



2026 AMENDMENTS IN BRIEF

In April 2026, 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).



2026 Amendment Multiple Counts

This amendment replaces the five guidelines in Chapter Three, Part D with a single guideline at §3D1.1 that provides all the steps necessary to determine the single offense level for cases involving multiple counts.

New subsection (a) provides the rule for calculating an offense level where multiple counts involve aggregate harms, such as multiple counts of fraud, drug trafficking, firearms, and tax.

New subsection (b) provides the rule for calculating an offense level for multiple counts involving physical harm to an individual victim.

New subsection (c) provides that the offense level for counts not covered by subsection (a) or (b) are calculated separately.

New subsection (d) instructs courts to use the highest resulting offense level from subsection (a), (b), or (c).

THE ISSUE

Complicated Multiple Count Rules

As part of the Commission’s continued efforts to simplify the *Guidelines Manual*, this amendment simplifies the procedure for determining the single offense level for cases involving multiple counts. The amendment responds to both commenter concerns and Commission observations through its training mission that the rules were confusing and, at times, led to misapplication of the rules, potentially resulting in unwarranted sentencing disparities.



Scan or click QR code for full Reason for Amendment.

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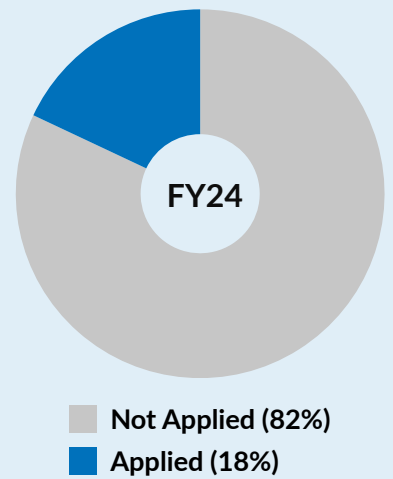
FACTS & FIGURES

The multiple count rules applied to 10,807 (18%) of the 58,526 individuals sentenced in fiscal year 2024 with complete guideline application information.

Consistent with the Commission's overarching intent, the amendment is largely outcome neutral. Of the cases in which the multiple count rules applied, the Commission estimated that 93% would result in no change in the sentence as a result of the 2026 Multiple Counts Amendment.

The Commission estimated that the average change in sentence imposed on all multiple count cases would be less than one month, from an average of 99.5 months to 98.9 months.

APPLICATION OF MULTIPLE COUNT RULES



FLOWCHART

