



U.S. Department of Justice  
Drug Enforcement Administration

95 APR 26 AM 5:14

Washington, D.C. 20537

APR 21 1995

Honorable John Warner  
United States Senate  
Washington, D.C. 20510

Dear Senator Warner:

This is in response to your correspondence dated March 15, 1995, on behalf of your constituent, Mr. Jon Gettman, who expresses his opinion that marijuana is improperly classified as a Schedule I substance under the Controlled Substances Act (CSA). I would like to assure you and Mr. Gettman that the Drug Enforcement Administration (DEA) has not abrogated its responsibility under the CSA. As I discussed in my correspondence of March 1, 1995, the DEA has engaged in an exhaustive investigation and rulemaking regarding rescheduling of marijuana and has determined that marijuana should remain in Schedule I. This decision has been affirmed by the United States Court of Appeals for the D.C. Circuit.

With regard to your constituent's inquiry, the CSA provides that the Administrator of DEA has the discretion to initiate proceedings to reschedule a substance either on his own initiative, pursuant to the request of the Secretary of Health and Human Services, or upon the petition of an individual (Title 21, U.S.C., Section 811). While the DEA is under no statutory obligation to reassess scheduling decisions, DEA continues to monitor and evaluate the status of all drugs and substances under its authority.

The DEA routinely re-evaluates the control status of substances when new scientific evidence comes to our attention. We are unaware of any new scientific studies of marijuana that would lead us to re-evaluate its classification at this time; therefore, no such evaluation is now in process nor do we feel it necessary based on the information available to us. If Mr. Gettman has access to scientific data concerning marijuana which he wishes to bring to our attention, we will be pleased to consider it, should he care to share the documentation with us. While the Office of Technology Assessment reports to which he referred deal with drug abuse, they provide no new information which would lead us to undertake a re-evaluation of the legal status of this substance. It is DEA's continued judgment that marijuana is properly placed in Schedule I. Marijuana is a highly abused substance which has no medical use.

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I trust that this information will assist you in responding to your constituent. If I may be of further assistance to you in this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tom Constantine', with a large, stylized flourish at the end.

Thomas A. Constantine  
Administrator