



7710-12

## **POSTAL SERVICE**

### **39 CFR Part 265**

#### **Production or Disclosure of Material or Information; Technical Corrections**

**AGENCY:** Postal Service™.

**ACTION:** Final rule.

**SUMMARY:** The Postal Service is revising a citation and a requirement in the Change of Address Request Format for Process Servers. An incorrect citation is corrected, and the requirement to provide a copy of the statute or regulation that empowers a requester to serve process is revised to be optional rather than mandatory.

**DATES:** This final rule is effective on [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**FOR FURTHER INFORMATION CONTACT:** Natalie A. Bonanno, Chief Counsel, Federal Compliance, [natalie.a.bonanno@usps.gov](mailto:natalie.a.bonanno@usps.gov), 202-268-2944.

**SUPPLEMENTARY INFORMATION:** On November 30, 2016 (81 FR 86270), the Postal Service published its revised Freedom of Information Act (FOIA) regulations to comply with the FOIA Improvement Act of 2016 (FOIAIA), effective December 27, 2016. In response to public comments, the Postal Service published an additional change to these regulations on January 10, 2017 (82 FR 2896). After further review, the Postal Service published miscellaneous technical corrections to its regulations on March 8, 2017 (82 FR 12921). The Postal Service is now making two technical corrections to the Change of Address or

Boxholder Request Format for process servers found at 39 CFR 265.14. The first revision makes the requirement to provide a copy of the statute or regulation that empowers a requester to serve process optional rather than mandatory. The second revision changes the incorrect citation 39 CFR 265.14(d)(4)(ii) to 39 CFR 265.14(d).

**List of Subjects in 39 CFR Part 265**

Administrative practice and procedure, Courts, Freedom of information, Government employees.

For the reasons stated in the preamble, the Postal Service amends 39 CFR part 265 as follows:

**PART 265—PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION**

1. The authority citation for part 265 continues to read as follows:

Authority: 5 U.S.C. 552; 5 U.S.C. App. 3; 39 U.S.C. 401, 403, 410, 1001, 2601; Pub. L. 114-185.

2. Section 265.14 is amended by revising the figure titled “Change of Address or Boxholder Request Format — Process Servers” to read as follows:

**§ 265.14 Rules concerning specific categories of records.**

\* \* \* \* \*

(g) \* \* \*

**Change of Address or Boxholder Request Format— Process Servers**

Date: \_\_\_\_\_

Mail To:

Postmaster

\_\_\_\_\_  
City, State, ZIP Code

**REQUEST FOR CHANGE OF ADDRESS OR BOXHOLDER INFORMATION  
NEEDED FOR SERVICE OF LEGAL PROCESS**

Please furnish the new address or the name and street address (if a boxholder) for the following:

Name: \_\_\_\_\_

Last Known Address: \_\_\_\_\_

**Note:** Only one request may be made per completed form. The name and last known address are required for change of address information. The name, if known, and Post Office box address are required for boxholder information.

The following information is provided in accordance with 39 CFR 265.14(d). There is no fee for providing boxholder or change of address information.

1. Capacity of requester (e.g., process server, attorney, party representing self): \_\_\_\_\_
2. Statute or regulation that empowers me to serve process (not required when requester is an attorney or a party acting pro se - except a corporation acting pro se must cite statute). Requesters are encouraged to enclose a copy of the statute or regulation for faster processing:
3. The names of all known parties to the litigation: \_\_\_\_\_
4. The court in which the case has been or will be heard: \_\_\_\_\_
5. The docket or other identifying number (a or b must be completed):  
    \_\_\_ a. Docket or other identifying number: \_\_\_\_\_  
    \_\_\_ b. Docket or other identifying number has not been issued.
6. The capacity in which this individual is to be served (e.g., defendant or witness): \_\_\_\_\_

**WARNING**

**THE SUBMISSION OF FALSE INFORMATION TO OBTAIN AND USE CHANGE OF ADDRESS INFORMATION OR BOXHOLDER INFORMATION FOR ANY PURPOSE OTHER THAN THE SERVICE OF LEGAL PROCESS IN CONNECTION WITH ACTUAL OR PROSPECTIVE LITIGATION COULD RESULT IN CRIMINAL PENALTIES INCLUDING A FINE OF UP TO \$10,000 OR IMPRISONMENT OF NOT MORE THAN 5 YEARS, OR BOTH (TITLE 18 U.S.C. SECTION 1001).**

I certify that the above information is true and that the address information is needed and will be used solely for service of legal process in conjunction with actual or prospective litigation.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
City, State, ZIP Code

**POST OFFICE USE ONLY**

\_\_\_\_\_ No change of address order on file.      NEW ADDRESS OR BOXHOLDER'S NAME      POSTMARK  
\_\_\_\_\_ Moved, left no forwarding address.      AND STREET ADDRESS  
\_\_\_\_\_ No such address.

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[FR Doc. 2018-04449 Filed: 3/5/2018 8:45 am; Publication Date: 3/6/2018]