

## 1                   UNITED STATES SENTENCING COMMISSION

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## 3                   PUBLIC MEETING

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5                   FRIDAY  
6                   DECEMBER 12, 2025

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8                   The Commission met in the Commissioners'  
9                   Conference Room in the Thurgood Marshall Federal  
10                  Judiciary Building, One Columbus Circle NE,  
10                  Washington, D.C. at 11:00 a.m., Carlton W. Reeves,  
10                  Chair, presiding.11                  PRESENT  
12                  CARLTON W. REEVES, Chair  
13                  LAURA E. MATE, Vice Chair  
13                  CLAIRE MURRAY, Vice Chair  
14                  LUIS FELIPE RESTREPO, Vice Chair  
14                  CANDICE C. WONG, Commissioner  
15                  SCOTT A.C. MEISLER, Ex Officio, Office of the  
15                  Attorney General16                  ALSO PRESENT  
17                  KATHLEEN C. GRILLI, General Counsel

1 P-R-O-C-E-E-D-I-N-G-S

2 11:05 a.m.

3 CHAIR REEVES: The meeting is now called  
4 to order.

5 Good morning, I am the Chair of the United  
6 States Citizen Commission, Carlton W. Reeves, and  
7 I welcome you all to this hearing. I thank each of  
8 you for joining us, whether you're in this room or  
9 you're attending via live stream.

10 I have the honor of opening this meeting  
11 with my fellow Commissioners.

12 To my right we have Vice Chair Louie Felipe  
13 Restrepo and Commissioner Candice Wong.

14 To my left, Vice Chair Laura Mate and Ex  
15 Officio Commissioner Scott Meisler.

16 And via telephone, the person who usually  
17 sits to my left is Vice Chair Claire Murray.

18 VICE CHAIR MURRAY: Hello.

19 CHAIR REEVES: Okay, hello, she ways.

20 We are also joined by Commission  
21 employees, some of whom are in this room, many of  
22 whom are not.

1                   They've done the research. They've given  
2 us guidance. They've drafted policies. They've  
3 set up this room. They've done much more.

4                   Like other government agencies, we were  
5 impacted by the shutdown, but we were not impeded  
6 in the work that we had to do.

7                   The staff worked laboriously. The staff  
8 worked tremendously. The staff got the job done.

9                   And we could never, ever -- well, we probably could  
10 ask for more, but we will get the same results and  
11 I appreciate each member of the United States  
12 Citizen Commission.

13                  We did our annual recognition of our  
14 service awards, and there are many employees  
15 throughout this agency -- throughout this agency  
16 who've been in government service for 30 years, for  
17 25, for 20 years, public servants.

18                  Public servants doing the business of the  
19 people, and I cannot thank each of you enough.

20                  So, on behalf of the Commissioners and the  
21 public, I want to thank all our agency staff for  
22 the amazing work that you do every single day.

1           I also want to thank the Commission's  
2 advisory groups. They help us so much in all the  
3 work that we do and they give us advice. They give  
4 us input. And that input, that advice has always  
5 and is always so very helpful.

6           Some of the members of those groups are  
7 ending their terms of service this month. And I  
8 want to give a shout out.

9           For our Practitioners Advisory Group, we  
10 will be losing many remarkable members, Susan Lynn,  
11 our Third Circuit Representative, Steve Nolder from  
12 the Sixth Circuit, Lynn Panagakos, I hope I  
13 pronounced that right, from the Ninth Circuit,  
14 Pleasant Brodnax from the D.C. Circuit, and the  
15 group's Chair, Natasha Sin.

16           These people have brought us comments.  
17 These people have brought us testimony. These  
18 people have informed us on the work from the  
19 perspective of our Practitioners Advisory Group.

20           Finally, our Tribal Issues Advisory Group  
21 will be losing its longtime Chair. He's a dear  
22 colleague of mine and many others throughout the

1 judiciary, throughout the federal judiciary.

2 That's our friend, Judge Ralph Erickson.

3                   The Commission is so grateful for the work  
4 of those persons I just mentioned, as well as those  
5 persons who continue to serve on our advisory  
6 groups, not just the Practitioners Advisory Group,  
7 not just the Tribal Issues Advisory Group, but all  
8 of our advisory groups.

9                   Again, the Commission is so very grateful  
10 for the service of these individuals, and we hope  
11 and we know that their service to us, that is the  
12 public in general, is not ended because their terms  
13 might have come to an end.

14                   I know each of these individuals will find  
15 ways to aid and to support the work that we do and  
16 the work that all government employees do for the  
17 betterment of our country.

18                   So, having said all of that, we do have  
19 business to tend to this morning.

20                   The first order of business is a vote to  
21 adopt the August 6th, 2025 public meeting minutes.

22                   Is there a motion to do so?

1                   VICE CHAIR MATE: So moved.

2                   CHAIR REEVES: Is there a second?

3                   (No Audible Response)

4                   CHAIR REEVES: Is there any discussion on

5                   the motion?

6                   (No Audible Response)

7                   CHAIR REEVES: Hearing nothing, vote --

8                   let's vote on the motion by saying aye.

9                   (CHORUS OF AYES)

10                  CHAIR REEVES: Any nays?

11                  (No Audible Response)

12                  CHAIR REEVES: The motion is adopted by

13                  voice vote.

14                  The next item of business is a possible

15                  vote to publish in the Federal Register proposed

16                  guideline amendments and issues for public comment.

17                  The General Counsel will advise the

18                  Commission on the first possible vote concerning

19                  a proposed Drug Offenses Amendment.

20                  Did I skip over something?

21                  (No Audible Response)

22                  CHAIR REEVES: Okay, thank you.

1 MS. GRILLI: Thank you, Judge Reeves.

2 The first amendment before you, labeled  
3 drug offenses, is a multi-part amendment, three  
4 parts.

5 The Commission is considering whether to  
6 promulgate any and all of the parts, as they are  
7 not mutually exclusive.

8 Part A of the proposed amendment sets forth  
9 two options for amending 2D1.1 to address the purity  
10 distinction between different forms of  
11 methamphetamine.

12 Part B of the proposed amendment would  
13 amend 2D1.1 to address the enactment of the Halt  
14 All Lethal Trafficking of Fentanyl Act.

15 Part C would amend 2D1.1 to add new  
16 enhancements for offenses involving fentanyl and  
17 fentanyl analogs.

18 Issues for comment are also provided for  
19 each part.

20 A motion to publish the amendment with an  
21 original public comment period closing on February  
22 10th, 2026, and technical and conforming amendment

1           authority to staff is appropriate at this time.

2           CHAIR REEVES: Is there a motion to  
3           publish the proposed amendment as suggested by our  
4           General Counsel?

5           VICE CHAIR RESTREPO: So moved.

6           CHAIR REEVES: Is there a second?

7           VICE CHAIR MATE: Second.

8           CHAIR REEVES: Is there any discussion on  
9           the motion?

10           (No Audible Response)

11           CHAIR REEVES: Let's vote then on the  
12           motion by saying aye.

13           (Chorus of Ayes)

14           CHAIR REEVES: Any nays?

15           (No Audible Response)

16           CHAIR REEVES: The motion is adopted, and  
17           let the record reflect that at least three  
18           Commissioners voted in favor of the motion to  
19           publish.

20           The General Counsel will now advise the  
21           Commission on a possible vote concerning a proposed  
22           Inflationary Adjustments Amendment.

1                   MS. GRILLI: The Proposed Inflationary  
2 Adjustment Amendment would adjust monetary tables  
3 and values in the guidelines using a specific  
4 multiplier derived from the Bureau of Labor  
5 Statistics Consumer Price Index and would then round  
6 the amounts in those tables using a set of rules  
7 extrapolated from the provisions for adjusting  
8 monetary penalties for inflation set forth in  
9 Section 5A of the Federal Civil Penalties Inflation  
10 Adjustment Act of 1990.

11                   This is a similar -- the same methodology  
12 the Commission used in 2015, the last time it  
13 adjusted for inflation.

14                   In addition, the proposed amendment  
15 adjusts for inflation the monetary value and  
16 specific offense characteristics in other Chapter  
17 2 guidelines and includes conforming changes.

18                   Issues for comment are also provided in  
19 this amendment.

20                   Motion to publish the amendment with an  
21 original public comment period closing on February  
22 10th, 2026, and technical and conforming amendment

1           authority to staff is appropriate at this time.

2           CHAIR REEVES: Is there a motion to publish  
3           the proposed amendment as suggested by the General  
4           Counsel?

5           VICE CHAIR MATE: So moved.

6           CHAIR REEVES: Is there a second?

7           VICE CHAIR RESTREPO: Second.

8           CHAIR REEVES: Is there any discussion on  
9           the motion?

10           (No Audible Response)

11           CHAIR REEVES: Let's vote on the motion  
12           by saying aye.

13           Are there any nays?

14           Oh, let's vote on the motion by saying aye.

15           (Chorus of Ayes)

16           CHAIR REEVES: All right.

17           Are there any nays?

18           (No Audible Response)

19           CHAIR REEVES: All right, thank you.

20           The motion is adopted, and let the record  
21           reflect that at least three Commissioners voted in  
22           favor of the motion to publish.

1                   The General Counsel will now advise the  
2 Commission on a possible vote concerning a proposed  
3 Economic Crimes Amendment.

4                   MS. GRILLI: The Economic Crimes  
5 Amendment contains two parts.

6                   The Commission is considering whether to  
7 promulgate either or both of these parts, as they  
8 are not mutually exclusive.

9                   Part A of the proposed amendment would  
10 restructure the loss table at 2B1.1(b) (1) to  
11 simplify application of the table.

12                  Part B of the proposed amendment would  
13 amend existing specific offense characteristics and  
14 add new specific offense characteristics to 2B1.1  
15 to reflect the culpability of individual and harm  
16 to the victim.

17                  Issues for comment are also provided for  
18 each part.

19                  A motion to publish the proposed Economic  
20 Crimes Amendment with an original comment period  
21 closing on February 10th, 2026, and technical and  
22 conforming amendment authority to staff would be

1       in order at this time.

2                   CHAIR REEVES: Is there a motion to  
3                   publish the proposed amendment as suggested by our  
4                   General Counsel?

5                   VICE CHAIR RESTREPO: So moved.

6                   CHAIR REEVES: Is there a second?

7                   VICE CHAIR MATE: Second.

8                   CHAIR REEVES: Is there any discussion on  
9                   the motion?

10                  (No Audible Response)

11                  CHAIR REEVES: Let's then vote on the  
12                  motion by saying aye.

13                  (Chorus of Ayes)

14                  CHAIR REEVES: Are there any nays?

15                  (No Audible Response)

16                  CHAIR REEVES: The motion is adopted, and  
17                  let the record reflect that at least three  
18                  Commissioners voted in favor of the motion to  
19                  publish.

20                  Our General Counsel will now advise the  
21                  Commission on a possible vote concerning a proposed  
22                  Post-offense Rehabilitation Adjustment Amendment.

1                   MS. GRILLI: The Post-offense  
2                   Rehabilitation Adjustment Amendment would add a new  
3                   Chapter 3 adjustment at 3E1.2 for post-offense  
4                   rehabilitation, providing a reduction if the  
5                   defendant demonstrates positive post-offense  
6                   behavior or rehabilitative efforts.

7                   The proposed amendment sets forth two  
8                   options for the adjustment and includes issues for  
9                   comment.

10                  A motion to publish the amendment with an  
11                  original comment period closing on February 10th,  
12                  2026, and technical and conforming amendment  
13                  authority to staff would be in order at this time.

14                  CHAIR REEVES: Is there a motion to  
15                  publish the proposed amendment as suggested by the  
16                  General Counsel?

17                  VICE CHAIR RESTREPO: So moved.

18                  CHAIR REEVES: Is there a second?

19                  VICE CHAIR MATE: Second.

20                  CHAIR REEVES: Is there any discussion on  
21                  the motion?

22                  (NO AUDIBLE RESPONSE)

1                   CHAIR REEVES: Let's vote on the motion  
2 by saying aye.

3                   (CHORUS OF AYES)

4                   CHAIR REEVES: Are there any nays?

5                   (NO AUDIBLE RESPONSE)

6                   CHAIR REEVES: The motion is adopted, and  
7 let the record reflect that at least three  
8 Commissioners voted in favor of the motion to  
9 publish.

10                  The General Counsel will now advise the  
11 Commission on a possible vote concerning a proposed  
12 Multiple Counts Amendment.

13                  MS. GRILLI: The Multiple Counts Amendment  
14 addresses the multiple count rules contained in  
15 Chapter 3, Part D of the guidelines manual.

16                  The Commission is considering  
17 simplification of the existing multiple count  
18 rules, and the proposed amendment sets forth the  
19 option for simplification.

20                  Issues for comment are also provided in  
21 the proposed amendment.

22                  A motion to publish the proposed amendment

1      with a public comment period closing February 10th,  
2      2026, and technical and conforming amendment  
3      authority to staff would be in order at this time.

4                    CHAIR REEVES: Is there a motion to  
5      publish the proposed amendment as suggested by our  
6      General Counsel?

7                    COMMISSIONER WONG: So moved.

8                    CHAIR REEVES: Is there a second?

9                    VICE CHAIR RESTREPO: Second.

10                  CHAIR REEVES: Is there any discussion on  
11      the motion?

12                  (NO AUDIBLE RESPONSE)

13                  CHAIR REEVES: Let's vote on the motion  
14      by saying aye.

15                  (CHORUS OF AYES)

16                  CHAIR REEVES: Are there any nays?

17                  (NO AUDIBLE RESPONSE)

18                  CHAIR REEVES: The motion is adopted, and  
19      let the record reflect that at least three  
20      Commissioners voted in favor of the motion to  
21      publish.

22                  Our General Counsel will now advise the

1      Commission on a possible vote concerning a proposed  
2      Simplification Amendment.

3                    MS. GRILLI: The proposed Simplification  
4      Amendment is considering deleting 26 specific  
5      offense characteristics found throughout Chapter  
6      2 of the manual that courts did not apply at all  
7      in the last five fiscal years.

8                    These 26 specific offense characteristics  
9      have applied a small number of times, if at all,  
10     using a 25-year look back.

11                  The proposed amendment shows the  
12     strikeouts of each of the amendments in their  
13     specific guideline and includes an issue for  
14     comment.

15                  A motion to publish the proposed  
16     Simplification Amendment with a public comment  
17     period closing on February 10th, 2026, and technical  
18     and conforming amendment to staff is in order at  
19     this time.

20                  CHAIR REEVES: Is there a motion to publish  
21     the proposed amendment as suggested by our General  
22     Counsel?

6 (NO AUDIBLE RESPONSE)

7 CHAIR REEVES: Let's vote on the motion  
8 by saying aye.

9 (CHORUS OF AYES)

10 CHAIR REEVES: Are there any nays?

11 (NO AUDIBLE RESPONSE)

12 CHAIR REEVES: The motion is adopted, and  
13 let the record reflect that at least three  
14 Commissioners voted in favor of the motion to  
15 publish.

19 MS. GRILLI: The current guideline manual  
20 includes five guidelines that contain specific  
21 offense characteristics that expressly address  
22 sophisticated conduct.

1                   The Commission has received public comment  
2 expressing concerns about those specific offense  
3 characteristics and how they've been applied.

4                   To address these concerns, the proposed  
5 amendment would set forth two options.

6                   Option 1 would create a new Chapter 3  
7 adjustment at 3C1.5.

8                   Option 2 would amend 2B11, 2S11, 2T11 2T14,  
9 and 2T31 to provide updated uniform guidance  
10 relating to sophisticated conduct.

11                  Issues for comment are also included in  
12 the proposed amendment.

13                  A motion to publish the proposed  
14 Sophisticated Means Amendment with a comment period  
15 closing February 10th, 2026, and technical and  
16 conforming amendment authority to staff would be  
17 in order at this time.

18                  CHAIR REEVES: Is there a motion to  
19 publish the proposed amendment as suggested by our  
20 General Counsel?

21                  VICE CHAIR RESTREPO: So moved.

22                  CHAIR REEVES: Is there a second?

1                   VICE CHAIR MATE: Second.

2                   CHAIR REEVES: Is there any discussion on  
3 the motion?

4                   (No Audible Response)

5                   CHAIR REEVES: Let's vote on the motion  
6 by saying aye.

7                   (Chorus of Ayes)

8                   CHAIR REEVES: Are there any nays?

9                   (No Audible Response)

10                  CHAIR REEVES: The motion is adopted, and  
11 let the record reflect that at least three  
12 Commissioners voted in favor of the motion to  
13 publish.

14                  The General Counsel will now advise the  
15 Commission on a possible vote concerning a proposed  
16 Miscellaneous Amendment.

17                  MS. GRILLI: The Miscellaneous Amendment  
18 contains five parts, Parts A through E.

19                  The Commission is considering whether to  
20 promulgate any and all of these parts, as they are  
21 not mutually exclusive.

22                  Part A responds to the Tools to Address

1      Known Exploitation by Immobilizing Technological  
2      Deepfakes on Websites and Networks Act by amending  
3      Appendix A and the commentary to 2A6.1.

4              Part B responds to the Fentanyl  
5      Eradication and Narcotics Deterrence of Fentanyl  
6      Act by amending Appendix A and 2S1.3.

7              Part C responds to the Protecting  
8      Americans Data from Foreign Adversaries Act by  
9      amending Appendix A and 2H3.1.

10              Part D responds to the Foreign Extortion  
11      Prevention Technical Corrections Act by amending  
12      Appendix A and 2C1.1.

13              Part E would amend Appendix A reference  
14      for 18 United States Code Section 1348 by  
15      referencing the statute to 2B1.4 while also  
16      maintaining the current reference to 2B1.1. Issues  
17      for comment are included as to each part.

18              A motion to publish the proposed  
19      Miscellaneous Amendment with a comment period  
20      closing on February 10th, 2026, and technical and  
21      conforming amendment authority to staff would be  
22      in order at this time.

1 CHAIR REEVES: Is there a motion to publish  
2 the proposed amendment as suggested by our General  
3 Counsel?

4 VICE CHAIR RESTREPO: So moved.

5 CHAIR REEVES: Is there a second?

6 VICE CHAIR MATE: Second.

9 (NO AUDIBLE RESPONSE)

10 CHAIR REEVES: Now then, let's vote on the  
11 motion by saying aye.

12 (CHORUS OF AYES)

13 CHAIR REEVES: Okay, are there any nays?

14 (NO AUDIBLE RESPONSE)

15 CHAIR REEVES: The motion is adopted, and  
16 let the record reflect that at least three  
17 Commissioners voted in favor of the motion to  
18 publish.

19 Our General Counsel will now advise the  
20 Commission on a possible vote concerning a proposed  
21 Technical Amendment.

22 MS. GRILLI: The proposed amendment would

1      make technical and other non-substantive changes  
2      to the guidelines manual.

3                 The Technical Amendment an order -- a  
4      motion to publish would be in order at this time  
5      with a public comment period closing February 10th,  
6      2026, and technical and conforming amendment  
7      authority to staff.

8                 CHAIR REEVES: Is there a motion to publish  
9      the proposed amendment as suggested by our General  
10     Counsel?

11                VICE CHAIR MATE: So moved.

12                CHAIR REEVES: Is there a second?

13                VICE CHAIR RESTREPO: Second.

14                CHAIR REEVES: Is there any discussion on  
15     the motion?

16                (NO AUDIBLE RESPONSE)

17                CHAIR REEVES: Let's vote on the motion  
18     by saying aye.

19                (CHORUS OF AYES)

20                CHAIR REEVES: Are there any nays?

21                (NO AUDIBLE RESPONSE)

22                CHAIR REEVES: The motion is adopted, and

1      let the record reflect that at least three  
2      Commissioners voted in favor of the motion to  
3      publish.

4                    Is there any further business before the  
5      Commission?

6                    (NO AUDIBLE RESPONSE)

7                    CHAIR REEVES: They know I always go off  
8      script.

9                    (LAUGHTER)

10                  CHAIR REEVES: Happy holidays, everyone.

11                  It'll be the end of 2025 before I see you  
12      again, the public, it will be 2026.

13                  Please have a great holiday season, and  
14      we are going to welcome in the New Year with a bang.

15                  And we're going to continue to do the work of the  
16      people, for the people, and by the people. We are  
17      going to do our best to continue to do the work that  
18      we've been authorized to do by our government.

19                  I thank each of you for tuning in. I thank  
20      each of you for being with us, and we do have more  
21      work to do to enhance and to make better our criminal  
22      sentencing apparatus.

1                   So, thank you all so much for being with  
2 us today.

3                   Hearing no other business, I will receive  
4 and accept a motion to adjourn.

5                   VICE CHAIR MURRAY: I move.

6                   CHAIR REEVES: All right.

7                   (LAUGHTER)

8                   CHAIR REEVES: Is there a second?

9                   VICE CHAIR RESTREPO: Second.

10                  CHAIR REEVES: All right.

11                  Let's all vote on the motion to adjourn  
12 by saying aye.

13                  (CHORUS OF AYES)

14                  CHAIR REEVES: Anyone opposed?

15                  (NO AUDIBLE RESPONSE)

16                  CHAIR REEVES: Well, hearing none, the  
17 motion is adopted by voice vote, and this meeting  
18 of the Commission for December 12th, 2025, is now  
19 adjourned.

20                  Thank you.

21                  (Whereupon, the above-entitled matter  
22 went off the record at 11:27 a.m.)

## 1      C E R T I F I C A T E

2      This is to certify that the foregoing transcript  
3      was duly recorded and accurately transcribed under  
4      my direction; further, that said transcript is a  
5      true and accurate record of the proceedings; and  
6      that I am neither counsel for, related to, nor  
7      employed by any of the parties to this action in  
8      which this matter was taken; and further that I am  
9      not a relative nor an employee of any of the parties  
10     nor counsel employed by the parties, and I am not  
11     financially or otherwise interested in the outcome  
12     of the action.

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19     Lauren Fridley

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