

Michael Santay, Chair, Auditing Standards Board
Darrel Schubert, Chair, Employee Benefit Plan Reporting Task Force
August 17, 2017
Page two

Employee Benefit Plans (IFEBP). I agree with the several opinions and recommendations set forth in the IFEBP letter to you.

In my experience of 44 years of representing joint labor and management trustees, we have not experienced a single failure of audit, or a plan deficiency that was not satisfactorily revealed during the annual audit process. My clients work with experienced accountants who are encouraged and expected to make deep inquiry into accounting procedures and to render independent opinion on their findings. The proposals set forth in your Statement appear to address audit failures of accounting practitioners who generally do not maintain high quality professional standards (i.e. “dabblers”). Hence, your proposed Statement would impose corrective actions on not only the low quality audit, but also on the accountants who already perform at the highest standards. The largest employee benefit plans already rely on highly experienced practitioners, therefore, the several changes you propose would impose much higher audit costs on the plans that are already highly successful in obtaining independent audit opinions.

I therefore join with the IFEBP in its six recommendations, especially (1) requiring all auditors to join the AICPA EBP Audit Quality Center, (2) imposing continuing education requirements for all auditors and their staff personnel, and (3) establishing a registry of firms qualified and experienced to perform such technical audits, thereby excluding inexperienced and merely periodic practitioners.

Additional Comment. I also add an observation that the AICPA appears generally to not have much experience or interest in the normal, high quality operations of joint labor and management trust funds. Your recent Standard on

Michael Santay, Chair, Auditing Standards Board

Darrel Schubert, Chair, Employee Benefit Plan Reporting Task Force

August 17, 2017

Page three

payroll auditing opinions, for example, is mis-informed and highly disruptive to the efficient operations of health, pension and apprenticeship trusts (i.e. union funds).

Yours truly,

The Law Offices of Robert A. Bohrer, P.L.L.C.

A handwritten signature in blue ink that reads "Robert A. Bohrer". The signature is written in a cursive style with a long horizontal line extending to the right.

Robert A. Bohrer, Attorney

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August 17, 2017

Michael Santay, Chair, Auditing Standards Board
Darrel Schubert, Chair, Employee Benefit Plan Reporting Task Force
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1211 Avenue of the Americas
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Comment: Proposed Statement on Auditing Standards, Employee Benefit Plans

Gentlemen:

I am a practicing ERISA attorney and have been in such practice since 1973. I have devoted my entire active practice to the representation of joint labor and management employee benefit plans, including health, pension, apprenticeship and other ancillary benefit plans. I am a member of the American Bar Association and the International Foundation of Employee Benefit Plans. Since the enactment of ERISA, I have served as general counsel to boards of trustees in the construction industry, service trades and continue to serve as a special deputy attorney general in the State of Washington pertaining to joint labor-management matters. (For further credentials see www.robertbohrer.com). My clients include both regional and nation-wide health and pension plans sponsored by joint labor and management trust funds.

Comment. I have read the proposed Statement on Auditing Standards together with the Comment submitted to you by the International Foundation of