**Manual Reference on Electronic Signatures – VBA Claims Processing**

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| **III.ii.1.C.2.f****.  Definition: Digital or Electronic Signature** |  | A ***digital signature*** is an encrypted digital code appended to an electronic document to verify that the document was created by a known source and has not been altered.    An ***electronic signature*** is a signature, or its equivalent, that is affixed to an electronic document.    ***Notes***:  For VA purposes   * any signature captured by an electronic signature pad or similar device and affixed to an electronic document is an electronic signature, but * an electronic signature is *not* an electronic transmission of a signature that originated as a wet signature such as a   + scanned copy of a signature, or   + faxed copy of a signature. |

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| **III.ii.1.C.2.g****.  Acceptable Electronic or Digital Signatures** |  | VBA must be able to conclude that a signature is from the person purporting to sign regardless of the format of the signature.  The requirement to determine the authenticity of a signature, whatever the form, is inherent in the administrative process.    Accept an electronic or digital signature or other image of a signature on a claim, decision review request, or legacy appeal for benefits, or associated form, unless there are clear indications of   * fraud, or * inauthenticity of the signature.   ***Example***:  A claim is signed on February 1, 2017, with the claimant’s electronic signature.  Subsequent correspondence indicates that the claimant passed away December 22, 2016.  As the claimant was deceased at the time the claim was signed, there is clear indication of fraud.  The signature must not be accepted.    ***References***:  For more information on   * VBA policy on acceptance of electronic signatures, see [***VBA Letter 20-17-11***](http://vbaw.vba.va.gov/usb/letters/2017/20-17-11_VBALetter.pdf) * procedures for handling indications of fraud pertaining to signatures, see [**M21-1, Part III, Subpart vi, 5.A**](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000014296/M21-1,-Part-III,-Subpart-vi,-Chapter-5,-Section-A---Fraud) * scope of a representative’s authority on behalf of a claimant, including ability to sign on behalf of a claimant, see  [**M21-1, Part I, 3.A.4.a**](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000014076/M21-1,-Part-I,-Chapter-3,-Section-A---General-Information-on-Power-of-Attorney-(POA)), and * handling unsigned applications, see   + [**M21-1, Part III, Subpart ii, 2.B.3.e**](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000014119/M21-1,-Part-III,-Subpart-ii,-Chapter-2,-Section-B---Claims-for-Disability-Compensation-and-or-Pension,--and-Claims-for-Survivors-Benefits), and   + [**M21-1, Part I, 1.B.1.g**](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000014065/M21-1,-Part-I,-Chapter-1,-Section-B---Duty-to-Notify-Under-38-U.S.C.-5102-and-5103). |

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| **III.ii.1.C.2.h****.  Procedures for Acceptance of Signatures** |  | The policy and associated procedures for acceptance of digital and electronic signatures, as expressed in [**M21-1, Part III, Subpart ii, 1.C.2.g**](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000014112/M21-1-Part-III-Subpart-ii-Chapter-1-Section-C-Initial-Screening-Policies?query=electronic%20signature#2g), are effective June 20, 2017, and apply to   * any claim pending on June 20, 2017 * any previously received claims-related materials pending and not already rejected for an unacceptable signature in compliance with prior policies and procedures * requests for review of previously rejected claims when the request for review is received within one year of the date of receipt of the rejected claim, and * any claims and claims-related materials received on or after June 20, 2017. |
| **III.ii.1.C.2.a****.  Signature by X Mark or Thumbprint** |  | Accept signatures by X mark or thumbprint only if any one of the following individuals (or group of individuals) witness the mark or thumbprint:   * two persons who give their addresses * a VA employee * a VSO representative * an attorney * an accredited agent * a notary public, or * a person having the authority to administer oaths for general purposes.   References:  For more information on   * signatures by X mark or thumbprint, see [38 CFR 3.2130](http://www.ecfr.gov/cgi-bin/text-idx?SID=8cd543c60aef7bc10d43c5a7cf38f44a&mc=true&node=se38.1.3_12130&rgn=div8), and * appointing a POA, see [M21-1, Part I, 3.A.2](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000014076/M21-1,-Part-I,-Chapter-3,-Section-A---General-Information-on-Power-of-Attorney-(POA)). |

**How Electronic Signature from Veteran Appears on Application**

