

115TH CONGRESS
2D SESSION

S. _____

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

_____ introduced the following bill; which was read twice and referred to the Committee on _____

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”.

6 **SEC. 2. AUTHORITY OF UNITED STATES POSTAL SERVICE**

7 **TO INSPECT CERTAIN SUSPICIOUS PACK-**
8 **AGES.**

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

1 “(f) AUTHORITY TO INSPECT CERTAIN SUSPICIOUS
2 PACKAGES.—

3 “(1) DEFINITIONS.—In this subsection—

4 “(A) the term ‘covered package’ means a
5 package that—

6 “(i) originated outside the United
7 States; and

8 “(ii) is addressed to a location within
9 the United States;

10 “(B) the term ‘qualified employee’ means
11 an employee of the Postal Service who has been
12 properly trained to inspect the contents of cov-
13 ered packages; and

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

16 “(2) AUTHORITY.—

17 “(A) IN GENERAL.—Except as provided in
18 subparagraph (B), and notwithstanding sub-
19 section (c), if a qualified employee acting in his
20 or her official capacity at an international serv-
21 ice center that processes inbound international
22 mail has probable cause to believe that a cov-
23 ered package contains illicit materials, including
24 matter that is nonmailable under section 3001,
25 the employee shall, without obtaining a search

1 warrant, inspect the contents of the covered
2 package.

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

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

12 “(A) any employee of the Postal Service to
13 inspect a covered package, after the package
14 has entered the domestic distribution network,
15 without obtaining a search warrant; or

16 “(B) any person to read correspondence
17 contained in a covered package without obtain-
18 ing a search warrant.”.