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Larry W. Minor,

Associate Administrator for Policy.

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BILLING CODE 4910-EX-P

UNITED STATES SENTENCING COMMISSION

Proposed Priorities for Amendment Cycle

AGENCY: United States Sentencing Commission.

ACTION: Notice; request for comment.

SUMMARY: As part of its statutory authority and responsibility to analyze sentencing issues, including operation of the federal sentencing guidelines, and in accordance with its Rules of Practice and Procedure, the United States Sentencing Commission is seeking comment on possible policy priorities for the amendment cycle ending May 1, 2024.

DATES: Public comment should be received by the Commission on or before August 1, 2023. Any public comment received after the close of the comment period may not be considered.

ADDRESSES: There are two methods for submitting public comment.

Electronic Submission of Comments. Comments may be submitted electronically via the Commission's Public Comment Submission Portal at <https://comment.ussc.gov>. Follow the online instructions for submitting comments.

Submission of Comments by Mail. Comments may be submitted by mail to the following address: United States Sentencing Commission, One Columbus Circle NE, Suite 2-500, Washington, DC 20002-8002, Attention: Public Affairs—Priorities Comment.

FOR FURTHER INFORMATION CONTACT: Jennifer Dukes, Senior Public Affairs Specialist, (202) 502-4597.

SUPPLEMENTARY INFORMATION: The United States Sentencing Commission is

an independent agency in the judicial branch of the United States Government. The Commission promulgates sentencing guidelines and policy statements for federal courts pursuant to 28 U.S.C. 994(a). The Commission also periodically reviews and revises previously promulgated guidelines pursuant to 28 U.S.C. 994(o) and submits guideline amendments to the Congress not later than the first day of May each year pursuant to 28 U.S.C. 994(p).

The Commission provides this notice identifying the possible policy priorities that the Commission expects to focus on during the amendment cycle ending May 1, 2024. While continuing to address legislation or other matters requiring more immediate action, the Commission has decided to limit its consideration of specific guidelines amendments for this amendment cycle. Instead, in light of the 40th anniversary of the Sentencing Reform Act, the Commission anticipates undertaking a number of projects examining the degree to which current sentencing, penal, and correctional practices are effective in meeting the purposes of sentencing as set forth in the Sentencing Reform Act. See 28 U.S.C. 991(b)(2). The Commission expects to continue work on many of these priorities beyond the upcoming amendment cycle. The Commission invites comment on the proposed priorities set forth below, along with any additional priorities commenters believe the Commission should consider in the upcoming amendment cycle and beyond. Public comment should be sent to the Commission as indicated in the **ADDRESSES** section above.

Pursuant to 28 U.S.C. 994(g), the Commission intends to consider the issue of reducing costs of incarceration and overcapacity of prisons, to the extent it is relevant to any identified priority.

The proposed priorities for the amendment cycle ending May 1, 2024, are as follows:

(1) Assessing the degree to which certain practices of the Bureau of Prisons are effective in meeting the purposes of sentencing as set forth in 18 U.S.C. 3553(a)(2) and considering any appropriate responses including possible consideration of recommendations or amendments.

(2) Promotion of court-sponsored diversion and alternatives-to-incarceration programs by expanding the availability of information and organic documents pertaining to existing programs (e.g., Pretrial Opportunity Program, Conviction And Sentence Alternatives (CASA) Program,

Special Options Services (SOS) Program) through the Commission's website and possible workshops and seminars sharing best practices for developing, implementing, and assessing such programs.

(3) Examination of the *Guidelines Manual*, including exploration of ways to simplify the guidelines and possible consideration of amendments that might be appropriate.

(4) Continuation of its multiyear study of the *Guidelines Manual* to address case law concerning the validity and enforceability of guideline commentary.

(5) Continued examination of the career offender guidelines, including (A) updating the data analyses and statutory recommendations set forth in the Commission's 2016 report to Congress, titled *Career Offender Sentencing Enhancements*; (B) devising and conducting workshops to discuss the scope and impact of the career offender guidelines, including discussion of possible alternative approaches to the "categorical approach" in determining whether an offense is a "crime of violence" or a "controlled substance offense"; and (C) possible consideration of amendments that might be appropriate.

(6) Examination of the treatment of youthful offenders under the *Guidelines Manual*, including possible consideration of amendments that might be appropriate.

(7) Implementation of any legislation warranting Commission action.

(8) Resolution of circuit conflicts as warranted, pursuant to the Commission's authority under 28 U.S.C. 991(b)(1)(B) and *Braxton v. United States*, 500 U.S. 344 (1991).

(9) Consideration of other miscellaneous issues coming to the Commission's attention.

(10) Further examination of federal sentencing practices on a variety of issues, possibly including: (A) the prevalence and nature of drug trafficking offenses involving methamphetamine; (B) drug trafficking offenses resulting in death or serious bodily injury; (C) comparison of sentences imposed in cases disposed of through trial versus plea; (D) continuation of the Commission's studies regarding recidivism; and (E) other areas of federal sentencing in need of additional research.

(11) Additional issues identified during the comment period.

Authority: 28 U.S.C. 994(a), (o); USSC Rules of Practice and Procedure 2.2, 5.2.

Carlton W. Reeves,
Chair.

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DEPARTMENT OF VETERANS AFFAIRS

Request for Data and Information on Minority Veterans

AGENCY: Department of Veterans Affairs.

ACTION: Notice-request for information.

SUMMARY: The Department of Veterans Affairs (VA), Office of the Secretary, Center for Minority Veterans (CMV), is hereby giving notice of an opportunity for the public to provide available data and information on minority and historically underserved Veterans. Historically underserved Veterans includes racial and ethnic minority (Asian American; Black; Hispanic/Latino; Native American (including American Indian, Alaskan Native, and Native Hawaiian); or Pacific-Islander American); LGBTQ+; those whose religious or conscientious identity, beliefs, and practices have been determined to be underserved; language barriers or are without citizenship status; and those in rural areas and on tribal lands.

DATES: Comments must be received on or before August 21, 2023.

FOR FURTHER INFORMATION CONTACT: James Albino, Director, Center for Minority Veterans, Department of Veterans Affairs, 810 Vermont Ave. NW, Washington, DC 20420, email address: VACOCMV@va.gov, 202-461-0500. This is not a toll-free number.

ADDRESSES: Comments must be submitted through www.regulations.gov. Except as provided below, comments received before the close of the comment period will be available at www.regulations.gov for public viewing, inspection, or copying, including any personally identifiable or confidential business information that is included in a comment. We post the comments received before the close of the comment period on the following website as soon as possible after they have been received: <http://www.regulations.gov>. VA will not post on [Regulations.gov](http://www.regulations.gov) public comments that make threats to individuals or institutions or suggest that the commenter will take actions to harm the individual. VA encourages individuals not to submit duplicative comments. We will post acceptable comments from

multiple unique commenters even if the content is identical or nearly identical to other comments. Any public comment received after the comment period's closing date is considered late and will not be considered in a potential rulemaking.

SUPPLEMENTARY INFORMATION: The Advisory Committee for Minority Veterans (ACMV) and CMV were first authorized in 1994 to address disparities in the use of VA benefits and services for five racial/ethnic groups defined by statute specifying Veterans who identify as Asian American; Black; Hispanic; Native American* (including American Indian, Alaskan Native, and Native Hawaiian) or Pacific-Islander American. CMV identified that in addition to the current racial/ethnic groups, Veterans of Middle Eastern or North African descent and Veterans who identify as belonging to more than one race or ethnicity would benefit from being included in the list of groups served by CMV and ACMV. Additionally, with the input of various stakeholders, CMV identified additional groups of Veterans that have been historically underserved by the Department and designated "historically underserved" Veterans as those who are LGBTQ+ or are members in any religious faith that has been determined to be underserved. CMV invites the general public, educational institutions, Veteran serving organizations, non-profit/non-governmental organization and other Federal agencies that conduct research on and/or provide services to the aforementioned cohorts of Veterans to submit and/or comment on data and information on six priority areas: Demographic/Location data; Experience; Memorialization; Health; Benefits; Social Determinants of Health. CMV will utilize this input (information and comments, perhaps) to inform its effort to improve outreach, education, engagement, enrollment, advocacy and access programs for minority and underserved Veterans. CMV is specifically interested in evidence and research-based quantitative and qualitative information related to these six priority areas.

Background: CMV was established by Public Law 103-446 on November 2, 1994, in response to low utilization of VA benefits and services by minority Veterans. Public Law 103-446 defines "minority group member" as a Veteran who is: Asian American; Black; Hispanic/Latino; Native American (including American Indian, Alaskan Native and Native Hawaiian); or Pacific-Islander American. CMV is the Department of Veterans Affairs model

for inter-and intra-agency co-operation, to ensure all Veterans receive equal service regardless of race, origin, religion or gender. CMV is focused on process improvement oriented for both internal and external customer-centric activities by assisting VA in executing its mission in the most equitable, efficient and humane way possible. CMV also supports the Administration and the VA's Secretary's Goals: Executive Order (E.O.) On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (E.O. 13985); VA Strategic Objective 2.1—Reaching all Veterans. Dignity and an acceptable quality of life are the products we seek to deliver to ALL Veterans no matter what their circumstance.

Request for Information: CMV invites the general public, educational institutions, Veteran-serving organizations, non-profit/non-governmental organization and other Federal agencies that conduct research on and/or provide services to the aforementioned cohorts of Veterans to submit and/or comment on data and information related to the following six priority areas: Demographic/Location data; Experience; Memorialization; Health; Benefits; Social Determinants of well-being. CVM requests available data and information on utilization, equity or demographic data and potential barriers that underserved communities may face in accessing and benefitting from the agency's policies, programs and activities on minority and historically underserved Veterans as identified. CMV will utilize this input to inform CMV's effort to improve outreach, education, engagement, enrollment, advocacy and access programs for minority and underserved Veterans. CMV is specifically interested in evidence and research based quantitative and qualitative information related to these six priority areas.

Respondents should provide data and information on any activities relevant to the identified cohort of Veterans in related to the six priority areas and those that capture equity-focused health; demographics/location; benefits; experience; social determinants of health; and memorialization.

Respondents to this request for data and information should include their name, affiliation (if applicable), mailing address, telephone, email and sponsoring organization (if any) with their communications. The deadline for receipt of the requested information is August 21, 2023.

Responses to this request are voluntary. No proprietary, classified, confidential or sensitive information