



United States Office of Personnel Management  
The Federal Government's Human Resources Agency

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## Benefits Administration Letter

**Number:** 22-101

**Date:** March 15, 2022

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### **Subject: Changes to Acceptable Signature Requirements on Retirement Processing Forms**

The Office of Personnel Management (OPM) previously published guidance through [Benefits Administration Letter \(BAL\) 20-102, Temporary Changes to Retirement Application Processing While Operating Under Coronavirus Disease \(COVID-19\) Telework Policies](#).

The purpose of this BAL is to outline the new changes to the signature requirements for retirement package forms. This BAL supersedes the *temporary signature requirements* outlined on BAL 20-102. In order to support the health and safety of individuals and to give Human Resource and Payroll Offices maximum flexibilities to submit retirement applications in a timely manner, OPM will allow the use of electronic signatures (including those that use digital signatures) on all retirement application forms.

These changes are made in accordance with section 850.106 of [title 5, Code of Federal Regulations](#), which allows electronic signatures on forms related to federal retirement and benefit programs. Agencies and Payroll offices are encouraged to implement the new changes effective on the date of publication of this BAL. Forms submitted in accordance with this BAL will be accepted as valid, and no additional documentation will be required. If the requirements for valid electronic signatures are not met, agencies will be expected to resubmit documentation that meet the new requirements.

## **Permanent Changes to Acceptable Signature Requirements on Retirement Processing Forms**

Under our new policy, OPM will accept electronic signatures on applications, documents, and forms OPM receives to adjudicate retirement and death in service claims. OPM will consider these electronic signatures as effective for purposes of processing, as long as the electronic signatures meet the requirements listed below.

Going forward OPM will accept electronic signatures (including use of digital signatures) for the retirement forms listed in *Appendix A*. This includes signatures by applicants, Human Resources personnel, Payroll offices, witnesses, or other third parties (as applicable), along with any other required supporting documentation when the retirement forms require signatures of these parties.

This list of forms is not intended to be all-inclusive; other post-retirement forms and documents may also be electronically signed and submitted as required by OPM's retirement services.

### **Types of Acceptable Electronic Signatures**

OPM will now accept a wide range of electronic signatures (including use of digital signatures) on retirement forms. Acceptable electronic signature methods include the following:

1. Electronic signed in accordance with [15 U.S.C. §§ 7001, 7021, and 7031](#) (please see the requirements listed below) submitted by agencies. Agencies must keep the associated record that reflects the process by which the signatures were created;
2. Personal Identity Verification (PIV) or Common Access Cards (CAC) or other verifiable certificate authenticated signatures (ex. PDF documents signed using a digital certificate);
3. Signatures created through a third-party software, such as DocuSign, HelloSign, Adobe Sign, or other agency approved third-party software. The digital signatures created must be verifiable certificate

authenticated signature and comply with 15 U.S.C. §§ 7001, 7021, and 7031. Agencies must keep the associated record that reflects the process by which the signatures were created;

*Appendix B* provides examples of electronic and digital signatures that will be accepted. We will continue to assess the risk of fraud, error, or misuse of the various types of acceptable electronic signatures and will make future updates to these acceptable methods as necessary.

## **Requirements for Valid Electronic Signatures**

In accordance with 15 U.S.C. §§ 7001, 7021, and 7031 on facilitating the use of electronic records and signatures, OPM will consider an electronic signature valid if it meets the following requirements:

1. **Intent to sign** – Electronic signatures, like traditional wet ink signatures, are valid only if each party intended to sign the document.
2. **Consent to do business electronically** – All parties signing the document agree to conduct the transaction using electronic means. This consent may be express or implied in that all parties agree that the electronic signatures appearing on the document are the same as “wet” signatures for the purposes of validity, enforceability, and admissibility.
3. **Association of signature with the record** –To qualify as an electronic signature under 15 U.S.C. §§ 7001, 7021, and 7031, the system used to capture the electronic signature must keep an associated record that reflects the process by which the signature was created, or generate a textual or graphic statement (which is added to the signed record) proving that it was executed with an electronic signature. This is done when the electronic signature is time stamped on the electronic document at the time it is signed and is saved as part of a PDF document.
4. **Record retention** – The law also requires that electronic signature records be capable of retention and accurate reproduction for

reference by all parties or persons entitled to keep the record. OPM recommends that agency Chief Human Capital Officers (CHCO) review their records retention schedules for retirement application forms in accordance with the National Archives and Records Administration guidelines and the standards of [OPM's Guide to Personnel Recordkeeping](#). OPM's Retirement Services maintains any federal employee record that could be used for retirement for 115 years.

To ensure documents with electronic signatures are created in a valid and secure manner, an agency should:

- Create and maintain documentation of the systems used to create the records that contain electronic signatures.
- Ensure the records that include electronic signatures are created and kept in a secure environment that protects the records from unauthorized modification or destruction.
- Implement standard operating procedures for the creation, use, and management of records that contain electronic signatures, and keep adequate written documentation of those procedures.
- Create and keep records according to these documented standard operating procedures.
- Outline steps to [validate](#) an electronic signature in the standard operating procedures.
- Train agency personnel in the established standard operating procedures.

Agencies will still be required to maintain and submit retirement packages in accordance with applicable Federal law on records management, including 5 C.F.R. § 293.103, 36 C.F.R. § 1234, and the Business Records Act (BRA).

*OPM recognizes that agency employees who are responsible for submitting and certifying retirement applications will have to work with their IT departments to make sure that all validation and storage requirements are met for the acceptable electronic signatures/digital signatures outlined in*

*this BAL. It is imperative that agencies only submit electronic signatures/digital signatures to OPM that they can validate and that are being properly stored. OPM may need proof of agency verification and storage for any litigation that may arise in any retirement application or associated form.*

Agencies should also ensure that the digital signature technologies and methods they adopt are compliant with Federal disability access requirements. Agency staff should be trained to use any of the accessibility features embedded in agency software and should be capable of assisting Federal employees with disabilities on how to submit a digitally signed document and application.

Agencies should continue to follow the electronic submission requirements outlined on [BAL 12-102](#). This BAL does not supersede BAL 12-102.

## **The Federal Employees' Group Life Insurance (FEGLI) Forms**

FEGLI forms must be processed in accordance with BAL 22-203, *Changes to Acceptable Signature Requirements for Federal Employees' Group Life Insurance (FEGLI) forms*, which provides guidance to agencies on methods to sign, certify and process most commonly used FEGLI forms. This includes, but is not limited to, the SF 2821 (Agency Certification of Insurance Status) and SF 2823 (Designation of Beneficiary).

For questions related to the guidance outlined on this BAL, please contact the Benefits Officer Development & Outreach group at [benefits@opm.gov](mailto:benefits@opm.gov) or call (202) 606-0788.

Sincerely,

Margaret Pearson  
Associate Director  
Retirement Services

3 Encls.:

- 1 Appendix A, Acceptable Forms with Electronic/Digital Signatures
- 2 Appendix B, Examples of Acceptable Electronic/Digital Signatures
- 3 Common questions concerning Permanent Changes to Acceptable Signature Requirements on Retirement Processing Forms