
Dear Ms. Martin:

I have received the letter of Dr. Steven Galson, dated December 1, 2004, regarding our request for correction of information pursuant to the Federal Data Quality Act. I write to express my concerns about your anticipated treatment of our request.

The Data Quality Act requires a prompt response by a government agency to a request for correction of information it disseminates, ordinarily within 60 days. Your agency has already requested 60 more days to respond to our request and has stated that it “hopes to provide [us] with a response within 60 days.” See Letter from Steven Galson to Joseph D. Elford, dated December 1, 2004. Based on my conversations with Hillary McQuie at our office, I am not confident that your agency will meet that estimate.

Whereas our request for correction is aimed solely at findings regarding whether marijuana has a “currently accepted medical use in treatment in the United States,” see 21 U.S.C. § 812(B)(1)(b), your agency has stated its intention to expand its inquiry to include

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consideration of whether marijuana presents a “risk to public health,” and given your intention to include input from NIDA, appear to intend to assess whether marijuana has a “high potential for abuse” under 21 U.S.C. § 812(B)(1)(a). This latter inquiry may be relevant to the marijuana rescheduling petition pending before you, but it is outside the scope of our Data Quality Act request. To ensure that our Data Quality Act request is given the expeditious treatment it deserves under the Data Quality Act Guidelines, I would request that you consider only our specific request for corrections regarding medical use and not delay your response because of a perceived need to address relative abuse potential. While I appreciate that you may wish to coordinate the various agency responses to our Data Quality Act request and the pending marijuana rescheduling petition, I believe that the procedures to be employed for the evaluation of these petitions are distinct and the Data Quality Act Guidelines have prescribed time limitations, which ought to be followed.

Sincerely,

Joseph D. Elford
Staff Attorney
Americans for Safe Access
(415) 573-7842

cc: Tommy Thompson; Lester M. Crawford; Representative Maurice Hinchey; Representative Sam Farr; Representative Barney Frank; Representative Dana Rohrbacher; Senator Richard Durbin; Senator Patrick Leahy