

(h) That the request cannot be satisfied to the same extent through requests for access to reasonably described records under the Freedom of Information Act or the mandatory declassification review provisions of Executive Order 13526.

**§ 1909.15 [Removed]**

- 9. Remove § 1909.15.

**§ 1909.16 [Amended]**

- 10. Revise § 1909.16 to read as follows:

**§ 1909.16 Action by Agency Release Panel (ARP).**

The ARP shall meet on a regular schedule and may take action when a simple majority of the total membership is present. Issues shall be decided by a majority of the members present. In all cases of a divided vote, before the decision of the ARP becomes final, any member of the ARP may by written memorandum to the Executive Secretary of the ARP, refer such matters to the Director, Information Management Services (D/IMS) for decision. In the event of a disagreement with any decision by D/IMS, Directorate heads may appeal to the Associate Deputy Director, CIA (ADD) for resolution. The final Agency decision shall reflect the vote of the ARP, unless changed by the D/IMS or the ADD.

- 11. Revise § 1909.17 as follows:

**§ 1909.17 Notification of decision.**

The Executive Secretary shall inform the requester of the final Agency decision and, if favorable, shall manage the access for such period as deemed required but in no event for more than two years unless renewed by the Panel or Board in accordance with the requirements of this Part.

- 12. Revise § 1909.18 to read as follows:

**§ 1909.18 Termination of access.**

The Coordinator shall cancel any authorization and deny any further access whenever the Director of Security cancels the security clearance of a requester (or research associate, if any); or whenever the Agency Release Panel determines that continued access would no longer be consistent with the requirements of this Part; or at the conclusion of the authorized period of up to two years.

Dated: August 10, 2011.

**Joseph W. Lambert,**

*Director, Information Management Services.*

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**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 117**

[Docket No. USCG-2011-0788]

**Drawbridge Operation Regulations; Hutchinson River, Bronx, NY**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Amtrak Pelham Bay Railroad Bridge at mile 0.5, across the Hutchinson River at the Bronx, New York. The deviation is necessary to facilitate scheduled maintenance at the bridge. This deviation allows the bridge to remain in the closed position for two days followed by a two hour advance notice requirement for 20 days.

**DATES:** This deviation is effective from September 6, 2011 through September 29, 2011.

**ADDRESSES:** Documents mentioned in this preamble as being available in the docket are part of docket USCG-2011-0788 and are available online at <http://www.regulations.gov>, inserting USCG-2011-0788 in the "Keyword" and then clicking "Search". They are also available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or e-mail Ms. Judy Leung-Yee, Project Officer, First Coast Guard District, [judy.k.leung-yee@uscg.mil](mailto:judy.k.leung-yee@uscg.mil), or telephone (212) 668-7165. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:** The Amtrak Pelham Bay Railroad Bridge, across the Hutchinson River at mile 0.5, at the Bronx, New York, has a vertical clearance in the closed position of 8 feet at mean high water and 15 feet at mean low water. The drawbridge operation regulations are listed at 33 CFR 117.793.

The waterway users are mostly commercial operators.

The owner of the bridge, National Railroad Passenger Company (Amtrak), requested a temporary deviation from the regulations to facilitate scheduled

maintenance, replace track ties, at bridge.

Under this temporary deviation the Amtrak Pelham Bay Railroad Bridge may remain in the closed position between September 6, 2011 and September 8, 2011, and from September 9, 2011 through September 29, 2011, a two hour advance notice shall be required for bridge openings. Vessels that can pass under the bridge in the closed position may do so at any time.

The commercial users were notified. No objections were received.

In accordance with 33 CFR 117.35(e), the bridge must return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: September 6, 2011.

**Gary Kassof,**

*Bridge Program Manager, First Coast Guard District.*

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**DEPARTMENT OF EDUCATION**

**34 CFR Subtitle B, Chapter II**

[Docket ID ED-2011-OS-0010]

RIN 1894-AA03

**State Fiscal Stabilization Fund Program**

**AGENCY:** Department of Education.

**ACTION:** Interim final requirement; request for comments.

**SUMMARY:** On November 12, 2009, the Secretary of Education (Secretary) published in the **Federal Register** a notice of final requirements, definitions, and approval criteria for the State Fiscal Stabilization Fund (SFSF) program (November 2009 Notice). In that notice, the Secretary established September 30, 2011 as the deadline by which States had to collect and publicly report data and other information on various SFSF indicators and descriptors. Since publication of the November 2009 notice, States have faced many challenges and competing priorities in trying to meet the requirements of some of the SFSF indicators by the September 30, 2011 deadline. As a result, a number of States will be unable to comply fully with the SFSF requirements by the September 30, 2011 deadline. Accordingly, in this interim final requirement, the Secretary extends that deadline to January 31, 2012.

**DATES:** This interim final requirement is effective September 23, 2011. We must