

117TH CONGRESS
2D SESSION

S. 5288

To require executive agencies and Federal courts to comply with address confidentiality programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 15, 2022

Ms. KLOBUCHAR (for herself, Mr. BLUNT, and Mrs. CAPITO) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To require executive agencies and Federal courts to comply with address confidentiality programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe at Home Act”.

5 **SEC. 2. EXECUTIVE AGENCY AND FEDERAL COURT COMPLI-**

6 **ANCE WITH STATE ADDRESS CONFIDEN-**

7 **TIALITY PROGRAMS.**

8 (a) DEFINITIONS.—In this section:

1 (1) ADDRESS CONFIDENTIALITY PROGRAM.—

2 The term “address confidentiality program” means
3 a program implemented pursuant to State law
4 that—

5 (A) provides a designated address;

6 (B) provides a mail-forwarding service; and

7 (C) is designated by a participant as the
8 legal agent of the participant to receive service
9 of process.

10 (2) DESIGNATED ADDRESS.—The term “des-
11 ignated address” means an address assigned by an
12 address confidentiality program for a participant to
13 use in lieu of the physical address of the participant.

14 (3) EXECUTIVE AGENCY.—

15 (A) IN GENERAL.—The term “executive
16 agency” has the meaning given the term “Exec-
17 utive agency” in section 105 of title 5, United
18 States Code.

19 (B) EXCEPTION.—The term “executive
20 agency” does not include the Census Bureau.

21 (4) PARTICIPANT.—The term “participant”
22 means an adult or minor who is enrolled in an ad-
23 dress confidentiality program.

1 (5) PHYSICAL ADDRESS.—The term “physical
2 address” means the actual home, school, or employ-
3 ment address of a participant.

4 (6) STATE.—The term “State” means each of
5 the States, the District of Columbia, each territory
6 or possession of the United States, and each feder-
7 ally recognized Indian Tribe.

8 (b) ACCEPTANCE OF ADDRESS CONFIDENTIALITY
9 PROGRAM.—Each executive agency and Federal court
10 shall accept, for any purpose for which an individual is
11 required to provide an address to the agency or court, an
12 address designated to that individual pursuant to an ad-
13 dress confidentiality program.

14 (c) EXEMPTION FROM LIABILITY.—A participant
15 shall not be subject to Federal regulatory, civil, or criminal
16 penalties for providing a designated address in lieu of the
17 physical address of the participant to an executive agency
18 or Federal court.

19 (d) REGULATORY COMPLIANCE WITH ADDRESS CON-
20 FIDENTIALITY PROGRAMS.—Not later than 1 year after
21 the date of the enactment of this Act, each executive agen-
22 cy shall review and, as necessary, modify existing regula-
23 tions to comply with this Act.

24 (e) COMPLIANCE WITH ADDRESS CONFIDENTIALITY
25 PROGRAM PROCEDURES AND EXEMPTION FROM FOIA.—

(1) IN GENERAL.—In the case of an executive agency or Federal court seeking to acquire the physical address of a participant, the agency or court shall comply with any applicable procedures of the applicable address confidentiality program for acquiring such address.

(2) FOIA EXEMPTION.—

(A) IN GENERAL.—Upon acquiring a physical address under paragraph (1), the physical address—

(i) shall be considered confidential;

and

(ii) subject to subparagraph (B), shall not be subject to any request pursuant to section 552 of title 5, United States Code (commonly referred to as the “Freedom of Information Act”).

(B) EXCEPTION.—In extreme circumstances, a court may order the disclosure of a physical address of a participant pursuant to a request pursuant to section 552 of title 5, United States Code, subject to a protective order against further disclosure.

(f) PROMPT NOTIFICATION UPON TERMINATION FROM PARTICIPATION.—If the participation of an indi-

1 vidual in an address confidentiality program is terminated,
2 that individual shall promptly notify each executive agency
3 or Federal court that accepted a designated address under
4 subsection (b).

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