

December 16, 2020

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
1236 Longworth House Office Building
Washington, DC 20515

The Honorable Kevin McCarthy
Republican Leader
U.S. House of Representatives
2468 Rayburn House Office Building
Washington, DC 20515

The Honorable Mitch McConnell
Republican Leader
U.S. Senate
317 Russell Senate Office Building
Washington, DC 20510

The Honorable Charles E. Schumer
Democratic Leader
U.S. Senate
322 Hart Senate Office Building
Washington, D.C. 20510

Dear Speaker Pelosi, Leader McCarthy, Leader McConnell, and Leader Schumer:

On behalf of the undersigned organizations, we write to express our strong support for the inclusion of the Securing and Enabling Commerce Using Remote and Electronic Notarization Act (SECURE Notarization Act) as Congress continues to negotiate further COVID-19 relief measures. We look forward to working with you and your colleagues in both chambers as this process unfolds.

This bicameral, bipartisan legislation (H.R. 6364, S. 3533) introduced by Reps. Dean (D-PA) and Reschenthaler (R-PA) and Sens. Cramer (R-ND) and Warner (D-VA), has 81 cosponsors in the House and 5 in the Senate. The SECURE Notarization Act allows businesses and consumers the ability to execute critical documents using two-way audiovisual communication. Current requirements for a signer to physically be in the presence of a Notary are often impractical and sometimes impossible due to social distancing constraints resulting from COVID-19 that is spreading faster than ever across the United States. Twenty-nine states have already recognized the benefits of Remote Online Notarization (RON) and passed legislation authorizing its use.

Notarizations are used extensively in real estate transactions, as well as in a variety of other important areas including affidavits, powers of attorney, living trusts, and advance health care directives, among others.

A survey conducted by the American Land Title Association of major vendors working in the RON space found that use of RON has increased 547% during 2020 when compared to 2019.

This increase can be attributed to heightened demand for RON during the pandemic, in addition to the fact that 29 states have now passed permanent laws authorizing its use. Clearly there is a need and demand for this approach across the country.

Given the dramatic adjustments businesses have had to make during the COVID-19 pandemic, the federal government should provide the critical tools to leverage technology to continue to promote social distancing, keep Americans safe, and ensure important economic activities continue.

The SECURE Notarization Act would allow for the immediate nationwide use of RON technology. The legislation provides certainty for interstate recognition of RON and establishes robust minimum standards to ensure strong nationwide consumer protections. Current or future state laws meeting the national minimum standards will supersede this federal law.

The SECURE Notarization Act will allow Americans to complete real estate and other transactions without having to gather and risk contracting or spreading COVID-19.

We urge you to include the SECURE Notarization Act in any COVID-19 relief legislation.

Sincerely,

American Council of Life Insurers
American Financial Services Association
American Land Title Association
California Land Title Association
California Mortgage Bankers Association
The Council of Insurance Agents and Brokers
DocuSign
eNotaryLog
Electronic Signatures and Records Association
Housing Policy Council
Independent Community Bankers of America
Mortgage Bankers Association
The National Association for Fixed Annuities
National Association of Homebuilders
National Association of Insurance and Financial Advisors
National Association of REALTORS®
Nexsys
Notarize
NotaryCam
Pavaso
Property Records Industry Association
SIGNiX
SimplySecureSign
TIAA

cc:

U.S. Senate Committee on the Judiciary

U.S. House Committee on Energy and Commerce

U.S. House Committee on the Judiciary