



February 27, 2023

The Honorable Kelly Armstrong  
United States House of Representatives  
2235 Rayburn House Office Building  
Washington, DC 20515

The Honorable Madeleine Dean  
United States House of Representatives  
150 Cannon House Office Building  
Washington, DC 20515

Dear Representatives Armstrong and Dean:

The Insured Retirement Institute (IRI)<sup>1</sup> writes to express support for the "*Securing and Enabling Commerce Using Remote and Electronic Notarization Act of 2023*" or the "SECURE Notarization Act." The bill you have introduced would authorize the Federal Courts and States to recognize remote and electronic notarizations performed by a notary public regardless of the state in which the notary is commissioned if the notarization occurs in or affects interstate commerce.

This change will enable individuals who are seeking to save for their retirement to continue to have access to products provided by and services performed by financial professionals across the nation. It will permit those financial professionals to use technology in a way that does not require an in-person appearance for notarization. It will also ensure the necessary verification of identity is made by the notary using tools and technology now readily available that permits the notarization to occur with the notary and signer in different geographic locations.

During the COVID-19 pandemic, individuals and businesses had to change how they conducted their daily lives and operations. Federal, state, and local regulators developed and approved new rules to provide for the temporary use of digital solutions to accommodate social distancing measures that had been put in place to address health and safety considerations. However, the insured retirement industry remained subject to a variety of laws and rules that require individuals to be physically present to conduct business.

As such, IRI and its members who engage in interstate commerce welcomed the issuance of temporary regulatory relief from federal and state regulators and guidance related to electronic notarization. As part of their efforts to ensure business continuity, the Internal Revenue Service ("IRS") issued guidance on June 3, 2020 ([Notice 2020-42](#)), which temporarily enables retirement plan participants, beneficiaries, and administrators to utilize electronic notarization to complete certain transactions.

The relief during the pandemic demonstrated the safe and effective ways business could be conducted virtually. IRI supports a concerted effort to make this relief permanent. The "*SECURE Notarization Act*" would help to achieve that goal by establishing minimum standards for the nationwide use of remote online notarizations (RON). Additionally, the "*SECURE Notarization Act*" will ensure states recognize interstate notarizations while allowing the essential transactions driving retirement preparedness to continue for millions of America's retirement savers.

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<sup>1</sup> The Insured Retirement Institute (IRI) is the leading association for the entire supply chain of insured retirement strategies, including life insurers, asset managers, broker-dealers, banks, marketing organizations, law firms, and solution providers. IRI members account for 90 percent of annuity assets in the U.S., include the foremost distributors of protected lifetime income solutions, and are represented by financial professionals serving millions of Americans. IRI champions retirement security for all through leadership in advocacy, awareness, research, and the advancement of digital solutions within a collaborative industry community. Learn more at [www.irionline.org](http://www.irionline.org).



As your offices work toward the passage and enactment of the "*SECURE Notarization Act*," we respectfully submit, including in the bill, language to broaden its scope to include any records and documents accepted by Federal and State courts. By expanding the types of records and documents this bill covers, the individuals and the financial professionals they work with to plan for their retirement and estates will be better served.

IRI has historically supported and advocated for the enactment of bipartisan, common-sense solutions to help ensure that Americans can achieve a secure and dignified retirement, such as the one proposed by the "*SECURE Notarization Act of 2023*". For these reasons, IRI has called for the enactment of the "*SECURE Notarization Act*" in its 2023 Federal Retirement Security Blueprint.

As Congress considers this legislation to ensure businesses can continue to engage in interstate commerce to provide individuals with access to the financial products and services needed to provide security in retirement, we welcome the opportunity to work with you and your staff to advance this measure. We thank you for your leadership in pursuing this legislation. If you have any questions, please do not hesitate to contact me at (202) 469-3004 or [prichman@irionline.org](mailto:prichman@irionline.org), or John Jennings, Assistant Director, Government Affairs, at (202) 469-3017 or [jjennings@irionline.org](mailto:jjennings@irionline.org).

Sincerely,

A handwritten signature in cursive script that reads "Paul J. Richman".

Paul J. Richman  
Chief Government & Political Affairs Officer  
Insured Retirement Institute