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September 25, 2017

Brent J. Fields
Secretary
Securities and Exchange Commission, 100 F
Street NE., Washington, DC 20549-1090.

Re: File Number S7-04-17: Public Comment Regarding Release No. 33-7985

On June 14, 2001, the Securities and Exchange Commission ("SEC") published Release No. 33-7985¹ regarding the application of the Electronic Signatures Global and National Commerce Act ("E-SIGN") to various forms of record retention, including E-SIGN's application to the provision of Rule 302 of Regulation S-T² requiring issuers to retain for a period of five years manually-signed signature pages or other documents that signatories must execute ("authentication documents") to authenticate, acknowledge or otherwise adopt their signatures that appear in typed form within electronically filed documents.

The SEC concluded in Release No. 33-7985 that E-SIGN did not apply to the Rule 302 requirement to retain authentication documents because authentication documents are records generated principally for governmental purposes rather than in connection with a business, consumer or commercial transaction, and, as governmental filings, such authentication documents were expressly excluded from E-SIGN. Issuers, therefore, were, and still are, required to retain such manually-signed documents for five years. The SEC does not appear to have issued any new guidance regarding the same since it initially published Release No. 33-7985 in 2001.

¹ *SEC Interpretation: Application of the Electronic Signatures in Global and National Commerce Act to Record Retention Requirements Pertaining to Issuers under the Securities Act of 1933, Securities Exchange Act of 1934 and Regulation S-T.*

² Item 302(b) of Regulation S-T [17 CFR 232.302(b)].

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In light of the exponential increase in the use of electronic signatures in both private transactions and government filings, as well as the technological advancements in securing and protecting electronic documents, in the 16 years since Release No. 33-7985 was published, we respectfully request that the SEC revisit Release No. 33-7985 as it relates to requiring issuers to retain certain manually-signed documents, and consider (1) expanding the definition of manually-signed documents to include, for example, scanned copies of manual signatures and (2) issuing a new rule or interpretation applying E-SIGN to Rule 302 of Regulation S-T. We believe such an expansion of E-SIGN will result in demonstrable cost-savings for issuers without a corresponding reduction in the retention or security of authentication documents.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Mark K.", with a long horizontal flourish extending to the right.

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