

The Internet of Things revolution has ushered in a new age of convenience and efficiency for the American public. Smart thermostats can save consumers money by tracking and reporting home energy use and making recommendations about adjusting temperatures to meet consumers' needs. Smart refrigerators can provide recipe suggestions based on the contents of the refrigerator. Smart ovens can scan food to automatically optimize the cooking process. Smart coffee makers can brew a fresh pot of coffee just as you are getting out of bed.

The American consumer is embracing these technologies. Today, the average American home has 11 Internet of Things, or IOT, devices. Over a quarter of consumers have at least one home automation device. These are technologies that allow consumers to interconnect and control their various IOT devices from one platform.

Congress should also embrace these technologies, but we must ensure that the IOT revolution does not come at the expense of consumers' privacy. Troubling reports have uncovered that some IOT devices may record images or audio without the user's awareness. Researchers have revealed that some IOT devices may accidentally record users as many as 19 times a day, collecting as much as 43 seconds of audio each time. Robot vacuums have taken intimate images of unsuspecting consumers which eventually ended up online.

Mr. Speaker, we must take action to combat these threats to people's right to privacy. That is why I am proud to support the Informing Consumers about Smart Devices Act. This legislation will require manufacturers of IOT devices to alert consumers that a device includes a camera or microphone if a consumer would not reasonably expect the device to contain such features.

Last Congress, this bill was unanimously reported out of the Energy and Commerce Committee and passed the House with broad bipartisan support.

I thank Representative SETH MOULTON for his leadership on this issue, and I encourage my colleagues to vote in favor of this bill.

While this bill addresses significant privacy concerns, it is also important that I note that we have to recommit to adopting a comprehensive privacy framework that protects all Americans and provides heightened protections for our children nationwide.

The American Data Privacy and Protection Act, which I authored last Congress with Chairwoman RODGERS, would do just that. It would ensure that consumers, wherever they reside in this country, will have meaningful control over their personal information and that children will have heightened privacy protections. It also provides clear and consistent rules of the road on privacy and data security to innovators, entrepreneurs, and small tech companies.

I appreciate that we are advancing today's legislation on a bipartisan basis. I know this legislation is important, but I also look forward to working with Chairwoman RODGERS to pass the American Data Privacy and Protection Act on a bipartisan basis in this Congress, as well.

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

Mr. BILIRAKIS. Mr. Speaker, I yield 3 minutes to the gentleman from Utah (Mr. CURTIS), a great member of the Energy and Commerce Committee and the sponsor of the bill.

Mr. CURTIS. Mr. Speaker, I rise today to address my bill before us on the floor, the Informing Consumers about Smart Devices Act.

This commonsense and bipartisan bill would require the creation of reasonable disclosure guidelines for products that have audio or visual recording components that are not clearly obvious to a reasonable person, such as household appliances.

This emerging smart technology will provide unknown benefits and conveniences to modern life, but along with this new technology, we need to update transparency for consumers. My bill balances protecting American consumers with continuing to foster innovation.

By working with a broad range of stakeholders, my legislation will ensure consumers are aware of the capabilities of items they are putting in their homes without hamstringing the technology pioneers in places like Silicon Slopes in my district who are developing smart technologies.

Mr. Speaker, I thank my colleagues, Representative MOULTON, Senator CANTWELL, and Senator CRUZ, for their bipartisan and bicameral support of this bill. I urge my colleagues to vote "yes" on this bill.

Mr. PALLONE. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. MOULTON), the Democratic sponsor of this legislation.

Mr. MOULTON. Mr. Speaker, our lives are dominated by smart devices, not just smart cars, smartphones, and smartwatches, but dryers, refrigerators, and even toasters. These technologies make our lives easier, but most Americans don't know that their refrigerator has the ability to listen or to watch.

Despite the fact that well over 60 million homes are actively using smart home devices, our laws regulating this technology have lagged. Big Tech has been able to move the privacy goalposts with impunity, so it is past time for a new generation of digital privacy laws.

That is why I put forward the Informing Consumers about Smart Devices Act along with my colleagues, the gentleman from Utah (Mr. CURTIS) and the gentleman from Florida (Mr. BILIRAKIS).

This bill would require the Federal Trade Commission to establish guide-

lines for properly disclosing the audio or visual recording capabilities of smart devices. There is widespread support for this legislation, from consumer advocacy groups to the tech companies themselves.

Americans deserve the chance to make informed decisions about the electronic eavesdroppers we allow into our homes. Let's pass this bill so that our consumers know when Big Tech is listening.

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Mr. BILIRAKIS. Mr. Speaker, I have no other speakers, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I have no additional speakers.

Mr. Speaker, I will just close by saying I do think this is an important bill for consumers, and I thank the sponsors.

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

Mr. BILIRAKIS. Mr. Speaker, again, this is a commonsense bill, a necessary bill. It impacts our constituents. They need full disclosure. That is not too much to ask for.

Again, I urge my colleagues to unanimously support this for the second year in a row. Let's get it across the finish line, get it to the President's desk as soon as possible.

Mr. Speaker, I thank the sponsors of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 538.

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. BILIRAKIS. 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 2023

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1059) 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.

The Clerk read the title of the bill.  
The text of the bill is as follows:

H.R. 1059

*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 2023” or the “SECURE Notarization Act of 2023”.

#### 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) **REMOTELY 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 Florida (Mr. BILIRAKIS) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

## GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material in the RECORD on the bill.

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

There was no objection.

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

Mr. Speaker, I rise in support of the bill, H.R. 1059. The SECURE Notarization Act would provide a national standard for notarizing documents when the signing parties are not physically present.

The process of remote notarization improves the security of notarizations through the use of multifactor verification of identification, audiovisual recording of the event, and tamper-detection technology.

Mr. Speaker, it is actually safer. I did a lot of this work in my other life when I was in the private sector.

By recording the notarization as it happens, remote notarizations can provide law enforcement with evidence if a fraud is determined to have occurred.

This is much more secure, as I said before, than a traditional paper-only notarization where once the transaction has occurred, there is very little evidence left behind.

Preventing fraud and abuse is critical to a well-functioning legal system. And let's face it, it is more practical.

This legislation passed the House last Congress, and I urge my colleagues to support this legislation once again.

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

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

Mr. Speaker, I rise in support of H.R. 1059, the SECURE Notarization Act.

Today, thanks to modern technology, we can oftentimes cash a check, book a flight, and lock and unlock our doors all from the convenience of our smartphone. But that same convenience does not exist for getting something notarized in many States.

People are often required to go through the notary process, the process of authenticating the signatory to a document for wills, mortgages, and purchasing or transferring valuable assets. Today, many States will require a person to physically appear before a notary public in order to complete this process.

Now, during the height of the COVID-19 pandemic, in-person notarizations were not only inconvenient, but they also posed a health risk. In-person notarization requirements forced far too many consumers to choose between potentially exposing themselves to COVID-19 and 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. These

notarizations allowed the consumer and the notary to execute notarizations through secure audiovisual communications.

As our lives have returned to a new normal, it has become apparent that electronic and remote online notarizations are a valuable tool for facilitating commerce and making these services more accessible.

Such tools are particularly important for vulnerable populations like the elderly, underserved communities, and others with mobility issues or lacking access to reliable and inexpensive transportation. But State action alone cannot assure universal access to electronic and remote online notarizations that meet robust security standards and consumer protections.

Our Nation lacks the 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. There is no standard that creates robust security requirements and there is no standard that ensures electronic and remote online notarizations are valid nationwide.

That is why I am proud to support the SECURE Notarization Act. This legislation will transition notarizations to the 21st century without sacrificing security, making the process more convenient and safer for the American public.

Last Congress, this bill was unanimously reported out of the Committee on Energy and Commerce and passed the House with broad bipartisan support. I commend Representative DEAN for her leadership on this bipartisan legislation, and I strongly urge my colleagues to support the bill.

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

Mr. BILIRAKIS. Mr. Speaker, I yield 3 minutes to the gentleman from North Dakota (Mr. ARMSTRONG), the vice chairman of the full Committee on Energy and Commerce.

Mr. ARMSTRONG. Mr. Speaker, H.R. 1059, the SECURE Notarization Act is a bipartisan bill that would authorize the nationwide use of remote online notarizations performed in interstate commerce. This is simply an electronic notarization where the party and the 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 deployment or travel limitations.

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 audiovisual communications while protecting consumers with a multifactor

authentication and the use of tamper-evident technology.

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

This bill is limited only to remote online notaries performed in interstate commerce. It does not alter the regulation of notaries, nor does it require the use of remote online notaries.

It would simply provide for the recognition of remote notarization performed in interstate commerce. It would also ensure that the Federal and State courts recognize such remote notarizations.

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

In the 117th Congress, this bill passed the House by voice vote after earning 123 cosponsors and passing the Committee on Energy and Commerce with a 56-0 vote. It also has the support of 20 organizations, like the American Land Title Association, the National Association of Federally Insured Credit Unions, and Mortgage Action Alliance. All of these groups supporting the bill utilize notaries public on a daily basis.

I say a special thank you to my friend, Representative MADELEINE DEAN, for working on this important legislation over the last two Congresses.

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

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

Ms. DEAN of Pennsylvania. Mr. Speaker, I rise in support of H.R. 1059, the SECURE Notarization Act, which I have had the pleasure to work on with Representative ARMSTRONG from North Dakota.

The SECURE Notarization Act would authorize nationwide use of remote online notarization and would include key consumer protections such as multifactor authentication and the use of tamper-evident technology. The bill would also ensure interstate recognition of remote online notarization.

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

The pandemic taught us both 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, as we all know, in real estate transactions and other key areas, including

affidavits, powers of attorney, and living trusts. Remote online notarizations allow the consumer, the notary, and other parties to a transaction to be in different locations using two-way, audiovisual communication to securely notarize documents.

This process provides consumers and businesses with much-needed flexibility. This is the key.

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

I know well the impact this bill could have for notaries public across the country. When I served as a State representative, most members of our team were notaries and our office served as a notary hub for the local community. We learned firsthand how many people struggled to find time for appointments often because of childcare, transportation, or because of poor health.

Remote online notarization would have allowed us to streamline our performance and better provide service to our community.

Last Congress, as has been stated, this bill was cosponsored by more than 120 Members and passed the House by a vote of 336-90. It is supported by a coalition of 20 industry partners. Simply, it is a commonsense piece of legislation.

Mr. Speaker, I thank Chair MCMORRIS RODGERS and Ranking Member PALLONE for their support for this bill and for bringing it to the floor.

Finally, I thank the lead on this legislation, Congressman KELLY ARMSTRONG, for all his hard work and good humor as we work to get this bill across the finish line, as well as the work of his staff in helping make this a strong piece of bipartisan legislation.

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

Mr. BILIRAKIS. Mr. Speaker, I have no other speakers, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I would urge support for this bill. Once again, it did pass the last time in Congress. We hope we can get it to the Senate. It is important to have a nationwide standard for notarization.

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

Mr. BILIRAKIS. Mr. Speaker, again, this is commonsense legislation.

I have some experience in this area, as does Mr. ARMSTRONG and Ms. DEAN, as well. It is efficient and safe for the public, and we need a national standard.

Mr. Speaker, I urge my colleagues to support this particular bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 1059.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 59 minutes p.m.), the House stood in recess.

□ 1830

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FALLON) at 6 o'clock and 30 minutes p.m.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Motions to suspend the rules with respect to the following measures:

H. Res. 132;

H.R. 538; and,

Agreeing to the Speaker's approval of the Journal, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, remaining electronic votes will be conducted as 5-minute votes.

## RESPONDING TO THE EARTHQUAKES IN TÜRKIYE AND SYRIA ON FEBRUARY 6, 2023

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 132) responding to the earthquakes in Türkiye and Syria on February 6, 2023, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from South Carolina (Mr. WILSON) that the House suspend the rules and agree to the resolution.

The vote was taken by electronic device, and there were—yeas 414, nays 2, not voting 17, as follows:

[Roll No. 120]

YEAS—414

Adams  
Aderholt  
Aguilar  
Alford  
Allen  
Allred  
Amodei  
Armstrong  
Arrington

Auchincloss  
Babin  
Bacon  
BaIRD  
Balderson  
Balint  
Banks  
Barr  
Barragán

Bean (FL)  
Beatty  
Bentz  
Bera  
Bergman  
Beyer  
Bice  
Biggs  
Bilirakis

Bishop (GA)  
Bishop (NC)  
Blumenauer  
Blunt Rochester  
Boebert  
Bonamici  
Bost  
Bowman  
Boyle (PA)  
Brecheen  
Brown  
Brownley  
Buchanan  
Buck  
Bucshon  
Budzinski  
Burchett  
Burgess  
Burlison  
Bush  
Calvert  
Cammack  
Caraveo  
Carbajal  
Cárdenas  
Carey  
Carl  
Carson  
Carter (GA)  
Carter (LA)  
Carter (TX)  
Cartwright  
Casar  
Case  
Casten  
Castor (FL)  
Chavez-DeRemer  
Cherfilus-  
McCormick  
Chu  
Cicilline  
Ciscomani  
Clark (MA)  
Clarke (NY)  
Cline  
Cloud  
Clyburn  
Clyde  
Cohen  
Cole  
Collins  
Comer  
Connolly  
Correa  
Costa  
Courtney  
Craig  
Crane  
Crawford  
Crenshaw  
Crockett  
Crow  
Cuellar  
Curtis  
D'Esposito  
Davidson  
Davis (NC)  
De La Cruz  
Dean (PA)  
DeGette  
DeLauro  
DelBene  
Deluzio  
DeSaulnier  
DesJarlais  
Diaz-Balart  
Dingell  
Doggett  
Donalds  
Duarte  
Duncan  
Dunn (FL)  
Edwards  
Ellzey  
Emmer  
Escobar  
Eshoo  
Español  
Estes  
Evans  
Ezell  
Fallon  
Feenstra  
Ferguson  
Finstad  
Fischbach  
Fitzgerald  
Fitzpatrick  
Fleischmann

Fletcher  
Flood  
Foster  
Foushee  
Foxy  
Frankel, Lois  
Franklin, C.  
Scott  
Frost  
Fry  
Fulcher  
Gaetz  
Gallagher  
Gallego  
Garamendi  
Garbarino  
Garcia (TX)  
Garcia, Mike  
Garcia, Robert  
Gimenez  
Golden (ME)  
Goldman (NY)  
Gomez  
Gonzales, Tony  
Good (VA)  
Gooden (TX)  
Gosar  
Gottheimer  
Granger  
Graves (LA)  
Graves (MO)  
Green (TN)  
Green, Al (TX)  
Grothman  
Guest  
Guthrie  
Hageman  
Harder (CA)  
Harris  
Harshbarger  
Hayes  
Hern  
Higgins (LA)  
Higgins (NY)  
Hill  
Himes  
Hinson  
Horsford  
Houchin  
Houlahan  
Hoyer  
Hoyle (OR)  
Hudson  
Huffman  
Huizenga  
Hunt  
Issa  
Ivey  
Jackson (IL)  
Jackson (NC)  
Jackson (TX)  
Jackson Lee  
Jacobs  
James  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson (LA)  
Johnson (OH)  
Johnson (SD)  
Jordan  
Joyce (PA)  
Kamlager-Dove  
Kaptur  
Kean (NJ)  
Keating  
Kelly (IL)  
Kelly (MS)  
Kelly (PA)  
Khanna  
Kiggans (VA)  
Kildee  
Kiley  
Kilmer  
Kim (CA)  
Kim (NJ)  
Krishnamoorthi  
Kuster  
Kustoff  
LaHood  
LaLota  
LaMalfa  
Lamborn  
Landsman  
Langworthy  
Larsen (WA)  
Larson (CT)  
Latta  
LaTurner

Lawler  
Lee (CA)  
Lee (FL)  
Lee (NV)  
Lee (PA)  
Leger Fernandez  
Lesko  
Letlow  
Levin  
Lieu  
Loudermilk  
Lucas  
Luetkemeyer  
Luna  
Luttrell  
Lynch  
Mace  
Magaziner  
Malliotakis  
Mann  
Manning  
Mast  
Matsui  
McBath  
McCaul  
McClain  
McClintock  
McCollum  
McCormick  
McGarvey  
McGovern  
McHenry  
Meeks  
Menendez  
Meng  
Meuser  
Mfume  
Miller (IL)  
Miller (OH)  
Miller (WV)  
Miller-Meeks  
Mills  
Molinaro  
Moolenaar  
Mooney  
Moore (AL)  
Moore (UT)  
Moore (WI)  
Moran  
Moskowitz  
Moulton  
Mrvan  
Mullin  
Murphy  
Nadler  
Napolitano  
Neal  
Neguse  
Nehls  
Newhouse  
Nickel  
Norcross  
Norman  
Nunn (IA)  
Oberholte  
Ocasio-Cortez  
Ogles  
Omar  
Owens  
Pallone  
Palmer  
Panetta  
Pappas  
Pascrell  
Payne  
Pelosi  
Peltola  
Perez  
Perry  
Peters  
Pettersen  
Pfluger  
Phillips  
Pingree  
Pocan  
Porter  
Posey  
Pressley  
Quigley  
Ramirez  
Raskin  
Reschenthaler  
Rodgers (WA)  
Rogers (AL)  
Rogers (KY)  
Rose  
Rosendale  
Ross  
Rouzer