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November 22, 2016

The Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear President Obama:

In your remaining time in office, I once again respectfully urge you to begin, and use all your authority to expedite, the process for rescheduling marijuana under the Controlled Substances Act.

The current classification of marijuana as a Schedule I drug defies both logic and overwhelming public opinion. Schedule I is a classification reserved for only the most dangerous drugs, like heroin, which have no accepted medical use. Not even cocaine or methamphetamine are classified as Schedule I drugs. Yet marijuana continues to retain this dubious distinction.

It is precisely this kind of legal irrationality that breeds frustration, and frankly disrespect, for our nation's drug laws. To say that marijuana is more dangerous than cocaine just is not credible, and the American people want this fixed. According to a Quinnipiac University poll, 89 percent of Americans believe people should be allowed to use medically prescribed marijuana. Just this month, North Dakota, Montana, Florida and Arkansas joined a growing majority of states that have legalized medical marijuana. 28 states plus the District of Columbia have approved medical marijuana.

Moreover, a growing number of states have begun legalizing recreational marijuana. As a result of this month's elections, more than 63 million Americans now live in states where recreational marijuana is legal.

You have said, yourself, that marijuana is no more dangerous than alcohol. Yet millions of Americans have found themselves arrested for possession of marijuana, and disproportionately, those arrested have been minorities. According to the American Civil Liberties Union, there were 8.2 million marijuana arrests between 2001-2010 and African Americans were 3.73 times more likely to be arrested for marijuana.

The impact of a drug conviction can be life altering. It can limit access to education, housing and employment, and it can happen to anyone. As you said, yourself, when you visited a federal prison in Oklahoma last year, "There but for the grace of God."

The President-elect's nomination of Senator Jeff Sessions to become the nation's next Attorney General is an ominous sign for a fairer, more rational drug policy. As recently as this year Senator Sessions argued, despite the lack of any evidence to support, that marijuana is very dangerous and will lead to more cocaine and heroin use. This inaccurate, so-called "gateway" argument, is what helped establish the type of irrational and anachronistic drug policies that have since been repudiated as void against public policy. As one observer has noted, "Hell's Angels motorcycle gang members are probably 104 times more likely to have ridden a bicycle as a kid than those who don't become Hell's Angels, but that doesn't mean that riding a two-wheeler is a 'gateway' to joining a motorcycle gang. It simply means that most people ride bikes and the kind of people who don't are highly unlikely to ever ride a motorcycle."^[1]

I hope you will embrace the fierce urgency of now, and take action on this issue before you leave office.

Thank you for your consideration of this matter.

As always, I remain,

Most sincerely,



Steve Cohen
Member of Congress

^[1] <https://www.washingtonpost.com/news/the-watch/wp/2016/11/21/jeff-sessions-ridiculous-anti-drug-crusade/>