

Good Afternoon:

I apologize for the delay in getting this information to you but we have been experiencing email server problems this afternoon. We just learned that President Obama will exercise a pocket veto over H.R.3808 Interstate Recognition of Notarizations Act.

The Constitution grants the President 10 days to review a measure passed by the Congress. If the President has not signed the bill after 10 days, it becomes law without his signature. However, if Congress adjourns during the 10-day period, the bill does not become law.

Obama Will Pocket-Veto Bill, Fears Foreclosures

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President Barack Obama will pocket-veto a bill that could make it easier for banks to foreclose on homeowners, White House spokesman Robert Gibbs said Thursday.

The Interstate Recognition of Notarizations Act relates to notarizations for financial documents and was designed to remove impediments to interstate commerce. But the White House agrees with consumer groups that it could have the unintended consequence of fueling unfair home foreclosures. Specifically, the bill could make it more difficult for homeowners to challenge improper foreclosure attempts.

"The president is exercising a pocket veto and sending that legislation back to the Congress to iron out some of those unintended consequences," Gibbs said during a briefing.

White House Communications Director Dan Pfeiffer wrote on the White House blog that Obama believes "it is necessary to have further deliberations about the intended and unintended impact of this bill on consumer protections, including those for mortgages, before this bill can be finalized."

The bill was originally sponsored by Rep. Robert Aderholt (R-Ala.). It passed the Senate and was sent to Obama on Sept. 27.

A Senate Democratic aide rejected suggestions made in several media reports that mortgage companies or the banking industry pressured Judiciary Chairman Patrick Leahy (D-Vt.) and ranking member Jeff Sessions (R-Ala.) to move the bill.

Rather, this aide said, Leahy and Sessions decided to act on the legislation after discussing the issue of interstate notarizations with the National Notary Association.

Leahy spokeswoman Erica Chabot said Thursday that her boss would review the bill in light of the White House's concerns.

"Sen. Leahy understands the president's decision not to sign the Interstate Recognition of Notarizations Act, and he supports that decision. When Congress passed the legislation, no concerns or objections had been expressed. Now that concerns have been raised, Congress should re-examine whether this bill might have an unintended

impact on foreclosures in the future," Chabot said.

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The White House also has a [statement on their website](#) about why the President plans the pocket veto.

NASS has had a position in opposition to the Interstate Recognition of Notarizations Act since 2008.

NASS will work over the next couple of weeks to compile a good fact sheet and state laws/practices on the issue of notarization and enotarization to help inform the discussion as it moves forward on Capitol Hill. As always, we will confirm any information that we put out with individual state offices before releasing.