable that as technology progresses, it becomes more expensive to maintain three types of processing 5500 forms (paper, EFAST, and web-based). It is also true that many companies find it difficult to change procedures without a financial incentive. However, I strongly object to a filing fee, even if it is minimal and with good intent.

Preparing 5500 forms is already an expensive prospect, especially for large plans or TPAs handling multiple plans. Most of the preparation expense is handled through general plan fees, although some may charge itemized fees. A filing fee would normally be paid directly from plan assets, the submission of which then needs to be tracked, thus creating potential for problems.

Also, the filing fee would be assessed against plan assets and thus directly affecting participants. Unless it is a true percentage (as opposed to a fixed or sliding scale), smaller plans would be at a disadvantage with fewer participants amongst whom to disperse the cost. In light of the current environment with the DOL urging participants to investigate plan fees in detail, it seems incongruent for the DOL to assess an additional filing fee.

Regardless of the above arguments, I would also like to state that it doesn't seem fair to charge fees for an action that is mandatory. Sure, it happens, but that doesn't make it right.

I believe there are better ways to reduce costs and encourage electronic submissions than to assess a filing fee.

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