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Congress of the United States
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(U.S. HELSINKI COMMISSION)

The Honorable Eric H. Holder Jr.
Attorney General
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Holder:

Thank you for your comments yesterday at the National Press Club in support of reduced sentencing for low-level, nonviolent drug offenders.

I am concerned, however, about your comments regarding the classification of marijuana. You stated that there is, "a legitimate debate to be had on both sides of that question on where marijuana should be in terms of scheduling," and suggested you would welcome Congressional hearings to review the classification of marijuana.¹

First, as you know, you already have the statutory authority to reclassify marijuana.² Second, I am interested to know what arguments against reclassification of marijuana you believe could potentially outweigh those in favor of reclassification.

Classifying marijuana as Schedule I under the Controlled Substances Act perpetuates an unjust and irrational system. Not even cocaine or methamphetamine are Schedule I substances. Moreover, President Obama has stated that he does not believe marijuana is more dangerous than alcohol.³

Schedule I recognizes no medical use, disregarding both medical evidence and the laws of nearly half of the states that have legalized medical marijuana. Among other things, medical marijuana has been used to treat cancer patients and children with seizures.

¹ Feb. 17, 2015 *National Journal*

² 21 U.S.C. § 811

³ Jan. 27, 2014 *The New Yorker*

I recently wrote to you about the urgent need for one of my constituents, 3-year-old Chloe Grauer, to access cannabidiol, known as CBD, to treat a rare disease that causes seizures but which was inaccessible due to federal restrictions. I am sad to say that Chloe has since passed away. Chloe suffered from a rare neurological disease that caused her to have 100 to 200 seizures a day. She tried dozens of medications and underwent surgical procedures but nothing stopped the seizures. Her family tried desperately to treat her with CBD, which has been shown to treat certain diseases like hers that cause seizures, but because CBD is derived from cannabis plants, even though it contains just trace amounts of THC, the psychoactive ingredient in marijuana – nowhere near enough to produce a high – it is illegal under federal law. Even this tiny amount of THC was enough for the federal government to keep a potentially life-saving drug away from Chloe.

While I am grateful that the Department of Justice has largely respected the choice of states that have chosen to permit medical marijuana, I urge you in your remaining time in office to take action, under existing federal law, to reclassify marijuana.

Thank you for your consideration of this matter.

As always, I remain,

Most sincerely,



Steve Cohen

Member of Congress