

Stop Fentanyl Shippers From Exploiting the U.S. Postal System

 nationalinterest.org/blog/buzz/stop-fentanyl-shippers-exploiting-us-postal-system-206319

March 19, 2023



March 19, 2023 Topic: [Border Security](#) Region: [Americas](#) Blog Brand: [The Buzz](#) Tags: [Border Security](#)[War On Drugs](#)[Fentanyl](#)[China](#)[Mexico](#)[Customs](#) And [Border Protection](#)

If the drug cartels had bribed U.S. officials, they could not have gotten better results for non-enforcement.

by [Paul Steidler](#)

In 2018, Congress came together on an overwhelming bicameral, bipartisan basis to enact a sensible, technologically proven, low-cost measure to remove fentanyl shipments from the international postal system.

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Since then, the leadership of U.S. Customs and Border Protection (CBP), in two administrations, has done everything conceivable to blunder enforcement, thereby ensuring international drug cartels maintain reliable use of one of their proven shipping and distribution channels.

If the drug cartels had bribed U.S. officials, they could not have gotten better results for non-enforcement.

On October 24, 2018, President Donald Trump signed the Synthetics Trafficking Overdose Protection Act (STOP Act) requiring advanced electronic data (AED) on all incoming international packages that were to be delivered by the U.S. Postal Service (USPS). Private carriers had been required to carry this electronic tracking information since 2002, shortly after the 9/11 attacks.

Drug cartels and fentanyl merchants openly advertised on the Internet their preference for using USPS for shipments. A January 2018 bipartisan report by the U.S. Senate's Permanent Investigations Subcommittee documented this, as shipments via USPS were not required to have AED on inbound international packages. AED means packages can be better tracked and suspicious ones identified before they arrive in the United States and are seized.

But nearly one year after Congress passed the STOP Act, a Washington Post investigative story found the situation still had not been fixed.

The story's lead said, "Chinese drug traffickers had some advice for American buyers of fentanyl: Let us ship to you by regular mail. It might be slower than FedEx or UPS, but the opioid is much more likely to reach its destination through the U.S. Postal Service."

CBP's failures continued, the major ones of which include the following:

Failing to issue regulations for STOP Act enforcement by October 24, 2019, as required by the law;

Failing to ensure that packages from China that entered the United States after January 1, 2020, for USPS delivery had AED, thereby allowing such packages to continue to be delivered;

Missing a similar deadline for packages from other countries entering the United States after January 1, 2021;

Issuing interim regulations on March 15, 2021, nearly two and a half years after the legislation passed, that are woefully insufficient.

CBP's regulations allow packages to be delivered without AED. There is no systemic attempt to seize suspicious packages. Dozens of countries are exempt from providing AED, meaning shippers can easily re-route shipments to the United States via these exempt countries.

CBP has tried to posit that there is no longer a need for the STOP Act because fentanyl production has largely shifted to Mexico from China, while noting that its fentanyl seizures at ports of entry have risen significantly. And in May 2019, China's government, in response to U.S. pressure, banned the production and sale of fentanyl.

Yet, fentanyl-related deaths have skyrocketed since 2018, making it clear that an "all of the above" enforcement regimen is imperative.

There is reason to believe that large amounts of fentanyl are still entering America from China via U.S. mail. A May 2022 U.S. Government Accountability Office report found that postal mail and vehicles were the top two ways illegal drugs enter the United States.

An in-depth November 17, 2020, National Public Radio story prepared by a China-based reporter found that "Chinese vendors have tapped into online networks to brazenly market fentanyl analogs and the precursor chemicals used to make fentanyl and ship them directly to customers in the U.S. and Europe as well as to Mexican cartels, according to an NPR investigation and research from the Center for Advanced Defense Studies."

CBP and USPS should also rigorously monitor packages from Mexico, the hub of current production. I recently had five postal packages delivered from Mexico, in a timely manner, none with AED.

Fortunately, a bipartisan group in Congress is pushing for accountability from CBP. Among those demanding answers and better CBP practices are Senators Amy Klobuchar, Rick Scott, Ed Markey, and Maggie Hassan.

CBP owes these senators, and the American people, an immediate, rigorous enforcement program that will include public disclosure of seizure rates and regular public updates on their progress in cutting off this poison that kills 70,000 Americans annually.

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