

CLAUDE PEPPER
18TH DISTRICT, FLORIDA

CHAIRMAN
COMMITTEE ON RULES

SELECT COMMITTEE ON AGING
CHAIRMAN
SUBCOMMITTEE ON HEALTH
AND LONG-TERM CARE

Congress of the United States
House of Representatives
Washington, D.C. 20515

FRANCES H. CAMPBELL
ADMINISTRATIVE ASSISTANT
2239 RAYBURN, HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
202-225-3931

DISTRICT OFFICE:
ROOM 904 FEDERAL BUILDING
MIAMI, FLORIDA 33130
305-350-6665

MARIA SOMEILLAN
LATIN REPRESENTATIVE

July 27, 1984

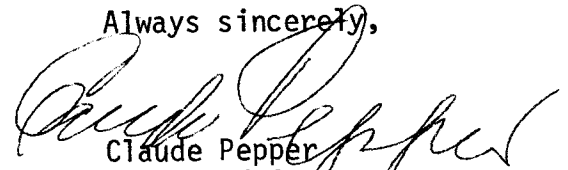
Dear Mr. Olsen:

Enclosed please find the response to your letter that was forwarded to the Drug Enforcement Administration January 31, 1984.

Please contact this office if I can be of further assistance to you, Mr. Olsen.

With all good wishes, I am

Always sincerely,



Claude Pepper
Member of Congress

Mr. Carl Eric Olsen
43 Star Island
Miami Beach, Florida 33139

Enclosure



U.S. Department of Justice
Drug Enforcement Administration

Washington, D.C. 20537

JUN 26 1984

Honorable Claude Pepper
U.S. House of Representatives
Washington, D. C. 20515

Dear Congressman Pepper:

This is in response to your inquiry, dated January 31, 1984, on behalf of Mr. Carl Eric Olsen of the Ethiopian Zion Coptic Church.

The Federal Government, as well as a number of states, is a defendant in litigation initiated by Mr. Olsen and his church. This litigation relates to the Ethiopian Zion Coptic Church's claimed religious, but nonetheless illegal, use of . . . marijuana. Accordingly, we are unable to comment on some of the matters raised by Mr. Olsen.

As a general principal, the Drug Enforcement Administration cannot grant exemptions to the enforcement of the Controlled Substances Act with respect to the claimed religious use of various controlled substances by groups who claim that such substances are integral to their religious practices. The compelling governmental interest in protecting the public from the obvious danger of drugs and drug trafficking would be substantially harmed by permitting members of the Ethiopian Zion Coptic Church to freely possess and distribute marijuana. Extended to its logical conclusion, the kind of exemption Mr. Olsen seeks would apply to all drugs, not just marijuana, if any group chose to use them as religious sacraments. The granting of such exemptions would indeed render the laws relating to controlled substances meaningless. Under the circumstances, the private interest of Mr. Olsen and his brethren in using marijuana for arguably religious purposes must give way to society's more compelling interest in controlling the abuse and trafficking of the drug. See United States v. Middleton, 690 F.2d 820 (11th Cir. 1982), cert. denied, 103 S.Ct. 1497 (1983); Peyote Way Church of God v. Smith, et al., 556 F.Supp. 632 (USDC N.D. Texas, 1983).

Please do not hesitate to contact the Drug Enforcement Administration if we can be of further assistance in this matter.

Sincerely,

Francis M. Mullen, Jr.
Administrator



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Food and Drug Administration
Rockville MD 20857

September 13, 1985

Carl Eric Olsen
01955-036
Unit B-South
PMB 1000
Tallahassee, FL 32301

Dear Mr. Olsen:

This replies to your August 26, 1985 letter asking for information on marijuana and for a religious exemption for the use of marijuana.

We have not published on this substance. Your letter has been forwarded to the National Institute for Drug Abuse (NIDA), Room 10-65, at the letterhead address.

Religious exemptions for controlled drug use is under the jurisdiction of the Drug Enforcement Agency (DEA) 1405 I Street, NW, Washington, D.C. 20537. Please write to them for information on that subject.

Sincerely yours,

A handwritten signature in cursive script that reads "Harold Davis".

Harold Davis
Consumer Safety Officer
Office of Consumer and Professional Affairs
Center for Drugs and Biologics, HFN-17



September 24, 1985

Alcohol, Drug Abuse, and
Mental Health Administration
National Institute on Drug Abuse
5600 Fishers Lane
Rockville MD 20857

Carl E. Olsen
01955-036
Unit B - South
PMB 1000
Tallahassee, Florida 32301

Dear Mr. Olsen:

Your letter of August 26, 1985 to Dr. William Pollin, former Director of the National Institute on Drug Abuse (NIDA) has been referred to me for reply. In your letter you are requesting the latest information on marijuana. Enclosed please find some of the latest available publications by NIDA on various aspects of marijuana. I hope you will find them informative and useful.

As to your question of "how to obtain a religious exemption for the use of marijuana by members of the Ethiopian Zion Coptic Church?" I assume that you mean exemption from Schedule I status of this substance. NIDA has no jurisdiction over granting religious exemption from this status of marijuana. Your inquiry should be addressed either to local state authorities, or to the Federal Agency of the Drug Enforcement Administration (DEA), of the Department of Justice, which has primary responsibility for legal aspects of drug scheduling. I suggest for you to write to:

Howard McClain, Jr., Chief
Drug Control Section
Drug Enforcement Administration
U.S. Department of Justice
1405 I Street, N.W.
Washington, D.C. 20537

If you have any questions concerning health issues of marijuana use please feel free to contact me.

Sincerely yours,

Stephen Szara, M.D., D.Sc.
Chief, Biomedical Branch
Division of Preclinical Research

Attachments (3)



Alcohol, Drug Abuse, and
Mental Health Administration
Rockville MD 20857

October 1, 1985

Mr. Carl Eric Olsen
01955-036
Unit B-South
PMB 1000
Tallahassee, Florida 32301

Dear Mr. Olsen:

As requested, enclosed is the most recent information on marijuana available from the National Clearinghouse for Drug Abuse Information. Also, I suggest you contact the State Attorney General's Office or the South Eastern Regional Office of the Drug Enforcement Administration (DEA) for information related to exemptions from narcotics laws. The address of the DEA Regional Office is: 8400 N.W. 53rd Street, Miami, Fl. 33166.

I hope the enclosed information will be useful.

Sincerely yours,

Leona D. Ferguson
Chief,
National Clearinghouse for
Drug Abuse Information
Division of Prevention and
Communications

Enclosures

CLAUDE PEPPER
18TH DISTRICT, FLORIDA

CHAIRMAN
COMMITTEE ON RULES

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MARIA SOMEILLAN
LATIN REPRESENTATIVE

Congress of the United States
House of Representatives
Washington, D.C. 20515

COPY

COPY

COPY

August 23, 1985

REFER:CO:MA

Dear Mr. Lawn:

Enclosed please find a letter from Carl Eric Olsen, a priest and representative of the Ethiopian Zion Coptic Church. Mr. Olsen has written to this office in the past regarding that church's use of marijuana.

Mr. Olsen raises the exemption of peyote in his letter, as he did in his recent letter to you of June 25, 1985, a copy of which was sent to this office. I am sending this letter for your review, Mr. Lawn, and of course I will appreciate any attention you may give this matter.

With all good wishes, I am

Always sincerely,

Claude Pepper
Member of Congress

Mr. John Lawn
Administrator
Drug Enforcement Administration
1405 Eye Street, NW
Washington, DC 20005

Enclosure

bcc: Carl Olsen, For your information

CLAUDE PEPPER
18TH DISTRICT, FLORIDA

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MARIA SOMEILLAN
LATIN REPRESENTATIVE

April 15, 1986

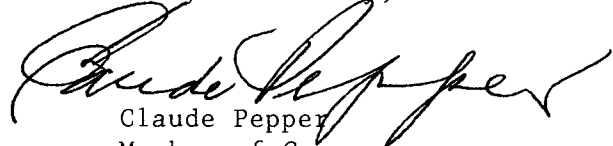
REFER:CO:MA

Dear Mr. Olsen:

Enclosed please find the response of Mr. John C. Lawn of the Drug Enforcement Administration of the Department of Justice. I am forwarding this letter for your information, Mr. Olsen.

With all good wishes, I am

Always sincerely,


Claude Pepper
Member of Congress

Mr. Carl Eric Olsen
43 Star Island
Miami Beach, Florida 33139

Enclosure



U.S. Department of Justice
Drug Enforcement Administration

Washington, D.C. 20537

MAR 14 1986

Honorable Claude Pepper
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Pepper:

This is in response to your August 20, 1985 inquiry concerning Mr. Carl Eric Olsen and his Ethiopian Zion Coptic Church (CO:MA). I regret that we were unable to give you an earlier response. As you know, Mr. Olsen is an inmate at the Federal Correctional Institution in Tallahassee, Florida. Mr. Olsen has been engaged in litigation with the Drug Enforcement Administration and the Department of Justice for some time. One case in the Southern District of Florida has been recently concluded and another has been instituted in the District of Columbia. In view of the pendency of such litigation, we are most reluctant to discuss the substance of Mr. Olsen's correspondence.

I expect that within the next month or two the Drug Enforcement Administration will issue a ruling with respect to Mr. Olsen's petition for an exemption from the operation of the Controlled Substances Act for the use of marijuana by members of the Ethiopian Zion Coptic Church. I will be pleased to provide you with a copy of that ruling as soon as it is issued.

I trust that you will understand our inability to discuss matters under litigation at this time.

Sincerely,

John C. Lawn
Administrator

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U.S. House of Representatives

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WASHINGTON, DC 20515

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March 7, 1986

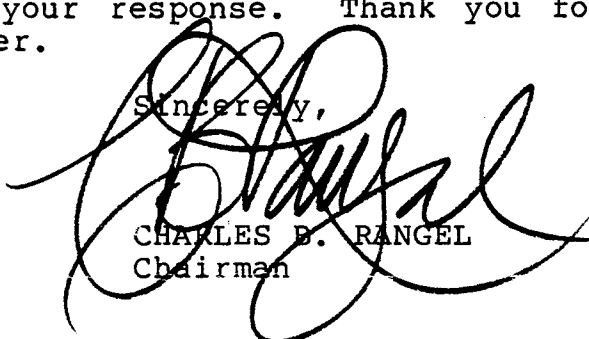
The Honorable John C. Lawn
Administrator
Drug Enforcement Administration
1405 Eye Street, N.W.
Washington, D.C. 20537

Dear Mr. Lawn:

I am transmitting to you an inquiry I received from Mr. Carl Eric Olsen of Tallahassee, Florida. He would like to know how to obtain a sacramental exemption from the laws controlling marijuana for its religious use by members of the Ethiopian Zion Coptic Church.

I would appreciate your responding to Mr. Olsen's inquiry and advising me of your response. Thank you for your assistance in this matter.

Sincerely,


CHARLES B. RANGEL
Chairman

cc: Mr. Carl Eric Olsen ✓

Enclosure



BAPTIST JOINT COMMITTEE

200 MARYLAND AVENUE, N.E., WASHINGTON, D.C. 20002-5797 • 202/544-4226

May 10, 1994

Carl E. Olsen
The Ethiopian Zion Coptic Church
P. O. Box 4091
Des Moines, Iowa 50333

Dear Mr. Olsen:

Thank you for your letter addressed to the Coalition for the Free Exercise of Religion. The Coalition was an ad hoc gathering of some 68 groups brought together to support the Religious Freedom Restoration Act of 1993. The Baptist Joint Committee acted as Chair for that Coalition. We continue to meet quarterly, but only as a forum for the discussion of issues, not to, in any unified way, support additional legislation.

I am aware of your case. In fact, I believe Ruth Bader-Ginsburg was on your panel. I'm not sure what advice I can give at this point. Certainly, after the passage of RFRA, your claim would receive strict scrutiny. The Court should apply the compelling interest/least restrictive means test. However, as you well know, that does not assure a victory. The only other alternative that I am aware of is to seek a legislative exemption. Further, in today's political climate, that's probably not too fruitful either.

A note of minor correction. RFRA does not "expressly overrule" Employment Division v. Smith. Only a constitutional amendment can overrule a Supreme Court decision. Rather, it creates a statutory right and statutory protection where the court refused to recognize a constitutional right or constitutional protection.

Thank you for your letter. I'm sorry I could not give more hopeful advice.

Yours very truly,

J. Brent Walker
General Counsel

JBW/li