



ALAN WILSON  
ATTORNEY GENERAL

June 20, 2024

**Filed via the Federal eRulemaking Portal**

Drug Enforcement Administration  
Attn: Administrator  
8701 Morrissette Drive  
Springfield, VA 22152

RE: Docket No. DEA-1362, “Schedules of Controlled Substances: Rescheduling of Marijuana”

Dear Administrator Milgram:

We, the undersigned state Attorneys General, write in support of requests for a public hearing<sup>1</sup> on the Proposed Rule, 89 Fed. Reg. 44,597 (May 21, 2024), which would reschedule marijuana from a Schedule I drug to a Schedule III drug under the Controlled Substances Act, 21 U.S.C. § 801, *et seq.* (“CSA”). Considering the potential impacts of the Proposed Rule, a public hearing is in the public interest, and therefore in the interest of our states.

First, rescheduling marijuana as a Schedule III drug is likely the most consequential rulemaking DEA has ever undertaken. The Proposed Rule carries both national and international ramifications. It would change the definition of currently accepted medical use and would alter the way the federal government implements international treaty obligations under the United Nations’ Single Convention on Narcotic Drugs. The Proposed Rule also represents the most significant relaxation of narcotics restrictions in the history of the CSA. Such sweeping changes cannot properly be made in the absence of a robust administrative record. That’s why Congress required such decisions to be made on the record with an opportunity for a public hearing.

Second, a hearing would aid DEA’s evaluation of the important sociological and scientific issues at stake in any major shift in drug classification. As DEA made clear in the Proposed

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<sup>1</sup> *See, e.g.*, NATIONAL DRUG AND ALCOHOL SCREENING ASSOCIATION, Comment on Proposed Rule 89 Fed. Reg. 44,597, DEA-2024-0059-20317 (Jun. 17, 2024).

Rule, additional data and rigorous scientific analysis is needed to determine whether marijuana may be appropriately assigned to Schedule III. A hearing is needed to sort through competing claims about marijuana's pharmacological effects, potential for abuse, and impacts on public safety. Such a hearing would allow outside experts to present their views on the most current evidence on those topics, and their presentations would be subject to cross-examination. It would also allow local leaders, law enforcement groups, and advocacy organizations to speak on the complexity of this issue.

Reclassifying any drug from Schedule I to Schedule III is a significant change. Especially considering how politically fraught the topics of marijuana use and legalization have become, a dramatic change in the classification of marijuana should not be done lightly or without sufficient public input. DEA should hold a public hearing on the Proposed Rule.

Respectfully,



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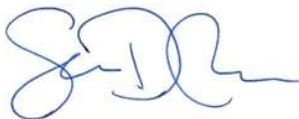
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