



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Elizabeth Warren
United States Senate
Washington, DC 20510

The Honorable Cory A. Booker
United States Senate
Washington, DC 20510

Dear Senator Warren and Senator Booker:

This responds to your letter to the Department of Justice (Department) dated October 6, 2021, requesting that it decriminalize cannabis using its existing authority to remove the drug from the Federal controlled substance list. As your letter acknowledges, the Department does not have the authority to unilaterally change the schedule of a controlled substance; the administrative scheduling process requires participation by the public and other agencies.

Cannabis is a Schedule I controlled substance under the Controlled Substances Act (CSA). This is—in part—due to HHS’s determination that cannabis has not been proven in scientific studies to be a safe and effective treatment for any disease or condition. The Department recognizes that cannabis-related drugs might, in the future, be proven to be a safe and effective treatment of certain conditions and strongly supports legitimate research using marijuana and its derivatives. The Drug Enforcement Administration (DEA) continues to work to increase the availability of marijuana to researchers. To that end, on December 18, 2020, the DEA published a final rule in the Federal Register entitled, *Controls To Enhance the Cultivation of Marijuana for Research in the United States* (85 FR 82333). The publication discusses the process for “any person who seeks to plant, cultivate, grow, or harvest [marijuana] to supply researchers.”

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,

Peter S. Hyun
Acting Assistant Attorney General