

(B) A nonuse of the easement for a consecutive 2-year period for the purpose for which granted; or

(C) An abandonment of the easement; or

(D) A determination by the Associate Administrator for Management Systems and Facilities, the Director, Facilities Engineering Division, or the appropriate Director of the Field Installation that the interests of the national space program, the national defense, or the public welfare require the termination of the easement; and a 30-day notice, in writing, to the grantee that the determination has been made.

(ii) That written notice of the termination shall be given to the grantee, or its successors or assigns, by the Associate Administrator for Management Systems and Facilities, the Director, Facilities Engineering Division, or the appropriate Director of the Field Installation, and that termination shall be effective as of the date of the notice.

(iii) For any other reservations, exceptions, limitations, benefits, burdens, terms, or conditions necessary to protect the interests of the United States.

(g) *Waivers.* If, in connection with a proposed granting of an easement, the Director of a Field Installation determines that a waiver from any of the restrictions in paragraph (f) of this section is appropriate, authority for the waiver may be requested from the Associate Administrator for Management Systems and Facilities or the Director, Facilities Engineering Division.

(h) *Services of the Corps of Engineers.* In exercising the authority herein granted, the Directors of Field Installations, under the applicable provisions of any cooperative agreement between NASA and the Corps of Engineers (in effect at that time), may:

(1) Utilize the services of the Corps of Engineers, U.S. Army.

(2) Delegate authority to the Corps of Engineers to execute, on behalf of NASA, grants of easements in real property, as authorized in this section, provided that the conditions set forth in paragraphs (f) and (g) of this section are complied with.

(i) *Distribution of documents.* One copy of each document granting an easement interest under this authority, in-

cluding instruments executed by the Corps of Engineers, will be forwarded for filing in the Central Depository for Real Property Documents to: National Aeronautics and Space Administration, Facilities Operations and Maintenance Branch (Code JXG), Facilities Engineering Division, Washington, DC 20546.

[51 FR 26860, July 28, 1986, as amended at 56 FR 57592, Nov. 13, 1991]

**§ 1204.504 Delegation of authority to grant leaseholds, permits, and licenses in real property.**

(a) *Delegation of authority.* The National Aeronautics and Space Act of 1958, as amended, authorizes NASA to grant leaseholds, permits, and licenses in real property. This authority is delegated to the Associate Administrator for Management Systems and Facilities and the Director, Facilities Engineering Division.

(b) *Definition.* *Real Property* means land, buildings, other structures and improvements, appurtenances, and fixtures located thereon.

(c) *Determination.* It is hereby determined that grants of leaseholds, permits, or licenses made in accordance with the provisions of this section will not be adverse to the interests of the United States.

(d) *Redelegation.* (1) The Directors of Field Installations with respect to real property under their supervision and management may, subject to the restrictions in paragraph (e) of this section, grant a leasehold, permit, or license to any person or organization, including other Government agencies, a State, or political subdivision or agency thereof. This authority may not be exercised with respect to real property which is (i) excess within the meaning of 40 U.S.C. 472(e), or (ii) proposed for use by a NASA exchange and subject to the provisions of NASA Management Instruction 9050.6, NASA Exchange Activities.

(2) The Directors of Field Installations may redelegate this authority to only two senior management officials of the Field Installation concerned.

(e) *Restrictions.* Except as otherwise specifically provided, no leasehold, permit, or license shall be granted under

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the authority stated in paragraph (d) of this section unless:

(1) The Director of the Field Installation concerned determines:

(i) That the interest to be granted is not required for a NASA program.

(ii) That the grantee's exercise of rights granted will not interfere with NASA operations.

(2) Fair value in money is received by NASA on behalf of the Government as consideration.

(3) The instrument provides:

(i) For a term not to exceed 5 years.

(ii) For the termination thereof, in whole or in part, and without cost to the Government if there has been:

(A) A failure to comply with any term or condition of the grant; or

(B) A determination by the Associate Administrator for Management Systems and Facilities, the Director, Facilities Engineering Division, or the Director of the Field Installation concerned that the interests of the national space program, the national defense, or the public welfare require the termination of the interest granted; and a 30-day notice, in writing, to the grantee that such determination has been made.

(iii) That written notice of termination shall be given to the grantee, or its successors or assigns, by the Associate Administrator for Management Systems and Facilities, the Director, Facilities Engineering Division, or the Director of the Field Installation concerned, and that termination shall be effective as of the date specified by such notice.

(iv) For any other reservations, exceptions, limitations, benefits, burdens, terms, or conditions necessary to protect the interests of the United States.

(f) *Waivers.* If, in connection with a proposed grant, the Director of a Field Installation determines that a waiver from any of the restrictions set forth in paragraph (e) of this section is appropriate, a request may be submitted to the Associate Administrator for Management Systems and Facilities or the Director, Facilities Engineering Division.

(g) *Services of the Corps of Engineers.* In exercising the authority herein granted, the Directors of Field Instal-

lations, pursuant to the applicable provisions of any cooperative agreement between NASA and the Corps of Engineers (in effect at the time), may:

(1) Utilize the services of the Corps of Engineers, U.S. Army.

(2) Delegate authority to the Corps of Engineers to execute, on behalf of NASA, any grants of interests in real property as authorized in this section provided that the conditions set forth in paragraphs (e) and (f) of this section are complied with.

(h) *Distribution of Documents.* One copy of each document granting an interest in real property, including instruments executed by the Corps of Engineers, will be forwarded for filing in the Central Depository for Real Property Documents to: National Aeronautics and Space Administrator, Facilities Operations and Maintenance Branch (Code JXG), Facilities Engineering Division, Washington, DC 20546.

[51 FR 27528, Aug. 1, 1986, as amended at 56 FR 57592, Nov. 13, 1991]

**§ 1204.505 Delegation of authority to execute certificates of full faith and credit.**

(a) *Scope.* This section designates NASA officials authorized to certify NASA documents to be submitted in evidence in Federal Courts.

(b) *Delegation of authority.* The following NASA Headquarters officials are delegated authority to execute certificates of full faith and credit (Office of the Administrator section of NASA Form 955) certifying the signatures and authority of employees of the National Aeronautics and Space Administration, whenever such certification is required to authenticate copies of official records for possible admission in evidence in judicial proceedings pursuant to 28 U.S.C. 1733 or any other statute:

(1) General Counsel;

(2) Deputy General Counsel;

(3) [Reserved]

(4) Assistant General Counsels.

[29 FR 6319, May 14, 1964, as amended at 39 FR 25229, July 9, 1974; 43 FR 34122, Aug. 3, 1978]