

1310 L Street, NW, 7th Floor  
Washington, DC 20005  
cei.org

202 331 1010 *main*  
202 331 0640 *fax*



December 2, 2020

The Honorable Nancy Pelosi  
Speaker  
U.S. House of Representatives  
1236 Longworth House Office Building  
Washington, DC 20515

The Honorable Kevin McCarthy  
Minority Leader  
U.S. House of Representatives  
2468 Rayburn House Office Building  
Washington, DC 20515

The Honorable Steny Hoyer  
Majority Leader  
U.S. House of Representatives  
1705 Longworth House Office Building  
Washington, DC 20515

The Honorable Steve Scalise  
Minority Whip  
U.S. House of Representatives  
2049 Rayburn House Office Building  
Washington, DC 20515

Dear Speaker Pelosi, Leader Hoyer, Leader McCarthy, and Whip Scalise:

On behalf of the many of Americans whose views and values our organizations represent, **we respectfully urge you to support efforts to remove cannabis from the Controlled Substances Act. While we oppose many aspects of the Marijuana Opportunity Reinvestment and Expungement (MORE) Act, we support its provision to de-schedule cannabis, which would restore the right to decide how to regulate the substance to the people and their state representatives. The undersigned organizations agree that this action is an important step toward undoing the harms caused by the misguided drug war and protecting our nation's principle of federalism.**

In the past election, voters in five states authorized medical cannabis use, recreational use, or both. In fact, every cannabis-legalization ballot measure throughout the country was approved by voters, bringing the total number of states that have legalized medical cannabis to 35 plus the District of Columbia and the number of states that have legalized recreational cannabis use for adults to 15, along with D.C. In fact, all but two states have legalized or decriminalized cannabis in some form, properly adapting state policies to reflect the needs and opinions of their constituents. Yet, such responsive governance is hampered by the fact cannabis remains federally prohibited.

Congress has recognized the need to resolve this conflict for many years. Amendments to prevent federal interference in state cannabis regulation enjoy a long history of support among both House Republicans and Democrats. These measures can give states some flexibility to set policies in accordance with the will of their people. But the dual legal status of cannabis has created confusion and put the welfare of many citizens and businesses in jeopardy.

The federal prohibition has excluded small cannabis businesses from many of the financial and legal services or benefits afforded to other industries. The conflict also creates hazards for consumers of legal cannabis products, extending to issues of employment, housing, property rights, firearms purchasing, and civil asset forfeiture, among others. For example, patients who wish to participate in their state's legal medical marijuana program must choose between their medicine and owning a gun, because the Gun Control Act of 1968 prohibits anyone who uses controlled substances from possessing guns or ammunition. Only Congress can resolve this conflict and there is strong, bipartisan public support for such action.

According to a November 2020 Gallup poll, 68 percent of all Americans believe the use of marijuana should be made legal, including 52 percent of Republican voters. There is even greater support for allowing states to make the decision without federal interference. A 2017 CBS News Poll found that 64 percent of Republican voters, 76 percent of Democrats, and 72 percent of independents opposed federal attempts to stop states from legalizing cannabis.

The undersigned organizations vary in our opinions on the specifics of cannabis legalization, but we are in strong accord when it comes to whether the federal or state governments should have the power to make such decisions. Our Constitution limits federal power and leaves most issues of law enforcement to the individual states for good reason. We are a nation of diverse backgrounds, opinions, and values. State authorities are best placed to understand the needs of their populace and must be free to decide how best to protect public health and safety and direct limited resources toward those priorities. What works for California may not be appropriate for Utah and vice versa. The federal government need not endorse one approach or another nor condone cannabis use; it needs only to respect the states' authority to choose how best to regulate cannabis.

As a coalition of groups and individuals supporting free market solutions and the protection of essential Constitutional principles, we strongly urge you to respect our nation's federalist structure and support the MORE Act's provision to de-schedule cannabis.

Sincerely,

Michelle Minton  
Senior Fellow  
Competitive Enterprise Institute

Andrew Langer  
President, Institute for Liberty

David Williams  
President  
Taxpayers Protection Alliance

Arthur Rizer  
Director of Criminal Justice & Civil Liberties Policy  
R Street Institute