

115TH CONGRESS
2D SESSION

S. 2741

To authorize the United States Postal Service to inspect the contents of certain suspicious packages for illicit materials without a warrant.

IN THE SENATE OF THE UNITED STATES

APRIL 24, 2018

Mr. CASSIDY (for himself and Ms. BALDWIN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To authorize the United States Postal Service to inspect the contents of certain suspicious packages for illicit materials without a warrant.

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 “Search Now, Inspect
5 for Fentanyl Act of 2018” or the “SNIFF Act”.

1 **SEC. 2. AUTHORITY OF UNITED STATES POSTAL SERVICE**
2 **TO INSPECT CERTAIN SUSPICIOUS PACK-**
3 **AGES.**

4 Section 404 of title 39, United States Code, is
5 amended by adding at the end the following:

6 “(f) **AUTHORITY TO INSPECT CERTAIN SUSPICIOUS**
7 **PACKAGES.**—

8 “(1) **DEFINITIONS.**—In this subsection—

9 “(A) the term ‘covered package’ means a
10 package that—

11 “(i) originated outside the United
12 States; and

13 “(ii) is addressed to a location within
14 the United States;

15 “(B) the term ‘qualified employee’ means
16 an employee of the Postal Service who has been
17 properly trained to inspect the contents of cov-
18 ered packages; and

19 “(C) the term ‘United States’ includes any
20 territory or possession of the United States.

21 “(2) **AUTHORITY.**—

22 “(A) **IN GENERAL.**—Except as provided in
23 subparagraph (B), and notwithstanding sub-
24 section (c), if a qualified employee acting in his
25 or her official capacity at an international serv-
26 ice center that processes inbound international

1 mail has probable cause to believe that a cov-
2 ered package contains illicit materials, including
3 matter that is nonmailable under section 3001,
4 the employee shall, without obtaining a search
5 warrant, inspect the contents of the covered
6 package.

7 “(B) SAFETY EXCEPTION.—The require-
8 ment under subparagraph (A) shall not apply
9 with respect to a covered package if a qualified
10 employee believes that inspecting the contents
11 of the covered package would pose a risk of per-
12 sonal injury to the employee or other individ-
13 uals.

14 “(3) RULES OF CONSTRUCTION.—Nothing in
15 paragraph (2) shall be construed to authorize—

16 “(A) any employee of the Postal Service to
17 inspect a covered package, after the package
18 has entered the domestic distribution network,
19 without obtaining a search warrant; or

20 “(B) any person to read correspondence
21 contained in a covered package without obtain-
22 ing a search warrant.”.

○