

Congress of the United States

Washington, DC 20515

May 22, 2026

President Donald J. Trump
The White House
1600 Pennsylvania Avenue NW
Washington, DC, 20500

Ms. Alice Marie Johnson, White House Pardon
Czar
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Trump:

We write to respectfully request that you use your pardon power to commute the sentences to all those in the federal prison system serving *non-violent* marijuana-related offenses.

The inclusion of marijuana in the Controlled Substances Act has resulted in tens of millions of people being sent to county, state, and federal prisons over the last several decades. Nearly 9 in 10 Americans believe that marijuana should be legal for medical or recreational purposes.¹ You have recognized this disconnect between the science and policy with your executive order directing the Department of Justice (“DOJ”) to complete the rescheduling to Schedule III², and your DOJ’s April 23, 2026³ order to reschedule certain medical marijuana products to Schedule III. However, rescheduling marijuana does not provide relief for anyone currently in federal prison from a marijuana conviction. As president, you have a unique opportunity to use your constitutional authority and issue a categorical commutation to address this continuing injustice.

Those convicted of marijuana offenses face disproportionately long sentences. Based on data from the United States Sentencing Commission, it is estimated that approximately 3,000 people^{4,5} are still federally incarcerated for marijuana trafficking offenses, with hundreds, perhaps thousands serving harsh mandatory minimum sentences of 5 years or longer. Additionally, the arrest rate for African Americans for marijuana possession is 3.6-fold higher than for white people, despite similar usage rates.⁶ Too many people are serving way too long for marijuana-associated offenses. This means precious time away from loved ones and families separated for years, and in some cases even decades, due to our country’s antiquated laws around marijuana. However, thousands of people continue to be federally incarcerated for marijuana-related offenses, an activity that most states, in some form, have legalized.

¹ McCarthy, J. (2025, November 5). *Americans Much More Positive About Progress on Drugs*. Gallup.com; Gallup. <https://news.gallup.com/poll/697445/americans-positive-progress-drugs.aspx>; Pew Research Center. (2024, March 26). *Most Americans Favor Legalizing Marijuana for Medical, Recreational Use*. Pew Research Center - U.S. Politics & Policy; Pew Research Center. <https://www.pewresearch.org/politics/2024/03/26/most-americans-favor-legalizing-marijuana-for-medical-recreational-use/>

² Trump, D.J. (2025, December 18). *INCREASING MEDICAL MARIJUANA AND CANNABIDIOL RESEARCH*. The White House. <https://www.whitehouse.gov/presidential-actions/2025/12/increasing-medical-marijuana-and-cannabidiol-research/>

³ U.S. Department of Justice, Drug Enforcement Administration. (2026, April 23). *Schedules of Controlled Substances: Rescheduling of Food and Drug Administration-approved products containing marijuana and products containing marijuana subject to a qualifying state-issued license from Schedule I to Schedule III; corresponding change to permit requirements* (Final Order). U.S. Department of Justice. <https://www.justice.gov/opa/media/1437441/dl>

⁴ U.S. Sentencing Commission. Federal MJ Trafficking Convictions. Retrieved April 23, 2026, from <https://docs.google.com/spreadsheets/d/1Nw5QVtm6IXMXMquVhVwrMUaQvWW0MHb4SbBluZ287WY/edit?gid=0>, table courtesy of Michael Liszewski from The Enact Group

⁵ Recidiviz. (2021, December). *Ending Federal Prison Sentences for Marijuana Offenses*. Retrieved April 23, 2026, from https://assets.website-files.com/5e7ff048d75a9b3c5df52463/61abf4d36aefde8dec64a000_FED_SRA_final_12.2.21.pdf


⁶ American Civil Liberties Union. (2020, April 17). *A Tale of Two Countries: Racially targeted arrests in the era of marijuana reform*. <https://www.aclu.org/publications/tale-two-countries-racially-targeted-arrests-era-marijuana-reform>

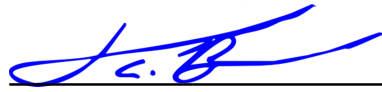
The Bureau of Prisons (BOP) is plagued by capacity issues, both overcrowded ⁷ and understaffed.⁸ While it won't solve the structural issues that have led us here, we believe that commuting the sentences of people with marijuana offenses would both address the overly harsh sentences while simultaneously allowing BOP to focus resources where they are needed most.

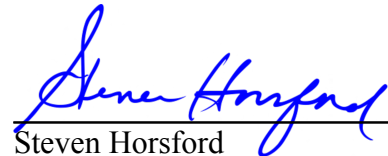
Lastly, those serving unjust marijuana sentences should be provided with support services to ensure they have a successful reentry after years of incarceration. Unfortunately, often those with life sentences cannot access reentry services. In order to prevent recidivism, we also urge you to order BOP to provide such services to people serving marijuana sentences.


Thank you for your consideration of our request.

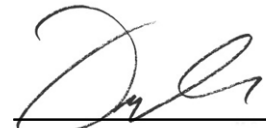
Sincerely,



Steve Cohen
Member of Congress



Cory A. Booker
United States Senator

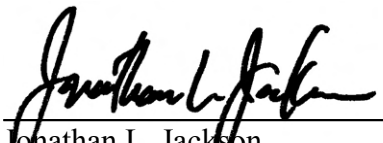

Steven Horsford
Member of Congress



Henry C. "Hank" Johnson, Jr.
Member of Congress


Troy A. Carter, Sr.
Member of Congress


Shri Thanedar
Member of Congress

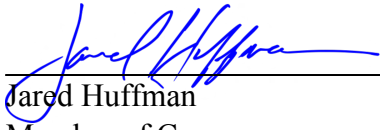

Rashida Tlaib
Member of Congress


Jonathan L. Jackson
Member of Congress

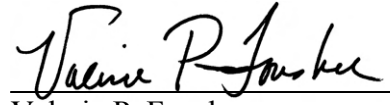

Bonnie Watson Coleman
Member of Congress

⁷ Heffernan, S. (2024, January 6). *Federal Prisons Are Over Capacity — Yet Efforts to Ease Overcrowding Are Ending*. The Marshall Project. <https://www.themarshallproject.org/2024/01/06/federal-prisons-release-staffing>

⁸ James, N. (2026). *Correctional Officer Staffing in Federal Prisons: Background and Issues*. Congressional Research Service.



Jared Huffman
Member of Congress



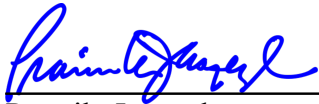
Valerie P. Foushee
Member of Congress



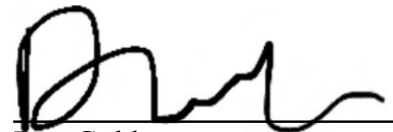
Frederica S. Wilson
Member of Congress



Jesús G. "Chuy" García
Member of Congress



Pramila Jayapal
Member of Congress



Dan Goldman
Member of Congress



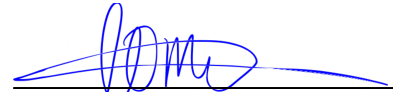
Dwight Evans
Member of Congress



Alexandria Ocasio-Cortez
Member of Congress



Dina Titus
Member of Congress



Ilhan Omar
Member of Congress



Eleanor Holmes Norton
Member of Congress



Nikema Williams
Member of Congress



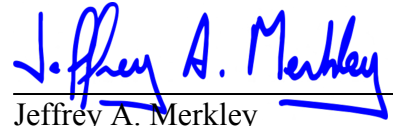
Summer L. Lee
Member of Congress



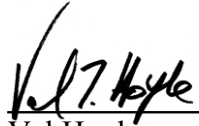
Chris Deluzio
Member of Congress



Elizabeth Warren
United States Senator



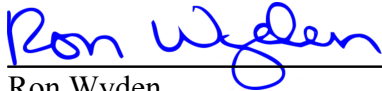
Jeffrey A. Merkley
United States Senator



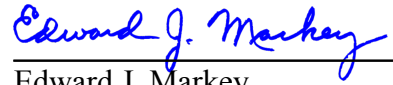
Val Hoyle
Member of Congress



Bernard Sanders
United States Senator



Ron Wyden
United States Senator



Edward J. Markey
United States Senator