



Ex-DEA chiefs: Obama should sue over Calif. pot legalization just like Ariz. immigration law

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WASHINGTON — President Barack Obama sued to keep Arizona from writing its own immigration laws. Now, every former Drug Enforcement Administration boss is asking whether he'll do the same to stop California from legalizing marijuana.

In a letter to Attorney General Eric Holder, all nine former DEA administrators said legalizing pot presented the same threat to federal authority as Arizona's immigration crackdown.

The letter raises questions about when the federal government should wade into debates over state laws. While Obama has made immigration an important issue for his administration, steering the debate over legalizing marijuana has not been a focus of his agenda.

Proposition 19, on the November ballot in California, would allow adults to possess up to one ounce of marijuana. Local governments would be allowed to tax its sales.

Obama's drug czar, Gil Kerlikowske, has said he opposes the measure, but the former DEA administrators in Democratic and Republican administrations say the Justice Department should forcefully come out against it before the election. And if it passes, the former administrators say, Obama should sue.

Before Arizona Gov. Jan Brewer signed a tough immigration law in April, Obama called it misguided. In July, the administration sued the state, saying only the federal government can set immigration policy. The lawsuit cited the Constitution's Supremacy Clause, which says that when state and federal laws are at odds, federal law prevails.

The DEA administrators say Obama should take the same stance on drugs.

"We would expect the Department of Justice to act just as swiftly and for the same reason," if California's ballot measure passes, the administrators wrote in the Aug. 24 letter.

The Justice Department did not immediately comment on the letter Friday. It did not weigh in on the Arizona law until it was signed.

If Obama handles the California case differently, it could lead to accusations that the Arizona lawsuit was more about politics than principle. But the administration is not the only one vulnerable to claims of hypocrisy on this issue: Some Republicans opposed to marijuana legalization are also among those who said the federal government had no business suing Arizona and overruling the will of the voters.

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