

- g. In Alternate V—
- i. In the clause heading, removing the date “(DEC 2016)” and adding “(DEC 2017)” in its place; and
- ii. In paragraph (a), the definition of “Qualifying country”, adding, in alphabetical order, the country of “Latvia”.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

49 CFR Part 219

[Docket No. FRA-2001-11213, Notice No. 22]

Drug and Alcohol Testing: Determination of Minimum Random Testing Rates for 2018

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notification of determination.

SUMMARY: This notification of determination announces the FRA Administrator’s minimum annual random drug and alcohol testing rates for calendar year 2018.

DATES: This notification of determination is effective December 28, 2017.

FOR FURTHER INFORMATION CONTACT: Jerry Powers, FRA Drug and Alcohol Program Manager, W33-310, Federal Railroad Administration, 1200 New Jersey Avenue SE, Washington, DC 20590 (telephone 202-493-6313); or Sam Noe, FRA Drug and Alcohol Program Specialist (telephone 615-719-2951).

SUPPLEMENTARY INFORMATION: For the next calendar year, FRA determines the minimum annual random drug testing rate and the minimum annual random alcohol testing rate for railroad employees covered by hours of service laws and regulations (covered service employees) based on the railroad industry data available for the two previous calendar years (for this document, calendar years 2015 and 2016). Railroad industry data submitted to FRA’s Management Information System (MIS) shows the rail industry’s random drug testing positive rate for covered service employees has continued to be below 1.0 percent for the applicable two calendar years. FRA’s Administrator has therefore determined the minimum annual random drug testing rate from January 1, 2018 through December 31, 2018, will remain at 25 percent of covered service

employees under § 219.602 of FRA’s drug and alcohol rule (49 CFR part 219). In addition, because the industry-wide random alcohol testing violation rate for covered service employees has continued to be below 0.5 percent for the applicable two calendar years, the Administrator has determined the minimum annual random alcohol testing rate will remain at 10 percent of covered service employees from January 1, 2018 through December 31, 2018, under § 219.608. Because these rates represent minimums, railroads may conduct FRA random testing of covered service employees at higher rates.

On June 12, 2017, maintenance-of-way (MOW) employees became subject to FRA random drug and alcohol testing. In the final rule which expanded the scope of part 219 to include MOW employees (81 FR 37894, June 10, 2016), FRA had set the initial minimum annual random testing rates for MOW employees at 50 percent of MOW employees for drugs and 25 percent of MOW employees for alcohol; FRA had set identical initial minimum random testing rates for covered employees when they first became subject to random testing. Unlike covered employees, however, FRA does not yet have two full years of MIS data to gauge the industry-wide random drug and random alcohol positive rates for MOW employees. For this reason, FRA’s Administrator has determined that for MOW employees, from January 1, 2018 through December 31, 2018, the minimum annual random drug testing rate will remain at 50 percent of MOW employees, and the minimum annual random alcohol testing rate will remain at 25 percent of MOW employees. As with covered service employees, because these rates represent minimums, railroads may conduct FRA random testing of MOW employees at higher rates.

Issued in Washington, DC, on December 21, 2017.

Juan D. Reyes, III,
Chief Counsel.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 170816768-7999-02]

RIN 0648-BH14

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Modifications to Greater Amberjack Allowable Harvest and Rebuilding Plan

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule.

SUMMARY: NMFS issues regulations to implement management measures described in a framework action to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico (FMP), as prepared by the Gulf of Mexico Fishery Management Council (Council). This final rule revises the commercial and recreational annual catch limits (ACLs) and annual catch targets (ACTs), and modifies the recreational fixed closed season for greater amberjack in the Gulf of Mexico (Gulf) exclusive economic zone (EEZ). The purpose of this final rule and the framework action is to adjust the rebuilding time period and to revise the sector ACLs and ACTs consistent with updated stock status information to end overfishing and rebuild the greater amberjack stock in the Gulf.

DATES: This final rule is effective January 27, 2018.

ADDRESSES: Electronic copies of the framework action, which includes an environmental assessment, a regulatory impact review, and a Regulatory Flexibility Act (RFA) analysis may be obtained from the Southeast Regional Office website at http://sero.nmfs.noaa.gov/sustainable_fisheries/gulf_fisheries/reef_fish/2017/GAJ_Framework/gaj_framework.pdf.

FOR FURTHER INFORMATION CONTACT: Kelli O’Donnell, Southeast Regional Office, NMFS, telephone: 727-824-5305, email: Kelli.ODonnell@noaa.gov.

SUPPLEMENTARY INFORMATION: The Gulf reef fish fishery, which includes greater amberjack, is managed under the FMP. The Council prepared the FMP, and NMFS implements the FMP under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) through regulations at 50 CFR part 622.