

### Subpart D—Electronic Filing of Documents With Other Agencies

73.40 May I satisfy TTB requirements to submit forms to other agencies by submitting those forms electronically?

AUTHORITY: 26 U.S.C. 6011, 6061, 7502; 15 U.S.C. 7001, 7004.

EFFECTIVE DATE NOTE: At 79 FR 17033, Mar. 27, 2014, the authority citation to part 73 was revised, effective Apr. 28, 2014. For the convenience of the user, the revised text is set forth as follows:

AUTHORITY: 26 U.S.C. 6011(f), 6061(b), 7502(c); 44 U.S.C. 3504 Note.

SOURCE: 68 FR 58601, Oct. 10, 2003, unless otherwise noted.

### Subpart A—General Provisions

#### SCOPE

#### § 73.1 What does this part do?

(a) This part provides the conditions under which we will allow you to:

(1) Use electronic signatures or digital signatures executed to electronic forms instead of traditional handwritten signatures executed on paper forms; and

(2) Electronically submit certain forms to TTB.

(b) This part does not require you to submit forms to us electronically.

EFFECTIVE DATE NOTE: At 79 FR 17033, Mar. 27, 2014, § 73.1(a)(2) was amended by adding the words “or, where applicable, to other agencies” before the period, effective Apr. 28, 2014.

#### DEFINITIONS

#### § 73.3 What terms must I know to understand this part?

You need to know the following terms to understand this part:

*27 CFR.* Title 27 of the Code of Federal Regulations, chapter I.

*Biometrics.* A method of verifying an individual’s identity based on measurement of the individual’s physical feature(s) or repeatable action(s) where those features and/or actions are both unique to that individual and measurable.

*Digital signature.* An electronic signature based upon cryptographic methods of originator authentication, computed by using a set of rules and a set of parameters such that the identity of the

signer and the integrity of the data can be verified. A signer creates a digital signature by using public-key encryption to transform a message digest of an electronic message. If a recipient of the digital signature has an electronic message, message digest function, and the signer’s public key, the recipient can verify:

(1) Whether the transformation was accomplished with the private key that corresponds to the signer’s public key; and

(2) Whether the electronic message has been altered since the transformation was made.

*Electronic document receiving system.* Any set of apparatus, procedures, software, records, or documentation used to receive documents communicated to it via a telecommunications network.

*Electronic signature.* A computer data compilation of any symbol or series of symbols executed, adopted, or authorized by an individual to be the legally binding equivalent of the individual’s handwritten signature, and that:

(1) Identifies and authenticates a particular person as the source of the electronic message; and

(2) Indicates such person’s approval of the information contained in the electronic message.

*Form(s).* The term form(s), when used in this part, includes all documents required by 27 CFR, chapter I, to be submitted to TTB.

*Handwritten signature.* The scripted name or legal mark of an individual handwritten by that individual and executed or adopted with the present intention to authenticate a writing in a permanent form. The act of signing with a writing or marking instrument such as a pen or stylus is preserved. The scripted name or legal mark, while conventionally applied to paper, may also be applied to other materials or devices that capture the name or mark.

*Paper format.* A paper document.

*TTB.* Refers to the Alcohol and Tobacco Tax and Trade Bureau within the Department of the Treasury.

*You and I.* “You” and “I” refer to the organization or person who must maintain records or submit documents to TTB to satisfy the requirements of 27 CFR, chapter I.