

July 21, 2020



RE: Marijuana Justice Coalition Sends Urgent Request to Co-sponsor the MORE Act (H.R. 3884)

We are writing to express our strong support for the Marijuana Opportunity Reinvestment & Expungement (MORE) Act of 2019 (H.R. 3884) and implore your co-sponsorship of the measure. We are the [Marijuana Justice Coalition](#), a broad coalition of advocacy organizations who have joined together to advance federal marijuana reform, driven by a vision of racial and economic justice. Since convening in 2018, we have worked to introduce and pass the MORE Act, the most sweeping and comprehensive piece of marijuana reform ever considered by the U.S. Congress. The circumstances of 2020 have made the failed war on drugs even more untenable and amplified the voices of those demanding reforms to our criminal legal system and policing. In the face of the evolving COVID-19 pandemic and a growing national dialogue on unjust law enforcement practices, marijuana reform as a modest first step at chipping away at the war on drugs is more relevant and more pressing than ever before. The MORE Act remains the most effective and equitable way forward.

Even before the pandemic, the need to end marijuana prohibition was clear. Public opinion about marijuana has shifted over several decades, and the question now is no longer *'should we legalize marijuana?'* but, *'how do we legalize?'* Thirty-three states and the District of Columbia have legalized medical marijuana and 11 states plus D.C. have legalized recreational marijuana. Marijuana remains federally scheduled, however, and this discrepancy has contributed to issues of equitable access to the formal marijuana industry, inability to conduct federal research, inaccessibility of medical marijuana for veterans, excessive immigration-related consequences for noncitizens in legal marijuana states, and the continuation of racially disparate enforcement of marijuana laws. The harms of marijuana prohibition have been disproportionately felt by communities of color, but these are the same communities benefiting the least from legalization.

The MORE Act does the following:

- Decriminalizes marijuana at the federal level by removing the substance from the Controlled Substances Act (descheduling), applies this retroactively to prior and current convictions, and enables states to set their own policies. Descheduling also begins to address the following:
 - *Research* – Descheduling, rather than rescheduling, is the surest way to opening up avenues to robust research on marijuana.
 - *Immigration* – Descheduling protects noncitizens from deportation or other adverse immigration consequences based on marijuana activity, including protecting non-citizens working in state-legal marijuana businesses.
 - *Veterans* – Descheduling will allow the U.S. Department of Veterans' Affairs to recommend medical marijuana to veterans living with Post-Traumatic Stress Disorder (PTSD), and other qualifying conditions.
 - *Banking Access* – Descheduling will allow banks and other financial institutions to service the marijuana industry, which is a key public safety and economic issue for many businesses.
- Requires federal courts to expunge marijuana arrests and convictions, and resentence those still in custody or under court supervision for a marijuana offense.
- Prevents the government from denying an individual federal benefits, student financial aid, or security clearances needed to obtain government jobs because of marijuana use.

- Authorizes the assessment of a 5% excise tax on marijuana sales at the manufacturer level to fund programs to provide services to individuals most adversely impacted by the War on Drugs, including legal services, job training, and substance misuse treatment.
- Funds equitable licensing programs so that states and localities can implement inclusive marijuana licensing systems that minimize barriers to marijuana licensing and employment for individuals most adversely impacted by the War on Drugs.
- Opens up Small Business Administration resources to support economically and socially disadvantaged entrepreneurs within the marijuana and marijuana-related marketplace to increase and help sustain diversity and inclusion.
- Requires the Bureau of Labor Statistics to collect data on the demographics of the industry to ensure equitable participation.

In the face of COVID-19, the MORE Act is needed now more than ever before. Looking towards long-term economic recovery, we must remove barriers to employment for those who have lost jobs, create new businesses and employment opportunities to help replace those that have disappeared and that will not be coming back, and to raise billions of dollars in new tax revenue to off-set the devastating economic losses to state and local governments. The MORE Act would accomplish all of these goals, through a 5% tax on marijuana sales at the manufacturer level. Every industry will have a role to play in rebuilding the U.S. economy after the pandemic, and a legal, regulated marijuana industry is no different. The MORE Act will ensure that the economic recovery effort is equitable and just.

Even more broadly, federal descheduling and expungement will drastically reduce the burden of marijuana charges and arrests in the criminal justice system. This bill would decriminalize marijuana and put in place resentencing processes for marijuana convictions. This would help begin the long overdue reversal of mass incarceration in the U.S. – which is more timely than ever in the times of mass mobilizations for police reform and in the midst of the COVID-19 pandemic ravaging jails and prisons. The MORE Act focuses on creating community infrastructure and supports that diminish contact with the criminal justice system. The bill creates new funding streams for community reinvestment and economic uplift, with the added social, economic, and public health benefits of ending prohibition and incentivizing states to do the same while centering equity. We must take every possible action to reduce rates of arrests and incarceration in order to limit the spread of the virus and bring long overdue justice to communities plagued by marijuana overenforcement and racially biased policing.

The seismic circumstances brought by 2020 have demonstrated the pressing need for a legal marijuana industry grounded in equity, justice, and commonsense. We are grateful for Representative Nadler, Representative Lee, and Representative Blumenauer’s championing of this issue and urge all Members of Congress to support this measure. **We ask that you show your support by co-sponsoring the MORE Act today in order to help ensure its swift passage this Congressional session.**

For more information and to co-sponsor please contact Queen Adesuyi (gadesuyi@drugpolicy.org) (Drug Policy Alliance, Marijuana Justice Coalition) and Milagros Cisneros (Nadler) (milagros.cisneros@mail.house.gov).

Sincerely,



American Civil Liberties Union • Center for American Progress • The Center for Law and Social Policy • Drug Policy Alliance • Human Rights Watch • Immigrant Legal Resource Center • JustLeadershipUSA • Lawyers’ Committee for Civil Rights Under Law • The Leadership Conference on Civil & Human Rights • National Association of Social Workers • The National Council for Incarcerated and Formerly Incarcerated Women and Girls • National Organization for the Reform of Marijuana Laws • Students for Sensible Drug Policy • United Food and Commercial Workers International Union