

United States Senate

WASHINGTON, DC 20510

February 12, 2018

The Honorable Thad Cochran
Chairman
U.S. Senate Committee on Appropriations
Washington, DC 20510

The Honorable Patrick Leahy
Vice Chairman
U.S. Senate Committee on Appropriations
Washington, DC 20515

Dear Chairman Cochran and Vice Chairman Leahy:

As you work to finalize fiscal year 2018 appropriations, we respectfully request that the Committee continue to respect states' laws regarding the regulation of marijuana.

As you know, for the last several years, states have changed their regulatory regimes governing marijuana. What began with relatively isolated experiments has spread across the country as citizens have expressed their will through the democratic process. Today, the vast majority of states – 29 in all – have some form of reduced restrictions on marijuana. Other states have proposals to do the same.

These states crafted serious, thoughtful regulatory regimes. Recognizing that comprehensive state rules enable federal law enforcement to prioritize its scarce resources to protect federal interests by encouraging state and private actors to operate within the state regimes, the Department of Justice issued a series of guidance memoranda over several years. As a result, our citizens have relied on this agreed federal-state framework to establish legitimate businesses that bring needed medical relief and help shut down dangerous black market activity.

On January 4, the Attorney General, without forewarning or an opportunity for legislative action, rescinded years of guidance, creating disruption, confusion, and uncertainty throughout the country. Citizens who have been acting in good faith based on federal and state assurances now feel exposed. This disruption may deny medications to the sick, push individuals back into illicit markets, and nullify the previously-effective regulations – all while thwarting the democratically-expressed will of the states.

It is our hope that the fiscal year 2018 appropriations will alleviate the turbulence the Attorney General's abrupt decision has caused and that the appropriations will help preserve the strong regulatory frameworks the states have created. Doing so will provide the opportunity to pursue federal legislation that both protects the legitimate federal interests at stake and respects the will of the states – both those that have liberalized their marijuana laws and those that have not.

We ask that the Appropriations Committee work with us to craft the precise language that will preserve state laws regarding marijuana regulation until we can establish a longer-term framework.

Thank you for your consideration.

Sincerely,

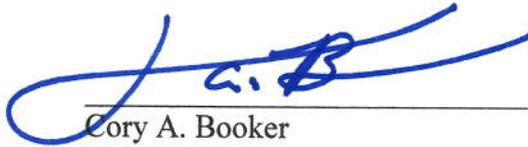


Cory Gardner
United States Senator

Michael F. Bennet
United States Senator



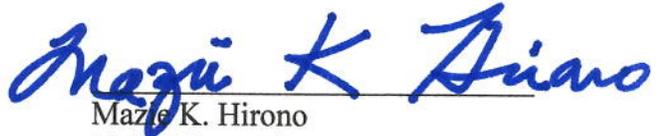
Dan Sullivan
United States Senator



Cory A. Booker
United States Senator



Rand Paul
United States Senator



Mazie K. Hirono
United States Senator



Ron Wyden
United States Senator



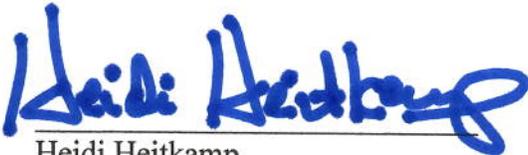
Tammy Duckworth
United States Senator



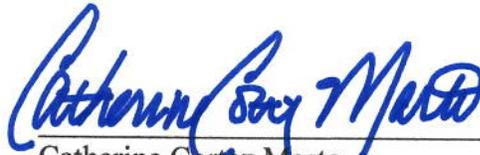
Kirsten Gillibrand
United States Senator



Robert Menendez
United States Senator



Heidi Heitkamp
United States Senator



Catherine Cortez Masto
United States Senator



Benjamin L. Cardin
United States Senator



Maria Cantwell
United States Senator