

July 12, 2022

The Honorable Jim McGovern
United States House of Representatives
370 Cannon House Office Building
Washington, DC 20515

The Honorable Tom Cole
United States House of Representatives
2207 Rayburn House Office Building
Washington, DC 20515

Dear Chairman McGovern and Ranking Member Cole:

We, the undersigned organizations, write to express our strong support for National Defense Authorization Act (NDAA) amendment #543 offered by Representatives Dean (D-PA), Armstrong (R-ND), Perlmutter (D-CO), Reschenthaler (R-PA), and Escobar (D-TX). We greatly appreciated your support of this same amendment last year, which ultimately passed the House of Representatives as a part of the FY22 National Defense Authorization Act (NDAA).

This amendment provides all Americans' additional flexibilities and options for executing critical life documents, including for real estate transactions, wills, and health care directives using remote online notarization (RON). In particular, RON benefits members of the military who are deployed overseas, permitting servicemembers to finalize important financial documents safely and conveniently. The text of the amendment is taken from H.R. 3962, the SECURE Notarization Act, which has the strong, bipartisan support of 113 cosponsors.

RON gives consumers and businesses the option to use secure two-way audiovisual communications when signing documents. The immediate nationwide use of RON will create more access to notarization, allow for flexible scheduling, and afford consumers time to review documents and proceed when they are ready to sign. RON can also improve access to notary services in underserved and unbanked communities.

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, as well as other barriers, such as challenges taking time away from work or disability.

Given the dramatic adjustments businesses have had to make during the COVID-19 pandemic, Congress should provide the critical tools to leverage technology to continue to keep Americans safe while also meeting their needs into the future through innovation. This past year has shown technological solutions can increase accessibility and reduce burdens for people across the United States and abroad.

In addition to allowing for the immediate nationwide use of RON, amendment #543 would provide certainty for interstate recognition of RON and establishes robust minimum standards to ensure strong nationwide consumer protections.

Forty-one states have already recognized the benefits of RON and enacted laws authorizing the use of RON, and current or future state laws meeting the national minimum standards will supersede this federal law.

We greatly appreciate your leadership, and we look forward to continuing to work with your colleagues to enact this amendment.

Sincerely,

American Council of Life Insurers
American Escrow Association
American Financial Services Association
American Land Title Association
BSA | The Software Alliance

Council of Insurance Agents & Brokers
Credit Union National Association
Electronic Signature and Records Association
Financial Services Institute
Housing Policy Council
Independent Community Bankers of America®
Insured Retirement Institute
Mortgage Bankers Association
National Association for Fixed Annuities
National Association of Federally-Insured Credit Unions
National Association of Home Builders
National Association of Insurance and Financial Advisors
National Association of REALTORS®
SPARK Institute
Worldwide ERC

CC: The Honorable Madeleine Dean
The Honorable Kelly Armstrong
The Honorable Ed Perlmutter
The Honorable Guy Reschenthaler
The Honorable Veronica Escobar
The Honorable Adam Smith
The Honorable Mike Rogers