



March 1, 2013

*The following letter was sent electronically to all members of the U.S. Senate Judiciary Committee:*

Dear Senator:

The United States Department of Justice is responsible for the enforcement of U.S. law. Inexplicably, U.S. Attorney General Eric Holder, nominated by President Barack Obama and confirmed by the U.S. Senate, is not enforcing federal law and not upholding international treaty obligations related to marijuana in the face of clearly conflicting state laws that permit both “medical” marijuana and commercialized marijuana production, distribution and use.

If the Obama Administration actually intends to permit such state experiments with legal marijuana for recreational or medical purposes, the first step should be to withdraw from the relevant international treaties covering drugs of abuse and then to amend the federal Controlled Substances Act to permit these actions. Thus far, neither action has been taken. The result is a chaotic legal limbo. There is no question that federal law trumps state law in these matters. It is time for the Attorney General to explain why he is not upholding federal law. How does he justify this position? These questions must be raised and responded to during the Senate’s annual oversight hearing on March 6, 2013.

Having served as the first Director of the National Institute on Drug Abuse (NIDA), and as the second Director of the White House Drug Office, I have a long-standing respect for, and familiarity with, federal and state laws on abused drugs.

I also recently served as Co-Chair of the Writing Committees that developed the White Papers of the American Society of Addiction Medicine (ASAM) dealing with “medical” marijuana and the state legalization of marijuana. Copies of these consensus papers are enclosed. ASAM is the largest national professional society of physicians that specializes in addiction medicine. ASAM strongly opposes state initiatives to permit “medical” marijuana because this plant has not been approved as a medicine by the U.S. Food and Drug Administration (FDA). The FDA operates under a strict scientific system of drug approval that has been developed and refined over the past century to ensure the safety, efficacy and purity of medications, including standardization for appropriate dosage. The approval of medicines by

ballot initiative or by legislative action is a threat to the nation's public health. In the case of marijuana, there is no control over the quality or purity of the product and insufficient research to support efficacy.

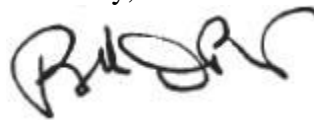
The principle reason state level legalization of marijuana is opposed by ASAM is that legalization of sale and use of marijuana will result in dramatically increased use of marijuana, especially by youth. Abundant experience and research shows that marijuana use by young people is associated with decreased motivation, decline in grades and increase in school dropout, as well as mental illness, particularly earlier onset and worsening symptoms of psychosis. Marijuana is the most widely abused drug in the United States.

On March 6, 2013 the Attorney General will testify before the Senate Judiciary Committee. I hope you will ask him how he justifies not enforcing the nation's drug control laws and international treaty obligations. Further, I hope you will insist that he immediately take strong steps to ensure compliance with federal laws in the states that have approved "medical" marijuana and commercialized marijuana.

I am prepared to discuss these issues with you either formally or informally. I can be reached at the Institute for Behavior and Health, Inc. at (301) 231-9010.

Thank you for your service to our country.

Sincerely,

A handwritten signature in black ink, appearing to read "R. DuPont", written in a cursive style.

Robert L. DuPont, M.D.  
President

RLD:cs  
Enclosures