grant, all persons and vessels shall comply with the instructions of the COTP or designated representative.
In addition to this notice of enforcement in the Federal Register, the COTP or a designated representative will inform the public through Broadcast Notices to Mariners (BNMs), Local Notices to Mariners (LNMs), Marine Safety Information Bulletins (MSIBs), and/or through other means of public notice as appropriate at least 24 hours in advance of enforcement.

A.W. Demo,
Commander, U.S. Coast Guard, Captain of the Port Marine Safety Unit Pittsburgh.

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BILLING CODE 9110–04–P

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 62
RIN 2900–AQ40
Rentable and Utility Assistance for Certain Low-Income Veteran Families

AGENCY: Department of Veterans Affairs.
ACTION: Final rule.

SUMMARY: The Department of Veterans Affairs (VA) is amending its regulations that govern the Supportive Services for Veteran Families (SSVF) Program. This final rule will enable grantees to augment available housing options for homeless veterans in high rent burden communities by increasing the rental burden assistance for up to two years before recertification. Conditions in some local housing markets such as low vacancy rates and higher costs have made it increasingly difficult to recruit landlords and help homeless veteran families find and sustain permanent housing. Providing enhanced rental assistance in these communities is necessary to help VA progress in its goal to end veteran homelessness.

DATES: This final rule is effective September 27, 2019.

FOR FURTHER INFORMATION CONTACT: John Kuhn, Homeless Program Office, Supportive Services for Veteran Families Program Office, 810 Vermont Ave. NW, Washington DC 20420 (202) 632–8596. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: In a document published in the Federal Register on May 17, 2019, VA published a proposed rule, which proposed to revise its regulations that govern the Supportive Services for Veteran Families (SSVF) Program, which is authorized under section 2044 of title 38 United States Code (U.S.C.), 84 FR 22407. VA provided a 30-day comment period, which ended on June 17, 2019. We received 9 comments on the proposed rule.

Section 2044 requires the Secretary to provide financial assistance to eligible entities, approved under this section, to provide and coordinate the provision of supportive services for very low-income veteran families occupying permanent housing. VA implements the SSVF Program under the regulations in title 38 Code of Federal Regulations (CFR), Part 62.

Through the SSVF Program, VA awards supportive services grants to private non-profit organizations or consumer cooperatives to provide and coordinate the provision of supportive services to very low-income veteran families who are occupying permanent housing. Pursuant to 38 CFR 62.11, there are three situations in which a very low-income veteran family is considered to be occupying permanent housing. The first possibility is if a family is residing in permanent housing at the risk of becoming homeless but for the grantee’s assistance. The second possible situation is if a family is lacking a fixed, regular, and adequate nighttime residence; is at risk of remaining in that state if they do not receive grantee assistance; and is scheduled to become a resident of permanent housing within 90 days pending the location or development of housing suitable for permanent housing. Finally, if a family is lacking a fixed, regular, and adequate nighttime residence after exiting permanent housing within the previous 90 days to seek other housing that is responsive to their needs and preferences, that very low-income family is considered to be occupying permanent housing.

This rulemaking extends the ability of SSVF grantees to provide rental assistance in areas where the limited availability of affordable housing makes it difficult to reduce a community’s population of homeless veterans. Through the provision of these subsidies, the pool of available housing can be expanded as program participants have access to a broader rental market.

One commenter was in favor of the proposed rule stating that by allowing for shallow, flat subsidies linked to fair market residential rental rates, families served by rapid rehousing programs will be able to further stabilize in housing and, ultimately, achieve greater self-sufficiency. The commenter added that the communities in which these families reside will benefit from the residual socio-economic value of a reduced demand for emergency services, improved physical and mental well-being for participating households, greater neighborhood stability, and similarly improved educational outcomes for affected youth. As such, the proposed rule will not only fulfill our moral imperative to our fellow citizens, but will pay for itself as a result of reduced demand on local community systems. Another commenter stated that this was a great rule. We make no changes based on these comments. Another commenter was also in support of the proposed rule stating that this is a highly valuable program, to the extent that it provides additional, and longer, housing assistance, especially for low income veterans and their families in high cost areas. The commenter stated that there are numerous instances in the San Francisco Bay Area of veterans needing housing assistance, because the San Francisco Bay Area, with its limited land space, and hi-tech industries, has some of the highest housing costs in the country. The commenter added that the result is that low income veterans will have difficulty finding and maintaining payments for housing. VA agrees that the proposed changes provide additional and longer housing assistance for low income veterans and their families in high cost areas, such as the San Francisco Bay Area. We are not making any changes based on this comment.

Another commenter supportive of the proposed rule stated that by giving veterans rental assistance, we are allowing them more breathing room in terms of becoming financially stable. The commenter added that VA should also provide veterans with extra money every month so that they can purchase food and pay for utilities. The commenter also stated that if the government cannot come up with this extra money for food allowance, then the government must at least provide them with discounts when veterans go grocery shopping. VA agrees that it is important for some veterans to receive assistance to pay for food and utilities. Under § 62.34 grantees may provide services that are necessary for maintaining independent living in permanent housing and housing stability. Such services include rental and utility assistance. For ongoing support, SSVF works with participants to get mainstream benefits assistance, for example linking participants to Supplemental Nutrition Assistance Program (SNAP), commonly known as food stamps, to address food needs. In emergent situations, SSVF grantees can
make purchases of food for grantees under §62.34(e)(1). We are not making any changes based on this comment.

A commenter stated that the proposed rule would potentially enhance SSVFs' innovative model of public-private partnership. However, the commenter added that the rule could be strengthened by requiring or effectively encouraging beneficiaries to also engage in alternatively-funded, complimentary VA and/or Continuum of Care (CoC) local or telehealth services that are likely to improve the veteran’s future capacity to maintain housing stability. The commenter recommended that beneficiaries of expanded federal assistance under the proposed rule, in collaboration with SSVF personnel, be required to identify and actively engage in whole health or related services to strengthen relationships with family, friends and social supports, and/or increase opportunities to pursue, obtain and maintain employment throughout the period of assistance. As such, veteran families themselves would be more actively represented in the partnership throughout their period of participation.

The commenter also suggested that defining expectations, recommendations and/or commitments around the unique circumstances, goals and priorities of each unique veteran family, including the ability of SSVF personnel to issue time-limited waivers as appropriate based on veteran circumstances and/or local conditions, can contribute to greater integration, collaboration, modernization, and cost efficiencies in our commitment to ending veteran homelessness.

We agree that SSVF should be provided in conjunction with VA health care to eligible veterans to address all of the veteran’s needs. As such, VA provides eligible veterans a whole health approach to health care that addresses not only the veteran’s health care needs, but also identifies the aspects of the veteran’s life that are affecting their health, then work with a team to establish strategies to address them as needed. This approach includes assisting homeless veterans obtain and retain permanent housing. Also, eligible veterans may receive health care in locations that are convenient for the veteran, which includes care in the community as well as telehealth services. Providing accessible care to veterans allows for better management of a veteran’s health care needs.

Furthermore, SSVF requires that grantees provide case management services in accordance with 38 CFR 62.31. Such case management includes linkages with appropriate agencies and service providers in the area or community to help participants obtain needed supportive services. SSVF is uniquely positioned in that it can provide case management services to each family member, even non-veterans, to develop a service plan tailored to meet the needs of each family. The case management services are extensive and in addition to facilitating access to health care include delivering or facilitating access to legal services, transportation, benefits, employment, child care, and a host of other services. Accordingly, it is not necessary to make any changes based on this comment.

Another commenter inquired whether the Continuum of Care and SSVF grantees can agree to set different rates, up to the 35 percent cap, for different subpopulations of veterans and suggested that they be able to set different rates. The commenter included two examples. First, can a higher rental subsidy, expressed as a percent of the Fair Market Rent (FMR), be offered to extremely low-income households compared to very-low income households? In addition, can higher subsidy rates be offered to those with disabilities who are on a fixed income? The Continuum of Care and the SSVF grantees can recommend setting differing rates for different subpopulations. This flexibility affords the best level of assistance to those veterans with greater need. We make no changes based on this comment.

This same commenter also stated that at the time of recertification (after two years), if the household is still eligible for the shallow subsidy, it would be useful if the subsidy were reset at the new Fair Market Rent level published for that location and that year rather than the original Fair Market Rent level from a year or two prior. VA agrees with the commenter, and if the household is retained in SSVF and provided another period of shallow subsidy, the new period would be based on the Fair Market Rent in effect at the time of recertification. We are not making any changes based on this comment.

Another commenter asked whether, if a household seeks other SSVF services while enrolled in the shallow subsidy program, they would also only be required to get re-certified after the two-year period described in the proposed rule for other types of financial assistance, or would participants still need to get re-certified every three months for other (non-shallow subsidy) financial assistance? The two-year recertification period would apply to all SSVF services and benefits, including other types of financial assistance. The only exception would be for rental assistance, other than the shallow subsidy, as a household cannot receive both the shallow subsidy and other forms of rental assistance described in §62.34(a)(1). Should the household receive a Housing Choice voucher, or any similar form of subsidy designed to make the housing unit affordable for very-low income residents, including rental units with a significant underlying subsidy such as those found in Housing and Urban Development (HUD) supported Public Housing, the shallow subsidy would be discontinued. See §62.34(a)(6). We are not making any changes based on this comment.

Two commenters were in support of the proposed rule, but suggested that VA add Contra Costa County to the list of CoCs that will receive enhanced rental assistance funding with the proposed amendment. The commenters stated that there is a clear and serious need for this assistance in Contra Costa County: The HUD-published Fair Market Rate (FMR) in Contra Costa is $2,126 for a 2-bedroom unit, which is identical to Alameda and Berkeley’s FMR of $2,126 up from $1,295 only ten years ago. According to the commenters, this massive rise in rental costs has put a strain on the county’s low-income residents, including its homeless and at-risk veteran population. Residents are considered severely burdened by living costs if they pay more than 50 percent of their income on housing. In Contra Costa County, 25.8 percent, or one out of every four residents, pay more than half of their entire income on rent (U.S. Census Bureau). With a very low 4.3 percent vacancy rate, Contra Costa has one of the highest FMRs, lowest vacancy rates, and most severely housing-burdened populations of any county in California. These commenters contend that increased rental assistance for service providers in Contra Costa would make a huge impact in the fight to alleviate this housing crisis for veterans and their families. The commenters added that recent data shows that there is a growing number of veterans in this community that would benefit from this assistance. Contra Costa’s 2019 Point in Time (PIT) Count revealed a 14 percent increase in the number of homeless veterans compared to the previous year. The commenters explained that expanding the proposed rule to include Contra Costa County would make a difference in the lives of hundreds of at-risk veterans in the coming years.

These comments are beyond the scope of the final rule. Nevertheless, VA understands the commenters’ concerns, and it is VA’s intention to review the list of potential shallow subsidy locations and publish the list of
represents VA’s implementation of its Regulations, as revised by this rule, Effect of Rulemaking is adopting the proposed rule as final. Supplementary Information to the effect on State, local, and tribal governments, or on the private sector. Congressional Review Act Pursuant to the Congressional Review Act (5 U.S.C. 801 et seq.), the Office of Information and Regulatory Affairs designated this rule as not a major rule, as defined by 5 U.S.C. 804(2). Catalog of Federal Domestic Assistance Program The Catalog of Federal Domestic Assistance numbers and titles for the programs affected by this document are: 64.009, Veterans Medical Care Benefits, and 64.033, VA Supportive Services for Veteran Families Program. List of Subjects in 38 CFR Part 62 Administrative practice and procedure, Day care, Disability benefits, Government contracts, Grant programs—health, Grant programs—housing and community development, Grant programs—veterans, Heath care, Homeless, Housing, Indian—lands, Individuals with disabilities, Low and moderate income housing, Manpower training program, Medicare, Medicaid, Public assistance programs, Public housing, Relocation assistance, Rent subsidies, Reporting and recordkeeping requirements, Rural areas, Social Security, Supplemental Security Income (SSI), Travel and transportation expenses, Unemployment compensation. Signing Authority The Secretary of Veterans Affairs approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs. Robert L. Wilkie, Secretary, Department of Veterans Affairs, approved this document on August 23, 2019, for publication. Dated: August 23, 2019. Michael P. Shores, Director, Office of Regulation Policy & Management, Office of the Secretary, Department of Veterans Affairs. For the reasons stated in the preamble, the Department of Veterans Affairs amends 38 CFR part 62 as follows: PART 62—SUPPORTIVE SERVICES FOR VETERAN FAMILIES PROGRAM

1. The authority citation for part 62 continues to read as follows: Authority: 38 U.S.C. 501, 2044, and as noted in specific sections.
2. Amend § 62.34 by revising paragraph (a)(6) and adding paragraph (a)(8) to read as follows:

§ 62.34 Other supportive services.

(a) * * * * *

(6) Rental assistance payments cannot be provided on behalf of participants for the same period of time and for the same cost types that are being provided through another Federal housing subsidy program; however, such payments may be provided even though the participant is receiving State and local housing subsidy funds as long as the total subsidy received (including payments under this section) does not exceed the rent.

(8) Extremely low-income veteran families and very low-income veteran families who meet the criteria of § 62.11 may receive this subsidy for up to a 2-year period. After an initial two-year period, a family receiving this subsidy, or a combination of the rental assistance under paragraph (a)(1) and this subsidy, may continue to receive rental payments under this section, but would require recertification at that time and once every two years.

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DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service

50 CFR Part 20

RIN 1018–BD10

Migratory Bird Hunting; Seasons and Bag and Possession Limits for Certain Migratory Game Birds

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: This rule prescribes the hunting seasons, hours, areas, and daily bag and possession limits for migratory game birds. Taking of migratory birds is prohibited unless specifically provided for by annual regulations. This rule permits the taking of designated species during the 2019–20 season.

DATES: This rule takes effect on August 28, 2019.

ADDRESSES: You may inspect comments received on the migratory bird hunting regulations during normal business hours at the Service’s office at 5275 Leesburg Pike, Falls Church, Virginia. You may obtain copies of referenced reports from the street address above, or from the Division of Migratory Bird Management’s website at http://www.fws.gov/migratorybirds/, or at http://www.regulations.gov at Docket No. FWS–HQ–MB–2018–0030.


SUPPLEMENTARY INFORMATION:

Regulations Schedule for 2018

On June 14, 2018, we published a proposal to amend title 50 of the Code of Federal Regulations (CFR) at part 20 (83 FR 27836). The proposal provided a background and overview of the migratory bird hunting regulations process, and addressed the establishment of seasons, limits, and other regulations for hunting migratory game birds under §§ 20.101 through 20.107, 20.109, and 20.110 of subpart K. Major steps in the 2019–20 regulatory cycle relating to open public meetings and Federal Register notifications were also identified in the June 14, 2018, proposed rule.

The June 14, 2018, proposed rule also provided detailed information on the proposed 2019–20 regulatory schedule and announced the Service Regulations Committee (SRC) and Flyway Council meetings.

On September 21, 2018, we published in the Federal Register (83 FR 47868) a second document providing supplemental proposals for migratory bird hunting regulations. The September 21 supplement also provided detailed information on the 2019–20 regulatory schedule and re-announced the SRC meetings. On October 16–17, 2018, we held open meetings with the Flyway Council consultants, at which the participants reviewed information on the current status of migratory game birds and developed recommendations for the 2019–20 regulations for these species. On April 17, 2019, we published in the Federal Register (84 FR 16152) the proposed frameworks for the 2019–20 season migratory bird hunting regulations. On August 19, 2019, we published in the Federal Register (84 FR 42996) final season frameworks for migratory game bird hunting regulations, from which State wildlife conservation agency officials selected season hunting dates, hours, areas, and limits for 2019–20 seasons.

The final rule described here is the final in the series of proposed, supplemental, and final rulemaking documents for migratory game bird hunting regulations for 2019–20, and deals specifically with amending subpart K of 50 CFR part 20. It sets hunting seasons, hours, areas, and limits for migratory game bird species. This final rule is the culmination of the rulemaking process for the migratory game bird hunting seasons, which started with the June 14, 2018, proposed rule. As discussed elsewhere in this document, we supplemented that proposal on September 21, 2018, and April 17, 2019, and published final season frameworks on August 19, 2019, that provided the season selection criteria from which the States selected those seasons. This final rule sets the migratory game bird hunting seasons based on that input from the States. We