



## NATIONAL CONFERENCE of STATE LEGISLATURES

### *The Forum for America's Ideas*

January 18, 2018

The Honorable Mitch McConnell  
Majority Leader  
United States Senate  
Washington, D.C. 20510

The Honorable Charles Schumer  
Minority Leader  
United States Senate  
Washington, D.C. 20510

The Honorable Thad Cochran  
Chairman, Appropriations Committee  
United States Senate  
Washington, D.C. 20510

The Honorable Patrick Leahy  
Vice Chairman, Appropriations Committee  
United States Senate  
Washington, D.C. 20510

The Honorable Richard Shelby  
Chairman, Subcommittee on  
Commerce, Justice, and Science  
United States Senate  
Washington, D.C. 20510

The Honorable Jeanne Shaheen  
Vice Chairman, Subcommittee on  
Commerce, Justice, and Science  
United States Senate  
Washington, D.C. 20510

**Deb Peters**  
*Senator – District 9  
South Dakota  
President, NCSL*

**Chuck Truesdell**  
*Fiscal Analyst  
Office of Budget Review  
Legislative Research Commission  
Kentucky  
Staff Chair, NCSL*

**William T. Pound**  
*Executive Director*

Dear Senators:

The National Conference of State Legislatures (NCSL) respectfully requests consideration and approval of Vice Chairman Patrick Leahy's amendment to the Senate's fiscal year 2018 appropriations legislation restricting the U. S. Department of Justice (DOJ) from unnecessarily interfering with state marijuana laws. NCSL believes such a policy is consistent with federalism principals protecting states' abilities to govern, while ensuring the health and public safety of all Americans.

While NCSL supports a strong intergovernmental partnership to fight illicit drugs, we also maintain that where states have made a policy choice to regulate marijuana and hemp, the federal government should respect those state decisions. Currently, 29 states, the District of Columbia, Guam and Puerto Rico allow for comprehensive public medical marijuana and cannabis programs. We recognize that states have differing views on how to treat marijuana, and believe states and localities are best able to determine what marijuana and hemp policies work best to improve the public safety, health and economic development of their communities.

NCSL supports the inclusion of Senator Leahy's amendment language in fiscal year 2018 appropriations laws rescinding DOJ funds used to prosecute states that wish to implement their own laws regarding the use, distribution, possession or cultivation of marijuana for medical purposes. We also support the same enumerated states' right to use, distribute, possess or cultivate marijuana for recreational purposes.

In closing, we reiterate our support for the inclusion of this limitation on the Department of Justice. We appreciate the difficult task before you and appreciate your consideration of our request. For additional information, please contact Susan Frederick ([susan.frederick@ncsl.org](mailto:susan.frederick@ncsl.org) / 202-624-3566) and Lucia Bragg ([lucia.bragg@ncsl.org](mailto:lucia.bragg@ncsl.org) / 202-624-3576).

Sincerely,

**The Honorable Gerald Malloy**  
South Carolina Senate

**The Honorable Timothy Johns**  
South Dakota House of Representatives

Co-Chairs, NCSL Law, Criminal Justice & Public Safety Committee

CC: Members of the U.S. Senate

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