



**EXECUTIVE OFFICE OF THE PRESIDENT**  
**OFFICE OF NATIONAL DRUG CONTROL POLICY**  
Washington, D.C. 20503

**Marijuana Legalization; A Non-Starter**

ONDCP Director R. Gil Kerlikowske

October 23, 2009

The Department of Justice earlier this week issued guidelines for Federal prosecutors regarding laws authorizing the use of marijuana for medical purposes. This prompted a flurry of news reports, analysis and commentary, some arguing that the guidelines could be read as the Federal government's tacit approval of "medical" marijuana. Advocates of marijuana legalization tried to cast the guidelines as a victory, portraying them as a step toward full legalization. Neither of these analyses is correct.

Marijuana legalization, for any purpose, remains a non-starter in the Obama Administration. It is not something that the President and I discuss; it isn't even on the agenda. Attorney General Holder issued very clear guidelines to U.S. Attorneys about the appropriate use of Federal resources. He did not open the door to legalization.

Regarding state ballot initiatives concerning "medical" marijuana, I believe that medical questions are best decided not by popular vote, but by science. The Food and Drug Administration (FDA), which studies and approves all medicines in the United States, has made very clear that the raw marijuana plant is not medicine, and any state considering medical marijuana should look very carefully at what has happened in California.

Legalization is being sold as being a cure to ending violence in Mexico, as a cure to state budget problems, as a cure to health problems. The American public should be skeptical of anyone selling one solution as a cure for every single problem. Legalized, regulated drugs are not a panacea—pharmaceutical drugs in this country are tightly regulated and government controlled, yet we know they cause untold damage to those who abuse them.

To test the idea of legalizing and taxing marijuana, we only need to look at already legal drugs—alcohol and tobacco. We know that the taxes collected on these substances pale in comparison to the social and health care costs related to their widespread use.

In a little over three months, my office will deliver to President Obama a National Drug Control Strategy that will strike a balance between public health and public safety, recognizing that reducing demand through a community-wide approach is critical to our success. Legalization would only thwart our efforts and increase the economic and social costs that result from greater drug acceptance and use.

—R. Gil Kerlikowske