

CLIENT ALERT

Approved: E-Signatures for CDA Claim Certifications Receive the ASBCA's Stamp of Approval

Oct.30.2019

In *URS Federal Services, Inc., ASBCA 61443* (October 3, 2019), the Armed Services Board of Contract Appeals addressed whether a contractor's digital signature complied with the CDA's claim certification requirements. The signature in question was electronically affixed to the claim document—along with a digital certificate—using software that required the signer to input a unique password and user identification before signing. The government argued that one “cannot trust the [digital] certificate to prove the identity of the person who applied it,” because there was no “suitable ID” to prove the signer's identity. While noting that it had previously found typed but unsigned names to be insufficient, the Board rejected the government's argument, because the digital signature was “discrete” and “verifiable” in accordance with the CDA's requirements. The Board reasoned that “[n]o ink signature, on its face, includes any way for the reader to know who executed it unless that reader already possesses an intimate familiarity with the certifier's handwriting” and declined to “impose draconian demands on digital signatures, not required to be met for their ink counterparts.”

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