



September 1, 2021

The Honorable Charles E. Schumer  
Senate Majority Leader  
322 Hart Senate Office Building  
Washington, DC 20510

The Honorable Ron Wyden  
United States Senate  
221 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Cory Booker  
United States Senate  
717 Hart Senate Office Building  
Washington, DC 20510

Dear Leader, Schumer, Senator Wyden, and Senator Booker,

Amazon thanks you for seeking public comment from stakeholders on the *Cannabis Administration and Opportunity Act*. We believe the time has come for reform of the nation's cannabis policy and we are committed to helping lead the effort. Given our support for legalizing cannabis at the federal level, expunging certain criminal records, and investing in impacted businesses and communities, Amazon recently announced our support for, and began actively lobbying on, the *Marijuana Opportunity Reinvestment and Expungement Act of 2021 (MORE Act)*. As your bill would achieve similar objectives, we are pleased to endorse the *Cannabis Administration and Opportunity Act* as currently drafted.

Amazon's comments on specific elements of the bill are below, though we have refrained from commenting on areas where we do not have a particular view, including regulation, permitting, taxation, and interstate commerce.

Historically, criminal marijuana provisions have been unequally enforced upon people of color, perpetuating a vicious cycle of over-incarceration, poverty, health conditions, and other barriers to employment and economic opportunity. Likewise, pre-employment marijuana testing has disproportionately affected communities of color by stalling job placement and, by extension, economic growth. We believe this inequitable treatment is unacceptable, and in June of 2021, Amazon announced that we would begin, as a matter of practice, excluding marijuana from our comprehensive pre-employment drug screening program for unregulated positions (e.g., positions not regulated by the Department of Transportation). We also reinstated employment eligibility of both former employees terminated due to receiving a non-negative THC result during random drug tests, as well as applicants that were deferred for the same reason during standard pre-employment screenings. We've now made those changes, but in a commitment to the safety of our employees and the general public, Amazon continues to do impairment checks on the job and will test for all drugs and alcohol after any incident.

We've made these changes for a few reasons. First, we recognized that an increasing number of states are moving to some level of cannabis legalization. This divergence of state rules made it difficult to implement an equitable, consistent, and national pre-employment marijuana testing program. Further, as a matter of fairness, we didn't feel right about denying employment to individuals engaging in off-duty activity that their state has

legalized. Second, when reviewing publicly available national data, it appeared that pre-employment marijuana testing disproportionately impacts people of color and acts as a barrier to employment. At Amazon, we know a diverse employee base makes us stronger, and we work to foster a culture where inclusion is the norm; we therefore felt compelled to eliminate this barrier. Finally, Amazon's pace of growth means that we are always looking to hire great new team members. As we staff up to meet customer needs, we've found that eliminating pre-employment testing for cannabis allows us to expand our applicant pool and assists us with meeting hiring needs. We imagine a number of other employers feel the same way as we do, and we welcome others to join us in ceasing marijuana testing.

Our work at Amazon is guided by a set of Leadership Principles, which we use on a constant basis to help make our most important decisions. We recently added two new Leadership Principles: "Strive to be Earth's Best Employer," and "Success and Scale Bring Broad Responsibility." These principles speak to ensuring a great workplace that has equitable and consistent hiring practices for all candidates. The principles also speak to our responsibility to effect change, both through maintaining the right internal policies and acting as a driver for societal change.

The *Cannabis Administration and Opportunity Act* makes a number of important changes that we support. First, we support removing cannabis from the Controlled Substance Act. Doing so will open significant new economic opportunities for millions of capable individuals while beginning to restore some of the damage done to highly affected communities.

We also believe Congress should act to expunge federal non-violent marijuana crimes and allow for resentencing of any individual currently in federal prison for such a crime, while taking steps to encourage states to do the same. For far too long, criminal marijuana provisions have been unequally enforced upon people of color, perpetuating over-incarceration, poverty, health conditions and other barriers to economic opportunity. We believe it's necessary to expunge these crimes that our society has borne on the shoulders of communities of color. And as the nation's second largest employer, we support expungement to ensure that all capable individuals have a fair opportunity to seek and secure employment wherever they choose. Finally, we support community reinvestment grants, which can have a positive impact in pursuit of social justice.

We are proud to largely end pre-employment testing of marijuana as a condition of employment. And we are enthused by the notable momentum in the country toward recognizing that today's status quo is unfair and untenable. We are eager to work with you to secure passage of this legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Huseman". The signature is fluid and cursive, with a large initial "B" and "H".

Brian Huseman  
Vice President, Public Policy