

STATEMENT OF

SAMUEL J. BUFFONE, CHAIRPERSON  
U.S. SENTENCING COMMISSION COMMITTEE  
CRIMINAL JUSTICE SECTION

Item 14. The Commission is to be commended for a fairly thorough explanation of this issue, and for citing a court decision that addresses the issue. The Third Circuit's approach in Gurgiolo seems reasonable. The second option suggested by the Commission would undermine sound legislative judgments about the relative harmfulness of different controlled substances.