

U.S. House of Representatives
Committee on the Judiciary

Washington, DC 20515-6216
One Hundred Fifteenth Congress

February 5, 2018

The Honorable Bob Goodlatte
Chairman
House Committee on the Judiciary
2138 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Goodlatte:

We are deeply concerned by the recent action by Attorney General Sessions rescinding Department of Justice (DOJ) marijuana enforcement guidance issued during the Obama Administration. We write to request a hearing of the full Judiciary Committee regarding this decision.

On January 4, 2018, Attorney General Sessions issued a memorandum to U.S. Attorneys eliminating marijuana enforcement priorities set forth under President Obama. Previous memoranda issued during the Obama Administration, such as the memorandum issued in 2013 by then Deputy Attorney General James Cole (Cole Memo), made clear the considerations the federal government should use when deciding to prosecute violations of the Controlled Substances Act related to marijuana. Rather than targeting individuals in states that had legalized marijuana and consequently set up complex regulatory systems, the government focused on priorities that were significant to the federal government. These included preventing gangs and cartels from profiting from marijuana sales and ensuring that state-authorized marijuana was not used to hide other illegal activities.

We fear that the elimination of the Obama Administration's marijuana enforcement guidance will promote an inefficient use of limited taxpayer resources and subvert the will of voters who have clearly indicated a preference for legalized marijuana in their states. Further, the January 4 memorandum by Attorney General Sessions fails to provide any evidence that prosecuting marijuana in states where it has been legalized will make Americans safer. DOJ should instead pursue enforcement strategies that are sensible, effective, and enhance public safety, and the Judiciary Committee should be included in these discussions.

The Judiciary Committee has a fundamental duty to conduct oversight on the Department of Justice. It is critical that the members of our committee have an opportunity to ask questions about this recent rescission in a formal setting and evaluate potential legislation related to marijuana. Therefore, we respectfully request a hearing by the full Committee on these issues.

Sincerely,

Jewell Nalla

Fred W. Lien

Shila Jackson Lee

Pramila Jaysh

Dr. Lu

John H. Lu

Zoe Lef

Jamie Nash

Erin Squalrell

Marger

Hank Johnson