

DEA Administrator Karen P. Tandy
Drug Enforcement Administration
Mailstop: AXS
2401 Jefferson Davis Highway
Alexandria, VA 22301

Dear Administrator Tandy,

We are writing to urge you to accept DEA Administrative Law Judge (ALJ) Mary Ellen Bittner's February 12, 2007 Opinion and Recommended Ruling. Judge Bittner concluded that it would be in the public interest for DEA to approve the application from Professor Lyle Craker, University of Massachusetts-Amherst, for a DEA Schedule I license as a bulk manufacturer of marijuana. Prof. Craker's facility would be privately-funded and would produce marijuana for use exclusively by federally-approved researchers.

At present, the National Institute on Drug Abuse (NIDA) has a monopoly on the production of marijuana for legitimate medical and research purposes in the United States. Judge Bittner found this monopoly to be unjustified, since federal law clearly requires adequate competition in the manufacture of Schedule I and II substances. (See 21 U.S.C. § 823(a)(1); see also 21 C.F.R. § 1301.33(b).)

The University of Massachusetts-Amherst is one of the nation's distinguished research universities, and it is highly qualified to manufacture marijuana for legitimate medical and research purposes with effective controls against diversion.

Granting a license to Prof. Craker would allow the initiation of privately-funded FDA-approved research designed to evaluate the medical utility of marijuana for patients undergoing chemotherapy or suffering from AIDS, glaucoma, multiple sclerosis, or other diseases.

As one of your predecessors, DEA Administrator Robert Bonner, stated, "Those who insist that marijuana has medical uses would serve society better by promoting or sponsoring more legitimate scientific research, rather than throwing their time, money and rhetoric into lobbying public relations campaigns and perennial litigation." We urge you to accept Judge Bittner's recommendation that it would be in the public interest for DEA to grant Prof. Craker's application for registration as a bulk manufacturer so that such legitimate and privately-funded scientific research will be conducted.

Respectfully,

John Olver
Member of Congress

Dana Rohrabacher
Member of Congress