

EMERGENCY



Americans for
Safe Access



MEETING

Preparing for Federal
Cannabis Actions



July 11, 2025

12pm PT/3PM ET

HERBAN LEGENDS



**MARIJUANA
IS LEGAL!**



MISINFORMATION IS UNSAFE!

QUANTITY	1st OFFENSE	2nd OFFENSE *
1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 moillion if an individual, \$75 million if other than an individual.
100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 moillion if an individual, \$75 million if other than an individual.
More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not less than 20 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not less than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) marijuana plants;	Not less than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual	Not less than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual



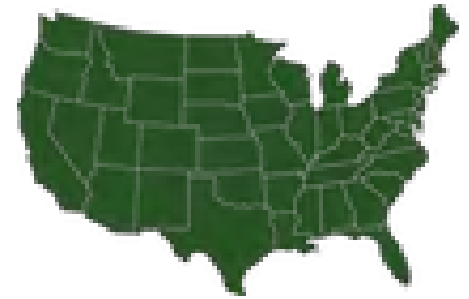
**JURYS IN FEDERAL COURT
ARE INSTRUCTED TO
DETERMINE IF YOU WERE
BREAKING FEDERAL LAWS.**

**CANNABIS IS ILLEGAL
IN FEDERAL COURT.**

**CJS MEDICAL CANNABIS
APPROPRIATIONS AMENDMENT
STOPPED PROSECUTIONS.**

1996

California Passes First Medical Cannabis Law



Clinton Admin Threatens Doctors with prosecution for recommending cannabis

2002

CONANT V. WALTERS- Federal court protects physicians who recommend medical cannabis from federal penalties.



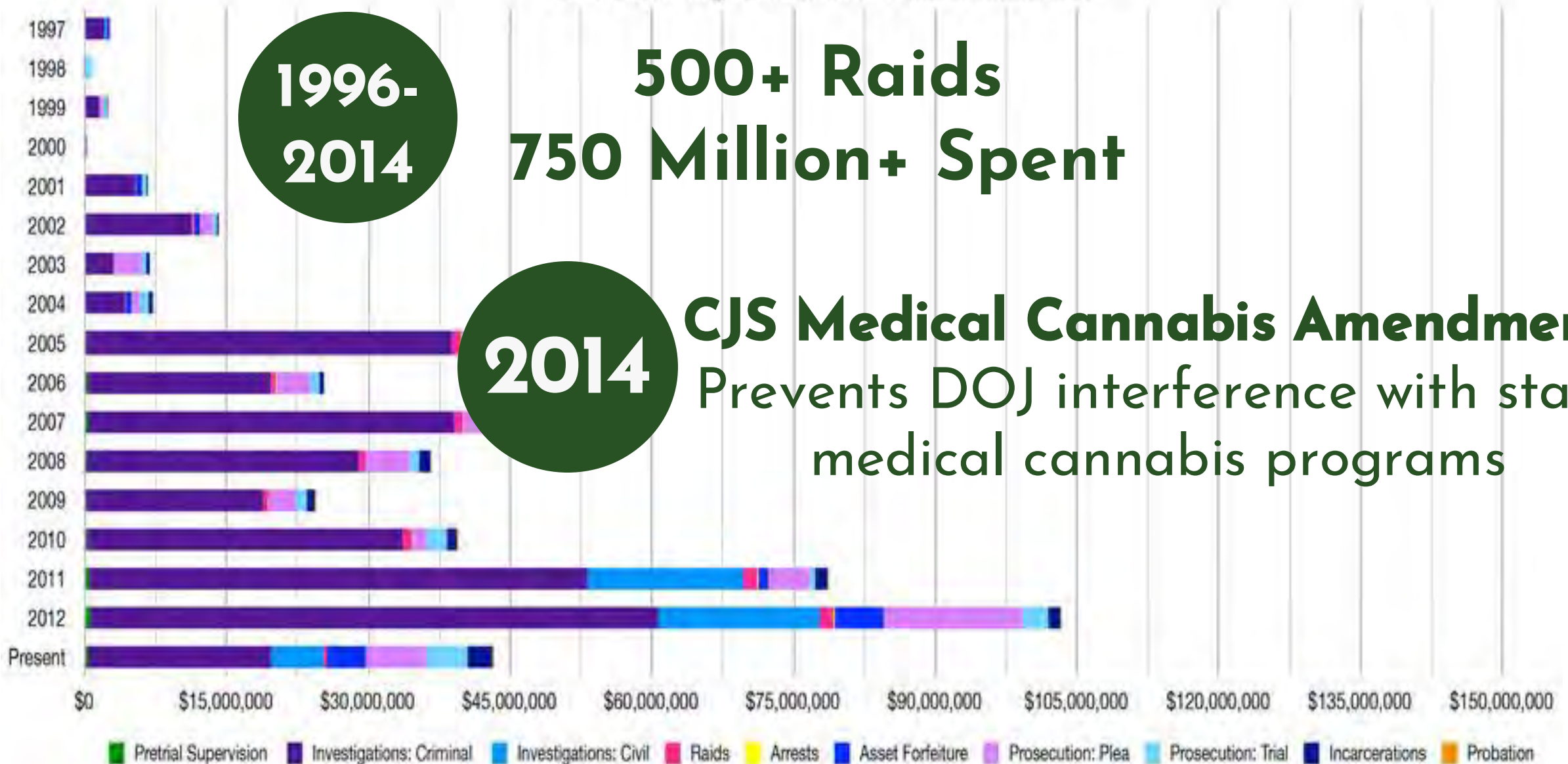
Annual Spending Breakdown on Federal Interference

1996-
2014

500+ Raids
750 Million+ Spent

2014

CJS Medical Cannabis Amendment-
Prevents DOJ interference with state
medical cannabis programs



Bill Reddick, Brian Epis, Joe Kidwell, Peggy Reddick, B.E. Smith, Peter McWilliams, Renee Boje, Todd McCormick, Lynn Osburn, Scott Imler, Chris Giauque, Dale Schafer, Dr Mollie Fry, Jeff Farrington, Jeff Yablan, Judy Osburn, Keith Alden, Alan MacFarlane, Dan Nelson, David Arnett, David Kephart, Diane Monson, Ed Bierling, Ed Rosenthal, Jacob Sink, Jeff Farrington, Jeff Yablan, Jimmy Halloran, Keith Alden, Ken Hayes, Kevin Gage, Mark Whitney, Michael Teague, Mike Corral, Mike Foley, Paul Maggi, Rick Watts, Robert Schmidt, Robert Whiteaker, Roy Lee Sharpnack, Shawna Whiteaker, Stephanie Landa, Steve McWilliams, Thomas Kikuchi, Todd McCormick, Traci Coggins, Valerie Corral, Leroy Stubblefield Monte Levine & Marc Derenzy, Anna Barrett, Bill Reddick, Dan Nelson, David Arnett, David Kephart, Diane Monson, Gary Barrett, Kevin Gage, Mark Whitney, Michael Teague, Robert Schmidt, Robert Whiteaker, Roy Lee Sharpnack, Scott Imler, Shawna Whiteaker, Stephanie Landa, Steve McWilliams, Thomas Kikuchi, Timothy Dellas, Vernon Rylee, Don Nord, Travis Paulsen, Richard Marino, Anna Barrett, Celeste Angello, Cynthia Barcelo Blake, David Arnett, David Dean Davidson, David Kephart, Diane Monson, Eddie Lepp, Heleno Araujo, Jacek Mroz, Jesse Nieblas, Jimmy Halloran, Joe Kidwell, Mario Pacetti, Mark Whitney, Michael Teague, Robert Schmidt, Robert Whiteaker, Roy Lee Sharpnack, Scott Imler (LACRC) Stephanie Landa, Steve McWilliams, Thomas Grossi, Thomas Kikuchi, Timothy Dellas, Todd McCormick, Vernon Rylee, Dana May, Anna Barrett, Cynthia Barcelo Blake, David Dean Davidson, Diane Monson, Eddie Lepp, Gary Barrett, Heleno Araujo, HopeNet, Jacek Mroz, James Carberry, James Chiaverin, James Elay, James Holland, Jayson Westfall, Jesse Nieblas, Jimmy Halloran, Joe Fortt, Joe Kidwell, John Doe, Kevin Gage, Larry Kristich, Louis Wayne Fowler, Mario Pacetti, Michael Payne, Phung Van Nguyen, Rayleen Edson, Richard Marino, Robert Schmidt, Roy Lee Sharpnack, Roy Lewis, Sharon Whiteaker, Stephanie Landa, Steve McWilliams, Thomas Grossi, Thomas Kikuchi, Thunder Rector, Timothy Dellas, Vernon Rylee, Alfaro Munoz-Bebullida, Alice Wiegand, Amber Froines, Amy Teresa, Antonio Malagon, Ben Blum, Brad Heintz, Bradley Wickliffe, Charles Lynch, Chris Larkin, Cynthia Barcelo Blake, David Dean Davidson, David Harde, Heleno Araujo, Jacek Mroz, Jaime Perreira, Jason Matthewson, Jeff Sanderson, Jennifer Brown, Jesse Monko, Jesse Nieblas, Larry Kristich, Lucky Jamal Boissiere, Luke Scarmazzo, Mario Pacetti, Mark Miller, Michael O'Leary, Michael Ragin, Mistalee Chiamie Wang, Monica Valencia, Dennis Corey, Dennis Forsberg, Douglas Frakes, John Roberts and Stephanie Whisman, Joseph Johnson, Kyle Corey, Lance Forsberg, Patrick Karslake, Randal Darling, Ryan Basore, Casey Wheat, James Travis Brand, Noah Joel Kleinman, Patricia Albright, Peter Arthur Suhan, Jeremy Duvall, Jerry Duval, John Marcinkewicz, Kyle Corey, Patrick Karslake, Andrew Umhey, Jason D. Burns, Jesse D. Leland, Jonathan Janetski, Joshua L. Schultz, Justin L. Flor, Michael Kassner, Richard G. Flor, Shawn Slattery, Sherry L. Flor, Tom Daubert, Tyler Roe, Caroline Dellaville, Chad Uhl, Clyde Barnett, John Allen Youngblood, John Birmele, Katree Darriel Saunders, Kelly Birmele, Kristen Krusyna, Laura Rhoades-Yokoi, Michael Ellsworth, Michael McAuliffe, "Pierre" "Dr. Reefer" "Werner", Reynalda Barnett, Ron Teston, Timothy Hough, Charles Wright, Dennis Whited, Jerry Laberde, Jon Vivian, Russell Blake, Gino DiMatteo, Hal Delno Pilotte, John Eugene Scandalios, John Leslie Nuckolls II, Nicholas Einar Lattu, Nicholas Martin Butier III, Noah Joel Kleinman, Patricia Albright, Paul A. Montoya, Paul Neumann, Brownbridge, Perry Brooks Forehand, Peter Arthur Suhan, Robert Klaus, Ron Chang, Ryan Aparicio Mondragon, Ryan Scott Hunt, Ryder Phillips, Chris Williams, Evan Corum, Jason D. Burns, Jason Washington, Jesse D. Leland, Michelle Gregg, Rhonda Firestack-Harvey, Rolland Gregg, Russell Blake, Brandon Anton Gustafson, Kathy Thabet, Kevin Freeman, Mark Bagdasarian, Matthew R. Davies, Matthew Shotwell, Noah Joel Kleinman, Patricia Albright, Paul A. Montoya, Peter Arthur Suhan, Ryan Aparicio Mondragon, Ryan Scott Hunt, Ryder Phillips, John Birmele, Katree Darriel Saunders, Kelly Birmele, Kristen Krusyna, Laura Rhoades-Yokoi, Michael Ellsworth, Ron Teston, Timothy Hough, Charles Wright, Dennis Whited, Jason Zucker, Jerry Laberde, Jon Vivian, Larry Harvey, Michelle Gregg, Rhonda Firestack-Harvey, Rolland Gregg, Russell Blake,

Over 1 Million Legal Medical Cannabis Patients
\$345,818,005 Spent on Federal Raids
\$1,008,207 Spent on Arrests
480 Years in Prison Time

* Cal NORML Survey of US Court Records Shows

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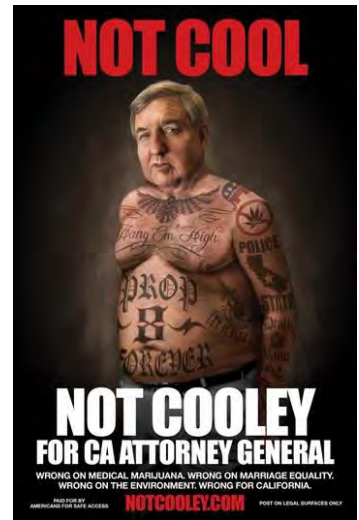
MEDICAL CANNABIS LAWS HAVE LIMITED FEDERAL PROTECTIONS

First passed by Congress in 2014 as the Rohrabacher-Farr Amendment, this amendment to the Commerce, Justice, & Science (CJS) Appropriations Bill created a “ceasefire” of federal interference in state medical cannabis laws.



“None of the funds made available under this Act to the Department of Justice may be used, with respect to any of the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, or with respect to the District of Columbia, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, Guam, or Puerto Rico, to prevent any of them from implementing their own laws that authorize the use, distribution, possession, or cultivation of medical marijuana.”

ROAD TO CJS



ASA'S LUNCH & LEARN SERIES



youtube.com/@AmericansforSafeAccess

The President's FY 2026 Discretionary Budget Request

FY 2026 BUDGET REQUEST

SUPPLEMENTAL MATERIALS

HISTORICAL TABLES



NOT A BILL

- [Fiscal Year 2026 Discretionary Budget Request](#)
- [Overview: President Trump's Fiscal Year 2026 Discretionary Funding Request](#)
- [Cuts to Woke Programs Fact Sheet](#)
- [Ending Weaponization of the Federal Government Fact Sheet](#)
- [Defunding the Open Border Fact Sheet](#)
- [Ending the Green New Scam Fact Sheet](#)
- [Revitalizing Federalism Fact Sheet](#)

**RECOMMENDATION
TO CONGRESS & SENATE
APPROPRIATIONS**

Trump Wants To Delete State Medical Marijuana Protections From Budget While Continuing To Block Cannabis Sales Legalization In D.C.



Published on June 2, 2025

By Kyle Jaeger ✕



+ The President's FY 2026 Discretionary Budget Request

Donald J. Trump. Friday, May 2, 2025.

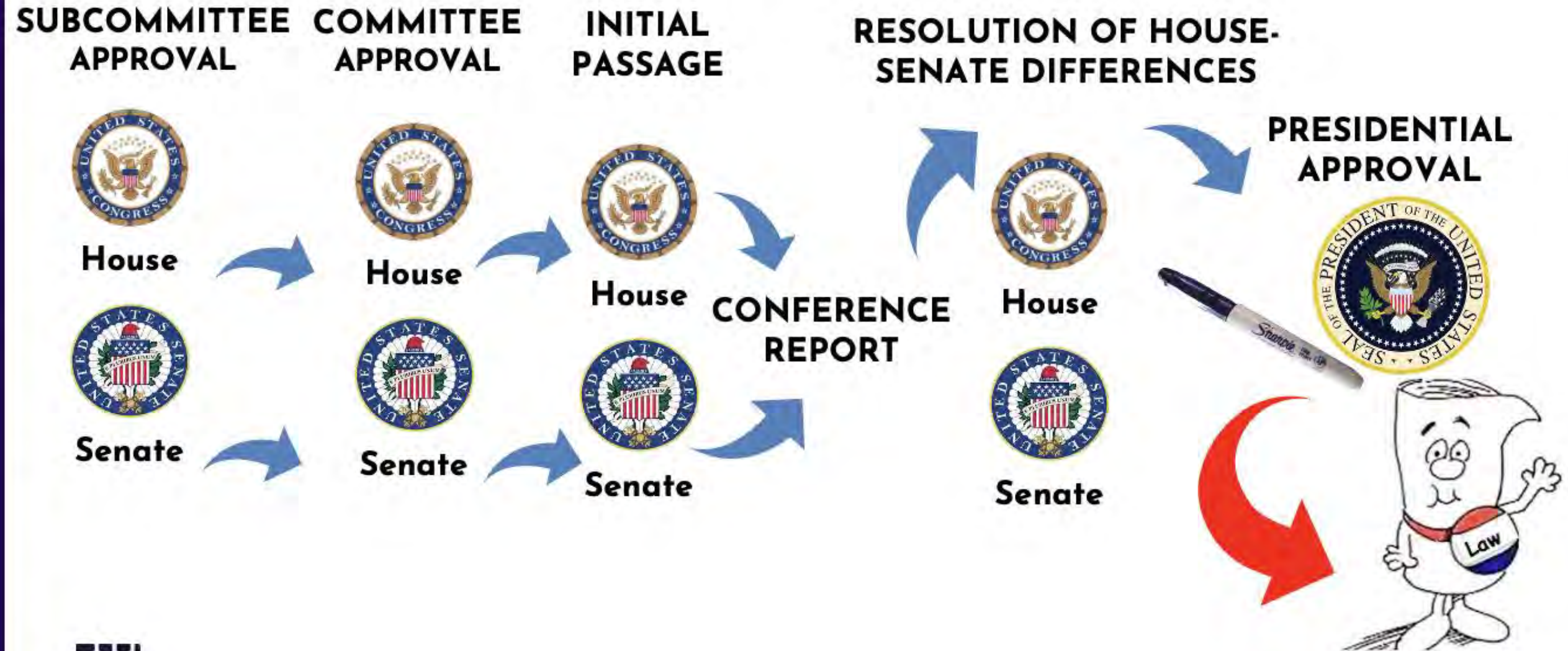
TRUMP'S BUDGET REQUEST LEAVES MEDICAL CANNABIS PROTECTIONS OUT OF THE JUSTICE BUDGET (CJS APPROPS)

APPROPRIATIONS BILLS



AG
CJS
VET
HHS


APPROPRIATION BILLS



TRUMP ROUND 1

August 29, 2013

MEMORANDUM FOR ALL UNITED STATES ATTORNEYS

FROM: James M. Cole 
Deputy Attorney General

SUBJECT: Guidance Regarding Marijuana Enforcement

In October 2009 and June 2011, the Department issued guidance to federal prosecutors concerning marijuana enforcement under the Controlled Substances Act (CSA). This memorandum updates that guidance in light of state ballot initiatives that legalize under the possession of small amounts of marijuana and provide for the regulation of marijuana production, processing, and sale. The guidance set forth herein applies to all federal enforcement activity, including civil enforcement and criminal investigations and prosecutions, concerning marijuana in all states.

As the Department noted in its previous guidance, Congress has determined that marijuana is a dangerous drug and that the illegal distribution and sale of marijuana is a crime that provides a significant source of revenue to large-scale criminal enterprises, cartels. The Department of Justice is committed to enforcement of the CSA consistent with those determinations. The Department is also committed to using its limited investigative and prosecutorial resources to address the most significant threats in the most effective, consistent, and rational way. In furtherance of those objectives, as several states enacted laws relating to the use of marijuana for medical purposes, the Department in recent years has focused its efforts on certain enforcement priorities that are particularly important to the federal government:

- Preventing the distribution of marijuana to minors;
- Preventing revenue from the sale of marijuana from going to criminal enterprises, gangs, and cartels;
- Preventing the diversion of marijuana from states where it is legal under state law in some form to other states;
- Preventing state-authorized marijuana activity from being used as a cover or pretext for the trafficking of other illegal drugs or other illegal activity;



Sessions' Actions Against Cole Memo Triggers Call to Action from Medical Cannabis Advocates

Americans for Safe Access | January 04, 2018 |

HERBAN LEGENDS



**SCHEDULE III
LEGALIZE IT!**



MISINFORMATION IS UNSAFE!



CRS REPORT: DOES THE PRESIDENT HAVE THE POWER TO LEGALIZE MARIJUANA?

Updated November 4, 2021

the Supreme Court has held that the President has the power to issue an executive order only if authorized by “an act of Congress or . . . the Constitution itself.” The CSA does not provide a direct role for the President in the classification of controlled substances, nor does Article II of the Constitution grant the President power in this area... **Thus, it does not appear that the President could directly deschedule or reschedule marijuana by executive order.**

<https://crsreports.congress.gov/product/pdf/LSB/LSB10655>



141 Executive Orders none impact medical cannabis directly



- Stop Evictions of Medical Cannabis Patients in Federal Housing
- Allow VA Doctors to Recommend Cannabis
- Stop Drug Testing Federal Employees & Contractors for Cannabis
- Reinstate the Cole Memo
- Ask Congress for Comprehensive Medical Cannabis Legislation

RETURN TO “DRUG WAR” RHETORIC

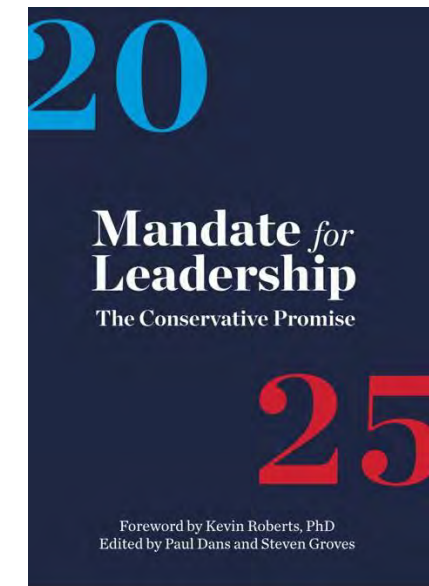
President Donald Trump: "We are launching a renewed War on Drugs to eliminate the scourge of fentanyl and restore safety to our communities."

Attorney General Pam Bondi: "The War on Drugs is back, and this time we're taking the fight directly to the cartels fueling the opioid crisis."

DEA Administrator Derek Maltz: "We're building an international coalition—an army of good—to wage the War on Drugs against these criminal organizations."

The next Administration will therefore need to: **Revitalize the DOJ's use of the array of statutory tools that exist for dealing with the threat of criminal organizations** . The most potent ones are the simplest. For example, the department should:

1. **Rigorously prosecute as much interstate drug activity as possible, including simple possession of distributable quantities. Recent efforts to create the impression that drug possession crimes are not serious offenses has contributed to the explosion of criminal organization activities in the United States.**



2. Aggressively deploy the **Racketeer Influenced and Corrupt Organizations Act (RICO)**, which Congress expressly created to empower the Department of Justice to treat patterns of intrastate level crimes, such as robbery, extortion, and murder, as federal criminal conduct for criminal organizations and networks. The next Administration can use existing tools while it works with Congress to develop new tools. p.554-555

PRESS RELEASE

U.S. Attorney Martin Sends Letter to Green Theory Pot Dispensary for Violation of Federal Law

Friday, April 25, 2025

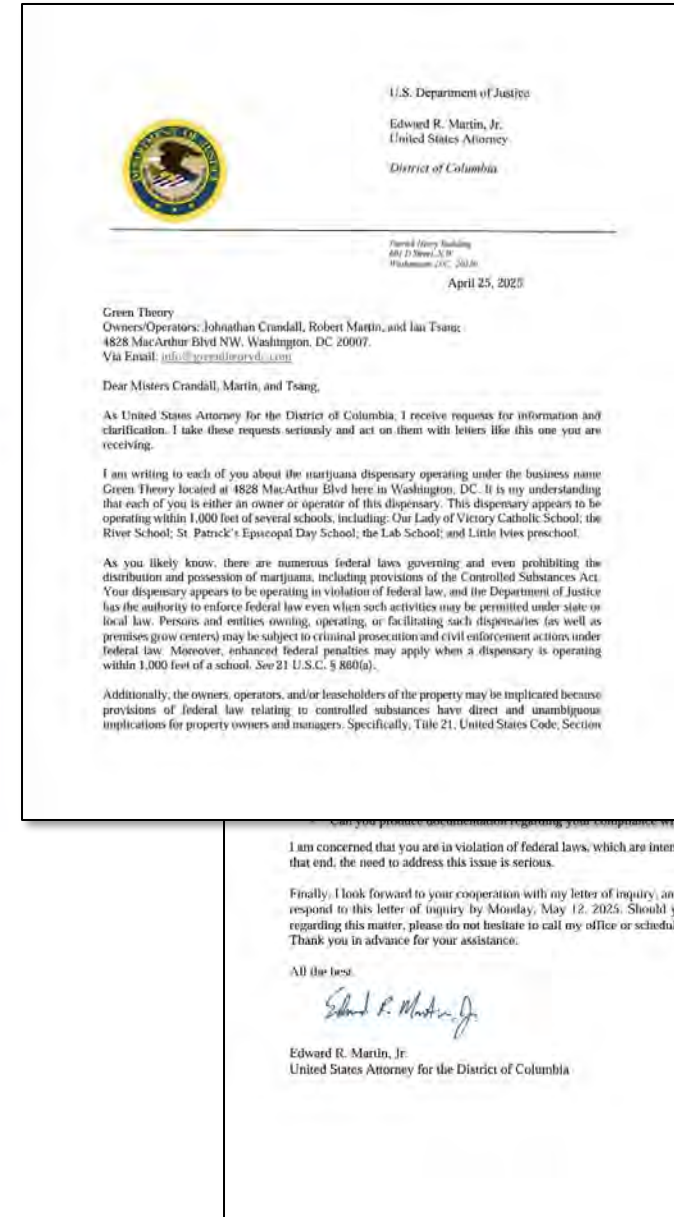
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For Immediate Release

U.S. Attorney's Office, District of Columbia

USADC.Media@usdoj.gov



Cannabis industry is about money, not medicine

Biden administration's recent move to reschedule marijuana could be a big gift

The Washington Times

America's Newspaper

SAM Smart
Approaches to
Marijuana
preventing another big tobacco



Cannabis (marijuana) industry about money illustration by Linas Garsys / The Washington Times more >

Marijuana Rescheduling Is High-Risk, Low-Reward Opinion

“HHS' own analysis recognizes that the Food and Drug Administration ([FDA](#)) has not approved marijuana for the treatment of any disease or condition, meaning it's not medicine, and cannot be prescribed by a doctor for anything. But the Biden administration wants people to believe that just because something is popular it should be viewed as "accepted," instead of using FDA approval to determine what makes something medicine.”

ON JULY 9TH, THE HOUSE APPROPRIATIONS COMMITTEE PASSED A VERSION OF CJS APPROPRIATIONS BILL W/ AMENDMENTS TO

- 1) block rescheduling efforts for cannabis (Section 623).
- 2) modify the medical cannabis amendment from 2014 to open the door for federal interference in state medical cannabis programs again (Section 531(b)) with double penalties.



www.SafeAccessNow.org/blog

CJS APPROPRIATIONS BILL

Appropriations Status FY2025

Appropriation Bills	Subcommittee Approval		Committee Approval		Initial Passage		Resolution of House-Senate Differences			Presidential Approval
	House ⬆	Senate ⬆	House ⬆	Senate ⬆	House ⬆	Senate ⬆	Conference Report	House	Senate	

Commerce-Justice-Science H.R. 9026 S. 4795	(voice vote) 06/26/2024		31-26 07/09/2024 H. Rept. 118-582	26-3 07/25/2024 S. Rept. 118-198						
<div><div></div>Close Notes</div> <div>H. Approps. Committee press release on Subcommittee draft measure. (6.25.2024)</div> <div>H. Approps. Cmte. press release on Committee approval of the draft measure. (7.09.2024)</div> <div>S. Approps. Committee press release on Committee draft measure. (7.25.2024)</div> <div>S. Appropriations Cmte. press release on Committee approval of the draft measure. (7.25.2024)</div>										



1/21-3/06/25

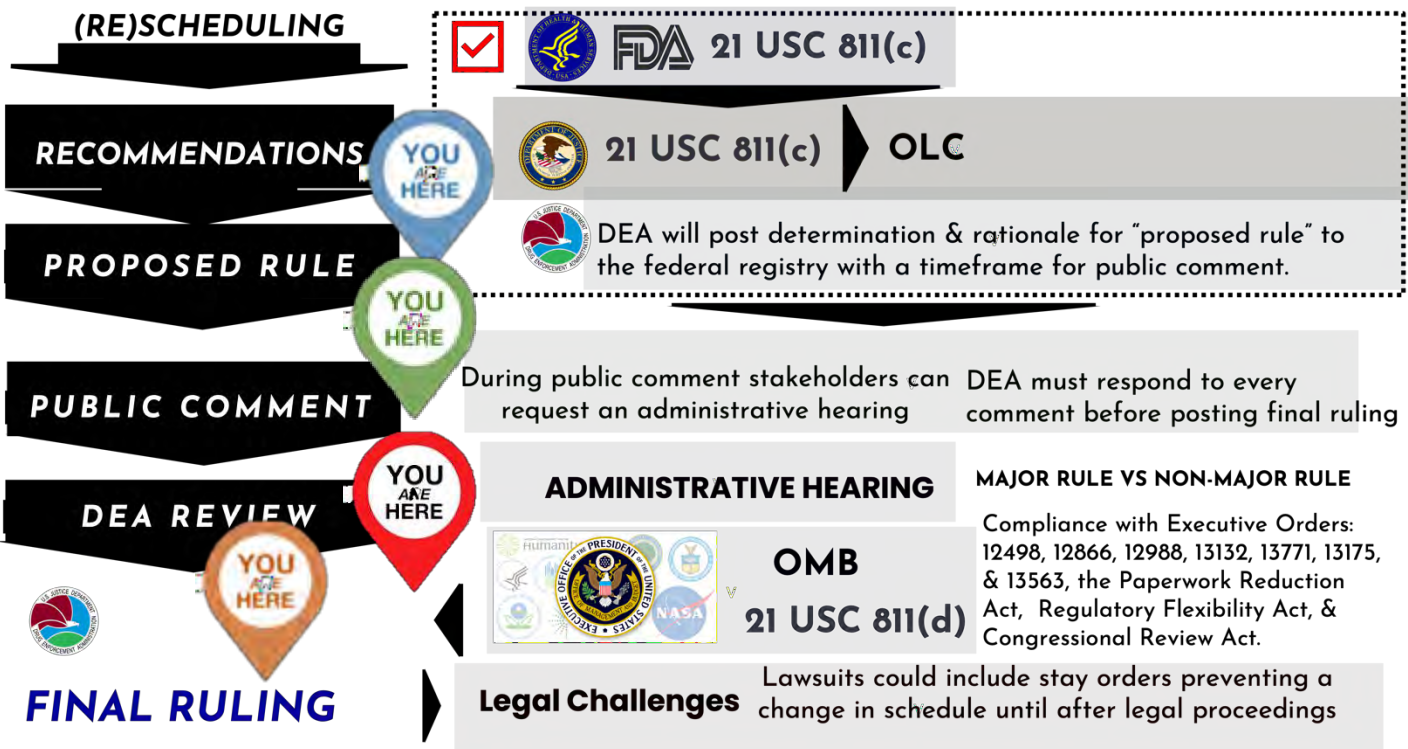
DEA

HEARINGS



POSTPONED

WHAT HAPPENS NEXT?



- ? **INTERLOCUTORY HEARING(S)?
APPEAL? ALJ Hearings resume**

- ? **DEA ISSUES NEW NOTICE OF
PROPOSED RULEMAKING (NPRM)
According to the OLC Ruling, DEA
would have to propose Schedule III**

- ? **DEA ISSUES NEW GENERAL
NOTICE OF HEARING
*(new witness selection, new ALJ hearing)***

- ? **DEA MAKES FINAL RULING
No ALJ Hearing**

TERRANCE COLE

Rescheduling process "one of my first priorities"



Terrance C. Cole · 2nd

Secretary of Public Safety and Homeland Security
1y



Surprise visit to [Virginia Cannabis Control Authority](#) to say hello to our amazing employees [Commonwealth of Virginia](#). Everybody knows my stance on marijuana after 30 plus years in law enforcement, so don't even ask! [#justsayno](#) [#disorders](#) [#notlegal4distribution](#) [#healthissues](#) [#thinblueline](#) [#backtheblue](#)



77

19 Comments



Secretary Terrance Cole

@VA_PSHS · [Follow](#)



Concerned about our youth? Recent study shows higher suicide risks linked to marijuana and alcohol use in high school.



Secretary Terrance Cole

@VA_PSHS · [Follow](#)



Spend enough time at parties or clubs? Please read this article from the [@DEAHQ](#) to learn the dangers of peer pressure and marijuana use: [getsmartaboutdrugs.gov/not-just-weed-...](#)

1:53 PM · Feb 21, 2024



8



Reply



Copy link

NEW LANGUAGE IN HOUSE CJS APPROPRIATIONS 118th CONGRESS

SEC. 531 Medical cannabis Amendment

(a) None of the funds made available under this Act to the Department of Justice may be used, with respect to any of the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, or with respect to the District of Columbia, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, Guam, or Puerto Rico, to prevent any of them from implementing their own laws that authorize the use, distribution, possession, or cultivation of medical marijuana.



(b) Funds made available under this Act to the Department of Justice may be used to enforce violations of 21 U.S.C. 860

21 U.S.C. 860

Any person who is distributing, possessing with intent to distribute, or manufacturing a controlled substance in or on, or within **one thousand feet** of, **a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university, or a playground, or housing facility owned by a public housing authority, or within 100 feet of a public or private youthcenter, public swimming pool, or video arcade facility, is subject to**

(1) twice the maximum punishment

(2) at least twice any term of supervised release for a first offense.

(3) Up to twice the fine

Provisions of this paragraph shall not apply to offenses involving 5 grams or less of marihuana.

July 16, 2024

The Honorable Michael G. Eichenlaub
Assistant Attorney General
U.S. Department of Justice
250 Pennsylvania Avenue NW
Washington, DC 20535

Re: Comments on Proposed Rule: Submission of Unpublished Submissions: Rescheduling of Marijuana, 21 CFR 1306.99 (R 44597)

Attorney General's Office

"We intend to propose new comments with the Drug Enforcement Administration's (DEA) Proposed Rule: 'Submission of Unpublished Submissions: Rescheduling of Marijuana.'"

The Proposed Rule would establish procedures for Schedule I or II Controlled Substances Act (CSA) or Schedule III of the CSA. The rule fails to provide adequate notice and does not support meeting comments to schedule III and should not have been signed or published.

The background section of the Proposed Rule begins by noting that 21 states and the District of Columbia have legalized the use of medical marijuana. This should be irrelevant to the analysis conducted by the Department of Health and Human Services (HHS) and the Department of Justice (DOJ). Nothing in the CSA suggests or requires that the DEA should consider a drug's popularity or legal status in the state level when determining a drug's schedule. It is clear that HHS and DOJ have the correct conclusion that the Proposed Rule is not a rule that provides sufficient notice to meet the requirements of schedule III.

It is clear that the DEA was not properly involved in the drafting of the Proposed Rule. DEA Administrator Wilson did not sign the rule and it was never issued. The DEA's failure to provide additional information is evident regarding the appropriate schedule for marijuana. The Proposed Rule contains DEA's findings from 2016, which it repeated two years later to support its conclusion that schedule I is more appropriate for marijuana than schedule III. All the more reason why this rule should not have been published without sign-off from the DEA Administrator.

The DEA has the obligation of consulting with the community with the cannabis level placed on Schedule I drugs. Schedule I drugs have a high potential for abuse, are currently accepted medical use, and a lack of accepted safety under medical supervision. Schedule III drugs have a potential for abuse that is less than schedule I and II, a currently accepted medical use, and a

ON JULY 10, 2024, 25 GOP SENATORS & MEMBERS OF CONGRESS WROTE A SCATHING LETTER TO AG GARLAND IN PROTEST OF SCHEDULE III PROPOSED RULE FOR CANNABIS.

It is clear that this Proposed Rule was not properly researched, circumvented DEA, and is merely responding to the popularity of marijuana and not the actual science.

25 GOP Lawmakers Condemn Cannabis Rescheduling in New Letter

Sen. James Lankford and Rep. Pete Sessions spearheaded the letter sent to Attorney General Merrick Garland, saying rescheduling lacks “adequate science.”

CANNABIS
BUSINESS TIMES

James Lankford R-OK, Ted Budd, R-N.C.; Shelley Moore Capito, R-W.Va.; John Cornyn, R-Texas; Bill Hagerty, R-Tenn.; Jerry Moran, R-Kan.; Pete Ricketts, R-Neb.; Mitt Romney, R-Utah; & John Thune, R-S.D.

Pete Sessions R-TX, Robert Aderholt, R-Ala.; Andy Biggs, R-Ariz.; Mike Bost, R-Ill.; Josh Brecheen, R-Okla.; Andrew Clyde, R-Ga.; Chuck Edwards, R-N.C.; Chuck Fleischmann, R-Tenn.; Andy Harris, R-Md.; Erin Houchin, R-Ind.; David Kustoff, R-Tenn.; John Moolenaar, R-Mich.; Gary Palmer, R-Ala.; Greg Pence, R-Ind.; Hal Rogers, R-Ky.; & Adrian Smith, R-Neb.

Congress of the United States
Washington, DC 20510

July 10, 2024

The Honorable Merrick Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20530

RE: Comment on Proposed Rule: Schedules of Controlled Substances: Rescheduling of Marijuana, 21 CFR 1306.89 FR 44897

Attorney General Garland:

We write to express our concerns with the Drug Enforcement Administration's (DEA) Proposed Rule "Schedules of Controlled Substances: Rescheduling of Marijuana."

The Proposed Rule would transfer marijuana from schedule I of the Controlled Substances Act (CSA) to schedule III of the CSA. The rule fails to provide adequate science and data to support moving marijuana to schedule III and should not have been signed or published.

The background section of the Proposed Rule begins by noting that 38 states and the District of Columbia have legalized the use of medical marijuana. This should be irrelevant to the analysis conducted by the Department of Health and Human Services (HHS) and the Department of Justice (DOJ). Nothing in the CSA requires or suggests that DOJ should consider a drug's popularity or legal status at the state level when determining a drug's schedule. It is clear that HHS and DOJ chose the desired conclusion first and worked backwards, since the rule does not provide sufficient reason to move marijuana to schedule III.

It is also clear that DEA was not properly consulted in the drafting of the Proposed Rule. DEA Administrator Milgram did not sign the rule and it states many times that DEA believes additional information is needed regarding the appropriate schedule for marijuana. The Proposed Rule references DEA's findings from 2016, when it rejected two petitions to remove marijuana from schedule I. It seems that DEA stands by its findings from 2016: all the more reason why this rule should not have been published without sign off from the DEA Administrator.

The CSA lists five categories of controlled substances that correspond with the restriction level placed on specific drugs. Schedule I drugs have a high potential for abuse, no currently accepted medical use, and a lack of accepted safety under medical supervision¹. Schedule III drugs have a potential for abuse that is less than schedule I and II, a currently accepted medical use, and a

¹ 21 U.S.C. § 812(b)(1)

SENATE LEADERSHIP



John Thune (R-SD), Senate Leadership-Decides the agenda for the Senate, including what bills will have hearings and votes

Shelley Moore Capito (R-WV)-GOP Policy Committee Chair

James Lankford (R-OK)-GOP Policy Committee Vice-Chair



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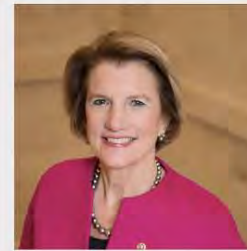
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Ben Cline

Ashley Hinson

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(New York)



Jon Ossoff
(Georgia)

FEDERAL ENFORCEMENT PREP TIP #1

ONLY BREAK **ONE LAW AT A TIME*.**

**ADHERING TO STATE LAWS, OLD TICKETS, BACK
CHILD SUPPORT, EXPIRED TAGS, PERSONAL TAXES,
GUN POSSESSION, OTHER SUBSTANCES, CELL PHONE
& DRIVING, ETC?**

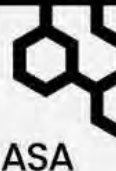
***CANNABIS IS ILLEGAL, THAT'S YOUR ONE!**



FEDERAL ENFORCEMENT PREP TIP #2

YOU & YOUR STAFF KNOW HOW TO READ A SEARCH WARRANT

CHECK THE ADDRESS MAKE SURE IT IS FOR THE RIGHT LOCATION, **CHECK THE DATE** MAKE SURE IT IS RECENT, & **JUDGE'S SIGNATURE** A SEARCH WARRANT IS ONLY VALID WITH ONE



SEARCH WARRANTS **SERVED** VS DYNAMIC ENTRY

**STEP OUTSIDE, CLOSE THE DOOR BEHIND YOU TO READ
SEARCH WARRANT, LET SOMEONE ELSE KNOW TO CALL
YOUR ATTORNEY**



SEARCH WARRANTS SERVED VS DYNAMIC ENTRY

- **SAY “I DO NOT CONSENT TO A SEARCH”**
- **DO NOT TRY TO STOP DYNAMIC ENTRY “RAIDS”**
- **DO NOT TOUCH OFFICERS**
- **KEEP AN EYE ON NON-STAFF**
- **TRY TO KEEP EVERYONE CALM**
- **CHANT “I CHOOSE TO REMAIN SILENT, I WANT TO SPEAK TO AN ATTORNEY”**

FEDERAL ENFORCEMENT PREP TIP #3

**YOU HAVE A CRIMINAL
ATTORNEY ON RETAINER**

YOU HAVE BAIL/OR FORMS FOR YOU & STAFF



FEDERAL ENFORCEMENT PREP TIP #4

TALK TO YOUR
STAFF/TEAM ABOUT
FEDERAL ENFORCEMENT?



FEDERAL ENFORCEMENT PREP TIP #5

**HAVE A PLAN FOR IF YOU ARE
DETAINED:**

**WHO WILL PICK UP YOUR KIDS FROM
SCHOOL, FEED YOUR PET, WATER
YOUR PLANTS ETC**

FEDERAL ENFORCEMENT PREP TIP #6

**HAVE AN OFFSITE MEDIA
SPOKESPERSON**

FEDERAL ENFORCEMENT PREP TIP #1

**HAVE AN OFFSITE MEDIA
SPOKESPERSON**

FEDERAL ENFORCEMENT PREP TIP #8

LAW ENFORCEMENT LIE



THINK BEFORE YOU REPEAT WHAT FEDERAL AGENCIES SAY ABOUT A RAID TARGET

**PRESS RELEASES & PRESS STATEMENTS ARE NOT FACTS
ITEMS LISTED ON SEARCH WARRANTS CAN BE USE FOR PR
INNOCENT UNTIL PROVEN GUILTY**



RAID PREPAREDNESS



OPERATIONAL PREPARATION

- LOGISTICAL PREPARATION
- LEGAL PREPARATION

ACTION PLAN

DURING A RAID

- INSIDE THE FACILITY
- OUTSIDE THE FACILITY


AFTER A RAID

- LOGISTICAL
- LEGAL

ORGANIZING RAID RESPONSES

THE MEDICAL CANNABIS ADVOCATE'S HANDBOOK



 Americans for
Safe Access
Advocating for equitable cannabis access

UPDATED
2025

**[WWW.SAFEACCESSNOW.ORG/TRAINING_
ORGANIZING_RAID_RESPONSES](http://WWW.SAFEACCESSNOW.ORG/TRAINING_ORGANIZING_RAID_RESPONSES)**

OUTREACH OLD SCHOOL



SKIP THE ALGORITHMS- TAKE IT TO THE PEOPLE

PRINT THESE 8.5 X 11 POSTERS & PUT THEM UP IN DISPENSARIES, COMMUNITY CENTERS,
TAKE THEM WITH YOU TO FESTIVALS (YOU ONLY NEED TO PRINT ONE, THANK YOU TO QR CODES!)



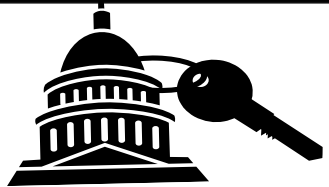
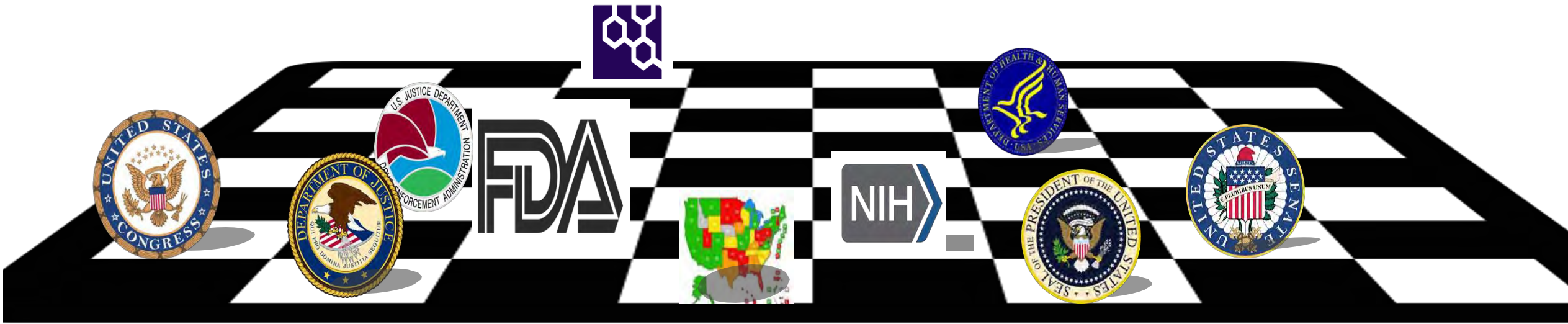
**ARE YOU GOING TO USE
YOUR ONE PHONE CALL
TO CALL CONGRESS?**

LATER IS TOO LATE

TAKE ACTION, TODAY, RIGHT NOW!

TELL CONGRESS TO PROTECT & EXPAND SAFE ACCESS.

SAFEACCESSNOW.ORG/CJS_ACTION



20+ YEARS PATIENTS WORK TOWARD A NATIONAL MEDICAL CANNABIS PROGRAM





**“ CANNABIS HAS
CURRENTLY ACCEPTED
MEDICAL USE IN THE U.S.**

DEA, DOJ: Notice of proposed rulemaking: Schedules of Controlled
Substances: Rescheduling of Marijuana May 21, 2024

”

THE MEDICAL CANNABIS & CANNABINOID ACT



INTEGRATE CANNABIS INTO HEALTHCARE SYSTEMS



A



STANDARDIZE
TERMINOLOGY



RESEARCH
TOOLS



HEALTH CLAIMS
& DOSAGE



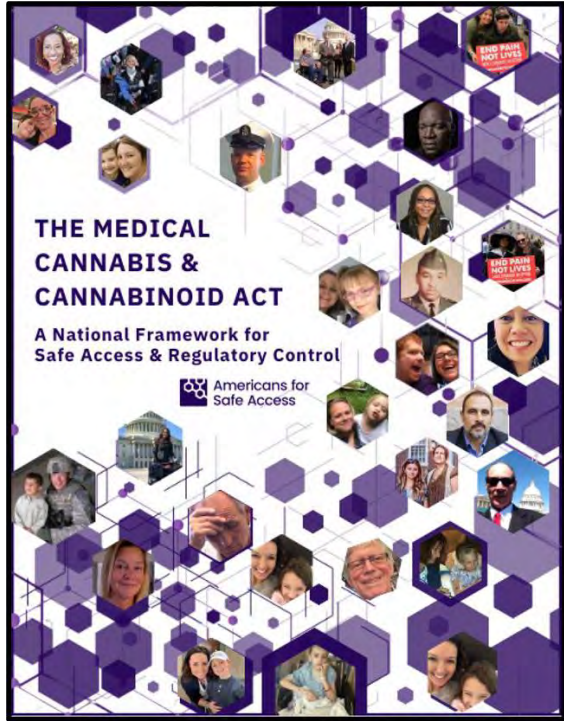
PRODUCT
PROTOCOLS

B

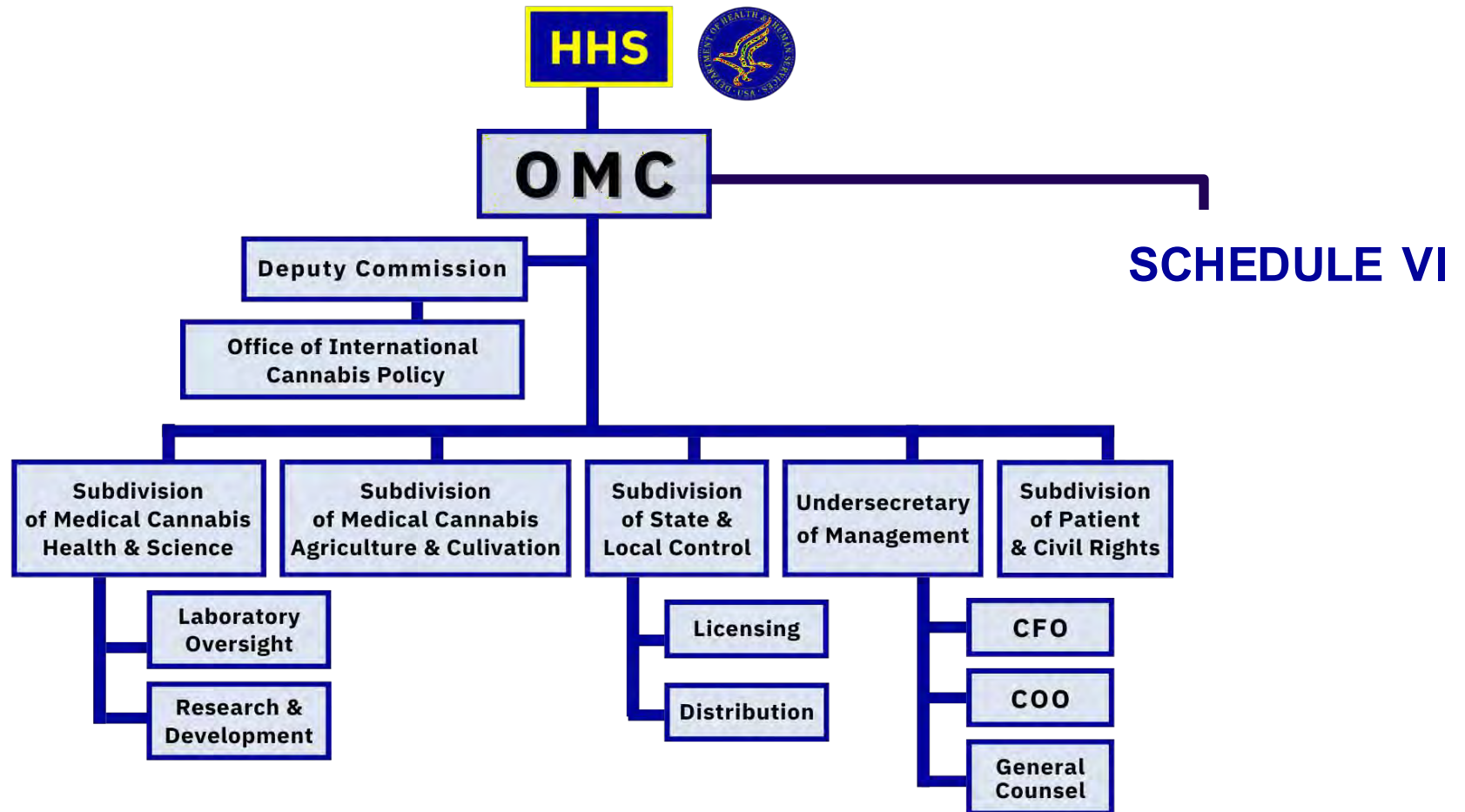


SafeAccess4All.org

A NATIONAL MEDICAL CANNABIS PROGRAM



THE OFFICE OF MEDICAL CANNABIS & CANNABINOID CONTROL (OMC)



[DISCUSSION DRAFT]

119TH CONGRESS
1ST SESSION

H. R. _____

To establish the Office of Medical Cannabis and Cannabinoid Control, create a new schedule for cannabis, and for other purposes.

A BILL

To establish the Office of Medical Cannabis and Cannabinoid Control, create a new schedule for cannabis, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Medical Cannabis and
5 Cannabinoid Act of 2024”.



Congressional
Research Service

Informing the legislative debate since 1914

INSIGHT

Department of Health and Human Services Recommendation to Reschedule Marijuana: Implications for Federal Policy

September 13, 2023

"If Congress removed marijuana from Schedule I, it might (1) place marijuana on one of the other schedules of controlled substances, (2) create another schedule or separate classification for marijuana under the CSA, or (3) remove marijuana as a controlled substance altogether."

Department of Health and Human Services
Recommendation to Reschedule Marijuana: Implications
for Federal Policy" -September 13, 2023, CRS Report



Congressional
Research Service

Informing the legislative debate since 1914

Legal Sidebar

Legal Consequences of Rescheduling Marijuana

Updated

"FDA regulates certain cannabis products under the Federal Food, Drug, and Cosmetic Act, Congress might also consider whether to alter that regulatory regime or create some alternative regulatory framework."

"Legal Consequences of Rescheduling Marijuana".
January 16th, 2024 (updated May 1, 2024), CRS report

POLITICS IN AMERICA IS NOT A SPECTATOR SPORT.
YOU HAVE TO GET INVOLVED.

- CONGRESSMAN SAM FARR

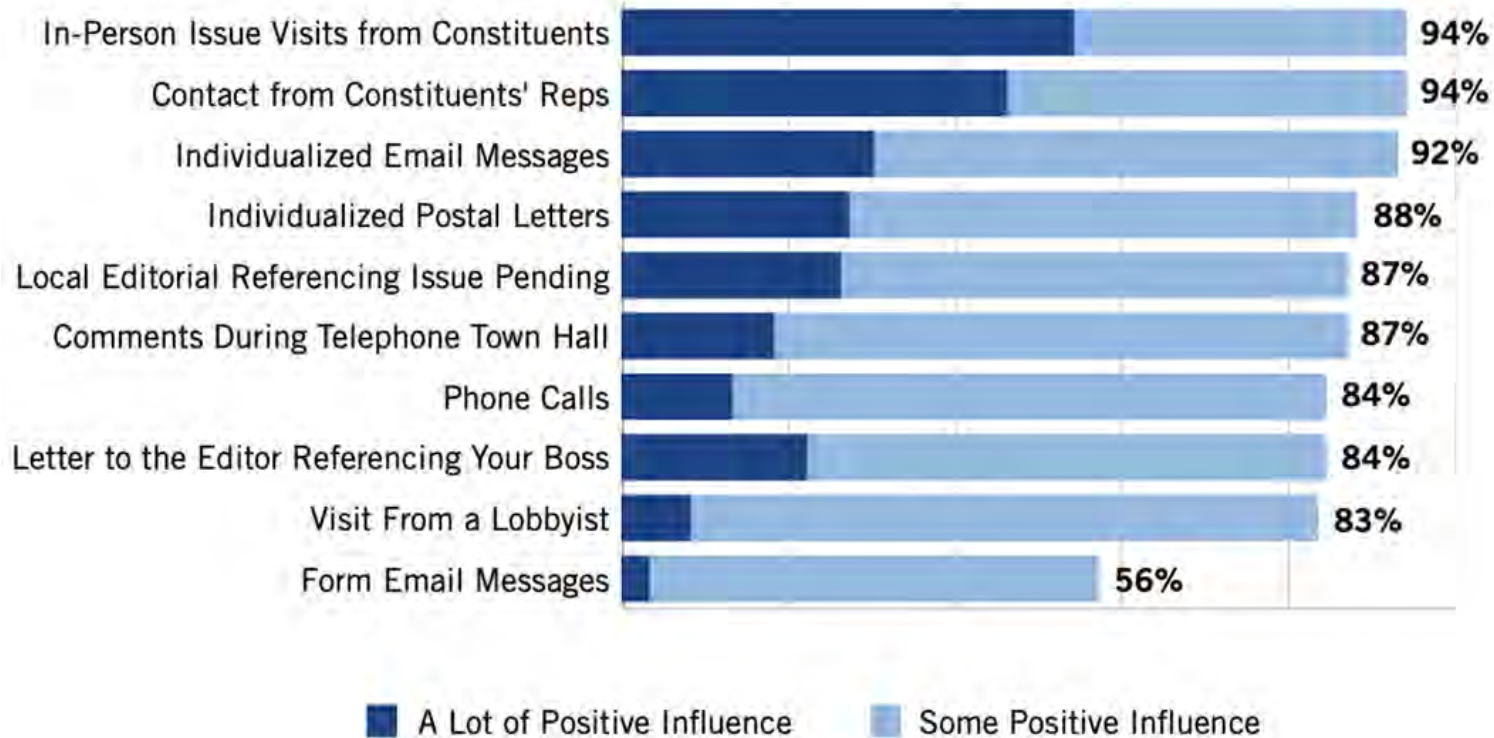


www.SafeAccessNow.org/citizen_lobbying



POLITICAL ENGAGEMENT MATTERS

If your Member/Senator has not already arrived at a firm decision on an issue, how much influence might the following advocacy strategies directed to the *Washington office* have on his/her decision?



Source: Congressional Management Foundation 2015 survey of congressional staff, including Chiefs of Staff, Communications Directors, Legislative Directors, and Legislative Assistants.



TALK TO YOUR REPRESENTATIVES...

IF YOU ARE NOT TALKING TO YOUR FEDERAL REPRESENTATIVES ABOUT MEDICAL CANNABIS, GUESS WHO IS?

ELECTEDS HAVE FULL AGENDAS AND NEED A REMINDER THAT MEDICAL CANNABIS SHOULD BE ON IT!

IF THEY DON'T HEAR FROM YOU, THEY PROBABLY THINK THE MEDICAL CANNABIS RESEARCH BILL WAS ENOUGH

UTILIZE ASA REPORTS, BLOGS AND PRESS RELEASES AS AN EXCUSE TO ENGAGE





ACTION!



www.SafeAccessNow.org/CJS_Action



KNOW YOUR RIGHTS

Many arrests for cannabis happen during traffic violations or responses to noise complaints.

You only have rights if you exercise them!

TRAVEL SAFELY · BE PREPARED · BE DISCREET

202.857.4272

AmericansForSafeAccess.org



Americans for
Safe Access

Advancing Legal Medical Cannabis Therapeutics

Download this card for information about your rights

CONOZCA SUS DERECHOS

Muchos arrestos por cannabis ocurren durante infracciones de tránsito o respuestas a quejas por ruido.

¡Sólo tiene derechos si los ejerce!

VIAJE CON SEGURIDAD · ESTÉ PREPARADO · SEA DISCRETO

202.857.4272

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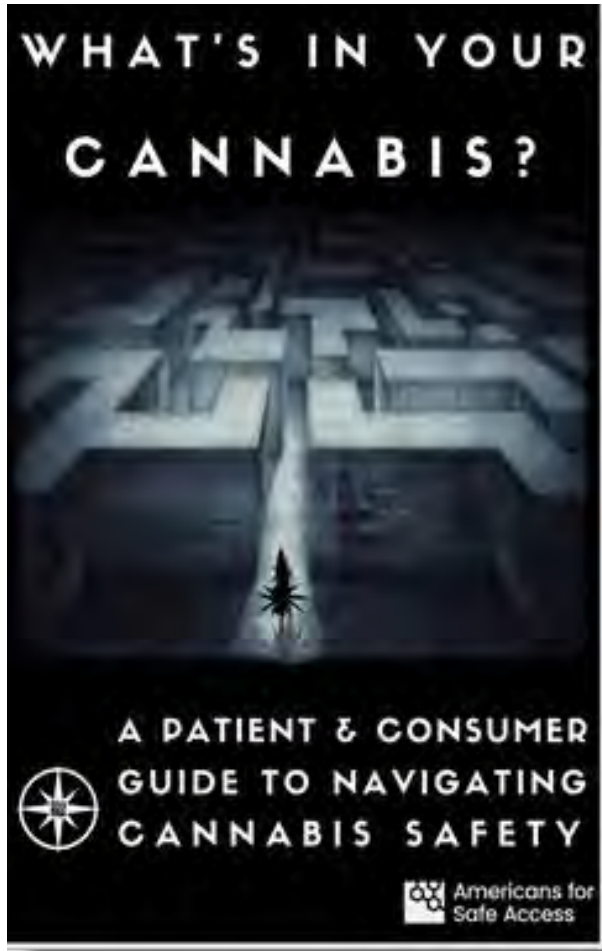
Americans for
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Advancing Legal Medical Cannabis Therapeutics



**SafeAccessNow.org/
Know_Your_Rights**

RESOURCES: FREE PATIENT GUIDE TO NAVIGATING CANNABIS SAFETY



TAKE CONTROL OF YOUR CANNABIS JOURNEY



WhatsInYourCannabis.org



GET UPDATES & ALERTS!

SafeAccessNow.org



WOMEN WHO CRUSH! SHEDDING LIGHT ON HOW SH*T GETS DONE!



ALICE O'LEARY RANDALL
PROJECT 50



JODECI GONZALEZ
MINORITIES FOR MEDICAL MARIJUANA



KIMBERLY CARGILE
CEO, A THERAPEUTIC ALTERNATIVE



DAWN MARIE STEENSTRA
ENTOURAGE CONSULTING SERVICES



EMILY GOGOL, PHD
GROW IT FROM HOME



"NURSE LAURA" BARRETT
NATIONAL CLINICAL DIRECTOR CONSORTIUM



AUNDRE SPECIALE
CBCB



NYOMI BARRICK-WOMMACK
MCST ALUMNI



FREDERIKA EASLEY
MINORITY CANNABIS BUSINESS ASSOCIATION



CAREN WOODSON



SASHA KALCHEFF-KORN
REALM OF CARING



GENESTSER WILSON-KING
VICTORY REJUVENATION CENTER



AMANDA REIMAN
FOUNDER, MY PERSONAL PLANTS



GILLAN SCHAUER
CANNABIS REGULATORS ASSOC



MIKKI NORRIS
AUTHOR, ACTIVIST, EDUCATOR



VALERIE CORRAL
WAMM PHYTOTHERAPIES



DR. PATRICIA FRYE
TAKOMA PARK INTEGRATIVE CARE



MARY JANE OATMAN
INDIGENOUS CANNABIS INDUSTRY ASSOC.



JULIE K. JOHNSON, PHD



CARLA BASANTE
CJB INC



WEIWEI "VIVIAN" FELLMAN
MOTA BOTANICS & ASIAN CANNABIS ROUNDTABLE



SHANNON DEGROOMS
THIS IS JANE PROJECT



PAMELA EPSTEIN
TERPENE BELT INC



RENEE REISINGER, RN
VI-22 & ASA



MICHELLE SEXTON, ND



GIA MORÓN
GYM COMMUNICATIONS, INC



DR. CHANDA MACIAS
WOMENGROW



BONNI GOLDSTEIN, MD
CEO, GOLDSTEINWELLNESS.COM



SASHA KALCHEFF-KORN
REALM OF CARING



CRISTA EGGERS
NEBRASKANS FOR MEDICAL MARIJUANA



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CANNABIS QUEENS



SHAWN DENAE
WASHINGTON BUD COMPANY



HANKA GABRIELOVÁ
CEO, HEMPOINT



RUTH FISHER, PHD
AUTHOR, RESEARCHER, ANALYST



DR. DEONDRA ASIKE
NATIONAL PAIN RELIEF



HOSTED BY
STEPH SHERER



MARY SHAPIRO
CROWN LLP



MELANI KANE, PHARM D
INTERNATIONAL SOCIETY OF
CANNABIS PHARMACISTS



JILL SIMONIAN, PHARM D
PHARMACISTS' CANNABIS COALITION OF CA



SARA PAYAN
PLANTED WITH SARA PAYAN



DR. LEIGH VINOCUR
DR. LEIGH.COM LLC



SHANETHA LEWIS
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MAY 30, 2025**

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