

# United States Senate

WASHINGTON, DC 20510

September 29, 2014

U.S Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Attorney General Holder,

We write to bring your attention to an issue facing children in New York suffering from a handful of rare pediatric epileptic and seizure disorders that can be alleviated by cannabidiol, otherwise known as cannabis oil, made from the cannabis plant.

Medical marijuana growers and providers in Colorado have successfully developed a strain of marijuana, most commonly known as "Charlotte's Web," that is being used to treat children with epileptic and seizure disorders. In June of this year, New York passed legislation that would allow limited access to medical marijuana; however, because of the gradual implementation of the law, this type of low in THC medical marijuana is not yet available in New York.

In an August 2013 memo, the Department of Justice signaled that law enforcement agencies should use prosecutorial discretion in cases involving legalized marijuana. We understand that law enforcement agencies must continue to be vigilant in marijuana prosecutions when it serves as a source of revenue to criminal enterprises, gangs, cartels and the like. However, children suffering from severe epileptic and seizure disorders urgently need medicinal marijuana to ease the symptoms of this horrible disease, and these children obviously do not pose any imminent criminal threat. We are deeply concerned that attempts by these families to secure the above-mentioned cannabidiol medical marijuana from Colorado will leave state officials, providers, parents, and patients vulnerable to prosecution under federal law.

As Members of Congress whose constituents suffer from these illnesses, we feel that the federal government ought to do what it can to help these children. Therefore, we are requesting that you provide the State of New York with a waiver that would prohibit federal prosecution for the importation of Cannabidiol in the rare cases where medical marijuana is imported between two states with legalized medical marijuana, and the amount is small, finite and prescription-based. This measure is a healthcare imperative for those who suffer from this condition and will greatly improve the lives of these children. Thank you for your continued efforts to improve the lives of American citizens. We look forward to hearing from you on this important matter.



KIRSTEN GILLIBRAND  
United States Senate

Sincerely,



CHARLES SCHUMER  
United States Senate