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BACKGROUND

- **The MORE Act is a comprehensive criminal justice reform bill that would federally decriminalize marijuana** by removing (“descheduling”) it from the Controlled Substances Act (“CSA”).
- It includes provisions to begin repairing the harms caused by marijuana criminalization.
- First introduced in 2019, the MORE Act was passed by the U.S. House of Representatives in December 2020 and April 2022, making it the only bill that the House has approved to deschedule marijuana.
- It remains the only House bill that would fully and clearly deschedule marijuana at the federal level.

The harms of federal marijuana criminalization include blocking jobs, housing, and food assistance:

In 1971, the enactment of the federal Controlled Substances Act (CSA) designated marijuana as a Schedule I substance. This means the federal government criminalized it because it considers marijuana to have no accepted medical use and a high potential for abuse. However, people use marijuana for health issues such as chronic pain, anxiety, and epilepsy. Drug scheduling has often been shaped more by politics and stigma than by science. The placement of marijuana in the CSA established significant criminal penalties for marijuana production, distribution, possession, and use.¹ Negative outcomes of marijuana’s placement in the CSA include:

- **Tens of thousands arrested, convicted, and incarcerated** on federal marijuana charges.
- Targeted, discriminatory policing of Black and brown communities. **Black people are 3.6 times more likely than whites to be arrested for marijuana.**²

- Despite pardons for some marijuana possession cases in 2022 and 2023, **thousands remain incarcerated for federal marijuana charges.**³

The impact of federal marijuana criminalization extends far beyond the walls of federal prisons. For example, the people convicted for federal marijuana offenses experience:

- **Separation from their families**, causing emotional and financial distress.
- **Poor prison conditions**, leading to negative physical and mental health consequences.
- **Difficulty finding work**, housing, or food assistance due to collateral barriers from incarceration.⁴
- **Risk of immigrant detention and deportation**—even for working in state-regulated marijuana businesses—**because marijuana remains federally criminalized.**⁵

Marijuana’s placement in the CSA has also created harm beyond the criminal justice system.

- **Researchers face barriers in studying the medical benefits** of marijuana.
- **Veterans are blocked from accessing medical marijuana** to treat service-related pain and anxiety.
- **Small marijuana businesses are unable to access Small Business Administration loans, grants, and deductions.**

Passing the MORE Act would end federal marijuana criminalization, open up health research, and help small marijuana businesses and veterans.

WHAT DOES THE MORE ACT DO?

Ends the federal criminalization of marijuana.

By removing marijuana from the CSA, the MORE Act clearly and unambiguously decriminalizes marijuana at the federal level. This is the most crucial element of federal marijuana reform. As long as marijuana remains listed anywhere in the CSA, steep criminal penalties and related barriers will stay in place.

Creates pathways to reduced criminal sentences and expungements to restore jobs, housing, and civil rights for those with marijuana convictions.

The MORE Act would allow for reductions in sentences for those currently incarcerated for marijuana convictions, as well as set up a system to automatically expunge previous marijuana convictions. Expungements of previous marijuana arrests are necessary to address the harms caused by the collateral consequences of a marijuana conviction, such as challenges to finding a job, accessing public benefits, such as SNAP/TANF or housing assistance, and the restoration of other rights, such as voting.

Establishes an Opportunity Trust Fund to support job training, reentry, and health education for communities harmed by marijuana criminalization.

To address the social harms caused by marijuana criminalization and its adverse effects on people incarcerated for marijuana offenses and the communities that were disproportionately targeted for enforcement, the MORE Act creates an Opportunity Trust Fund funded by federal marijuana tax revenue. This program would finance services in communities that need it most, providing job training, reentry support, literacy programs, youth programs, legal aid, and health education.

Promotes fairness in the marijuana industry for small businesses.

As long as marijuana remains federally criminalized, small businesses and workers in the state-regulated marijuana industry will be needlessly disadvantaged compared to those working in other regulated industries. The MORE Act would not only legalize the state-regulated marijuana industry and end the tax penalty imposed by Section 280E of the Internal Revenue Code, it would also establish the Cannabis Restorative Opportunity Program and the Equitable Licensing Grant Program within the Small Business Administration to support the inclusion of impacted people in the marijuana industry.

Advances public health by easing research restrictions to study marijuana for health benefits.

Marijuana's placement in the CSA has inhibited doctors and scientists from fully investigating the potential health benefits that marijuana and its derivatives may provide. Despite the passage of the Medical Marijuana and Cannabidiol Research Expansion Act in 2022, which was designed to ease some of the burdens imposed upon doctors and scientists seeking to conduct clinical research on marijuana, it remains significantly difficult to research marijuana.⁶ Descheduling marijuana through the MORE Act would lift many of the existing barriers to research to help unlock the full medical and scientific potential of marijuana.

Lifts restrictions on veterans' access to medical marijuana.

Currently, veterans who have served their country face hurdles to accessing state-regulated medical marijuana programs. This is due to a Veterans Health Administration policy directive predicated on marijuana's placement in the CSA that forbids U.S. Department of Veterans Affairs (VA) doctors from filling out paperwork associated with enrolling veterans in state medical marijuana programs.⁷ As a result, veterans seeking to treat a condition with medical marijuana must go out of pocket to see a non-VA physician, which not only results in added expenses for the veteran patient but can also complicate their treatment plans due to having to see a doctor outside of a primary VA physician. By descheduling marijuana, the MORE Act would make it easier and less financially burdensome for veterans to enroll in state medical marijuana programs.

IS MOVING (“RESCHEDULING”) MARIJUANA ON THE CSA ENOUGH OR DO WE NEED TO DESCHEDULE IT?

Marijuana must be fully removed from the Controlled Substances Act, not just rescheduled. President Biden began the process to move marijuana from Schedule I of the CSA to Schedule III. President Trump has indicated support for rescheduling marijuana.⁸ While moving a substance on the CSA outside of Schedule I typically means the restrictions and punishments associated with the substance are reduced, this is not the case with marijuana. Regardless of whether or not marijuana is rescheduled to Schedule III or any other schedule in the CSA, marijuana will remain federally criminalized.

Maintaining marijuana on the CSA means:

- Mandatory minimum criminal sentences will continue to apply.
- State medical and adult-use marijuana programs will still be federally illegal.
- Individuals with previous convictions will continue to be denied federal benefits.
- Noncitizens will still face the risk of detention and deportation.
- Workers will continue to lack federal workplace safety standards and benefits.
- Veterans will still face barriers to accessing medical marijuana.

While rescheduling a drug to a less restrictive schedule generally loosens the restrictions around researching it, this would not happen with marijuana. A September 2024 report from the Congressional Research Service found that researchers of “marijuana or CBD containing drugs would not benefit from these looser restrictions associated with rescheduling without congressional action.”⁹ This is due to the Medical Marijuana and Cannabidiol Research Expansion Act, which was signed into law in 2022, and “created separate requirements for marijuana researchers and manufacturers to expedite registration with the DEA, and these separate requirements would not be affected by rescheduling without additional congressional action.”¹⁰

To truly decriminalize marijuana at the federal level and address the harms of criminalization, Congress must pass a legislative solution like the MORE Act that fully deschedules marijuana from the CSA.

WHAT CAN I DO TO SUPPORT THE MORE ACT?

Contact your Representative and urge them to join the MORE Act as a cosponsor. The MORE Act will end decades of discriminatory marijuana criminalization, begin to repair past harms, and prioritize equity and justice in federal marijuana law and policy.

END NOTES

1. Controlled Substances Act, 21 USC § 841 and § 844a.
2. American Civil Liberties Union, "Extreme Racial Disparities Persist in Marijuana Arrests," accessed August 20, 2025, <https://graphics.aclu.org/marijuana-arrest-report/>.
3. Last Prisoner Project, "Exactly How Many People are Locked Up for Weed?," accessed August 20, 2025, <https://www.lastprisonerproject.org/cannabis-prisoner-scale>.
4. Sacco, Lisa N. Rescheduling Marijuana: *Implications for Criminal and Collateral Consequences*. Congressional Research Service, 2024. <https://www.congress.gov/crs-product/IFI2715>.
5. Immigrant Defense Project, "The Impact of Marijuana Legalization on Immigrants," accessed August 20, 2025, <https://www.immigrantdefenseproject.org/marijuana/>.
6. Pennington, Shane. "I Was Wrong About the Medical Marijuana and Cannabidiol Research Expansion Act" On Drugs (blog), June 1, 2023. <https://ondrugs.substack.com/p/i-was-wrong-about-the-medical-marijuana>.
7. Dept. of Veterans Affairs. Veterans Health Administration. VHA Directive 1315. "ACCESS TO VHA CLINICAL PROGRAMS FOR VETERANS PARTICIPATING IN STATE-APPROVED MARIJUANA PROGRAMS." July 28, 2023. https://www.va.gov/vhapublications/ViewPublication.asp?pub_ID=11394.
8. Watson, Kathryn. "How Trump and Harris' Stances and Policy Plans on Marijuana Legalization Compare" CBS News, November 2, 2024. <https://www.cbsnews.com/news/trump-harris-stances-marijuana-2024/>.
9. Kafka, Dorothy C. *Legal Eeffect of Marijuana Rescheduling on FDA's Regulation of Cannabis*. Congressional Research Service, 2024. <https://www.congress.gov/crs-product/LSB11227>.
10. Ibid.