

118TH CONGRESS
2D SESSION

S. 5128

To require the Director of the Bureau of Prisons to develop and implement a strategy to interdict illicit substances and other contraband in the mail at Federal correctional facilities.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 19, 2024

Mr. CASEY (for himself and Mr. HEINRICH) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To require the Director of the Bureau of Prisons to develop and implement a strategy to interdict illicit substances and other contraband in the mail at Federal correctional facilities.

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 “Interdiction of
5 Fentanyl in Federal Prisons Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) CONTRABAND.—The term “contraband”
2 means any material prohibited by law, regulation, or
3 policy of the Bureau of Prisons that can reasonably
4 be expected to cause physical injury or adversely af-
5 fect the safety, security, or good order of a facility
6 operated by the Bureau of Prisons or the protection
7 of the public.

8 (2) ILLICIT SUBSTANCE.—The term “illicit sub-
9 stance” has the meaning given the term “controlled
10 substance” in section 102 of the Controlled Sub-
11 stances Act (21 U.S.C. 802).

12 (3) DIRECTOR.—The term “Director” means
13 the Director of the Bureau of Prisons.

14 (4) OPIOID.—The term “opioid” has the mean-
15 ing given that term in section 102 of the Controlled
16 Substances Act (21 U.S.C. 802).

17 **SEC. 3. STRATEGY TO INTERDICT ILLICIT SUBSTANCES**
18 **AND OTHER CONTRABAND IN POSTAL MAIL.**

19 (a) EVALUATION.—Not later than 180 days after the
20 date of enactment of this Act, the Director shall evalu-
21 ate—

22 (1) the acquisition and deployment of equip-
23 ment to interdict illicit substances and other contra-
24 band by Federal correctional facilities;

1 (2) the use of technology services to scan mail
2 by Federal correctional facilities; and

3 (3) whether any technology used by other Fed-
4 eral agencies to intercept and interdict illicit sub-
5 stances and other contraband in the mail may be
6 used by the Bureau of Prisons.

7 (b) STRATEGY.—Not later than 90 days after com-
8 pleting the evaluation under subsection (a), the Director
9 shall submit to the Committee on the Judiciary of the Sen-
10 ate and the Committee on the Judiciary of the House of
11 Representatives a strategy to provide each Federal correc-
12 tional facility with capabilities necessary to—

13 (1) protect staff and inmates from exposure
14 and access to illicit substances and other contra-
15 band, including opioids and other narcotics, intro-
16 duced to facilities through the mail;

17 (2) ensure that—

18 (A) each inmate receives a digital copy of
19 any mail that is addressed to the inmate, con-
20 sistent with the law and the safety procedures
21 implemented by the Bureau of Prisons;

22 (B) as soon as practicable, the inmate re-
23 ceives the original physical copy of the mail re-
24 ceived in digital format under subparagraph
25 (A), consistent with the law and the safety pro-

1 cedures implemented by the Bureau of Prisons;
2 and

3 (C) delivery to any inmate under subpara-
4 graphs (A) and (B) is documented; and

5 (3) achieve 100 percent scanning capacity of
6 mail arriving at all Federal correctional facilities.

7 (c) CONTENTS.—The strategy required under sub-
8 section (b) shall—

9 (1) identify critical information technology, dig-
10 ital mail scanning equipment, and mail scanning
11 services necessary to achieve the scanning capacity
12 described in subsection (b)(3);

13 (2) include an assessment of operational and
14 logistical considerations, including—

15 (A) prioritization of high security and
16 large inmate population facilities for digital
17 mail scanning infrastructure and security tech-
18 nology deployment;

19 (B) an assessment of any additional per-
20 sonnel and technology training necessary to im-
21 plement the strategy; and

22 (C) requirements for the maintenance of
23 scanning equipment and periodic digital tech-
24 nology upgrades; and

1 (3) include an equipment and technology budg-
2 etary proposal for fiscal years 2025 through 2027 in
3 order to fully implement the strategy described
4 under subsection (b).

5 (d) ANNUAL PROGRESS REPORTS.—Not later than 1
6 year after the date on which the strategy under subsection
7 (b) is submitted, and each year thereafter, the Director
8 shall submit to the Committee on the Judiciary of the Sen-
9 ate and the Committee on the Judiciary of the House of
10 Representatives a report on the efficiency of the strategy
11 and the total quantity of illicit substances and other con-
12 traband detected in the mail at Federal correctional facili-
13 ties.

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