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 DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Random Drug and Alcohol Testing Percentage Rates of Covered
 Aviation Employees for the Period of January 1, 2009, through December
 31, 2009

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice.

 SUMMARY: The FAA has determined that the minimum random drug and
 alcohol testing percentage rates for the period January 1, 2009,
 through December 31, 2009, will remain at 25 percent of safety-
 sensitive employees for random drug testing and 10 percent of safety-
 sensitive employees for random alcohol testing.

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FOR FURTHER INFORMATION CONTACT: Mr. Jeff Stookey, Office of Aerospace
 Medicine, Drug Abatement Division, Program Administration Branch (AAM-
 810), Federal Aviation Administration, 800 Independence Avenue SW.,
 Washington, DC 20591; telephone (202) 267-8442.

Discussion: Pursuant to 14 CFR part 121, appendix I, section V.C,
 the FAA Administrator's decision on whether to change the minimum
 annual random drug testing rate is based on the reported random drug
 test positive rate for the entire aviation industry. If the reported
 random drug test positive rate is less than 1.00%, the Administrator
 may continue the minimum random drug testing rate at 25%. In 2007, the
 random drug test positive rate was 0.60%. Therefore, the minimum random
 drug testing rate will remain at 25% for calendar year 2009.

Similarly, 14 CFR part 121, appendix J, section III.C, requires the
 decision on the minimum annual random alcohol testing rate to be based
 on the random alcohol test violation rate. If the violation rate
 remains less than 0.50%, the Administrator may continue the minimum
 random alcohol testing rate at 10%. In 2007, the random alcohol test
 violation rate was 0.13%. Therefore, the minimum random alcohol testing
 rate will remain at 10% for calendar year 2009.

SUPPLEMENTARY INFORMATION: If you have questions about how the annual
 random testing percentage rates are determined please refer to the Code
 of Federal Regulations Title 14: part 121, appendix I, section V.C (for
 drug testing), and appendix J, section III.C (for alcohol testing).

Issued in Washington, DC on December 15, 2008.

James R. Fraser,
 Deputy Federal Air Surgeon.

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