

# Union Calendar No. 557

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5788

**[Report No. 115-722, Part I]**

To provide for the processing by U.S. Customs and Border Protection of certain international mail shipments and to require the provision of advance electronic information on international mail shipments of mail, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2018

Mr. BISHOP of Michigan (for himself, Mr. PASCARELL, Mr. REICHERT, and Mr. KELLY of Pennsylvania) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Oversight and Government Reform, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

JUNE 8, 2018

Reported from the Committee on Ways and Means with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

JUNE 8, 2018

Referral to the Committee on Oversight and Government Reform extended for a period ending not later than June 11, 2018

JUNE 8, 2018

The Committee on Homeland Security discharged

JUNE 11, 2018

Additional sponsors: Mr. SESSIONS, Mr. HILL, and Mr. FASO

JUNE 11, 2018

The Committee on Oversight and Government Reform discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on May 15, 2018]

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## **A BILL**

To provide for the processing by U.S. Customs and Border Protection of certain international mail shipments and to require the provision of advance electronic information on international mail shipments of mail, 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; TABLE OF CONTENTS.**

4 (a) *SHORT TITLE.*—*This Act may be cited as the “Se-*  
5 *curing the International Mail Against Opioids Act of*  
6 *2018”.*

7 (b) *TABLE OF CONTENTS.*—*The table of contents for*  
8 *this Act is as follows:*

*Sec. 1. Short title; table of contents.*

*Sec. 2. Customs fees.*

*Sec. 3. Mandatory advance electronic information for postal shipments.*

*Sec. 4. International postal agreements.*

*Sec. 5. Cost recoupment.*

*Sec. 6. Development of technology to detect illicit narcotics.*

*Sec. 7. Effective date; regulations.*

9 **SEC. 2. CUSTOMS FEES.**

10 (a) *IN GENERAL.*—*Section 13031(b)(9) of the Consoli-*  
11 *dated Omnibus Budget Reconciliation Act of 1985 (19*  
12 *U.S.C. 58c(b)(9)) is amended by adding at the end the fol-*  
13 *lowing:*

14 “(D)(i) *With respect to the processing of items*  
15 *that are sent to the United States through the inter-*  
16 *national postal network by ‘Inbound Express Mail*  
17 *service’ or ‘Inbound EMS’ (as that service is described*  
18 *in the mail classification schedule referred to in sec-*  
19 *tion 3631 of title 39, United States Code), the fol-*  
20 *lowing payments are required:*

21 “(I) *\$1 per Inbound EMS item.*

1           “(II) If an Inbound EMS item is formally  
2 entered, the fee provided for under subsection  
3 (a)(9), if applicable.

4           “(ii) Notwithstanding section 451 of the Tariff  
5 Act of 1930 (19 U.S.C. 1451), the payments required  
6 by clause (i), as allocated pursuant to clause (iii)(I),  
7 shall be the only payments required for reimburse-  
8 ment of U.S. Customs and Border Protection for cus-  
9 toms services provided in connection with the proc-  
10 essing of an Inbound EMS item.

11           “(iii)(I) The payments required by clause (i)  
12 shall be allocated as follows:

13           “(aa) 50 percent of the amount of the pay-  
14 ments shall be paid on a quarterly basis by the  
15 United States Postal Service to the Commis-  
16 sioner of U.S. Customs and Border Protection in  
17 accordance with regulations prescribed by the  
18 Secretary of the Treasury to reimburse U.S. Cus-  
19 toms and Border Protection for customs services  
20 provided in connection with the processing of In-  
21 bound EMS items.

22           “(bb) 50 percent of the amount of the pay-  
23 ments shall be retained by the Postal Service to  
24 reimburse the Postal Service for services provided

1           *in connection with the customs processing of In-*  
2           *bound EMS items.*

3           “(II) *Payments received by U.S. Customs and*  
4           *Border Protection under subclause (I)(aa) shall, in*  
5           *accordance with section 524 of the Tariff Act of 1930*  
6           *(19 U.S.C. 1524), be deposited in the Customs User*  
7           *Fee Account and used to directly reimburse each ap-*  
8           *propriation for the amount paid out of that appro-*  
9           *propriation for the costs incurred in providing services*  
10           *to international mail facilities. Amounts deposited in*  
11           *accordance with the preceding sentence shall be avail-*  
12           *able until expended for the provision of such services.*

13           “(III) *Payments retained by the Postal Service*  
14           *under subclause (I)(bb) shall be used to directly reim-*  
15           *burse the Postal Service for the costs incurred in pro-*  
16           *viding services in connection with the customs proc-*  
17           *essing of Inbound EMS items.*

18           “(iv) *Beginning in fiscal year 2021, the Sec-*  
19           *retary, in consultation with the Postmaster General,*  
20           *may adjust, not more frequently than once each fiscal*  
21           *year, the amount described in clause (i)(I) to an*  
22           *amount commensurate with the costs of services pro-*  
23           *vided in connection with the customs processing of In-*  
24           *bound EMS items, consistent with the obligations of*  
25           *the United States under international agreements.”.*

1       (b) *CONFORMING AMENDMENTS.*—Section 13031(a) of  
 2 *the Consolidated Omnibus Budget Reconciliation Act of*  
 3 *1985 (19 U.S.C. 58c(a)) is amended—*

4           (1) *in paragraph (6), by inserting “(other than*  
 5 *an item subject to a fee under subsection (b)(9)(D))”*  
 6 *after “customs officer”; and*

7           (2) *in paragraph (10)—*

8           (A) *in subparagraph (C), in the matter pre-*  
 9 *ceding clause (i), by inserting “(other than In-*  
 10 *bound EMS items described in subsection*  
 11 *(b)(9)(D))” after “release”; and*

12           (B) *in the flush at the end, by inserting “or*  
 13 *of Inbound EMS items described in subsection*  
 14 *(b)(9)(D),” after “(C),”.*

15       (c) *EFFECTIVE DATE.*—*The amendments made by this*  
 16 *section shall take effect on January 1, 2020.*

17 **SEC. 3. MANDATORY ADVANCE ELECTRONIC INFORMATION**  
 18 **FOR POSTAL SHIPMENTS.**

19       (a) *MANDATORY ADVANCE ELECTRONIC INFORMA-*  
 20 *TION.*—

21           (1) *IN GENERAL.*—*Section 343(a)(3)(K) of the*  
 22 *Trade Act of 2002 (Public Law 107–210; 19 U.S.C.*  
 23 *2071 note) is amended to read as follows:*

24           “(K)(i) *The Secretary, with the concurrence*  
 25 *of the Secretary of State, shall prescribe regula-*

1            *tions requiring the United States Postal Service*  
2            *to transmit the information described in para-*  
3            *graphs (1) and (2) to the Commissioner of U.S.*  
4            *Customs and Border Protection for international*  
5            *mail shipments by the Postal Service (including*  
6            *shipments to the Postal Service from foreign*  
7            *postal operators that are transported by private*  
8            *carrier) consistent with the requirements of this*  
9            *subparagraph.*

10            *“(ii) In prescribing regulations under*  
11            *clause (i), the Secretary shall impose require-*  
12            *ments for the transmission to the Commissioner*  
13            *of information described in paragraphs (1) and*  
14            *(2) for mail shipments described in clause (i)*  
15            *that are comparable to the requirements for the*  
16            *transmission of such information imposed on*  
17            *similar non-mail shipments of cargo, taking into*  
18            *account the parameters set forth in subpara-*  
19            *graphs (A) through (J).*

20            *“(iii) The regulations prescribed under*  
21            *clause (i) shall require the transmission of the*  
22            *information described in paragraphs (1) and (2)*  
23            *with respect to a shipment as soon as practicable*  
24            *in relation to the transportation of the shipment,*  
25            *consistent with subparagraph (H).*

1           “(iv) Regulations prescribed under clause  
2 (i) shall allow for the requirements for the trans-  
3 mission to the Commissioner of information de-  
4 scribed in paragraphs (1) and (2) for mail ship-  
5 ments described in clause (i) to be implemented  
6 in phases, as appropriate, by—

7           “(I) setting incremental targets for in-  
8 creasing the percentage of such shipments  
9 for which information is required to be  
10 transmitted to the Commissioner; and

11           “(II) taking into consideration—

12           “(aa) the risk posed by such ship-  
13 ments;

14           “(bb) the volume of mail shipped  
15 to the United States by or through a  
16 particular country; and

17           “(cc) the capacities of foreign  
18 postal operators to provide that infor-  
19 mation to the Postal Service.

20           “(v)(I) Notwithstanding clause (iv) and ex-  
21 cept as provided in subclause (II), the Postal  
22 Service shall, not later than December 31, 2018,  
23 arrange for the transmission to the Commis-  
24 sioner of the information described in para-  
25 graphs (1) and (2) for not less than 70 percent

1           *of the aggregate number of mail shipments de-*  
2           *scribed in clause (i).*

3           “(II)(aa) *The requirements of subclause (I)*  
4           *may be waived for a period of not more than 180*  
5           *days if, not later than December 31, 2018—*

6                     “(AA) *the Secretary and the Post-*  
7                     *master General, with the concurrence of the*  
8                     *Secretary of State, determine that meeting*  
9                     *those requirements is not feasible because of*  
10                    *the lack of capacity of foreign postal opera-*  
11                    *tors to provide the Postal Service with the*  
12                    *information described in paragraphs (1)*  
13                    *and (2);*

14                    “(BB) *the Secretary and the Post-*  
15                    *master General, with the concurrence of the*  
16                    *Secretary of State, determine that meeting*  
17                    *those requirements is not feasible because of*  
18                    *extraordinary reasons other than lack of ca-*  
19                    *capacity of foreign postal operators that are*  
20                    *outside the control of the Postal Service; or*

21                    “(CC) *the Secretary of State deter-*  
22                    *mines that such a waiver is in the national*  
23                    *security interests of the United States.*

24                    “(bb) *A waiver under item (aa) may be re-*  
25                    *newed for one additional period of not more than*

1           180 days if a determination described in item  
2           (aa) is made for that period.

3           “(III) If the requirements of subclause (I)  
4           are not met, the Comptroller General of the  
5           United States shall submit to the appropriate  
6           congressional committees, not later than Janu-  
7           ary 31, 2020, a report—

8                     “(aa) assessing the reasons for the fail-  
9                     ure to meet those requirements; and

10                    “(bb) identifying recommendations to  
11                    improve the collection by the Postal Service  
12                    of the information described in paragraphs  
13                    (1) and (2).

14                    “(vi)(I) Notwithstanding clause (iv) and ex-  
15                    cept as provided in subclause (II), the Postal  
16                    Service shall, not later than December 31, 2022,  
17                    arrange for the transmission to the Commis-  
18                    sioner of the information described in para-  
19                    graphs (1) and (2) for not less than 95 percent  
20                    of the aggregate number of mail shipments de-  
21                    scribed in clause (i).

22                    “(II) The requirements of subclause (I) may  
23                    be waived for a period of not more than one year  
24                    if, not later than December 31, 2022—

1           “(aa) the Secretary and the Postmaster  
2           General, with the concurrence of the Sec-  
3           retary of State, determine that meeting  
4           those requirements is not feasible because  
5           of—

6                       “(AA) the lack of capacity of for-  
7                       eign postal operators to provide the  
8                       Postal Service with the information de-  
9                       scribed in paragraphs (1) and (2); or

10                      “(BB) extraordinary reasons  
11                      other than lack of capacity of foreign  
12                      postal operators that are outside the  
13                      control of the Postal Service; or

14                      “(bb) the Secretary of State determines  
15                      that such a waiver is in the national secu-  
16                      rity interests of the United States.

17                      “(vii) Not later than 15 days before making  
18                      a determination under clause (v) or (vi) that  
19                      meeting the requirements of that clause is not  
20                      feasible, the Secretary and the Postmaster Gen-  
21                      eral shall submit to the appropriate congres-  
22                      sional committees a notification of the deter-  
23                      mination. The notification shall include—

1           “(I) in the case of a determination  
2 under clause (v)(II)(aa)(AA) or  
3 (vi)(II)(aa)(AA)—

4           “(aa) a list of which foreign post-  
5 al operators lack the capacity to pro-  
6 vide the information described in para-  
7 graphs (1) and (2) to the Postal Serv-  
8 ice;

9           “(bb) a description of the efforts  
10 by the Postal Service made to obtain  
11 that information from those operators;  
12 and

13           “(cc) a plan for obtaining that in-  
14 formation from those operators; and

15           “(II) in the case of a determination  
16 under clause (v)(II)(aa)(BB) or  
17 (vi)(II)(aa)(BB)—

18           “(aa) a description of the extraor-  
19 dinary reasons outside the control of  
20 the Postal Service; and

21           “(bb) a plan for obtaining the  
22 transmission of information described  
23 in paragraphs (1) and (2) as required  
24 by clause (v) or (vi), as applicable.

1           “(viii) *The Secretary and the Postmaster*  
2           *General may, in consultation with the Secretary*  
3           *of State, as necessary, take all appropriate reme-*  
4           *dial measures necessary to ensure compliance*  
5           *with regulations prescribed under clause (i) and*  
6           *consistent with the obligations of the United*  
7           *States under international agreements, including*  
8           *refusal of shipments for which the information*  
9           *described in paragraphs (1) and (2) is not trans-*  
10           *mitted as required under this subparagraph.*

11           “(ix) *Nothing in this subparagraph shall be*  
12           *construed to limit the authority of the Secretary*  
13           *to obtain information relating to international*  
14           *mail shipments from private carriers or other*  
15           *appropriate parties.*

16           “(x) *In this subparagraph, the term ‘appro-*  
17           *priate congressional committees’ means—*

18                   “(I) *the Committee on Finance and the*  
19                   *Committee on Homeland Security and Gov-*  
20                   *ernmental Affairs of the Senate; and*

21                   “(II) *the Committee on Ways and*  
22                   *Means and the Committee on Oversight and*  
23                   *Government Reform of the House of Rep-*  
24                   *resentatives.”.*

1           (2) *JOINT STRATEGIC PLAN ON MANDATORY AD-*  
2 *VANCE INFORMATION.*—*Not later than 60 days after*  
3 *the date of the enactment of this Act, the Secretary of*  
4 *Homeland Security and the Postmaster General shall*  
5 *develop and submit to the appropriate congressional*  
6 *committees a joint strategic plan detailing specific*  
7 *performance measures for achieving—*

8                   (A) *the transmission of information as re-*  
9 *quired by section 343(a)(3)(K) of the Trade Act*  
10 *of 2002, as amended by paragraph (1); and*

11                   (B) *the presentation by the Postal Service to*  
12 *U.S. Customs and Border Protection of all mail*  
13 *targeted by U.S. Customs and Border Protection*  
14 *for inspection.*

15 (b) *CAPACITY BUILDING.*—

16           (1) *IN GENERAL.*—*Section 343(a) of the Trade*  
17 *Act of 2002 (Public Law 107–210; 19 U.S.C. 2071*  
18 *note) is amended by adding at the end the following:*

19                   “(5) *CAPACITY BUILDING.*—

20                           “(A) *IN GENERAL.*—*The Secretary, with the*  
21 *concurrence of the Secretary of State, and in co-*  
22 *ordination with the Postmaster General and the*  
23 *heads of other Federal agencies, as appropriate,*  
24 *may provide technical assistance, equipment,*

1           *technology, and training to enhance the capacity*  
2           *of foreign postal operators—*

3                     *“(i) to gather and provide the informa-*  
4                     *tion required by paragraph (3)(K); and*

5                     *“(ii) to otherwise gather and provide*  
6                     *postal shipment information related to—*

7                             *“(I) terrorism;*

8                             *“(II) items the importation or in-*  
9                             *troduction of which into the United*  
10                            *States is prohibited or restricted, in-*  
11                            *cluding controlled substances; and*

12                            *“(III) such other concerns as the*  
13                            *Secretary determines appropriate.*

14                    *“(B) PROVISION OF EQUIPMENT AND TECH-*  
15                    *NOLOGY.—With respect to the provision of equip-*  
16                    *ment and technology under subparagraph (A),*  
17                    *the Secretary may lease, loan, provide, or other-*  
18                    *wise assist in the deployment of such equipment*  
19                    *and technology under such terms and conditions*  
20                    *as the Secretary may prescribe, including nonre-*  
21                    *imbursable loans or the transfer of ownership of*  
22                    *equipment and technology.”.*

23                    *(2) JOINT STRATEGIC PLAN ON CAPACITY BUILD-*  
24                    *ING.—Not later than one year after the date of the en-*  
25                    *actment of this Act, the Secretary of Homeland Secu-*

1        *riety and the Postmaster General shall, in consultation*  
2        *with the Secretary of State, jointly develop and sub-*  
3        *mit to the appropriate congressional committees a*  
4        *joint strategic plan—*

5                *(A) detailing the extent to which U.S. Cus-*  
6                *toms and Border Protection and the United*  
7                *States Postal Service are engaged in capacity*  
8                *building efforts under section 343(a)(5) of the*  
9                *Trade Act of 2002, as added by paragraph (1);*

10                *(B) describing plans for future capacity*  
11                *building efforts; and*

12                *(C) assessing how capacity building has in-*  
13                *creased the ability of U.S. Customs and Border*  
14                *Protection and the Postal Service to advance the*  
15                *goals of this Act and the amendments made by*  
16                *this Act.*

17        *(c) REPORT AND CONSULTATIONS BY SECRETARY OF*  
18        *HOMELAND SECURITY AND POSTMASTER GENERAL.—*

19                *(1) REPORT.—Not later than 180 days after the*  
20                *date of the enactment of this Act, and annually there-*  
21                *after until 3 years after the Postmaster General has*  
22                *met the requirement under clause (vi) of subpara-*  
23                *graph (K) of section 343(a)(3) of the Trade Act of*  
24                *2002, as amended by subsection (a)(1), the Secretary*  
25                *of Homeland Security and the Postmaster General*

1       *shall, in consultation with the Secretary of State,*  
2       *jointly submit to the appropriate congressional com-*  
3       *mittees a report on compliance with that subpara-*  
4       *graph that includes the following:*

5               *(A) An assessment of the status of the regu-*  
6               *lations required to be promulgated under that*  
7               *subparagraph.*

8               *(B) An update regarding new and existing*  
9               *agreements reached with foreign postal operators*  
10              *for the transmission of the information required*  
11              *by that subparagraph.*

12              *(C) A summary of deliberations between the*  
13              *United States Postal Service and foreign postal*  
14              *operators with respect to issues relating to the*  
15              *transmission of that information.*

16              *(D) A summary of the progress made in*  
17              *achieving the transmission of that information*  
18              *for the percentage of shipments required by that*  
19              *subparagraph.*

20              *(E) An assessment of the quality of that in-*  
21              *formation being received by foreign postal opera-*  
22              *tors, as determined by the Secretary of Home-*  
23              *land Security, and actions taken to improve the*  
24              *quality of that information.*

1           (F) *A summary of policies established by*  
2           *the Universal Postal Union that may affect the*  
3           *ability of the Postmaster General to obtain the*  
4           *transmission of that information.*

5           (G) *A summary of the use of technology to*  
6           *detect illicit synthetic opioids and other illegal*  
7           *substances in international mail parcels and*  
8           *planned acquisitions and advancements in such*  
9           *technology.*

10          (H) *Such other information as the Sec-*  
11          *retary of Homeland Security and the Postmaster*  
12          *General consider appropriate with respect to ob-*  
13          *taining the transmission of information required*  
14          *by that subparagraph.*

15          (2) *CONSULTATIONS.—Not later than 180 days*  
16          *after the date of the enactment of this Act, and every*  
17          *180 days thereafter until the Postmaster General has*  
18          *met the requirement under clause (vi) of section*  
19          *343(a)(3)(K) of the Trade Act of 2002, as amended by*  
20          *subsection (a)(1), to arrange for the transmission of*  
21          *information with respect to not less than 95 percent*  
22          *of the aggregate number of mail shipments described*  
23          *in clause (i) of that section, the Secretary of Home-*  
24          *land Security and the Postmaster General shall pro-*  
25          *vide briefings to the appropriate congressional com-*

1        *mittees on the progress made in achieving the trans-*  
2        *mission of that information for that percentage of*  
3        *shipments.*

4        *(d) GOVERNMENT ACCOUNTABILITY OFFICE RE-*  
5        *PORT.—Not later than December 31, 2020, the Comptroller*  
6        *General of the United States shall submit to the appropriate*  
7        *congressional committees a report—*

8                *(1) assessing the progress of the United States*  
9                *Postal Service in achieving the transmission of the*  
10               *information required by subparagraph (K) of section*  
11               *343(a)(3) of the Trade Act of 2002, as amended by*  
12               *subsection (a)(1), for the percentage of shipments re-*  
13               *quired by that subparagraph;*

14               *(2) assessing the quality of the information re-*  
15               *ceived from foreign postal operators for targeting pur-*  
16               *poses;*

17               *(3) assessing the specific percentage of targeted*  
18               *mail presented by the Postal Service to U.S. Customs*  
19               *and Border Protection for inspection;*

20               *(4) describing the costs of collecting the informa-*  
21               *tion required by such subparagraph (K) from foreign*  
22               *postal operators and the costs of implementing the use*  
23               *of that information;*

24               *(5) assessing the benefits of receiving that infor-*  
25               *mation with respect to international mail shipments;*

1           (6) *assessing the feasibility of assessing a cus-*  
2 *toms fee under section 13031(b)(9) of the Consolidated*  
3 *Omnibus Budget Reconciliation Act of 1985, as*  
4 *amended by section 2, on international mail ship-*  
5 *ments other than Inbound Express Mail service in a*  
6 *manner consistent with the obligations of the United*  
7 *States under international agreements; and*

8           (7) *identifying recommendations, including rec-*  
9 *ommendations for legislation, to improve the compli-*  
10 *ance of the Postal Service with such subparagraph*  
11 *(K), including an assessment of whether the detection*  
12 *of illicit synthetic opioids in the international mail*  
13 *would be improved by—*

14           (A) *requiring the Postal Service to serve as*  
15 *the consignee for international mail shipments*  
16 *containing goods; or*

17           (B) *designating a customs broker to act as*  
18 *an importer of record for international mail*  
19 *shipments containing goods.*

20           (e) *TECHNICAL CORRECTION.—Section 343 of the*  
21 *Trade Act of 2002 (Public Law 107–210; 19 U.S.C. 2071*  
22 *note) is amended in the section heading by striking “AD-*  
23 *VANCED” and inserting “ADVANCE”.*

1           (f) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
2 *FINED.*—*In this section, the term “appropriate congres-*  
3 *sional committees” means—*

4                   (1) *the Committee on Finance and the Com-*  
5 *mittee on Homeland Security and Governmental Af-*  
6 *airs of the Senate; and*

7                   (2) *the Committee on Ways and Means and the*  
8 *Committee on Oversight and Government Reform of*  
9 *the House of Representatives.*

10 **SEC. 4. INTERNATIONAL POSTAL AGREEMENTS.**

11           (a) *EXISTING AGREEMENTS.*—*Any regulations pre-*  
12 *scribed under section 343(a)(3)(K) of the Trade Act of 2002,*  
13 *as amended by section 3(a)(1), shall be consistent with the*  
14 *obligations of the United States under international agree-*  
15 *ments.*

16           (b) *FUTURE AGREEMENTS.*—

17                   (1) *CONSULTATIONS.*—*Before entering into, on*  
18 *or after the date of the enactment of this Act, any*  
19 *postal treaty, convention, or other international*  
20 *agreement related to international postal services, or*  
21 *any amendment to such an agreement, that could re-*  
22 *strict the ability of the United States to secure the*  
23 *provision of advance electronic information by foreign*  
24 *postal operators, the Secretary of State should consult*

1       with the appropriate congressional committees (as de-  
2       fined in section 3(f)).

3               (2) *EXPEDITED NEGOTIATION OF NEW AGREE-*  
4       *MENT.—To the extent that any new postal treaty,*  
5       *convention, or other international agreement related*  
6       *to international postal services is necessary to secure*  
7       *the provision of advance electronic information by*  
8       *foreign postal operators as required by regulations*  
9       *prescribed under section 343(a)(3)(K) of the Trade*  
10       *Act of 2002, as amended by section 3(a)(1), the Sec-*  
11       *retary of State should expeditiously conclude such an*  
12       *agreement.*

13       **SEC. 5. COST RECOUPMENT.**

14       (a) *IN GENERAL.—The United States Postal Service*  
15       *shall, to the extent practicable and otherwise recoverable by*  
16       *law, ensure that all costs associated with complying with*  
17       *this Act and amendments made by this Act are charged di-*  
18       *rectly to foreign shippers or foreign postal operators.*

19       (b) *COSTS NOT CONSIDERED REVENUE.—The recovery*  
20       *of costs under subsection (a) shall not be deemed revenue*  
21       *for purposes of subchapter I and II of chapter 36 of title*  
22       *39, United States Code, or regulations prescribed under that*  
23       *chapter.*

1 **SEC. 6. DEVELOPMENT OF TECHNOLOGY TO DETECT IL-**  
2 **LICIT NARCOTICS.**

3 (a) *IN GENERAL.*—*The Postmaster General and the*  
4 *Commissioner of U.S. Customs and Border Protection, in*  
5 *coordination with the heads of other agencies as appro-*  
6 *priate, shall collaborate to identify and develop technology*  
7 *for the detection of illicit fentanyl, other synthetic opioids,*  
8 *and other narcotics and psychoactive substances entering*  
9 *the United States by mail.*

10 (b) *OUTREACH TO PRIVATE SECTOR.*—*The Postmaster*  
11 *General and the Commissioner shall conduct outreach to*  
12 *private sector entities to gather information regarding the*  
13 *current state of technology to identify areas for innovation*  
14 *relating to the detection of illicit fentanyl, other synthetic*  
15 *opioids, and other narcotics and psychoactive substances en-*  
16 *tering the United States.*

17 **SEC. 7. EFFECTIVE DATE; REGULATIONS.**

18 (a) *EFFECTIVE DATE.*—*This Act and the amendments*  
19 *made by this Act (other than the amendments made by sec-*  
20 *tion 2) shall take effect on the date of the enactment of this*  
21 *Act.*

22 (b) *REGULATIONS.*—*Not later than one year after the*  
23 *date of the enactment of this Act, such regulations as are*  
24 *necessary to carry out this Act and the amendments made*  
25 *by this Act shall be prescribed.*

Union Calendar No. 557

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 5788**

[Report No. 115-722, Part I]

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## **A BILL**

To provide for the processing by U.S. Customs and Border Protection of certain international mail shipments and to require the provision of advance electronic information on international mail shipments of mail, and for other purposes.

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JUNE 11, 2018

The Committee on Oversight and Government Reform discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed