



UNITED STATES DEPARTMENT OF COMMERCE
Chief Financial Officer
Assistant Secretary for Administration
Washington, D.C. 20230

PROCUREMENT MEMORANDUM 2019-02

ACTION

MEMORANDUM FOR: Bureau Procurement Officials

FROM: Barry E. Berkowitz
Senior Procurement Executive
and Director for Acquisition Management

SUBJECT: Electronic Signatures on Contract Actions and
Acquisition Documents

Background

Public Law 106-229, the Electronic Signatures in Global and National Commerce Act, defines the term “electronic signature” as an electronic sound, symbol, or process, attached to or logically associated with a contract or other record and executed or adopted by a person with the intent to sign the record. Digital signatures are a form of electronic signature used to authenticate and verify the integrity of signed electronic records. A digital signature guarantees the authenticity of an electronic document or message in digital communication and uses mathematical encryption techniques to provide proof of original and unmodified documentation. Department of Commerce (DOC) acquisition personnel possess the credentials needed to digitally sign documents through their Personal Identity Verification (PIV) cards. A digital signature made with these credentials is evidence that a specific individual signed the electronic record and that it was not altered. The recipient of a signed document can rely on the digital signature as evidence for a third party that the signature was generated by the claimed signer.

Purpose

This memorandum, issued in coordination with the DOC Chief Information Officer, authorizes the use of digital signatures as a means of providing signatures for all DOC contract actions and acquisition documents. The use of digital signatures will improve efficiency, reduce paper, and facilitate signatures among parties who are in different locations. Digital signatures can be more secure and trusted than traditional pen and ink signatures.

Policy

Use of digital signatures is encouraged on DOC acquisition documents. The method of authentication used for digital signatures shall be consistent with the e-authentication risk assessment listed in Office of Management and Budget M-04-04, *E-authentication Guidance for Federal Agencies* and the respective technology safeguards applicable to that level of risk as per National Institute of Standards and Technology Special Publication 800-63-3, *Digital Identity Guidelines*.

Implementation

1. For digital signatures, DOC acquisition personnel are authorized to use the digital signature in their PIV cards to electronically sign contract actions and acquisition documents using any software application that supports it (e.g. Microsoft Word, Adobe Acrobat).

2. All contract actions including but not limited to contracts, contract modifications, blanket purchase agreements, purchase orders and task and/or delivery orders, as well as internal acquisition documents such as acquisition plans, source selections plans, memoranda and determinations, may be executed manually or electronically via digital signature.

Effective Date

This Procurement Memorandum is effective immediately and remains in effect until it is otherwise rescinded or superseded.

Please direct any questions regarding this Procurement Memorandum to Olivia J. Bradley, 202-482-4511.