

## CONGRESS

## Schumer: Senate will act on marijuana legalization with or without Biden

The majority leader shared his plans for cannabis legislation with POLITICO in an exclusive interview.



Senate Majority Leader Chuck Schumer speaks during a news conference following the Senate policy luncheon on Capitol Hill. | Erin Scott/Pool via AP

By **NATALIE FERTIG**

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Senate Majority Leader Chuck Schumer really likes to talk about weed.



Schumer has been making waves on cannabis policy since he first introduced a bill to legalize marijuana in April 2018. It was [part of his pitch](#) for voting Democrat in the 2020 election, and now — with the majority in hand — he is putting together new federal marijuana reform legislation with Sens. Cory Booker (D-N.J.) and Ron Wyden (D-Ore.).

This week, Schumer's home state of New York legalized marijuana use for adults, after years of failed efforts. More than 40 percent of Americans now live

President Joe Biden has been a conspicuous outlier among Democrats when it comes to supporting marijuana legalization. But Schumer said Biden's reticence won't deter the Senate from taking aggressive action to loosen federal restrictions.

"I want to make my arguments to him, as many other advocates will," Schumer said in an interview with POLITICO this week. "But at some point we're going to move forward, period."

Schumer pointed to the decade-long experiment with state legalization as evidence that the worst fears of what would happen were overblown. "The legalization of states worked out remarkably well," he said. "They were a great success. The parade of horrors never came about, and people got more freedom."

Schumer was so enthusiastic to get to the cannabis policy discussion that he started sharing his thoughts before a question was posed. This conversation has been edited for length and clarity.





FILE - This April 6, 2018, file photo shows the leaves of a marijuana plant inside Ultra Health's cultivation greenhouse in Bernalillo, N.M. Legislation to legalize cannabis in New Mexico advanced Thursday, March 18, 2021, toward a decisive Senate floor vote under a framework that emphasizes government oversight of pricing and supplies and social services for communities where the criminalization of pot led to aggressive policing. A Senate judiciary committee advanced a Democrat-sponsored bill on a 5-4 vote amid stinging criticism from Democratic Sen. Joseph Cervantes, who fears the regulatory framework will create a powerful, government-protected monopoly. (AP Photo/Susan Montoya Bryan, File) | Susan Montoya Brya/AP Photo

**Schumer:** In 2018, I was the first member of the Democratic leadership to come out in support of ending the federal prohibition. I'm sure you ask, "Well what changed?" Well, my thinking evolved. When a few of the early states — Oregon and Colorado — wanted to legalize, all the opponents talked about the parade of horrors: Crime would go up. Drug use would go up. Everything bad would happen.

The legalization of states worked out remarkably well. They were a great success. The parade of horrors never came about, and people got more freedom. And people in those states seem very happy.

I think the American people started speaking with a clear message — more than [two to one](#) — that they want the law changed. When a state like South Dakota votes by referendum to legalize, you know something is out there.

**Was there a specific moment or a specific experience that you can point to and say, “This is when I started to see this issue differently?”**

A while back — I can’t remember the exact year — I was in Denver. I just started talking to people, not just elected officials, but just average folks.

[They said] it benefited the state, and [didn’t] hurt the state. There were tax revenues, but people had freedom to do what they wanted to do, as long as they weren’t hurting other people. That’s part of what America is about. And they were exultant in it.

**What difference does the fact that the Senate is now controlled by Democrats make for legalization, and is 51 votes enough to pass the bill that you’re about to propose?**

Probably the most important power of the majority leader is the ability to put bills on the floor. And the fact that I am introducing a bill, and the fact that people will know that there will be a vote on this sooner or later — that’s the big difference.

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Even when states were for this, if [then-Senate Majority Leader Mitch] McConnell wouldn't bring the bill up, their senators were never challenged: "How are you going to vote?" And they could say, "Well ... I don't know." They don't have to say anything. And so the fact that every member will know once we introduce this legislation — not only that it has my support, but that it will come to the floor for a vote — is going to help move things forward in a very strong way.

**What role does President Biden play in this? He does not support the full legalization of cannabis. Are you worried that he could veto this bill if it passes?**

Well, he said he'd like to see more information on the issue. I respect that. I certainly will have an ongoing conversation with him, and tell him how my views evolved. And hope that his will to.

**Will the Senate move forward even if the president's views do not evolve on this?**

We will move forward. He said he's studying the issue, so [I] obviously want to give him a little time to study it. I want to make my arguments to him, as many other advocates will. But at some point we're going to move forward, period.

**New York State will soon have a legal cannabis industry, and banking is going to be a big issue. The SAFE Banking Act has already been reintroduced in the Senate. Are you working with Banking Committee Chairman [Sherrod] Brown to move the SAFE Banking Act this Congress?**



We've talked to the Banking Committee, and we certainly want to make sure that the communities that [have] most been affected by this — over the scheduling of marijuana — get some of the benefits here. But we have to figure out the right way to do that.

**Chairman Brown has said that standalone cannabis legislation shouldn't move ahead of the comprehensive reform. Do you agree with that statement?**

I would like to see it all move together, yes.



CANNABIS

**Democratic-led Senate could clear a path to marijuana legalization**

BY NATALIE FERTIG

**You said during the 2020 election that McConnell's opposition to cannabis policy was the primary thing holding it up. But do you know of or believe there are other Republicans who do support removing cannabis from the Controlled Substances Act?**

Yes. What we want to do is first introduce our comprehensive bill, and then start sitting down with people who are not for this in both parties, and A) try to educate them, B) see what their objections are, and if they have some modifications that don't interfere with the main thrust of the bill — we'd certainly listen to some suggestions if that'll bring more people on board. That is not to say we're going to throw overboard things like expungement of records — [things that are] very important to us — just because some people don't like it.

**Speaking of expungement of records, most criminal records are at the state level, not at the federal level. Do you think that the federal government should be pushing states to expunge those records?**

Yes.

## **How?**

While we can't require it, we can get all kinds of different incentives — incentives and disincentives.

**Along those lines, decriminalization versus legalization is something that a lot of people don't fully understand. You actually said yesterday to reporters that you call it "decriminalization" because that lets the states legalize. And just to clarify, when you say decriminalization...**

I am personally for legalization. And the bill that we'll be introducing is headed in that direction.

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## **Does it remove marijuana completely from the Controlled Substances Act?**

Oh, you'll have to wait. I don't want to get into the details of our bill. You'll have to wait and see.

**The vice president sponsored the [comprehensive legalization legislation] MORE Act in the previous Congress. Has she been involved at all in these legalization talks?**

We would like to get her involved, but we have not yet.

**You said that the timeline on this bill is soon. Does that mean that we're going to see it in the next two weeks?**

I'll stick to what I said: soon.

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