Text as published on gao.gov, https://www.gao.gov/products/b-104590, archived 2026-09-07. GAO published no original file for this decision. Rendered by Comptroller Desk.

B-104590 September 12, 1951

Number: B-104590

Date: 1951-09-12

B-104590 September 12, 1951

The Administrator Federal Security Agency

My dear Mr. Administrator:

Reference is made to letter dated July 7, 1951, from the United States Commissioner of Education, in which he requests approval by this Office of the use of a signature machine on vouchers and other documents required to be certified by him under the provisions of Public Law 874, 81st Congress, approved September 30, 1950 and Public Law 815, 81st Congress, approved September 23, 1950, since the provisions of section 6 of the act of July 31, 1894, 28 Stat. 208, as amended 31 U.S.C. 74, authorities this Office to render decisions in a matter like this only to the head of a department or establishment of the Government, the request for decision will be considered as having been made by you. See circular letter of this Office dated November 13, 1944, b-62476, 26 Comp. Gen. 993.

Public Law 874, Stat. 61 Stat. 1100, provides in general for financial assistance is local educational agencies in areas affected by Federal activities, and section 5(b) 64 Stat. 1109 thereof provides that the Commissioner shall certify to the Secretary of the Treasury for payment to each local educational agency the amount which the Commissioner estimates such agency is entitled to receive for each quarter. It is requested in the letter of July 7 that, during the current fiscal year, more than 1,200 applications were received under Public Law 8th and that individual vouchers for quarterly and final adjustment payments will approximate 6,000 signatures.

Also, under Public Law 815, 6a Stat. 967-authorizing the construction of school facilities in areas affected by Federal activities--it is estimated that approximately 2,000 signatures will be required to certify payments for emergency school construction authorized under title II of the act. In addition it is stated that there will be approximately 10,000 signatures in connection with the civilian educational requirement program authorized by Defense Production Administration Order No. 1 dated May 24, 1951, under which authority was delegated to the Commissioner of Education to issue permits and allotments for controlled materials.

While certifications of the nature here involved ordinarily are accomplished by handwritten signatures, the obvious burden that would result by requiring same affords a basis for the adoption of an alternate means, if otherwise proper. In this regard the courts have held that a signature consists of the writing of one's name and of the intention that it authenticate the instrument, and,

therefore, any symbol adopted as one's signature when affixed with his knowledge and consent is a binding and legal signature. The use of a stamp has been held by the courts to be a good signature when the statute requires an instrument to be signed. 13 Comp. Dec. 749; 1 Op. Atty. Gen. 610.

Accordingly, and since the Commissioner states that he reviews and approves actions which result in voucher payments, and with the understanding that the use and custody of the machine will be appropriately restricted, and under his direct supervision, this Office would not be required to object to the use of such a machine on vouchers certifying to the Secretary of the Treasury for payment of such amounts as are proper under the above referred to provisions of Public Laws 874 and 815, provided that the use of the machine meets the requirements and approval of the Secretary of the Treasury.

Sincerely yours,

Lindsay C. Warren Comptroller General of the United States