

*viridis*, *Scirtothrips dorsalis*, and *Spodoptera littoralis*.

(a) *Approved pest-exclusionary structures.* The eggplant must be grown in pest-exclusionary structures in approved production sites in the Arava Valley of Israel by growers registered with the Israeli national plant protection organization (NPPO). Initial approval of the production sites must be completed jointly by the Israeli NPPO and APHIS.

(1) The pest-exclusionary structures must be equipped with double self-closing doors.

(2) Any vents or openings in the pest-exclusionary structures (other than the double self-closing doors) must be covered with 1.6 mm or smaller screening in order to prevent the entry of pests into the pest-exclusionary structure.

(3) The pest-exclusionary structures must be inspected periodically by the Israeli NPPO or its approved designee to ensure that sanitary procedures are employed to exclude plant pests and diseases and to verify that the screening is intact.

(4) The pest-exclusionary structures also must be inspected monthly for the quarantine pests listed in the introductory text of this section by the Israeli NPPO or its approved designee, beginning 2 months before harvest and continuing for the duration of the harvest. APHIS must be granted access to inspect or monitor the pest-exclusionary structures during this period as well. If, during these inspections, any quarantine pests listed in the introductory text of this section are found inside a pest-exclusionary structure, the Israeli NPPO will immediately prohibit that pest-exclusionary structure from exporting eggplant to the continental United States and notify APHIS of the action. The prohibition will remain in effect until the Israeli NPPO and APHIS agree that the risk has been mitigated.

(b) *Trapping for Medfly.* Trapping for Mediterranean fruit fly (Medfly, *Ceratitis capitata*) is required both inside and outside the pest-exclusionary structures. Trapping must begin 2 months before harvest and continue for the duration of the harvest.

(1) *Inside the pest-exclusionary structures.* APHIS-approved fruit fly traps with an approved protein bait must be placed inside the pest-exclusionary structures at a density of four traps per hectare, with a minimum of at least two traps per pest-exclusionary structure. The traps must be serviced at least once every 7 days. If a single Medfly is found in a trap inside a pest-exclusionary structure, the Israeli NPPO will immediately prohibit

that pest-exclusionary structure from exporting eggplant to the continental United States and notify APHIS of the action. The prohibition will remain in effect until the Israeli NPPO and APHIS agree that the risk has been mitigated.

(2) *Outside the pest-exclusionary structures.* (i) No shade trees are permitted within 10 meters of the entry door of the pest-exclusionary structures, and no fruit fly host plants are permitted within 50 meters of the entry door of the pest-exclusionary structures. While trapping is being conducted, no fruit fly host material (such as fruit) may be brought into the pest-exclusionary structures or be discarded within 50 meters of the entry door of the pest-exclusionary structures.

(ii) A treatment jointly approved by the Israeli NPPO and APHIS must be applied for the duration of the eggplant harvest in the areas of the Arava Valley where fruit fly host material occurs in backyards.

(iii) Trapping for Medfly must be conducted by the Israeli NPPO or its approved designee throughout the year in the agricultural region along the Arava Highway 90 and in the residential area of Paran.

(iv) Trapping records must be kept and made available for APHIS review upon request.

(c) *Packinghouse procedures.* The eggplant must be packed within 24 hours of harvest in a pest-exclusionary packinghouse. While packing the eggplant for export to the continental United States, the packinghouse may only accept eggplant from approved pest-exclusionary structures. No shade trees are permitted within 10 meters of the entry door of the packinghouse, and no fruit fly host plants are permitted within 50 meters of the entry door of the packinghouse. The eggplant must be safeguarded by a pest-proof screen or plastic tarpaulin while in transit to the packinghouse and while awaiting packing. Packinghouse procedures must include culling of any visibly damaged, overripe, or infested eggplant. The eggplant must be packed in either individual insect-proof cartons or boxes labeled with the specific place of origin or non-insect-proof cartons or boxes that are covered by insect-proof mesh or plastic tarpaulins. Covered non-insect-proof cartons or boxes must be placed in shipping containers that have identification labels indicating the specific place of origin. These safeguards must remain intact until the arrival of the eggplant in the continental United States or the consignment will not be allowed to enter the continental United States.

(d) *Commercial consignments.* Eggplant from Israel may be imported in commercial consignments only.

(e) *Phytosanitary certificate.* Each consignment of eggplant must be accompanied by a phytosanitary certificate of inspection issued by the Israeli NPPO with an additional declaration reading as follows: "The eggplant in this consignment has been grown in an approved production site and inspected and found free of the pests listed in 7 CFR 319.56-49."

(Approved by the Office of Management and Budget under control number 0579-0350)

Done in Washington, DC, this 28th day of May 2009.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. E9-12929 Filed 6-2-09; 8:45 am]

BILLING CODE 3410-34-P

## DEPARTMENT OF HOMELAND SECURITY

### 8 CFR Parts 214 and 274a

[DHS No. ICEB-2008-0002; ICE No. 2124-08]

RIN 1653-AA56

### Extending Period of Optional Practical Training by 17 Months for F-1 Nonimmigrant Students With STEM Degrees and Expanding Cap-Gap Relief for All F-1 Students With Pending H-1B Petitions; Correction

**AGENCY:** U.S. Immigration and Customs Enforcement, U.S. Citizenship and Immigration Services; DHS.

**ACTION:** Interim final rule; correction.

**SUMMARY:** With this amendment, the Department of Homeland Security (DHS) corrects one typographical error and corrects two inadvertent omissions from the Optional Practical Training (OPT) interim final rule (IFR) published in the **Federal Register** on April 8, 2008.

**DATES:** Effective June 3, 2009.

**FOR FURTHER INFORMATION CONTACT:** Louis Farrell, Director, Student and Exchange Visitor Program; U.S. Immigration and Customs Enforcement, Department of Homeland Security, Potomac Center North, 500 12th Street, SW., Washington, DC 20536.

#### SUPPLEMENTARY INFORMATION:

#### Need for Correction

On April 8, 2008, the Department of Homeland Security (DHS) published an interim final rule in the **Federal Register** at 73 FR 18944 extending the maximum period of Optional Practical

Training (OPT) from 12 months to 29 months for F-1 students who have completed a science, technology, engineering, or mathematics (STEM) degree with a degree code that is on the current STEM Designated Degree Program List, and who accept employment with employers enrolled in U.S. Citizenship and Immigration Services' (USCIS) E-Verify employment verification program. In that IFR, there was one typographical error and two inadvertent omissions. Through this amendment, DHS corrects those items.

First, DHS is correcting an error in the regulatory text of the interim final rule. The regulatory text that added new 8 CFR 274a.12(b)(6)(v) at 73 FR 18956 contains a typographical error. The paragraph begins with an unnecessary "Or". Through this amendment, DHS removes that extra word.

Second, DHS is correcting two inadvertent omissions. In the amendatory language for amendment 2b at 73 FR 18954, DHS inadvertently omitted a reference to the revision to 8 CFR 214.2(f)(10)(ii)(D). While that revision was in the regulatory text of the document submitted to the **Federal Register**, it was not in the amendatory language of the document submitted to the **Federal Register**, and so it would not be accurately codified in the Code of Federal Regulations. Also, amendment 5b at 73 FR 18956 revised 8 CFR 274a.12(c)(3). It should have only revised 8 CFR 274a.12(c)(3)(i). As a result, 8 CFR 274a.12(c)(3)(ii) and 274a.12(c)(3)(iii) were inadvertently omitted.

#### List of Subjects

##### 8 CFR Part 214

Administrative practice and procedure, Aliens, Employment, Foreign officials, Health professions, Reporting and recordkeeping requirements, Students.

##### 8 CFR Part 274a

Administrative practice and procedure, Aliens, Employment, Penalties, Reporting and recordkeeping requirements.

■ For the reasons set forth in the preamble, 8 CFR part 214 and 274a are amended as follows:

#### PART 214—NONIMMIGRANT CLASSES

■ 1. The authority citation for part 214 continues to read as follows:

**Authority:** 8 U.S.C. 1101, 1102, 1103, 1182, 1184, 1186a, 1187, 1221, 1281, 1282, 1301–1305 and 1372; section 643, Pub. L. 104–208, 110 Stat. 3009–708; Pub. L. 106–386, 114 Stat. 1477–1480; section 141 of the Compacts of Free Association with the Federated States

of Micronesia and the Republic of the Marshall Islands, and with the Government of Palau, 48 U.S.C. 1901 note, and 1931 note, respectively; 8 CFR part 2.

■ 2. Section 214.2 is amended by revising paragraph (f)(10)(ii)(D) to read as follows:

#### § 214.2 Special requirements for admission, extension and maintenance of status.

\* \* \* \* \*

- (f) \* \* \*  
(10) \* \* \*  
(ii) \* \* \*

(D) *Duration of status while on post-completion OPT.* For a student with approved post-completion OPT, the duration of status is defined as the period beginning when the student's application for OPT was properly filed and pending approval, including the authorized period of post-completion OPT, and ending 60 days after the OPT employment authorization expires (allowing the student to prepare for departure, change educational levels at the same school, or transfer in accordance with paragraph (f)(8) of this section).

\* \* \* \* \*

#### PART 274a—CONTROL OF EMPLOYMENT OF ALIENS

■ 3. The authority citation for part 274a continues to read as follows:

**Authority:** 8 U.S.C. 1101, 1103, 1324a; 8 CFR part 2; Pub. L. 101–410, 104 Stat. 890, as amended by Pub. L. 104–134, 110 Stat. 1321.

■ 4. Section 274a.12 is amended by:  
■ a. Removing the word "Or" from the beginning of paragraph (b)(6)(v); and  
■ b. Adding paragraphs (c)(3)(ii) and (iii).

The additions read as follows:

#### § 274a.12 Classes of aliens authorized to accept employment.

\* \* \* \* \*

- (c) \* \* \*  
(3) \* \* \*

(ii) Has been offered employment under the sponsorship of an international organization within the meaning of the International Organization Immunities Act (59 Stat. 669) and who presents a written certification from the international organization that the proposed employment is within the scope of the organization's sponsorship. The F-1 student must also present a Form I-20 ID or SEVIS Form I-20 with employment page completed by DSO certifying eligibility for employment; or  
(iii) Is seeking employment because of severe economic hardship pursuant to 8

CFR 214.2(f)(9)(ii)(C) and has filed the Form I-20 ID and Form I-538 (for non-SEVIS schools), or SEVIS Form I-20 with employment page completed by the DSO certifying eligibility, and any other supporting materials such as affidavits which further detail the unforeseen economic circumstances that require the student to seek employment authorization.

\* \* \* \* \*

**Christina E. McDonald,**

*Deputy Associate General Counsel for Regulatory Affairs.*

[FR Doc. E9–12861 Filed 6–2–09; 8:45 am]

**BILLING CODE 9111–28–P**

#### FEDERAL RESERVE SYSTEM

##### 12 CFR Part 229

[Regulation CC; Docket No. R–1358]

#### Availability of Funds and Collection of Checks

**AGENCY:** Board of Governors of the Federal Reserve System.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** The Board of Governors (Board) is amending the routing number guide to next-day availability checks and local checks in Regulation CC to delete the reference to the head office of the Federal Reserve Bank of Minneapolis and to reassign the Federal Reserve routing symbols currently listed under that office to the head office of the Federal Reserve Bank of Cleveland. These amendments reflect the restructuring of check-processing operations within the Federal Reserve System.

**DATES:** The final rule will become effective on July 25, 2009.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey S. H. Yeganeh, Financial Services Manager (202/728–5801), or Joseph P. Baressi, Financial Services Project Leader (202/452–3959), Division of Reserve Bank Operations and Payment Systems; or Dena L. Milligan, Attorney (202/452–3900), Legal Division. For users of Telecommunications Devices for the Deaf (TDD) only, contact 202/263–4869.

**SUPPLEMENTARY INFORMATION:** Regulation CC establishes the maximum period a depository bank may wait between receiving a deposit and making the deposited funds available for withdrawal.<sup>1</sup> A depository bank

<sup>1</sup> For purposes of Regulation CC, the term "bank" refers to any depository institution, including