

to advance our Nation's security against these types of attacks. This information is crucial in our continued efforts to address this serious issue.

Mr. Speaker, protecting Americans and our businesses against cyberattacks from malicious foreign actors is not a partisan issue, and that is why members of the Energy and Commerce Committee unanimously supported this bill, and why I strongly support it today.

I thank Consumer Protection and Commerce Subcommittee Ranking Member BILIRAKIS for his tireless efforts on this legislation, and I urge everyone to support this important bill.

Mr. Speaker, I reserve the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of this legislation by Representative BILIRAKIS, the RANSOMWARE Act.

H.R. 4551 amends the U.S. SAFE WEB Act, a tool the Federal Trade Commission uses to protect consumers with an international dimension, which includes increasing cooperation with foreign law enforcement.

This bill quite simply requires the FTC to report on cross-border complaints they receive involving ransomware or other cybersecurity-related incidents committed by our foreign adversaries, China, Russia, North Korea and Iran.

I am sure we all have stories from our districts. For example, a researcher recently located a host in Georgia that could possibly be connected to a Russian host with exploitation tools that are connected to ransomware.

With the increase in these attacks, I am glad to see this legislation under consideration today, which will help Congress, the Federal Trade Commission, and other law enforcement entities better understand these attacks and learn how to better combat them.

Mr. Speaker, I urge all my colleagues to vote in favor, and I reserve the balance of my time.

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Mr. PALLONE. Mr. Speaker, I reserve the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Washington (Mrs. RODGERS), a member of the Energy and Commerce Committee.

Mrs. RODGERS of Washington. Mr. Speaker, I rise today in support of H.R. 4551, the RANSOMWARE Act.

Every sector of our economy can be targeted by bad actors seeking to exploit vulnerabilities in software and networks. Last year, we saw a significant increase in ransomware attacks from groups operating out of and affiliated with foreign countries like China and Russia.

This legislation builds on my SAFE WEB Extension Act, which was enacted last Congress, and amends it to include ransomware in its international report-

ing and cooperation. This will help protect Americans from ransomware and other cyberattacks from foreign actors.

Just a few months ago, the U.S. learned that hackers for the Chinese Communist Party had breached major telecommunications companies and network service providers to steal credentials and harvest data. What the CCP will do with this information, no one knows. If their intent is ransom or to use it to extort Americans, this bill will help us better understand and combat these attacks.

We will achieve this by requiring the FTC to report on cross-border complaints involving ransomware, or other cybersecurity-related incidents, committed by foreign adversaries. This will help safeguard critical industries from countries like China, Russia, North Korea, Iran, and others that may wish to harm us.

Mr. Speaker, I thank the ranking member of the Subcommittee on Consumer Protection and Commerce (Mr. BILIRAKIS) for his work on H.R. 4551, and I urge my colleagues to vote in favor of this legislation.

Mr. PALLONE. Mr. Speaker, I reserve the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Iowa (Mrs. MILLER-MEEKS).

Mrs. MILLER-MEEKS. Mr. Speaker, I thank the gentleman from Georgia (Mr. CARTER) for yielding me time.

Mr. Speaker, I rise in support of H.R. 4551, the RANSOMWARE Act. This important legislation will help protect consumers and businesses from ransomware and cyberattacks.

Almost every day, there are reports of foreign bad actors using ransomware to attack companies, hospital systems, law enforcement agencies, schools, and municipalities.

Last year, the largest meat processing company in the world, JBS, which has a meat processing plant in my district, was hacked by a Russian-led cybercriminal organization. These hackers threatened to delete the company's internal files unless a ransom was paid. JBS was forced to halt processing operations at over a dozen plants, causing the price of meat to rise and impacting economies across the globe.

We have also seen this in our municipalities and schools in Iowa, prompting us in the State legislature to enact legislation addressing ransomware attacks.

This particular legislation will help avoid attacks like these by focusing resources to better understand the threat posed by attacks from our foreign adversaries in China, Russia, North Korea, and Iran.

Mr. Speaker, I am proud to support this bill, and I urge my colleagues to do the same.

Mr. CARTER of Georgia. Mr. Speaker, I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I just want to stress how important this bill

is. We have heard from the speakers on the Republican side, and I certainly agree with everything they have said about the increased ransomware and cyberattacks by foreign actors and bad actors like Beijing and Russia and some of the others that have been mentioned. It is really important that we pass this bill to protect the United States.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 4551.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### SECURING AND ENABLING COMMERCE USING REMOTE AND ELECTRONIC NOTARIZATION ACT OF 2022

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3962) to authorize notaries public to perform, and to establish minimum standards for, electronic notarizations and remote notarizations that occur in or affect interstate commerce, to require any Federal court to recognize notarizations performed by a notarial officer of any State, to require any State to recognize notarizations performed by a notarial officer of any other State when the notarization was performed under or relates to a public Act, record, or judicial proceeding of the notarial officer's State or when the notarization occurs in or affects interstate commerce, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3962

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Securing and Enabling Commerce Using Remote and Electronic Notarization Act of 2022" or the "SECURE Notarization Act of 2022".*

#### SEC. 2. DEFINITIONS.

*In this Act:*

(1) **COMMUNICATION TECHNOLOGY.**—The term "communication technology", with respect to a notarization, means an electronic device or process that allows the notary public performing the notarization, a remotely located individual, and (if applicable) a credible witness to communicate with each other simultaneously by sight and sound during the notarization.

(2) **ELECTRONIC; ELECTRONIC RECORD; ELECTRONIC SIGNATURE; INFORMATION; PERSON; RECORD.**—The terms "electronic", "electronic record", "electronic signature", "information", "person", and "record" have the meanings given those terms in section 106 of the Electronic

Signatures in Global and National Commerce Act (15 U.S.C. 7006).

(3) **LAW.**—The term “law” includes any statute, regulation, rule, or rule of law.

(4) **NOTARIAL OFFICER.**—The term “notarial officer” means—

(A) a notary public; or

(B) any other individual authorized to perform a notarization under the laws of a State without a commission or appointment as a notary public.

(5) **NOTARIAL OFFICER’S STATE; NOTARY PUBLIC’S STATE.**—The term “notarial officer’s State” or “notary public’s State” means the State in which a notarial officer, or a notary public, as applicable, is authorized to perform a notarization.

(6) **NOTARIZATION.**—The term “notarization” means—

(A) means any act that a notarial officer may perform under—

(i) Federal law, including this Act; or

(ii) the laws of the notarial officer’s State; and

(B) includes any act described in subparagraph (A) and performed by a notarial officer—

(i) with respect to—

(I) a tangible record; or

(II) an electronic record; and

(ii) for—

(I) an individual in the physical presence of the notarial officer; or

(II) a remotely located individual.

(7) **NOTARY PUBLIC.**—The term “notary public” means an individual commissioned or appointed as a notary public to perform a notarization under the laws of a State.

(8) **PERSONAL KNOWLEDGE.**—The term “personal knowledge”, with respect to the identity of an individual, means knowledge of the identity of the individual through dealings sufficient to provide reasonable certainty that the individual has the identity claimed.

(9) **REMOVEDLY LOCATED INDIVIDUAL.**—The term “remotely located individual”, with respect to a notarization, means an individual who is not in the physical presence of the notarial officer performing the notarization.

(10) **REQUIREMENT.**—The term “requirement” includes a duty, a standard of care, and a prohibition.

(11) **SIGNATURE.**—The term “signature” means—

(A) an electronic signature; or

(B) a tangible symbol executed or adopted by a person and evidencing the present intent to authenticate or adopt a record.

(12) **SIMULTANEOUSLY.**—The term “simultaneously”, with respect to a communication between parties—

(A) means that each party communicates substantially simultaneously and without unreasonable interruption or disconnection; and

(B) includes any reasonably short delay that is inherent in, or common with respect to, the method used for the communication.

(13) **STATE.**—The term “State”—

(A) means—

(i) any State of the United States;

(ii) the District of Columbia;

(iii) the Commonwealth of Puerto Rico;

(iv) any territory or possession of the United States; and

(v) any federally recognized Indian Tribe; and

(B) includes any executive, legislative, or judicial agency, court, department, board, office, clerk, recorder, register, registrar, commission, authority, institution, instrumentality, county, municipality, or other political subdivision of an entity described in any of clauses (i) through (v) of subparagraph (A).

### SEC. 3. AUTHORIZATION TO PERFORM AND MINIMUM STANDARDS FOR ELECTRONIC NOTARIZATION.

(a) **AUTHORIZATION.**—Unless prohibited under section 10, and subject to subsection (b), a notary public may perform a notarization that occurs in or affects interstate commerce with respect to an electronic record.

(b) **REQUIREMENTS OF ELECTRONIC NOTARIZATION.**—If a notary public performs a notarization under subsection (a), the following requirements shall apply with respect to the notarization:

(1) The electronic signature of the notary public, and all other information required to be included under other applicable law, shall be attached to or logically associated with the electronic record.

(2) The electronic signature and other information described in paragraph (1) shall be bound to the electronic record in a manner that renders any subsequent change or modification to the electronic record evident.

### SEC. 4. AUTHORIZATION TO PERFORM AND MINIMUM STANDARDS FOR REMOTE NOTARIZATION.

(a) **AUTHORIZATION.**—Unless prohibited under section 10, and subject to subsection (b), a notary public may perform a notarization that occurs in or affects interstate commerce for a remotely located individual.

(b) **REQUIREMENTS OF REMOTE NOTARIZATION.**—If a notary public performs a notarization under subsection (a), the following requirements shall apply with respect to the notarization:

(1) The remotely located individual shall appear personally before the notary public at the time of the notarization by using communication technology.

(2) The notary public shall—

(A) reasonably identify the remotely located individual—

(i) through personal knowledge of the identity of the remotely located individual; or

(ii) by obtaining satisfactory evidence of the identity of the remotely located individual by—

(I) using not fewer than 2 distinct types of processes or services through which a third person provides a means to verify the identity of the remotely located individual through a review of public or private data sources; or

(II) oath or affirmation of a credible witness who—

(aa)(AA) is in the physical presence of the notary public or the remotely located individual; or

(BB) appears personally before the notary public and the remotely located individual by using communication technology;

(bb) has personal knowledge of the identity of the remotely located individual; and

(cc) has been identified by the notary public in the same manner as specified for identification of a remotely located individual under clause (i) or subclause (I) of this clause;

(B) either directly or through an agent—

(i) create an audio and visual recording of the performance of the notarization; and

(ii) notwithstanding any resignation from, or revocation, suspension, or termination of, the notary public’s commission or appointment, retain the recording created under clause (i) as a notarial record—

(I) for a period of not less than—

(aa) if an applicable law of the notary public’s State specifies a period of retention, the greater of—

(AA) that specified period; or

(BB) 5 years after the date on which the recording is created; or

(bb) if no applicable law of the notary public’s State specifies a period of retention, 10 years after the date on which the recording is created; and

(II) if any applicable law of the notary public’s State governs the content, manner or place of retention, security, use, effect, or disclosure of the recording or any information contained in the recording, in accordance with that law; and

(C) if the notarization is performed with respect to a tangible or electronic record, take reasonable steps to confirm that the record before the notary public is the same record with respect to which the remotely located individual made a

statement or on which the individual executed a signature.

(3) If a guardian, conservator, executor, personal representative, administrator, or similar fiduciary or successor is appointed for or on behalf of a notary public or a deceased notary public under applicable law, that person shall retain the recording under paragraph (2)(B)(ii), unless—

(A) another person is obligated to retain the recording under applicable law of the notary public’s State; or

(B)(i) under applicable law of the notary public’s State, that person may transmit the recording to an office, archive, or repository approved or designated by the State; and

(ii) that person transmits the recording to the office, archive, or repository described in clause (i) in accordance with applicable law of the notary public’s State.

(4) If the remotely located individual is physically located outside the geographic boundaries of a State, or is otherwise physically located in a location that is not subject to the jurisdiction of the United States, at the time of the notarization—

(A) the record shall—

(i) be intended for filing with, or relate to a matter before, a court, governmental entity, public official, or other entity that is subject to the jurisdiction of the United States; or

(ii) involve property located in the territorial jurisdiction of the United States or a transaction substantially connected to the United States; and

(B) the act of making the statement or signing the record may not be prohibited by a law of the jurisdiction in which the individual is physically located.

(c) **PERSONAL APPEARANCE SATISFIED.**—If a State or Federal law requires an individual to appear personally before or be in the physical presence of a notary public at the time of a notarization, that requirement shall be considered to be satisfied if—

(1) the individual—

(A) is a remotely located individual; and

(B) appears personally before the notary public at the time of the notarization by using communication technology; and

(2)(A) the notarization was performed under or relates to a public act, record, or judicial proceeding of the notary public’s State; or

(B) the notarization occurs in or affects interstate commerce.

### SEC. 5. RECOGNITION OF NOTARIZATIONS IN FEDERAL COURT.

(a) **RECOGNITION OF VALIDITY.**—Each court of the United States shall recognize as valid under the State or Federal law applicable in a judicial proceeding before the court any notarization performed by a notarial officer of any State if the notarization is valid under the laws of the notarial officer’s State or under this Act.

(b) **LEGAL EFFECT OF RECOGNIZED NOTARIZATION.**—A notarization recognized under subsection (a) shall have the same effect under the State or Federal law applicable in the applicable judicial proceeding as if that notarization was validly performed—

(1)(A) by a notarial officer of the State, the law of which is applicable in the proceeding; or

(B) under this Act or other Federal law; and

(2) without regard to whether the notarization was performed—

(A) with respect to—

(i) a tangible record; or

(ii) an electronic record; or

(B) for—

(i) an individual in the physical presence of the notarial officer; or

(ii) a remotely located individual.

(c) **PRESUMPTION OF GENUINENESS.**—In a determination of the validity of a notarization for the purposes of subsection (a), the signature and title of an individual performing the notarization shall be prima facie evidence in any court of the United States that the signature of the individual is genuine and that the individual holds the designated title.

(d) **CONCLUSIVE EVIDENCE OF AUTHORITY.**—In a determination of the validity of a notarization for the purposes of subsection (a), the signature and title of the following notarial officers of a State shall conclusively establish the authority of the officer to perform the notarization:

- (1) A notary public of that State.
- (2) A judge, clerk, or deputy clerk of a court of that State.

**SEC. 6. RECOGNITION BY STATE OF NOTARIZATIONS PERFORMED UNDER AUTHORITY OF ANOTHER STATE.**

(a) **RECOGNITION OF VALIDITY.**—Each State shall recognize as valid under the laws of that State any notarization performed by a notarial officer of any other State if—

- (1) the notarization is valid under the laws of the notarial officer's State or under this Act; and

(2)(A) the notarization was performed under or relates to a public act, record, or judicial proceeding of the notarial officer's State; or

(B) the notarization occurs in or affects interstate commerce.

(b) **LEGAL EFFECT OF RECOGNIZED NOTARIZATION.**—A notarization recognized under subsection (a) shall have the same effect under the laws of the recognizing State as if that notarization was validly performed by a notarial officer of the recognizing State, without regard to whether the notarization was performed—

- (1) with respect to—
  - (A) a tangible record; or
  - (B) an electronic record; or
- (2) for—
  - (A) an individual in the physical presence of the notarial officer; or
  - (B) a remotely located individual.

(c) **PRESUMPTION OF GENUINENESS.**—In a determination of the validity of a notarization for the purposes of subsection (a), the signature and title of an individual performing a notarization shall be prima facie evidence in any State court or judicial proceeding that the signature is genuine and that the individual holds the designated title.

(d) **CONCLUSIVE EVIDENCE OF AUTHORITY.**—In a determination of the validity of a notarization for the purposes of subsection (a), the signature and title of the following notarial officers of a State shall conclusively establish the authority of the officer to perform the notarization:

- (1) A notary public of that State.
- (2) A judge, clerk, or deputy clerk of a court of that State.

**SEC. 7. ELECTRONIC AND REMOTE NOTARIZATION NOT REQUIRED.**

Nothing in this Act may be construed to require a notary public to perform a notarization—

- (1) with respect to an electronic record;
- (2) for a remotely located individual; or
- (3) using a technology that the notary public has not selected.

**SEC. 8. VALIDITY OF NOTARIZATIONS; RIGHTS OF AGGRIEVED PERSONS NOT AFFECTED; STATE LAWS ON THE PRACTICE OF LAW NOT AFFECTED.**

(a) **VALIDITY NOT AFFECTED.**—The failure of a notary public to meet a requirement under section 3 or 4 in the performance of a notarization, or the failure of a notarization to conform to a requirement under section 3 or 4, shall not invalidate or impair the validity or recognition of the notarization.

(b) **RIGHTS OF AGGRIEVED PERSONS.**—The validity and recognition of a notarization under this Act may not be construed to prevent an aggrieved person from seeking to invalidate a record or transaction that is the subject of a notarization or from seeking other remedies based on State or Federal law other than this Act for any reason not specified in this Act, including on the basis—

- (1) that a person did not, with present intent to authenticate or adopt a record, execute a signature on the record;

(2) that an individual was incompetent, lacked authority or capacity to authenticate or adopt a record, or did not knowingly and voluntarily authenticate or adopt a record; or

(3) of fraud, forgery, mistake, misrepresentation, impersonation, duress, undue influence, or other invalidating cause.

(c) **RULE OF CONSTRUCTION.**—Nothing in this Act may be construed to affect a State law governing, authorizing, or prohibiting the practice of law.

**SEC. 9. EXCEPTION TO PREEMPTION.**

(a) **IN GENERAL.**—A State law may modify, limit, or supersede the provisions of section 3, or subsection (a) or (b) of section 4, with respect to State law only if that State law—

- (1) either—
  - (A) constitutes an enactment or adoption of the Revised Uniform Law on Notarial Acts, as approved and recommended for enactment in all the States by the National Conference of Commissioners on Uniform State Laws in 2018 or the Revised Uniform Law on Notarial Acts, as approved and recommended for enactment in all the States by the National Conference of Commissioners on Uniform State Laws in 2021, except that a modification to such Law enacted or adopted by a State shall be preempted to the extent such modification—
    - (i) is inconsistent with a provision of section 3 or subsection (a) or (b) of section 4, as applicable; or
    - (ii) would not be permitted under subparagraph (B); or
  - (B) specifies additional or alternative procedures or requirements for the performance of notarizations with respect to electronic records or for remotely located individuals, if those additional or alternative procedures or requirements—
    - (i) are consistent with section 3 and subsections (a) and (b) of section 4; and
    - (ii) do not accord greater legal effect to the implementation or application of a specific technology or technical specification for performing those notarizations; and
- (2) requires the retention of an audio and visual recording of the performance of a notarization for a remotely located individual for a period of not less than 5 years after the recording is created.

(b) **RULE OF CONSTRUCTION.**—Nothing in section 5 or 6 may be construed to preclude the recognition of a notarization under applicable State law, regardless of whether such State law is consistent with section 5 or 6.

**SEC. 10. STANDARD OF CARE; SPECIAL NOTARIAL COMMISSIONS.**

(a) **STATE STANDARDS OF CARE; AUTHORITY OF STATE REGULATORY OFFICIALS.**—Nothing in this Act may be construed to prevent a State, or a notarial regulatory official of a State, from—

- (1) adopting a requirement in this Act as a duty or standard of care under the laws of that State or sanctioning a notary public for breach of such a duty or standard of care;
- (2) establishing requirements and qualifications for, or denying, refusing to renew, revoking, suspending, or imposing a condition on, a commission or appointment as a notary public;
- (3) creating or designating a class or type of commission or appointment, or requiring an endorsement or other authorization to be received by a notary public, as a condition on the authority to perform notarizations with respect to electronic records or for remotely located individuals; or
- (4) prohibiting a notary public from performing a notarization under section 3 or 4 as a sanction for a breach of duty or standard of care or for official misconduct.

(b) **SPECIAL COMMISSIONS OR AUTHORIZATIONS CREATED BY A STATE; SANCTION FOR BREACH OR OFFICIAL MISCONDUCT.**—A notary public may not perform a notarization under section 3 or 4 if—

- (1)(A) the notary public's State has enacted a law that creates or designates a class or type of

commission or appointment, or requires an endorsement or other authorization to be received by a notary public, as a condition on the authority to perform notarizations with respect to electronic records or for remotely located individuals; and

(B) the commission or appointment of the notary public is not of the class or type or the notary public has not received the endorsement or other authorization; or

(2) the notarial regulatory official of the notary public's State has prohibited the notary public from performing the notarization as a sanction for a breach of duty or standard of care or for official misconduct.

**SEC. 11. SEVERABILITY.**

If any provision of this Act or the application of such provision to any person or circumstance is held to be invalid or unconstitutional, the remainder of this Act and the application of the provisions thereof to other persons or circumstances shall not be affected by that holding.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Georgia (Mr. CARTER) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

**GENERAL LEAVE**

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3962.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to speak in support of H.R. 3962, the Securing and Enabling Commerce Using Remote and Electronic Notarization Act of 2022.

In the modern era, you can cash a check, book a flight, and lock and unlock your doors all from the convenience of your smartphone. To get something notarized, a process of authenticating documents required for wills, marriage certificates, mortgages, and other valuable assets, many States still require a person to physically appear before a notary public.

During the height of the COVID-19 pandemic, in-person notarizations were not only inconvenient but also posed a health risk. In-person notarizations forced far too many consumers to choose between potentially exposing themselves to COVID-19 in purchasing a house or updating their wills.

To protect consumers and commerce, dozens of States enacted laws or took emergency actions to permit electronic and remote online notarizations. Such notarizations allow the consumer and the notary to execute notarizations through secure audio-visual communications.

As our lives are returning to a new normal, it has become apparent that electronic and remote online notarizations are a valuable tool for facilitating commerce and making notarial services more accessible. Such tools are particularly important for vulnerable populations like the elderly, underserved communities, and those

lacking access to reliable transportation.

But State action alone cannot ensure universal access to electronic and remote online notarizations that need robust security standards and consumer protections. This Nation lacks a universal standard for electronic and remote online notarizations.

As a result, there is no standard that permits nationwide use of electronic and remote online notarizations, creates robust security requirements, and ensures electronic and remote online notarizations are valid nationwide.

That is why I thank Congresswoman DEAN for the SECURE Notarization Act. This legislation will transition notarization to the 21st century without sacrificing security, making the process more convenient and safer for the American public.

I commend Representative DEAN for her leadership on this bipartisan legislation. She has been pressing for this to get out of committee and on the floor, and we are finally here today.

Mr. Speaker, I strongly urge my colleagues to support H.R. 3962 today, and I reserve the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in favor of H.R. 3962, the Securing and Enabling Commerce Using Remote and Electronic Notarization Act of 2022.

Historically, notarization has required a person to appear before a notary public. However, during the height of the COVID-19 pandemic, such in-person appointments were paused, causing States to permit remote online notarizations so as to ensure commerce would not come to a halt when so many other things were.

The passage of H.R. 3962, which establishes nationwide standards and technical requirements for remote online notarization, showcases the benefits that technology can have to reduce the barriers on commerce in America and provide an easier way of life for our constituents.

Mr. Speaker, I thank Representatives Dean and Armstrong for their work on this legislation.

Mr. Speaker, I urge my colleagues to support H.R. 3962, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Pennsylvania (Ms. DEAN), the sponsor of this bill.

Ms. DEAN. Mr. Speaker, I thank Chairman PALLONE for his work and that of his committee. I thank Representative CARTER, and I especially thank Representative ARMSTRONG for working alongside me on the SECURE Notarization Act, H.R. 3962.

The SECURE Notarization Act will authorize nationwide use of remote online notarization, also known as RON, and would include key consumer protections, including multifactor authentication of the signer and the use of tamper-evident technology. The bill

would also ensure the certainty of interstate recognition of RON.

Importantly, this bill sets a floor for the use of remote online notarization, and States will be able to regulate further protections as they decide.

The COVID-19 pandemic has taught us so much about the necessity and the benefits of new technologies used to streamline services for consumers across industries. Remote online notarization has been and should continue to be a time-saving, convenient, and safe way for consumers to execute important documents.

Notarizations are used extensively in real estate transactions and in other key areas, including affidavits, powers of attorney, living wills, advance directives, and more.

Remote online notarizations allow the consumer, notary, and other parties to a transaction to be in different locations using two-way audio-visual communication to securely notarize documents. This process provides assured consumer access to notarization and affords customers options and flexible scheduling.

This is key: Remote online notarization allows flexibility for people who are chronically ill or immobile, for parents who can't get away from work or are taking care of their children, for servicemembers abroad seeking to buy a home or correct wills.

I know well the impact this bill could have for notary publics across the country. When I served as a State representative in Pennsylvania, most members of our team were notaries, and our office served as a notary hub for the local community. I know many people struggled making appointments, often because of a lack of transportation or because they were ill and physically unable to move. Remote online notarization would have allowed us to streamline our performance and better serve our community.

This legislation will help streamline notary processes into the digital and electronic consumer-facing ecosystem, ensuring as people become more reliant on digital spaces, platforms, and services, they still have access to services as important as our notary system.

This bill is supported by more than 120 of our colleagues. It passed out of the Energy and Commerce Committee by 56-0. It is supported by a coalition of 20 industry partners. Simply stated, it is commonsense and convenient legislation that is completely secure.

Mr. Speaker, I thank Chairman PALLONE and Ranking Member MCMORRIS RODGERS, as well as Representative CARTER, for their support of this bill, moving it swiftly through the Energy and Commerce Committee to the House floor. I also thank Congressmen PERLMUTTER and RESCHENTHALER for being strong allies and supporters of this bill as we work to forge a path.

Finally, I thank the co-lead of this legislation, Congressman KELLY ARMSTRONG. I see Mr. ARMSTRONG here. I am delighted to have worked with him.

I thank him for all of his work and the work of his staff in helping us make this strong piece of bipartisan legislation. We took this bill on the road and gathered a tremendous amount of support and had fun along the way.

Mr. Speaker, I urge my colleagues to support this bill.

Mr. CARTER of Georgia. Mr. Speaker, I yield such time as he may consume to the gentleman from North Dakota (Mr. ARMSTRONG), the Republican sponsor of this bill.

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Mr. ARMSTRONG. Mr. Speaker, H.R. 3962, the SECURE Notarization Act, is a bipartisan bill that would authorize the nationwide use of remote, online notarizations, which is simply an electronic notarization where the party and notary are in different locations.

Society has widely adopted remote meetings, events, and even social activities. Requirements for a signer to be physically present before a notary are often impractical and sometimes impossible, such as with military deployments or travel restrictions.

Remote online notarization increases the use of notarization and allows individuals to conduct crucial business, particularly if both parties are unable to be physically present with a notary.

This bill would provide businesses and individuals with the ability to execute documents using two-way audio-visual communication, while protecting consumers with multifactor authentication and tamper-evident technology.

The bill would not replace State laws governing the authorization and regulation of notaries public, nor would this bill alter State control over the practice of law or commonly notarized legal papers, like estate documents.

It would simply provide for the recognition of remote notarization performed in interstate commerce, Federal courts, and would ensure the recognition of remote notarizations performed under another State's law.

This is similar to the Full Faith and Credit Clause and implementation statutes that ensure the recognition of official activities or judicial proceedings in another State.

Again, this has been said, but this bill has 123 cosponsors. It proceeded through regular order. It passed the Energy and Commerce Committee with a 56-0 vote. It also has the support of 20 organizations like the American Land Title Association, which utilizes notaries public on a daily basis.

Mr. Speaker, I, too, thank the gentlewoman from Pennsylvania (Ms. DEAN), my friend, for working so closely with our office and having a lot of fun as we moved the notary bill forward. If you think having fun on a notary bill is easy, Mr. Speaker, you have got to work at it, but we have had a lot of fun, and I appreciate it.

Mr. PALLONE. Mr. Speaker, I have no additional speakers, and I reserve the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, in closing, I encourage my colleagues to support this bill, and I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, again, I urge my colleagues on both sides of the aisle to support this very important piece of bipartisan legislation. In the aftermath of COVID, we realize more and more that this type of electronic notarization really is the way to go.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 3962, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. CLOUD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

## MEDICAL MARIJUANA AND CANNABIDIOL RESEARCH EXPANSION ACT

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8454) to expand research on cannabidiol and marijuana, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 8454

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Medical Marijuana and Cannabidiol Research Expansion Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.  
Sec. 2. Definitions.  
Sec. 3. Determination of budgetary effects.

#### TITLE I—REGISTRATIONS FOR MARIJUANA RESEARCH

Sec. 101. Marijuana research applications.  
Sec. 102. Research protocols.  
Sec. 103. Applications to manufacture marijuana for research.  
Sec. 104. Adequate and uninterrupted supply.  
Sec. 105. Security requirements.  
Sec. 106. Prohibition against reinstating interdisciplinary review process for non-NIH-funded researchers.

#### TITLE II—DEVELOPMENT OF FDA-APPROVED DRUGS USING CANNABIDIOL AND MARIJUANA

Sec. 201. Medical research on cannabidiol.  
Sec. 202. Registration for the commercial production and distribution of Food and Drug Administration-approved drugs.

#### TITLE III—DOCTOR-PATIENT RELATIONSHIP

Sec. 301. Doctor-patient relationship.

#### TITLE IV—FEDERAL RESEARCH

Sec. 401. Federal research.

### SEC. 2. DEFINITIONS.

(a) IN GENERAL.—In this Act—

(1) the term “appropriately registered” means that an individual or entity is registered under the Controlled Substances Act (21 U.S.C. 801 et seq.) to engage in the type of activity that is carried out by the individual or entity with respect to a controlled substance on the schedule that is applicable to cannabidiol or marijuana, as applicable;

(2) the term “cannabidiol” means—

(A) the substance, cannabidiol, as derived from marijuana that has a delta-9-tetrahydrocannabinol level that is greater than 0.3 percent; and

(B) the synthetic equivalent of the substance described in subparagraph (A);

(3) the terms “controlled substance”, “dispense”, “distribute”, “manufacture”, “marijuana”, and “practitioner” have the meanings given such terms in section 102 of the Controlled Substances Act (21 U.S.C. 802), as amended by this Act;

(4) the term “covered institution of higher education” means an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) that—

(A) it has highest or higher research activity, as defined by the Carnegie Classification of Institutions of Higher Education; or

(ii) is an accredited medical school or an accredited school of osteopathic medicine; and

(B) is appropriately registered under the Controlled Substances Act (21 U.S.C. 801 et seq.);

(5) the term “drug” has the meaning given the term in section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)(1));

(6) the term “medical research for drug development” means medical research that is—

(A) a preclinical study or clinical investigation conducted in accordance with section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) or otherwise permitted by the Department of Health and Human Services to determine the potential medical benefits of marijuana or cannabidiol as a drug; and

(B) conducted by a covered institution of higher education, practitioner, or manufacturer that is appropriately registered under the Controlled Substances Act (21 U.S.C. 801 et seq.); and

(7) the term “State” means any State of the United States, the District of Columbia, and any territory of the United States.

(b) UPDATING TERM.—Section 102(16) of the Controlled Substances Act (21 U.S.C. 802(16)) is amended—

(1) in subparagraph (A), by striking “the term ‘marihuana’ means” and inserting “the terms ‘marihuana’ and ‘marijuana’ mean”; and

(2) in subparagraph (B), by striking “The term ‘marihuana’ does not” and inserting “The terms ‘marihuana’ and ‘marijuana’ do not”.

### SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

#### TITLE I—REGISTRATIONS FOR MARIJUANA RESEARCH

##### SEC. 101. MARIJUANA RESEARCH APPLICATIONS.

Section 303(f) of the Controlled Substances Act (21 U.S.C. 823(f)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively;

(2) by striking “(f) The Attorney General” and inserting “(f)(1) The Attorney General”;

(3) by striking “Registration applications” and inserting the following:

“(2)(A) Registration applications”;

(4) by striking “Article 7” and inserting the following:

“(3) Article 7”;

(5) by inserting after paragraph (2)(A), as so designated, the following:

“(B)(i) The Attorney General shall register a practitioner to conduct research with marijuana (including any derivative, extract, preparation, and compound thereof) if—

“(I) the applicant’s research protocol has been reviewed and allowed—

“(aa) by the Secretary of Health and Human Services under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i));

“(bb) by the National Institutes of Health or another Federal agency that funds scientific research; or

“(cc) pursuant to sections 1301.18 and 1301.32 of title 21, Code of Federal Regulations, or any successors thereto; and

“(II) the applicant has demonstrated to the Attorney General that there are effective procedures in place to adequately safeguard against diversion of the controlled substance for legitimate medical or scientific use pursuant to section 105 of the Medical Marijuana and Cannabidiol Research Expansion Act, including demonstrating that the security measures are adequate for storing the quantity of marijuana the applicant would be authorized to possess.

“(ii) The Attorney General may deny an application for registration under this subparagraph only if the Attorney General determines that the issuance of the registration would be inconsistent with the public interest. In determining the public interest, the Attorney General shall consider the factors listed in—

“(I) subparagraphs (B) through (E) of paragraph (1); and

“(II) subparagraph (A) of paragraph (1), if the applicable State requires practitioners conducting research to register with a board or authority described in such subparagraph (A).

“(iii)(I) Not later than 60 days after the date on which the Attorney General receives a complete application for registration under this subparagraph, the Attorney General shall—

“(aa) approve the application; or

“(bb) request supplemental information.

“(II) For purposes of subclause (I), an application shall be deemed complete when the applicant has submitted documentation showing that the requirements under clause (i) are satisfied.

“(iv) Not later than 30 days after the date on which the Attorney General receives supplemental information as described in clause (iii)(I)(bb) in connection with an application described in this subparagraph, the Attorney General shall approve or deny the application.

“(v) If an application described in this subparagraph is denied, the Attorney General shall provide a written explanation of the basis of denial to the applicant.”.

##### SEC. 102. RESEARCH PROTOCOLS.

(a) IN GENERAL.—Paragraph (2)(B) of section 303(f) of the Controlled Substances Act (21 U.S.C. 823(f)), as added by section 101 of this Act, is further amended by adding at the end the following:

“(vi)(I) If the Attorney General grants an application for registration under clause (i),