

## Frequently Asked Questions Regarding Submission of Administrative and Financial Assistance Agreement Forms/Documents with Electronic or Digital Signatures by Email

Last Updated: August 11, 2020

### 1. What does EPA mean by “electronic signatures” in RAIN-2020-G04-R1?

The term “electronic signatures” as used in the RAIN means electronic forms/documents that contain a wet ink signature where the whole page has been photocopied in its entirety, or in separate pages, and made an electronic form/document by scanning into a PDF document or by other means. The wet ink signature appears the same as on the hard copy form/document.

### 2. What does EPA mean by “digital signatures” in RAIN-2020-G04-R1?

The term “digital signatures” as used in the RAIN means electronic forms/documents that contain a signature that has been created by software that contains some type of authentication certificate and inserts the person’s name, date and time of signature. Such software includes Adobe and DocuSign.

### 3. What forms/documents may be submitted with electronic or digital signatures?

Please refer to the table by clicking on this weblink: <https://www.epa.gov/grants/list-applicable-administrative-and-financial-assistance-agreement-formsdocuments>

### 4. What if the form/document I want to submit with an electronic or digital signature is not on the list?

If a form/document is not contained on the list as referenced in Question #3 above, please email [EPA\\_Grants\\_Info@epa.gov](mailto:EPA_Grants_Info@epa.gov) for assistance. Information will need to be obtained by the requestor before a decision will be provided.

### 5. What are my responsibilities in submitting these forms/documents to EPA?

As the person responsible for submitting the forms/documents on behalf of your organization, you must ensure, to the best of your knowledge and belief, that it is signed by the individual identified in the form/document and that person has the authority to represent your organization on such matters. In addition, submission of electronic forms/documents with signatures must be sent by an email address associated with the organization submitting the form/document.

### 6. Do I need to follow-up an email submission with a hard copy transmitted through traditional mail?

No. Once the form/document has been submitted to EPA and you have received confirmation of its receipt, you have fulfilled any submission requirement.

### 7. Can I submit electronic forms/documents containing electronic or digital signatures through other methods besides email (e.g. text message)?

No. At this time, EPA has not established a process to accept such forms/documents through any other submission means.

8. Can recipients accept documents from subrecipients and their contractors that are signed electronically or digitally?

It depends on the recipient's policies, procedures and applicable laws and regulations including minimum Federal requirements for subrecipients. For recipients acting as pass-through entities for subawards, under [2 CFR 200.331\(a\)\(2\) and \(3\)](#) and EPA's "Establishing and Managing Subawards" term and condition the pass-through entity must ensure that they and their subrecipients adhere to regulations applicable to the EPA award. These regulations include [2 CFR 200.335](#) which provides in relevant part that:

[Pass-through entities and subrecipients] should, whenever practicable, collect, transmit, and store Federal award-related information in open and machine readable formats rather than in closed formats or on paper. The . . . pass-through entity must always provide or accept paper versions of Federal award-related information to and from the non-Federal entity upon request. If paper copies are submitted, the . . . pass-through entity must not require more than an original and two copies. When original records are electronic and cannot be altered, there is no need to create and retain paper copies. When original records are paper, electronic versions may be substituted through the use of duplication or other forms of electronic media provided that they are subject to periodic quality control reviews, provide reasonable safeguards against alteration, and remain readable.

As provided in [2 CFR 200.330\(b\)\(5\)](#), recipient contractors are not subject to compliance requirements applicable to EPA grant programs but recipients may establish their own policies and procedures for accepting electronic and digitally signed documents from their procurement contractors. Nonetheless, if recipients direct contractors to provide documents prepared by the contractors to EPA directly to meet grant requirements (e.g. performance reports, sampling analyses, quality assurance plans) the documents should adhere to EPA guidance on electronic or digital signatures.

9. Can I use/accept an electronic or digital signature on financial assistance agreement forms/documents that would be used internally to my organization that is considered part of the official financial assistance agreement file?

EPA does not make determinations if recipients can use electronic and/or digital signatures on internal financial assistance agreement forms/documents. Each organization must make its own determination based on an analysis of all applicable laws and requirements, including but not limited to, 2 CFR 200.335. However, if a recipient chooses to use electronic and/or digital signatures, then recipients should implement reasonable safeguards to ensure the authenticity of the associated signature.

10. What record keeping requirements pertain to forms/documents that contain electronic or digital signatures?

Forms/documents with electronic or digital signatures follow the same recordkeeping rules as other Federal financial assistance agreement forms/documents. Those requirements are determined by 2 CFR Parts 200 and 1500, terms and conditions of the assistance agreement, and by all applicable laws.