



2025 AMENDMENTS IN BRIEF

In April 2025, the U.S. Sentencing Commission approved amendments to the federal sentencing guidelines. For a more detailed discussion of the policy determinations made by the Commission, please refer to the *Reason for Amendment* in the “Reader-Friendly” and Official Text (link in QR code).

2025 Amendment **Firearms**

This amendment responds to concerns by the Department of Justice and other commenters about the proliferation of machinegun conversion devices (MCDs).

The amendment revises §2K2.1, the primary firearms guideline, to more fully account for MCDs, establishing a new tiered specific offense characteristic at §2K2.1(b)(5) for cases involving MCDs. Prior to this amendment, §2K2.1 provided certain base offense levels for offenses involving MCDs and other firearms under the National Firearms Act, but MCDs did not trigger the specific offense characteristics in §2K2.1.

THE ISSUE

The Rise of the “Glock Switch”

MCDs, commonly referred to as “Glock switches” and “auto sears,” are devices designed to convert semi-automatic firearms into fully automatic weapons. Such devices pose a heightened danger to the public, as a weapon with an MCD fires more rapidly and with less control than an identical weapon without an MCD.

Commission data reflects a recent rise in firearms cases involving MCDs. In fiscal year 2023, 4.5 percent of cases sentenced under §2K2.1 involved an MCD—an increase from one percent of §2K2.1 cases in fiscal year 2019. Similarly, DOJ pointed to a 570% rise in MCD recoveries in 2021 compared to 2017.

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Amendment.



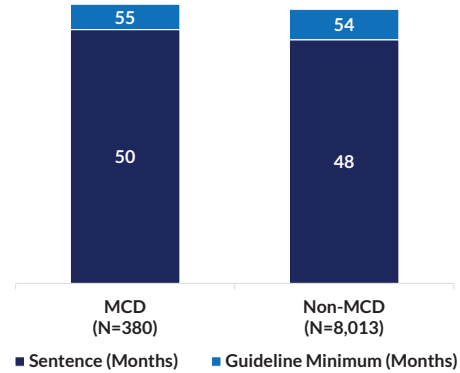
FACTS & FIGURES

In fiscal year 2023, 8,393 individuals were sentenced under §2K2.1 as their primary sentencing guideline. Of these cases, 380 (4.5%) involved an MCD. By comparison, in fiscal year 2019, the offense involved an MCD in only 79 cases—or 1% of cases—sentenced under §2K2.1.

Individuals whose offense involved an MCD had an average guideline minimum of 55 months, with an average sentence imposed of 50 months. Those whose offense did not involve an MCD had an average guideline minimum of 54 months and sentence imposed of 48 months.

Those who were sentenced for an offense involving an MCD were demographically similar to those whose offense did not involve an MCD, with the average age as the greatest difference between the two groups. The average age of individuals whose offense involved an MCD was 28 years, as compared to 35 years for those whose offense did not involve an MCD.

AVERAGE SENTENCE AND GUIDELINE MINIMUM FOR INDIVIDUALS SENTENCED WITH MCDs



NEW SPECIFIC OFFENSE CHARACTERISTIC FOR CASES INVOLVING MCDs §2K2.1(b)(5)



Machinegun Conversion Device Definition

For purposes of subsection (b)(5), “machinegun conversion device” means any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun (i.e., any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger).



(b)(5)(A)

Two-level enhancement when a defendant (i) possessed four or more MCDs or (ii) transferred or sold an MCD or attempted or conspired to commit such a transfer or sale.



(b)(5)(B)

Four-level enhancement when a defendant possessed 30 or more MCDs.



Offense Level Cap

The cumulative offense level may not exceed level 29 after application of subsections (b)(1) through the new subsection (b)(5), unless subsection (b)(3)(A) applies. The addition of the specific offense characteristic at subsection (b)(5) results in the renumbering of the prior §2K2.1(b)(5) through (9).