

219.201 General policy.

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(d) For the defense agencies, the director of the Office of Small and Disadvantaged Business Utilization must be appointed by, be responsible to, and report directly to the director or deputy director of the defense agency.

(8) The responsibility for assigning small business technical advisors is delegated to the head of the contracting activity.

(10) Contracting activity small business specialists perform this function by—

(A) Reviewing and making recommendations for all acquisition over \$10,000;

(B) Making the review before issue of the solicitation or contract modification and documenting it on DD Form 2579, Small Business Coordination Record; and

(C) Referring recommendations that have been rejected by the contracting officer to the Small Business Administration (SBA) procurement center representative. However, if an SBA representative is not assigned or available, the specialist refers the matter to the specialist's appointing authority.

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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**48 CFR Part 1842****Final Indirect Cost Rates**

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Final rule.

SUMMARY: This is a final rule amending the NASA FAR Supplement (NFS) to provide guidance on when NASA participation should occur in the determination of final indirect cost rates.

EFFECTIVE DATE: October 25, 2000.

FOR FURTHER INFORMATION CONTACT: Mr. Joseph Le Cren, NASA Headquarters, Office of Procurement, Contract Management Division (Code HK), Washington, DC 20546, telephone: (202) 358-0444, e-mail: joseph.lecren@hq.nasa.gov.

SUPPLEMENTARY INFORMATION:**A. Background**

A NASA Office of Inspector General report interpreted the coverage at NFS 1842.705-1 to always require NASA participation in final indirect cost rate

determinations where the agency has a major financial interest. The intent of the coverage was that NASA should participate in final indirect cost rate determinations when invited by the cognizant contracting officer, and the issues involved would have a significant financial impact on the agency. NASA should not participate when the issues would not have a significant impact on the agency. The NFS revision more clearly communicates this intent. The NFS revision also specifies that, in cases where the issues involved in the final indirect cost rate determination would have a significant financial impact on the agency and a decision is made not to participate, the decision needs to be communicated to the cognizant contracting officer.

B. Regulatory Flexibility Act

This final rule does not constitute a significant revision within the meaning of FAR 1.501 and Pub. L. 98-577, and publication for public comments is not required. However, comments from small entities concerning the affected NFS subpart will be considered in accordance with 5 U.S.C. 610. Such comments must be submitted separately and should cite 5 U.S.C. 601, *et seq.*

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes to the NFS do not impose recordkeeping or information collection requirements, or collections of information from offerors, contractors, or members of the public which require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Part 1842

Government procurement.

Tom Luedtke,

Associate Administrator for Procurement.

Accordingly, 48 CFR Part 1842 is amended as follows:

1. The authority citation for 48 CFR Part 1842 continues to read as follows:

Authority: 42 U.S.C. 2473 (c)(1).

PART 1842—CONTRACT ADMINISTRATION AND AUDIT SERVICES

2. Revise section 1842.705-1 to read as follows:

1842.705-1 Contracting officer determination procedure.

(b) *Procedures.*

(3)(i) When NASA is not the cognizant Federal agency, NASA should participate with the cognizant contracting officer (or cognizant Federal

agency official) in the final indirect cost rate determination procedure where the issues involved would have a significant financial impact on the agency. The NASA participant should be a representative from that installation providing the preponderance of NASA funding. If a determination is made that NASA's participation is not warranted, that decision must be communicated to the cognizant contracting officer (or cognizant Federal agency official).

(ii) When NASA is the cognizant Federal agency, settlement of indirect costs should be conducted by the cognizant NASA contracting officer (normally from the installation providing the preponderance of NASA funding).

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 635**

[I.D. 101700B]

Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna

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

ACTION: Retention limit adjustment.

SUMMARY: NMFS adjusts the daily retention limit for the Angling category fishery for Atlantic bluefin tuna (BFT) in all areas to two school BFT, measuring 27 to less than 47 inches (69 to less than 119 cm) curved fork length, and two BFT from either the large school or small medium size class, measuring 47 to less than 73 inches (119 to less than 150 cm) curved fork length, per vessel from October 22, 2000, through November 26, 2000. In addition, NMFS is making subsequent adjustments to the daily retention limit. This action is being taken to provide increased fishing and data collection opportunities in all areas without risking overharvest of this category.

DATES: Effective 1 a.m., local time, October 22, 2000, until 11:30 p.m., local time, November 26, 2000, the daily retention limit in all areas is adjusted to two school BFT and two large school or small medium BFT.

Effective November 27, 2000, the daily retention limit in all areas is adjusted to one large school or small medium BFT until May 31, 2001.