

Use of Guidelines and Specific Offense Characteristics Guideline Calculation Based

Fiscal Year 2023



USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS¹
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied²	Percent³
All Offenses		
All Offenses	66,447	100.0
Chapter 2 Specific Offense Characteristic Adjustments	43,627	65.7

¹ The information in these tables depicts information collected from only those cases in which complete guideline information is available. Of the 64,124 cases received by the Commission, 65 were excluded as the sentenced individual was only convicted of 18 U.S.C. § 1028A and another 334 were excluded as the sentenced individual was only convicted of 18 U.S.C. § 924(c). By statute, the punishment for these crimes must be served consecutively to any other punishment, therefore, in these cases the conviction for this crime did not affect the guideline for the underlying offense. Of the remaining 63,725 cases, 60,922 contained complete guideline information (95.0 percent of all cases). An additional 21 cases had missing information on the guideline that controlled the guideline calculation. Guidelines and guideline subsections with incomplete guideline application information are excluded.

² This column represents the number of times each guideline or Specific Offense Characteristic (SOC) was applied.

³ The “Percent” column represents, for each guideline, the portion of all guideline calculations in which the specific guideline was involved. For each SOC, the percent represents the frequency with which the SOC was used in the calculations for the specific guideline.

⁴ The data will not reflect the application of this *Guidelines Manual* section in all cases. The application of this section may be reflected in the corresponding guideline applied.

⁵ The data will not reflect the application of this *Guidelines Manual* section. The *Guidelines Manual* assigns the guideline sentence as the term of imprisonment required by statute.

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
Part A - Offenses Against The Person		
§2A1.1 First Degree Murder	506	0.8
(a) Base Offense Level 43	506	100.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2A1.2 Second Degree Murder	121	0.2
(a) Base Offense Level 33	1	0.8
(a) Base Offense Level 38	120	99.2
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2A1.3 Voluntary Manslaughter	45	0.1
(a) Base Offense Level 29	45	100.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2A1.4 Involuntary Manslaughter	49	0.1
(a)(1) Criminally negligent (Base offense level 12)	3	6.1
(a)(2)(A) Reckless conduct (Base offense level 18)	4	8.2
(a)(2)(B) Reckless operation of a means of transportation (Base offense level 22)	42	85.7
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2A1.5 Conspiracy or Solicitation to Commit Murder	41	0.1
(a) Base Offense Level 33	41	100.0
Chapter 2 Specific Offense Characteristic Adjustments	14	34.1
(b)(1) Offer/receipt of anything of pecuniary value for undertaking the murder (4 levels)	14	34.1

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2A2.1 Assault with Intent to Commit Murder; Attempted Murder	510	0.8
(a)(1) Offense would have constituted first degree murder (Base offense level 33)	420	82.4
(a)(2) Otherwise (Base offense level 27)	90	17.6
Chapter 2 Specific Offense Characteristic Adjustments	253	49.6
(b)(1)(A) Permanent or life-threatening bodily injury (4 levels)	124	24.3
(b)(1)(B) Serious bodily injury (2 levels)	100	19.6
(b)(1)(C) Between permanent/life-threatening and serious bodily injury (3 levels)	22	4.3
(b)(2) Offer/receipt of anything of pecuniary value for undertaking the murder (4 levels)	23	4.5

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2A2.2 Aggravated Assault	725	1.1
(a) Base Offense Level 14	725	100.0
Chapter 2 Specific Offense Characteristic Adjustments	677	93.4
(b)(1) More than minimal planning (2 levels)	35	4.8
(b)(2)(A) Firearm discharged (5 levels)	124	17.1
(b)(2)(B) Dangerous weapon otherwise used (4 levels)	281	38.8
(b)(2)(C) Dangerous weapon brandished or threatened (3 levels)	31	4.3
(b)(3)(A) Bodily injury (3 levels)	183	25.2
(b)(3)(B) Serious bodily injury (5 levels)	223	30.8
(b)(3)(C) Permanent or life-threatening injury (7 levels)	54	7.4
(b)(3)(D) Between serious and “simple” bodily injury (4 levels)	19	2.6
(b)(3)(E) Between permanent/life-threatening and serious bodily injury (6 levels)	26	3.6
(b)(4) Offense involved strangulation or suffocating a spouse or partner (3 levels)	84	11.6
(b)(5) Assault motivated by payment or offer of money or thing of value (2 levels)	12	1.7
(b)(6) Assault involved violation of a court protection order (2 levels)	4	0.6
(b)(7) If the defendant was convicted under 18 U.S.C. § 111(b) or § 115 (2 levels)	128	17.7

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2A2.3 Assault	84	0.1
(a)(1) Physical contact or dangerous weapon possessed/threatened (Base offense level 7)	72	85.7
(a)(2) Other than the behavior in (a)(1) (Base offense level 4)	12	14.3
Chapter 2 Specific Offense Characteristic Adjustments	54	64.3
(b)(1)(A) Bodily injury to victim (2 levels)	37	44.0
(b)(1)(B) Substantial bodily injury to partner or victim under age of 16 (4 levels)	17	20.2

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2A2.4 Obstructing or Impeding Officers	291	0.4
(a) Base Offense Level 10	291	100.0
Chapter 2 Specific Offense Characteristic Adjustments	223	76.6
(b)(1)(A) Physical Contact	199	68.4
(b)(1)(B) Dangerous weapon possessed/threatened (3 levels)	18	6.2
(b)(2) Victim sustained bodily injury (2 levels)	113	38.8

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2A3.1 Criminal Sexual Abuse; Attempt to Commit Criminal Sexual Abuse (Rape)	201	0.3
(a) Base offense level 27	5	2.5
(a)(1) Conviction under 18 U.S.C. § 2241(c) (Base offense level 38)	43	21.4
(a)(2) Otherwise (Base offense level 30)	153	76.1
Chapter 2 Specific Offense Characteristic Adjustments	184	91.5
(b)(1) Offense committed by means set forth in 18 U.S.C. § 2241(a) or (b) (4 levels)	87	43.3
(b)(2)(A) Victim under age of 12 (4 levels)	54	26.9
(b)(2)(B) Victim between 12 and 16 years old (2 levels)	30	14.9
(b)(3)(A) Victim in custody, care or control of the defendant (2 levels)	79	39.3
(b)(3)(B) Victim in a correctional facility (2 levels)	3	1.5
(b)(4)(A) Permanent or life-threatening bodily injury (4 levels)	4	2.0
(b)(4)(B) Serious bodily injury (2 levels)	33	16.4
(b)(4)(C) Between permanent/life-threatening and serious bodily injury (3 levels)	1	0.5
(b)(5) Victim abducted (4 levels)	3	1.5
(b)(6)(A) Misrepresentation of a participant's identity to induce a minor to engage in prohibited sexual contact (2 levels)	1	0.5
(b)(6)(B) Use of a computer to induce a minor to engage in prohibited sexual contact (2 levels)	15	7.5

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2A3.2 Criminal Sexual Abuse of a Minor Under the Age of Sixteen Years (Statutory Rape) or Attempt to Commit Such Acts	62	0.1
(a)(2) Otherwise (Base offense level 15)	3	4.8
(a) Base offense level 18	59	95.2
Chapter 2 Specific Offense Characteristic Adjustments	36	58.1
(b)(1) Victim in custody, care or control of the defendant (4 levels)	19	30.6
(b)(2)(A) Misrepresentation of identity (4 levels)	3	4.8
(b)(2)(B) Undue influence (4 levels)	13	21.0
(b)(3) Use of a computer to persuade the victim to engage in prohibited sexual conduct (2 levels)	7	11.3

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2A3.3 Criminal Sexual Abuse of a Ward or Attempt to Commit Such Acts	5	0.0
(a) Base offense level 14	5	100.0
Chapter 2 Specific Offense Characteristic Adjustments	0	0.0
(b)(1) Misrepresentation of identity (2 levels)	0	0.0
(b)(2) Use of a computer (2 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2A3.4 Abusive Sexual Contact or Attempt to Commit Abusive Sexual Contact	62	0.1
(a)(1) If offense committed by means in 18 U.S.C. § 2241(a) or (b) (Base offense level 20)	4	6.5
(a)(2) If offense committed by means in 18 U.S.C. § 2242 (Base offense level 16)	6	9.7
(a)(3) Otherwise (Base offense level 12)	52	83.9
Chapter 2 Specific Offense Characteristic Adjustments	45	72.6
(b)(1) Victim under the age of 12 (4 levels, increase to level 22)	25	40.3
(b)(2) Victim between 12 and 16 years age (2 levels)	4	6.5
(b)(3) Victim was in custody, care or control of the defendant (2 levels)	32	51.6
(b)(4) Misrepresentation of a participant's identity to induce a minor to engage in prohibited sexual contact (2 levels)	2	3.2
(b)(5) Use of a computer to induce a minor to engage in prohibited sexual contact (2 levels)	3	4.8

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2A3.5 Failure to Register as a Sex Offender	292	0.4
(a)(1) Defendant required to register as a Tier III offender (Base offense level 16)	131	44.9
(a)(2) Defendant required to register as a Tier II offender (Base offense level 14)	92	31.5
(a)(3) Defendant required to register as a Tier I offender (Base offense level 12)	69	23.6
Chapter 2 Specific Offense Characteristic Adjustments	7	2.4
(b)(1)(A) If while in failure to register status, sex offense against non-minor (6 levels)	2	0.7
(b)(1)(B) If while in failure to register status, other felony offense against a minor (6 levels)	0	0.0
(b)(1)(C) If while in failure to register status, sex offense against a minor (8 levels)	4	1.4
(b)(2)(A) Defendant voluntarily corrected the failure to register (3 level decrease)	1	0.3
(b)(2)(B) Defendant voluntarily attempted to register but was unable to (3 level decrease)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2A3.6 Aggravated Offenses Relating to Registration as a Sex Offender ⁵	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2A4.1 Kidnapping, Abduction, Unlawful Restraint	208	0.3
(a) Base offense level 32	208	100.0
Chapter 2 Specific Offense Characteristic Adjustments	177	85.1
(b)(1) Ransom demanded or a demand upon the government (6 levels)	33	15.9
(b)(2)(A) Victim sustained permanent or life-threatening bodily injury (4 levels)	22	10.6
(b)(2)(B) Serious bodily injury (2 levels)	58	27.9
(b)(2)(C) Between permanent or life-threatening and serious bodily injury (3 levels)	4	1.9
(b)(3) Dangerous weapon used (2 levels)	127	61.1
(b)(4)(A) Victim not released before 30 days (2 levels)	10	4.8
(b)(4)(B) Victim not released before seven days (1 level)	11	5.3
(b)(5) Victim sexually exploited (6 levels)	28	13.5
(b)(6) Victim was a minor, and in exchange for money, was placed in the custody/care/control of another person with no legal right to custody (3 levels)	4	1.9
(b)(7)(A) Kidnapped in connection with another offense (Offense level from applicable guideline with an adjustment for kidnapping)	1	0.5
(b)(7)(B) Kidnapped in connection with another crime (Offense level from applicable guideline, plus 4 levels, no greater than level 43)	8	3.8

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2A4.2 Demanding or Receiving Ransom Money	0	0.0
(a) Base offense level 23	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2A5.1 Aircraft Piracy or Attempted Aircraft Piracy	0	0.0
(a) Base offense level 38	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	0	0.0
(b)(1) Death resulting from act (5 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2A5.2 Interference with Flight Crew Member or Flight Attendant; Interference with Dispatch, Navigation, Operation, or Maintenance of Mass Transportation Vehicle	21	0.0
(a)(1)(A) Intentionally endangering safety of an airport or aircraft (Base offense level 30)	0	0.0
(a)(1)(B) Intentionally endangering safety of a mass transportation facility or vehicle (Base offense level 30)	0	0.0
(a)(2)(A) Recklessly endangering safety of an airport or aircraft (Base offense level 18)	4	19.0
(a)(2)(B) Recklessly endangering safety of a mass transportation facility or vehicle (Base offense level 18)	0	0.0
(a)(3) If an assault occurred, the offense level from the most analogous assault guideline, §§ 2A2.1-2A2.4	0	0.0
(a)(4) Base offense level 9	17	81.0
Chapter 2 Specific Offense Characteristic Adjustments	1	4.8
(b)(1)(A) and (B)(i) Subsection (a)(1) or (a)(2) applies, firearm discharged (5 levels, increase to level 24)	0	0.0
(b)(1)(A) and (B)(ii) Subsection (a)(1) or (a)(2) applies, dangerous weapon otherwise used (4 levels, increase to level 24)	1	4.8
(b)(1)(A) and (B)(iii) Subsection (a)(1) or (a)(2) applies, weapon brandished/threatened (3 levels, increase to level 24)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2A5.3 Committing Certain Crimes Aboard Aircraft ⁴	NA	NA
(a) Offense level applicable to the underlying offense	NA	NA
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2A6.1 Threatening or Harassing Communications; Hoaxes; False Liens	233	0.4
(a)(1) Base offense level 12	233	100.0
(a)(2) Convicted of 47 U.S.C. § 223(a)(1)(C), (D), or (E) that did not involve a threat to injure a person or property (Base offense level 6)	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	154	66.1
(b)(1) Conduct evidencing an intent to carry out such threat (6 levels)	37	15.9
(b)(2)(A) More than two threats (2 levels)	108	46.4
(b)(2)(B) Convicted under 18 U.S.C. § 1521 and more than 2 false liens (2 levels)	3	1.3
(b)(3) Violation of a court protection order (2 levels)	5	2.1
(b)(4)(A) Disruption of public, governmental, or business functions (4 levels)	12	5.2
(b)(4)(B) Substantial expenditure of funds to clean or decontaminate (4 levels)	4	1.7
(b)(5) Convicted under 18 U.S.C. § 115, made a public threatening communication, and knew the communication created a substantial risk to violate 18 U.S.C. § 115 (2 levels)	0	0.0
(b)(6) If subsection (a)(2) and (b)(1)-(b)(4) do not apply (4 level decrease)	23	9.9

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2A6.2 Stalking or Domestic Violence	142	0.2
(a) Base offense level 18	142	100.0
Chapter 2 Specific Offense Characteristic Adjustments	116	81.7
(b)(1)(A) Violation of court protection order (2 levels)	11	7.7
(b)(1)(B) Bodily injury (2 levels)	2	1.4
(b)(1)(C) Strangling, suffocating or an attempt to strangle or suffocate (2 levels)	0	0.0
(b)(1)(D) Possession, or threatened use of a dangerous weapon (2 levels)	5	3.5
(b)(1)(E) Pattern of activity stalking, threatening, or assaulting same victim (2 levels)	61	43.0
(b)(1)(A)-(E) Violation of more than one of above (4 levels)	37	26.1

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
Part B - Basic Economic Offenses		
§2B1.1 Larceny, Embezzlement, and Other Forms of Theft; Offenses Involving Stolen Property; Property Damage or Destruction; Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than Counterfeit Bearer Obligations of the United States	5,035	7.6
(a)(1) Statutory maximum of 20 years or more (Base offense level 7)	2,528	50.2
(a)(2) Otherwise (Base offense level 6)	2,507	49.8
Chapter 2 Specific Offense Characteristic Adjustments	4,602	91.4
(b)(1)(A) Loss \$5,000 or less (no increase)	2	0.0
(b)(1)(A) Loss \$6,500 or less (0 levels)	698	13.9
(b)(1)(B) Loss more than \$6,500 (2 levels)	250	5.0
(b)(1)(C) Loss more than \$15,000 (4 levels)	462	9.2
(b)(1)(D) Loss more than \$40,000 (6 levels)	601	11.9
(b)(1)(E) Loss more than \$95,000 (8 levels)	399	7.9
(b)(1)(F) Loss more than \$150,000 (10 levels)	421	8.4
(b)(1)(G) Loss more than \$200,000 (12 levels)	3	0.1
(b)(1)(G) Loss more than \$250,000 (12 levels)	659	13.1
(b)(1)(H) Loss more than \$550,000 (14 levels)	632	12.6
(b)(1)(I) Loss more than \$1,500,000 (16 levels)	430	8.5
(b)(1)(J) Loss more than \$2,500,000 (18 levels)	1	0.0
(b)(1)(J) Loss more than \$3,500,000 (18 levels)	245	4.9
(b)(1)(K) Loss more than \$9,500,000 (20 levels)	119	2.4
(b)(1)(L) Loss more than \$25,000,000 (22 levels)	68	1.4
(b)(1)(M) Loss more than \$65,000,000 (24 levels)	24	0.5
(b)(1)(N) Loss more than \$150,000,000 (26 levels)	7	0.1
(b)(1)(O) Loss more than \$250,000,000 (28 levels)	8	0.2
(b)(1)(P) Loss more than \$550,000,000 (30 levels)	6	0.1
(b)(2)(A)(i) More than 10 victims (2 levels)	1,312	26.1

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(2)(A)(ii) Committed through mass marketing (2 levels)	48	1.0
(b)(2)(A)(iii) Resulted in financial hardship to one or more victims (2 levels)	53	1.1
(b)(2)(A) More than 10 victims, committed through mass marketing, or resulted in financial hardship to one or more victims (2 levels)	8	0.2
(b)(2)(B) Resulted in financial hardship to five or more victims (4 levels)	55	1.1
(b)(2)(C) Resulted in financial hardship to 25 or more victims (6 levels)	18	0.4
(b)(3) Theft from the person of another (2 levels)	18	0.4
(b)(4) Receiving stolen property as a business (2 levels)	70	1.4
(b)(5) Theft or damage to a national cemetery (2 levels)	0	0.0
(b)(6) Convicted of 18 U.S.C. § 1037 and offense involved obtaining e-mail addresses through improper means (2 levels)	0	0.0
(b)(7)(A)(i) Federal health care offense and loss to the Government was more than \$1,000,000 (2 levels)	118	2.3
(b)(7)(A)(ii) Federal health care offense and loss to the Government was more than \$7,000,000 (3 levels)	27	0.5
(b)(7)(A)(iii) Federal health care offense and loss to the Government was more than \$20,000,000 (4 levels)	18	0.4
(b)(8)(A) Offense involved conduct described in 18 U.S.C. § 670 (2 levels)	3	0.1
(b)(8)(B) 18 U.S.C. § 670 conduct and defendant was an agent of an organization for pre-retail medical product (4 levels)	4	0.1
(b)(9)(A) Misrepresentation of acting on behalf of charitable, educational, religious, political or government organization (2 levels, increase to level 10)	52	1.0
(b)(9)(B) Misrepresentation during bankruptcy proceeding (2 levels, increase to level 10)	28	0.6
(b)(9)(C) Violation of any prior judicial/administrative order (2 levels, increase to level 10)	21	0.4
(b)(9)(D) Misrepresentation in financial assistance for higher education (2 levels, increase to level 10)	3	0.1
(b)(10)(A) Defendant relocated to evade law enforcement (2 levels, increase to level 12)	87	1.7
(b)(10)(B) Most of scheme committed outside of U.S. (2 levels, increase to level 12)	116	2.3

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(10)(C) Offense otherwise involved sophisticated means (2 levels, increase to level 12)	600	11.9
(b)(11)(A)(i) Possession or use of any device-making equipment (2 levels, increase to level 12)	128	2.5
(b)(11)(A)(ii) Possession or use of any authentication feature (2 levels, increase to level 12)	86	1.7
(b)(11)(A) Possession or use of any authentication feature or any device-making equipment (2 levels, increase to level 12)	4	0.1
(b)(11)(B)(i) Production/trafficking of any unauthorized/counterfeit access device (2 levels, increase to level 12)	115	2.3
(b)(11)(B)(ii) Production/trafficking of an authentication feature (2 levels, increase to level 12)	20	0.4
(b)(11)(C)(i) Use of any means of ID unlawfully to produce/obtain other (2 levels, increase to level 12)	274	5.4
(b)(11)(C)(ii) Possession of five or more means of ID (2 levels, increase to level 12)	71	1.4
(b)(12) Conduct described in 18 U.S.C. § 1040 (2 levels, increase to level 12)	141	2.8
(b)(13) Convicted under 42 U.S.C. §§ 408(a), 1011(a), or 1383(a) and maximum term of 10 years' imprisonment (4 levels, increase to level 12)	1	0.0
(b)(14)(A) Misappropriation of trade secrets transported out of the U.S. (2 levels)	4	0.1
(b)(14)(B) Misappropriation of trade secrets to benefit foreign agent (4 levels)	2	0.0
(b)(15)(A) Organized scheme to steal vehicles or parts (2 levels, increase to level 14)	70	1.4
(b)(15)(B) Organized scheme to steal goods that are part of a cargo shipment (2 levels, increase to level 14)	5	0.1
(b)(16)(A) Conscious/reckless risk of death/serious bodily injury (2 levels, increase to level 14)	63	1.3
(b)(16)(B) Possession of a dangerous weapon (2 levels, increase to level 14)	30	0.6
(b)(17)(A) More than \$1,000,000 derived from financial institution (2 levels, increase to level 24)	53	1.1
(b)(17)(B)(i) Jeopardized the safety and soundness of financial institution (4 levels, increase to level 24)	5	0.1

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(17)(B)(ii) Endangered solvency or financial security of publicly traded/1,000 or more employee company (4 levels, increase to level 24)	0	0.0
(b)(17)(C) Cumulative adjustments from (b)(2) and (b)(17)(B) shall not exceed 8 levels	0	0.0
(b)(17)(D) Resulting offense level under subdivision (A) or (B) is less than 24, increase to level 24	2	0.0
(b)(18)(A) Convicted of 18 U.S.C. § 1030 and involved an intent to obtain personal information (2 levels)	18	0.4
(b)(18)(B) Involved unauthorized public dissemination of personal information (2 levels)	3	0.1
(b)(19)(A)(i) Convicted of 18 U.S.C. § 1030 and offense involved a computer system used to maintain a critical infrastructure (2 levels)	3	0.1
(b)(19)(A)(ii) Convicted of 18 U.S.C. § 1030(a)(5)(A) (4 levels)	12	0.2
(b)(19)(A)(iii) Convicted of 18 U.S.C. § 1030 and caused a substantial disruption of a critical infrastructure (6 levels, increase to level 24)	0	0.0
(b)(20)(A)(i) Violation of securities law and defendant was an officer of a publicly traded company (4 levels)	13	0.3
(b)(20)(A)(ii) Violation of securities law and defendant was a registered broker (4 levels)	14	0.3
(b)(20)(A)(iii) Violation of securities law and defendant was an investment advisor (4 levels)	22	0.4
(b)(20)(B)(i) Violation of commodities law and defendant was an officer of a futures commission merchant (4 levels)	0	0.0
(b)(20)(B)(ii) Violation of commodities law and defendant was a commodities advisor (4 levels)	1	0.0
(b)(20)(B)(iii) Violation of commodities law and defendant was a commodity pool operator (4 levels)	1	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2B1.4 Insider Trading	13	0.0
(a) Base offense level 8	13	100.0
Chapter 2 Specific Offense Characteristic Adjustments	13	100.0
(b)(1) Loss \$6,500 or less (0 levels)	0	0.0
(b)(1) Loss more than \$6,500 (2 levels)	0	0.0
(b)(1) Loss more than \$15,000 (4 levels)	0	0.0
(b)(1) Loss more than \$40,000 (6 levels)	3	23.1
(b)(1) Loss more than \$95,000 (8 levels)	0	0.0
(b)(1) Loss more than \$150,000 (10 levels)	2	15.4
(b)(1) Loss more than \$250,000 (12 levels)	2	15.4
(b)(1) Loss more than \$550,000 (14 levels)	2	15.4
(b)(1) Loss more than \$1,500,000 (16 levels)	1	7.7
(b)(1) Loss more than \$3,500,000 (18 levels)	2	15.4
(b)(1) Loss more than \$9,500,000 (20 levels)	0	0.0
(b)(1) Loss more than \$25,000,000 (22 levels)	1	7.7
(b)(1) Loss more than \$65,000,000 (24 levels)	0	0.0
(b)(1) Loss more than \$150,000,000 (26 levels)	0	0.0
(b)(1) Loss more than \$250,000,000 (28 levels)	0	0.0
(b)(1) Loss more than \$550,000,000 (30 levels)	0	0.0
(b)(2) Offense involved an organized scheme to engage in insider trading (increase to level 14)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2B1.5 Theft of, Damage to, or Destruction of, Cultural Heritage Resources or Paleontological Resources; Unlawful Sale, Purchase, Exchange, Transportation, or Receipt of Cultural Heritage Resources or Paleontological Resources	12	0.0
(a) Base offense level 8	12	100.0
Chapter 2 Specific Offense Characteristic Adjustments	12	100.0
(b)(1) Loss \$2,500 or less (0 levels)	4	33.3
(b)(1) Loss more than \$2,500 (1 level)	3	25.0
(b)(1) Loss more than \$6,500 (2 levels)	1	8.3
(b)(1) Loss more than \$15,000 (4 levels)	3	25.0
(b)(1) Loss more than \$40,000 (6 levels)	1	8.3
(b)(1) Loss more than \$95,000 (8 levels)	0	0.0
(b)(1) Loss more than \$150,000 (10 levels)	0	0.0
(b)(1) Loss more than \$250,000 (12 levels)	0	0.0
(b)(1) Loss more than \$550,000 (14 levels)	0	0.0
(b)(1) Loss more than \$1,500,000 (16 levels)	0	0.0
(b)(1) Loss more than \$3,500,000 (18 levels)	0	0.0
(b)(1) Loss more than \$9,500,000 (20 levels)	0	0.0
(b)(1) Loss more than \$25,000,000 (22 levels)	0	0.0
(b)(1) Loss more than \$65,000,000 (24 levels)	0	0.0
(b)(1) Loss more than \$150,000,000 (26 levels)	0	0.0
(b)(1) Loss more than \$250,000,000 (28 levels)	0	0.0
(b)(1) Loss more than \$550,000,000 (30 levels)	0	0.0
(b)(2)(A) Offense involved a resource from a national park system (2 levels)	0	0.0
(b)(2)(B) Offense involved a resource from a National Historical Landmark (2 levels)	2	16.7
(b)(2)(C) Offense involved a resource from a national monument or national memorial (2 levels)	3	25.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(2)(D) Offense involved a resource from a national marine sanctuary (2 levels)	0	0.0
(b)(2)(E) Offense involved a resource from a national cemetery (2 levels)	0	0.0
(b)(2)(F) Offense involved a resource from a museum (2 levels)	2	16.7
(b)(2)(G) Offense involved a resource from the World Heritage List (2 levels)	0	0.0
(b)(3)(A) Offense involved human remains (2 levels)	1	8.3
(b)(3)(B) Offense involved a funerary object (2 levels)	0	0.0
(b)(3)(C) Offense involved cultural patrimony (2 levels)	0	0.0
(b)(3)(D) Offense involved a sacred object (2 levels)	1	8.3
(b)(3)(E) Offense involved cultural property (2 levels)	3	25.0
(b)(3)(F) Offense involved designated archaeological or ethnological material (2 levels)	1	8.3
(b)(3)(G) Offense involved a pre-Columbian monumental/architectural mural (2 levels)	0	0.0
(b)(4) Committed for pecuniary gain (2 levels)	0	0.0
(b)(5) Pattern of misconduct involving cultural heritage resources (2 levels)	0	0.0
(b)(6) Dangerous weapon brandished/threatened (2 levels, increase to level 14)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2B1.6 Aggravated Identity Theft ⁵	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2B2.1 Burglary of a Residence or a Structure Other than a Residence	79	0.1
(a)(1) Burglary of a residence (Base offense level 17)	15	19.0
(a)(2) Burglary of a structure other than a residence (Base offense level 12)	64	81.0
Chapter 2 Specific Offense Characteristic Adjustments	60	75.9
(b)(1) More than minimal planning (2 levels)	47	59.5
(b)(2) Loss \$5,000 or less (0 levels)	50	63.3
(b)(2) Loss more than \$5,000 (1 level)	12	15.2
(b)(2) Loss more than \$20,000 (2 levels)	4	5.1
(b)(2) Loss more than \$95,000 (3 levels)	12	15.2
(b)(2) Loss more than \$500,000 (4 levels)	1	1.3
(b)(2) Loss more than \$1,500,000 (5 levels)	0	0.0
(b)(2) Loss more than \$3,000,000 (6 levels)	0	0.0
(b)(2) Loss more than \$5,000,000 (7 levels)	0	0.0
(b)(2) Loss more than \$9,500,000 (8 levels)	0	0.0
(b)(3) Firearm, destructive device or controlled substance taken (1 level)	25	31.6
(b)(4) Dangerous weapon possessed (2 levels)	21	26.6

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2B2.3 Trespass	39	0.1
(a)(1) Base offense level 4	39	100.0
Chapter 2 Specific Offense Characteristic Adjustments	37	94.9
(b)(1)(A)(i) Occurred at a secured government facility (2 levels)	19	48.7
(b)(1)(A)(ii) Occurred at a nuclear energy facility (2 levels)	0	0.0
(b)(1)(A)(iii) Occurred on a vessel or aircraft of the United States (2 levels)	0	0.0
(b)(1)(A)(iv) Occurred in a secured area of an airport or seaport (2 levels)	0	0.0
(b)(1)(A)(vii) Any restricted building or grounds (2 levels)	18	46.2
(b)(1)(A)(viii)(I) Occurred on a computer used to maintain/operate infrastructure (2 levels)	0	0.0
(b)(1)(A)(viii)(II) Occurred on a computer used by or for a government in justice or national defense/security (2 levels)	0	0.0
(b)(1)(B) Occurred at the White House/Vice President's official residence (4 levels)	0	0.0
(b)(2) Dangerous weapon possessed (2 levels)	0	0.0
(b)(3) Invasion of computer, loss \$2,500 or less (no increase)	39	100.0
(b)(3) Invasion of computer, loss more than \$2,500 (1 level)	0	0.0
(b)(3) Invasion of computer, loss more than \$6,500 (2 levels)	0	0.0
(b)(3) Invasion of computer, loss more than \$15,000 (4 levels)	0	0.0
(b)(3) Invasion of computer, loss more than \$40,000 (6 levels)	0	0.0
(b)(3) Invasion of computer, loss more than \$95,000 (8 levels)	0	0.0
(b)(3) Invasion of computer, loss more than \$150,000 (10 levels)	0	0.0
(b)(3) Invasion of computer, loss more than \$250,000 (12 levels)	0	0.0
(b)(3) Invasion of computer, loss more than \$550,000 (14 levels)	0	0.0
(b)(3) Invasion of computer, loss more than \$1,500,000 (16 levels)	0	0.0
(b)(3) Invasion of computer, loss more than \$3,500,000 (18 levels)	0	0.0
(b)(3) Invasion of computer, loss more than \$9,500,000 (20 levels)	0	0.0
(b)(3) Invasion of computer, loss more than \$25,000,000 (22 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(3) Invasion of computer, loss more than \$65,000,000 (24 levels)	0	0.0
(b)(3) Invasion of computer, loss more than \$150,000,000 (26 levels)	0	0.0
(b)(3) Invasion of computer, loss more than \$250,000,000 (28 levels)	0	0.0
(b)(3) Invasion of computer, loss more than \$550,000,000 (30 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2B3.1 Robbery	3,295	5.0
(a) Base offense level 20	3,295	100.0
Chapter 2 Specific Offense Characteristic Adjustments	2,942	89.3
(b)(1) Financial institution or post offense subject of offense (2 levels)	825	25.0
(b)(2)(A) Firearm discharged (7 levels)	132	4.0
(b)(2)(B) Firearm otherwise used (6 levels)	499	15.1
(b)(2)(C) Firearm brandished or possessed (5 levels)	589	17.9
(b)(2)(D) Dangerous weapon otherwise used (4 levels)	241	7.3
(b)(2)(E) Dangerous weapon brandished or possessed (3 levels)	276	8.4
(b)(2)(F) Threat of death (2 levels)	241	7.3
(b)(3)(A) Bodily injury occurred (2 levels)	216	6.6
(b)(3)(B) Serious bodily injury (4 levels)	109	3.3
(b)(3)(C) Permanent/life-threatening bodily injury (6 levels)	45	1.4
(b)(3)(D) Between bodily and serious bodily injury (3 levels)	14	0.4
(b)(3)(E) Between serious and permanent/life-threatening bodily injury (5 levels)	7	0.2
(b)(4)(A) Person abducted during offense (4 levels)	225	6.8
(b)(4)(B) Person physically restrained during offense (2 levels)	354	10.7
(b)(5) Offense involved carjacking (2 levels)	501	15.2
(b)(6) Obtaining firearm, destructive device or controlled substance object of offense (1 level)	254	7.7
(b)(6)(A) Loss \$10,000 or less (0 levels)	1	0.0
(b)(7)(A) Loss \$20,000 or less (0 levels)	2,928	88.9
(b)(7)(B) Loss more than \$20,000 (1 level)	222	6.7
(b)(7)(C) Loss more than \$95,000 (2 levels)	117	3.6
(b)(7)(D) Loss more than \$500,000 (3 levels)	23	0.7
(b)(7)(E) Loss more than \$1,500,000 (4 levels)	2	0.1
(b)(7)(F) Loss more than \$3,000,000 (5 levels)	1	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(7)(G) Loss more than \$5,000,000 (6 levels)	0	0.0
(b)(7)(H) Loss more than \$9,500,000 (7 levels)	1	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2B3.2 Extortion by Force or Threat of Injury or Serious Damage	70	0.1
(a) Base offense level 18	70	100.0
Chapter 2 Specific Offense Characteristic Adjustments	63	90.0
(b)(1) Express or implied threat of death, bodily injury or kidnaping (2 levels)	58	82.9
(b)(2) Loss \$20,000 or less (0 levels)	42	60.0
(b)(2) Loss more than \$20,000 (1 level)	12	17.1
(b)(2) Loss more than \$95,000 (2 levels)	7	10.0
(b)(2) Loss more than \$500,000 (3 levels)	4	5.7
(b)(2) Loss more than \$1,500,000 (4 levels)	3	4.3
(b)(2) Loss more than \$3,000,000 (5 levels)	1	1.4
(b)(2) Loss more than \$5,000,000 (6 levels)	0	0.0
(b)(2) Loss more than \$9,500,000 (7 levels)	1	1.4
(b)(3)(A)(i) Firearm discharged (7 levels)	1	1.4
(b)(3)(A)(ii) Firearm otherwise used (6 levels)	6	8.6
(b)(3)(A)(iii) Firearm brandished or possessed (5 levels)	2	2.9
(b)(3)(A)(iv) Dangerous weapon otherwise used (4 levels)	4	5.7
(b)(3)(A)(v) Dangerous weapon brandished or possessed (3 levels)	1	1.4
(b)(3)(B)(i)(I) Offense involved preparation to carry out threat of death (3 levels)	2	2.9
(b)(3)(B)(i)(II) Offense involved preparation to carry out threat of serious bodily injury (3 levels)	2	2.9
(b)(3)(B)(i)(III) Offense involved preparation to carry out threat of kidnaping (3 levels)	1	1.4
(b)(3)(B)(i)(IV) Offense involved preparation to carry out threat of product tampering (3 levels)	0	0.0
(b)(3)(B)(i)(V) Offense involved preparation to carry out threat of damage to a computer system used to maintain critical infrastructure (3 levels)	0	0.0
(b)(3)(B)(ii) Participants demonstrated ability to carry out a threat described in (i)(I) through (i)(V) (3 levels)	2	2.9

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(4)(A) Bodily injury occurred (2 levels)	6	8.6
(b)(4)(B) Serious bodily injury (4 levels)	1	1.4
(b)(4)(C) Permanent/life-threatening bodily injury (6 levels)	0	0.0
(b)(4)(D) Between bodily and serious bodily injury (3 levels)	1	1.4
(b)(4)(E) Between serious and permanent/life-threatening bodily injury (5 levels)	1	1.4
(b)(5)(A) Person abducted during offense (4 levels)	0	0.0
(b)(5)(B) Person physically restrained during offense (2 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2B3.3 Blackmail and Similar Forms of Extortion	12	0.0
(a) Base offense level 9	12	100.0
Chapter 2 Specific Offense Characteristic Adjustments	10	83.3
(b)(1) Loss \$2,500 or less (0 levels)	2	16.7
(b)(1) Loss more than \$2,500 (1 level)	1	8.3
(b)(1) Loss more than \$6,500 (2 levels)	0	0.0
(b)(1) Loss more than \$15,000 (4 levels)	0	0.0
(b)(1) Loss more than \$40,000 (6 levels)	2	16.7
(b)(1) Loss more than \$95,000 (8 levels)	2	16.7
(b)(1) Loss more than \$150,000 (10 levels)	0	0.0
(b)(1) Loss more than \$250,000 (12 levels)	1	8.3
(b)(1) Loss more than \$550,000 (14 levels)	1	8.3
(b)(1) Loss more than \$1,500,000 (16 levels)	3	25.0
(b)(1) Loss more than \$3,500,000 (18 levels)	0	0.0
(b)(1) Loss more than \$9,500,000 (20 levels)	0	0.0
(b)(1) Loss more than \$25,000,000 (22 levels)	0	0.0
(b)(1) Loss more than \$65,000,000 (24 levels)	0	0.0
(b)(1) Loss more than \$150,000,000 (26 levels)	0	0.0
(b)(1) Loss more than \$250,000,000 (28 levels)	0	0.0
(b)(1) Loss more than \$550,000,000 (30 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2B4.1 Bribery in Procurement of Bank Loan and Other Commercial Bribery	115	0.2
(a) Base offense level 8	115	100.0
Chapter 2 Specific Offense Characteristic Adjustments	114	99.1
(b)(1) Loss \$2,500 or less (0 levels)	1	0.9
(b)(1) Loss more than \$2,500 (1 level)	0	0.0
(b)(1) Loss more than \$6,500 (2 levels)	1	0.9
(b)(1) Loss more than \$15,000 (4 levels)	2	1.7
(b)(1) Loss more than \$40,000 (6 levels)	12	10.4
(b)(1) Loss more than \$95,000 (8 levels)	7	6.1
(b)(1) Loss more than \$150,000 (10 levels)	13	11.3
(b)(1) Loss more than \$250,000 (12 levels)	26	22.6
(b)(1) Loss more than \$550,000 (14 levels)	19	16.5
(b)(1) Loss more than \$1,500,000 (16 levels)	13	11.3
(b)(1) Loss more than \$3,500,000 (18 levels)	16	13.9
(b)(1) Loss more than \$9,500,000 (20 levels)	1	0.9
(b)(1) Loss more than \$25,000,000 (22 levels)	4	3.5
(b)(1) Loss more than \$65,000,000 (24 levels)	0	0.0
(b)(1) Loss more than \$150,000,000 (26 levels)	0	0.0
(b)(1) Loss more than \$250,000,000 (28 levels)	0	0.0
(b)(1) Loss more than \$550,000,000 (30 levels)	0	0.0
(b)(2)(A) Defendant derived more than \$1,000,000 from financial institution (2 levels, increase to level 24)	1	0.9
(b)(2)(B) Jeopardized safety and soundness of a financial institution (4 levels, increase to level 24)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2B5.1 Offenses Involving Counterfeit Bearer Obligations of the United States	70	0.1
(a) Base offense level 9	70	100.0
Chapter 2 Specific Offense Characteristic Adjustments	62	88.6
(b)(1) Loss \$2,500 or less (0 levels)	19	27.1
(b)(1) Loss more than \$2,500 (1 level)	10	14.3
(b)(1) Loss more than \$6,500 (2 levels)	22	31.4
(b)(1) Loss more than \$15,000 (4 levels)	12	17.1
(b)(1) Loss more than \$40,000 (6 levels)	2	2.9
(b)(1) Loss more than \$40,000 (5 levels)	1	1.4
(b)(1) Loss more than \$95,000 (8 levels)	2	2.9
(b)(1) Loss more than \$150,000 (10 levels)	0	0.0
(b)(1) Loss more than \$250,000 (12 levels)	2	2.9
(b)(1) Loss more than \$550,000 (14 levels)	0	0.0
(b)(1) Loss more than \$1,500,000 (16 levels)	0	0.0
(b)(1) Loss more than \$3,500,000 (18 levels)	0	0.0
(b)(1) Loss more than \$9,500,000 (20 levels)	0	0.0
(b)(1) Loss more than \$25,000,000 (22 levels)	0	0.0
(b)(1) Loss more than \$65,000,000 (24 levels)	0	0.0
(b)(1) Loss more than \$150,000,000 (26 levels)	0	0.0
(b)(1) Loss more than \$250,000,000 (28 levels)	0	0.0
(b)(1) Loss more than \$550,000,000 (30 levels)	0	0.0
(b)(2)(A) Defendant produced counterfeit obligation or possessed counterfeiting device/materials (2 levels, increase to level 15)	33	47.1
(b)(2)(B)(i) Defendant possessed counterfeiting paper similar to distinctive paper (2 levels)	2	2.9
(b)(2)(B)(ii) Defendant possessed genuine U.S. currency paper with ink that has been completely/partially removed (2 levels)	5	7.1

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(2)(B)(iii) Defendant possessed a device identical to a distinctive counterfeit deterrent (2 levels)	2	2.9
(b)(3) Subsection (b)(2)(A) applies and offense level less than 15, increase to level 15	NA	NA
(b)(4) Dangerous weapon possessed (2 levels, increase to level 13)	2	2.9
(b)(5) Offense committed outside of United States (2 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2B5.3 Criminal Infringement of Copyright or Trademark	45	0.1
(a) Base offense level 8	45	100.0
Chapter 2 Specific Offense Characteristic Adjustments	45	100.0
(b)(1) Loss \$2,500 or less (0 levels)	2	4.4
(b)(1) Loss more than \$2,500 (1 level)	2	4.4
(b)(1) Loss more than \$6,500 (2 levels)	0	0.0
(b)(1) Loss more than \$15,000 (4 levels)	1	2.2
(b)(1) Loss more than \$40,000 (6 levels)	2	4.4
(b)(1) Loss more than \$95,000 (8 levels)	5	11.1
(b)(1) Loss more than \$150,000 (10 levels)	6	13.3
(b)(1) Loss more than \$250,000 (12 levels)	7	15.6
(b)(1) Loss more than \$550,000 (14 levels)	5	11.1
(b)(1) Loss more than \$1,500,000 (16 levels)	5	11.1
(b)(1) Loss more than \$3,500,000 (18 levels)	3	6.7
(b)(1) Loss more than \$9,500,000 (20 levels)	1	2.2
(b)(1) Loss more than \$25,000,000 (22 levels)	6	13.3
(b)(1) Loss more than \$65,000,000 (24 levels)	0	0.0
(b)(1) Loss more than \$150,000,000 (26 levels)	0	0.0
(b)(1) Loss more than \$250,000,000 (28 levels)	0	0.0
(b)(1) Loss more than \$550,000,000 (30 levels)	0	0.0
(b)(2) Display of a work being prepared for commercial distribution (2 levels)	6	13.3
(b)(3)(A) Manufacturing/importing/uploading infringed items (2 levels, increase to level 12)	28	62.2
(b)(3)(B) Convicted under 17 U.S.C. §§ 1201 and 1204 for trafficking in circumvention devices (2 levels, increase to level 12)	2	4.4
(b)(4) Not committed for commercial advantage or private gain (2 level decrease, not less than 8 levels)	2	4.4
(b)(5) Counterfeit drug/drug that uses counterfeit mark involved (2 levels)	9	20.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(6)(A) Conscious/reckless risk of serious bodily injury (2 levels, increase to level 14)	1	2.2
(b)(6)(B) Possession of a dangerous weapon (2 levels, increase to level 14)	0	0.0
(b)(7)(A) Counterfeit military goods or services, likely to cause disclosure of classified information (2 levels, increase to level 14)	0	0.0
(b)(7)(B) Counterfeit military goods or services, likely to cause impairment of combat operations (2 levels, increase to level 14)	0	0.0
(b)(7)(C)(i) Counterfeit military goods or services, likely to cause other harm to combat operations (2 levels, increase to level 14)	0	0.0
(b)(7)(C)(ii) Counterfeit military goods or services, likely to cause other harm to a member of the Armed Forces (2 levels, increase to level 14)	1	2.2
(b)(7)(C)(iii) Counterfeit military goods or services, likely to cause other harm to national security (2 levels, increase to level 14)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2B6.1 Altering or Removing Motor Vehicle Identification Numbers, or Trafficking in Motor Vehicles or Parts with Altered or Obliterated Identification Numbers	2	0.0
(a) Base offense level 8	2	100.0
Chapter 2 Specific Offense Characteristic Adjustments	2	100.0
(b)(1) Loss \$2,500 or less (0 levels)	0	0.0
(b)(1) Loss more than \$2,500 (1 level)	0	0.0
(b)(1) Loss more than \$6,500 (2 levels)	0	0.0
(b)(1) Loss more than \$15,000 (4 levels)	1	50.0
(b)(1) Loss more than \$40,000 (6 levels)	0	0.0
(b)(1) Loss more than \$95,000 (8 levels)	0	0.0
(b)(1) Loss more than \$150,000 (10 levels)	1	50.0
(b)(1) Loss more than \$250,000 (12 levels)	0	0.0
(b)(1) Loss more than \$550,000 (14 levels)	0	0.0
(b)(1) Loss more than \$1,500,000 (16 levels)	0	0.0
(b)(1) Loss more than \$3,500,000 (18 levels)	0	0.0
(b)(1) Loss more than \$9,500,000 (20 levels)	0	0.0
(b)(1) Loss more than \$25,000,000 (22 levels)	0	0.0
(b)(1) Loss more than \$65,000,000 (24 levels)	0	0.0
(b)(1) Loss more than \$150,000,000 (26 levels)	0	0.0
(b)(1) Loss more than \$250,000,000 (28 levels)	0	0.0
(b)(1) Loss more than \$550,000,000 (30 levels)	0	0.0
(b)(2) Defendant in the business of receiving and selling stolen property (2 levels)	1	50.0
(b)(3) Part of organized scheme to steal vehicles or parts (increase to level 14)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
Part C - Offenses Involving Public Officials		
§2C1.1 Offering, Giving, Soliciting, or Receiving a Bribe; Extortion Under Color of Official Right; Fraud Involving the Deprivation of the Intangible Right to Honest Services of Public Officials; Conspiracy to Defraud by Interference with Governmental Functions	225	0.3
(a)(1) If the defendant was a public official (Base offense level 14)	119	52.9
(a)(2) Otherwise (Base offense level 12)	106	47.1
Chapter 2 Specific Offense Characteristic Adjustments	211	93.8
(b)(1) Offense involved more than one bribe or extortion (2 levels)	176	78.2
(b)(2) Loss \$6,500 or less (0 levels)	56	24.9
(b)(2) Loss more than \$6,500 (2 levels)	35	15.6
(b)(2) Loss more than \$15,000 (4 levels)	34	15.1
(b)(2) Loss more than \$40,000 (6 levels)	24	10.7
(b)(2) Loss more than \$95,000 (8 levels)	15	6.7
(b)(2) Loss more than \$150,000 (10 levels)	12	5.3
(b)(2) Loss more than \$250,000 (12 levels)	18	8.0
(b)(2) Loss more than \$550,000 (14 levels)	12	5.3
(b)(2) Loss more than \$1,500,000 (16 levels)	7	3.1
(b)(2) Loss more than \$3,500,000 (18 levels)	3	1.3
(b)(2) Loss more than \$9,500,000 (20 levels)	3	1.3
(b)(2) Loss more than \$25,000,000 (22 levels)	4	1.8
(b)(2) Loss more than \$65,000,000 (24 levels)	0	0.0
(b)(2) Loss more than \$150,000,000 (26 levels)	1	0.4
(b)(2) Loss more than \$250,000,000 (28 levels)	1	0.4
(b)(2) Loss more than \$550,000,000 (30 levels)	0	0.0
(b)(3) Offense involved an elected public official or one in sensitive position (4 levels, increase to level 18)	127	56.4

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(4)(A) Defendant was a public official who facilitated entry into U.S. for a person, vehicle or cargo (2 levels)	1	0.4
(b)(4)(B) Defendant was a public official who facilitated obtaining a passport or a naturalization/citizenship/legal entry/LPR document (2 levels)	0	0.0
(b)(4)(C) Defendant was a public official who facilitated the obtaining of a government ID document (2 levels)	2	0.9

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2C1.2 Offering, Giving, Soliciting, or Receiving a Gratuity	13	0.0
(a) Base offense level 7	1	7.7
(a)(1) Defendant was a public official (Base offense level 11)	5	38.5
(a)(2) Otherwise (Base offense level 9)	7	53.8
Chapter 2 Specific Offense Characteristic Adjustments	11	84.6
(b)(1) More than one gratuity (2 levels)	11	84.6
(b)(2)(A) Loss \$6,500 or less (0 levels)	5	38.5
(b)(2)(A) Loss more than \$6,500 (2 levels)	2	15.4
(b)(2)(A) Loss more than \$15,000 (4 levels)	2	15.4
(b)(2)(A) Loss more than \$20,000 (4 levels)	1	7.7
(b)(2)(A) Loss more than \$40,000 (6 levels)	1	7.7
(b)(2)(A) Loss more than \$95,000 (8 levels)	1	7.7
(b)(2)(A) Loss more than \$150,000 (10 levels)	1	7.7
(b)(2)(A) Loss more than \$250,000 (12 levels)	0	0.0
(b)(2)(A) Loss more than \$550,000 (14 levels)	0	0.0
(b)(2)(A) Loss more than \$1,500,000 (16 levels)	0	0.0
(b)(2)(A) Loss more than \$3,500,000 (18 levels)	0	0.0
(b)(2)(A) Loss more than \$9,500,000 (20 levels)	0	0.0
(b)(2)(A) Loss more than \$25,000,000 (22 levels)	0	0.0
(b)(2)(A) Loss more than \$65,000,000 (24 levels)	0	0.0
(b)(2)(A) Loss more than \$150,000,000 (26 levels)	0	0.0
(b)(2)(A) Loss more than \$250,000,000 (28 levels)	0	0.0
(b)(2)(A) Loss more than \$550,000,000 (30 levels)	0	0.0
(b)(3) Offense involved an elected public official or one in sensitive position (4 levels, increase to level 15)	4	30.8
(b)(4)(A) Defendant was a public official who facilitated entry into U.S. for a person, vehicle or cargo (2 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(4)(B) Defendant was a public official who facilitated obtaining a passport or a naturalization/citizenship/legal entry/LPR document (2 levels)	0	0.0
(b)(4)(C) Defendant was a public official who facilitated the obtaining of a government ID document (2 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2C1.3 Conflict of Interest; Payment or Receipt of Unauthorized Compensation	7	0.0
(a) Base offense level 6	7	100.0
Chapter 2 Specific Offense Characteristic Adjustments	2	28.6
(b)(1) Actual or planned harm to the government (4 levels)	2	28.6

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2C1.5 Payments to Obtain Public Office	0	0.0
(a) Base offense level 8	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2C1.7 Fraud Involving Deprivation of the Intangible Right to the Honest Services of Public Officials; Conspiracy to Defraud by Interference with Governmental Functions	1	0.0
(a) Base offense level 10	1	100.0
Chapter 2 Specific Offense Characteristic Adjustments	1	100.0
(b)(2)(A) Loss more than \$20,000 (4 levels)	1	100.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2C1.8 Making, Receiving, or Failing to Report a Contribution, Donation, or Expenditure in Violation of the Federal Election Campaign Act; Fraudulently Misrepresenting Campaign Authority; Soliciting or Receiving a Donation in Connection with an Election While on Certain Federal Property	7	0.0
(a) Base Offense level 8	7	100.0
Chapter 2 Specific Offense Characteristic Adjustments	7	100.0
(b)(1) Loss \$6,500 or less (0 levels)	2	28.6
(b)(1) Loss more than \$6,500 (2 levels)	0	0.0
(b)(1) Loss more than \$15,000 (4 levels)	2	28.6
(b)(1) Loss more than \$40,000 (6 levels)	2	28.6
(b)(1) Loss more than \$95,000 (8 levels)	0	0.0
(b)(1) Loss more than \$150,000 (10 levels)	0	0.0
(b)(1) Loss more than \$250,000 (12 levels)	0	0.0
(b)(1) Loss more than \$550,000 (14 levels)	0	0.0
(b)(1) Loss more than \$1,500,000 (16 levels)	0	0.0
(b)(1) Loss more than \$3,500,000 (18 levels)	1	14.3
(b)(1) Loss more than \$9,500,000 (20 levels)	0	0.0
(b)(1) Loss more than \$25,000,000 (22 levels)	0	0.0
(b)(1) Loss more than \$65,000,000 (24 levels)	0	0.0
(b)(1) Loss more than \$150,000,000 (26 levels)	0	0.0
(b)(1) Loss more than \$250,000,000 (28 levels)	0	0.0
(b)(1) Loss more than \$550,000,000 (30 levels)	0	0.0
(b)(2)(A) Offense involved an illegal transaction made by or received from a foreign national (2 levels)	1	14.3
(b)(2)(B) Offense involved an illegal transaction made by or received from a government of a foreign country (4 levels)	1	14.3
(b)(3)(A) Offense involved contribution/donation/receipt of government funds (2 levels)	2	28.6

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(3)(B) Defendant committed the offense for the purpose of receiving non-monetary Federal benefit (2 levels)	0	0.0
(b)(4) Defendant engaged in 30 or more transactions (2 levels)	0	0.0
(b)(5) Offense involved contribution/donation made/obtained through intimidation/coercion (4 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
Part D - Offenses Involving Drugs		
§2D1.1 Drug Trafficking; Unlawful Manufacturing, Importing, Exporting, or Trafficking (Including Possession with Intent to Commit These Offenses); Attempt or Conspiracy	18,639	28.1
(a)(1) Convicted under 21 U.S.C. § 841(b)(1)(A), (b)(1)(B), (b)(1)(C) or 21 U.S.C. § 960(b)(1), (b)(2), or (b)(3) and conviction establishes death/serious bodily injury after more than one prior conviction for similar offense (Base offense level 43)	23	0.1
(a)(2) Convicted under 21 U.S.C. § 841(b)(1)(A), (b)(1)(B), (b)(1)(C) or 21 U.S.C. § 960(b)(1), (b)(2), or (b)(3) and conviction establishes death/serious bodily injury (Base offense level 38)	177	0.9
(a)(3) Convicted under 21 U.S.C. § 841(b)(1)(E) or 21 U.S.C. § 960(b)(5) and conviction establishes death/serious bodily injury after more than one prior conviction for similar offense (Base offense level 30)	0	0.0
(a)(4) Convicted under 21 U.S.C. §§ 841(b)(1)(E) or 960(b)(5) and conviction establishes death/serious bodily injury resulted from use of substance (Base offense level 26)	0	0.0
(a)(5) Base offense level specified in the Drug Quantity Table (Base offense level 38)	1,554	8.3
(a)(5) Base offense level specified in the Drug Quantity Table (Base offense level 36)	1,183	6.3
(a)(5) Base offense level specified in the Drug Quantity Table (Base offense level 34)	1,637	8.8
(a)(5) Base offense level specified in the Drug Quantity Table (Base offense Level 32)	2,329	12.5
(a)(5) Base offense level specified in the Drug Quantity Table (Base offense level 30)	2,975	16.0
(a)(5) Base offense level specified in the Drug Quantity Table (Base offense level 28)	849	4.6
(a)(5) Base offense level specified in the Drug Quantity Table (Base offense level 26)	1,142	6.1
(a)(5) Base offense level specified in the Drug Quantity Table (Base offense level 24)	2,484	13.3
(a)(5) Base offense level specified in the Drug Quantity Table (Base offense level 22)	317	1.7

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(5) Base offense level specified in the Drug Quantity Table (Base offense level 20)	293	1.6
(a)(5) Base offense level specified in the Drug Quantity Table (Base offense level 18)	329	1.8
(a)(5) Base offense level specified in the Drug Quantity Table (Base offense level 16)	358	1.9
(a)(5) Base offense level specified in the Drug Quantity Table (Base offense level 14)	272	1.5
(a)(5) Base offense level specified in the Drug Quantity Table (Base offense level 12)	427	2.3
(a)(5) Base offense level specified in the Drug Quantity Table (Base offense level 10)	26	0.1
(a)(5) Base offense level specified in the Drug Quantity Table (Base offense level 8)	31	0.2
(a)(5) Base offense level specified in the Drug Quantity Table (Base offense level 6)	81	0.4
(a)(5)(B)(i) Base offense level specified in the Drug Quantity Table and mitigating role received, decrease by two levels (Base offense level 30)	410	2.2
(a)(5)(B)(ii) Base offense level specified in the Drug Quantity Table and mitigating role received, decrease by three levels (Base offense level 31)	330	1.8
(a)(5)(B)(ii) Base offense level specified in the Drug Quantity Table and mitigating role received, decrease by three levels (Base offense level 33)	364	2.0
(a)(5)(B)(iii) Base offense level specified in the Drug Quantity Table and mitigating role received, decrease by four levels (Base offense level 34)	961	5.2
(a)(5)(B)(iv) Base offense level specified in the Drug Quantity Table and minimal participant received (Base offense level 32)	87	0.5
Chapter 2 Specific Offense Characteristic Adjustments	10,399	55.8
(b)(1) Dangerous weapon possessed (2 levels)	3,973	21.3
(b)(2) Defendant used violence, threat of violence or directed violence (2 levels)	241	1.3
(b)(3)(A) Aircraft used to import or export a controlled substance (2 levels, increase to level 26)	11	0.1
(b)(3)(B) A submersible/semi-submersible vessel used to import/export a controlled substance (2 levels, increase to level 26)	33	0.2

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(3)(C) Defendant acted as pilot or any operation officer aboard any craft or vessel carrying a controlled substance (2 levels, increase to level 26)	53	0.3
(b)(4) Distribution of a controlled substance in correctional/detention facility (2 levels)	157	0.8
(b)(5) Importation of methamphetamine or manufacture from listed chemicals unlawfully imported, and not subject to §3B1.2 adjustment (2 levels)	704	3.8
(b)(6) Defendant convicted under 21 U.S.C. § 865 (2 levels)	1	0.0
(b)(7) Distributed a controlled substance through mass marketing by means of a computer (2 levels)	102	0.5
(b)(8) Distribution of an anabolic steroid and a masking agent (2 levels)	1	0.0
(b)(9) Distribution of an anabolic steroid to an athlete (2 levels)	0	0.0
(b)(10) Defendant convicted under 21 U.S.C. § 841(g)(1)(A) (2 levels)	0	0.0
(b)(11) Bribed or attempted to bribe law enforcement to facilitate offense (2 levels)	22	0.1
(b)(12) Maintained a premises to manufacture/distribute controlled substance (2 levels)	1,995	10.7
(b)(13) Defendant knowingly misrepresented or marketed as another substance a mixture or substance containing fentanyl or a fentanyl protocol (4 levels)	84	0.5
(b)(14)(A)(i) Unlawful discharge of hazardous waste into the environment (2 levels)	0	0.0
(b)(14)(A)(ii) Unlawful transportation/treatment/storage/disposal of hazardous waste (2 levels)	2	0.0
(b)(14)(B) Convicted under 21 U.S.C. § 860a (distributing methamphetamine with minor present) (2 levels, increase to level 14)	6	0.0
(b)(14)(C)(i) Convicted of meth under 21 U.S.C. § 860a (manufacture methamphetamine with minor present) (3 levels, increase to level 27)	1	0.0
(b)(14)(C)(ii) Involved manufacture of methamphetamine and created substantial risk to human life/environment (3 levels, increase to level 27)	4	0.0
(b)(14)(D) Manufacturing of methamphetamine and created substantial risk to minor/incompetent (6 levels, increase to level 30)	3	0.0
(b)(15) Aggravating Role and offense involved cultivation of marihuana on state/federal land or trespassing on tribal/private land (2 levels)	1	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(16)(A) Aggravating Role and defendant used fear/impulse/affection to involve other individual that received little compensation and had minimal knowledge of scope (2 levels)	21	0.1
(b)(16)(B)(i) Aggravating Role and defendant involved an individual that was less than 18 years of age (2 levels)	18	0.1
(b)(16)(B)(ii) Aggravating Role and defendant involved an individual that was 65 or more years of age (2 levels)	0	0.0
(b)(16)(B)(iii) Aggravating Role and defendant involved a pregnant individual (2 levels)	0	0.0
(b)(16)(B)(iv) Aggravating Role and defendant involved an unusually vulnerable individual (2 levels)	4	0.0
(b)(16)(C) Aggravating Role and defendant was directly involved in the importation of a controlled substance (2 levels)	46	0.2
(b)(16)(D) Aggravating Role and defendant obstructed justice (2 levels)	16	0.1
(b)(16)(E) Aggravating Role and defendant engaged in pattern of criminal conduct as a livelihood (2 levels)	34	0.2
(b)(17) Minimal participant and defendant was motivated by familial relationships/coercion, received no compensation, and had minimal knowledge of scope (2 level decrease)	0	0.0
(b)(18) Meets criteria set forth in §5C1.2 (Safety Valve) (2 level decrease)	4,952	26.6

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2D1.2 Drug Offenses Occurring Near Protected Locations or Involving Underage or Pregnant Individuals; Attempt or Conspiracy	273	0.4
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 46 or greater)	0	0.0
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 45)	0	0.0
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 44)	0	0.0
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 43)	0	0.0
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 42)	0	0.0
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 41)	0	0.0
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 40)	3	1.1
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 39)	0	0.0
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 38)	3	1.1
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 37)	0	0.0
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 36)	4	1.5
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 35)	0	0.0
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 34)	11	4.0
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 33)	1	0.4
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 32)	14	5.1
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 31)	1	0.4
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 30)	27	9.9
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 29)	2	0.7
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 28)	39	14.3
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 27)	0	0.0
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 26)	46	16.8
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 25)	0	0.0
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 24)	39	14.3
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 23)	0	0.0
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 22)	16	5.9

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 21)	0	0.0
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 20)	11	4.0
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 19)	0	0.0
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 18)	17	6.2
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 17)	0	0.0
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 16)	3	1.1
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 15)	0	0.0
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 14)	7	2.6
(a)(1) 2 plus the offense level from §2D1.1 (Base offense level 13)	0	0.0
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 46 or greater)	1	0.4
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 45)	0	0.0
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 44)	0	0.0
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 43)	1	0.4
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 42)	0	0.0
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 41)	0	0.0
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 40)	0	0.0
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 39)	0	0.0
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 38)	0	0.0
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 37)	1	0.4
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 36)	0	0.0
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 35)	1	0.4
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 34)	0	0.0
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 33)	2	0.7
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 32)	0	0.0
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 31)	0	0.0
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 30)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 29)	2	0.7
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 28)	0	0.0
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 27)	2	0.7
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 26)	0	0.0
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 25)	3	1.1
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 24)	0	0.0
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 23)	1	0.4
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 22)	0	0.0
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 21)	0	0.0
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 20)	0	0.0
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 19)	0	0.0
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 18)	0	0.0
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 17)	1	0.4
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 16)	0	0.0
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 15)	1	0.4
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 14)	0	0.0
(a)(2) 1 plus the offense level from §2D1.1 (Base offense level 13)	0	0.0
(a)(3) Offense involved a person less than 18 years of age (Base offense level 26)	8	2.9
(a)(4) Otherwise (Base offense level 13)	3	1.1
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2D1.5 Continuing Criminal Enterprise; Attempt or Conspiracy	8	0.0
(a)(1) 4 plus the offense level from §2D1.1 (Base offense level 46 or greater)	4	50.0
(a)(1) 4 plus the offense level from §2D1.1 (Base offense level 45)	0	0.0
(a)(1) 4 plus the offense level from §2D1.1 (Base offense level 44)	1	12.5
(a)(1) 4 plus the offense level from §2D1.1 (Base offense level 43)	0	0.0
(a)(1) 4 plus the offense level from §2D1.1 (Base offense level 42)	0	0.0
(a)(1) 4 plus the offense level from §2D1.1 (Base offense level 41)	0	0.0
(a)(1) 4 plus the offense level from §2D1.1 (Base offense level 40)	2	25.0
(a)(1) 4 plus the offense level from §2D1.1 (Base offense level 39)	0	0.0
(a)(1) 4 plus the offense level from §2D1.1 (Base offense level 38)	0	0.0
(a)(2) Base offense level 38	1	12.5
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2D1.6 Use of Communication Facility in Committing Drug Offense; Attempt or Conspiracy	NA	NA
(a) Offense level applicable to the underlying offense	NA	NA
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2D1.7 Unlawful Sale or Transportation of Drug Paraphernalia; Attempt or Conspiracy	0	0.0
(a) Base offense level 12	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2D1.8 Renting or Managing a Drug Establishment; Attempt or Conspiracy	15	0.0
(a)(1) Offense level applicable to the underlying offense	NA	NA
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 26, not more than 26 levels)	10	66.7
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 25)	0	0.0
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 24)	0	0.0
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 23)	0	0.0
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 22)	3	20.0
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 21)	0	0.0
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 20)	2	13.3
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 19)	0	0.0
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 18)	0	0.0
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 17)	0	0.0
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 16)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 15)	0	0.0
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 14)	0	0.0
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 13)	0	0.0
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 12)	0	0.0
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 11)	0	0.0
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 10)	0	0.0
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 9)	0	0.0
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 8)	0	0.0
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 7)	0	0.0
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 6)	0	0.0
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 5)	0	0.0
(a)(2) No participation in underlying offense other than allowing use of premises, offense level is 4 levels less than applicable §2D1.1 offense level (Base offense level 4 or less)	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2D1.9 Placing or Maintaining Dangerous Devices on Federal Property to Protect the Unlawful Production of Controlled Substances; Attempt or Conspiracy	0	0.0
(a) Base offense level 23	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2D1.10 Endangering Human Life While Illegally Manufacturing a Controlled Substance; Attempt or Conspiracy	2	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 46 or greater)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 45)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 44)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 43)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 42)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 41)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 40)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 39)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 38)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 37)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 36)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 35)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 34)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 33)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 32)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 31)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 30)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 29)	1	50.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 28)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 27)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 26)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 25)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 24)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 23)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 22)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 21)	0	0.0
(a)(1) 3 plus the offense level from §2D1.1 (Base offense level 20)	0	0.0
(a)(2) Base offense level 20	1	50.0
Chapter 2 Specific Offense Characteristic Adjustments	1	50.0
(b)(1)(A) If the offense involved the manufacture of amphetamine or methamphetamine (3 levels, increase to level 27)	0	0.0
(b)(1)(B) If the offense involved the manufacture of amphetamine or methamphetamine and created risk of harm to life of minor/incompetent (6 levels, increase to level 30)	1	50.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2D1.11 Unlawfully Distributing, Importing, Exporting or Possessing a Listed Chemical; Attempt or Conspiracy	2	0.0
(a) Offense level from Chemical Quantity Table (Base offense level 38)	0	0.0
(a) Offense level from Chemical Quantity Table (Base offense level 36)	1	50.0
(a) Offense level from Chemical Quantity Table (Base offense level 34)	0	0.0
(a) Offense level from Chemical Quantity Table (Base offense level 32)	0	0.0
(a) Offense level from Chemical Quantity Table (Base offense level 30)	0	0.0
(a) Offense level from Chemical Quantity Table (Base offense level 28)	0	0.0
(a) Offense level from Chemical Quantity Table (Base offense level 26)	0	0.0
(a) Offense level from Chemical Quantity Table (Base offense level 24)	0	0.0
(a) Offense level from Chemical Quantity Table (Base offense level 22)	0	0.0
(a) Offense level from Chemical Quantity Table (Base offense level 20)	1	50.0
(a) Offense level from Chemical Quantity Table (Base offense level 18)	0	0.0
(a) Offense level from Chemical Quantity Table (Base offense level 16)	0	0.0
(a) Offense level from Chemical Quantity Table (Base offense level 14)	0	0.0
(a) Offense level from Chemical Quantity Table (Base offense level 12)	0	0.0
(a)(B)(i) Offense level from Chemical Quantity Table and mitigating role received, decrease by 2 levels (Base offense level 30)	0	0.0
(a)(B)(ii) Offense level from Chemical Quantity Table and mitigating role received, decrease by 3 levels (Base offense level 31)	0	0.0
(a)(B)(ii) Offense level from Chemical Quantity Table and mitigating role received, decrease by 3 levels (Base offense level 33)	0	0.0
(a)(B)(iii) Offense level from Chemical Quantity Table and mitigating role received, decrease by 4 levels (Base offense level 34)	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	2	100.0
(b)(1) Dangerous weapon possessed (2 levels)	0	0.0
(b)(2) Convicted of 21 U.S.C. § 841(c)(2) or (f)(1), or § 960(d)(2), (d)(3), or (d)(4) (3 level decrease)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(3)(A) Unlawful discharge/emission/release into environment of hazardous substance (2 levels)	0	0.0
(b)(3)(B) Unlawful transportation/storage/disposal of hazardous substance (2 levels)	0	0.0
(b)(4) Defendant distributed through mass marketing (2 levels)	1	50.0
(b)(5) Convicted under 21 U.S.C. § 865 (2 levels)	0	0.0
(b)(6) Meets criteria set forth in §5C1.2 (Safety Valve) (2 level decrease)	2	100.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2D1.12 Unlawful Possession, Manufacture, Distribution, Transportation, Exportation, or Importation of Prohibited Flask, Equipment, Chemical, Product, or Material; Attempt or Conspiracy	1	0.0
(a)(1) Intended to manufacture a controlled substance (Base offense level 12)	1	100.0
(a)(2) Reasonable cause to believe equipment to be used for manufacturing controlled substance (Base offense level 9)	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	0	0.0
(b)(1)(A) Defendant intended to manufacture methamphetamine (2 levels)	0	0.0
(b)(1)(B) Defendant knew material was to be used to manufacture methamphetamine (2 levels)	0	0.0
(b)(2)(A) Unlawful discharge/emission/release into environment of hazardous substance (2 levels)	0	0.0
(b)(2)(B) Unlawful transportation/storage/disposal of hazardous substance (2 levels)	0	0.0
(b)(3) Defendant distributed through mass marketing (2 levels)	0	0.0
(b)(4) Offense involved stealing or transporting stolen anhydrous ammonia (6 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2D1.13 Structuring Chemical Transactions or Creating a Chemical Mixture to Evade Reporting or Recordkeeping Requirements; Presenting False or Fraudulent Identification to Obtain a Listed Chemical; Attempt or Conspiracy	0	0.0
(a)(1) Offense level from §2D1.11 if defendant knew chemical was to be used to manufacture a controlled substance	NA	NA
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 46 or greater)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 45)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 44)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 43)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 42)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 41)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 40)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 39)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 38)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 37)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 36)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 35)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 34)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 33)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 32)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 31)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 30)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 29)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 28)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 27)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 26)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 25)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 24)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 23)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 22)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 21)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 20)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 19)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 18)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 17)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 16)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 15)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 14)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 13)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 12)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 11)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 10)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 9)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 8)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 7)	0	0.0
(a)(2) Offense level from §2D1.11 reduced by 3 levels if no reason to believe chemical was to be used to manufacture a controlled substance (Base offense level 6)	0	0.0
(a)(3) Otherwise (Base offense level 6)	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2D1.14 Narco-Terrorism ⁺	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 46 or more)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 45)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 44)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 43)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 42)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 41)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 40)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 39)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 38)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 37)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 36)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 35)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 34)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 33)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 32)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 31)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 30)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 29)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 28)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 27)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 26)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 25)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 24)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 23)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 22)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 21)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 20)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 19)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 18)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 17)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 16)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 15)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 14)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 13)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 12)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 11)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 10)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 9)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 8)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 7)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 6)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 5)	0	0.0
(a)(1) Offense level from §2D1.1 applicable to underlying offense (Base offense level 4 or less)	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	0	0.0
(b)(1) If §3A1.4 (Terrorism) does not apply (6 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2D2.1 Unlawful Possession; Attempt or Conspiracy	91	0.1
(a)(1) Heroin or any Schedule I or II opiate or cocaine base (Base offense level 8)	39	42.9
(a)(2) Cocaine, flunitrazepam, LSD, or PCP (Base Offense Level 6)	14	15.4
(a)(3) Any other controlled substance or a list I chemical (Base Offense Level 4)	38	41.8
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2D2.2 Acquiring a Controlled Substance by Forgery, Fraud, Deception, or Subterfuge; Attempt or Conspiracy	56	0.1
(a) Base offense level 8	56	100.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2D2.3 Operating or Directing the Operation of a Common Carrier Under the Influence of Alcohol or Drugs	0	0.0
(a)(1) Death resulted (Base Offense Level 26)	0	0.0
(a)(2) Serious bodily injury resulted (Base Offense Level 21)	0	0.0
(a)(3) Otherwise (Base Offense Level 13)	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2D3.1 Regulatory Offenses Involving Registration Numbers; Unlawful Advertising Relating to Scheduled Substances; Attempt or Conspiracy	2	0.0
(a) Base offense level 6	2	100.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2D3.2 Regulatory Offenses Involving Controlled Substances or Listed Chemicals; Attempt or Conspiracy	3	0.0
(a) Base offense level 4	3	100.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
Part E - Offenses Involving Criminal Enterprises and Racketeering		
§2E1.1 Unlawful Conduct Relating to Racketeer Influenced and Corrupt Organizations ⁴	83	0.1
(a)(1) Base offense level 19	82	98.8
(a)(2) Offense level from applicable underlying racketeering offense	NA	NA
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2E1.2 Interstate or Foreign Travel or Transportation in Aid of a Racketeering Enterprise ⁴	1	0.0
(a)(1) Base offense level 6	1	100.0
(a)(2) Offense level from applicable underlying crime of violence or other unlawful activity in respect to which the travel was undertaken	NA	NA
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2E1.3 Violent Crimes in Aid of Racketeering Activity ⁴	7	0.0
(a)(1) Base offense level 12	6	85.7
(a)(2) Offense level from applicable underlying crime or racketeering activity	NA	NA
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2E1.4 Use of Interstate Commerce Facilities in the Commission of Murder-For-Hire ⁴	6	0.0
(a)(1) Base offense level 32	6	100.0
(a)(2) Offense level from applicable underlying unlawful conduct	NA	NA
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2E2.1 Making or Financing an Extortionate Extension of Credit; Collecting an Extension of Credit by Extortionate Means	32	0.0
(a) Base offense level 20	32	100.0
Chapter 2 Specific Offense Characteristic Adjustments	13	40.6
(b)(1)(A) Firearm discharged (5 levels)	8	25.0
(b)(1)(B) Dangerous weapon otherwise used (4 levels)	1	3.1
(b)(1)(C) Dangerous weapon brandished or possessed (3 levels)	3	9.4
(b)(2)(A) Bodily injury (2 levels)	3	9.4
(b)(2)(B) Serious bodily injury (4 levels)	3	9.4
(b)(2)(C) Permanent or life-threatening bodily injury (6 levels)	0	0.0
(b)(2)(D) Between bodily injury and serious bodily injury (3 levels)	0	0.0
(b)(2)(E) Between serious bodily injury and permanent/life-threatening injury (5 levels)	1	3.1
(b)(3)(A) Person abducted to facilitate commission of the offense or escape (4 levels)	1	3.1
(b)(3)(B) Person physically restrained to facilitate commission or escape (2 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2E3.1 Gambling Offenses; Animal Fighting Offenses	79	0.1
(a)(1) Offense involved an animal fighting venture, except in (a)(3) (Base offense level 16)	44	55.7
(a)(2)(A) Offense was engaging in a gambling business (Base offense level 12)	30	38.0
(a)(2)(B) Offense was transmission of wagering information (Base offense level 12)	4	5.1
(a)(2)(C) Offense was committed to facilitate a gambling operation (Base offense level 12)	0	0.0
(a)(2) Defendant convicted under 7 U.S.C. § 2156(a)(2)(B) (Base offense level 10)	1	1.3
(a)(3) Otherwise (Base offense level 6)	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2E4.1 Unlawful Conduct Relating to Contraband Cigarettes and Smokeless Tobacco	11	0.0
(a)(1) Base offense level 9	0	0.0
(a)(2) Loss \$2,500 or less (Base offense level 6)	0	0.0
(a)(2) Loss more than \$2,500 (Base offense level 8)	0	0.0
(a)(2) Loss more than \$6,500 (Base offense level 10)	0	0.0
(a)(2) Loss more than \$15,000 (Base offense level 12)	0	0.0
(a)(2) Loss more than \$40,000 (Base offense level 14)	0	0.0
(a)(2) Loss more than \$100,000 (Base offense level 16)	3	27.3
(a)(2) Loss more than \$250,000 (Base offense level 18)	1	9.1
(a)(2) Loss more than \$550,000 (Base offense level 20)	0	0.0
(a)(2) Loss more than \$1,500,000 (Base offense level 22)	2	18.2
(a)(2) Loss more than \$3,500,000 (Base offense level 24)	5	45.5
(a)(2) Loss more than \$9,500,000 (Base offense level 26)	0	0.0
(a)(2) Loss more than \$25,000,000 (Base offense level 28)	0	0.0
(a)(2) Loss more than \$65,000,000 (Base offense level 30)	0	0.0
(a)(2) Loss more than \$150,000,000 (Base offense level 32)	0	0.0
(a)(2) Loss more than \$250,000,000 (Base offense level 34)	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2E5.1 Offering, Accepting, or Soliciting a Bribe or Gratuity Affecting the Operation of an Employee Welfare or Pension Benefit Plan; Prohibited Payments or Lending of Money by Employer or Agent to Employees, Representatives, or Labor Organizations	9	0.0
(a)(1) Bribe involved (Base offense level 10)	8	88.9
(a)(2) Gratuity involved (Base offense level 6)	1	11.1
Chapter 2 Specific Offense Characteristic Adjustments	9	100.0
(b)(1) Defendant was a fiduciary of the benefit plan or labor organization (2 levels)	9	100.0
(b)(2) Loss \$2,500 or less (0 levels)	3	33.3
(b)(2) Loss more than \$2,500 (1 level)	5	55.6
(b)(2) Loss more than \$6,500 (2 levels)	0	0.0
(b)(2) Loss more than \$15,000 (4 levels)	0	0.0
(b)(2) Loss more than \$40,000 (6 levels)	0	0.0
(b)(2) Loss more than \$95,000 (8 levels)	0	0.0
(b)(2) Loss more than \$150,000 (10 levels)	0	0.0
(b)(2) Loss more than \$250,000 (12 levels)	1	11.1
(b)(2) Loss more than \$550,000 (14 levels)	0	0.0
(b)(2) Loss more than \$1,500,000 (16 levels)	0	0.0
(b)(2) Loss more than \$3,500,000 (18 levels)	0	0.0
(b)(2) Loss more than \$9,500,000 (20 levels)	0	0.0
(b)(2) Loss more than \$25,000,000 (22 levels)	0	0.0
(b)(2) Loss more than \$65,000,000 (24 levels)	0	0.0
(b)(2) Loss more than \$150,000,000 (26 levels)	0	0.0
(b)(2) Loss more than \$250,000,000 (28 levels)	0	0.0
(b)(2) Loss more than \$550,000,000 (30 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2E5.3 False Statements and Concealment of Facts in Relation to Documents Required by the Employee Retirement Income Security Act; Failure to Maintain and Falsification of Records Required by the Labor Management Reporting and Disclosure Act; Destruction and Failure to Maintain Corporate Audit Records	1	0.0
(a)(1) Base offense level 6	1	100.0
(a)(2) False records were used to conceal theft/for bribe or gratuity/for obstruction of justice, apply §2B1.1, §2E5.1, or §2J1.2	NA	NA
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
Part F - Offenses Involving Fraud or Deceit		
§2F1.1 Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than Counterfeit Bearer Obligations of the United States	2	0.0
(a) Base offense level 6	2	100.0
Chapter 2 Specific Offense Characteristic Adjustments	2	100.0
(b)(1) Loss more than \$350,000 (9 levels)	1	50.0
(b)(1) Loss more than \$1,500,000 (12 levels)	1	50.0
(b)(2)(A) Involved more than minimal planning (2 levels)	1	50.0
(b)(2)(B) Involved a scheme to defraud more than 1 victim (2 levels)	1	50.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
Part G - Offenses Involving Commercial Sex Acts, Sexual Exploitation of Minors and Obscenity		
§2G1.1 Promoting a Commercial Sex Act or Prohibited Sexual Conduct with an Individual Other than a Minor	204	0.3
(a)(1) Offense of conviction is 18 U.S.C. § 1591(b)(1) (Base offense level 34)	116	56.9
(a)(2) Otherwise (Base offense level 14)	88	43.1
Chapter 2 Specific Offense Characteristic Adjustments	27	13.2
(b)(1) If subsection (a)(2) applies and offense involved fraud or coercion (4 levels)	27	13.2

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2G1.3 Promoting a Commercial Sex Act or Prohibited Sexual Conduct with a Minor; Transportation of Minors to Engage in a Commercial Sex Act or Prohibited Sexual Conduct; Travel to Engage in Commercial Sex Act or Prohibited Sexual Conduct with a Minor; Sex Trafficking of Children; Use of Interstate Facilities to Transport Information about a Minor	604	0.9
(a)(1) Conviction under 18 U.S.C. § 1591(b)(1) (Base offense level 34)	74	12.3
(a)(2) Conviction under 18 U.S.C. § 1591(b)(2) (Base offense level 30)	138	22.8
(a)(3) Conviction under 18 U.S.C. § 2422(b) or § 2423(a) (Base offense level 28)	272	45.0
(a)(4) Otherwise (Base offense level 24)	120	19.9
Chapter 2 Specific Offense Characteristic Adjustments	586	97.0
(b)(1)(A) Defendant was a parent/relative/guardian of the minor (2 levels)	27	4.5
(b)(1)(B) Minor was in custody/care/control of the defendant (2 levels)	40	6.6
(b)(2)(A) Misrepresentation of identity to facilitate the travel of a minor to engage in prohibited sexual conduct (2 levels)	40	6.6
(b)(2)(B) Defendant unduly influenced a minor to engage in prohibited sexual conduct (2 levels)	199	32.9
(b)(3)(A) Computer was used to facilitate travel of a minor to engage in prohibited sexual conduct (2 levels)	276	45.7
(b)(3)(B) Computer was used to solicit a person to engage in prohibited sexual conduct with a minor (2 levels)	234	38.7
(b)(4)(A) Offense involved commission of sexual act or sexual contact (2 levels)	290	48.0
(b)(4)(B) Subsection (a)(3) or (a)(4) applies and offense involved a commercial sex act (2 levels)	49	8.1
(b)(5) Subsection (a)(3) or (a)(4) applies and offense involved a minor less than 12 years of age (8 levels)	72	11.9

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2G2.1 Sexually Exploiting a Minor by Production of Sexually Explicit Visual or Printed Material; Custodian Permitting Minor to Engage in Sexually Explicit Conduct; Advertisement for Minors to Engage in Production	1,464	2.2
(a) Base offense level 27	6	0.4
(a) Base offense level 32	1,458	99.6
Chapter 2 Specific Offense Characteristic Adjustments	1,448	98.9
(b)(1)(A) Minor less than 12 years of age (4 levels)	620	42.3
(b)(1)(B) Victim at least 12 years of age but less than 16 (2 levels)	621	42.4
(b)(2)(A) Offense involved the commission of a sexual act or sexual contact (2 levels)	766	52.3
(b)(2)(B) Offense involved the commission of a sexual act and conduct as described in 18 U.S.C. § 2241(a) or (b) (4 levels)	54	3.7
(b)(3) Offense involved distribution (2 levels)	2	0.1
(b)(3) Defendant knowingly engaged in distribution (2 levels)	438	29.9
(b)(4)(A) Offense involved portrayal of sadistic/masochistic conduct or other depictions of violence (4 levels)	169	11.5
(b)(4)(B) Offense involved portrayal of an infant or toddler (4 levels)	109	7.4
(b)(5) Defendant was a parent/relative/legal guardian of the minor or minor in custody/care/control of defendant (2 levels)	663	45.3
(b)(6)(A) Misrepresentation to facilitate the travel of a minor to engage in sexually explicit conduct to produce sexually explicit material (2 levels)	108	7.4
(b)(6)(B)(i) Computer used to facilitate the travel of a minor to engage in sexually explicit conduct to produce sexually explicit material (2 levels)	329	22.5
(b)(6)(B)(ii) Computer used to solicit participation by or with a minor in sexually explicit conduct to produce sexually explicit material (2 levels)	228	15.6

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2G2.2 Trafficking in Material Involving the Sexual Exploitation of a Minor; Receiving, Transporting, Shipping, Soliciting, or Advertising Material Involving the Sexual Exploitation of a Minor; Possessing Material Involving the Sexual Exploitation of a Minor with Intent to Traffic; Possessing Material Involving the Sexual Exploitation of a Minor	1,492	2.2
(a)(1) Defendant convicted of 18 U.S.C. § 1466A(b), § 2252(a)(4), § 2252A(a)(5), or § 2252A(a)(7) (Base offense level 18)	656	44.0
(a)(2) Otherwise (Base offense level 22)	836	56.0
Chapter 2 Specific Offense Characteristic Adjustments	1,492	100.0
(b)(1) If subsection (a)(2) applies and the defendant's conduct was limited to the receipt or solicitation of material involving the sexual exploitation of a minor and the material was not distributed (2 level decrease)	129	8.6
(b)(2) Minor less than 12 years of age or prepubescent minor (2 levels)	1,409	94.4
(b)(3)(A) Involved distribution for pecuniary gain (Not less than 5 levels)	11	0.7
(b)(3)(A) Involved distribution for pecuniary gain, loss more than \$40,000 (6 levels)	0	0.0
(b)(3)(A) Involved distribution for pecuniary gain, loss more than \$95,000 (8 levels)	0	0.0
(b)(3)(A) Involved distribution for pecuniary gain, loss more than \$150,000 (10 levels)	0	0.0
(b)(3)(A) Involved distribution for pecuniary gain, loss more than \$250,000 (12 levels)	0	0.0
(b)(3)(A) Involved distribution for pecuniary gain, loss more than \$550,000 (14 levels)	0	0.0
(b)(3)(A) Involved distribution for pecuniary gain, loss more than \$1,500,000 (16 levels)	0	0.0
(b)(3)(A) Involved distribution for pecuniary gain, loss more than \$3,500,000 (18 levels)	1	0.1
(b)(3)(A) Involved distribution for pecuniary gain, loss more than \$9,500,000 (20 levels)	0	0.0
(b)(3)(A) Involved distribution for pecuniary gain, loss more than \$25,000,000 (22 levels)	0	0.0
(b)(3)(A) Involved distribution for pecuniary gain, loss more than \$65,000,000 (24 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(3)(A) Involved distribution for pecuniary gain, loss more than \$150,000,000 (26 levels)	0	0.0
(b)(3)(A) Involved distribution for pecuniary gain, loss more than \$250,000,000 (28 levels)	0	0.0
(b)(3)(A) Involved distribution for pecuniary gain, loss more than \$550,000,000 (30 levels)	0	0.0
(b)(3)(B) Defendant distributed in exchange for thing of value, but not for pecuniary gain (5 levels)	197	13.2
(b)(3)(C) Offense involved distribution to a minor (5 levels)	19	1.3
(b)(3)(D) Offense involved distribution to a minor to induce the minor to engage in any illegal activity other than covered under subdivision (E) (6 levels)	6	0.4
(b)(3)(E) Offense involved distribution to a minor to facilitate travel of the minor to engage in prohibited sexual contact (7 levels)	14	0.9
(b)(3)(F) Offense involved distribution other than in (b)(3)(A)-(E) (2 levels)	543	36.4
(b)(4)(A) Involved material that portrays sadistic or masochistic conduct or other forms of violence depicted (4 levels)	727	48.7
(b)(4)(B) Sexual abuse or exploitation of an infant or toddler depicted (4 levels)	479	32.1
(b)(5) Defendant engaged in a pattern of activity involving the sexual exploitation of a minor (5 levels)	258	17.3
(b)(6) Computer used for transmission/possession/accessing of the material (2 levels)	1,448	97.1
(b)(7)(A) Offense involved at least 10 images, but fewer than 150 (2 levels)	103	6.9
(b)(7)(B) Offense involved at least 150 images, but fewer than 300 (3 levels)	67	4.5
(b)(7)(C) Offense involved at least 300 images, but fewer than 600 (4 levels)	89	6.0
(b)(7)(D) Offense involved 600 images or more (5 levels)	1,143	76.6

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2G2.3 Selling or Buying of Children for Use in the Production of Pornography	3	0.0
(a) Base offense level 38	3	100.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2G2.5 Recordkeeping Offenses Involving the Production of Sexually Explicit Materials; Failure to Provide Required Marks in Commercial Electronic Email	0	0.0
(a) Base offense level 6	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2G2.6 Child Exploitation Enterprises	13	0.0
(a) Base offense level 35	13	100.0
Chapter 2 Specific Offense Characteristic Adjustments	13	100.0
(b)(1)(A) Victim less than 12 years of age (4 levels)	12	92.3
(b)(1)(B) Victim at least 12 years of age, but less than 16 (2 levels)	0	0.0
(b)(2)(A) Defendant was a parent/relative/legal guardian of minor victim (2 levels)	2	15.4
(b)(2)(B) Minor victim was in custody/care/control of defendant (2 levels)	2	15.4
(b)(3) Offense involved conduct described in 18 U.S.C. § 2241(a) or (b) (2 levels)	1	7.7
(b)(4) Computer used in furtherance of the offense (2 levels)	13	100.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2G3.1 Importing, Mailing, or Transporting Obscene Matter; Transferring Obscene Matter to a Minor; Misleading Domain Names	50	0.1
(a) Base offense level 10	50	100.0
Chapter 2 Specific Offense Characteristic Adjustments	49	98.0
(b)(1)(A) Involved distribution for pecuniary gain (Not less than 5 levels)	0	0.0
(b)(1)(A) Involved distribution for pecuniary gain, loss more than \$40,000 (6 levels)	0	0.0
(b)(1)(A) Involved distribution for pecuniary gain, loss more than \$95,000 (8 levels)	0	0.0
(b)(1)(A) Involved distribution for pecuniary gain, loss more than \$150,000 (10 levels)	0	0.0
(b)(1)(A) Involved distribution for pecuniary gain, loss more than \$250,000 (12 levels)	0	0.0
(b)(1)(A) Involved distribution for pecuniary gain, loss more than \$550,000 (14 levels)	0	0.0
(b)(1)(A) Involved distribution for pecuniary gain, loss more than \$1,500,000 (16 levels)	0	0.0
(b)(1)(A) Involved distribution for pecuniary gain, loss more than \$3,500,000 (18 levels)	0	0.0
(b)(1)(A) Involved distribution for pecuniary gain, loss more than \$9,500,000 (20 levels)	0	0.0
(b)(1)(A) Involved distribution for pecuniary gain, loss more than \$25,000,000 (22 levels)	0	0.0
(b)(1)(A) Involved distribution for pecuniary gain, loss more than \$65,000,000 (24 levels)	0	0.0
(b)(1)(A) Involved distribution for pecuniary gain, loss more than \$150,000,000 (26 levels)	0	0.0
(b)(1)(A) Involved distribution for pecuniary gain, loss more than \$250,000,000 (28 levels)	0	0.0
(b)(1)(A) Involved distribution for pecuniary gain, loss more than \$550,000,000 (30 levels)	0	0.0
(b)(1)(B) Defendant distributed in exchange for thing of value, but not for pecuniary gain (5 levels)	1	2.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(1)(C) Offense involved distribution to a minor (5 levels)	8	16.0
(b)(1)(D) Offense involved distribution to a minor to induce the minor to engage in illegal activity other than covered in subdivision (E) (6 levels)	9	18.0
(b)(1)(E) Offense involved distribution to a minor to facilitate travel of the minor to engage in prohibited sexual contact (7 levels)	27	54.0
(b)(1)(F) Defendant knowingly engaged in distribution other than in (b)(1)(A)-(E) (2 levels)	3	6.0
(b)(2)(A) Offense involved misleading domain name on the Internet to deceive a minor into viewing material harmful to minors (2 levels)	0	0.0
(b)(2)(B) Offense involved embedded words or digital images in the source code of a website to deceive a minor into viewing material harmful to minors (2 levels)	0	0.0
(b)(3) Offense involved use of a computer (2 levels)	47	94.0
(b)(4) Sadistic or masochistic conduct or other forms of violence (4 levels)	3	6.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2G3.2 Obscene Telephone Communications for a Commercial Purpose; Broadcasting Obscene Material	0	0.0
(a) Base offense level 12	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	0	0.0
(b)(1) Person who received communication was less than 18 years of age or broadcast was made between 6AM and 11PM (4 levels)	0	0.0
(b)(2) Loss \$6,500 or less (6 levels)	0	0.0
(b)(2) Loss more than \$6,500 (8 levels)	0	0.0
(b)(2) Loss more than \$15,000 (10 levels)	0	0.0
(b)(2) Loss more than \$40,000 (12 levels)	0	0.0
(b)(2) Loss more than \$95,000 (14 levels)	0	0.0
(b)(2) Loss more than \$150,000 (16 levels)	0	0.0
(b)(2) Loss more than \$250,000 (18 levels)	0	0.0
(b)(2) Loss more than \$550,000 (20 levels)	0	0.0
(b)(2) Loss more than \$1,500,000 (22 levels)	0	0.0
(b)(2) Loss more than \$3,500,000 (24 levels)	0	0.0
(b)(2) Loss more than \$9,500,000 (26 levels)	0	0.0
(b)(2) Loss more than \$25,000,000 (28 levels)	0	0.0
(b)(2) Loss more than \$65,000,000 (30 levels)	0	0.0
(b)(2) Loss more than \$150,000,000 (32 levels)	0	0.0
(b)(2) Loss more than \$250,000,000 (34 levels)	0	0.0
(b)(2) Loss more than \$550,000,000 (36 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
Part H - Offenses Involving Individual Rights		
§2H1.1 Offenses Involving Individual Rights ⁴	116	0.2
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 3 or less)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 4)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 5)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 6)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 7)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 8)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 9)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 10)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 11)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 12)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 13)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 14)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 15)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 16)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 17)	1	0.9

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 18)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 19)	1	0.9
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 20)	10	8.6
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 21)	9	7.8
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 22)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 23)	6	5.2
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 24)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 25)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 26)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 27)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 28)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 29)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 30)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 31)	5	4.3
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 32)	3	2.6
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 33)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 34)	1	0.9

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 35)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 36)	4	3.4
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 37)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 38)	14	12.1
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 39)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 40)	1	0.9
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 41)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 42)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 43)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 44)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 45)	0	0.0
(a)(1) Offense level from the offense guideline applicable to underlying offense (Base offense level 46 or more)	0	0.0
(a)(2) Involved 2 or more participants (Base offense level 12)	19	16.4
(a)(3)(A) Offense involved use/threat of force (Base Offense Level 10)	32	27.6
(a)(3)(B) Offense involved threatened or actual property damage (Base Offense Level 10)	7	6.0
(a)(4) Otherwise (Base offense level 6)	3	2.6
Chapter 2 Specific Offense Characteristic Adjustments	96	82.8
(b)(1)(A) Defendant was a public official at the time of the offense (6 levels)	21	18.1
(b)(1)(B) Offense was committed under color of law (6 levels)	75	64.7

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2H2.1 Obstructing an Election or Registration	8	0.0
(a)(1) Obstruction occurred by use of force or threat against persons or property (Base offense level 18)	1	12.5
(a)(2) Obstruction occurred by forgery/fraud/theft/bribery/deceit/or other means, except as provided in subdivision (3) (Base offense level 12)	6	75.0
(a)(3)(A) Solicited/accepted/agreed to accept anything of value to register to vote, vote, or refrain from voting (Base offense level 6)	0	0.0
(a)(3)(B) Gave false information to establish eligibility to vote (Base offense level 6)	0	0.0
(a)(3)(C) Voted more than once in a federal election (Base offense level 6)	1	12.5
No Specific Offense Characteristics for the guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2H3.1 Interception of Communications; Eavesdropping; Disclosure of Certain Private or Protected Information	11	0.0
(a)(1) Base offense level 9	9	81.8
(a)(2) Conviction with statutory maximum term of imprisonment of 1 year or less but more than 6 months (Base offense level 6)	2	18.2
Chapter 2 Specific Offense Characteristic Adjustments	5	45.5
(b)(1)(A) Convicted under 18 U.S.C. § 1039(d) or (e) (3 levels)	2	18.2
(b)(1)(B) Purpose of conduct was to obtain commercial advantage or economic gain (3 levels)	3	27.3
(b)(2)(A) Convicted under 18 U.S.C. § 119 (8 levels)	0	0.0
(b)(2)(B) Convicted under 18 U.S.C. § 119 and involved the use of a computer to make restricted personal information about a covered person publicly available (10 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2H3.2 Manufacturing, Distributing, Advertising, or Possessing an Eavesdropping Device	0	0.0
(a) Base offense level 6	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	0	0.0
(b)(1) Offense committed for pecuniary gain (3 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2H3.3 Obstructing Correspondence ^a	6	0.0
(a)(1) Base offense level 6	6	100.0
(a)(2) Conduct was theft or destruction of mail, apply §2B1.1	NA	NA
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2H4.1 Peonage, Involuntary Servitude, Slave Trade, and Child Soldiers	22	0.0
(a)(1) Base offense level 22	17	77.3
(a)(2)(A) Defendant convicted of an offense under 18 U.S.C. § 1592 (Base offense level 18)	5	22.7
(a)(2)(B) Defendant convicted of an offense under 18 U.S.C. § 1593A based on an act in violation of 18 U.S.C. § 1592 (Base offense level 18)	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	20	90.9
(b)(1)(A) Victim sustained permanent or life-threatening bodily injury (4 levels)	0	0.0
(b)(1)(B) Victim sustained serious bodily injury (2 levels)	1	4.5
(b)(2)(A) Dangerous weapon used (4 levels)	1	4.5
(b)(2)(B) Dangerous weapon brandished or threatened (2 levels)	2	9.1
(b)(3)(A) Victim held in peonage/involuntary servitude for more than one year (3 levels)	4	18.2
(b)(3)(B) Victim held in peonage/involuntary servitude between 180 days and 1 year (2 levels)	9	40.9
(b)(3)(C) Victim held in peonage/involuntary servitude for more than 30 days but less than 180 days (1 level)	6	27.3
(b)(4)(A) Other felony committed during commission of offense or in connection with the offense (2 levels)	9	40.9
(b)(4)(B) Other felony committed during commission of offense or in connection with the offense, 2 plus the offense level from the applicable guideline (not greater than 43 levels)	5	22.7

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2H4.2 Willful Violations of the Migrant and Seasonal Agricultural Worker Protection Act	0	0.0
(a) Base offense level 6	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	0	0.0
(b)(1)(A) Involved serious bodily injury (4 levels)	0	0.0
(b)(1)(B) Involved bodily injury (2 levels)	0	0.0
(b)(2) Offense committed after sustaining civil/administrative adjudication for similar misconduct (2 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
Part J - Offenses Involving the Administration of Justice		
§2J1.1 Contempt ⁴	NA	NA
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2J1.2 Obstruction of Justice	189	0.3
(a) Base offense level 14	189	100.0
Chapter 2 Specific Offense Characteristic Adjustments	131	69.3
(b)(1)(A) Convicted under 18 U.S.C. § 1001 and statutory maximum term of 8 years imprisonment applies because of sex offenses under 18 U.S.C. § 1591 or chapters 109A, 109B, 110, or 117 of title 18, U.S.C. (4 levels)	4	2.1
(b)(1)(B) Causing/threatening physical injury to a person or damage to property (8 levels)	71	37.6
(b)(1)(C) Convicted under 18 U.S.C. § 1001 or § 1505 and statutory maximum of 8 years imprisonment applies because matter relates to terrorism (12 levels)	1	0.5
(b)(2) Offense resulted in substantial interference with the administration of justice (3 levels)	91	48.1
(b)(3)(A) Involved destruction/alteration/fabrication of a substantial amount of records/objects (2 levels)	12	6.3
(b)(3)(B) Involved selection of any essential/probative document or object to destroy/alter (2 levels)	10	5.3
(b)(3)(C) Otherwise extensive in scope/planning/preparation (2 levels)	19	10.1

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2J1.3 Perjury or Subornation of Perjury; Bribery of Witness	22	0.0
(a) Base offense level 14	22	100.0
Chapter 2 Specific Offense Characteristic Adjustments	3	13.6
(b)(1) Suborned perjury by causing/threatening physical injury to a person or property (8 levels)	0	0.0
(b)(2) Perjury/subornation of perjury/witness bribery substantially interfered with the administration of justice (3 levels)	3	13.6

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2J1.4 Impersonation	14	0.0
(a) Base offense level 6	14	100.0
Chapter 2 Specific Offense Characteristic Adjustments	3	21.4
(b)(1) Committed for purpose of conducting an unlawful arrest/detention/search (6 levels)	3	21.4

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2J1.5 Failure to Appear by Material Witness	0	0.0
(a)(1) In respect to a felony (Base offense level 6)	0	0.0
(a)(2) In respect to a misdemeanor (Base offense level 4)	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	0	0.0
(b)(1) Substantially interfered with the administration of justice (3 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2J1.6 Failure to Appear by Defendant	31	0.0
(a)(1) Failure to report for service of sentence (Base offense level 11)	15	48.4
(a)(2) Otherwise (Base offense level 6)	16	51.6
Chapter 2 Specific Offense Characteristic Adjustments	15	48.4
(b)(1)(A) Subsection (a)(1) applies and voluntarily surrendered within 96 hours of originally scheduled report time (5 level decrease)	0	0.0
(b)(1)(B) Subsection (a)(1) applies and was ordered to community corrections/treatment center, and subdivision (b)(1)(A) does not apply (2 level decrease)	0	0.0
(b)(2)(A) Subsection (a)(2) applies and underlying offense punishable by death or 15 years imprisonment or more (9 levels)	8	25.8
(b)(2)(B) Subsection (a)(2) applies and underlying offense punishable by 5 years imprisonment or more, but less than 15 (6 levels)	7	22.6
(b)(2)(C) Subsection (a)(2) applies and underlying offense is a felony punishable by a maximum term of less than 5 years imprisonment (3 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2J1.9 Payment to Witness	0	0.0
(a) Base offense level 6	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	0	0.0
(b)(1) Payment made/offered for refusing to testify or for the witness absenting self to avoid testifying (4 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
Part K - Offenses Involving Public Safety		
§2K1.1 Failure to Report Theft of Explosive Materials; Improper Storage of Explosive Materials	1	0.0
(a) Base offense level 6	1	100.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2K1.3 Unlawful Receipt, Possession, or Transportation of Explosive Materials; Prohibited Transactions Involving Explosive Materials	22	0.0
(a)(1) Two prior felony convictions for crime of violence/controlled substance (Base offense level 24)	1	4.5
(a)(2) One prior conviction for crime of violence/controlled substance (Base offense level 20)	4	18.2
(a)(3) Defendant convicted under 18 U.S.C. § 842(p)(2) (Base offense level 18)	0	0.0
(a)(4)(A) Defendant is prohibited person (Base offense level 16)	5	22.7
(a)(4)(B) Distributed explosive material to prohibited person (Base offense level 16)	3	13.6
(a)(5) Otherwise (Base offense level 12)	9	40.9
Chapter 2 Specific Offense Characteristic Adjustments	9	40.9
(b)(1)(A) Weight of explosives 25 to less than 100 pounds (1 level)	3	13.6
(b)(1)(B) Weight of explosives 100 to less than 250 pounds (2 levels)	0	0.0
(b)(1)(C) Weight of explosives 250 to less than 500 pounds (3 levels)	2	9.1
(b)(1)(D) Weight of explosives 500 to less than 1,000 pounds (4 levels)	1	4.5
(b)(1)(E) Weight of explosives 1,000 pounds or more (5 levels)	1	4.5
(b)(2) Offense involved stolen explosives (2 levels)	3	13.6
(b)(3)(A) Convicted under 18 U.S.C. § 842(p)(2) (4 levels, increase to level 18)	0	0.0
(b)(3)(B) Use/possession of explosive material in connection with another felony offense (4 levels, increase to level 18)	2	9.1

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2K1.4 Arson; Property Damage By Use of Explosives	120	0.2
(a)(1)(A) Knowingly created substantial risk of death/serious bodily injury (Base offense Level 24)	60	50.0
(a)(1)(B) Destruction or attempted destruction of a dwelling, airport, aircraft, mass transportation facility/vehicle, maritime facility, vessel, vessel's cargo, a public transportation system, state/government facility, infrastructure facility, or a place of public use (Base offense Level 24)	28	23.3
(a)(2)(A) Substantial risk of death/serious bodily injury (Base offense level 20)	13	10.8
(a)(2)(B) Destruction or attempted destruction of a structure other than a dwelling, airport, aircraft, mass transportation facility/vehicle, maritime facility, vessel, vessel's cargo, a public transportation system, state/government facility, infrastructure facility, or a place of public use (Base offense level 20)	10	8.3
(a)(2)(C) Endangered a dwelling or a structure other than a dwelling, airport, aircraft, mass transportation facility/vehicle, maritime facility, vessel, vessel's cargo, a public transportation system, state/government facility, infrastructure facility, or a place of public use (Base offense level 20)	4	3.3
(a)(3) Involved the destruction of or tampering with aids to maritime navigation (Base offense level 16)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 3 or less)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 4)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 5)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 6)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 7)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 8)	3	2.5
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 9)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 10)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 11)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 12)	1	0.8
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 13)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 14)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 15)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 16)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 17)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 18)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 19)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 20)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 21)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 22)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 23)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 24)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 25)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 26)	1	0.8
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 27)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 28)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 29)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 30)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 31)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 32)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 33)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 34)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 35)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 36)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 37)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 38)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 39)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 40)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 41)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 42)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 43)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 44)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 45)	0	0.0
(a)(4) Offense level from §2B1.1 plus 2 (Base offense level 46 or more)	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	3	2.5
(b)(1) Offense was committed to conceal another offense (2 levels)	3	2.5
(b)(2) Base offense level not determined under (a)(4) and occurred on a national cemetery (2 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2K1.5 Possessing Dangerous Weapons or Materials While Boarding or Aboard an Aircraft	1	0.0
(a) Base offense level 9	1	100.0
Chapter 2 Specific Offense Characteristic Adjustments	1	100.0
(b)(1) Offense committed willfully and without regard or reckless disregard for the safety of human life (15 levels)	0	0.0
(b)(2) Defendant prohibited by another federal law from possessing the weapon or material (2 levels)	1	100.0
(b)(3) Defendant's possession of the weapon or material would have been lawful but for 49 U.S.C. § 46505 and acted with mere negligence (3 level decrease)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2K1.6 Licensee Recordkeeping Violations Involving Explosive Materials	0	0.0
(a) Base offense level 6	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2K2.1 Unlawful Receipt, Possession, or Transportation of Firearms or Ammunition; Prohibited Transactions Involving Firearms or Ammunition	8,571	12.9
(a)(1)(A)(i) At least two prior felony convictions of a crime of violence/controlled substance and a semiautomatic firearm capable of accepting a large capacity magazine (Base Offense Level 26)	269	3.1
(a)(1)(A)(ii) At least two prior felony convictions of a crime of violence/controlled substance and firearm described in 26 U.S.C. § 5845(a) (Base Offense Level 26)	24	0.3
(a)(1)(A) At least two prior felony convictions of a crime of violence/controlled substance and firearm described in 26 U.S.C. § 5845(a) or a semiautomatic firearm capable of accepting a large capacity magazine (Base offense level 26)	0	0.0
(a)(2) At least two prior felony convictions of a crime of violence/controlled substance (Base offense level 24)	785	9.2
(a)(3)(A)(i) One prior felony conviction of a crime of violence/controlled substance and a semiautomatic firearm capable of accepting a large capacity magazine (Base Offense Level 22)	721	8.4
(a)(3)(A)(ii) One prior felony conviction of a crime of violence/controlled substance and firearm described in 26 U.S.C. § 5845(a) (Base offense level 22)	82	1.0
(a)(3)(A) One prior felony conviction of a crime of violence/controlled substance and firearm described in 26 U.S.C. § 5845(a) or a semiautomatic firearm capable of accepting a large capacity magazine (Base Offense Level 22)	1	0.0
(a)(4)(A) One prior felony conviction of a crime of violence/controlled substance (Base offense level 20)	2,135	24.9
(a)(4)(B)(i)(I) and (ii)(I) Involved a semiautomatic firearm capable of accepting a large capacity magazine and defendant was a prohibited person (Base offense level 20)	826	9.6
(a)(4)(B)(i)(I) and (ii)(II) Involved a semiautomatic firearm capable of accepting a large capacity magazine and convicted under 18 U.S.C. § 922(d) (Base offense level 20)	24	0.3
(a)(4)(B)(i)(I) and (ii)(III) Involved a semiautomatic firearm capable of accepting a large capacity magazine and convicted under 18 U.S.C. § 922(a)(6) or § 924(a)(1)(A) and offense committed with intent to transfer firearms/ammunition to a prohibited person (Base Offense Level 20)	22	0.3
(a)(4)(B)(ii)(II) and (ii)(I) Involved a firearm described in 20 U.S.C. § 5845(a) and defendant was a prohibited person (Base offense level 20)	165	1.9
(a)(4)(B)(ii)(II) and (ii)(II) Involved a firearm described in 20 U.S.C. § 5845(a) and convicted under 18 U.S.C. § 922(d) (Base offense level 20)	4	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(4)(B)(ii)(II) and (ii)(III) Involved a firearm described in 20 U.S.C. § 5845(a) and convicted under 18 U.S.C. § 922(a)(6) or § 924(a)(1)(A) and offense committed with intent to transfer firearms/ammunition to a prohibited person (Base Offense Level 20)	8	0.1
(a)(5) Involved firearm described in 26 U.S.C. § 5845(a) (Base offense level 18)	329	3.8
(a)(6)(A) Defendant is a prohibited person (Base offense level 14)	2,401	28.0
(a)(6)(B) Convicted under 18 U.S.C. § 922(d) (Base offense level 14)	16	0.2
(a)(6)(C) Convicted under 18 U.S.C. § 922(a)(6) or § 924(a)(1)(A) and offense committed with intent to transfer firearms/ammunition to a prohibited person (Base Offense Level 14)	216	2.5
(a)(7) Except as provided in subdivision (a)(8) (Base offense level 12)	530	6.2
(a)(8) Convicted under 18 U.S.C. § 922 (c), (e), (f), (m), (s), (t), (x)(1), or 18 U.S.C. § 1715 (Base offense level 6)	12	0.1
Chapter 2 Specific Offense Characteristic Adjustments	5,194	60.6
(b)(1)(A) Involved 3-7 firearms (2 levels)	1,268	14.8
(b)(1)(B) Involved 8-24 firearms (4 levels)	568	6.6
(b)(1)(C) Involved 25-99 firearms (6 levels)	245	2.9
(b)(1)(D) Involved 100-199 firearms (8 levels)	37	0.4
(b)(1)(E) Involved 200 or more firearms (10 levels)	22	0.3
(b)(2) Not subject to (a)(1)-(a)(5) and possessed firearms and ammunition solely for lawful sporting purposes or collection, and did not unlawfully discharge/use (decrease to level 6)	15	0.2
(b)(3)(A) Involved a destructive device that is a portable rocket/missile or device to launch a rocket/missile (15 levels)	3	0.0
(b)(3)(B) Involved a destructive device other than referred to in subdivision (A) (2 levels)	124	1.4
(b)(4)(A) Firearm was stolen (2 levels)	1,836	21.4
(b)(4)(B) Firearm had altered/obliterated serial number (4 levels)	450	5.3
(b)(5) Engaged in trafficking of firearms (4 levels)	397	4.6
(b)(6)(A) Possessed firearm or ammunition while leaving/attempting to leave the United States, or transferring any firearm/ammunition for such a purpose (4 levels, increase to level 18)	148	1.7

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(6)(B) Firearms/ammunition used in connection with another felony offense (4 levels, increase to level 18)	2,496	29.1
(b)(7) Recordkeeping offense to conceal a substantive offense involving firearms/ammunition (increase to level of substantive offense)	4	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2K2.4 Use of Firearm, Armor-Piercing Ammunition, or Explosive During or in Relation to Certain Crimes	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2K2.5 Possession of Firearm or Dangerous Weapon in Federal Facility; Possession or Discharge of Firearm in School Zone	22	0.0
(a) Base offense level 6	22	100.0
Chapter 2 Specific Offense Characteristic Adjustments	17	77.3
(b)(1)(A) Unlawfully possessed or caused firearm or dangerous weapon to be present in a federal court facility (2 levels)	1	4.5
(b)(1)(B) Unlawfully possessed or caused firearm to be present in a school zone (2 levels)	16	72.7

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2K2.6 Possessing, Purchasing, or Owning Body Armor by Violent Felons	2	0.0
(a) Base offense level 10	2	100.0
Chapter 2 Specific Offense Characteristic Adjustments	0	0.0
(b)(1) Used body armor in connection with another felony (4 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2K3.2 Feloniously Mailing Injurious Articles ^a	NA	NA
(a)(1) Committed with intent to kill/injure any person, or to injure the mails/property, apply §2X1.1 in respect to the intended offense	NA	NA
(a)(2) Death resulted, apply the most analogous offense guideline from Chapter Two, Part A, Subpart 1	NA	NA
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
Part L - Offenses Involving Immigration, Naturalization, and Passports		
§2L1.1 Smuggling, Transporting, or Harboring an Unlawful Alien	4,698	7.1
(a)(1) Convicted under 8 U.S.C. § 1327 of a violation involving an inadmissible alien under 8 U.S.C. § 1182(a)(3) (Base offense level 25)	0	0.0
(a)(2) Convicted under 8 U.S.C. § 1327 of a violation involving an alien previously deported after an aggravated felony conviction (Base offense level 23)	1	0.0
(a)(3) Otherwise (Base offense level 12)	4,697	100.0
Chapter 2 Specific Offense Characteristic Adjustments	3,305	70.3
(b)(1) Committed the offense other than for profit or involving smuggling/transporting/harboring only of defendant's spouse/child and (a)(3) applies (3 level decrease)	71	1.5
(b)(2)(A) 6-24 aliens smuggled/transported/harbored (3 levels)	1,687	35.9
(b)(2)(B) 25-99 aliens smuggled/transported/harbored (6 levels)	236	5.0
(b)(2)(C) 100 or more aliens smuggled/transported/harbored (9 levels)	87	1.9
(b)(3)(A) Prior conviction for a felony immigration and naturalization offense (2 levels)	190	4.0
(b)(3)(B) Two or more prior convictions for felony immigration or naturalization offenses (each conviction arising from separate prosecutions) (4 levels)	47	1.0
(b)(4) Smuggled, transported, or harbored an unaccompanied minor (4 levels)	480	10.2
(b)(5)(A) Firearm discharged (6 levels, increase to level 22)	11	0.2
(b)(5)(B) Dangerous weapon brandished or otherwise used (4 levels, increase to level 20)	23	0.5
(b)(5)(C) Dangerous weapon possessed (2 levels, increase to level 18)	305	6.5
(b)(6) Intentionally or recklessly creating a substantial risk of death or serious bodily injury to another person (2 levels, increase to level 18)	1,777	37.8
(b)(7)(A) Person sustained bodily injury (2 levels)	58	1.2
(b)(7)(B) Person sustained serious bodily injury (4 levels)	32	0.7
(b)(7)(C) Person sustained permanent or life-threatening bodily injury (6 levels)	6	0.1
(b)(7)(D) Person died (10 levels)	41	0.9

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(8)(A)(i) Alien involuntarily detained by coercion or in connection with a demand for payment after the alien was smuggled into the U.S. (2 levels, increase to 18)	41	0.9
(b)(8)(A)(ii) Alien involuntarily detained by coercion or in connection with a demand for payment while the alien was transported/harbored in the U.S. (2 levels, increase to level 18)	17	0.4
(b)(8)(B)(i) Convicted of alien harboring for the purpose of prostitution and §3B1.1 applies (2 levels)	1	0.0
(b)(8)(B)(ii) Convicted of alien harboring for the purpose of prostitution, §3B1.1 applies, and alien engaging in prostitution was less than 18 years of age (6 levels)	1	0.0
(b)(9) Convicted under 8 U.S.C. § 1324(a)(4) (2 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2L1.2 Unlawfully Entering or Remaining in the United States	12,966	19.5
(a) Base offense level 8	12,966	100.0
Chapter 2 Specific Offense Characteristic Adjustments	8,533	65.8
(b)(1)(A)(i) Defendant previously deported after a drug trafficking felony conviction for which the sentence imposed exceeded 13 months or unlawfully remained in the U.S. following a removal order issued after such a conviction (16 levels)	1	0.0
(b)(1)(A)(i) Defendant previously deported after a drug trafficking felony conviction for which the sentence imposed exceeded 13 months or unlawfully remained in the U.S. following a removal order issued after such a conviction, and received criminal history points under Chapter 4 (16 levels)	1	0.0
(b)(1)(A)(i) Defendant previously deported after a drug trafficking felony conviction for which the sentence imposed exceeded 13 months or unlawfully remained in the U.S. following a removal order issued after such a conviction, and did not receive criminal history points under Chapter 4 (12 levels)	1	0.0
(b)(1)(A)(vii) Defendant previously deported after an alien smuggling for profit felony conviction or unlawfully remained in the U.S. following a removal order issued after such a conviction, and received criminal history points under Chapter 4 (16 levels)	1	0.0
(b)(1)(A) Committed after a felony conviction that is an illegal reentry offense (4 levels)	4,274	33.0
(b)(1)(B) Committed after two or more convictions for misdemeanors under 8 U.S.C. §1325 (2 levels)	414	3.2
(b)(2)(A) Committed after a felony conviction (other than illegal reentry) for which the sentence imposed was five years or more, before the defendant was ordered deported or removed from the U.S. for the first time (10 levels)	840	6.5
(b)(2)(B) Committed after a felony conviction (other than illegal reentry) for which the sentence imposed was two years or more, before the defendant was ordered deported or removed from the U.S. for the first time (8 levels)	1,172	9.0
(b)(2)(C) Committed after a felony conviction (other than illegal reentry) for which the sentence imposed exceeded one year and one month, before the defendant was ordered deported or removed from the U.S. for the first time (6 levels)	295	2.3
(b)(2)(D) Committed after any felony conviction (other than illegal reentry), before the defendant was ordered deported or removed from the U.S. for the first time (4 levels)	976	7.5

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(2)(E) Committed after three or more misdemeanor crimes of violence/drug trafficking offenses, before the defendant was ordered deported or removed from the U.S. for the first time (2 levels)	3	0.0
(b)(3)(A) Committed after a felony conviction (other than illegal reentry) for which the sentence imposed was five years or more, after the defendant was ordered deported or removed from the U.S. for the first time (10 levels)	535	4.1
(b)(3)(B) Committed after a felony conviction (other than illegal reentry) for which the sentence imposed was two years or more, after the defendant was ordered deported or removed from the U.S. for the first time (8 levels)	887	6.8
(b)(3)(C) Committed after a felony conviction (other than illegal reentry) for which the sentence imposed exceeded one year and one month, after the defendant was ordered deported or removed from the U.S. for the first time (6 levels)	306	2.4
(b)(3)(D) Committed after any felony conviction (other than illegal reentry), after the defendant was ordered deported or removed from the U.S. for the first time (4 levels)	925	7.1
(b)(3)(E) Committed after three or more misdemeanor crimes of violence/drug trafficking offenses, after the defendant was ordered deported or removed from the U.S. for the first time (2 levels)	1	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2L2.1 Trafficking in a Document Relating to Naturalization, Citizenship, or Legal Resident Status, or a United States Passport; False Statement in Respect to the Citizenship or Immigration Status of Another; Fraudulent Marriage to Assist Alien to Evade Immigration Law	74	0.1
(a) Base offense level 11	74	100.0
Chapter 2 Specific Offense Characteristic Adjustments	52	70.3
(b)(1) Committed the offense other than for profit or involved smuggling/transporting/harboring only of the defendant's spouse/child (3 level decrease)	4	5.4
(b)(2)(A) Involved 6-24 documents (3 levels)	15	20.3
(b)(2)(B) Involved 25-99 documents (6 levels)	8	10.8
(b)(2)(C) Involved 100 or more documents (9 levels)	10	13.5
(b)(3) Defendant knew that a passport or visa was to be used to facilitate a felony offense (other than violations of immigration laws) (4 levels)	4	5.4
(b)(4)(A) Committed offense after sustaining a conviction for a felony immigration and naturalization offense (2 levels)	0	0.0
(b)(4)(B) Committed offense after sustaining two or more convictions for felony immigration and naturalization offenses (each conviction arising from separate prosecutions) (4 levels)	0	0.0
(b)(5)(A) Fraudulently obtained or used a U.S. passport (4 levels)	5	6.8
(b)(5)(B) Fraudulently obtained or used a foreign passport (2 levels)	12	16.2

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2L2.2 Fraudulently Acquiring Documents Relating to Naturalization, Citizenship, or Legal Resident Status for Own Use; False Personation or Fraudulent Marriage by Alien to Evade Immigration Law; Fraudulently Acquiring or Improperly Using a United States Passport	453	0.7
(a) Base Offense Level 8	453	100.0
Chapter 2 Specific Offense Characteristic Adjustments	160	35.3
(b)(1) Defendant is a previously deported unlawful alien (2 levels)	64	14.1
(b)(2)(A) Committed after felony immigration/naturalization conviction (2 levels)	7	1.5
(b)(2)(B) Committed after two or more felony immigration/naturalization convictions (each conviction arising from separate prosecutions) (4 levels)	2	0.4
(b)(3)(A) Fraudulently obtained or used a U.S. passport (4 levels)	82	18.1
(b)(3)(B) Fraudulently obtained or used a foreign passport (2 levels)	27	6.0
(b)(4)(A) Committed to conceal membership in military/police organization that was involved in a serious human rights offense (2 levels, increase to level 13)	0	0.0
(b)(4)(B)(i) Committed to conceal participation in incitement to genocide (6 levels)	0	0.0
(b)(4)(B)(ii) Committed to conceal participation in other serious human rights offense (10 levels, increase to level 25)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2L2.5 Failure to Surrender Canceled Naturalization Certificate	0	0.0
(a) Base offense level 6	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
Part M - Offenses Involving National Defense and Weapons of Mass Destruction		
§2M1.1 Treason ⁺	0	0.0
(a)(1) Conduct tantamount to waging war against the U.S. (Base offense level 43)	0	0.0
(a)(2) Offense level applicable to the most analogous offense	NA	NA
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2M2.1 Destruction of, or Production of Defective, War Material, Premises, or Utilities	0	0.0
(a) Base offense level 32	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2M2.3 Destruction of, or Production of Defective, National Defense Material, Premises, or Utilities	0	0.0
(a) Base offense level 26	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2M3.1 Gathering or Transmitting National Defense Information to Aid a Foreign Government	2	0.0
(a)(1) Top secret information was gathered or transmitted (Base offense level 42)	0	0.0
(a)(2) Otherwise (Base offense level 37)	2	100.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2M3.2 Gathering National Defense Information	0	0.0
(a)(1) Top secret information was gathered (Base offense level 35)	0	0.0
(a)(2) Otherwise (Base offense level 30)	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2M3.3 Transmitting National Defense Information; Disclosure of Classified Cryptographic Information; Unauthorized Disclosure to a Foreign Government or a Communist Organization of Classified Information by Government Employee; Unauthorized Receipt of Classified Information	3	0.0
(a)(1) Top secret information was transmitted (Base offense level 29)	1	33.3
(a)(2) Otherwise (Base offense level 24)	2	66.7
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2M3.4 Losing National Defense Information	0	0.0
(a)(1) Top secret information was lost (Base offense level 18)	0	0.0
(a)(2) Otherwise (Base offense level 13)	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2M3.5 Tampering with Restricted Data Concerning Atomic Energy	0	0.0
(a) Base offense level 24	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2M3.9 Disclosure of Information Identifying a Covert Agent	0	0.0
(a)(1) Information was disclosed by a person with authorized access to classified information identifying a covert agent (Base offense level 30)	0	0.0
(a)(2) Information was disclosed by a person with authorized access only to other classified information (Base offense level 25)	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2M4.1 Failure to Register and Evasion of Military Service	0	0.0
(a) Base offense level 6	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	0	0.0
(b)(1) Occurred when persons were being inducted for compulsory military service (6 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2M5.1 Evasion of Export Controls; Financial Transactions with Countries Supporting International Terrorism	14	0.0
(a)(1)(A) National security controls or controls relating to the proliferation of nuclear, biological, or chemical weapons were evaded (Base offense level 26)	7	50.0
(a)(1)(B) Involved a financial transaction with a country supporting international terrorism (Base offense level 26)	5	35.7
(a)(2) Otherwise (Base offense level 14)	2	14.3
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2M5.2 Exportation of Arms, Munitions, or Military Equipment or Services Without Required Validated Export License	172	0.3
(a)(1) Except as provided in (a)(2) (Base offense level 26)	133	77.3
(a)(2)(A) Involved only non-fully automatic small arms and the number of weapons did not exceed 10 (Base offense level 14)	27	15.7
(a)(2)(B) Involved only ammunition for non-fully automatic small arms and the number of rounds did not exceed 500 (Base Offense Level 14)	7	4.1
(a)(2)(C) Weapons and ammunition described in both (a)(2)(A) and (a)(2)(B) (Base offense level 14)	5	2.9
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2M5.3 Providing Material Support or Resources to Designated Foreign Terrorist Organizations or Specially Designated Global Terrorists, or For a Terrorist Purpose	21	0.0
(a) Base offense level 26	21	100.0
Chapter 2 Specific Offense Characteristic Adjustments	13	61.9
(b)(1)(A) Involved the provision of dangerous weapons (2 levels)	3	14.3
(b)(1)(B) Involved the provision of firearms (2 levels)	1	4.8
(b)(1)(C) Involved the provision of explosives (2 levels)	0	0.0
(b)(1)(D) Involved the provision of funds to be used to purchase dangerous weapons, firearms, or explosives (2 levels)	0	0.0
(b)(1)(E) Involved the provision of funds or other material support to commit a violent act (2 levels)	9	42.9

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2M6.1 Unlawful Activity Involving Nuclear Material, Weapons, or Facilities, Biological Agents, Toxins, or Delivery Systems, Chemical Weapons, or Other Weapons of Mass Destruction; Attempt or Conspiracy	11	0.0
(a)(1)(A) Offense committed to injure the U.S. (Base offense level 42)	0	0.0
(a)(1)(B) Offense committed to aid a foreign nation or a foreign terrorist organization (Base offense level 42)	0	0.0
(a)(2) Subsections (a)(1), (a)(3), and (a)(4) do not apply (Base offense level 28)	10	90.9
(a)(3) Convicted under 18 U.S.C. § 175b (Base offense level 22)	0	0.0
(a)(4)(A) Convicted under 18 U.S.C. §175(b) (Base offense level 20)	1	9.1
(a)(4)(B) Involved a threat to use a nuclear weapon/material/by-product, chemical weapon, biological agent/toxin, or delivery system, or a weapon of mass destruction, but did not involve any conduct evidencing intent or ability to carry out threat (Base offense level 20)	1	9.1
Chapter 2 Specific Offense Characteristic Adjustments	11	100.0
(b)(1)(A) and (B)(i) Subsection (a)(2) or (a)(4)(A) applies and involved a select biological agent (2 levels)	2	18.2
(b)(1)(A) and (B)(ii) Subsection (a)(2) or (a)(4)(A) applies and involved a listed precursor or a listed toxic chemical (2 levels)	0	0.0
(b)(1)(A) and (B)(iii) Subsection (a)(2) or (a)(4)(A) applies and involved nuclear material/by-product (2 levels)	0	0.0
(b)(1)(A) and (B)(iv) Subsection (a)(2) or (a)(4)(A) applies and involved a weapon of mass destruction containing any agent, precursor, toxic chemical, or material referred to in subdivision (i), (ii), or (iii) (2 levels)	0	0.0
(b)(2)(A) and (B)(i) Subsection (a)(2),(a)(3), or (a)(4)(A) applies and any victim died or sustained permanent life-threatening bodily injury (4 levels)	0	0.0
(b)(2)(A) and (B)(ii) Subsection (a)(2),(a)(3), or (a)(4)(A) applies and any victim sustained serious bodily injury (2 levels)	9	81.8
(b)(2)(A) and (B)(iii) Subsection (a)(2),(a)(3), or (a)(4)(A) applies and the degree of injury of any victim is between that specified in (B)(i) and (B)(ii) (3 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(3)(A) and (B)(i) Subsection (a)(2),(a)(3), or (a)(4) applies and the offense resulted in substantial disruption of public/governmental/business functions or services (4 levels)	0	0.0
(b)(3)(A) and (B)(ii) Subsection (a)(2),(a)(3), or (a)(4) applies and the offense resulted in a substantial expenditure of funds to clean up/decontaminate or otherwise respond to offense (4 levels)	1	9.1

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2M6.2 Violation of Other Federal Atomic Energy Agency Statutes, Rules, and Regulations	0	0.0
(a)(1) Committed with intent to injure U.S. or to aid a foreign nation (Base offense level 30)	0	0.0
(a)(2) Base offense level 6	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
Part N - Offenses Involving Food, Drugs, Agricultural Products and Odometer Laws		
§2N1.1 Tampering or Attempting to Tamper Involving Risk of Death or Bodily Injury	21	0.0
(a) Base offense level 25	21	100.0
Chapter 2 Specific Offense Characteristic Adjustments	0	0.0
(b)(1)(A) Victim sustained permanent or life-threatening bodily injury (4 levels)	0	0.0
(b)(1)(B) Victim sustained serious bodily injury (2 levels)	0	0.0
(b)(1)(C) Degree of injury victim sustained between that specified in subdivisions (A) and (B) (3 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2N1.2 Providing False Information or Threatening to Tamper with Consumer Products	0	0.0
(a) Base offense level 16	0	0.0
No Specific Offense Characteristics with this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2N1.3 Tampering with Intent to Injure Business	1	0.0
(a) Base offense level 12	1	100.0
No Specific Offense Characteristics with this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2N2.1 Violations of Statutes and Regulations Dealing with any Food, Drug, Biological Product, Device, Cosmetic, Agricultural Product, or Consumer Product	28	0.0
(a) Base offense level 6	28	100.0
Chapter 2 Specific Offense Characteristic Adjustments	1	3.6
(b)(1) Convicted under 21 U.S.C. § 331 after prior conviction under same statute (4 levels)	1	3.6

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2N3.1 Odometer Laws and Regulations	0	0.0
(a) Base offense level 6	0	0.0
No Specific Offense Characteristics with this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
Part P - Offenses Involving Prisons and Correctional Facilities		
§2P1.1 Escape, Instigating or Assisting Escape	326	0.5
(a)(1) From custody resulting from a conviction or felony arrest (Base offense level 13)	318	97.5
(a)(2) Otherwise (Base offense level 8)	8	2.5
Chapter 2 Specific Offense Characteristic Adjustments	218	66.9
(b)(1) Involved use of or threat of force against any person (5 levels)	3	0.9
(b)(2) Escaped from non-secure custody and returned voluntarily within 96 hours and (a)(1) applies, provided defendant did not commit an offense punishable by imprisonment of one year or more while away from facility (7 level decrease)	7	2.1
(b)(2) Escaped from non-secure custody and returned voluntarily within 96 hours and (a)(2) applies, provided defendant did not commit an offense punishable by imprisonment of one year or more while away from facility (4 level decrease)	15	4.6
(b)(3) Escaped from the non-secure custody of community corrections center/treatment center/"halfway house" or similar facility and (b)(2) does not apply and (a)(1) applies, provided defendant did not commit an offense punishable by imprisonment of one year or more while away from facility (4 level decrease)	193	59.2
(b)(3) Escaped from the non-secure custody of community corrections center/treatment center/"halfway house" or similar facility and (b)(2) does not apply and (a)(2) applies, provided defendant did not commit an offense punishable by imprisonment of one year or more while away from facility (2 level decrease)	0	0.0
(b)(4) Committed offense while a law enforcement officer, correctional officer/employee or an employee of the Department of Justice (2 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2P1.2 Providing or Possessing Contraband in Prison	122	0.2
(a)(1) A firearm or destructive device (Base offense level 23)	0	0.0
(a)(2) A weapon (other than firearm/destructive device), object to be used as a weapon or as a means of escape, ammunition, LSD, PCP, methamphetamine, or a narcotic drug (Base offense level 13)	87	71.3
(a)(3) Alcoholic beverage, currency, or a controlled substance (other than LSD, PCP, methamphetamine, or a narcotic drug) (Base offense level 6)	33	27.0
(a)(4) Object that threatened the order/discipline/security of facility or the life/health/safety of an individual (Base offense level 4)	0	0.0
(c)(1) Object of the offense was distribution of a controlled substance and defendant convicted for 18 U.S.C. § 1791(a)(1) and 18 U.S.C. § 1791(b)(1), apply offense level from §2D1.1 (Base offense level 26)	2	1.6
Chapter 2 Specific Offense Characteristic Adjustments	6	4.9
(b)(1) Committed offense while a law enforcement officer, correctional officer/employee or an employee of the Department of Justice (2 levels)	6	4.9

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2P1.3 Engaging In, Inciting or Attempting to Incite a Riot Involving Persons in a Facility for Official Detention	6	0.0
(a)(1) Created a substantial risk of death or serious bodily injury to any person (Base offense level 22)	3	50.0
(a)(2) Involved a major disruption to the operation of an institution (Base offense level 16)	3	50.0
(a)(3) Otherwise (Base offense level 10)	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
Part Q -Offenses Involving the Environment		
§2Q1.1 Knowing Endangerment Resulting From Mishandling Hazardous or Toxic Substances, Pesticides or Other Pollutants	0	0.0
(a) Base offense level 24	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2Q1.2 Mishandling of Hazardous or Toxic Substances or Pesticides; Recordkeeping, Tampering, and Falsification; Unlawfully Transporting Hazardous Materials in Commerce	30	0.0
(a) Base offense level 8	30	100.0
Chapter 2 Specific Offense Characteristic Adjustments	24	80.0
(b)(1)(A) Resulted in an ongoing/continuous/repetitive discharge/release/emission of a hazardous/toxic substance or pesticide into the environment (6 levels)	15	50.0
(b)(1)(B) Otherwise involved a discharge/release/emission of a hazardous/toxic substance or pesticide (4 levels)	5	16.7
(b)(2) Resulted in substantial likelihood of death or serious bodily injury (9 levels)	3	10.0
(b)(3) Resulted in disruption of public utilities, evacuation of a community, or a cleanup that requires a substantial expenditure (4 levels)	4	13.3
(b)(4) Involved transportation/treatment/storage/disposal without a permit or in violation of a permit (4 levels)	9	30.0
(b)(5) Recordkeeping reflected an effort to conceal a substantive environmental offense (Offense level of underlying offense)	0	0.0
(b)(6) Simple recordkeeping or reporting violation only (2 level decrease)	0	0.0
(b)(7) Convicted under 49 U.S.C. § 5124 or § 46312 (2 levels)	1	3.3

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2Q1.3 Mishandling of Other Environmental Pollutants; Recordkeeping, Tampering, and Falsification	10	0.0
(a) Base offense level 6	10	100.0
Chapter 2 Specific Offense Characteristic Adjustments	8	80.0
(b)(1)(A) Resulted in an ongoing/continuous/repetitive discharge/release/emission of a pollutant into the environment (6 levels)	4	40.0
(b)(1)(B) Otherwise involved a discharge/release/emission of a pollutant (4 levels)	4	40.0
(b)(2) Resulted in substantial likelihood of death or serious bodily injury (11 levels)	0	0.0
(b)(3) Resulted in disruption of public utilities, evacuation of a community, or a cleanup that requires a substantial expenditure (4 levels)	0	0.0
(b)(4) Involved a discharge without a permit or in violation of a permit (4 levels)	2	20.0
(b)(5) Recordkeeping reflected an effort to conceal a substantive environmental offense (Offense level of underlying offense)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2Q1.4 Tampering or Attempted Tampering with a Public Water System; Threatening to Tamper with a Public Water System	0	0.0
(a)(1) Base offense level 26	0	0.0
(a)(2) Threat to tamper with a public water system and conduct evidencing an intent to carry out the threat (Base offense level 22)	0	0.0
(a)(3) Threat to tamper with a public water system and no conduct evidencing an intent to carry out the threat (Base offense level 16)	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	0	0.0
(b)(1)(A) Victim sustained permanent/life-threatening bodily injury (4 levels)	0	0.0
(b)(1)(B) Victim sustained serious bodily injury (2 levels)	0	0.0
(b)(1)(C) The degree of injury victim sustained is between subdivisions (A) and (B) (3 levels)	0	0.0
(b)(2)(A) Resulted in a substantial disruption of public/governmental/business functions/services (4 levels)	0	0.0
(b)(2)(B) Resulted in a substantial expenditure of funds to clean up/decontaminate/otherwise respond to the offense (4 levels)	0	0.0
(b)(3) Resulted in ongoing/continuous/repetitive release of contaminant into a public water system or lasted for a substantial period of time (2 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2Q1.6 Hazardous or Injurious Devices on Federal Lands ⁴	0	0.0
(a)(1) Intent was to violate Controlled Substance Act, apply §2D1.9	NA	NA
(a)(2) Intent was to obstruct harvesting of timber, and property destruction resulted, apply §2B1.1	NA	NA
(a)(3) Involved reckless disregard to the risk that another person would be placed in danger of death or serious bodily injury under circumstances manifesting extreme indifference to such risk, apply §2A2.2	NA	NA
(a)(4) Otherwise (Base offense level 6)	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2Q2.1 Offenses Involving Fish, Wildlife, and Plants	78	0.1
(a) Base offense level 6	78	100.0
Chapter 2 Specific Offense Characteristic Adjustments	71	91.0
(b)(1)(A) Committed for pecuniary gain or otherwise involved a commercial purpose (2 levels)	58	74.4
(b)(1)(B) Involved a pattern of similar violations (2 levels)	8	10.3
(b)(2)(A) Involved fish, wildlife, or plants that were not quarantined as required by law (2 levels)	4	5.1
(b)(2)(B) Otherwise created a significant risk of infestation or disease transmission harmful to humans/fish/wildlife/plants (2 levels)	2	2.6
(b)(3)(A) Loss more than \$2,500 (1 level)	8	10.3
(b)(3)(A) Loss more than \$6,500 (2 levels)	10	12.8
(b)(3)(A) Loss more than \$15,000 (4 levels)	6	7.7
(b)(3)(A) Loss more than \$40,000 (6 levels)	6	7.7
(b)(3)(A) Loss more than \$95,000 (8 levels)	3	3.8
(b)(3)(A) Loss more than \$150,000 (10 levels)	2	2.6
(b)(3)(A) Loss more than \$250,000 (12 levels)	0	0.0
(b)(3)(A) Loss more than \$550,000 (14 levels)	3	3.8
(b)(3)(A) Loss more than \$1,500,000 (16 levels)	1	1.3
(b)(3)(A) Loss more than \$3,500,000 (18 levels)	6	7.7
(b)(3)(A) Loss more than \$9,500,000 (20 levels)	0	0.0
(b)(3)(A) Loss more than \$25,000,000 (22 levels)	0	0.0
(b)(3)(A) Loss more than \$65,000,000 (24 levels)	0	0.0
(b)(3)(A) Loss more than \$150,000,000 (26 levels)	0	0.0
(b)(3)(A) Loss more than \$250,000,000 (28 levels)	0	0.0
(b)(3)(A) Loss more than \$550,000,000 (30 levels)	0	0.0
(b)(3)(B)(i) Involved marine mammals listed as depleted under the Marine Mammal Protection Act (50 C.F.R. § 216.15) (4 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(3)(B)(ii) Involved fish/wildlife/plants listed as endangered/threatened by the Endangered Species Act (50 C.F.R. Part 17) (4 levels)	4	5.1
(b)(3)(B)(iii) Involved fish/wildlife/plants listed in Appendix I to the Convention on International Trade in Endangered Species of Wild Fauna or Flora (50 C.F.R. Part 23) (4 levels)	1	1.3

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
Part R - Antitrust Offenses		
§2R1.1 Bid-Rigging, Price-Fixing or Market-Allocation Agreements Among Competitors	17	0.0
(a) Base offense level 12	17	100.0
Chapter 2 Specific Offense Characteristic Adjustments	15	88.2
(b)(1) Involved participation in an agreement to submit non-competitive bids (1 level)	12	70.6
(b)(2) Loss \$1,000,000 or less (no increase)	6	35.3
(b)(2)(A) Loss more than \$1,000,000 (2 levels)	10	58.8
(b)(2)(B) Loss more than \$10,000,000 (4 levels)	0	0.0
(b)(2)(C) Loss more than \$50,000,000 (6 levels)	0	0.0
(b)(2)(D) Loss more than \$100,000,000 (8 levels)	0	0.0
(b)(2)(E) Loss more than \$300,000,000 (10 levels)	0	0.0
(b)(2)(F) Loss more than \$600,000,000 (12 levels)	0	0.0
(b)(2)(G) Loss more than \$1,200,000,000 (14 levels)	0	0.0
(b)(2)(H) Loss more than \$1,850,000,000 (16 levels)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
Part S - Money Laundering and Monetary Transactions Reporting		
§2S1.1 Laundering of Monetary Instruments; Engaging in Monetary Transactions in Property Derived from Unlawful Activity	1,136	1.7
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 3 or less)	0	0.0
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 4)	0	0.0
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 5)	0	0.0
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 6)	1	0.1
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 7)	1	0.1
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 8)	1	0.1
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 9)	1	0.1
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 10)	3	0.3
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 11)	1	0.1
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 12)	3	0.3
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 13)	2	0.2

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 14)	7	0.6
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 15)	6	0.5
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 16)	9	0.8
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 17)	11	1.0
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 18)	11	1.0
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 19)	14	1.2
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 20)	9	0.8
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 21)	23	2.0
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 22)	21	1.8
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 23)	31	2.7
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 24)	31	2.7
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 25)	28	2.5

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 26)	36	3.2
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 27)	38	3.3
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 28)	41	3.6
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 29)	24	2.1
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 30)	50	4.4
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 31)	13	1.1
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 32)	49	4.3
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 33)	8	0.7
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 34)	47	4.1
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 35)	2	0.2
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 36)	50	4.4
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 37)	2	0.2

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 38)	50	4.4
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 39)	7	0.6
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 40)	34	3.0
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 41)	2	0.2
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 42)	22	1.9
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 43)	7	0.6
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 44)	12	1.1
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 45)	2	0.2
(a)(1) Offense level for the underlying offense from which laundered funds were derived, if defendant accountable under §1B1.3 and offense level for that offense can be determined (Base offense level 46 or more)	2	0.2
(a)(2) Offense levels from the table in §2B1.1 corresponding to amount of laundered funds, plus 8 levels (Base offense level 8)	18	1.6
(a)(2) Offense levels from the table in §2B1.1 corresponding to amount of laundered funds, plus 8 levels (Base offense level 10)	15	1.3
(a)(2) Offense levels from the table in §2B1.1 corresponding to amount of laundered funds, plus 8 levels (Base offense level 12)	39	3.4
(a)(2) Offense levels from the table in §2B1.1 corresponding to amount of laundered funds, plus 8 levels (Base offense level 14)	32	2.8
(a)(2) Offense levels from the table in §2B1.1 corresponding to amount of laundered funds, plus 8 levels (Base offense level 16)	24	2.1

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(2) Offense levels from the table in §2B1.1 corresponding to amount of laundered funds, plus 8 levels (Base offense level 18)	27	2.4
(a)(2) Offense levels from the table in §2B1.1 corresponding to amount of laundered funds, plus 8 levels (Base offense level 20)	64	5.6
(a)(2) Offense levels from the table in §2B1.1 corresponding to amount of laundered funds, plus 8 levels (Base offense level 22)	94	8.3
(a)(2) Offense levels from the table in §2B1.1 corresponding to amount of laundered funds, plus 8 levels (Base offense level 24)	54	4.8
(a)(2) Offense levels from the table in §2B1.1 corresponding to amount of laundered funds, plus 8 levels (Base offense level 26)	39	3.4
(a)(2) Offense levels from the table in §2B1.1 corresponding to amount of laundered funds, plus 8 levels (Base offense level 28)	10	0.9
(a)(2) Offense levels from the table in §2B1.1 corresponding to amount of laundered funds, plus 8 levels (Base offense level 30)	4	0.4
(a)(2) Offense levels from the table in §2B1.1 corresponding to amount of laundered funds, plus 8 levels (Base offense level 32)	3	0.3
(a)(2) Offense levels from the table in §2B1.1 corresponding to amount of laundered funds, plus 8 levels (Base offense level 34)	0	0.0
(a)(2) Offense levels from the table in §2B1.1 corresponding to amount of laundered funds, plus 8 levels (Base offense level 36)	0	0.0
(a)(2) Offense levels from the table in §2B1.1 corresponding to amount of laundered funds, plus 8 levels (Base offense level 38)	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	1,110	97.7
(b)(1)(A) and (B)(i) Subsection (a)(2) applies and the laundered funds were the proceeds of an offense involving the manufacture, importation, or distribution of a controlled substance or a listed chemical (6 levels)	200	17.6
(b)(1)(A) and (B)(ii) Subsection (a)(2) applies and the laundered funds were the proceeds of a crime of violence (6 levels)	15	1.3
(b)(1)(A) and (B)(iii) Subsection (a)(2) applies and the laundered funds were the proceeds of an offense involving firearms/explosives, national security, or the sexual exploitation of a minor (6 levels)	5	0.4
(b)(2)(A) Convicted under 18 U.S.C. § 1957 (1 level)	130	11.4
(b)(2)(B) Convicted under 18 U.S.C. § 1956 (2 levels)	903	79.5

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(2)(C) Subsection (a)(2) applies and the defendant was in the business of laundering funds (4 levels)	63	5.5
(b)(3) Subsection (b)(2)(B) applies and offense involved sophisticated laundering (2 levels)	110	9.7

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2S1.3 Structuring Transactions to Evade Reporting Requirements; Failure to Report Cash or Monetary Transactions; Failure to File Currency and Monetary Instrument Report; Knowingly Filing False Reports; Bulk Cash Smuggling; Establishing or Maintaining Prohibited Accounts	178	0.3
(a)(1) Convicted under 31 U.S.C. § 5318 or § 5318A (Base offense level 8)	9	5.1
(a)(2) Offense levels from the table in §2B1.1 corresponding to the value of the funds, plus 6, and (a)(1) does not apply (Base offense level 6)	3	1.7
(a)(2) Offense levels from the table in §2B1.1 corresponding to the value of the funds, plus 6, and (a)(1) does not apply (Base offense level 8)	13	7.3
(a)(2) Offense levels from the table in §2B1.1 corresponding to the value of the funds, plus 6, and (a)(1) does not apply (Base offense level 10)	34	19.1
(a)(2) Offense levels from the table in §2B1.1 corresponding to the value of the funds, plus 6, and (a)(1) does not apply (Base offense level 12)	34	19.1
(a)(2) Offense levels from the table in §2B1.1 corresponding to the value of the funds, plus 6, and (a)(1) does not apply (Base offense level 14)	20	11.2
(a)(2) Offense levels from the table in §2B1.1 corresponding to the value of the funds, plus 6, and (a)(1) does not apply (Base offense level 16)	13	7.3
(a)(2) Offense levels from the table in §2B1.1 corresponding to the value of the funds, plus 6, and (a)(1) does not apply (Base offense level 18)	20	11.2
(a)(2) Offense levels from the table in §2B1.1 corresponding to the value of the funds, plus 6, and (a)(1) does not apply (Base offense level 20)	14	7.9
(a)(2) Offense levels from the table in §2B1.1 corresponding to the value of the funds, plus 6, and (a)(1) does not apply (Base offense level 22)	8	4.5
(a)(2) Offense levels from the table in §2B1.1 corresponding to the value of the funds, plus 6, and (a)(1) does not apply (Base offense level 24)	7	3.9
(a)(2) Offense levels from the table in §2B1.1 corresponding to the value of the funds, plus 6, and (a)(1) does not apply (Base offense level 26)	2	1.1
(a)(2) Offense levels from the table in §2B1.1 corresponding to the value of the funds, plus 6, and (a)(1) does not apply (Base offense level 28)	0	0.0
(a)(2) Offense levels from the table in §2B1.1 corresponding to the value of the funds, plus 6, and (a)(1) does not apply (Base offense level 30)	1	0.6
(a)(2) Offense levels from the table in §2B1.1 corresponding to the value of the funds, plus 6, and (a)(1) does not apply (Base offense level 32)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(2) Offense levels from the table in §2B1.1 corresponding to the value of the funds, plus 6, and (a)(1) does not apply (Base offense level 34)	0	0.0
(a)(2) Offense levels from the table in §2B1.1 corresponding to the value of the funds, plus 6, and (a)(1) does not apply (Base offense level 36)	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	162	91.0
(b)(1)(A) Knew or believed funds were proceeds of unlawful activity (2 levels)	54	30.3
(b)(1)(B) Involved bulk cash smuggling (2 levels)	95	53.4
(b)(2) Convicted under subchapter II of chapter 53 of title 31, U.S. Code, and committed offense as part of a pattern of unlawful activity involving more than \$100,000 in a 12-month period (2 levels)	19	10.7
(b)(3) Subsection (a)(2) applies and subsections (b)(1) and (b)(2) do not apply, the defendant did not act with reckless disregard of the source of the funds, the funds were the proceeds of lawful activity, and the funds were to be used for a lawful purpose (6 level decrease)	5	2.8

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
Part T - Offenses Involving Taxation		
§2T1.1 Tax Evasion; Willful Failure to File Return, Supply Information, or Pay Tax; Fraudulent or False Returns, Statements, or Other Documents	307	0.5
(a)(1) Tax loss from §2T4.1 table, \$2,500 or less (Base offense level 6)	1	0.3
(a)(1) Tax loss from §2T4.1 table, more than \$2,500 (Base offense level 8)	0	0.0
(a)(1) Tax loss from §2T4.1 table, more than \$6,500 (Base offense level 10)	4	1.3
(a)(1) Tax loss from §2T4.1 table, more than \$15,000 (Base offense level 12)	18	5.9
(a)(1) Tax loss from §2T4.1 table, more than \$40,000 (Base offense level 14)	25	8.1
(a)(1) Tax loss from §2T4.1 table, more than \$100,000 (Base offense level 16)	90	29.3
(a)(1) Tax loss from §2T4.1 table, more than \$250,000 (Base offense level 18)	58	18.9
(a)(1) Tax loss from §2T4.1 table, more than \$550,000 (Base offense level 20)	67	21.8
(a)(1) Tax loss from §2T4.1 table, more than \$1,500,000 (Base offense level 22)	21	6.8
(a)(1) Tax loss from §2T4.1 table, more than \$3,500,000 (Base offense level 24)	17	5.5
(a)(1) Tax loss from §2T4.1 table, more than \$9,500,000 (Base offense level 26)	2	0.7
(a)(1) Tax loss from §2T4.1 table, more than \$25,000,000 (Base offense level 28)	1	0.3
(a)(1) Tax loss from §2T4.1 table, more than \$65,000,000 (Base offense level 30)	0	0.0
(a)(1) Tax loss from §2T4.1 table, more than \$150,000,000 (Base offense level 32)	0	0.0
(a)(1) Tax loss from §2T4.1 table, more than \$250,000,000 (Base offense level 34)	0	0.0
(a)(1) Tax loss from §2T4.1 table, more than \$550,000,000 (Base offense level 36)	0	0.0
(a)(2) No tax loss (Base offense level 6)	3	1.0
Chapter 2 Specific Offense Characteristic Adjustments	125	40.7
(b)(1) Failed to report or correctly identify the sources of income exceeding \$10,000 in any year from criminal activity (2 levels, increase to level 12)	91	29.6
(b)(2) Involved sophisticated means (2 levels, increase to level 12)	47	15.3

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2T1.4 Aiding, Assisting, Procuring, Counseling, or Advising Tax Fraud	133	0.2
(a)(1) Tax loss from §2T4.1 table, \$2,500 or less (Base offense level 6)	0	0.0
(a)(1) Tax loss from §2T4.1 table, more than \$2,500 (Base offense level 8)	1	0.8
(a)(1) Tax loss from §2T4.1 table, more than \$6,500 (Base offense level 10)	3	2.3
(a)(1) Tax loss from §2T4.1 table, more than \$15,000 (Base offense level 12)	7	5.3
(a)(1) Tax loss from §2T4.1 table, more than \$40,000 (Base offense level 14)	11	8.3
(a)(1) Tax loss from §2T4.1 table, more than \$100,000 (Base offense level 16)	30	22.6
(a)(1) Tax loss from §2T4.1 table, more than \$250,000 (Base offense level 18)	29	21.8
(a)(1) Tax loss from §2T4.1 table, more than \$550,000 (Base offense level 20)	23	17.3
(a)(1) Tax loss from §2T4.1 table, more than \$1,500,000 (Base offense level 22)	11	8.3
(a)(1) Tax loss from §2T4.1 table, more than \$3,500,000 (Base offense level 24)	10	7.5
(a)(1) Tax loss from §2T4.1 table, more than \$9,500,000 (Base offense level 26)	4	3.0
(a)(1) Tax loss from §2T4.1 table, more than \$25,000,000 (Base offense level 28)	3	2.3
(a)(1) Tax loss from §2T4.1 table, more than \$65,000,000 (Base offense level 30)	0	0.0
(a)(1) Tax loss from §2T4.1 table, more than \$150,000,000 (Base offense level 32)	0	0.0
(a)(1) Tax loss from §2T4.1 table, more than \$250,000,000 (Base offense level 34)	1	0.8
(a)(1) Tax loss from §2T4.1 table, more than \$550,000,000 (Base offense level 36)	0	0.0
(a)(2) No tax loss (Base offense level 6)	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	111	83.5
(b)(1)(A) Committed the offense as part of a pattern or scheme from which defendant derived a substantial portion of their income (2 levels)	22	16.5
(b)(1)(B) Defendant was in the business of preparing or assisting in the preparation of tax returns (2 levels)	85	63.9
(b)(2) Involved sophisticated means (2 levels, increase to level 12)	13	9.8

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2T1.6 Failing to Collect or Truthfully Account for and Pay Over Tax	73	0.1
(a) Tax loss from §2T4.1 table, \$2,500 or less (Base offense level 6)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$2,500 (Base offense level 8)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$6,500 (Base offense level 10)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$15,000 (Base offense level 12)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$40,000 (Base offense level 14)	1	1.4
(a) Tax loss from §2T4.1 table, more than \$100,000 (Base offense level 16)	7	9.6
(a) Tax loss from §2T4.1 table, more than \$250,000 (Base offense level 18)	16	21.9
(a) Tax loss from §2T4.1 table, more than \$550,000 (Base offense level 20)	32	43.8
(a) Tax loss from §2T4.1 table, more than \$1,500,000 (Base offense level 22)	13	17.8
(a) Tax loss from §2T4.1 table, more than \$3,500,000 (Base offense level 24)	4	5.5
(a) Tax loss from §2T4.1 table, more than \$9,500,000 (Base offense level 26)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$25,000,000 (Base offense level 28)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$65,000,000 (Base offense level 30)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$150,000,000 (Base offense level 32)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$250,000,000 (Base offense level 34)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$550,000,000 (Base offense level 36)	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2T1.7 Failing to Deposit Collected Taxes in Trust Account as Required After Notice	0	0.0
(a)(1) Base offense level 4	0	0.0
(a)(2) Tax loss from §2T4.1 table less 5 levels, more than \$6,500 (Base offense level 5)	0	0.0
(a)(2) Tax loss from §2T4.1 table less 5 levels, more than \$15,000 (Base offense level 7)	0	0.0
(a)(2) Tax loss from §2T4.1 table less 5 levels, more than \$40,000 (Base offense level 9)	0	0.0
(a)(2) Tax loss from §2T4.1 table less 5 levels, more than \$100,000 (Base offense level 11)	0	0.0
(a)(2) Tax loss from §2T4.1 table less 5 levels, more than \$250,000 (Base offense level 13)	0	0.0
(a)(2) Tax loss from §2T4.1 table less 5 levels, more than \$550,000 (Base offense level 15)	0	0.0
(a)(2) Tax loss from §2T4.1 table less 5 levels, more than \$1,500,000 (Base offense level 17)	0	0.0
(a)(2) Tax loss from §2T4.1 table less 5 levels, more than \$3,500,000 (Base offense level 19)	0	0.0
(a)(2) Tax loss from §2T4.1 table less 5 levels, more than \$9,500,000 (Base offense level 21)	0	0.0
(a)(2) Tax loss from §2T4.1 table less 5 levels, more than \$25,000,000 (Base offense level 23)	0	0.0
(a)(2) Tax loss from §2T4.1 table less 5 levels, more than \$65,000,000 (Base offense level 25)	0	0.0
(a)(2) Tax loss from §2T4.1 table less 5 levels, more than \$150,000,000 (Base offense level 27)	0	0.0
(a)(2) Tax loss from §2T4.1 table less 5 levels, more than \$250,000,000 (Base offense level 29)	0	0.0
(a)(2) Tax loss from §2T4.1 table less 5 levels, more than \$550,000,000 (Base offense level 31)	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2T1.8 Offenses Relating to Withholding Statements	0	0.0
(a) Base offense level 4	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2T1.9 Conspiracy to Impair, Impede, Obstruct, or Defeat Tax ^d	3	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 3 or less)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 4)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 5)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 6)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 7)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 8)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 9)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 10)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 11)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 12)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 13)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 14)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 15)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 16)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 17)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 18)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 19)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 20)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 21)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 22)	1	33.3
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 23)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 24)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 25)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 26)	1	33.3
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 27)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 28)	1	33.3
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 29)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 30)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 31)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 32)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 33)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 34)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 35)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 36)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 37)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 38)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 39)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 40)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 41)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 42)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 43)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 44)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 45)	0	0.0
(a)(1) Offense level determined from §2T1.1 or §2T1.3, as applicable (Base offense level 46 or more)	0	0.0
(a)(2) Base offense level 10	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	3	100.0
(b)(1) Involved the planned or threatened use of violence (4 levels)	0	0.0
(b)(2) Conduct was intended to encourage persons other than or in addition to co-conspirators to violate the internal revenue laws or impede/impair/obstruct/defeat the ascertainment/computation/assessment/collection of revenue, and §2T1.4(b)(1) is not applied (2 levels)	3	100.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2T2.1 Non-Payment of Taxes	2	0.0
(a) Tax loss from §2T4.1 table, \$2,500 or less (Base offense level 6)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$2,500 (Base offense level 8)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$6,500 (Base offense level 10)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$15,000 (Base offense level 12)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$40,000 (Base offense level 14)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$100,000 (Base offense level 16)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$250,000 (Base offense level 18)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$550,000 (Base offense level 20)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$1,500,000 (Base offense level 22)	2	100.0
(a) Tax loss from §2T4.1 table, more than \$3,500,000 (Base offense level 24)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$9,500,000 (Base offense level 26)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$25,000,000 (Base offense level 28)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$65,000,000 (Base offense level 30)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$150,000,000 (Base offense level 32)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$250,000,000 (Base offense level 34)	0	0.0
(a) Tax loss from §2T4.1 table, more than \$550,000,000 (Base offense level 36)	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2T2.2 Regulatory Offenses	0	0.0
(a) Base offense level 4	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2T3.1 Evading Import Duties or Restrictions (Smuggling); Receiving or Trafficking in Smuggled Property	7	0.0
(a)(1) Tax loss from §2T4.1 table, more than \$1,500 (Base offense level 6)	0	0.0
(a)(1) Tax loss from §2T4.1 table, more than \$2,500 (Base offense level 8)	1	14.3
(a)(1) Tax loss from §2T4.1 table, more than \$6,500 (Base offense level 10)	1	14.3
(a)(1) Tax loss from §2T4.1 table, more than \$15,000 (Base offense level 12)	0	0.0
(a)(1) Tax loss from §2T4.1 table, more than \$40,000 (Base offense level 14)	0	0.0
(a)(1) Tax loss from §2T4.1 table, more than \$100,000 (Base offense level 16)	0	0.0
(a)(1) Tax loss from §2T4.1 table, more than \$250,000 (Base offense level 18)	1	14.3
(a)(1) Tax loss from §2T4.1 table, more than \$550,000 (Base offense level 20)	2	28.6
(a)(1) Tax loss from §2T4.1 table, more than \$1,500,000 (Base offense level 22)	0	0.0
(a)(1) Tax loss from §2T4.1 table, more than \$3,500,000 (Base offense level 24)	0	0.0
(a)(1) Tax loss from §2T4.1 table, more than \$9,500,000 (Base offense level 26)	0	0.0
(a)(1) Tax loss from §2T4.1 table, more than \$25,000,000 (Base offense level 28)	0	0.0
(a)(1) Tax loss from §2T4.1 table, more than \$65,000,000 (Base offense level 30)	0	0.0
(a)(1) Tax loss from §2T4.1 table, more than \$150,000,000 (Base offense level 32)	0	0.0
(a)(1) Tax loss from §2T4.1 table, more than \$250,000,000 (Base offense level 34)	0	0.0
(a)(1) Tax loss from §2T4.1 table, more than \$550,000,000 (Base offense level 36)	0	0.0
(a)(2) Tax loss exceeded \$200, but did not exceed \$1,500 (Base offense level 5)	1	14.3
(a)(3) Tax loss did not exceed \$200 (Base offense level 4)	1	14.3
Chapter 2 Specific Offense Characteristic Adjustments	2	28.6
(b)(1) Involved sophisticated means (2 levels, increase to level 12)	2	28.6

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2T4.1 Tax Table ^a	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
Part X - Other Offenses		
§2X1.1 Attempt, Solicitation, or Conspiracy (Not Covered by a Specific Offense Guideline)	24	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 3 or less)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 4)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 5)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 6)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 7)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 8)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 9)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 10)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 11)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 12)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 13)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 14)	3	12.5
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 15)	1	4.2
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 16)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 17)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 18)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 19)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 20)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 21)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 22)	1	4.2
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 23)	1	4.2
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 24)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 25)	4	16.7

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 26)	2	8.3
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 27)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 28)	1	4.2
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 29)	1	4.2
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 30)	1	4.2
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 31)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 32)	4	16.7
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 33)	1	4.2
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 34)	1	4.2
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 35)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 36)	1	4.2
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 37)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 38)	1	4.2
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 39)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 40)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 41)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 42)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 43)	1	4.2
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 44)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 45)	0	0.0
(a) Base offense level from the guideline for the object offense, plus any adjustments that can be established with reasonable certainty (Base offense level 46 or more)	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	24	100.0
(b)(1) If an attempt or solicitation, unless defendant completed/was about to have completed but for apprehension/interruption, all the acts necessary for completion of the offense (3 level decrease)	10	41.7
(b)(2) If a conspiracy, unless defendant completed/was about to have completed but for apprehension/interruption, all the acts necessary for completion of the offense (3 level decrease)	14	58.3

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(b)(3)(A) If a solicitation, unless defendant completed/was about to have completed but for apprehension/interruption, all the acts necessary for completion of the offense (3 level decrease)	0	0.0
(b)(3)(B) If a solicitation, and the statute treats solicitation identically with the object of the offense, do not apply subdivision (b)(3)(A)	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2X2.1 Aiding and Abetting ⁺	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2X3.1 Accessory After the Fact	94	0.1
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 4)	0	0.0
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 5)	0	0.0
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 6)	1	1.1
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 7)	1	1.1
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 8)	2	2.1
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 9)	0	0.0
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 10)	1	1.1
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 11)	1	1.1
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 12)	1	1.1
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 13)	0	0.0
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 14)	7	7.4
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 15)	0	0.0
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 16)	1	1.1
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 17)	0	0.0
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 18)	6	6.4
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 19)	2	2.1

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 20)	3	3.2
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 21)	4	4.3
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 22)	4	4.3
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 23)	2	2.1
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 24)	6	6.4
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 25)	1	1.1
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 26)	3	3.2
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 27)	0	0.0
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 28)	2	2.1
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 29)	1	1.1
(a)(1) Offense level for the underlying offense, less 6 levels, except as provided in subdivisions (2) and (3) (Base offense level 30)	7	7.4
(a)(2) Base offense level shall not be less than level 4 (Base offense level 4)	3	3.2
(a)(3)(A) Base offense level shall not be more than level 30, excepted as provided in subdivision (B) (Base offense level 30)	32	34.0
(a)(3)(B) Conduct is limited to harboring a fugitive, other than as described in subdivision (C), the base offense level shall not be more than 20 (Base offense level 20)	2	2.1
(a)(3)(C) Convicted under 18 U.S.C. §§ 2339 or 2339A or involved harboring a person who committed any offense listed in 18 U.S.C. §§ 2339 or 2339A or a federal crime of terrorism, the base offense level shall not be greater than 30 (Base offense level 30)	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2X4.1 Misprision of Felony	150	0.2
(a) Offense level for the underlying offense, less 9 levels, but not less than 4, or more than 19 (Base offense level 4)	13	8.7
(a) Offense level for the underlying offense, less 9 levels, but not less than 4, or more than 19 (Base offense level 5)	11	7.3
(a) Offense level for the underlying offense, less 9 levels, but not less than 4, or more than 19 (Base offense level 6)	3	2.0
(a) Offense level for the underlying offense, less 9 levels, but not less than 4, or more than 19 (Base offense level 7)	4	2.7
(a) Offense level for the underlying offense, less 9 levels, but not less than 4, or more than 19 (Base offense level 8)	1	0.7
(a) Offense level for the underlying offense, less 9 levels, but not less than 4, or more than 19 (Base offense level 9)	8	5.3
(a) Offense level for the underlying offense, less 9 levels, but not less than 4, or more than 19 (Base offense level 10)	2	1.3
(a) Offense level for the underlying offense, less 9 levels, but not less than 4, or more than 19 (Base offense level 11)	10	6.7
(a) Offense level for the underlying offense, less 9 levels, but not less than 4, or more than 19 (Base offense level 12)	1	0.7
(a) Offense level for the underlying offense, less 9 levels, but not less than 4, or more than 19 (Base offense level 13)	9	6.0
(a) Offense level for the underlying offense, less 9 levels, but not less than 4, or more than 19 (Base offense level 14)	0	0.0
(a) Offense level for the underlying offense, less 9 levels, but not less than 4, or more than 19 (Base offense level 15)	10	6.7
(a) Offense level for the underlying offense, less 9 levels, but not less than 4, or more than 19 (Base offense level 16)	0	0.0
(a) Offense level for the underlying offense, less 9 levels, but not less than 4, or more than 19 (Base offense level 17)	6	4.0
(a) Offense level for the underlying offense, less 9 levels, but not less than 4, or more than 19 (Base offense level 18)	4	2.7

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a) Offense level for the underlying offense, less 9 levels, but not less than 4, or more than 19 (Base offense level 19)	68	45.3
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2X5.1 Other Felony Offenses	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2X5.2 Class A Misdemeanors (Not Covered by Another Specific Offense Guideline)	334	0.5
(a) Base offense level 6	334	100.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2X6.1 Use of a Minor in a Crime of Violence	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 4)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 5)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 6)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 7)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 8)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 9)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 10)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 11)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 12)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 13)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 14)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 15)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 16)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 17)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 18)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 19)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 20)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 21)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 22)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 23)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 24)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 25)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 26)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 27)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 28)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 29)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 30)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 31)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 32)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 33)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 34)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 35)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 36)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 37)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 38)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 39)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 40)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 41)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 42)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 43)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 44)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 45)	0	0.0
(a) Offense level from the guideline applicable to the underlying crime of violence, plus 4 (Base offense level 46 or more)	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2X7.1 Border Tunnels and Subterranean Passages	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 16)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 17)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 18)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 19)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 20)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 21)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 22)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 23)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 24)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 25)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 26)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 27)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 28)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 29)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 30)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 31)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 32)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 33)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 34)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 35)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 36)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 37)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 38)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 39)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 40)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 41)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 42)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 43)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 44)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 45)	0	0.0
(a)(1) Convicted under 18 U.S.C. § 555(C), 4 plus the offense level applicable to the underlying smuggling offense, but not less than 16 (Base offense level 46 or more)	0	0.0
(a)(2) Convicted under 18 U.S.C. § 555(a) (Base offense level 16)	0	0.0

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
(a)(3) Convicted under 18 U.S.C. § 555(b) (Base offense level 8)	0	0.0
No Specific Offense Characteristics for this guideline	NA	NA

USE OF GUIDELINES AND SPECIFIC OFFENSE CHARACTERISTICS
Guideline Calculation Based
Fiscal Year 2023

Guideline and SOC	Applied	Percent
§2X7.2 Submersible and Semi-Submersible Vessels	4	0.0
(a) Base offense level 26	4	100.0
Chapter 2 Specific Offense Characteristic Adjustments	0	0.0
(b)(1)(A) Failure to heave to when directed by law enforcement officers (2 levels)	0	0.0
(b)(1)(B) Attempt to sink the vessel (4 levels)	0	0.0
(b)(1)(C) Sinking of the vessel (8 levels)	0	0.0