

the “primary pipeline operator”. For shared D&A programs, the “primary operator” must be identified to PHMSA through Safety Program Relationship (SPR) data before submitting a DAMIS report. Operators are reminded to review their D&A program records to check the SPR status of their D&A program. If changes are needed to properly align the SPR data with the operator’s D&A program, the operator must make a written notification to PHMSA.

The PHMSA regulations governing DAMIS reporting (§§ 199.119 and 199.229) are based on whether the primary operator is a large operator or a small operator. Pursuant to §§ 199.119(a) and 199.229(a), a large operator is an operator with more than 50 covered employees. Large operators are required to submit a DAMIS report each calendar year. Pursuant to §§ 199.119(a) and 199.229(a), a small operator is an operator with 50 or fewer covered employees. Small operators are only required to submit a DAMIS report if the operator receives a “written notice” from PHMSA requesting a report. PHMSA transmits written notices as messages in the PHMSA Portal in late December each calendar year.

To calculate the number of D&A covered employees to determine whether an operator is a large or small primary operator, include all covered employees of the primary operator plus all covered employees of any business units included in the DAMIS report under a shared D&A program. If your covered employees are in a random drug testing pool managed by a consortium, count only your own covered employees. If you have any covered employees subject to D&A testing under more than one DOT agency, count only those employees who were D&A tested under PHMSA, which is the agency selected on the Federal Drug Testing Custody and Control Form (CCF) or on the Alcohol Testing Form. While contractor employees are covered employees requiring D&A testing, contractor employees are not used to calculate whether a “primary pipeline operator” is a large or small operator. Therefore, do not include contractor employees in the above calculations.

Pipeline operators are no longer required to “accept” contractor reports. Instead, an operator will simply list the contractor and the contractor’s DAMIS report automatically becomes part of the operator’s report once the contractor has submitted its report to DAMIS. Furthermore, operators will not be able to view contractor data reports through

DAMIS, but can get the report directly from the contractor, if they so desire.

For each contractor listed by a primary operator, DAMIS will show if a *Login.gov invitation* has been generated for the contractor. If no *Login.gov invitation* has been created for the contractor or if the *Login.gov invitation* was created for the wrong email address, the primary operator can generate a new *Login.gov invitation* by entering a new email address for the contractor. This email address cannot already be in use to access DAMIS for a primary operator or a different contractor.

**Primary Operator MFA Login:** In September 2023, PHMSA communicated by email with primary operators to confirm the email address of the person who will submit the primary operator’s DAMIS report. These confirmed email addresses will be loaded into DAMIS by the end of calendar year 2023. In early January 2024, DAMIS will generate a one-time/one-use *Login.gov invitation* for the confirmed email addresses. PHMSA will also make *Login.gov invitations* available in the PHMSA Portal.

#### **Contractor DAMIS Reporting**

Because contractors do not have OPIDs, PHMSA uses a Business Tax Identification Number (BTIN) to track contractors in the DAMIS database.

A contractor may perform D&A covered functions for one pipeline operator or multiple operators. Additionally, a contractor may be local, regional, or nationwide, and/or may operate from a single location or from multiple locations. Regardless, the clear intent is for PHMSA and DOT to collect contractor D&A test data that is complete, accurate, and nonrepetitive. Accordingly, each contractor must prepare a single, complete, and accurate DAMIS report that includes all its D&A covered employees and all their DOT D&A test data. A contractor does not prepare or submit a separate and distinct DAMIS report for each pipeline operator or for a contractor’s separate offices or locations unless those offices are distinct and separate under their own BTIN. Moreover, a contractor must not report the same covered employees and the same D&A tests in more than one BTIN. If a contractor has more than one BTIN, the contractor must allocate individual employees and their D&A tests results among the BTINs for which they actually worked, or report all the contractor’s employees and test results under one BTIN.

PHMSA does not need or require a DAMIS report from each BTIN. PHMSA requires a valid set of contractor D&A

test data that reflects the complete and accurate picture of who the contractor D&A tested and what the results of those tests were. PHMSA does not want covered employees or D&A tests to be reported more than once. If test results can be reported under one BTIN, that is acceptable.

PHMSA also recognizes that some pipeline operators perform D&A covered functions for other PHMSA regulated pipeline operators. While this may take place under a contract, pipeline operators with an OPID must never be listed as a contractor by any other pipeline operator in a DAMIS report.

**Contractor MFA Login:** MFA will allow access for contractors to enter their D&A testing data directly into DAMIS. In September 2023, PHMSA communicated by email with contractors to confirm the email address of the person who will submit the contractor DAMIS report. These confirmed email addresses will be loaded into DAMIS by the end of calendar year 2023. In early January 2024, DAMIS will generate a one-time/one-use *Login.gov invitation* for the confirmed email address. Contractors can also request a new *Login.gov invitation* for a new email address by sending a request to [PHMSAPipelineDAMIS@dot.gov](mailto:PHMSAPipelineDAMIS@dot.gov).

Any primary operator can generate a new *Login.gov invitation* for a contractor by entering an email address that is not already established with *Login.gov* access to DAMIS.

Issued in Washington, DC on December 1, 2023, under authority delegated in 49 CFR 1.97.

**Alan K. Mayberry,**

*Associate Administrator for Pipeline Safety.*

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## **DEPARTMENT OF TRANSPORTATION**

### **Bureau of Transportation Statistics**

[Docket ID Number: DOT–OST–2014–0031]

#### **Agency Information Collection: Activity Under OMB Review: Report of Passengers Denied Confirmed Space—BTS Form 250**

**AGENCY:** Office of the Assistant Secretary for Research and Technology (OST–R), Bureau of Transportation Statistics (BTS), DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, this notice announces that the Information Collection Request (ICR) abstracted below is being forwarded to the Office

of Management and Budget (OMB) for an extension of a previously approved collection. The ICR describes the nature of the information collection and its expected burden. The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on September 5, 2023. There were no comments. As the September 5, 2023, Notice solicits comments from the public on whether it is appropriate for the Department to continue to collect information on oversales from airlines, the issues raised by these comments are beyond the scope of this Notice and will not be addressed here. Specifically, having obsolete regulations that allow three legacy carriers and one discount carrier to control 80% of the domestic aviation market, while banning foreign competitors from offering U.S. domestic flights, and allowing airlines to book to 100% capacity or overbook to increase their revenue stream. With respect to the overbooking comment, the FAA has no jurisdiction in this matter, however, the Department does. And although it is not the Department's policy or purpose to dictate how airlines internally manage their business; this ended with deregulation of the aviation industry in 1979, it is the Department's policy and purpose to protect and standardize how the airlines treat their passengers.

**DATES:** Written comments should be submitted by January 8, 2024.

**FOR FURTHER INFORMATION CONTACT:** Cecelia Robinson, Office of Airline Information, RTS-42, OST-R, BTS, 1200 New Jersey Avenue SE, Washington, DC 20590-0001, Telephone Number (202) 893-0515, Fax Number (202) 366-3383 or email [cecilia.robinson@dot.gov](mailto:cecilia.robinson@dot.gov).

*Comments:* Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

**SUPPLEMENTARY INFORMATION:** Title 14 of the Code of Federal Regulations, part 250, addresses how airlines are to conduct their overbooking processes and compensate passengers in the event of an overbooking.

*OMB Approval No.:* 2138-0018.

*Title:* Report of Passengers Denied Confirmed Space.

*Form No.:* BTS Form 250.

*Type of Review:* Extension of a currently approved collection.

### U.S. Air Carriers for Flights They Operate

*Respondents:* Large certificated air carriers.

*Number of Respondents:* 15.

*Number of Quarterly Responses:* 60.

*Number of Hours per Response:* 10.

*Total Annual Burden:* 600 hours.

### U.S. Air Carriers for Codeshare Flights They Market

*Respondents:* Large certificated air carriers.

*Number of Respondents:* 4.

*Number of Responses:* 16.

*Number of Hours per Response:* 6.

*Total Annual Burden:* 96 hours.

*Needs and Uses:* BTS Form 250 is a one-page report on the number of passengers denied seats either voluntarily or involuntarily, whether these bumped passengers were provided alternate transportation and/or compensation, and the amount of the payment. On November 3, 2016, the Department published a Final Rule (see 81 FR 76800) that changed the number of U.S. air carriers that account for at least 1 percent to half of one percent of domestic scheduled-service passenger revenues who must report all operations with 30 seat or larger aircraft that depart a U.S. airport.

Carriers do not report data from inbound international flights because the protections of 14 CFR part 250 *Oversales* do not apply to these flights. The report allows the Department to monitor the effectiveness of its oversales rule and take enforcement action when necessary. The involuntarily denied-boarding rate has decreased from 4.38 per 10,000 passengers in 1980 to 0.24 per 10,000 passengers in 2019. The publishing of the carriers' individual denied boarding rates has negated the need for more intrusive regulation. The rate of denied boarding can be examined as a continuing fitness factor. This rate provides an insight into a carrier's customer service practices. A rapid sustained increase in the rate of denied boarding may indicate operational difficulties. Because the rate of denied boarding is released quarterly, travelers and travel agents can select carriers with lower incidences of denied boardings. This information is available in the *Air Travel Consumer Report* at: <http://airconsumer.ost.dot.gov/reports/index.htm>. The *Air Travel Consumer Report* is also sent to newspapers, magazines, and trade journals. Without Form 250, determining the effectiveness of the Department's oversales rule would be impossible.

The Confidential Information Protection and Statistical Efficiency Act

of 2002 (44 U.S.C. 3501 note), requires a statistical agency to clearly identify information it collects for non-statistical purposes. BTS hereby notifies the respondents and the public that BTS uses the information it collects under this OMB approval for non-statistical purposes including, but not limited to, publication of both Respondent's identity and its data, submission of the information to agencies outside BTS for review, analysis, and possible use in regulatory and other administrative matters.

Issued in Washington, DC, on December 4, 2023.

**William Chadwick, Jr.,**

*Director, Office of Airline Information, U.S. Department of Transportation.*

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## DEPARTMENT OF THE TREASURY

### Bureau of the Fiscal Service

#### Application and Renewal Fees Imposed on Surety Companies and Reinsuring Companies; Increase in Fees Imposed

**AGENCY:** Bureau of the Fiscal Service, Treasury.

**ACTION:** Notice of fees imposed on surety companies and reinsuring companies.

**SUMMARY:** The Department of the Treasury, Bureau of the Fiscal Service, is increasing the fees it imposes on and collects from surety companies and reinsuring companies, effective January 1, 2024.

**FOR FURTHER INFORMATION CONTACT:** Melvin Saunders, at (304) 480-5108 or [melvin.saunders@fiscal.treasury.gov](mailto:melvin.saunders@fiscal.treasury.gov); or Bobbi McDonald, at (304) 480-7098 or [bobbi.mcdonald@fiscal.treasury.gov](mailto:bobbi.mcdonald@fiscal.treasury.gov).

**SUPPLEMENTARY INFORMATION:** The Independent Offices Appropriations Act of 1952 (IOAA), codified at 31 U.S.C. 9701, authorizes Federal agencies to establish fees for a service or thing of value provided by the agency to members of the public. Office of Management and Budget Circular A-25 allows agencies to impose user fees for services that confer a special benefit to identifiable recipients beyond those accruing to the general public. Pursuant to 31 CFR 223.22, Treasury imposes fees on surety companies and reinsuring companies seeking to obtain or renew certification or recognition from Treasury. The fees imposed and collected cover the costs incurred by the Government for services performed reviewing, analyzing, and evaluating the