

Prior to the 2010 Treasury regulation (31 CFR 208) requiring, with some exceptions, that all Social Security and other benefit payments be paid electronically, Treasury did not require individuals to provide documentation to obtain a waiver to the requirement. As a result, there was only a minimal increase in the percentage of electronic payments for almost ten years. When Treasury issued the 2010 regulation we included some limited waivers but, based on our prior experience, we believed it was important to require that an individual document his/her request for the waiver.

Treasury recognizes that the notary is not verifying the validity of the waiver request but is attesting to the identity of the person. We included the provision for a recipient requesting a waiver to sign the certification before a notary public to provide an element of formality and importance to the waiver process.

Requiring a waiver to be notarized is not an undue burden. During the rulemaking of 31 CFR 208, we spoke to several states about notaries and learned that many states strongly encourage that a notary be available within a close radius of cities/towns. In many remote locations the Post Office will include a notary to serve the needs of the local inhabitants. In addition, most banks where beneficiaries cash their checks have a notary public. Moreover, according to the National Notary Association, there are 4.4 million notaries in the United States. To date, Treasury has not received complaints from individuals about the need to have their waiver forms notarized.