

**Letter from the Former Administrators of the Drug Enforcement Administration
1973-2007**

September 9, 2013

The Honorable Attorney General Eric Holder
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530-0001

Dear Attorney General Holder:

We are shocked and dismayed with your decision to allow the states of Colorado and Washington to legalize the production and sale of marijuana for "recreational" use – this is in direct conflict with federal law and our international treaty obligations. We expressed our concern to you about state level efforts to legalize marijuana in August 2010 when California ballot initiative, Proposition 19 was being considered. On Oct 13, 2010 you responded, "let me state clearly that the Department of Justice strongly opposes Proposition 19. If passed, this legislation will greatly complicate federal drug enforcement efforts to the detriment of our citizens. Regardless of the passage of this or similar legislation, the Department of Justice will remain fully committed to enforcing the Controlled Substances Act (CSA) in all states. We will vigorously enforce the CSA against those individuals and organizations that possess, manufacture or distribute marijuana for recreational use, even if such activities are permitted under state law."

Federal laws and our international treaty obligations have not changed.

In fact, in January 2013, a Federal Appeals Court in Washington, DC affirmed that DEA's placing marijuana in Schedule I (an illegal status) of the CSA was entirely appropriate. How can you now allow two states to legalize marijuana in direct conflict with law enacted by Congress, particularly when the state laws frustrate the purpose of federal law? How can our country's law enforcement agencies expect to disrupt the most significant international cartels which deal in marijuana, cocaine and heroin? They are poly-drug organizations. What about the Asset Forfeiture Provisions, Title 881 (c) and (f) which provide that assets derived from, traceable to, and intended to be used for a violation of the CSA, shall be subject for forfeiture under civil law? The United States promoted and signed a treaty – the 1961 Single Convention on Drugs – to adopt measures that will ensure that cultivation, manufacture, possession, offering for sale on any terms whatsoever shall be punishable offenses. The treaty is specific with respect to marijuana and disallows trade in marijuana among private parties. The President of the International Narcotic Control Board has already called on the United States to enforce the law and treaty in all of its territories.

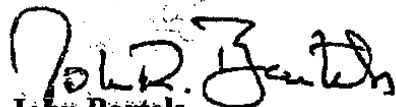
You took an oath of office, as each of us did, to support and defend the Constitution of the United States. Article VI of the Constitution, the Supremacy Clause, states that the laws enacted by Congress shall be the supreme law of the land. Great harm will be done in Colorado and Washington and throughout the country with the legalization of marijuana. There will be an increase of marijuana used by minors, since adults in these states will be able to purchase marijuana legally, without fear of arrest, and they will give it or sell it to minors. Gangs and cartels will take advantage of the disregard for marijuana enforcement in Colorado and Washington and they will expand their poly-drug operations in those states. Diversion of "medical marijuana" from

Colorado has already been documented in 23 other states. When marijuana will be fully legal to buy, diversion of the drug will explode. Highway crashes and fatalities will increase. Research has documented that marijuana use doubles the risk of a motor vehicle crash. School attendance and performance, as well as workplace productivity and safety, will all be negatively affected by your decision, and so will the effectiveness of drug law enforcement efforts.

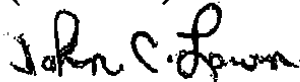
In our letter to you from September 7, 2012, almost one year ago, we outlined our concerns regarding the state-based legalization of marijuana. We offered to meet with you on this matter. We heard nothing from you until your announcement on August 29, 2013, that the Department of Justice would not challenge state law that legalizes "recreational" use of marijuana and would not enforce federal laws against the large-scale commercial cultivation and distribution in those states. We have also reviewed the guidelines provided on that date to all US Attorneys, from Deputy Attorney General Cole. These guidelines only intensify our concerns.

We urge you to live up to the oath of office you took when you were sworn in as the Attorney General of the United States and to reconsider the unwise path you have chosen, a path that will inevitably have significant adverse consequences for our Nation, our youth and the safety and health of our citizens.

Sincerely,



John Bartels
(1973-1975)



Jack Lawn
(1985-1990)



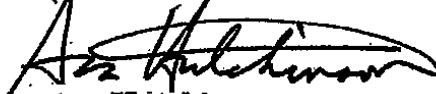
Donnie Marshall
(2000-2001)



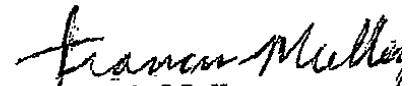
Peter Bensinger
(1976-1981)



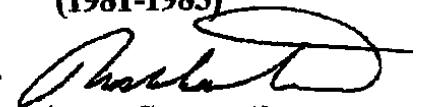
Robert Bonner
(1990-1993)



Asa Hutchinson
(2001-2003)



Francis Mullen
(1981-1985)



Tom Constantine
(1994-1999)



Karen Tandy
(2003-2007)

The above individuals served as Administrators of the United States Drug Enforcement Administration, from 1973 to 2007 under both Democratic and Republican Administrations.