

entirety to ensure that it conforms with the version of Application Note 1 that appears in the unofficial, “reader-friendly” version of Amendment 7 that the Commission made available in May 2012.

(3) Amendment 8 repealed the policy statement at § 5K2.19 (Post-Sentencing Rehabilitative Efforts). However, a reference to that policy statement is contained in § 5K2.0 (Grounds for Departure). This proposed amendment revises § 5K2.0 to reflect the repeal of § 5K2.19.

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## UNITED STATES SENTENCING COMMISSION

### Sentencing Guidelines for United States Courts

**AGENCY:** United States Sentencing Commission.

**ACTION:** Notice of final priorities.

**SUMMARY:** In May 2012, the Commission published a notice of possible policy priorities for the amendment cycle ending May 1, 2013. See 77 FR 31069 (May 24, 2012). After reviewing public comment received pursuant to the notice of proposed priorities, the Commission has identified its policy priorities for the upcoming amendment cycle and hereby gives notice of these policy priorities.

**FOR FURTHER INFORMATION CONTACT:** Jeanne Doherty, Public Affairs Officer, 202-502-4502.

**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 sentencing 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).

As part of its statutory authority and responsibility to analyze sentencing issues, including operation of the federal sentencing guidelines, the Commission has identified its policy priorities for the amendment cycle ending May 1, 2013. The Commission recognizes, however, that other factors, such as the enactment of any legislation requiring Commission action, may affect the Commission’s ability to complete work on any or all of its identified

priorities by the statutory deadline of May 1, 2013. Accordingly, it may be necessary to continue work on any or all of these issues beyond the amendment cycle ending on May 1, 2013.

As so prefaced, the Commission has identified the following priorities:

(1) Continuation of its work with Congress and other interested parties on statutory mandatory minimum penalties to implement the recommendations set forth in the Commission’s 2011 report to Congress, titled *Mandatory Minimum Penalties in the Federal Criminal Justice System*, and to develop appropriate guideline amendments in response to any related legislation.

(2) Continuation of its work with the congressional, executive, and judicial branches of government, and other interested parties, to study the manner in which *United States v. Booker*, 543 U.S. 220 (2005), and subsequent Supreme Court decisions have affected federal sentencing practices, the appellate review of those practices, and the role of the federal sentencing guidelines. The Commission anticipates that it will issue a report with respect to its findings, possibly including (A) an evaluation of the impact of those decisions on the federal sentencing guideline system; (B) recommendations for legislation regarding federal sentencing policy; (C) an evaluation of the appellate standard of review applicable to post-*Booker* federal sentencing decisions; and (D) possible consideration of amendments to the federal sentencing guidelines. The Commission also intends to work with the judicial branch and other interested parties to develop enhanced methods for collecting and disseminating information and data about the use of variances and the specific reasons for imposition of such sentences under 18 U.S.C. 3553(a).

(3) Continuation of its review of child pornography offenses and report to Congress as a result of such review. It is anticipated that any such report would include (A) a review of the incidence of, and reasons for, departures and variances from the guideline sentence; (B) a compilation of studies on, and analysis of, recidivism by child pornography offenders; and (C) possible recommendations to Congress on any statutory and/or guideline changes that may be appropriate.

(4) Continuation of its work on economic crimes, including (A) a comprehensive, multi-year study of § 2B1.1 (Theft, Property Destruction, and Fraud) and related guidelines, including examination of the loss table and the definition of loss, and (B) consideration of any amendments to

such guidelines that may be appropriate in light of the information obtained from such study.

(5) Continuation of its multi-year study of the statutory and guideline definitions of “crime of violence”, “aggravated felony”, “violent felony”, and “drug trafficking offense”, possibly including recommendations to Congress on any statutory changes that may be appropriate and development of guideline amendments that may be appropriate in response to any related legislation.

(6) Undertaking a comprehensive, multi-year study of recidivism, including (A) examination of circumstances that correlate with increased or reduced recidivism; (B) possible development of recommendations for using information obtained from such study to reduce costs of incarceration and overcapacity of prisons; and (C) consideration of any amendments to the *Guidelines Manual* that may be appropriate in light of the information obtained from such study.

(7) Resolution of circuit conflicts, pursuant to the Commission’s continuing authority and responsibility, under 28 U.S.C. 991(b)(1)(B) and *Braxton v. United States*, 500 U.S. 344 (1991), to resolve conflicting interpretations of the guidelines by the federal courts.

(8) Implementation of the Food and Drug Administration Safety and Innovation Act, Public Law 112-144, and any other crime legislation enacted during the 111th or 112th Congress warranting a Commission response.

(9) Consideration of (A) whether any amendments to the *Guidelines Manual* may be appropriate in light of *Setser v. United States*, 132 S. Ct. 1463, \_\_\_ U.S. \_\_\_ (March 28, 2012); and

(B) any miscellaneous guideline application issues coming to the Commission’s attention from case law and other sources.

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

**Patti B. Saris,**

*Chair.*

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## DEPARTMENT OF VETERANS AFFAIRS

### Letter of Intent To Apply for Funding Available Under the Supportive Services for Veteran Families Program

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Notice; Letter of Intent.

**SUMMARY:** The Department of Veterans Affairs (VA) requests that eligible entities interested in applying for funding under the Supportive Services for Veteran Families (SSVF) Program submit a letter of intent. The SSVF Program expects to publish a notice of funding availability (NOFA) in fiscal year (FY) 2013. The NOFA will contain information concerning the SSVF Program, initial and renewal supportive services grant application processes, and amount of funding available.

**DATES:** Interested organizations are encouraged to submit a nonbinding letter of intent to apply for initial and renewal supportive services grants under the SSVF Program by 4:00 p.m. Eastern Time on September 28, 2012.

*For a Copy of the Letter of Intent Format:* Download directly from the SSVF Program Web page which can be found at [www.va.gov/homeless/ssvf.asp](http://www.va.gov/homeless/ssvf.asp). Questions should be referred to the SSVF Program Office via phone at (877) 737-0111 (this is a toll-free number) or via email at [SSVF@va.gov](mailto:SSVF@va.gov). For detailed SSVF Program information and requirements, see title 38 CFR part 62.

*Submission of Letter of Intent:* Letters of intent should be submitted electronically to the SSVF Program Office via email at [SSVF@va.gov](mailto:SSVF@va.gov).

**FOR FURTHER INFORMATION CONTACT:** John Kuhn, Supportive Services for Veteran Families Program Office, National Center on Homelessness Among Veterans, 4100 Chester Avenue, Suite 201, Philadelphia, PA 19104; (877) 737-0111 (this is a toll-free number); [SSVF@va.gov](mailto:SSVF@va.gov).

**SUPPLEMENTARY INFORMATION:** This letter of intent is requested in anticipation of a planned NOFA to be issued in FY 2013. Please refer to title 38 CFR part 62 for detailed SSVF Program information and requirements.

*A. Purpose:* The SSVF Program's purpose is to provide supportive services grants to private non-profit organizations and consumer cooperatives who will coordinate or provide supportive services to very low-income Veteran families who are residing in permanent housing, are homeless and scheduled to become residents of permanent housing within a specified time period, or after exiting permanent housing, are seeking other housing that is responsive to such very low-income veteran family's needs and preferences.

*B. Definitions:* Sections 62.2 and 62.11(a) of title 38, Code of Federal Regulations, contain definitions of terms used in the SSVF Program.

*C. Approach:* Grantees will be expected to leverage supportive services grant funds to enhance the housing stability of very low-income Veteran families who are occupying permanent housing. In doing so, grantees are required to establish relationships with local community resources. The aim of the provision of supportive services is to assist very low-income veteran families. Accordingly, VA encourages eligible entities skilled in facilitating housing stability and currently operating rapid re-housing programs (i.e., administering the Department of Housing and Urban Development's (HUD) Homelessness

Prevention and Rapid Re-Housing Program, HUD's Emergency Solution Grant, or other comparable Federal or community resources) to apply for supportive services grants. The SSVF Program is not intended to provide long-term support for participants, nor will it be able to address all of the financial and supportive services needs of participants that affect housing stability. Rather, when participants require long-term support, grantees should focus on connecting such participants to mainstream Federal and community resources (e.g., HUD-VA Supportive Housing Program, HUD Housing Choice Voucher programs, McKinney-Vento funded supportive housing programs, Temporary Assistance for Needy Families, etc.) that can provide ongoing support. Assistance in obtaining or retaining permanent housing is a fundamental goal of the SSVF Program. Grantees are expected to provide case management services in accordance with 38 CFR 62.21.

*D. Authority:* The SSVF Program is authorized by title 38 U.S.C. 2044, amended by the Veterans Health Care Facilities Capital Improvement Act of 2011, Public Law 112-37. VA implements the SSVF program by regulation in title 38 CFR part 62.

Dated: August 16, 2012.

**John R. Gingrich,**  
*Chief of Staff.*

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