



QuickFacts

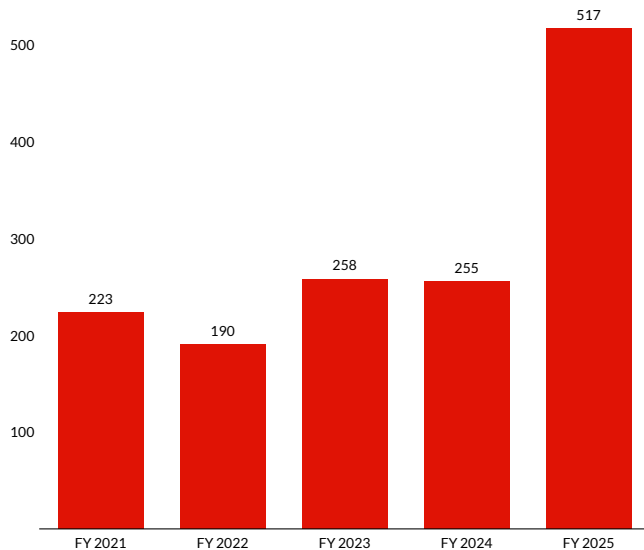
National Defense Offenses

Population Snapshot

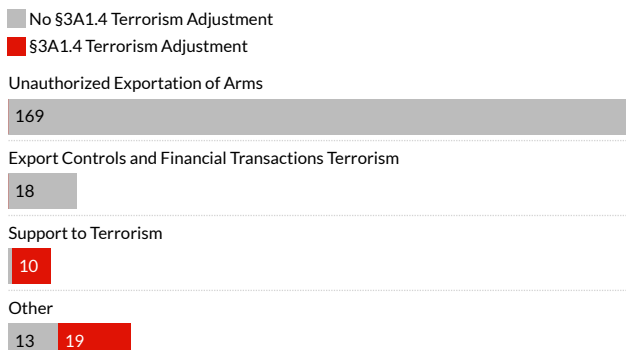
66,662 cases were reported in FY25;
517 involved national defense offenses.¹

National defense offenses
have increased by 132%
since FY21.²

Number of National Defense Offenses



Most Common Guidelines for National Defense Offenses³



Individual and Offense Characteristics

86% of individuals sentenced for national defense offenses were men.

73% were Hispanic, 14% were White, 8% were Black, and 4% were Other races.

- 86% of individuals in cases involving the **unauthorized exportation of arms** were Hispanic.
- 50% of individuals in cases involving **export controls and financial transactions terrorism** were White.
- 45% of individuals in cases involving **support to terrorism** were Other races.

Their average age was 35 years.

38% were United States citizens.

82% had little or no prior criminal history (Criminal History Category I);

- 10% received a terrorism adjustment under USSG §3A1.4, which requires that the defendant's criminal history category be Category VI.

The top five districts for national defense offenses were:

- Western District of Texas (252);
- Southern District of Texas (66);
- District of Arizona (51);
- Northern District of Alabama (49);
- Middle District of Florida (13).

USSG §3A1.4 Sentencing Adjustment for Terrorism

Over the past five years, 160 individuals received an enhanced sentence through application of the terrorism adjustment at USSG §3A1.4; of these:

- 88% were men;
- 53% were White, 19% were Black, 16% were Other races, and 12% were Hispanic;
- Their average age was 36 years;
- 72% were United States citizens;
- 22% of non-U.S. citizens were from Latin America; 18% were from Central Asia; 18% were from Europe; 16% were from Africa; 13% were from the Middle East; and 9% were from South Asia.

Punishment

85% of individuals sentenced for national defense offenses were sentenced to prison.



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National Defense Offenses

The average sentence was 21 months.

- The average sentence for individuals convicted of **unauthorized exportation of arms** was 24 months.
- The average sentence for individuals convicted of **export controls and financial transactions terrorism** was 23 months.
- The average sentence for individuals convicted of **support to terrorism** was 111 months.
- The average sentence for individuals who **received a terrorism adjustment** under USSG §3A1.4 was 196 months.

Sentences Relative to the Guideline Range

59% of sentences for national defense offenses were under the *Guidelines Manual*.

- 44% were within the guideline range.
- 10% were substantial assistance departures.
 - The average sentence reduction was 70%.
- 4% were some other downward departure.
 - The average sentence reduction was 51%.

41% of sentences for national defense offenses were variances.

- 40% were downward variances.
 - The average sentence reduction was 52%.
- 1% were upward variances.
 - The average sentence increase was 56%.

The average guideline minimum and the average sentence imposed fluctuated over the past five years.

- The average guideline minimum was 61 months in fiscal year 2021 and 60 months in fiscal year 2025.
- The average sentence imposed was 40 months in fiscal year 2021 and 21 months in fiscal year 2025.

¹ National defense offenses include cases in which the individual was sentenced under USSG Chapter Two, Part M (Offenses Involving National Defense and Weapons of Mass Destruction) or under other guidelines which involve criminal conduct threatening to national defense. National defense offenses also include cases in which the individual received a sentencing enhancement under USSG §3A1.4 (Terrorism).

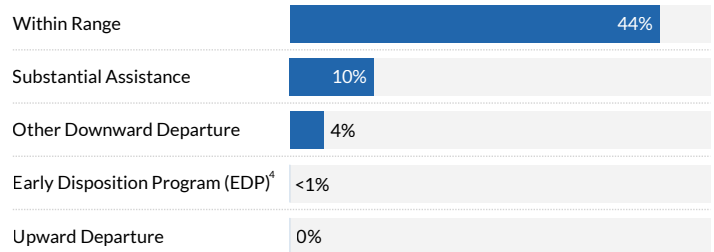
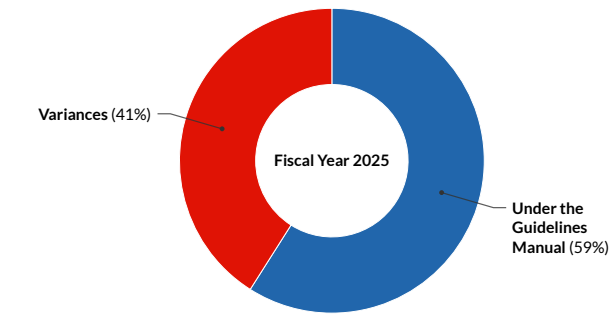
² In April 2025, portions of the U.S./Mexico border were designated as National Defense Areas. Some individuals illegally entering the country in those locations were convicted under 50 USC § 797, which the Commission assigns to the national defense crime type.

³ Cases with incomplete sentencing information were excluded from the analysis.

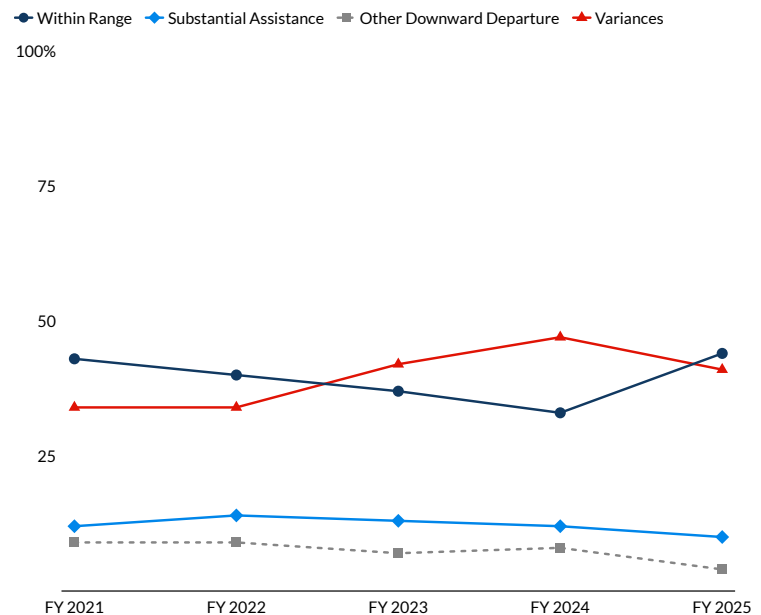
⁴ "Early Disposition Program" (or EDP) departures are departures where the government sought a sentence below the guideline range because the defendant participated in the government's Early Disposition Program, through which cases are resolved in an expedited manner. See USSG §5K3.1.

SOURCE: United States Sentencing Commission, FY 2021 through FY 2025 Datafiles, USSCFY21-USSCFY25.

Sentences Relative to the Guideline Range



Sentences Relative to the Guideline Range by Fiscal Year



Average Guideline Minimum and Average Sentence (months)

