

June 8, 2018

The Honorable Paul Ryan  
Speaker of the House  
United States House of Representatives  
Washington, D.C. 20515

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

The Honorable Nancy Pelosi  
Democratic Leader  
United States House of Representatives  
Washington, D.C. 20515

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

Dear Speaker Ryan, Leader McConnell, Leader Pelosi, and Leader Schumer:

As bipartisan governors of states that have laws permitting or decriminalizing marijuana for adult use or medical purposes, we urge you to continue protections for patients, providers, and businesses against federal prosecution, by passing the “Strengthening the Tenth Amendment Through Entrusting States (STATES) Act.”

As of today, 46 states permit the use of some form of medical marijuana and nine states have made it legal for adult-use. These programs reflect the will of the people as expressed through ballot initiatives and legislative action.

Recognizing the evolving position of states, in 2014 Congress began protecting medical marijuana states from federal interference by prohibiting the Department of Justice from preventing the implementation of state laws that authorize the use, distribution, possession or cultivation of medical marijuana. The Department of Justice likewise underscored its respect for state action by providing federal prosecutors guidance in the form of the “Cole Memo”, which directed limited federal resources away from prosecuting marijuana operations operating in compliance with state law.

Unfortunately, the rescission of the Cole Memo earlier this year has complicated the marketplace for businesses that states now deem legal. This return to one-size-fits-all federal prohibition is incongruent with reality, undermines the 46 carefully-crafted regulatory structures and impedes states’ abilities to be effective laboratories of democracy.

Furthermore, current federal law precludes banks from engaging with legal entities that are complying with state laws. As a result, these companies are forced to become cash-only businesses, creating unnecessary burdens and risks.

The STATES Act restores the federal-state balance by codifying protections for those operating in accordance with state law. The STATES Act is not about whether marijuana should be legal or illegal; it is about respecting the authority of states to act, lead and respond to the evolving needs and attitudes of their citizens. Whether a state maintains the prohibition or chooses a different path, the STATES Act ensures that the federal government is a partner rather than an impediment – an objective the federal government should always strive to achieve.

Our states have acted with deliberation and care to implement programs through thoughtful and comprehensive legislation and regulations. Our citizens have spoken, we are responding. We ask that Congress recognize and respect our states' efforts by supporting and passing the STATES Act.

Sincerely,



Governor Charlie Baker  
Massachusetts



Governor Jerry Brown  
California



Governor Bill Walker  
Alaska



Governor John Hickenlooper  
Colorado



Governor Larry Hogan  
Maryland



Governor Phil Murphy  
New Jersey



Governor Andrew Cuomo  
New York



Governor Brian Sandoval  
Nevada



Governor Doug Burgum  
North Dakota



Governor Kate Brown  
Oregon



Governor Tom Wolf  
Pennsylvania



Governor Jay Inslee  
Washington

CC:

Senator Elizabeth Warren  
Senator Cory Gardner  
Representative David Joyce  
Representative Earl Blumenauer