

(I) Determine the base offense level for the quantity of cocaine base involved in the offense.

(II) Using the marihuana equivalency obtained from the table in this subdivision, convert the quantity of cocaine base involved in the offense to its equivalent quantity of marihuana.

Base offense level	Marihuana equivalency
38	6.7 kg of marihuana per g of cocaine base.
36	6.7 kg of marihuana per g of cocaine base.
34	6 kg of marihuana per g of cocaine base.
32	6.7 kg of marihuana per g of cocaine base.
30	14 kg of marihuana per g of cocaine base.
28	11.4 kg of marihuana per g of cocaine base.
26	5 kg of marihuana per g of cocaine base.
24	16 kg of marihuana per g of cocaine base.
22	15 kg of marihuana per g of cocaine base.
20	13.3 kg of marihuana per g of cocaine base.
18	10 kg of marihuana per g of cocaine base.
16	10 kg of marihuana per g of cocaine base.
14	10 kg of marihuana per g of cocaine base.
12	10 kg of marihuana per g of cocaine base.

(III) Determine the combined marihuana equivalency for the other controlled substance or controlled substances involved in the offense as provided in subdivision (B) of this note.

(IV) Add the quantity of marihuana determined under subdivisions (II) and (III), and look up the total in the Drug Quantity Table to obtain the combined base offense level for all the controlled substances involved in the offense.

(ii) Example.—The case involves 1.5 kg of cocaine, 10 kg of marihuana, and 20 g of cocaine base. Under the Drug Quantity Table, 20 g of cocaine base corresponds to a base offense level of 26. Pursuant to the table in subdivision (II), the base offense level of 26 corresponds to a marihuana equivalency of 5 kg per gram of cocaine base. Therefore, the equivalent quantity of marihuana for the cocaine base is 100 kg (20 g × 5 kg = 100 kg). Pursuant to subdivision (B), the equivalent quantity of marihuana for the cocaine and marihuana is 310 kg. (The cocaine converts to an equivalent of 300 kg of marihuana (1.5 kg × 200 g = 300 kg), which, when added to the 10 kg of marihuana, results in an equivalent

quantity of 310 kg of marihuana.) Adding the equivalent quantities of marihuana of all three drug types results in a combined quantity of 410 kg of marihuana (100 kg + 310 kg = 410 kg), which corresponds to a combined base offense level of 28 in the Drug Quantity Table.”.

The Commentary to § 2N2.1 captioned “Application Notes” is amended in Note 4 by inserting “and Narcoterrorism” after “Drugs”.

The Commentary to § 5B1.3 captioned “Application Note”, as added by Amendment 4 submitted to Congress on May 1, 2007 (see 72 FR 28558; USSG App. C (Amendment 701)), is amended by striking “(b)” each place it appears and inserting “(a)”.

The Commentary to § 5D1.3 captioned “Application Note”, as added by Amendment 4 submitted to Congress on May 1, 2007 (see 72 FR 28558; USSG App. C (Amendment 701)), is amended by striking “(b)” each place it appears and inserting “(a)”.

Appendix A (Statutory Index) is amended by striking the lines referenced to “50 U.S.C. 421” and “50 U.S.C. 783(b)” the first place they appear.

Reason for Amendment: This amendment makes various technical and conforming amendments in order to execute properly amendments submitted to Congress on May 1, 2007, and that will become effective on November 1, 2007. Specifically, the amendment corrects grammatical errors in the commentary to § 2A3.4 (Abusive Sexual Contact or Attempt to Commit Abusive Sexual Contact); amends the commentary to § 2D1.1 (Unlawful Manufacturing, Importing, Exporting, or Trafficking (Including Possession with Intent to Commit These Offenses); Attempt or Conspiracy); changes the heading in Chapter Two, Part D and makes the conforming change to § 2N2.1 (Violations of Statutes and Regulations Dealing With Any Food, Drug, Biological Product, Device, Cosmetic, or Agricultural Product); corrects typographical errors in §§ 5B1.3 (Conditions of Probation) and 5D1.3 (Conditions of Supervised Release); and amends Appendix A to remove duplicate listings.

[FR Doc. E7-17796 Filed 9-10-07; 8:45 am]

BILLING CODE 2211-01-P

UNITED STATES SENTENCING COMMISSION

Sentencing Guidelines for United States Courts

AGENCY: United States Sentencing Commission.

ACTION: Notice of extension of the deadline for application to the Victims Advisory Group

SUMMARY: The United States Sentencing Commission is issuing this notice to advise the public that the application period for membership in the Victims Advisory Group has been extended to November 13, 2007. The deadline was originally July 30, 2007.

This comment period is extended to ensure full dissemination of the information surrounding this group's inception to all appropriate parties and sufficient time for those parties to apply for membership.

SUPPLEMENTARY INFORMATION: After considering the request of the Judicial Conference of the United States regarding the formation of a victims advisory group, the United States Sentencing Commission has decided to establish a standing victims advisory group pursuant to 28 U.S.C. 995 and Rule 5.4 of the Commission's Rules of Practice and Procedure. The purpose of the advisory group is (1) To assist the Commission in carrying out its statutory responsibilities under 28 U.S.C. 994(o); (2) to provide the Commission its views on the Commission's activities as they relate to victims of crime; (3) to disseminate information regarding sentencing issues to organizations represented by the advisory group and to other victims of crime and victims advocacy groups, as appropriate; and (4) to perform any other functions related to victims of crime as the Commission requests. The victims advisory group will consist of not more than 9 members, each of whom may serve not more than two consecutive 3-year terms.

The Commission issued an invitation to apply for membership of the victims advisory group on June 19, 2007 (72 FR 33798). Applications were initially due to the Commission on July 30, 2007. The Commission hereby invites additional applications from any person or group who has knowledge, expertise, or experience in the area of federal crime victimization. Requests to be considered for the initial membership of the victims advisory group must be received by the Commission not later than November 13, 2007. Applications may be sent to Michael Courlander at the address listed below.

DATES: Applications should be received not later than November 13, 2007.

ADDRESSES: Send applications to: United States Sentencing Commission, One Columbus Circle, N.E., Suite 2-500, South Lobby, Washington, DC 20002-8002, Attention: Public Affairs-Victims Advisory Group Application.

FOR FURTHER INFORMATION CONTACT: Michael Courlander, Public Affairs Officer, Telephone: (202) 502-4590.

Authority: USSC Rules of Practice and Procedure 5.4.

Ricardo H. Hinojosa,
Chair.

[FR Doc. E7-17798 Filed 9-10-07; 8:45 am]

BILLING CODE 2211-01-P

UNITED STATES SENTENCING COMMISSION

Sentencing Guidelines for United States Courts

AGENCY: United States Sentencing Commission.

ACTION: Notice of final priorities.

SUMMARY: In July 2007, the Commission published a notice of possible policy priorities for the amendment cycle ending May 1, 2008. See 72 FR 41795 (July 31, 2007). 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: Michael Courlander, Public Affairs Officer, Telephone: (202) 502-4590.

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, 2008, and possibly continuing into the amendment cycle ending May 1, 2009. 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, 2008. Accordingly, it may be necessary to continue work on any or all of these issues beyond the amendment cycle ending on May 1, 2008.

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

(1) Implementation of crime legislation enacted during the 110th Congress warranting a Commission response, including (A) the Animal Fighting Prohibition Enforcement Act of 2007, Public Law 110-22; and (B) any other legislation authorizing statutory penalties or creating new offenses that requires incorporation into the guidelines;

(2) Continuation of its work with Congress and other interested parties on cocaine sentencing policy to implement the recommendations set forth in the Commission's 2002 and 2007 reports to Congress, both entitled *Cocaine and Federal Sentencing Policy*, and to develop appropriate guideline amendments in response to any related legislation;

(3) Continuation of its work with the congressional, executive, and judicial branches of the government and other interested parties on appropriate responses to *United States v. Booker* and *United States v. Rita*, including any appropriate amendments to the guidelines or other changes to the *Guidelines Manual* with respect to those decisions and other cases that may be adjudicated during this amendment cycle, as well as continuation of its monitoring and analysis of post-*Booker* federal sentencing practices, data, case law, and other feedback, including reasons for departures and variances stated by sentencing courts;

(4) Continuation of its policy work regarding immigration offenses, specifically, offenses sentenced under §§ 2L1.1 (Smuggling, Transporting, or Harboring an Unlawful Alien) and 2L1.2 (Unlawfully Entering or Remaining in the United States) and implementation of any immigration legislation that may be enacted;

(5) Continuation of its policy work, in light of the Commission's prior and ongoing research on criminal history, to develop and consider possible options that might improve the operation of Chapter Four (Criminal History).

(6) Continuation of guideline simplification efforts with consideration and possible development of options for guideline amendments that might improve the operation of the sentencing guidelines;

(7) Resolution of a number 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) Consideration of a limited number of miscellaneous guideline application issues, including issues concerning the determination of harm and the definition of "victim" in certain types of cases; the treatment under the guidelines of counterfeit controlled substances, human growth hormone (HGH), Prescription Drug Marketing Act of 1987 (Pub. L. 100-293) offenses, and other food and drug violations; specific concerns regarding application of the Chapter Three enhancements for abuse of trust and obstruction; and other miscellaneous priority issues coming to the Commission's attention; and

(9) Preparation and dissemination, pursuant to the Commission's authority under 28 U.S.C. 995(a)(12)-(16), of research reports on various aspects of federal sentencing policy and practice, such as updating the Commission's 1991 report to Congress entitled *Mandatory Minimum Penalties in the Federal Criminal Justice System* and studying alternatives to incarceration, including information on and possible development of any guideline amendments that might be appropriate in response to any research reports.

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

Ricardo H. Hinojosa,
Chair.

[FR Doc. E7-17799 Filed 9-10-07; 8:45 am]

BILLING CODE 2211-01-P

DEPARTMENT OF STATE

[Public Notice 5932]

Reinstatement of Statutory Debarment Under the International Traffic in Arms Regulations

ACTION: Notice.

SUMMARY: Notice is hereby given that the Department of State has lifted the statutory debarment against Equipment & Supply, Inc. (ESI) pursuant to Section 38 (g)(4) of the Arms Export Control Act (AECA) (22 U.S.C. 2778).

DATES: *Effective Date:* Effective July 30, 2007.

FOR FURTHER INFORMATION CONTACT: David Trimble, Director, Office of Defense Trade Controls Compliance, Bureau of Political-Military Affairs, Department of State (202) 663-2477.