

Congress of the United States
Washington, DC 20515

April 3, 2019

The Honorable Jerrold Nadler, Chairman
House Committee on the Judiciary
2138 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Nadler:

The legal status of cannabis in the United States is in disarray. It is incumbent on Congress to clarify these issues and reform our federal laws. More than 30 states and the District of Columbia have legalized the medicinal and/or recreational use of cannabis. Other states have opted to decriminalize cannabis possession, or to legalize the consumption of certain cannabis-derived extracts. Some states still prohibit cannabis use of any kind. Given that the substance is still a Schedule I drug under federal law, this conflicting patchwork of state and federal laws has created a unique set of legal challenges.

Since 2009, the conflict between federal law and various state statutes has repeatedly led the Department of Justice to provide, amend, and withdraw guidance to U.S. Attorneys about how to prioritize enforcement of laws governing the cultivation, distribution, and sale of cannabis.

In January 2019, Attorney General William Barr spoke to these concerns during his confirmation hearing before the Senate Judiciary Committee: "I think the current situation is untenable and really has to be addressed. It's almost like a back-door nullification of federal law." He also said that "[I]f we want a federal approach, if we want states to have their own laws, let's get there the right way."

Attorney General Barr rightly notes that federalism offers lawmakers a Constitutional path forward here. While many bills attempt to address and change federal cannabis laws, the STATES Act (H.R. 6043 in the 115th Congress) ensures that each state has the right to set its own policies governing the use — or limitation — of cannabis within its borders.

We believe this Committee and this Congress must act to clarify the rights and responsibilities, relative to cannabis, of individuals, physicians, businesses, medical patients, and law enforcement officials.

We support the STATES Act, which was recently re-introduced in the 116th Congress, and we urge you to promptly hold a legislative hearing on legislative solutions that will resolve the confusion surrounding the legality of cannabis in the United States.

Thank you for your consideration.

Sincerely,



Doug Collins
Ranking Member
House Judiciary Committee



Matt Gaetz
Member of Congress
Florida's First Congressional District