

## Customs Service opens foreign mail

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**EDITOR'S NOTE** — When two first-class airmail letters from his mother-in-law in Germany were opened recently by the U.S. Customs Service, a surprised AP newsman found the agency regularly opens more than a billion pieces of mail a year addressed to Americans and mailed from foreign countries.

**DENVER (AP)** — The CIA may have stopped opening first-class mail entering the United States, but not the U.S. Customs Service — even though a court order prohibits the practice.

While a government appeal of the ruling is before the U.S. Supreme Court, the Customs Service is continuing to open an average of 400 first-class letters a day in Los Angeles.

A customs official said similar mail openings without a warrant continue at such ports as San Francisco, Miami, Chicago and New York.

David Arnon, a Customs Service official in Los Angeles, cited a 1971 ruling by the 10th Circuit of the U.S. Court of Appeals in Denver which he said permits opening of such mail without

permission. In a more recent ruling, however, a federal appeals court in Washington, D.C., said Customs can't open overseas mail without a court order.

Justice Department attorneys appealed that ruling to the Supreme Court this spring, saying customs officials open more than one billion pieces of firstclass mail, packages and other mail annually.

They added that 23 million envelopes from selected countries are set aside and about 270,000 are opened, most of them first-class mail. Of those opened, federal attorneys argued, one in six contains contraband.

The Supreme Court is expected to rule on the question before its term ends in late June. The appeal stems from the case of two Washington, D.C., men who had allegedly mailed letters from Thailand to several U.S. addresses. Customs agents in New York found some which allegedly contained heroin.

Last month the U.S. Postal Service invited public comment on proposals defining when it is permissible to detain or open mail.