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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

November 20, 2017

The Honorable Megan J. Brennan
Postmaster General
United States Postal Service
475 L'Enfant Plaza SW
Washington, DC 20260

Dear Ms. Postmaster General:

The Committee on Homeland Security and Governmental Affairs is conducting oversight of mail security. We write to request information about how the United States Postal Service is improving data-sharing with foreign postal operators and collaboration with federal agencies to increase the interdiction of illicit goods, including dangerous synthetic drugs.

The opioid crisis in this country has reached epidemic proportions, and it is a multifaceted problem that demands a whole-of-government approach to resolve. While the causes of drug addiction are complex, the U.S. has seen an increase in the presence of synthetic opioids, like fentanyl and fentanyl analogs, which can easily be purchased from the “dark web.”¹ The potency of fentanyl is so great it puts the lives of users at risk, as well as the lives of law enforcement officers, healthcare professionals, and postal workers who may come into contact with it.²

According to the U.S. Customs and Border Protection (CBP), advanced electronic data (AED) can help to identify cargo that may contain drugs and other illicit goods.³ Private companies like United Parcel Service and FedEx are able to collect electronic customs data at the point of sale to allow CBP to engage in targeted screening of packages.⁴ Unlike private

¹ See House Subcommittee on Oversight and Investigations, Statement of Matthew C. Allen, *Fentanyl: The Next Wave of the Opioid Crisis*, 115th Cong. (Mar. 21, 2017).

² National Institute for Occupational Safety & Health, Centers for Disease Control and Prevention, *Fentanyl: Preventing Occupational Exposure to Emergency Responders* (last updated Aug. 30, 2017) (www.cdc.gov/niosh/topics/fentanyl/risk.html).

³ See, e.g., Senate Permanent Subcommittee on Investigations, Statement of Robert Perez, *Stopping the Shipment of Synthetic Opioids: Oversight of U.S. Strategy to Combat Illicit Drugs*, 115th Cong. (May 25, 2017).

⁴ Senate Permanent Subcommittee on Investigations, Statement of Robert Citron, *Stopping the Shipment of Synthetic Opioids: Oversight of U.S. Strategy to Combat Illicit Drugs*, 115th Cong. (May 25, 2017).

companies, the Postal Service must rely on its foreign postal counterparts to collect and share data for each parcel, hurting the Postal Service's ability to share data with CBP.⁵

The State Department has sought to improve the international standard for AED sharing on international mail at the Universal Postal Union (UPU).⁶ The Postal Service, likewise, has negotiated bilateral data sharing agreements with select foreign postal partners.⁷ China, in particular, has agreed to share advanced data for parcels coming from its national postal operator, China Post.⁸ Although bilateral agreements have improved data sharing and targeting protocols, the information shared by foreign posts is sometimes inaccurate or incomplete.⁹

Recent arrests suggest that drug trafficking may shift to countries where national posts do not require as much electronic data or do not confirm its accuracy. For example, while China Post has expanded its data sharing agreements with the Postal Service, Postal Service data sharing agreements with Hong Kong Post remain limited.¹⁰ Because production of many fentanyl analogs remains legal in China, it remains relatively easy for drug traffickers to bring small parcels from China into Hong Kong for shipment to the U.S.¹¹

⁵ See *id.* at 4.

⁶ House Subcommittee on Government Operations, Statement of Gregory Thome, *Illicit Drugs in International Mail*, 115th Cong. (Sept. 7, 2017).

⁷ House Subcommittee on Government Operations, Statement of Guy Cottrell, *Illicit Drugs in International Mail Before Subcomm. on Gov't Operations of the H. Comm. on Oversight & Gov't Reform*, 115th Cong. (Sept. 7, 2017).

⁸ Science, *Underground labs in China are devising potent new opiates faster than authorities can respond*, Kathleen McLaughlin (Mar. 29, 2017) (www.sciencemag.org/news/2017/03/underground-labs-china-are-devising-potent-new-opiates-faster-authorities-can-respond): Agreement for the Electronic Exchange of Customs Data, U.S. Postal Serv.-Austln. Postal Corp.-Can. Postal Corp.-China Post Group-H.K. Post-Japan Post Serv. Co., Ltd.-Kor. Post-Le Groupe La Poste-Sing. Post Ltd., (Mar. 30, 2014) (*available at* www.prc.gov/docs/100/100167/USPS%2039%20USC%20407d%20filing%20att%209-11.pdf).

⁹ Customs and Border Protection, Staff Briefing with Senate Committee on Homeland Security and Governmental Affairs and Senate Committee on Finance (Apr. 18, 2017).

¹⁰ See Letter from Guy J. Cottrell, Chief Postal Inspector, to Senators Ron Johnson and Thomas Carper (Apr. 15, 2016) (on file with Committee) (describing a pilot program with China to gain advanced data and listing data showing Hong Kong's limited inclusion of advance customs data); see also *Opioid Dealers Embrace the Dark Web to Send Deadly Drugs by Mail*, New York Times (June 10, 2017) (www.nytimes.com/2017/06/10/business/dealbook/opioid-dark-web-drug-overdose.html) (citing a Chinese synthetic opioid vendor as saying that routing mail through Hong Kong rather than from China, and then to the USPS is most efficient).

¹¹ See *Opioid Dealers Embrace the Dark Web to Send Deadly Drugs by Mail*, New York Times (June 10, 2017) (www.nytimes.com/2017/06/10/business/dealbook/opioid-dark-web-drug-overdose.html), *supra* note 13.

The Postal Service should continue to engage with its foreign counterparts to improve the ability to detect, deter, and interdict drugs and other illicit goods being shipped into the U.S. through international mail. It is critical that in obtaining AED from its counterparts, the Postal Service receives accurate and complete information, sent in English.

To assist in the Committee's ongoing oversight of mail security, we request the following information and documents:

1. A timeline of specific actions the Postal Service has taken in the last year to improve the amount and accuracy of AED received from foreign postal operators, and also a timeline of planned actions to improve AED quantity and quality in FY 2018.
2. A table listing all existing data-sharing agreements between the Postal Service and foreign postal operators. For each agreement, please provide the following information:
 - a. The total number of annual mail pieces from the foreign postal operator for which the operator will provide AED; and
 - b. The consequences if the foreign postal operator fails to provide complete or accurate AED, and also the tools available to the Postal Service to hold foreign operators accountable.
3. Copies of all Postal Service guidance and policy documents for handling packages received from foreign postal operators with Customs Declaration Form CN 22 or CN 23 containing incomplete or inaccurate information, or filled out in whole or in part in a foreign language. For such packages, please provide the following information:
 - a. The total number of these packages received, by country of origin, for each of the last three years; and
 - b. The total number of these packages that were inspected, returned, or allowed to reach their intended recipient without further inspections.
4. The cost analysis of the AED pilot program at the JFK Airport International Service Center and the cost analysis to expand the pilot program to all International Service Centers.

We ask you please provide this information as soon as possible but no later than December 15, 2017. Additionally, upon receipt of these documents, we request that you arrange a staff level brief about the AED pilot programs between USPS and foreign postal operators and

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the status USPS's coordination with CBP to address the GAO recommendation about establishing goals for the AED pilot programs.¹²

If you have any questions about this request, please ask your staff to Jennifer Selde of Chairman Johnson's staff at 202-224-4751 or contact Charlie Moskowitz of Ranking Member McCaskill's staff at 202-224-6154. Thank you for your attention to this matter.



Ron Johnson
Chairman

Sincerely,



Claire McCaskill
Ranking Member

¹² U.S. Government Accountability Office, International Mail Security: Costs and Benefits of Using Electronic Data to Screen Mail Need to Be Assessed (GAO-17-606) (Sept. 7, 2017) (www.gao.gov/assets/690/686377.pdf).