

P O S I T I O N P A P E R

FEDERAL MARIJUANA LEGALIZATION

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I. STATEMENT OF POSITION

FEDERAL MARIJUANA PROHIBITION SHOULD HAVE ENDED LONG AGO. TAX IT AND REGULATE IT LIKE ALCOHOL. THAT IS THE POLICY. IT IS NOT COMPLICATED, IT IS NOT RADICAL, AND THE ONLY REASON IT HAS NOT HAPPENED IS THAT CONGRESS HAS BEEN TOO TIMID TO CATCH UP WITH THE AMERICAN PUBLIC, WHICH HAS BEEN AHEAD OF IT FOR YEARS.

PEOPLE ARE ALREADY USING MARIJUANA. STATES HAVE ALREADY LEGALIZED IT. THE FEDERAL GOVERNMENT IS BEHIND THE CURVE – AND WHILE IT DITHERS, PEOPLE ARE SITTING IN FEDERAL AND STATE PRISONS FOR SOMETHING THAT IS LEGAL IN HALF THE COUNTRY. THAT IS NOT JUSTICE. THAT IS A POLICY FAILURE. I WILL VOTE TO END IT.

II. WHERE WE ARE

AS OF 2026, THE MAJORITY OF U.S. STATES HAVE LEGALIZED MARIJUANA FOR RECREATIONAL OR MEDICAL USE, OR BOTH. TENS OF MILLIONS OF AMERICANS USE IT LEGALLY UNDER STATE LAW. STATE AND LOCAL GOVERNMENTS ARE COLLECTING BILLIONS IN TAX REVENUE FROM REGULATED SALES. THE CANNABIS INDUSTRY EMPLOYS HUNDREDS OF THOUSANDS OF WORKERS.

AND YET MARIJUANA REMAINS A SCHEDULE I CONTROLLED SUBSTANCE UNDER FEDERAL LAW – CLASSIFIED ALONGSIDE HEROIN, ABOVE COCAINE, AS HAVING NO ACCEPTED MEDICAL USE AND A HIGH POTENTIAL FOR ABUSE. THIS CLASSIFICATION IS NOT SUPPORTED BY SCIENCE. IT IS A RELIC OF THE WAR ON DRUGS, A POLICY REGIME THAT HAS BEEN ONE OF THE MOST EXPENSIVE, RACIALLY DISCRIMINATORY, AND DEMONSTRABLY INEFFECTIVE PUBLIC POLICY EXPERIMENTS IN AMERICAN HISTORY.

THE CONTRADICTION BETWEEN FEDERAL LAW AND THE REALITY ON THE GROUND CREATES REAL HARM EVERY DAY: CANNABIS BUSINESSES OPERATING LEGALLY UNDER STATE LAW CANNOT ACCESS FEDERAL BANKING SERVICES, FORCING THEM TO OPERATE IN CASH. WORKERS IN THE CANNABIS INDUSTRY ARE DENIED FEDERAL EMPLOYMENT. AND PEOPLE CONVICTED UNDER FEDERAL MARIJUANA STATUTES SERVE TIME FOR CONDUCT THAT WOULD BE ENTIRELY LEGAL ACROSS THE STREET IN A LEGAL STATE.

III. THE COMMON SENSE CASE

LEGALIZATION MEANS REGULATION. REGULATION MEANS SAFETY STANDARDS, AGE LIMITS, LABELING REQUIREMENTS, AND TAX REVENUE. PROHIBITION MEANS CARTELS PROFIT, CRIMINAL RECORDS ACCUMULATE FOR POSSESSION,

AND THE GOVERNMENT COLLECTS NOTHING WHILE SPENDING BILLIONS ON ENFORCEMENT.

WE SOLVED THIS PROBLEM BEFORE. ALCOHOL PROHIBITION ENDED IN 1933. WE BUILT A REGULATORY FRAMEWORK. WE SET AGE LIMITS. WE ESTABLISHED STANDARDS FOR PRODUCTION AND SALE. WE TAXED IT. THE SYSTEM IS NOT PERFECT, BUT IT FUNCTIONS. THERE IS NO PRINCIPLED REASON WHY THE SAME FRAMEWORK CANNOT GOVERN MARIJUANA – A SUBSTANCE THAT BY EVERY AVAILABLE MEASURE IS LESS HARMFUL THAN ALCOHOL.

EVERY DOLLAR SPENT ENFORCING MARIJUANA PROHIBITION IS A DOLLAR NOT SPENT ON ACTUAL PUBLIC SAFETY – ON INVESTIGATING VIOLENT CRIME, ON COMBATING THE OPIOID EPIDEMIC, ON KEEPING COMMUNITIES SAFE FROM HARMS THAT ARE REAL AND SERIOUS. EVERY PERSON LOCKED UP FOR A MARIJUANA-RELATED OFFENSE IS A PERSON WHOSE LIFE HAS BEEN DISRUPTED, WHOSE FAMILY HAS BEEN AFFECTED, AND WHOSE FUTURE HAS BEEN NARROWED FOR NO GOOD REASON.

IV. THE RACIAL JUSTICE DIMENSION

FEDERAL MARIJUANA PROHIBITION HAS NOT BEEN ENFORCED NEUTRALLY. STUDY AFTER STUDY HAS DOCUMENTED THAT BLACK AND BROWN AMERICANS ARE ARRESTED, PROSECUTED, AND INCARCERATED FOR MARIJUANA OFFENSES AT DRAMATICALLY HIGHER RATES THAN WHITE AMERICANS, DESPITE COMPARABLE RATES OF USE ACROSS RACIAL GROUPS. THE WAR ON DRUGS WAS BUILT IN PART ON RACIAL ANXIETY AND HAS BEEN ADMINISTERED IN A MANNER THAT REFLECTS AND COMPOUNDS EXISTING RACIAL INEQUITIES IN THE CRIMINAL JUSTICE SYSTEM.

LEGALIZATION WITHOUT EXPUNGEMENT IS INCOMPLETE JUSTICE. THE PEOPLE WHO BORE THE COST OF THIS POLICY – DISPROPORTIONATELY COMMUNITIES OF COLOR – DESERVE TO HAVE THOSE RECORDS CLEARED. A CRIMINAL CONVICTION FOR MARIJUANA POSSESSION SHOULD NOT FOLLOW SOMEONE FOR THE REST OF THEIR LIFE FOR CONDUCT THAT IS NOW LEGAL. THE LAW CHANGED. THE RECORDS MUST CHANGE WITH IT.

V. WHAT I WILL FIGHT FOR

- **FEDERAL DESCHEDULING OF MARIJUANA, REMOVING IT FROM THE CONTROLLED SUBSTANCES ACT ENTIRELY AND ENDING FEDERAL PROHIBITION.**
- **A FEDERAL REGULATORY FRAMEWORK MODELED ON ALCOHOL REGULATION: AGE LIMITS, LICENSED PRODUCERS AND RETAILERS, SAFETY AND LABELING STANDARDS, AND RESTRICTIONS ON ADVERTISING TARGETING MINORS.**
- **FEDERAL EXCISE TAXES ON MARIJUANA SALES, WITH REVENUE DIRECTED TO EDUCATION, HEALTHCARE, INFRASTRUCTURE, AND COMMUNITY REINVESTMENT IN AREAS MOST HARMED BY PROHIBITION ENFORCEMENT.**

- **MANDATORY EXPUNGEMENT OF FEDERAL MARIJUANA CONVICTIONS FOR POSSESSION AND LOW-LEVEL OFFENSES, AND FEDERAL INCENTIVES FOR STATES TO DO THE SAME.**
- **RELEASE OF INDIVIDUALS CURRENTLY SERVING FEDERAL SENTENCES FOR MARIJUANA OFFENSES THAT WOULD NO LONGER BE CRIMINAL UNDER THE NEW LAW.**
- **RESOLUTION OF THE FEDERAL BANKING PROBLEM, ALLOWING CANNABIS BUSINESSES OPERATING LEGALLY UNDER STATE LAW TO ACCESS BANKING SERVICES WITHOUT FEDERAL PENALTY.**
- **INVESTMENT IN COMMUNITIES – PARTICULARLY COMMUNITIES OF COLOR – THAT WERE DISPROPORTIONATELY HARMED BY DECADES OF PROHIBITION ENFORCEMENT, FUNDED IN PART BY MARIJUANA TAX REVENUE.**

VI. CONCLUSION

THIS IS A COMMON SENSE ISSUE. THE SCIENCE DOES NOT SUPPORT SCHEDULE I CLASSIFICATION. THE PUBLIC DOES NOT SUPPORT CONTINUED PROHIBITION. THE STATES HAVE MOVED ON. THE ONLY THING KEEPING FEDERAL MARIJUANA PROHIBITION IN PLACE IS INSTITUTIONAL INERTIA AND THE LINGERING INFLUENCE OF A FAILED POLICY FRAMEWORK THAT HAS CAUSED FAR MORE HARM THAN IT EVER PREVENTED.

LEGALIZE IT. TAX IT. REGULATE IT. EXPUNGE THE RECORDS. USE THE REVENUE FOR SOMETHING USEFUL. THIS SHOULD HAVE BEEN DONE LONG AGO. I WILL VOTE FOR IT.

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