

Congress of the United States
Washington, DC 20515

November 22, 2021

President Joseph R. Biden
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Biden:

We write to express our concern regarding the Commissioner vacancies on the United States Sentencing Commission (Commission). We respectfully request that you prioritize the nomination of individuals to serve on the Commission.

As you know, the Commission has several vacancies, and pending the status of Acting Chair Charles Breyer, all seven Commissioner seats could be vacant by the end of 2022. The Commission is unable to establish a quorum due to these continued vacancies, which has forestalled the important work of updating and establishing new sentencing guidelines. These guidelines advise the best policies and practices to ensure appropriate sentences are issued for individuals convicted of federal crimes. In fact, because of the vacancies, the Commission has been unable to update the guidelines to implement the First Step Act, the bipartisan sentencing reform law Congress passed in 2018. As a result, courts must implement the law without the guidelines, potentially resulting in uneven application of the law. It is imperative that the vacancies are expeditiously filled so the Commission can continue its work to improve the federal criminal justice system.

For these reasons, we respectfully encourage you to prioritize the nomination of individuals to serve on the United States Sentencing Commission. Thank you for your attention to this important matter.

Sincerely,


Kelly Armstrong
Member of Congress


Jamie Raskin
Member of Congress