

Congress of the United States
Washington, DC 20515

April 29, 2021

The Honorable Matt Cartwright
Chairman
Commerce, Justice and Science (CJS)
Subcommittee
House Appropriations Committee
H-310, The Capitol
Washington, DC 20515

The Honorable Robert B. Aderholt
Ranking Member
Commerce, Justice and Science (CJS)
Subcommittee
House Appropriations Committee
1036 Longworth House Office Building
Washington, DC 20515

Chairman Cartwright and Ranking Member Aderholt:

As you prepare the fiscal year (FY) 2022 Commerce, Justice, Science, and Related Agencies appropriations bill, we respectfully request that you include language barring the Department of Justice from prosecuting those who comply with their state or tribal marijuana laws. We also request that you maintain the current language barring the Department of Justice from prosecuting those who comply with their state's medical marijuana laws.

To date, 48 states have enacted laws that, to varying degrees, relax their prohibitions against the use of marijuana or its components, such as CBD oil. Of those, 36 states have medical marijuana programs, and 17 of those have adult-use programs. Most of these laws were decided by ballot initiatives. We believe that the federal government should not interfere with these programs and the will of the citizens of these states.

Additionally, as states increasingly establish state-legal marijuana programs, tribes continue to face uncertainty with respect to federal guidance on marijuana. We believe that the federal government should provide clarity and respect the sovereignty and will of Indian tribes should they choose to enact marijuana laws in the same way that most of states have now done.

Therefore, we ask that the subcommittee draft this appropriations bill to include the following language:

None of the funds made available by this Act to the Department of Justice may be used, with respect to any of the States, the District of Columbia, or U.S. territories to prevent any of them from implementing their own laws that authorize the use, distribution, possession, or cultivation of marijuana.

In 2019, similar language was supported by the House of Representatives by a vote of [267-165](#) and again in 2020 by a vote of [254-163](#).

We also ask that the subcommittee draft this appropriations bill to include the following language:

None of the funds made available by this Act to the Department of Justice may be used to prevent any Indian tribe (as such term is defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) from enacting or implementing tribal laws that authorize the use, distribution, possession, or cultivation of marijuana.

In 2019, the House of Representatives supported such language by voice vote, which we believe creates a strong case for the inclusion of this language in the FY2022 base text.

Lastly, since 2014, the House of Representatives has consistently supported language barring the Department of Justice from prosecuting those who comply with their state's medical marijuana laws; and the Senate has done so since 2015. Most recently, this language was included in the base FY 2021 appropriations bill and ultimately signed into law. We request that, given this consistent and bipartisan support, you continue to include the following language:

None of the funds made available in this Act to the Department of Justice may be used to enforce federal prohibitions involving the use, distribution, possession, or cultivation of marijuana for medical purposes that are permitted by the laws of the state, the District of Columbia, or U.S. territory where the act was committed, or to prevent states, the District of Columbia, or U.S. territories from implementing their own laws that permit the use, distribution, possession, or cultivation of marijuana for medical purposes.

We appreciate the difficult task before you and appreciate your consideration of our request.

Sincerely,



Earl Blumenauer
MEMBER OF CONGRESS



Tom McClintock
MEMBER OF CONGRESS



Eleanor Holmes Norton
MEMBER OF CONGRESS



Barbara Lee
MEMBER OF CONGRESS

___/S/_____
Donald S. Beyer Jr.
Member of Congress

___/S/_____
Jamaal Bowman, Ed.D.
Member of Congress

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Ken Buck
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Salud Carbajal
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Jesús G. "Chuy" García
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Raúl Grijalva
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Jared Huffman
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Pramila Jayapal
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Hakeem Jeffries
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Marie Newman
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Ilhan Omar
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Jan Schakowsky
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Albio Sires
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Adam Smith
Member of Congress

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Eric Swalwell
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Mike Thompson
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