

118TH CONGRESS
1ST SESSION

S. 2676

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

IN THE SENATE OF THE UNITED STATES

JULY 27, 2023

Ms. KLOBUCHAR (for herself and Mrs. CAPITO) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

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:

9 (1) ADDRESS CONFIDENTIALITY PROGRAM.—

10 The term “address confidentiality program” means

1 a program implemented pursuant to State law
2 that—

3 (A) provides a designated address;

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

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

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

12 (3) EXECUTIVE AGENCY.—

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

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

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

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

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

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

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

16 (d) REGULATORY COMPLIANCE WITH ADDRESS CON-
17 FIDENTIALITY PROGRAMS.—Not later than 1 year after
18 the date of enactment of this Act, each executive agency
19 shall review and, as necessary, modify existing regulations
20 to comply with this Act.

21 (e) COMPLIANCE WITH ADDRESS CONFIDENTIALITY
22 PROGRAM PROCEDURES AND EXEMPTION FROM FOIA.—

23 (1) IN GENERAL.—Subject to paragraphs (3)
24 and (4), in the case of an executive agency or Fed-
25 eral court seeking to acquire the physical address of

1 a participant, the agency or court shall comply with
2 any applicable procedures of the applicable address
3 confidentiality program for acquiring such address.

4 (2) FOIA EXEMPTION.—Upon acquiring a
5 physical address under paragraph (1), the physical
6 address—

7 (A) shall be considered confidential; and

8 (B) shall be exempt from disclosure under
9 section 552 of title 5, United States Code (com-
10 monly referred to as the “Freedom of Informa-
11 tion Act”) for the purpose of subsection (b)(3)
12 of that section.

13 (3) LAW ENFORCEMENT EXCEPTION.—

14 (A) IN GENERAL.—When the physical ad-
15 dress of a participant is relevant to a Federal
16 criminal proceeding, a Federal court may order
17 the disclosure of the physical address to rel-
18 evant parties without regard to the procedures
19 of the relevant address confidentiality program,
20 including—

21 (i) court officers and employees;

22 (ii) supervision and probation officers;

23 (iii) prosecutors;

24 (iv) law enforcement officers; and

1 (v) any other party determined rel-
2 evant by the Federal court.

3 (B) LIMITATIONS.—If a Federal court or-
4 ders the disclosure of a physical address to a
5 party under subparagraph (A), the party—

6 (i) shall keep the physical address
7 confidential; and

8 (ii) may only use the physical address
9 for the purpose for which the Federal
10 court orders the disclosure.

11 (4) ADMINISTRATION EXCEPTION.—If an execu-
12 tive agency requires the physical address of a partic-
13 ipant in order for the executive agency to carry out
14 the requirements of Federal law, a Federal court
15 may order the disclosure of the physical address to
16 the executive agency if the head of the executive
17 agency makes a written request to the relevant ad-
18 dress confidentiality program that maintains the
19 record specifying—

20 (A) the particular portion of the record de-
21 sired; and

22 (B) the activity for which the record is
23 sought.

24 (5) RULE OF CONSTRUCTION.—Nothing in this
25 subsection shall be construed to require an executive

1 agency to be subject to an audit performed by a
2 State.

3 (f) PROMPT NOTIFICATION UPON TERMINATION
4 FROM PARTICIPATION.—If the participation of an indi-
5 vidual in an address confidentiality program is terminated,
6 that individual shall promptly notify each executive agency
7 or Federal court that accepted a designated address under
8 subsection (b).

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