

THE
NATIONAL LAW REVIEW

Historic Vote in Congress Aims to Protect State Cannabis Programs

Monday, June 24, 2019

By a vote of 267 to 165, the United States House of Representatives (the “House”) passed a bipartisan amendment protecting state cannabis programs and its users from federal prosecution.

Named after its co-founder, Representative Earl Blumenauer (D-OR), the Blumenauer amendment explicitly prohibits the United States Department of Justice (the “USDOJ”) from utilizing federal tax monies to enforce the federal prohibition of marijuana in states that have legalized cannabis.

The Blumenauer amendment constitutes a significant diversion from prior Congressional action on state cannabis programs. Since 2014, Congress has enacted similar appropriations riders which only protected state *medical* cannabis programs. The Blumenauer amendment, however, protects *allstate* cannabis programs. Thus, for the first time, the House has passed an amendment protecting the *recreational* consumption of cannabis.

Regarding funding, the USDOJ is simply no different than any other federal agency. Without proper funding, an agency cannot enforce or otherwise impose its mandate on behalf of the federal government. Thus, for all intents and purposes, the Blumenauer amendment validates state cannabis programs and protects those operating under them.

While the Blumenauer amendment still requires passage through the Senate and President Trump’s signature, the House’s actions are a historic step forward for the federal legalization of cannabis in the United States.

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