

The RESTRICT Illicit Drugs Act

Restricting Entrance and Strengthening the Requirements on Import Controls for Trafficking (RESTRICT) Illicit Drugs Act

In 2016, 63,632 Americans died from drug overdoses and according to the CDC, the increase in overdose deaths is driven largely by deaths from synthetic opioids and illicit fentanyl. Reports show that the synthetic opioid related overdose death rate more than doubled in 2016. China is the primary source of fentanyl in the U.S. with many of these illicit drugs coming through our International Mail Facilities (IMFs). As the opioid and illicit drug abuse epidemic continues to evolve, devastating our communities and families, we must do more to protect against illegal trafficking of harmful opioid drugs like fentanyl and other synthetic drugs.

More than 340 million packages reach the U.S. every year through IMFs from more than 180 countries. Customs and Border Patrol work together with FDA and DEA to help target dangerous shipments and intercept illegal products like drugs. FDA is responsible for reviewing, investigating and detaining potentially dangerous or illegal drug products to prevent them from harming consumers. However, estimates show that we are only intercepting a small percentage of the illicit drugs smuggled through IMFs.

While FDA has dedicated increased resources and staff to inspecting packages at IMFs, the scope of this crisis is so large that too many dangerous synthetic drugs are continuing to come across our borders. We must do more to ensure that the agency has the tools it needs to better combat the smuggling of opioids and protect the public from dangerous products.

The RESTRICT Illicit Drugs Act modernizes FDA's authority to help address importation of illegal drugs like opioids and other synthetic drugs by:

- Strengthening coordination and efficiency between FDA and CBP by clarifying CBP's role in managing the admission, refusal or destruction process of any counterfeit drug product or package containing a controlled substance.
- Allowing FDA to debar, or stop, individuals or companies convicted of an FDA-related felony from continued shipments to prevent companies who have been caught shipping illegal substances from gaming the system and operating under a new name.
- Enhancing FDA's authority to refuse admission of illegal drugs from entities that have been de-barred, as a result of an FDA-related felony.