

overtime service request the plant protection and quarantine program inspector in charge to furnish inspection, laboratory testing, certification, or quarantine service during such overtime, or Sunday or holiday period, and shall pay the Government therefor at the rate of \$22.28 per man-hour per employee on a Sunday and at the rate of \$14.76 per man-hour per employee for holiday or any other period, except that for any services performed on a Sunday or holiday, or at any time after 5 p.m. or before 8 a.m. on a weekday, in connection with the arrival in or departure from the United States of a private aircraft or vessel, the total amount payable shall not exceed \$25 for all inspectional services performed by the Customs Service, Immigration and Naturalization Service, Public Health Service, and the Department of Agriculture; and except that owners and operators of aircraft will be provided service without reimbursement during regularly established hours of service on a Sunday or holiday; and except that the overtime rate to be charged owners and operators of aircraft at airports of entry or other places of inspection as a consequence of the operation of aircraft, for work performed outside of the regularly established hours of service on a Sunday will be \$19.44 and for work performed outside of the regularly established hours of service for holiday or any other period will be \$11.96 per hour, which charges exclude administrative overhead costs.

(64 Stat. 561 (7 U.S.C. 2260); (Sec. 15 of Pub. L. 94-353, 90 Stat. 882) (49 U.S.C. 1741).)

Determination of the hourly rate for overtime services and of the commuted traveltime allowances depends entirely upon facts within the knowledge of the Department of Agriculture. It is to the benefit of the public that this amendment be made effective at the earliest practicable date. Accordingly, pursuant to the administrative provisions of 5 U.S.C. 553, it is found upon good cause that notice and public procedure on this amendment are impracticable, unnecessary, and contrary to the public interest and good cause is found for making this amendment effective less than 30 days after publication in the FEDERAL REGISTER.

NOTE: The Animal and Plant Health Inspection Service has determined that this document does not contain a major proposal requiring preparation of an inflation impact statement under Executive Order 11821, as amended, and OMB Circular A-107.

Done at Washington, D.C. this 27th day of October 1978.

T. D. DARLING,
*Acting Deputy Administrator,
Plant Protection and Quarantine
Programs, Animal and
Plant Health Inspection Service.*

[FR Doc. 78-30907 Filed 10-30-78; 8:45 am]

[3410-34-M]

Title 9—Animals and Animal Products

CHAPTER I—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DE- PARTMENT OF AGRICULTURE

SUBCHAPTER D—EXPORTATION AND IMPORT- ATION OF ANIMALS (INCLUDING POUL- TRY) AND ANIMAL PRODUCTS

PART 97—OVERTIME SERVICES RE- LATING TO IMPORTS AND EX- PORTS

Commuted Traveltime Allowances

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: This document amends administrative instructions prescribing commuted traveltime. This amendment establishes commuted traveltime periods as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from the place at which an employee of Veterinary Services performs overtime or holiday duty when such travel is performed solely on account of overtime or holiday duty. Such establishment depends upon facts within the knowledge of the Animal and Plant Health Inspection Service.

EFFECTIVE DATE: October 31, 1978.

FOR FURTHER INFORMATION
CONTACT:

Dr. H. L. Arnold, USDA, APHIS, VS,
Federal Building, Room 867, Hyatts-
ville, Md. 20782, 301-436-8684.

Therefore, pursuant to the authority conferred upon the Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service by § 97.1 of the regulations concerning overtime services relating to imports and exports (9 CFR 97.1), administrative instructions 9 CFR 97.2 (1978 ed.), as amended May 5, 1978 (43 FR 19350), prescribing the commuted traveltime that shall be included in each period of overtime or holiday duty, are hereby amended by adding to the respective list therein as follows:

§ 97.2 Administrative instructions pre-
scribing commuted traveltime.

OUTSIDE METROPOLITAN AREA

ONE HOUR

Add: Bradley Field, Hartford, Conn.
(served from Ashford, Conn.).

TWO HOURS

Add: Bradley Field, Hartford, Conn.
(served from Harwinton, Conn.).

THREE HOURS

Add: Bradley Field, Hartford, Conn.
(served from Stockbridge, Mass., and
East Brookfield, Mass.).

FOUR HOURS

Add: Bradley Field, Hartford, Conn.
(served from East Providence, R.I.).

(64 Stat. 561 (7 U.S.C. 2260).)

It is to the benefit of the public that these instructions be made effective at the earliest practicable date. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department.

Accordingly, pursuant to 5 U.S.C. 553, it is found upon good cause that notice and public procedure on these instructions are impracticable, unnecessary, and contrary to the public interest and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 26th day of October 1978.

NOTE.—The Animal and Plant Health Inspection Service has determined that this document does not contain a major proposal requiring preparation of an inflation impact statement under Executive Order 11821 and OMB Circular A-107.

E. A. SCHILF,
*Acting Deputy Administrator,
Veterinary Services.*

[FR Doc. 78-30756 Filed 10-30-78; 8:45 am]

[6210-01-M]

Title 12—Banks and Banking

CHAPTER II—FEDERAL RESERVE SYSTEM

SUBCHAPTER A—BOARD OF GOVERNORS OF
THE FEDERAL RESERVE SYSTEM

[Reg. Z]

PART 226—TRUTH IN LENDING

Right of Rescission

AGENCY: Board of Governors of the
Federal Reserve System.

ACTION: Final interpretation.

SUMMARY: The Board hereby adopts an amendment to interpretation § 226.904 of regulation Z concerning disclosures which creditors may use to satisfy certain requirements of the regulation in connection with open end credit plans secured by consumer's residences. Specifically, the amendment modifies the sample disclosure which creditors may use to advise consumers of their rights when a change in the underlying terms of such a credit plan is proposed by a creditor. The amended disclosure is intended to emphasize these rights of the consumer. However, use by a creditor of the disclosure as originally promulgated by the Board shall not constitute a violation of the regulation.

EFFECTIVE DATE: October 31, 1978.

FOR FURTHER INFORMATION
CONTACT:

Glenn E. Loney, Section Chief, Division of Consumer Affairs, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, 202-452-3867.

SUPPLEMENTARY INFORMATION: On August 3, 1978, the Board published (43 FR 34111) an amendment to regulation Z, § 226.9(g)(6) of the regulation, creating an exception to the rescission provisions of the regulation for individual transactions under certain open end credit accounts secured by consumers' residences. Under the terms of that amendment, consumers would not have the right to cancel each individual transaction on such accounts, provided that the specific requirements of the amendment are met.

The amendment provides, among other things, that a creditor may not change the underlying terms of an open end account secured by a customer's home without affording the customer an opportunity to refuse the change in terms. If the customer refuses the proposed change in terms, the creditor need not extend any further credit on the account; however, the customer retains the right to continue to repay any existing obligation on the account under the then existing terms of the account. The amendment requires that a creditor that proposes to change the terms of a customer's account disclose these rights to the customer.

Interpretation § 226.904 of regulation Z, published by the Board together with the amendment, provides, among other things, a sample disclosure which creditors may use to satisfy, as to form and content, the amendment's disclosure requirements in connection with a proposed change in terms. For convenient reference, that sample disclosure is reproduced below:

Section 226.9(g)(6)(iii) (Change in Terms)

NOTICE TO CUSTOMER REQUIRED BY FEDERAL
LAW:

(Name of creditor) _____
Intends to change the terms of your open end credit account which is secured by your home. You have a right to refuse to accept this change in terms. If you refuse this change in terms, we have the right to refuse to extend any further credit on your open end account and may require you to repay any existing obligation on your account under the present terms of the account. You may exercise your right to refuse the change in terms within three business days of (date disclosure delivered to customer) _____ by notifying us at (address of creditor's place of business) _____ by mail or telegram sent not later than midnight of (date) _____. You may also use any other form of written notice to refuse the change in terms if it is delivered to the above address not later than that time. This notice may be used for that purpose by dating and signing below.

I hereby refuse the change in the terms of my account.

(date) _____
(customer's signature) _____

It has been suggested to the Board that the foregoing disclosure, specifically the third sentence thereof, may not sufficiently inform consumers of the rights which they have in the event of a proposed change in terms of open end credit accounts secured by their homes and, further, that the impression may be created that the right to pay any existing obligation without the change in terms is, in fact, a penalty to consumers who refuse such a change.

The Board believes that it may benefit consumers to modify the disclosure set forth above to further emphasize consumers' rights in connection with changes in the terms of open end accounts secured by their homes and to avoid any implication that these rights constitute a penalty. However, by amending the disclosure, the Board does not intend that use of the disclosure as originally published shall constitute a violation of regulation Z.

Inasmuch as the following amendment to interpretation § 226.904 constitutes an interpretive rule within the meaning of 5 U.S.C. § 553 (1976), and, further, because the amendment provides only a sample disclosure which

creditors may but need not use, the Board finds that publication of the amendment for public comment prior to final adoption and a delay in the effective date of the amendment are unnecessary.

Accordingly, pursuant to the authority granted in 15 U.S.C. 1604 (1976), the Board hereby amends official Board interpretation of regulation Z, 12 CFR 226.904, effective immediately, by deleting the third sentence of the disclosure captioned "Section 226.9(g)(6)(iii) (Change in terms)" which reads, "If you refuse this change in terms, we have the right to refuse to extend any further credit on your account and may require you to repay any existing obligation on your account under the present terms of the account" and substituting therefor "If you refuse this change in terms, you have the right to continue to repay your existing obligation under the present terms of the account. However, we would then have the right to refuse to extend any further credit, except pursuant to these new terms", so that the disclosure reads as follows:

Section 226.9(g)(6)(iii) (Change in Terms)

NOTICE TO CUSTOMER REQUIRED BY FEDERAL
LAW:

(Name of Creditor) _____
Intends to change the terms of your open end credit account which is secured by your home. You have a right to refuse to accept this change in terms. If you refuse this change in terms, you have the right to continue to repay your existing obligation under the present terms of the account. However, we would then have the right to refuse to extend any further credit, except pursuant to these new terms. You may exercise your right to refuse the change in terms within three business days of (date disclosure delivered to customer) _____ by notifying us at (address of creditor's place of business) _____ by mail or telegram sent not later than midnight of (date) _____. You may also use any other form of written notice to refuse the change in terms if it is delivered to the above address not later than that time. This notice may be used for that purpose by dating and signing below.

I hereby refuse the change in the terms of my account.

(date) _____
(customer's signature) _____

By order of the Board of Governors,
October 23, 1978.

THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc. 78-30730 Filed 10-30-78; 8:45 am]