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NEW YORK COUNCIL OF DEFENSE LAWYERS

80 EAST 42ND STREET

SUITE 950

NEW YORK, NEW YORK 10165

(212) 682-7000

FAX (212) 378-4930

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March 26, 1992

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United States Sentencing Commission
1331 Pennsylvania Avenue - N.W.
Suite 1400
Washington, D.C. 20004

Attn: Mr. Michael Courlander
Public Information Specialist

Dear Mr. Courlander:

The New York Council for Defense Lawyers respectfully submits this letter to supplement our testimony before, and prior written submission to, the Sentencing Commission. Our earlier comments did not address Proposed Amendments 1(A) and 1(B), which deal with Relevant Conduct. Our views on these proposals are as follows:

In general, we continue to have concerns about the relevant conduct provision and the breadth of its application, which we believe can lead to unintended results and insufficient distinction between major and minor actors in complex schemes. We therefore support the proposed amendments, which attempt to clarify and limit the scope of relevant conduct that must be considered under the Guidelines.

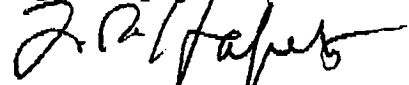
At the same time, we believe that further clarification is necessary, and we therefore propose that the Commission make explicit that the relevant conduct considered by the sentencing court must be limited to the reasonable scope of the individual defendant's involvement in the scheme.

NEW YORK COUNCIL OF DEFENSE LAWYERS

United States Sentencing Commission
March 26, 1992
Page 2

We thank the Commission for the opportunity to be
heard on these proposals.

very truly yours,



Frederick P. Hartz

FPH/gpm