

at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

**Note:** The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

### Corrections

- In rule FR Doc. E8-13587 published June 23, 2008 (73 FR 35472), make the following technical corrections:
  - 1. On page 35494, column three, in amendatory instruction 26(A), remove the paragraph reference “(b)(2)(ii)” and, in its place, add the paragraph reference “(b)(4)(i)(B)”.
  - 2. On page 35495, column one, correct amendment 33 to read as follows:
    - 33. Section 682.204 is amended by:
      - A. Adding paragraph (m).
      - B. Adding an authority citation to read as follows:

#### § 682.204 Maximum loan amounts.

\* \* \* \* \*

(m) Any TEACH Grants that have been converted to Direct Unsubsidized Loans are not counted against annual or any aggregate loan limits under paragraphs (c), (d), (e), and (f) of this section.

(Authority: 20 U.S.C. 1070g, 1078, 1078-2, 1078-3, 1078-8)

- 3. On page 35495, column two, in amendatory instruction 35(A), remove the paragraph reference “(c)(1)(ii)(B)” and, in its place, add the paragraph reference “(c)(4)(i)(B)”.
- 4. On page 35495, column two, in amendatory instruction 39(A), remove the paragraph reference “(c)(2)” and, in its place, add the paragraph reference “(d)(1)(ii)”.
- 5. On page 35495, column three, after amendatory instruction 41, add the heading for Part 686 to read as follows:

### **PART 686—TEACHER EDUCATION ASSISTANCE FOR COLLEGE AND HIGHER EDUCATION (TEACH) GRANT PROGRAM**

Dated: June 26, 2008.

**Sara Martinez Tucker,**

*Under Secretary for Education.*

(Catalog of Federal Domestic Assistance Numbers: 84.007 Federal Supplemental Educational Opportunity Grant Program; 84.032 Federal Family Education Loan Program; 84.033 Federal Work Study; 84.038 Federal Perkins Loan Program; 84.063 Federal Pell Grant Program; 84.069

Leveraging Education Assistance Partnerships; 84.268 William D. Ford Federal Direct Loan Program; 84.379 TEACH Grant program)

[FR Doc. E8-14850 Filed 6-27-08; 8:45 am]

**BILLING CODE 4000-01-P**

## **NATIONAL ARCHIVES AND RECORDS ADMINISTRATION**

### **36 CFR Part 1280**

**RIN 3095-AB33**

**[Docket NARA-08-0002]**

### **Use of Meeting Rooms and Public Space**

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Final rule.

**SUMMARY:** NARA is amending its regulations on public use of the National Archives Building in Washington, DC, for meetings or special events. This rule incorporates changes in available space as a result of the renovation of the National Archives Building by identifying the kinds of space available and procedures for requesting use. NARA also will charge fees for the use of public areas in the National Archives Building in accordance with 44 U.S.C. 2903(b). This rule affects the public.

**DATES:** *Effective Date:* July 30, 2008.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Davis Heaps at 301-837-1850, or fax at 301-837-0319.

**SUPPLEMENTARY INFORMATION:** On April 4, 2008, NARA published a proposed rule (73 FR 18462) for a 60-day public comment period updating text in the regulations relating to the availability of public spaces in the National Archives Building and the National Archives at College Park, Maryland, for private, non-official use, including meetings and special events.

We notified several listservs and researcher organizations about the proposed rule and its availability on [regulations.gov](http://regulations.gov). We also posted a notice about the rule on our Web site, <http://www.archives.gov>. We received no comments. We are adopting the proposed rule as a final rule without change.

This rule is not a significant regulatory action for the purposes of Executive Order 12866 and has not been reviewed by the Office of Management and Budget. As required by the Regulatory Flexibility Act, I certify that this rule will not have a significant impact on a substantial number of small

entities because it affects individuals. This regulation does not have any federalism implications. This rule is not a major rule as defined in 5 U.S.C. Chapter 8, Congressional Review of Agency Rulemaking.

### **List of Subjects in 36 CFR Part 1280**

Archives and records, Federal buildings and facilities.

■ For the reasons set forth in the preamble, NARA amends part 1280 of title 36, Code of Federal Regulations, as follows:

### **PART 1280—USE OF NARA FACILITIES**

■ 1. The authority citation for part 1280 is revised to read as follows:

**Authority:** 44 U.S.C. 2102 notes, 2104(a), 2112, 2903

■ 2. Amend § 1280.1 by revising paragraph (a) to read as follows:

#### **§ 1280.1 What is the purpose of this part?**

(a) This part tells you what rules you must follow when you use property under the control of the Archivist of the United States (see § 1280.2 of this part).

\* \* \* \* \*

#### **§ 1280.34 [Amended]**

- 3. Amend § 1280.34 as follows:
  - a. Remove “Assistant Archivist for Administrative Services” in paragraphs (b) and (c) and add in place “Assistant Archivist for Administration.”
  - b. Remove “36 CFR 1254.20” in the third sentence of paragraph (b) and add in place “36 CFR 1254.48.”
- 4. Amend § 1280.46 by revising paragraph (b)(3) to read as follows:

#### **§ 1280.46 What are the rules for filming, photographing, or videotaping on NARA property for personal use?**

\* \* \* \* \*

(b) \* \* \* \* \*  
(3) You may not film, photograph, or videotape while on the interior steps or ramp leading to the Declaration of Independence, the Constitution, and the Bill of Rights in the Rotunda of the National Archives Building.

■ 5. Amend § 1280.48 by revising paragraph (a) and amending paragraph (f) by revising the first sentence to read as follows:

#### **§ 1280.48 How do I apply to film, photograph, or videotape on NARA property for news purposes?**

(a) If you wish to film, photograph, or videotape for news purposes at the National Archives Building (as delineated in § 1280.2(a)), the National Archives at College Park, or the Washington National Records Center,

you must request permission from the NARA Public Affairs Officer, 700 Pennsylvania Avenue, NW., Washington, DC 20408-0001. See also § 1280.42(b) for additional permissions relating to the Washington National Records Center.

\* \* \* \* \*

(f) This section does not apply to you if you have permission to use your own microfilming equipment to film archival records and donated historical materials under the provisions of 36 CFR 1254.90 through 1254.110. \* \* \*

■ 6. Amend § 1280.52 by revising the third sentence of paragraph (a) as follows:

**§ 1280.52 What are the rules for filming, photographing, or videotaping on NARA property for news purposes?**

\* \* \* \* \*

(a) \* \* \* If the Public Affairs Officer approves your use of artificial lighting in the Rotunda, NARA will use facsimiles in place of the Declaration of Independence, the Constitution, and the Bill of Rights. \* \* \*

\* \* \* \* \*

■ 7. Revise § 1280.68 to read as follows:

**§ 1280.68 May I use the cafeterias?**

Yes, the Charters Café in the National Archives Building is normally open to the public Monday through Friday, 10 a.m. to 4 p.m. and the cafeteria at the National Archives at College Park is open to the public from 8 a.m. to 4 p.m.

■ 8. Revise subpart D to read as follows:

**Subpart D—What Rules Apply to Use NARA Public Areas in the Washington, DC, Area?**

**General**

Sec.

- 1280.70 When does NARA allow non-NARA groups to use the public areas of NARA property?
- 1280.71 What are the general rules for using NARA property in the Washington, DC, area?
- 1280.72 What additional rules apply for a NARA approved event?

**National Archives Building, Washington, DC**

- 1280.74 What spaces in the National Archives Building are available for use by non-NARA groups and organizations?
- 1280.76 When are the public areas available for private events in the National Archives Building?
- 1280.78 Does NARA charge fees for the use of public areas in the National Archives Building?
- 1280.80 How do I request to use NARA public areas in the National Archives Building?
- 1280.82 How will NARA handle my request to use public areas in the National Archives Building?
- 1280.84 May I ask to use the Rotunda?

**National Archives at College Park, MD**

- 1280.85 What space in the National Archives at College Park is available for use by non-NARA groups and organizations?
- 1280.86 When are the public areas available for events in the National Archives at College Park?
- 1280.87 Does NARA charge fees for the use of public areas in the National Archives at College Park?
- 1280.88 How do I request to use NARA public areas in the National Archives at College Park?
- 1280.89 How will NARA handle my request to use public areas in the National Archives at College Park?

**Subpart D—What Rules Apply to Use NARA Public Areas in the Washington, DC, Area?**

**General**

**§ 1280.70 When does NARA allow non-NARA groups to use the public areas of NARA property?**

(a) The primary use of NARA property in the Washington, DC, area (the National Archives Building and the National Archives at College Park), including those areas open to the public, is the conduct of official NARA business, including public programs and other activities conducted in conjunction with government and non-government organizations and the Foundation for the National Archives (“Foundation”). In conducting official business, NARA and its partners use all of the public areas of the Washington, DC, area facilities. There are no public areas in the Washington National Records Center in Suitland, MD.

(b) NARA may permit, under the conditions described in this subpart, the occasional use of certain public areas by other Federal agencies, quasi-Federal agencies, and state, local, and tribal government organizations for official activities. NARA also permits the occasional, non-official use of its public areas by organizations when the activity relates to or furthers NARA’s archival, records, or other programs.

**§ 1280.71 What are the general rules for using NARA property in the Washington, DC, area?**

In addition to the rules listed in Subparts A, B, and C of this part, you must adhere to the following rules when using NARA public spaces:

(a) All use must relate to or further the archival, records, or other activities of NARA. Examples of use that meet this standard include programs that promote research in or the dissemination and use of NARA holdings, including educational programs and materials, the preservation of NARA holdings or the

historical records and documentary materials of other institutions, and the use and enjoyment of NARA exhibits.

(b) All use must be consistent with the public perception of NARA as an archival and research institution.

(c) When NARA cohosts an activity with the Foundation or other organizations, NARA must be identified as the cohost in all materials and publicity relating to the activity.

(d) When NARA has authorized your organization to use NARA property, you may not characterize your use of NARA property as an endorsement by NARA of your organization or its activities, or otherwise suggest an official relationship between NARA and your organization.

(e) You are not allowed to charge an admission fee or make any indirect assessment for admission, and you may not otherwise collect money at the event.

(f) You may not use NARA property or permission to use that property to advertise, promote, or sell commercial enterprises, products, or services, or for partisan political, sectarian, or similar purposes.

(g) You may not use NARA property if you or your organization or group engages in discriminatory practices proscribed by the Civil Rights Act of 1964, as amended.

(h) You must not misrepresent your identity to the public nor conduct any activities in a misleading or fraudulent manner.

(i) You must ensure that no Government property is destroyed, displaced, or damaged during your use of NARA public areas. You must take prompt action to replace, return, restore, repair or repay NARA for any damage caused to Government property during the use of NARA facilities.

**§ 1280.72 What additional rules apply for a NARA approved event?**

(a) Approved applicants must provide support people as needed to register guests, distribute approved literature, name tags, and other material.

(b) We must approve in advance any item that you plan to distribute or display during your use of NARA property, or any notice or advertisement that refers, directly or indirectly, to NARA, the Foundation for the National Archives, or the National Archives Trust Fund, or incorporates any of the seals described in 36 CFR 1200.2.

(c) We must approve in advance any vendor or caterer who will work in NARA facilities. You must comply with all NARA requirements for the use of food and drink at your event.

(d) No food or drink may be present or consumed in areas where original

records or historical materials are displayed.

**National Archives Building, Washington, DC**

**§ 1280.74 What spaces in the National Archives Building are available for use by non-NARA groups and organizations?**

You may ask to use the following areas in the National Archives Building, Washington, DC:

Area	Capacity
Rotunda Galleries .....	250 persons.
William G. McGowan Theater.	290 persons.
Archivist's Reception Room.	125 persons.
Presidential Conference Rooms.	20 to 70 persons.

**§ 1280.76 When are the public areas available for private events in the National Archives Building?**

Most public areas are available for set-up and use on weekdays from 6 p.m. until 10:30 p.m. during the fall and winter seasons (day after Labor Day through March 14). The areas are available for set-up and use from 7:30 p.m. until 10:30 p.m. in the spring season (March 15 through Labor Day). The areas are not available during weekends or on Federal holidays. A NARA staff member must be present at all times when non-NARA groups use NARA spaces.

**§ 1280.78 Does NARA charge fees for the use of public areas in the National Archives Building?**

(a) NARA is authorized to charge fees for the occasional, non-official use of its public areas, as well as for services related to such use, including additional cleaning, security, and other staff services. NARA will either exercise this authority directly, or, for activities co-sponsored with the Foundation for the National Archives, as part of your group's arrangements with the Foundation.

(b) We will inform organizations interested in using public spaces in the National Archives Building in advance and in writing of the total estimated cost associated with using the public area of interest. Fees NARA charges are paid to the National Archives Trust Fund.

(c) Federal and quasi-Federal agencies, State, local, and tribal governmental institutions using public space for official government functions pay fees to the National Archives Trust Fund only for the costs for additional cleaning, security, and other staff services NARA provides.

**§ 1280.80 How do I request to use NARA public areas in the National Archives Building?**

(a) Direct your request to use space to: Special Events Division Director (AI); National Archives and Records Administration, 700 Pennsylvania Avenue, NW., Room G-9, Washington, DC 20408. Request by telephone at 202-357-5164 or by fax at 202-357-5926.

(b) You must submit requests, signed by an authorized official of your organization, to use NARA public areas at least 30 calendar days before the proposed event is to occur.

(c) OMB control number 3095-0043 has been assigned to the information collection contained in this section.

**§ 1280.82 How will NARA handle my request to use public areas in the National Archives Building?**

(a) When you ask to use property in the National Archives Building, we review your request to:

- (1) Ensure that it meets all of the provisions in this subpart;
- (2) Determine if the public area you have requested is available on the date and time you have requested;
- (3) Evaluate whether your proposed use is appropriate for the requested space; and
- (4) Determine the costs of the event.

(b) When we have completed this review, we will notify you of the decision. We may ask for additional information before deciding whether or not to approve your event.

(c) NARA reserves the right to review, reject, or require changes in any material, activity, or caterer you intend to use for the event.

**§ 1280.84 May I ask to use the Rotunda?**

The Rotunda is primarily used for the public exhibition of the Charters of Freedom and other documents from NARA's holdings. NARA also uses the Rotunda for activities that further its Strategic Plan. Therefore, the use of the Rotunda for private events is not permitted. NARA may, upon application, permit other Federal agencies, quasi-Federal agencies, and State, local, and tribal governments to use the Rotunda for official functions, with NARA as a co-sponsor. Governmental groups that use the Rotunda for official functions must reimburse NARA for the cost of additional cleaning, security, and other staff services.

**National Archives at College Park, MD**

**§ 1280.85 What space in the National Archives at College Park is available for use by non-NARA groups and organizations?**

You may ask to use the following areas:

Area	Capacity
Auditorium .....	300.
Lecture Rooms .....	30 to 70 persons (or up to 300 with all dividers removed).

**§ 1280.86 When are the public areas available for events in the National Archives at College Park?**

Most areas are available for set-up and use from 8 a.m. until 9:30 p.m., Monday through Friday, and from 9 a.m. until 4:30 p.m. on Saturday. A NARA staff member must be present at all times when the public area is in use. If the space and staff are available, we may approve requests for events held before or after these hours and on Sunday.

**§ 1280.87 Does NARA charge fees for the use of public areas in the National Archives at College Park?**

NARA may charge a fee under 44 U.S.C. 2903(b) for the use of public areas at the National Archives at College Park. We inform organizations in advance and in writing of the total estimated cost of using the public area. Federal and quasi-Federal agencies, State, local, and tribal governmental institutions using public space for official government functions pay fees to the National Archives Trust Fund only for the costs for additional cleaning, security, and other staff services NARA provides.

**§ 1280.88 How do I request to use NARA public areas in the National Archives at College Park?**

(a) Direct your request to use space to: Special Events Coordinator (AII); Facilities and Personal Property Management Division; National Archives and Records Administration; 8601 Adelphi Road, College Park, MD 20740-6001. Request by telephone at 301-837-1900, or by fax at 301-837-3237.

(b) You must submit requests for use of NARA public areas at least 30 calendar days before the proposed event is to occur.

(c) OMB control number 3095-0043 has been assigned to the information collection contained in this section.

**§ 1280.89 How will NARA handle my request to use public areas in the National Archives at College Park?**

(a) When you ask to use public areas at the National Archives at College Park, we will review your request to:

- (1) Ensure that it meets all of the provisions in this subpart;
- (2) Determine if the room you have requested is available on the date and time you have requested; and
- (3) Determine the cost of the event.

(b) When we have completed this review, we will notify you of the decision. We may ask for additional information before deciding whether or not to approve your event.

(c) NARA reserves the right to review, reject, or require changes in any material, activity, or caterer you intend to use for the event.

Dated: June 23, 2008.

**Allen Weinstein,**

*Archivist of the United States.*

[FR Doc. E8-14706 Filed 6-27-08; 8:45 am]

BILLING CODE 7515-01-P

## DEPARTMENT OF VETERANS AFFAIRS

### 38 CFR Parts 17 and 70

RIN 2900-AM02

#### Beneficiary Travel Under 38 U.S.C. 111 Within the United States

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Final rule.

**SUMMARY:** This document amends the beneficiary travel regulations of the Department of Veterans Affairs (VA) that provide a mechanism for payment of travel expenses within the United States under 38 U.S.C. 111 to help veterans and other persons obtain care and services from VA's Veterans Health Administration (VHA). The amended regulations more fully implement the statutory provisions governing such payments.

**DATES:** *Effective Date:* This final rule is effective July 30, 2008.

**FOR FURTHER INFORMATION CONTACT:** Tony Guagliardo, Chief Business Office (16), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420; (202) 254-0406. (This is not a toll-free number.)

**SUPPLEMENTARY INFORMATION:** This document revises the beneficiary travel regulations that were previously captioned "Transportation of Claimants and Beneficiaries." The revised regulations, set forth at 38 CFR part 70, provide a mechanism for payment of travel expenses within the United States under 38 U.S.C. 111 to help veterans and other persons obtain care and services from VHA, a subunit within VA.

This final rule adopts, with changes discussed below, the provisions of the corresponding proposed rule published in the **Federal Register** on July 23, 2007 (72 FR 40096), based on the rationale set forth in the proposed rule and this document.

The proposed rule provided for a 60-day comment period which ended September 21, 2007. We received comments from one commenter. We discuss below issues raised by the commenter.

The commenter asserted that the revised regulations should cover those aspects of beneficiary travel administered by the Veterans Benefit Administration (VBA), one of the Administrations within VA, and that we should add a definition of VBA. We made no changes based on these comments. These regulations properly concern, insofar as they apply to the VBA programs discussed in this comment, the beneficiary travel program administered by VHA under 38 U.S.C. 111 for eligible beneficiaries traveling to and from a Department facility in connection with vocational rehabilitation or incident to a scheduled Compensation and Pension examination. Additional transportation benefits available to vocational rehabilitation participants are, however, administered by VBA in accordance with chapter 31 of title 38, United States Code. As such, they are beyond the travel benefits authorized by section 111 and are properly administered pursuant to separate regulations (see, e.g., 38 CFR 21.154).

The commenter asserted that we should add a definition of "beneficiary" to read: "Beneficiary means a person determined eligible for VHA benefits and who, subject to these regulations, is engaged in official business for the Government and authorized to travel at Government expense." We made no changes based on this comment. Such a definition would not be correct. A covered beneficiary's travel must be for the limited purpose of obtaining a specific VA benefit or another purpose that qualifies under this rule. Such travel is not undertaken in connection with the conduct of official business on behalf of the Government.

The commenter asserted that we should amend the regulations to provide that any recipient of benefits under 38 U.S.C. chapter 18 who travels to or from a VA facility or VA-authorized health care facility for care or services is eligible to receive beneficiary travel benefits under section 111. We made no changes based on this comment. For purposes of chapter 18, the definition of "health care" includes, among other things, direct transportation costs to and from approved sources of health care. The authority for travel benefits under chapter 18 is 38 U.S.C. 1803(c) and 1813(c), not section 111. These travel benefits are administered separately by

VA's Health Administration Center, pursuant to 38 CFR 17.900 *et seq.*

The proposed rule explained that beneficiaries of the Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA) had previously been included in error among the groups eligible for beneficiary travel benefits under section 111. The commenter responded that this change should enable VA to have more funds available for those who are in fact eligible for beneficiary travel benefits, permitting VA to increase its reimbursement rates. However, funds allocated for the payment of beneficiary travel benefits under 38 U.S.C. 111 have not been used to pay for CHAMPVA beneficiaries' travel claims. Instead, those claims have been paid with funds allocated to the Health Administration Center, which administers the CHAMPVA program. Consequently, the amendment does not adjust the funding amounts available for the beneficiary travel program and is for clarification only.

Under the provisions of § 70.30(a)(1) as proposed, the Secretary would be authorized to establish a per mile rate for travel by a privately owned vehicle. Further, proposed § 70.30(a)(1)(iv) explained how VA would comply with the statutory provisions of 38 U.S.C. 111(g)(1), which require the Secretary, in consultation with the Administrator of General Services, the Secretary of Transportation, the Comptroller General of the United States, and representatives of veterans' service organizations, to conduct periodic investigations and other investigations required by that section on the actual cost of travel incurred by VA beneficiaries traveling to and from a Department facility for a covered purpose. Those provisions further explained how VA would provide notification of current mileage reimbursement rates. The commenter responded that the Secretary should be bound by the costs identified during such investigations, when determining VA's reimbursement rates. The commenter further stated that any rate that is less than that prescribed for Federal employee travel should be required to be fully justified in the **Federal Register**. We made no changes based on these comments.

Although the Secretary, when conducting investigations and determining rates under section 111, is required to take into consideration the actual cost of travel, along with other factors specified in the law, it is vital that the Secretary also be able to take into consideration the ramifications of diverting funds from direct medical care for the purpose of increasing mileage