

with another firm in the same or similar line of business, and that firm or an owner, director, officer, or manager, or a direct relative of an owner, director, officer, or manager of that firm owns an equity interest in the concern.

(5) A non-service-disabled veteran individual or entity, having an equity interest in the concern, provides critical financial or bonding support.

(6) In circumstances where a critical license is held by a non-service-disabled individual, or other entity, the non-service-disabled individual or entity may be found to control the firm. A critical license is considered any license that would normally be required of firms operating in the same field or industry, regardless of whether a specific license is required on a specific contract.

(7) Business relationships exist with non-service-disabled veteran individuals or entities which cause such dependence that the applicant or concern cannot exercise independent business judgment without great economic risk.

(j) *Critical financing.* A non-service-disabled veteran individual or entity may be found to control the concern through loan arrangements with the concern or the service-disabled veteran(s). Providing a loan or a loan guaranty on commercially reasonable terms does not, by itself, give a non-service-disabled veteran individual or entity the power to control a firm, but when taken into consideration with other factors may be used to find that a non-service-disabled firm or individual controls the concern.

(k) *Normal business hours.* There is a rebuttable presumption that a service-disabled veteran does not control the firm when the service-disabled veteran is not able to work for the firm during the normal working hours that businesses in that industry normally work. This may include, but is not limited to, other full-time or part-time employment, being a full-time or part-time student, or any other activity or obligation that prevents the service-disabled veteran from actively working for the firm during normal business operating hours.

(l) *Close proximity.* There is rebuttable presumption that a service-disabled veteran does not control the firm if that individual is not located within a reasonable commute to firm's headquarters and/or job-sites locations, regardless of the firm's industry. The service-disabled veteran's ability to answer emails, communicate by telephone, or to communicate at a distance by other technological means, while delegating the responsibility of

managing the concern to others is not by itself a reasonable rebuttal.

(m) *Exception for "extraordinary circumstances."* SBA will not find that a lack of control exists where a service-disabled veteran does not have the unilateral power and authority to make decisions in "extraordinary circumstances." The only circumstances in which this exception applies are those articulated in the definition.

(n) *Exception for reservists recalled to active duty.* Notwithstanding the provisions of this section requiring a service-disabled veteran to control the daily business operations and long-term strategic planning of a concern, where a service-disabled veteran individual upon whom eligibility is based is a reserve component member in the United States military who has been recalled to active duty, the concern may elect to designate in writing one or more individuals to control the concern on behalf of the service-disabled veteran during the period of active duty. The concern will not be considered ineligible based on the absence of the service-disabled veteran during the period of active duty. The concern must keep records evidencing the active duty and the written designation of control, and provide those documents to VA, and if requested to SBA.

■ 5. Amend § 125.22 by revising paragraph (a) to read as follows:

**§ 125.22 When may a contracting officer set-aside a procurement for SDVO SBCs?**

(a) The contracting officer first must review a requirement to determine whether it is excluded from SDVO contracting pursuant to § 125.21.

\* \* \* \* \*

■ 6. Amend § 125.23 by revising paragraphs (a) and (b) to read as follows:

**§ 125.23 When may a contracting officer award sole source contracts to SDVO SBCs?**

\* \* \* \* \*

(a) None of the provisions of § 125.21 or § 125.22 apply;

(b) The anticipated award price of the contract (including options) will not exceed \$6,500,000 in the case of a contract assigned a NAICS code for manufacturing, or \$4,000,000 in the case of any other contract opportunity;

\* \* \* \* \*

Dated: January 18, 2018.

**Linda E. McMahon,**  
*Administrator.*

[FR Doc. 2018-01392 Filed 1-26-18; 8:45 am]

**BILLING CODE 8025-01-P**

## **NATIONAL LABOR RELATIONS BOARD**

### **29 CFR Parts 101 and 102**

**RIN 3142-AA12**

#### **Representation-Case Procedures**

**AGENCY:** National Labor Relations Board.

**ACTION:** Request for information; extension of time to submit responses.

**SUMMARY:** The National Labor Relations Board (the Board) published a Request for Information in the **Federal Register** on December 14, 2017, seeking information from the public regarding its representation election regulations, with a specific focus on amendments to the Board's representation case procedures adopted by the Board's final rule published on December 15, 2014. The date to submit responses to the request for information is extended for three days as a result of the lapse in appropriations for the Federal government. The Board is also granting an additional 30 days to file responses to the request for information.

**DATES:** Responses to the request for information must be received by the Board on or before March 19, 2018. No late responses will be accepted. Responses are limited to 25 pages.

**ADDRESSES:** Electronic responses may be submitted by going to [www.nlr.gov](http://www.nlr.gov) and following the link to submit responses to this request for information. The Board encourages electronic filing. If you do not have the ability to submit your response electronically, responses may be submitted by mail to: Roxanne Rothschild, Deputy Executive Secretary, National Labor Relations Board, 1015 Half Street SE, Washington, DC 20570.

Dated: January 24, 2018.

**Roxanne Rothschild,**  
*Deputy Executive Secretary.*

[FR Doc. 2018-01622 Filed 1-26-18; 8:45 am]

**BILLING CODE P**

## **DEPARTMENT OF THE INTERIOR**

### **Office of Surface Mining Reclamation and Enforcement**

#### **30 CFR Part 901**

[SATS No. AL-081-FOR; Docket ID: OSM-2017-0006; S1D1S SS08011000 SX064A000 189S180110; S2D2S SS08011000 SX064A000 18XS501520]

#### **Alabama Regulatory Program**

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, Interior.

**ACTION:** Proposed rule; public comment period and opportunity for public hearing on proposed amendment.

**SUMMARY:** We, the Office of Surface Mining Reclamation and Enforcement (OSMRE), are announcing receipt of a proposed amendment to the Alabama regulatory program (Alabama program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act). Alabama proposes revisions to its program to allow the Alabama Surface Mining Commission (ASMC) to revise its current permit fee collection procedures from the term of the mine permit to enable the collection of permit fees over the entire life of the mine. The revision also defines the life of the mine to be from the issuance of the permit through the full release of the performance bond.

This document gives the locations and times where the Alabama program documents and proposed amendment to that program are available for your inspection, establishes the comment period during which you may submit written comments on the amendment, and describes the procedures we will follow for the public hearing, if one is requested.

**DATES:** We will accept written comments on this amendment until 4:00 p.m., CST, February 28, 2018. If requested, we will hold a public hearing about the amendment on February 23, 2018. We will accept requests to speak at a hearing until 4:00 p.m., CST on February 13, 2018.

**ADDRESSES:** You may submit comments, identified by SATS No. AL-081-FOR by any of the following methods:

- *Mail/Hand Delivery:* William Joseph, Acting Director, Birmingham Field Office, Office of Surface Mining Reclamation and Enforcement, 135 Gemini Circle, Suite 215, Homewood, Alabama 35209.

- *Fax:* (205) 290-7280.

- *Federal eRulemaking Portal:* The amendment has been assigned Docket ID OSM-2017-0006. If you would like to submit comments go to <http://www.regulations.gov>. Follow the instructions for submitting comments.

*Instructions:* All submissions received must include the agency name and docket number for this rulemaking. For detailed instructions on submitting comments and additional information on the rulemaking process, see the "Public Comment Procedures" heading of the **SUPPLEMENTARY INFORMATION** section of this document.

*Docket:* For access to the docket to review copies of the Alabama program, this amendment, a listing of any scheduled public hearings, and all

written comments received in response to this document, you must go to the address listed below during normal business hours, Monday through Friday, excluding holidays. You may receive one free copy of the amendment by contacting OSMRE's Birmingham Field Office or the full text of the program amendment is available for you to review at [www.regulations.gov](http://www.regulations.gov).

William Joseph, Acting Director, Birmingham Field Office, Office of Surface Mining Reclamation and Enforcement, 135 Gemini Circle, Suite 215, Homewood, Alabama 35209, Telephone: (205) 290-7282, Email: [bjoseph@osmre.gov](mailto:bjoseph@osmre.gov).

In addition, you may review a copy of the amendment during regular business hours at the following location: Alabama Surface Mining Commission, 1811 Second Ave., P.O. Box 2390, Jasper, Alabama 35502-2390, Telephone: (205) 221-4130.

**FOR FURTHER INFORMATION CONTACT:**

William Joseph, Acting Director, Birmingham Field Office. Telephone: (205) 290-7282. Email: [bjoseph@osmre.gov](mailto:bjoseph@osmre.gov).

**SUPPLEMENTARY INFORMATION:**

- I. Background on the Alabama Program
- II. Description of the Proposed Amendment
- III. Public Comment Procedures
- IV. Procedural Determinations

**I. Background on the Alabama Program**

Section 503(a) of the Act permits a State to assume primacy for the regulation of surface coal mining and reclamation operations on non-Federal and non-Indian lands within its borders by demonstrating that its program includes, among other things, state laws and regulations that govern surface coal mining and reclamation operations in accordance with the Act and consistent with the Federal regulations. See 30 U.S.C. 1253(a)(1) and (7). On the basis of these criteria, the Secretary of the Interior conditionally approved the Alabama program effective May 20, 1982. You can find background information on the Alabama program, including the Secretary's findings, the disposition of comments, and the conditions of approval of the Alabama program in the May 20, 1982, **Federal Register** (47 FR 22030). You can also find later actions concerning the Alabama program and program amendments at 30 CFR 901.10, 901.15 and 901.16.

**II. Description of the Proposed Amendment**

By email dated June 21, 2017 (Administrative Record No. AL-0671), Alabama sent us an amendment to its

program under SMCRA (30 U.S.C. 1201 *et seq.*) at its own initiative. Below is a summary of the changes proposed by Alabama. The full text of the program amendment is available for you to read at the locations listed above under

**ADDRESSES.**

Code of Alabama Section 9-16-83 Permits—Contents of application; reclamation plan; copy of application filed for public inspections; insurance; blasting plan.

Alabama proposes revisions to its program to allow the ASMC to revise its current permit fee collection procedures from the term of the mine permit to enable the collection of permit fees over the entire life of the mine. The revision also defines the life of the mine to be from the issuance of the permit through the full release of the performance bond.

**III. Public Comment Procedures**

Under the provisions of 30 CFR 732.17(h), we are seeking your comments on whether the amendment satisfies the applicable program approval criteria of 30 CFR 732.15. If we approve the amendment, it will become part of the State plan.

*Electronic or Written Comments*

If you submit written comments, they should be specific, confined to issues pertinent to the proposed regulations, and explain the reason for any recommended change(s). We appreciate any and all comments, but those most useful and likely to influence decisions on the final program will be those that either involve personal experience or include citations to and analyses of SMCRA, its legislative history, its implementing regulations, case law, other pertinent State or Federal laws or regulations, technical literature, or other relevant publications.

We cannot ensure that comments received after the close of the comment period (see **DATES**) or sent to an address other than those listed (see **ADDRESSES**) will be included in the docket for this rulemaking and considered.

*Public Availability of Comments*

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

### Public Hearing

If you wish to speak at the public hearing, contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4:00 p.m., CST on *February 13, 2018*. If you are disabled and need reasonable accommodations to attend a public hearing, contact the person listed under **FOR FURTHER INFORMATION CONTACT**. We will arrange the location and time of the hearing with those persons requesting the hearing. If no one requests an opportunity to speak, we will not hold a hearing.

To assist the transcriber and ensure an accurate record, we request, if possible, that each person who speaks at the public hearing provide us with a written copy of his or her comments. The public hearing will continue on the specified date until everyone scheduled to speak has been given an opportunity to be heard. If you are in the audience and have not been scheduled to speak and wish to do so, you will be allowed to speak after those who have been scheduled. We will end the hearing after everyone scheduled to speak and others present in the audience who wish to speak, have been heard.

### Public Meeting

If only one person requests an opportunity to speak, we may hold a public meeting rather than a public hearing. If you wish to meet with us to discuss the amendment, please request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings are open to the public and, if possible, we will post notices of meetings at the locations listed under **ADDRESSES**. We will make a written summary of each meeting a part of the administrative record.

### IV. Procedural Determinations

#### *Executive Order 12866—Regulatory Planning and Review*

Pursuant to Office of Management and Budget (OMB) Guidance dated October 12, 1993, the approval of state program amendments is exempted from OMB review under Executive Order 12866.

#### *Other Laws and Executive Orders Affecting Rulemaking*

When a State submits a program amendment to OSMRE for review, our regulations at 30 CFR 732.17(h) require us to hold a public hearing on a program amendment if it changes the objectives, scope or major policies followed, or make a finding that the State provided adequate notice and opportunity for public comment. Alabama has elected to have OSMRE publish a notice in the **Federal Register** indicating receipt of

the proposed amendment and soliciting comments. We will conclude our review of the proposed amendment after the close of the public comment period and determine whether the amendment should be approved, approved in part, or not approved. At that time, we will also make the determinations and certifications required by the various laws and executive orders governing the rulemaking process and include them in the final rule.

### List of Subjects in 30 CFR Part 901

Intergovernmental relations, Surface mining, Underground mining.

Dated: August 1, 2017.

**Alfred L. Clayborne,**  
*Regional Director, Mid-Continent Region.*

**Editorial Note:** The Office of the Federal Register received this document on January 24, 2018.

[FR Doc. 2018–01646 Filed 1–26–18; 8:45 am]

**BILLING CODE 4310–05–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR 165

**[Docket Number USCG–2017–1068]**

**RIN 1625–AA00**

#### **Safety Zone; Lower Mississippi River, New Orleans, LA**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to establish a temporary safety zone for all navigable waters on the Lower Mississippi River above Head of Passes between Mile Marker (MM) 95.0 and MM 96.0. This safety zone is necessary to protect persons and vessels from potential safety hazards associated with a fireworks display on April 14, 2018. This proposed rulemaking would prohibit persons and vessels from entering the safety zone unless authorized by the Captain of the Port Sector New Orleans or a designated representative. We invite your comments on this proposed rulemaking.

**DATES:** Comments and related material must be received by the Coast Guard on or before February 28, 2018.

**ADDRESSES:** You may submit comments identified by docket number USCG–2017–1068 using the Federal eRulemaking Portal at <http://www.regulations.gov>. See the “Public Participation and Request for Comments” portion of the

**SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this proposed rulemaking, call or email Lieutenant Commander (LCDR) Howard Vacco, Sector New Orleans, US Coast Guard at (504) 365–2281 or [Howard.K.Vacco@uscg.mil](mailto:Howard.K.Vacco@uscg.mil).

### SUPPLEMENTARY INFORMATION:

#### I. Table of Abbreviations

AHP Above Head of Passes  
BNM Broadcast Notice of Mariners  
CFR Code of Federal Regulations  
COTP Captain of the Port Sector New Orleans  
DHS Department of Homeland Security  
FR Federal Register  
LMR Lower Mississippi River  
MM Mile Marker  
MSIB Marine Safety Information Bulletin  
NPRM Notice of proposed rulemaking  
§ Section  
U.S.C. United States Code

#### II. Background, Purpose, and Legal Basis

On March 14, 2017, the 2018 NOLA Foundation notified the Coast Guard that it would be conducting a fireworks display from 8 p.m. to 8:20 p.m. on April 14, 2018, to commemorate the tri-centennial anniversary of the French Quarter Fest. The fireworks are to be launched from a barge in the Mississippi River approximately located at mile marker (MM) 95.5 Above Head of Passes (AHP). Hazards from firework displays include accidental discharge of fireworks, dangerous projectiles, and falling hot embers or other debris. The Captain of the Port Sector New Orleans (COTP) has determined that potential hazards associated with the fireworks would be a safety concern for anyone within a one-mile length of the river.

The purpose of this rulemaking is to ensure the safety of vessels on the navigable waters within a one-mile range of the fireworks barge before, during, and after the scheduled event. The Coast Guard proposes this rulemaking under authority in 33 U.S.C. 1231.

#### III. Discussion of Proposed Rule

The COTP proposes to establish a safety zone from 7:30 p.m. to 9 p.m. on April 14, 2018. The safety zone would cover all navigable waters of the Lower Mississippi River between MM 95 and 96AHP. The duration of the zone is intended to ensure the safety of vessels and these navigable waters before, during, and after the scheduled fireworks display. No vessel or person would be permitted to enter the safety