

release of the information, FTA will provide the applicant timely notice of such order to allow the applicant the opportunity to challenge such an order. FTA will not challenge a court order on behalf of an applicant.

2. Pilot Program Administration and Reporting Requirements

The Pilot Program is not funded with Federal funds; selected nonprofit entities may charge the grantee participants in the cooperative procurement contract for the cost of administering, planning, and providing technical assistance for the contract in an amount that is not more than 1 percent of the contract price. The selected nonprofit entity may incorporate the cost into the price of the contract or directly charge the grantee participants for the cost, but not both.

To achieve a comprehensive understanding of the utility and effectiveness of the Pilot Program, FTA, or its designated independent evaluator, will require access to project data. Selected nonprofit entities should be prepared to collect and maintain data related to participating vendors, participating grantees, and the quantity and price of rolling stock and related equipment procured by grantees through the cooperative procurement.

3. Expiration of Pilot Program

After selection of eligible nonprofit entities for the Pilot Program, the Pilot Program will expire six years from the publication of this notice in the **Federal Register** or when the contract with the longest term, including option periods, awarded by a nonprofit entity in the Pilot Program expires, whichever date is earlier.

Matthew J. Welbes,
Executive Director.

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Limitation on Claims Against Proposed Public Transportation Projects

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice.

SUMMARY: This notice announces a final environmental action taken by the Federal Transit Administration (FTA) for a project in Hudson County, New Jersey. The purpose of this notice is to announce publicly the environmental decision by FTA on the subject project

and to activate the limitation on any claims that may challenge this final environmental action.

DATES: By this notice, FTA is advising the public of final agency actions subject to Section 139(l) of Title 23, United States Code (U.S.C.). A claim seeking judicial review of FTA actions announced herein for the listed public transportation projects will be barred unless the claim is filed on or before January 19, 2018.

FOR FURTHER INFORMATION CONTACT: Nancy-Ellen Zusman, Assistant Chief Counsel, Office of Chief Counsel, (312) 353-2577 or Alan Tabachnick, Environmental Protection Specialist, Office of Environmental Programs, (202) 366-8541. FTA is located at 1200 New Jersey Avenue SE., Washington, DC 20590. Office hours are from 9:00 a.m. to 5:00 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION: Notice is hereby given that FTA has taken final agency action by issuing a certain approval for the public transportation project listed below. The action on the project, as well as the laws under which such action was taken, is described in the documentation issued in connection with the project to comply with the National Environmental Policy Act (NEPA) and in other documents in the FTA administrative record for the project. Interested parties may contact either the project sponsor or the FTA Regional Office for more information. Contact information for FTA's Regional Offices may be found at <https://www.fta.dot.gov>.

This notice applies to all FTA decisions on the listed project as of the issuance date of this notice and all laws under which such action was taken, including, but not limited to, NEPA [42 U.S.C. 4321-4375], Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303], Section 106 of the National Historic Preservation Act [16 U.S.C. 470f], and the Clean Air Act [42 U.S.C. 7401-7671q]. This notice does not, however, alter or extend the limitation period for challenges of project decisions subject to previous notices published in the **Federal Register**. The project and action that are the subject of this notice follows:

Project name and location: Portal Bridge Capacity Enhancement Project, Hudson County, New Jersey. *Project Sponsor:* New Jersey Transit Corporation. *Project description:* This project consists of the demolition of the 100-year old moveable swing-span two-track Portal Bridge between the Town of Kearny and the Town of Secaucus, and its replacement with two new bridges: a northern fixed two-track bridge and a southern fixed two-track bridge. The

existing Portal Bridge experiences frequent mechanical and operational failures which pose reliability concerns, capacity constraints, operational inflexibility, and commuter delays along the Northeast Corridor. Additionally, the bridge's low vertical clearance conflicts with maritime uses. By replacing the movable two-track bridge with two fixed two-track bridges at higher elevations, this project will increase reliability and operational flexibility, eliminate capacity constraints, reduce commuter delays, and support additional maritime uses along the Northeast Corridor. In 2008, the Federal Railroad Administration (FRA) completed an Environmental Impact Statement (EIS) for this project; FTA was a cooperating agency. FRA subsequently issued a Record of Decision (ROD) and completed three re-evaluations in 2010, 2011, and 2016. FTA has reviewed the environmental record, and in accordance with 40 CFR 1506.3 and 23 U.S.C. 139, FTA is issuing a ROD which adopts FRA's EIS. *Final agency actions:* Section 4(f) determination (included in the EIS, dated December 23, 2008), an amendment to the Section 106 Memorandum of Agreement dated July 25, 2017 which adds FTA as a signatory, project-level air quality conformity, and a ROD dated July 25, 2017. *Supporting documentation:* EIS with ROD dated December 23, 2008, Re-evaluation dated May 2010; Re-evaluation dated January 2011; and Re-evaluation dated August 2016.

Lucy Garliauskas,

Associate Administrator Planning and Environment.

[FR Doc. 2017-17723 Filed 8-21-17; 8:45 am]

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UNITED STATES SENTENCING COMMISSION

Final Priorities for Amendment Cycle

AGENCY: United States Sentencing Commission.

ACTION: Notice of final priorities.

SUMMARY: In June 2017, the Commission published a notice of proposed policy priorities for the amendment cycle ending May 1, 2018. See 82 FR 28381 (June 21, 2017). 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: Christine Leonard, Director, Office of Legislative and Public Affairs, (202) 502-4500, pubaffairs@ussc.gov.

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 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, 2018. Other factors, such as legislation requiring Commission action, may affect the Commission's ability to complete work on any or all identified priorities by May 1, 2018. Accordingly, the Commission may continue work on any or all identified priorities after that date or may decide not to pursue one or more identified priorities.

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 Commission has identified the following priorities:

(1) Continuation of its multiyear examination of the structure of the guidelines post-*Booker* and consideration of legislative recommendations or guideline amendments to simplify the guidelines, while promoting proportionality and reducing sentencing disparities, and to account appropriately for the defendant's role, culpability, and relevant conduct.

(2) Continuation of its multiyear study of offenses involving synthetic cathinones (such as methylenedioxymethamphetamine, MDPV, and mephedrone) and synthetic cannabinoids (such as JWH-018 and AM-2201), as well as tetrahydrocannabinol (THC), fentanyl, and fentanyl analogues, and consideration of appropriate guideline amendments, including simplifying the determination of the most closely related substance under Application Note 6 of the Commentary to § 2D1.1.

(3) Continuation of its work with Congress and others to implement the recommendations of the Commission's 2016 report to Congress, *Career Offender Sentencing Enhancements*, including its recommendations to revise the career offender directive at 28 U.S.C. 994(h) to focus on offenders who have committed at least one "crime of violence" and to adopt a uniform definition of "crime of violence"

applicable to the guidelines and other recidivist statutory provisions.

(4) Continuation of its work with Congress and others to implement the recommendations of the Commission's 2011 report to Congress, *Mandatory Minimum Penalties in the Federal Criminal Justice System*—including its recommendations regarding the severity and scope of mandatory minimum penalties, consideration of expanding the "safety valve" at 18 U.S.C. 3553(f), and elimination of the mandatory "stacking" of penalties under 18 U.S.C. 924(c)—and preparation of a series of publications updating the data in the report.

(5) Continuation of its comprehensive, multiyear study of recidivism, including the circumstances that correlate with increased or reduced recidivism; consideration of developing recommendations to reduce incarceration costs and prison overcapacity, and to promote effective reentry programs; and consideration of appropriate guideline amendments, including revising Chapter Four and Chapter Five (A) to lower guideline ranges for "first offenders" and (B) to increase the availability of alternatives to incarceration for such offenders at the lower levels of the Sentencing Table.

(6) Implementation of the Bipartisan Budget Act of 2015, Public Law 114-74, and other legislation warranting Commission action.

(7) Continuation of its study of the May 2016 Report of the Commission's Tribal Issues Advisory Group and consideration of appropriate guideline amendments, including (A) revising how tribal court convictions are addressed in Chapter Four and (B) providing a definition of "court protection order" that would apply throughout the guidelines.

(8) Continuation of its examination of Chapter Four, Part A (Criminal History) and consideration of amendments to revise how the guidelines (A) treat convictions for offenses committed prior to age eighteen; (B) treat revocations under § 4A1.2(k) when the original sentence would not otherwise receive criminal history points because it is outside the time periods in § 4A1.2(d)(2) and (e); and (C) account in § 4A1.3 for instances in which the time actually served was substantially less than the length of the sentence imposed for a conviction counted in the criminal history score.

(9) Continuation of its study of alternatives to incarceration, preparation of a publication on the development of alternative-to-incarceration programs in federal district courts, and consideration of

appropriate guideline amendments, including consolidating Zones B and C of the Sentencing Table in Chapter 5, Part A.

(10) 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).

(11) Consideration of other miscellaneous guideline application issues, including whether a defendant's denial of relevant conduct should be considered in determining whether the defendant has accepted responsibility for purposes of § 3E1.1.

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

William H. Pryor, Jr.,
Acting Chair.

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DEPARTMENT OF VETERANS AFFAIRS

Advisory Committee on Homeless Veterans, Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act that a meeting of the Advisory Committee on Homeless Veterans will be held September 13-15, 2017. The meeting sessions will take place at the Harbor Homes, Inc. at 77 Northeastern Blvd., Nashua, NH 03062. Sessions are open to the public, except when the Committee is conducting tours of VA facilities, participating in off-site events, and participating in workgroup sessions. Tours of VA facilities are closed, to protect Veterans' privacy and personal information.

The purpose of the Committee is to provide the Secretary of Veterans Affairs with an on-going assessment of the effectiveness of the policies, organizational structures, and services of VA in assisting Veterans at-risk and experiencing homelessness. The Committee shall assemble and review information related to the needs of homeless Veterans and provide advice on the most appropriate means of providing assistance to that subset of the Veteran population. The Committee will make recommendations to the Secretary regarding such activities.

On Wednesday, September 13, the Committee will convene an open session at the Harbor Homes, Inc., 77 Northeastern Blvd., Nashua, NH 03062, from 8:00 a.m. to 12:00 p.m. The agenda will include briefings from officials at VA and other agencies regarding services for homeless Veterans. From