

### *Computation of Time*

These computation-of-time rules tell you how to compute time periods under our regulations (*e.g.*, for filings with us and issuances to third parties) where the particular regulation calls for their application. Some of our regulations contain specific exceptions or modifications to these rules. (For a detailed discussion of how the computation-of-time rules work, see the preamble to our proposed rule (68 FR 7454).)

### **Electronic Means of Record Retention**

These rules provide guidance on record maintenance and retention using electronic means. These rules generally track the Department of Labor's final rules (67 FR 17264 (April 9, 2002)) for retaining records by electronic means, set out at 29 CFR 2520.107-1.

You remain responsible for following our electronic recordkeeping rules, even if you rely on others for help. For example, if a service provider to a plan administrator creates, maintains, retains, prepares, or keeps physical custody of the plan's records, the plan administrator must ensure that the service provider complies with these rules.

The recordkeeping requirements are consistent with the goals of E-SIGN and are designed to facilitate voluntary use of electronic records while ensuring continued accuracy, integrity and accessibility of records required to be kept under our regulations. The requirements are justified by the importance of the records involved, are substantially equivalent to the requirements imposed on records that are not electronic records, will not impose unreasonable costs on the acceptance and use of electronic records, and do not require, or accord greater legal status or effect to, the implementation or application of a specific technology or technical specification for performing the functions of creating, storing, generating, receiving, communicating, or authenticating electronic records.

### **Paperwork Reduction Act**

Under the Paperwork Reduction Act, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid Office of Management and Budget control number. This final rule contains information collection requirements. The Office of Management and Budget has approved this information collection under the Paperwork Reduction Act of 1995 OMB Control Number 1212-0059; Expire 10-31-06.

### **Compliance With Rulemaking Guidelines**

The PBGC has determined, in consultation with the Office of Management and Budget, that this final rule is not a "significant regulatory action" under Executive Order 12866.

We certify under section 605(b) of the Regulatory Flexibility Act that this final rule will not have a significant economic impact on a substantial number of small entities. The final rule does not affect the underlying requirements (*e.g.*, to file a submission with us, provide an issuance to a third party, or retain records) to which the rule applies. Nor does this final rule require any plan or other entity to make use of electronic media for either disclosure or recordkeeping purposes or to change the method it currently uses. Entities may avoid both any marginal cost and any beneficial impacts by simply retaining their existing paper-based or electronic methods of compliance with disclosure requirements or existing paper-based methods of compliance with recordkeeping requirements. (For those entities that already use electronic media for recordkeeping purposes, any expense associated with conforming their procedures to the minimum standards in this final rule will be marginal.) We do not expect the economic impact (if any) associated with the changes to be significant for entities of any size, and therefore certify that this final rule does not have a significant economic impact on a substantial number of small entities. Accordingly, sections 603 and 604 of the Regulatory Flexibility Act do not apply.

### **List of Subjects**

#### *29 CFR Part 4000*

Pension insurance, Pensions, Reporting and Recordkeeping requirements.

#### *29 CFR Part 4003*

Administrative practice and procedure; Pension insurance

#### *29 CFR Part 4007*

Employee benefit plans; Penalties; Pension insurance; Reporting and recordkeeping requirements

#### *29 CFR Part 4010*

Employee benefit plans; Penalties; Pension insurance; Reporting and recordkeeping requirements

#### *29 CFR Part 4011*

Employee benefit plans; Pension insurance; Reporting and recordkeeping requirements

#### *29 CFR Part 4022*

Employee benefit plans; Pension insurance; Reporting and recordkeeping requirements

#### *29 CFR Part 4041*

Employee benefit plans; Pension insurance; Reporting and recordkeeping requirements

#### *29 CFR Part 4041A*

Employee benefit plans; Pension insurance; Reporting and recordkeeping requirements

#### *29 CFR Part 4043*

Employee benefit plans; Pension insurance; Reporting and recordkeeping requirements

#### *29 CFR Part 4050*

Employee benefit plans; Pension insurance; Reporting and recordkeeping requirements

#### *29 CFR Part 4062*

Employee benefit plans; Pension insurance; Reporting and recordkeeping requirements

#### *29 CFR Part 4203*

Employee benefit plans; Pension insurance; Reporting and recordkeeping requirements

#### *29 CFR Part 4204*

Employee benefit plans; Pension insurance; Reporting and recordkeeping requirements

#### *29 CFR Part 4207*

Employee benefit plans; Pension insurance

#### *29 CFR Part 4208*

Employee benefit plans; Pension insurance; Reporting and recordkeeping requirements

#### *29 CFR Part 4211*

Employee benefit plans; Pension insurance; Reporting and recordkeeping requirements

#### *29 CFR Part 4219*

Employee benefit plans; Pension insurance; Reporting and recordkeeping requirements

#### *29 CFR Part 4220*

Employee benefit plans; Pension insurance; Reporting and recordkeeping requirements