Ratio (ERP) activated takeoff warning system.

Compliance required as indicated.

Within 2000 hours time in service after the effective date of this AD, unless already accomplished, set the thrust lever operated switches S197 and S784 to actuate at 12.5° ± 1° thrust lever motion from idle per Boeing Service Bulletin 727-31-30.

For airplanes which have automatic throttles not designed by Boeing, the modification kits available from Boeing may not be applicable. Operators of those airplanes must submit their proposed modifications to the Chief, Engineering and Manufacturing Branch, FAA Northwest Region, 9010 East Marginal Way South, Seattle, Wash. 98108.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423); Sec. 6(c), Department of Transporttaion Act (49 U.S.C. 1655(c)); and 14 CFR 11.85.)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Seattle, Washington on July 20, 1977.

J. H. TANNER,
*Acting Director, Northwest Region.*

[FR Doc.77-21681 Filed 7-27-77;8:45 am]

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## [ 14 CFR Part 91 ]

[Docket No. 16431; Notice No. 77-2A]

## REGULATORY REVIEW PROGRAM

### Availability of Agenda; Compilation of Proposals; and Announcement of Location and Change of Dates of Conference

NOTE. The following document was originally published at page 37981 in the issue for Tuesday, July 26, 1977. It is being reprinted here in order to meet Day-of-the-Week publication requirements.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Regulatory Review.

SUMMARY: This notice announces the availability of the agenda and compilation of proposals, and the location, times, and change of dates of the conference originally scheduled for August 1–4, 1977, to consider proposals submitted pursuant to Notice 77-2 for a Part 91, Subpart B Regulatory Review Program.

DATES: Conference will be held September 13–16, 1977, instead of August 1–4, 1977, as originally announced in Notice 77-2. Written comments received during the period September 17–30 will be considered in determining which items will be included in Notices of Proposed Rule Making.

ADDRESSES: Copies of agenda and compilation of proposals may be requested from: Federal Aviation Administration, Air Traffic Service, Airspace and Air Traffic Rules Division, AAT-200, 800 Independence Avenue SW., Washington, D.C. 20591.

FOR FURTHER INFORMATION CONTACT:

Maurice Taylor, Air Traffic Rules Branch, AAT-220, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591; Telephone 202-426-3128.

SUPPLEMENTARY INFORMATION:

HISTORY

On January 21, 1977, the Federal Aviation Administration published Notice No. 77-2 in the FEDERAL REGISTER (42 FR 3863), inviting interested persons to submit proposals for a Part 91, Subpart B, Regulatory Review Program.

COMPILATION OF PROPOSALS

As stated in Notice 77-2, the FAA has prepared a compilation of proposals after reviewing and evaluating each proposal received from interested persons. This compilation also contains FAA proposals for consideration during the Regulatory Review. The FAA hereby announces the availability of this compilation. A copy of it is being sent to each person who submitted a proposal in response to Notice 77-2. Any person desiring a copy of the compilation may write to the above address.

The proposals and related justification included in the compilation should be viewed as working proposals for further consideration. They may not represent the full or final position of the identified proponent.

AGENDA

All proposals received were considered in preparing the agenda for the Part 91, Subpart B Regulatory Review Conference and it is a part of the compilation being distributed.

POSTPONEMENT OF CONFERENCE DATES

Notice 77-2 announced that the conference would be held August 1–4, 1977. However, to provide additional time for interested persons to prepare comments on the proposals in the agenda, the FAA has determined, in the interest of obtaining the fullest participation of the public in this program, to postpone the dates of the conference to September 13–16, 1977.

LOCATION AND TIMES

The conference will be held at the Sheraton National Motor Hotel, Columbia Pike and Washington Boulevard, Arlington, Va. The conference hours September 13 will be 9 a.m. to 5 p.m. All other days the hours will be 8:30 a.m. to 5 p.m. There will be no admission fee or other charge to attend and participate in the conference. All conference sessions will be open, on a space available basis, to all interested persons who register to attend. All meetings will be taped.

PROPOSED AND FINAL RULE MAKING

The conference tapes, comments made on the proposals during the Regulatory Review Conference and written comments received at the above address during the period September 17 through September 30, 1977, will form the basis on which the FAA will make a final determination of which items will be included in Notices of Proposed Rule Making. This comment period is being provided for those interested organizations who did not receive sufficient time to fully query their membership and those individuals who are unable to attend the conference but desire to comment on the proposals.

It should be noted that the FAA may elect to undertake rulemaking procedures, separate from the Regulatory Review, on issues pertaining to proposals contained in the compilation of proposals. In such cases, the pertinent proposals may be removed from further consideration during the Regulatory Review.

DRAFTING INFORMATION

The principal authors of this document are Maurice Taylor, Air Traffic Service, and Richard W. Danforth, Office of the Chief Counsel.

(Secs. 305, 307, 312, 313(a), and 601, Federal Aviation Act of 1958, as amended (49 U.S.C. §§ 1346, 1348, 1353, 1354(a), and 1421); Sec. 6(c), Department of Transportation Act (49 U.S.C. § 1655(c)); and 14 CFR 11.45.)

Issued in Washington, D.C., on July 22, 1977.

GLEN D. TIGNER,
*Acting Director,*
*Air Traffic Service.*

[FR Doc.77-21663 Filed 7-22-77;8:45 am]

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# FEDERAL TRADE COMMISSION

## [ 16 CFR Part 13 ]

[File No. 762 3094]

## S. S. KRESGE COMPANY

### Consent Agreement With Analysis To Aid Public Comment

*Correction*

In FR Doc. 77-19946, appearing at page 35858 in the issue for Tuesday, July 12, 1977, on page 35858, in the second column, the second line from the bottom of the page should read: "the institution of or instituting retail credit collec-"

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## [ 16 CFR Part 441 ]

## MOBILE HOME SALES AND SERVICE

### Modification of Designated Issues Concerning Proposed Trade Regulation Rule; Extension of Time for Comments; Deadline for Notifications of Interest

AGENCY: Federal Trade Commission.

ACTION: Modification of designated issues concerning proposed trade regulation rule; extension of time for comments; deadline for notifications of interest.

SUMMARY: The Commission has considered several petitions for review of the Presiding Officer's Final Notice in which certain issues were designated to be considered in accordance with the Commission's Rules of Practice. After careful consideration of the matter, the Commission has decided to make certain additions and modifications to the designated issues which are contained herein and to briefly extend the deadline for written comments.

DATES: Deadline for written comments and available exhibits is August 29, 1977. Notifications of Interest regarding the additions and modifications of issues are due by August 12, 1977.

ADDRESS: Send comments and notifications to Raymond L. Rhine, Presiding Officer, Federal Trade Commission, Washington, D.C. 20580.

FOR FURTHER INFORMATION CONTACT:

Charles A. Taylor III (202–523–3660), Federal Trade Commission, Pennsylvania Avenue at Sixth Street NW., Washington, D.C. 20580; or Fred C. Austin (415–556–1270), Room 12470, Federal Trade Commission, Federal Building, 450 Golden Gate Avenue, San Francisco, Calif. 94102.

SUPPLEMENTARY INFORMATION: On May 29, 1975, the Commission published in the FEDERAL REGISTER (40 FR 23334) an initial notice of a proposed trade regulation rule concerning mobile home sales and service, pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. 41, et seq., the provisions of Part I, Subpart B of the Commission's Rules of Practice, 16 CFR 1.7–1.20, and section 553 of Subpart II, Chapter 5, Title 5 of the U.S. Code (Administrative Procedure).

On May 23, 1977, pursuant to the same authority and more specifically to the authority of § 1.12 of the Rules of Practice, the duly appointed Presiding Officer for this proceeding published the final notice of proposed rulemaking in the FEDERAL REGISTER (42 FR 26398).

Included in the final notice were 19 issues which the Presiding Officer determined to designate in his discretion pursuant to § 1.13(d)(1) of the Rules of Practice as issues to be considered in the proceedings in accordance with § 1.13(d)(5) and (6) of the Rules of Practice. Pursuant to § 1.13(c)(2)(ii) of the Rules of Practices, a number of appeals were filed challenging the Presiding Officer's designation of issues.

After careful consideration of all the views and arguments set forth in this matter, the Commission has taken the following actions.

The Commission has decided to designate the following additional issues under § 1.13(d)(1) of the Rules of Practice as issues to be considered in accordance with § 1.13(d)(5) and (6) of the Rules of Practice.

ADDITIONAL ISSUES

20. Is proper "set up" (§ 441.1(1)) of a mobile home critical to its performance as a satisfactory dwelling?

21. Have mobile home manufacturers, dealers, or independent contractors improperly performed "set up" (§ 441.1(1)) in a significant number of instances?

22. Have warrantors disseminated written warranties that exclude from coverage "defect(s)" (§ 441.1(c)) and other damage arisoing from improper "set up" (§ 441.1(1))?

23. Have warrantors disseminated written warranties that fail to fully and forcefully disclose the exclusion from coverage or "defect(s)" (§ 441.1(c)) and other problems arising from improper "set up" (§ 441.1(1))?

24. Have mobile home dealers or others, acting in their capacity as warrantors (other than manufacturer/warrantors), also engaged in the acts and practices set forth in designated issues 2 to 10, 12, 13, and 16 above in the course of their dealings with independent contractors who have agreed to perform set up (§ 441.1(1)) or warranty service on behalf of the warrantors (insofar as such acts and practices are applicable to dealers and others acting as warrantors of mobile homes rather than acting as "authorized dealers" (§ 441.1(i))?

Also, references in designated issues 1, 11, 14, 15, and 17 to "manufacturer/warrantors" are amended to read "warrantors". Finally, designated issue 18 is amended to read as follows:

18. Have mobile home manufacturers and/or dealers represented in promotional materials the length of their mobile homes as a certain distance which includes the length of the tow hitch? Do such representations have the capacity or tendency to mislead consumers by inducing them to believe that the represented length dimension is the total distance between the front and rear walls of the mobile home rather than the overall length of the mobile home including the two hitch?

For information purposes, the designated issues in the final notice, as modified by this action, appear below:

ISSUES DESIGNATED UNDER § 1.13(d)(1) OF THE RULES OF PRACTICE [1]

WARRANTY PERFORMANCE SYSTEMS—GENERAL

1. Have mobile home warrantors engaged in acts and practices which have resulted in the failure to maintain regular and effective systems which assure that every "consumer" (§ 441.1(a)) of such warrantor's mobile homes in fact receives full performance of warranty repairs in accordance with the terms of any applicable warranty within a reasonable time?

DISCLOSURE OF THE NATURE OF WARRANTY RIGHTS

2. Have manufacturer/warrantors disseminated written warranties which fail to disclose the true nature and extent of consumers' warranty rights as well as the manner in which such manufacturer/warrantors perform warranty repairs in the "normal course of business (§ 441.1(m))?

(a) Have manufacturer/warrantors failed to disclose to prospective purchasers the fact that those manufacturer/warrantors regard their "authorized dealer(s)" (§ 441.1(i)) as having exclusive responsibility, at least in the first instance, to perform repairs and service for certain classes of defects covered by each manufacturer/warrantor's warranty without compensation or reimbursement by such manufacturer/warrantors and without regular and effective action by such manufacturer/warrantors to determine whether such repairs and service are in fact fully performed within a reasonable time?

(b) Have manufacturer/warrantors represented that their written warranties are the sole legal warranties, that they legally exclude and disclaim all implied-in-law warranties, and that their written warranties set forth the sole legal remedy available to the consumer and disseminated such written warranties to consumers in States where the applicable law renders such exclusions, disclaimers, or limitations unenforceable?

(c) Have manufacturer/warrantors represented that as a condition precedent to obtaining full performance by manufacturer/warrantors of warranty obligations, every consumer must properly complete and mail to such manufacturer/warrantors an owner's registration card, or a similar card when in fact the manufacturer/warrantor's practice has been to provide warranty performance regardless of whether the card has been returned?

(d) Have manufacturer/warrantors represented that as a condition precedent to obtaining full performance by manufacturer/warrantors of warranty obligations every consumer must transport the defective part or, if necessary, the entire home to the manufacturer/warrantor's manufacturing plant, when in fact it is the manufacturer/warrantor's practice to provide such performance at the homesite?

SELECTION AND MONITORING OF DEALERS

3. Have such manufacturer/warrantors failed to scrutinize, adequately evaluate and assure that all prospective dealers, prior to their authorization, are capable of, and willing to perform warranty service or that such dealers have made adequate arrangements for performing warranty service through independent contractors?

4. Have manufacturer/warrantors failed to scrutinize, adequately evaluate, and assure that all "authorized dealer(s)" (§ 441.(i)), either directly or by action through independent contractors, notify the manufacturer/warrantor of the existence of claims initiated by consumers for warranty service or for repairs of defects covered by the warranty?

5. Have manufacturer/warrantors

[1] In this section bracketed citations refer to the Proposed Rule in the Initial Notice and indicate that the preceding word or phrase enclosed in quotation marks is used in this Section as it is used or defined in the Proposed Rule.

failed to scrutinize, adequately evaluate, and assure that all "authorized dealer(s)" (§ 441.1(i)), either directly or by action through independent contractors, in fact fully perform and complete within a reasonable time all warranty service and repairs to be performed on behalf of the manufacturer/warrantor?

6. Have manufacturer/warrantors failed to scrutinize, adequately evaluate, and assure that all prospective dealers, prior to their authorization, either directly or by action through independent contractors, are capable and willing to perform an "inspection" (§ 441.2(e)) of a mobile home prior to its "tender of possession" (§ 441.1(j)) to assure the detection of readily ascertainable defects and to assure that the home is being delivered to the consumer free of all defects which affect the safety of the mobile home or render its substantially uninhabitable and to assure that it is properly "set up" (§ 441.1(1))?

7. Have manufacturer/warrantors failed to scrutinize, adequately evaluate, and assure that all "authorized dealer(s)" (§ 441.1(i)), either directly or by action through independent contractors, actually perform or assure the performance of, an "inspect(ion)" (§ 441.2(e)) of each mobile home prior to its "tender of possession" (§ 441.(j)) to assure the detection of readily ascertainable defects and to assure that the home is being delivered to the consumer free of all defects which affect the safety of the mobile home and render it substantially uninhabitable and to assure that it is properly "set up" (§ 441.(1))?

8. Have manufacturer/warrantors failed to scrutinize, adequately evaluate, and assure that all prospective dealers, prior to their authorization, either directly or by action through independent contractors, are capable and willing to competently "set up" (§ 441.1(1)) the manufacturer/warrantors' mobile homes at the homesite selected by the consumers?

9. Have manufacturer/warrantors failed to scrutinize, adequately evaluate, and assure that all "authorized dealer(s)" (§ 441.1(i)), either directly or by action through independent contractors, actually and competently perform the "set up" (§ 441.1(1)) of all of the manufacturer/warrantors' mobile homes?

CONSUMER COMPLAINTS AND REQUESTS FOR SERVICE

10. Have manufacturer/warrantors failed to establish and maintain an effective and regular program to ensure prompt action on and fair disposition of mobile home consumer complaints and requests for warranty service and repairs.

DISPUTES BETWEEN WARRANTORS AND DEALERS AND OTHERS

11. Have warrantors unreasonably delayed needed warranty service or repairs until after the settlement of disputes between themselves and their "authorized dealers(s)" (§ 441.1(i)) or between themselves and other parties as to which party is responsible for the service or repairs in question?

FACTORY SERVICE CAPABILITIES

12. Have manufacturer/warrantors failed to maintain an adequate factory service capability, or to make other provisions adequate to assure the full performance within a reasonable time of the repair of defects which are covered by a warranty and which the manufacturer/warrantor's "authorized dealer(s)" (§ 441.1(i)) are unwilling or unable to perform?

WARRANTY PERFORMANCE—CONCLUSIONS

13. Through the acts and practices described in designated issues 2 through 12, have such manufacturer/warrantors been, and are they now engaging in:

(a) The dissemination of warranties which fail to fully and completely inform actual or potential "consumer(s)" (§ 441.1(a)) as to the actual warranty protection offered by manufacturer/warrantors?

(b) Acts and practices which have the tendency and capacity to result in and have resulted in the failure to establish or mantain regular and effective systems which assure that manufacturer/warrantors will fully correct or repair all defects covered by their warranties within a reasonable time?

ACTUAL PERFORMANCE

14. Have the warranty performance systems maintained by warrantors impeded or delayed warranty performance beyond a reasonable time in a significant number of instances?

15. Have the warranty performance systems maintained by warrantors prevented the performance of warrantors' warranty obligations in a significant number of instances?

REASONABLE BASIS FOR WARRANTY CLAIMS

16. Do the acts and practices, as described in designated issues 2 through 12 above, if shown to exist, establish a lack of reasonable basis for those manufacturer/warrantors to believe that they can perform their warranty obligations within a reasonable time?

17. Does the dissemination of a warranty to consumers by a warrantor have the capacity or tendency to lead consumers to believe that the warrantor has a reasonable basis to believe that its warranty obligations can be fully performed within a reasonable time?

REPRESENTATIONS OF DIMENSIONS OF MOBILE HOMES

18. Have mobile home manufacturers and/or dealers represented in promotional materials the length of their mobile homes as a certain distance which includes the length of the tow hitch? Do such representations have the capacity or tendency to mislead consumers by inducing them to believe that the represented length dimension is the total distance between the front and rear walls of the mobile home rather than the overall length of the mobile home including the tow hitch?

ECONOMIC EFFECTS

19. With respect to the Proposed Rule, what would be the probable economic effect on the mobile home industry, on small businesses, and on consumers of the promulgation of such provisions in a Final Rule?

MOBILE HOME "SET UP"

20. Is proper "set up" (§ 441.1(1)) of a mobile home critical to its performance as a satisfactory dwelling?

21. Have mobile home manufacturers, dealers, or independent contractors improperly performed "set up" (§ 441.1(1)) in a significant number of instances?

22. Have warrantors disseminated written warranties that exclude from coverage "defect(s)" (§ 441.1(c)) and other damage arising from improper "set up" (§441.1(1)) by dealers?

23. Have warrantors disseminated written warranties that fail to fully and forcefully disclose the exclusion from coverage of "defect(s)" (§ 441.1(c)) and other problems arising from improper "set up" (§ 441.1(1)) by dealers?

WARRANTY AND SET UP; DEALERS AND THIRD PARTIES

24. Have mobile home dealers or others, acting in their capacity as warrantors (other than manufacturer/warrantors), also engaged in the acts and practices set forth in designated issues 2 to 10, 12, 13, and 16 above in the course of their dealings with independent contractors who have agreed to perform set up (§ 441.1(1)) or warranty service on behalf of the warrantors (insofar as such acts and practices are applicable to dealers and others acting as warrantors of mobile homes rather than acting as "authorized dealers" (§ 441.1(i)))?

The Commission also has determined not to designate, beyond the issues listed above, any additional issues pursuant to § 1.13(d)(1) of the Rules of Practice as issues for consideration in accordance with § 1.13(d) (5) and (6) of those Rules. In denying the remaining requests for additions or modifications of the initial designated issues, the Commission has determined that those issues raised are not issues which are required to be designated under § 1.13(d)(i) of the Rules of Practice. The Commission intends to further explain its decision in this regard in the near future.

In making its determination to deny the remaining appeals, the Commission notes that it has found that the Presiding Officer did not abuse his discretion in designating issues under § 1.13 (c) and (d)(1)(ii) of the Rules of Practice. The Presiding Officer may, in his discretion, employ, in whole or in part, the procedures of § 1.13(d) (5) and (6) during the proceeding for any other issues where appropriate as provided for in the Rules of Practice.

*Written comments.* In view of the above modifications and additions to the designated issues the Commission is ex-

tending the general comment period. Therefore, all interested persons may continue to submit written data, views or arguments on any issue of fact, law, policy, or discretion which may have some bearing upon the Proposed Rule until no later than August 29, 1977. Such written comments should be entitled "Mobile Home Comments" and be submitted to Raymond L. Rhine, Presiding Officer, Federal Trade Commission, Washington, D.C. 20580. For further information on this subject, see Section A of the Presiding Officer's Final Notice published in the FEDERAL REGISTER May 23, 1977, 42 FR 26398.

*Notification of interest and requests for cross examination.* See Section F in the Presiding Officer's Final Notice published in the FEDERAL REGISTER May 23, 1977, 42 FR 26398, for further requirements and information on this subject. The Commission is allowing until no later than August 12, 1977, for interested persons to notify the Presiding Officer of their particular interest with respect to the above modifications and new designated issues, including a general brief statement of their position. Notifications will be accepted only on the modifications and the new designated issues herein. Such notifications should be entitled "Mobile Home Notification of Interest—Additional Issues".

Issued: July 28, 1977.

By direction of the Commission.

CAROL M. THOMAS,
*Secretary.*

[FR Doc.77-21727 Filed 7-27-77;8:45 am]

## DEPARTMENT OF THE TREASURY

### Customs Service

### [ 19 CFR Part 145 ]

### MAIL IMPORTATIONS

### Proposed Amendment to the Customs Regulations and Proposed Policy Statement Relating to Examination of Letter Mail

AGENCY: United States Custom Service, Department of the Treasury.

ACTION: Proposed rule and proposed policy statement.

SUMMARY: This notice contains a proposed amendment to the Customs Regulations and a proposed policy statement relating to the examination of sealed letter class mail by Customs officers or employees. The proposals are being made as a result of a recent U.S. Supreme Court decision which upheld the right of Customs officials to examine letter mail in certain circumstances. It is intended that the proposals will offer guidance as to when and how Customs will open and examine letter mail.

DATES: Comments must be received on or before: September 26, 1977.

ADDRESSES: Comments may be addressed to the Commissioner of Customs, Attention: Regulations and Legal Publications Division, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229.

FOR FURTHER INFORMATION CONTACT:

Stuart P. Seidel, Attorney, Office of the Chief Counsel, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229, 202-566-5476.

SUPPLEMENTARY INFORMATION:

BACKGROUND

Section 145.3 of the Customs Regulations (19 CFR 145.3) provides that no Customs officer or employee shall read or authorize or allow any other person to read any correspondence contained in sealed letter mail unless a search warrant has been obtained. In *United States v. Ramsey*, No. 76-167, decided June 6, 1977, the U.S. Supreme Court affirmed the right of Customs officials to open and examine sealed letter class mail without first obtaining a search warrant under certain circumstances.

In the *Ramsey* case, a Customs officer inspecting a sack of incoming international mail from Thailand spotted eight bulky envelopes which he believed might contain merchandise. All of the envelopes appeared to have been typed on the same typewriter, were addressed to different locations in Washington, D.C., felt as if there was something other than plain paper inside, weighed three to six times the normal weight of a letter, and came from a country which is a known source of narcotics. Upon inspection, the envelopes were discovered to contain heroin.

The opening of these letters without first obtaining a search warrant was challenged as unconstitutional. The Supreme Court rejected this assertion and held constitutional the statute, R.S. 3061 (19 U.S.C. 482), which authorized the opening of envelopes coming into the United States with respect to which a Customs official may have a reasonable cause to suspect there is merchandise which was subject to duty or which was imported contrary to law. The Court also found that the circumstances under which the letters were opened provided "reasonable 'cause to suspect' that there was merchandise or contraband in the envelopes."

The Commissioner of Customs has determined that, inasmuch as section 145.3 of the Customs Regulations is silent as to when the opening of sealed letter class mail is authorized, that section should be amended to reflect the statutory standards as interpreted in the *Ramsey* case and the existing Customs practice on the subject. It is therefore proposed to add to section 145.3 a provision that no Customs officer or employee shall open sealed letter mail which appears to contain only correspondence unless a search warrant has been obtained in advance of the opening. It is also proposed to add a provision that Customs officers or employees may open and examine sealed letter mail which appears to contain matter in addition to, or other than, correspondence, provided they have reasonable cause to suspect the presence of merchandise or contraband.

This notice also contains a proposed policy statement which sets forth the policies which the Customs Service will follow in examining sealed letter class mail. The policy statement supplements the regulations by providing guidance as to the circumstances which constitute reasonable cause to suspect that merchandise or contraband is contained in sealed letter class mail.

COMMENTS

The Customs Service invites comments from all interested parties on both the proposed amendment to the Customs Regulations and the proposed policy statement. Comments submitted will be available for public inspection in accordance with section 103.8(b) of the Customs Regulations (19 CFR 103.8(b)) during regular business hours at the Regulations and Legal Publications Division, Headquarters, U.S. Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

DRAFTING INFORMATION

The principal authors of this document were Stuart P. Seidel and Richard M. Belanger, Attorneys, U.S. Customs Service. However, other personnel in the Customs Service and in the Department of the Treasury participated in developing the document, both on matters of substance and style.

PROPOSED AMENDMENT TO THE REGULATIONS

Section 145.3 of the Customs Regulations (19 CFR 145.3) is amended to read as follows:

**§ 145.3 Opening of Sealed Letter Mail; Reading of Correspondence Prohibited.**

(a) No Customs officer or employee shall open sealed letter mail which appears to contain only correspondence unless a search warrant has been obtained in advance of the opening from an appropriate judge or U.S. magistrate authorizing that action.

(b) Customs officers or employees may open and examine sealed letter mail arriving from outside the Customs territory of the United States (or from outside the Virgin Islands in the case of examinations within the Virgin Islands) which appears to contain matter in addition to, or other than, correspondence, provided they have reasonable cause to suspect the presence of merchandise or contraband.

(c) No Customs officer or employee shall read or authorize or allow any other person to read any correspondence contained in sealed letter mail unless a search warrant has been obtained in advance from an appropriate judge or U.S. magistrate authorizing that action.