

(4) Responding pursuant to §1204.1510 of this part if the Administrator receives a recommendation from a designated areawide agency transmitted by a single point of contact, in cases in which the review, coordination, and communication with the Agency have been delegated.

(b) The Administrator uses the procedures in §1204.1510 if a state process provides a state process recommendation to the Agency through a single point of contact.

**§ 1204.1512 [Reserved]**

**§ 1204.1513 Waivers of provisions of these regulations.**

In an emergency, the Administrator may waive any provision of these regulations.

**Subpart 16—Temporary Duty Travel—Issuance of Motor Vehicle for Home-to-Work Transportation**

AUTHORITY: 31 U.S.C. 1344 note, 40 U.S.C. 486(c).

**§ 1204.1600 Issuance of motor vehicle for home-to-work.**

When a NASA employee on temporary duty travel is authorized to travel by Government motor vehicle and the official authorizing the travel determines that there will be a significant savings in time, a Government motor vehicle may be issued at the close of the preceding working day and taken to the employee's residence prior to the commencement of official travel. Similarly, when a NASA employee is scheduled to return from temporary duty travel after the close of working hours and the official authorizing the travel determines that there will be a significant savings in time, the motor vehicle may be taken to the employee's residence and returned the next regular working day.

[68 FR 60847, Oct. 24, 2003]

**APPENDIX A TO PART 1204—ITEMS TO COVER IN MEMORANDA OF AGREEMENT**

The items to be covered in Memoranda of Agreement between NASA Installations and state and areawide OMB Circular A-95 clear-

inghouses for coordinating NASA and civilian planning:

1. Clearinghouses will be contacted at the earliest practicable point in project planning. Generally, this will be during the preparation of Preliminary Engineering Reports, or possibly earlier if meaningful information is available that could practically serve as an input in the decision-making process. It should be noted that clearinghouses are generally comprehensive planning agencies. As such, they are often the best repositories of information required for development planning and constitute a resource that can often save Federal planners substantial time and effort, if consulted early enough. In addition to providing information necessary for preliminary engineering, clearinghouses can make useful inputs to the development of environmental impact statements, as well as in reviewing draft statements. Thus, consultation at the earliest stage in planning can have substantial payoffs in installation development.

2. Clearinghouses will be afforded a minimum time of 30 days in which to review and comment on a proposed project and a maximum time of 45 days in which to complete such review.

3. The minimum information to be provided to the clearinghouse will consist of project description, scope and purpose, summary technical data, maps and diagrams where relevant, and any data which would show the relationship of the proposed project or action to applicable land use plans, policies, and controls for the affected area.

4. Establish procedures for notifying clearinghouses of the actions taken on projects, such as implementation, timing, postponement, abandonment, and explaining, where appropriate, actions taken contrary to clearinghouse recommendations.

**PART 1205 [RESERVED]**

**PART 1206—AVAILABILITY OF AGENCY RECORDS TO MEMBERS OF THE PUBLIC**

Sec.

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- 1206.800 Failure to release records to the public.

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### Subpart 9—Annual Report

- 1206.900 Requirements for annual report.  
AUTHORITY: 5 U.S.C. 552, 552a; 42 U.S.C. 2473.  
SOURCE: 64 FR 39404, July 22, 1999, unless otherwise noted.

### Subpart 1—Basic Policy

#### § 1206.100 Scope of part.

This Part 1206 establishes the policies, responsibilities, and procedures for the release of Agency records which are under the jurisdiction of the National Aeronautics and Space Administration, hereinafter NASA, to members of the public. This part applies to information and Agency records located at NASA Headquarters, at NASA Centers, and at NASA Component, as defined in Part 1201 of this chapter.

#### § 1206.101 Definitions.

For the purposes of this part, the following definitions shall apply:

(a) The term *Agency records* or *records* means any information that would be an Agency record subject to the requirements of the Freedom of Information Act (FOIA) when maintained by NASA in any format, including an electronic format. Such information includes all books, papers, maps, photographs, or other documentary materials made or received by NASA in pursuance of Federal law or in connection with the transaction of public business and preserved by NASA as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities or because of the informational value of data contained therein. It does not include tangible objects or articles, such as structures, furniture, paintings, sculptures, exhibits, models, vehicles or equipment; library or museum material made or acquired and preserved solely for reference or exhibition purposes; or records of another agency, a copy of which may be in NASA's possession.

(b) The term *initial determination* means a decision by a NASA official, in response to a request by a member of the public for an Agency record, on whether the record described in the request can be identified and located after a reasonable search and, if so,