



2026 PROPOSED AMENDMENTS ON DRUG OFFENSES

My name is Amy Dezember, and I am a Senior Research Associate in the Office of Research and Data at the United States Sentencing Commission. On December 12, 2025, the Commission voted to publish proposed amendments to the United States Sentencing Guidelines, including a proposed amendment on Drug Offenses. On January 8, 2026, the Commission published a data presentation to inform public comment on a multi-part proposed amendment on Drug Offenses. This presentation provides supplemental data to inform Option 1 of Part A of the proposed amendment, which addresses the purity distinction between methamphetamine in “(actual)” form and methamphetamine as part of a mixture. The Commission is seeking public comment on the proposed amendments.

Option 1 of Part A would delete all references to “methamphetamine (actual)” from the Drug Quantity Table at §2D1.1(c) and brackets four alternatives for the quantity thresholds for methamphetamine. In this presentation, the Commission provides estimates of the impact of the amendment on the average sentence length in methamphetamine drug trafficking cases and on the Bureau of Prisons population that would result from promulgation of the proposed amendment. This analysis will provide this information for the [bracketed] alternative scenarios in the proposed amendment: if the quantity thresholds were set at: the current quantity thresholds for methamphetamine (actual); the quantity thresholds matching those of cocaine base, or in between methamphetamine (actual) and methamphetamine mixture; the current quantity thresholds for methamphetamine mixture; the quantity thresholds matching those of cocaine, or less severe than current levels for methamphetamine mixture, which was included in an issue for comment in the proposed amendment. The previous data presentation examined individuals whose base offense level was determined through application of the drug quantity table at §2D1.1 when methamphetamine was the primary drug involved in the offense (7,551 individuals in total). In this presentation the Commission provides estimates of the impact of the proposed amendment on the average sentence in all drug trafficking cases involving methamphetamine (8,513 individuals in total).

First, if the Commission were to set the quantity thresholds for all methamphetamine cases to the current levels for offenses involving



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methamphetamine (actual), 65% of all cases involving methamphetamine mixture would be impacted. For the affected individuals, their average sentence would increase from 87 months to 128 months. After 5 years, the amendment would increase the Bureau of Prisons population by 1,385 persons.

Among all methamphetamine cases, the current average sentence is 100 months and would increase to 123 months if the quantity thresholds are set at the methamphetamine (actual) levels.

If the Commission were to set the quantity threshold for all methamphetamine cases equal to the current levels for offenses involving cocaine base (quantities which are in between those for methamphetamine (actual) and mixture) then, 53% of all methamphetamine cases would be impacted. Of the impacted cases, 64% involved methamphetamine (actual), 23% involved methamphetamine mixture, and 13% involved both methamphetamine (actual) and methamphetamine mixture. For the affected individuals, their average sentence would decrease from 103 months to 86 months. For individuals with methamphetamine (actual), their average sentence would decrease from 112 months to 84 months. For individuals with methamphetamine mixture, their average sentence would increase from 92 months to 95 months. After 5 years, the amendment would reduce the Bureau of Prisons population by 1,327 persons.

If the quantity thresholds were set equal to the current levels for cocaine base, then the current average sentence for all methamphetamine cases of 100 months would decrease to 91 months. If the Commission were to set the quantity thresholds for all methamphetamine cases at the current levels for those involving methamphetamine mixture, 69% of all methamphetamine (actual) cases would be impacted. For the affected individuals, their average sentence would decrease from 110 months to 78 months. After 5 years, the amendment would reduce the Bureau of Prisons population by 2,241 persons.

If the quantity thresholds for all methamphetamine cases were set at methamphetamine mixture levels, then the current average sentence for all methamphetamine cases of 100 months would decrease to 87 months.

If the Commission were to set the quantity thresholds for all methamphetamine cases at levels equal to those for offenses involving cocaine



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(quantities which are lower than the current levels for methamphetamine mixture) then 74% of all methamphetamine cases would be impacted. For the affected individuals, the average sentence would decrease from 102 months to 59 months. For individuals with methamphetamine (actual), the average sentence would decrease from 110 months to 62 months. For individuals with methamphetamine mixture, the average sentence would decrease from 100 months to 63 months. After 5 years, the amendment would reduce the Bureau of Prisons population by 7,469 persons.

If the quantity thresholds for all methamphetamine cases were set at the current levels for cocaine, then the current average for all methamphetamine cases of 100 months would decrease to 69 months.

This slide presents a summary of the impact estimates for all four bracketed options under the proposed amendment. If the quantity thresholds were set at the current levels for methamphetamine (actual) offenses, 65% of methamphetamine mixture cases would be impacted and the average sentence would increase from 100 months to 123 months. If the quantity thresholds were set at the levels for offenses involving cocaine base, 53% of all methamphetamine cases would be impacted and the average sentence would decrease to 91 months. If the quantity thresholds were set at the current levels for methamphetamine mixture offenses, 69% of methamphetamine (actual) cases would be impacted, and the average sentence would decrease to 87 months. If the quantity thresholds are set at the levels for offenses involving cocaine, 74% of all meth cases would be impacted and the average sentence would decrease to 69 months.

This concludes the supplemental data presentation. For further information on drug trafficking offenses, please visit the United States Sentencing Commission's website at www.ussc.gov. The public comment period concludes on February 10, 2026. Comments may be submitted to the Commission at the addresses shown.