

Untitled

ATTENTION: Federal Trade Commission
Office of the Secretary, Room 159-H
600 Pennsylvania Ave., NW
Washington, DC 20580

On behalf of the National Notary Association (NNA), I would like to offer our feedback on the proposed schedule of effective dates for the recently enacted Fair and Accurate Credit Transactions Act of 2003.

I would also like to volunteer our expertise and experience in helping shape model procedures and forms needed to implement the Act.

Allow me first to take this opportunity to point out that, as a nonprofit educational organization serving the Notaries of the United States since 1957, the NNA and the 4.5 million Notaries it supports are intensely involved on a daily basis with the consequences of identity theft.

Indeed, as the nation's front line of defense against document fraud, Notaries constantly thwart forgeries and other scams attempted by identity thieves. It is the mission of the NNA to develop and teach to Notaries the best techniques for detecting and deterring such frauds. For example, our Association has developed and introduced to Notaries the Electronic Notary Journal of Official Acts (Enjoa), a biometric device enabling Notaries to capture and record electronically a signer's thumbprint, signature and photograph. (We would be willing to demonstrate this cutting-edge device to any panel studying use of biometric technology to combat identity theft.)

In regard to the following provisions of the FACT Act that we find pertinent to the duties of Notaries, we believe the proposed effective dates to be realistic and workable:

March 31, 2004:

Sec. 111, concerning the definitions.
Sec. 156, concerning the statute of limitations.

December 1, 2004:

Sec. 115, concerning truncation of the Social Security number in reports.
Sec. 151(a)(1), concerning the summary of rights of identity theft victims.
Sec. 152, concerning blocking of information resulting from identity theft.
Sec. 153, concerning the coordination of identity theft complaint investigations.
Sec. 154, concerning the prevention of repollution of consumer reports.

Please keep us apprised of the opportunity for further input on such matters as the "standardized affidavit of identity theft" (Sec. 151) and a "model form and procedure for reporting identity theft" (Sec. 153). We believe it to be very important that any reporting forms subjecting the filer to criminal penalties for falsehood be executed only after in-person administration of an oath by a Notary.

In regard to this matter, you may contact myself at cfaerber@nationalnotary.org or (818) 739-4015, or Mr. Bill Anderson at banderson@nationalnotary.org or (818) 739-4064.

We hope to hear from you soon.

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