



# NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

*Representing America's Finest*

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## EXECUTIVE OFFICERS April 15, 2024

**MICHAEL McHALE**  
President  
*Florida Police Benevolent  
Association*

The Honorable Jason Smith  
Chair  
Committee on Ways and Means

The Honorable Richard Neal  
Ranking Member  
Committee on Ways and Means

**JOHN A. FLYNN**  
Vice President  
*Police Benevolent  
Association of New York City*

United States House of Representatives  
Washington, D.C. 20515

United States House of Representatives  
Washington, D.C. 20515

**CRAIG LALLY**  
Recording Secretary  
*Los Angeles Police  
Protective League*

Dear Chairman Smith and Ranking Member Neal:

On behalf of the National Association of Police Organizations (NAPO), representing over 241,000 sworn law enforcement officers across the United States, I am writing to express my strong support for any legislative proposal that would effectively address the flow of deadly fentanyl through the de minimis environment to advance true de minimis reform.

**KEITH CURRY**  
Sergeant-at-Arms  
*New Jersey State Policemen's  
Benevolent Association*

I caution the Committee, however, about advancing half-measures that fail to fully close the de minimis loophole, including legislative proposals that would only exclude a portion of imports from China—a country with a widely-documented history of shipping fentanyl, its analogues, and its precursor chemicals into the United States via de minimis—and fail to adequately to address the illegal drug trade.

**SCOTT LEETON**  
Executive Secretary  
*Combined Law Enforcement  
Associations of Texas*

The spread of fentanyl in our communities is devastating. Over 150 people die every day from overdoses related to synthetic opioids like fentanyl per CDC data. Since 1999, drug overdoses have killed approximately 1 million Americans. This deadly poison is being mixed with other illicit drugs, hidden in counterfeit drugs, and being peddled at alarmingly high rates particularly to our nation's youth. NAPO has long fought for resources to support law enforcement's efforts to combat fentanyl, its analogues, and similar opioids. The de minimis loophole is severely exacerbating the opioid crisis and contributing to deaths in our country by allowing fentanyl and other illegal opioids to enter our market duty free and largely uninspected.

Proposals to eliminate only a portion of de minimis shipments from China fall short of meaningfully addressing the urgent needs of law enforcement. International drug dealers flooding communities with fentanyl are not complying with the law today and there is no reason to think their behavior would stop unless the de minimis loophole is fully closed. Far from closing the de minimis loophole, only excluding certain products illuminates a new loophole. Malign actors will exploit Harmonized Tariff Schedule codes that are still eligible for de minimis to ship illicit goods that are devastating our communities. The only solution to address the fentanyl crisis in de minimis shipments is completely excluding products from China.

**WILLIAM J. JOHNSON, CAE**  
Executive Director and  
General Counsel

As the Express Association of Shippers noted themselves: “A sophisticated shipper of illicit goods will find ways to provide the required information and thereby hide its true identity by appearing to meet the program’s requirements. An unsophisticated shipper of illicit goods will change its identity (name and address) every time it is caught and continue in business under a new identity.” (Comment ID USCBP-2019-0024-0049)

While the Committee deserves commendation for recognizing the urgency of closing the de minimis loophole, it is critical that you advance a comprehensive proposal that addresses the myriad facets of this complex problem.

We look forward to working with you and the Committee to advance legislation to truly close the de minimis loophole.

Sincerely,

A handwritten signature in black ink, appearing to read "William J. Johnson", followed by a long horizontal line extending to the right.

William J. Johnson, Esq.  
Executive Director