

Discussion Draft: Cannabis Administration and Opportunity Act

Senators Cory Booker, Ron Wyden and Chuck Schumer

Americans have made their voices heard across the country, through their ballot boxes, their legislatures and with their dollars: the War on Drugs has failed, and it's time for lawmakers in Washington to respect the rights of states that have chosen to legalize cannabis.

As of July 2021, **nearly all** Americans live in a state with some form of legal cannabis. **18 states** have legalized adult-use cannabis, reaching over **40%** of Americans. An overwhelming majority of American adults, **91%**, believe that cannabis should be legal for either adult or medical use.

The cannabis industry, which employs over **320,000** workers and generated over **\$17.5 billion** in sales in 2020, also presents a significant opportunity for economic empowerment. The industry saw **32%** growth in 2020 as well. By 2025, it is estimated that the cannabis industry could have nearly **\$45.9 billion** in annual sales.

Despite widespread public support for legalization and the demonstrated potential for job creation and economic growth, cannabis remains illegal at the federal level and the burden of prohibition continues to fall disproportionately on Black and brown Americans. The United States saw over **545,000** arrests for cannabis possession in 2019, and Black people are **3.6** times more likely to be arrested for cannabis use than white people, despite even cannabis use across demographics. People of color make up less than **one-fifth** of cannabis business owners and managers.

Federal resources should be focused on protecting public health, responsibly regulating the state-based cannabis industry and repairing the damage done by federal cannabis prohibition. The discussion draft released by Senators Cory Booker (D-N.J.), Ron Wyden (D-Ore.), and Chuck Schumer (D-N.Y.) is an important step in developing comprehensive cannabis legislation to achieve those goals.

The Senators invite members of the public, stakeholders, and federal and state government officials to review the discussion draft and submit feedback on the proposal. Areas addressed in the discussion draft include:

- Decriminalization by removing cannabis from the federal list of controlled substances and states' rights;
- Research, training, and public safety;
- Restorative justice and equity;
- Taxation and regulation; and
- Public health and industry practices.

These proposals build upon the historic passage of the *MORE Act* by the U.S. House of Representatives. The discussion draft expands beyond previously-introduced cannabis legislation in Congress by proposing a moon-shot effort to address drugged driving and multi-substance impairment, establishing strong cannabis health and safety standards under the Food and Drug Administration, and leveraging the expertise of the Alcohol and Tobacco Tax and Trade Bureau (TTB) within the Department of Treasury to regulate industry practices.

Senators Booker, Wyden, and Schumer thank Senator Murray and her HELP Committee staff for their work in developing the Food and Drug Administration and public health components of the Discussion Draft.