



Cannabis Reforms Developing in Senate and House



The US Congress is likely to take substantial action soon on medical cannabis. The Senate, which was a barrier to House legislation under Republican control, is now the center of planning and action, with new Senate Leader Chuck Schumer (D-NY) vowing immediate reforms will be a top priority.

Instead of taking the piecemeal approach of past Congresses, Leader Schumer has been coordinating on an omnibus bill with Sen. Corey Booker (D-NJ), who introduced the MORE Act in the last Congress, and Sen. Ron Wyden (D-OR), who was responsible for several Senate cannabis bills, including the State Cannabis Commerce Act, the Responsibly Addressing the Marijuana Policy Gap Act, and the Marijuana Justice Act.

Leader Schumer has also pressed Attorney General nominee Judge Merrick Garland to "respect the rights of states that have legalized marijuana." Sen. Wyden, now chair of the Senate Finance Committee, has said he intends to "end the prohibition and come up with sensible tax and regulatory oversight at the federal level."

The Senate has already had four pieces of cannabis reform legislation introduced. The



bipartisan Cannabidiol and Marijuana Research Expansion Act has been reintroduced by Sens. Chuck Grassley (R-IA), Dianne Feinstein (D-CA) and Brian Schatz (D-HI). This measure, which unanimously passed the Senate last year after being introduced in each of the last three Congresses, would make it easier to get medical research approval and allow qualified researchers to cultivate cannabis for studies. It would also direct the Department of Health and Human Services to provide reports to Congress on the therapeutic potential of cannabis and on the federal barriers to research.

Other cosponsors of the research bill include Sens. Kevin Cramer (R-ND), Dick Durbin (D-IL), Joni Ernst (R-IA), Tim Kaine (D-VA), Amy Klobuchar (D-MN), and Thom Tillis (R-NC). It has been endorsed by a host of professional medical groups and advocacy organizations, including the American Medical Association and ASA.

The US House of Representatives is also taking action on cannabis reforms. The bipartisan Hemp and Hemp-Derived CBD Consumer Protection and Market Stabilization Act would remove confusion over the status of CBD extracted from hemp by placing it under the

rules for the marketing and sale of dietary supplements. Introduced by Reps. Morgan Griffith (R-VA) and Kurt Schrader (D-OR) with 17 cosponsors, it mirrors a measure they sponsored in the last Congress.

The first reform bill filed in the 117th Congress was in the House. H.R.365 is a simple one that would reclassify cannabis from Schedule I to Schedule III. Introduced by Rep. Greg Steube (R-FL), it is also identical to a measure from the last Congress that failed to advance. Rep. Steube also filed H.R. 430, a bill to protect VA benefits for veterans who use medical cannabis that is similar to one he filed in the last Congress.

PFC Moving Toward New Accreditation



The PFC program is making progress on its ISO 17065 accreditation, an international standard for the competence, consistent operation and impartiality of product, process and service certification bodies. That accreditation will be the subject of PFC's first Review Board meeting of 2021.

The PFC Review Board is responsible for approving business certifications along with approving PFC policies and procedures, including the PFC Standard.

Idaho Advocates Look to 2022 as Lawmakers Try Block

Medical cannabis advocates are already at work preparing for the election in 2022. Following pandemic-related problems gathering signatures, advocates in Idaho have submitted to the secretary of state a new petition that would qualify a medical cannabis initiative for the 2022 ballot. The new measure is the same as last year's and would allow qualifying patients to possess up to four ounces of cannabis and cultivate six plants.

Meanwhile, the Idaho state legislature is trying to alter the state Constitution to block any legalization of cannabis. The Idaho Senate approved a resolution on a party-line vote to make that amendment. Passage requires a two-thirds vote in the state House. If enacted, only FDA-approved substances would ever be allowed to be sold or possessed in the state.

FDA Withdraws Proposed CBD Rules



After the Biden Administration requested that all pending rules be withdrawn, the U.S. Food and Drug Administration (FDA) rescinded draft rules for CBD that had been submitted to the Trump White House. The rules were developed under mandate from the 2018 Farm Bill that provided a path for the legal production and sale of hemp and its extracts throughout the U.S. The

new administration's halt to pending rules did not affect recent action by the Department of Agriculture on final rules for hemp production. A two-year process since the Farm Bill was enacted resulted in the loosening of some restrictions, such as allowing cannabis with up to 1% THC to be cultivated, instead of the previous 0.5% threshold. The bill defines hemp as cannabis with less than 0.3% THC.

Long-time Cannabis Prisoners Pardoned

More than a dozen federal prisoners serving long sentences for cannabis-related crimes were pardoned or had their sentences commuted by former-President Trump in his last days in office.

Several of those released were serving life sentences, including Craig Cesal, Corvain Cooper, John Knock, James Roman, Ferrell Damon Scott, Anthony DeJohn and Michael Pelletier, a paraplegic who had served 14 years. All were

non-violent, and several were first-time offenders.

Advocates had hoped clemency would be granted to Luke Scarmazzo, who is serving 22 years for operating the California Healthcare Collective, a licensed medical cannabis dispensary. His business partner and high school football teammate Ricardo Montes had his federal sentence commuted by former-President Obama at the end of his term in 2017.

Activist Profile: Pennsylvania State Rep. Christopher Rabb

Many elected officials have stepped forward to champion more sensible laws and policies that respect the experiences and needs of medical cannabis patients. Very few are willing to say that those laws and policies apply to them. Pennsylvania State Representative Christopher M. Rabb is one of the courageous few, using his experiences and position to advocate for expanding civil protections for patients in the state.

Elected in 2016 to represent the 200th District in northwest Philadelphia, Rep. Rabb took office as Pennsylvania was starting to implement the medical cannabis program the state legislature had established the previous spring. At that point, he had gone through high school, college and graduate school without ever trying cannabis, but he was looking for solutions to the disturbing effects of PTSD that had taken hold during the campaign.

On the Sunday afternoon before the primary, Rep. Rabb had just spoken with Alex Cherry, a young man who was interested in volunteering for his campaign. As he gave his name and phone number to one of Rabb's aides, someone walked up behind him on the sidewalk and shot him dead. For Rabb, the father of two teenage sons, sleeping has been a struggle ever since.

"I don't like taking medications," says Rep. Rabb, who only tried alcohol for the first time at 31 and didn't care for it. "All the medicines the doctors offered worried me because of the side effects and dependency, so I looked for other solutions that have been vetted. The tincture I use doesn't make me high; it just helps me sleep."

Speaking publicly about both his PTSD and medicinal cannabis use has made powerful connections for Rep. Rabb with others who struggle with the stigma associated with both.



"Some people were surprised when I started talking about, because not many people who achieve high-status positions like elected office will admit to something like PTSD, much less cannabis use," Rep. Rabb says. "But at the end of the day, I know my mother loves me -- I don't need others to validate my life choices."

A graduate of Yale College with a master's degree from University of Pennsylvania in organizational dynamics, Rep. Rabb wrote the book *Invisible Capital: How Unseen Forces Shape Entrepreneurial Opportunity* while a visiting researcher at Princeton. He is a former adjunct professor who taught at Temple University's Fox School of Business, and was a staffer at the White House Conference on Small Business during the Clinton administration and for the U.S. Senate.

Since being elected, Rep. Rabb founded the Pennsylvania House Democratic Caucus Equity

Committee and created a trust to support services for the poorest communities, paid for by a 1% surcharge on state correctional contracts. That sensitivity to current and historical equity issues informs his approach to cannabis policy.

"Cannabis policy is deeply connected to economics and racial and social justice." Rep. Rabb says. "Expunging criminal records for cannabis drug offences is one thing, but racial justice is also about ensuring access to the wealth that will be created. If we believe in fairness, then there needs to be an on-ramp for people who have been disadvantaged to participate, and an equitable amount from the taxes should go to the communities most in need."

Rep. Rabb also recognizes acutely and personally the lack of civil protections for medical cannabis patients and is working to end discrimination. Pennsylvania has a "per se" marijuana DUI law that says detection of even minute levels of THC or metabolites (1ng) is proof of impairment, even though people can test positive under that standard days and even weeks after any use. Rep. Rabb is reintroducing a bill to bring state law in line with science so people can't lose their driving privileges simply for being medical cannabis patients. His efforts are bipartisan, as the companion bill in the state Senate is sponsored by a conservative Republican, Sen. Camera Bartolotta.

Rep. Rabb is also introducing a measure to protect tenants, so they can't be evicted for being medical cannabis users. He'd like a bill that applies to public housing, too, but federal law and policy remain a problem. He also opposes restrictions on medical cannabis patients' 2nd Amendment rights, as federal and state laws have been interpreted as preventing firearm purchase or ownership by qualified patients.

Rep. Rabb's other legislative priorities include enhancing social justice and equity for all Pennsylvanians, addressing climate change through renewable energy, and improving police accountability.

"I just don't believe in prohibition," Rep. Rabb says. "Our drug laws have not been modernized, and police are not been properly trained. The war on drugs has been the cause of so many negative things."

Among the things Rep. Rabb does believe in is what he calls "grassroots co-governance," which brings to policy decisions the voices of those affected. When it comes to medical cannabis, one of those voices is his own.

"My approach to medical cannabis is not just to vote the right way," Rep. Rabb says. "It's so right I do it myself."

Action Alert: Take the No Patient Left Behind Pledge!

As widespread as medical cannabis laws have become in the US, millions of people who should be able to obtain and use cannabis for medical purposes are still without access. The first 100 days of the Biden Administration represent a unique opportunity to make reforms that will harmonize federal law with state and local medical cannabis programs and expand access to all who might benefit from it. To support that, ASA has launched the 100 Days Pledge for advocates. Find out more and take the pledge today at: www.safeaccessnow.org/100dayspledge.

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