

UNITED STATES SENTENCING COMMISSION

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To all recipients of the *Guidelines Manual*:

As many of you know, since early 2019, the United States Sentencing Commission has been operating without the quorum of four voting members required by statute to promulgate amendments to the sentencing guidelines, policy statements, and commentary. Thus, the 2018 edition of the *Guidelines Manual*, which incorporated amendments effective November 1, 2018, was the last version of the *Guidelines Manual* released.

The Commission has received feedback indicating that hard copies of the 2018 *Guidelines Manual* are significantly worn and that there is a limited supply of new copies available. In addition, the Commission has identified the need to update *Appendix B*, the accompanying volume to the *Guidelines Manual* that compiles the principal statutory provisions governing sentencing, the Commission, and the drafting of sentencing guidelines. Congress has amended several of the statutory provisions contained in *Appendix B* since the Commission released the 2018 *Guidelines Manual*.

As acting chair of the Commission, I am pleased to transmit this edition of the *Guidelines Manual*, which is a reprint without changes of the guidelines, policy statements, and commentary contained in the **2018 Guidelines Manual** featuring a new cover in Berkeley blue. An updated version of **Appendix B** (containing the principal statutory provisions governing sentencing, the Commission, and the drafting of sentencing guidelines as of August 1, 2021) is separately enclosed. A reprint without changes of the 2018 version of the **Supplement to Appendix C** (containing guideline amendments effective November 1, 2012, through November 1, 2018) is also enclosed. You should already have Volumes I through III of Appendix C (containing guideline amendments effective November 1, 1987, through November 1, 2011, and the reasons for those amendments).

The *Guidelines Manual* is also available in HTML and PDF formats on the Commission's website at www.ussc.gov, and as a web-based app that features additional tools to assist in understanding and applying the federal sentencing guidelines. The web-based app is accessible through any internet browser on mobile devices and desktop or laptop computers by visiting guidelines.ussc.gov.

Although lacking the quorum necessary to promulgate guideline amendments, the Commission has introduced several interactive tools and other resources to assist with guideline application over the past few years. For example, in 2019, the Commission released the *Guidelines Manual Annotated*, an online HTML version of the current *Guidelines Manual* that provides quick access to the amendment history of specific guideline and commentary

provisions. More recently, the Commission launched the Interactive Data Analyzer (IDA), an online research tool that can be used to explore, filter, customize, and visualize federal sentencing data. In the coming weeks, the Commission will release the Judiciary Sentencing Information (JSIN) tool expanding upon its longstanding practice of providing sentencing data at the request of federal judges. JSIN will provide cumulative data based on five years of sentencing data for defendants sentenced under the same primary guideline, and with the same Final Offense Level and Criminal History Category selected. These innovations have made the Commission's guidelines, data, and information more accessible and user-friendly for Congress, judges, litigants, probation officers, researchers, and members of the public.

The Commission continues to perform other statutory duties while it awaits the appointment of new voting commissioners. Over the past few years, the Commission has met the growing demand for the Commission's work products, resources, and services, as evidenced by an impressive increase in the Commission's website traffic. The Commission continues to release new and informative sentencing data, research, and training materials. The Commission has maintained a robust research schedule, analyzing data and issuing or updating publications such as the *2020 Sourcebook of Federal Sentencing Statistics*, a series of reports on recidivism among federal offenders, quarterly sentencing data reports, *Quick Facts* publications on diverse topics, and multiple other research and data reports. Further, the Commission has expanded its eLearning library and introduced live nationwide virtual training, significantly expanding the Commission's training reach and efforts.

The Commission also continues to work on several important policy priorities, including examining the implementation of the First Step Act of 2018. To inform a newly constituted Commission and to provide Congress and others a timely assessment of the First Step Act's impact, the Commission has been collecting, analyzing, and reporting data on the five sentencing provisions contained in the Act. In 2020, the Commission released *The First Step Act of 2018: One Year of Implementation*, a comprehensive report comparing data from the first full year following the enactment of the Act with data from fiscal year 2018, the last full fiscal year prior to its enactment. More recently, the Commission published a report analyzing how courts are ruling on compassionate release motions after the First Step Act and during the COVID-19 pandemic. The Commission is currently collecting further data on compassionate release motions, including the reasons courts are asserting for granting and denying such motions, to inform Congress and the public, as well as its own policymaking.

As always, the Commission encourages judges, probation officers, attorneys, and other interested individuals to submit suggestions for improving the guidelines. Please send comments by regular mail to U.S. Sentencing Commission, Thurgood Marshall Federal Judiciary Building, One Columbus Circle, N.E., Suite 2-500, South Lobby, Washington, D.C. 20002-8002, Attention: Office of Public Affairs, or by email to pubaffairs@ussc.gov.

Sincerely,



Charles R. Breyer
Acting Chair

The telephone number for the **USSC Helpline** is (202) 502-4545. The hours of operation are from 8:30 a.m. to 5 p.m., Eastern time, Monday through Friday. Helpline questions can also be submitted by filling out a form and submitting it electronically at askussctraining.ussc.gov. The *Guidelines Manual* and other Commission publications and information are available on the Commission's website at www.ussc.gov. On the website, you will also find the latest **Quick Facts** publications and both the **Judiciary Sentencing Information (JSIN)** and **Interactive Data Analyzer (IDA)** tools.