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Mitch McConnell, Rand Paul push legalizing hemp growth

It's a states' rights and economic growth issue, they argue.

By **JENNY HOPKINSON** | 2/5/15 5:38 AM EST



AP Photo

Forget legalizing pot: Two of the most powerful Republicans in the Senate believe there's a much stronger chance to legalize growing hemp in the U.S., opening up an entirely new market for crops, health food, oil, shirts, towels and even dog toys.

Kentucky's Mitch McConnell, Rand Paul and Rep. Thomas Massie are pushing legislation in both chambers of Congress that would remove the less-potent member of the cannabis family from the federal list of controlled substances, allowing its return to America's farmland after more than 40 years.

It's a states' rights and economic growth issue, the Republican lawmakers argue.

Legalizing hemp would create jobs.

“People used to downplay the number of jobs industrial hemp might create and say, ‘Well it’s a few thousand jobs and a couple million in commerce,’” Massie said. But all told, legalizing the crop has the potential to create 10 times as many jobs “as the Keystone XL pipeline will create 10 years from now.”

Hemp legalization legislation has been considered in Congress since 2005, when then-Rep. Ron Paul (R-Texas) pushed the issue. But the current bills have champions in positions of power, including the Senate majority leader and a potential White House contender.



Paul to oppose Lynch for attorney general

MIKE ALLEN and SEUNG MIN KIM

They also have bipartisan support.

The Industrial Hemp Farming Act, introduced by Sen. Ron Wyden (D-Ore.) on Jan. 8 with McConnell, Paul and Oregon’s other Democratic senator, Jeff Merkley, as co-sponsors, now awaits action in the Judiciary Committee. The companion bill Massie introduced in the House on Jan. 26 is before the Energy and Commerce Committee and has 50 bipartisan co-sponsors.

Given the focus on jobs and McConnell’s support, “there is a really good chance of passing [legalization legislation] this year,” Massie said. “[McConnell’s] promotion to majority leader ... is important to this effort.”

Not everyone from Kentucky is on board.

Rep. Hal Rogers, chairman of the House Appropriations Committee, agrees with the law enforcement community that legalizing hemp would be bad news, primarily because a field of hemp would be virtually indistinguishable from marijuana, which is illegal for recreational use in 46 states.

Hemp and marijuana are both members of the cannabis family. While pot plants are bred for the buds and flowers, hemp is grown to be tall and thin with few branches or leaves to produce a lot of fiber, according to the North American Industrial Hemp

Council.



Paul decades-long member of group opposed to forced vaccines

GABRIEL DEBENEDETTI

The main difference is the plants' chemical makeup: Industrial hemp contains less than 0.3 percent tetrahydrocannabinol, or THC, the mind-altering chemical marijuana contains in the 3 percent to 20 percent range.

However, Bob Bushman, president of the National Narcotics Officers' Associations Coalition, says there's no way for a law enforcement officer to tell the difference, and that's why his group opposes hemp legalization. Local law enforcement organizations are lobbying lawmakers in states where legalization is being considered to block the measures.

"I can't look at a plant and tell you that is marijuana or it's hemp ... that's a scientific determination," he said.

"The confusion and potential commingling lends itself to an easier path for illegal marijuana growth across the country," Rogers said. What's more, he added, there appears little evidence to date that hemp will be an economic boon when the Department of Agriculture describes the hemp market as "small [and] thin."

But imported hemp products — because there's no other way to get them in the United States — represented a \$580 million market in 2013 with double-digit annual growth, according to Eric Steenstra, executive director of the Hemp Industry Association. All kinds of jobs, from positions in agriculture to manufacturing would be created in the United States if it were legalized here, he said.



McConnell: 'I'm a big fan of vaccinations'

BURGESS EVERETT

Hemp is already legal to produce in at least 30 countries, including Canada. If it becomes legal to cultivate in the U.S., production could reach 100,000 acres or more nationwide in the next decade, Steenstra predicted.

That's far less than the more than 80 million acres currently devoted to corn in the United States, the similar acreage taken up by soybeans or the 56 million acres planted with wheat. But in 40 years, hemp could become a crop of the same caliber, Steenstra said.

Companies that sell hemp products in the United States are "pretty excited about their future," said Jane Wilson, director of program development for the American Herbal Products Association. "It fits in well with the whole interest in natural products."

Fortunately for the champions of hemp, federal legalization would not come with any spending requirements for the government, so it wouldn't need to go in front of Rogers' committee to gain passage.

But Rogers isn't the only lawmaker supporters are having a difficult time persuading. Massie, now busy making the case for House leadership to get behind his bill, admits struggling more to win over members of his own party.



GOP senators block Cruz move to hold up Lynch vote

SEUNG MIN KIM and BURGESS EVERETT

"It's harder to get a majority of Republicans to sign on to industrial hemp than it is to get Democrats," Massie said. "There's a stigma attached to it, and Republicans don't want to be seen as weak on the war on drugs."

Hemp is a tough crop, well-suited for Kentucky's climate and landscape, possibly even in the state's mountainous eastern region, which lacks rich soil. And in a place where almost 20 percent of people live below the poverty line and employment opportunities in coal mining and tobacco are on the decline, the need for a robust new industry is critical.

Kentucky was the largest producer of hemp prior to the Civil War, according to the state's department of agriculture, growing more than 90 percent of the entire U.S. crop. But production declined in the 1900s as the government moved to tax the crop due to its close association with marijuana.

Congress banned growing hemp because of larger concerns about cannabis through the Controlled Substances Act in the early 1970s.

Paul said he was approached by a grass-roots organization about the issue during his 2010 run for Senate.

“The thought was maybe we could take some of this [former tobacco] farmland and replace it and also take some of this land that is less productive,” like reclaimed mining land, and cultivate hemp, Paul said, and create jobs in the process.

Paul pitched the hemp issue to James Comer, Kentucky’s new agriculture commissioner, soon after both took office. Comer said it checked a lot of boxes: It would help small farmers replace tobacco as a cash crop and had tea party backing.

Comer, a 42-year-old cattle and timber farmer now running for governor, said he recognized the legalization of hemp “was a good issue for me.” He succeeded in leading the state to pass a bill in 2013, largely with the help of Paul, Massie, Democratic Rep. John Yarmuth and others, that required the agriculture department to set up a licensing program for farmers who want to grow industrial hemp.

Now, Kentucky is one of about 20 states to have legalized the cultivation of the crop. A handful of others are expected to consider it during this legislative session, though without federal legalization, state laws are largely symbolic.

Efforts to legalize hemp in Kentucky were still in flux in early 2013, when Paul showed up for a hearing in Frankfort wearing a hemp shirt he said he bought from Canada.

“Basically we are exporting our profit to Canada” every time Kentuckians buy hemp clothes or food products, Paul told state lawmakers. “I see no reason we wouldn’t want to be a leader on this.”

While McConnell has been quieter about legalizing hemp, the then-minority leader became more involved in early 2013. In a statement two years ago, he said that, after discussions with Paul and Comer, “I am convinced that allowing its production will be a positive development for Kentucky’s farm families and economy.”

McConnell then went to work, scoring a provision in the 2014 Farm Bill that allows

states to set up pilot programs to research the crop, carefully selecting members of the legislation's conference committee he knew would support it. He also co-sponsored a hemp legalization bill with Wyden and Paul in early 2013 that never made it out of Judiciary.

Al Cross, the director of the Institute for Rural Journalism and Community Issues at the University of Kentucky, however, believes McConnell really became a supporter of hemp legalization when he realized the position was popular among Kentuckians and it could help him going into the 2014 election.

The six-term senator handily defeated his Republican primary foe, Matt Bevin, but the race against his Democratic challenger — Alison Lundergan Grimes — looked tight in the early going.

"I think it was a way for McConnell to show some solidarity with Paul and give him a slightly different image," Cross said. "McConnell has this image of being a very buttoned-up, business-oriented Republican who just sticks to the normal playbook. And going for industrial hemp, he was able to show that he's able to think outside the box, change his stripes. And it's probably not coincidental that he had a primary, his first real primary ever.

"And he was challenged by a guy more from the libertarian side of things."

Massie excuses McConnell's early silence, saying when you are the party leader, "you kind of have to balance the desires of your district and the needs of your district with the entire conference."

Jonathon Topaz contributed to this report.