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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

BRUCE A. COHEN, *Chief Counsel and Staff Director*
MICHAEL O'NEILL, *Republican Chief Counsel and Staff Director*

March 30, 2007

The Honorable Ricardo H. Hinojosa
Chair
U.S. Sentencing Commission
One Columbus Circle, N.E.
Washington, D.C. 20002-8002

Dear Judge Hinojosa:

We appreciate the important work of the U.S. Sentencing Commission in preparing its 2007 report to Congress on Crack Cocaine and Federal Sentencing Policy and we look forward to your report next month.

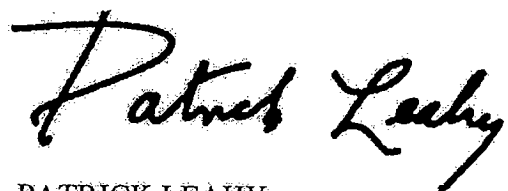
Last year marked the twentieth anniversary of the passage of the law mandating disparate treatment for crack and powder cocaine offenders. In 1986, Congress enacted the Anti-Drug Abuse Act, which established much tougher sentences for crack cocaine offenses than for powder cocaine. As a result, it takes 100 times more powder cocaine than crack cocaine to trigger the 5- and 10-year mandatory minimum sentences.

Two decades ago, our nation knew little about crack other than the fear that it was more dangerous than the powder form and would greatly increase drug-related violence. Since that time, the matter has been studied extensively by the Commission.

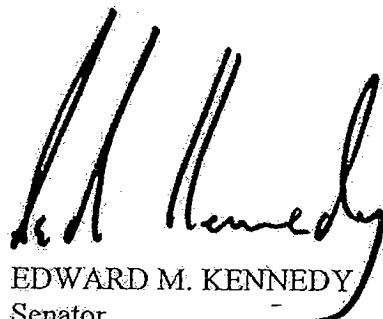
The Commission now has another opportunity to work with Congress to eliminate or reduce this disparity, as well as the disparate impact on minorities that can result. We welcome the Commission's guidance and recommendations that could improve the fairness of federal sentencing. We hope that the 2007 report will assist Congress by continuing to update the scientific literature on the issue. Please help us by including recommendations that cover statutory and non-statutory remedies, such as the promulgation of a Guideline Amendment in the current amendment cycle, that can assist us in eliminating or reducing the crack-powder disparity without further delay.

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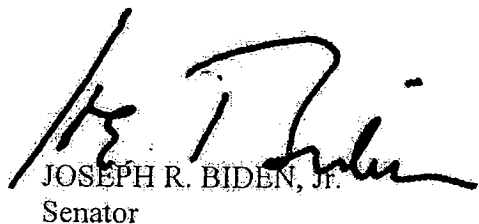
Sincerely,



PATRICK LEAHY
Chairman



EDWARD M. KENNEDY
Senator



JOSEPH R. BIDEN, JR.
Senator



DIANNE FEINSTEIN
Senator



RICHARD J. DURBIN
Senator