

United States Senate

WASHINGTON, DC 20510

July 25, 2018

The Honorable Jeff Sessions
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Sessions:

We write to encourage you to finalize your review of applications submitted to the Drug Enforcement Administration (DEA) for licenses to manufacture marijuana for scientific research. Our nation's need for meaningful federally sanctioned research is critical. Research and medical communities should have access to research-grade materials to answer questions around marijuana's efficacy and potential impacts, both positive and adverse. Finalizing the review of applications for marijuana manufacturing will assist in doing just that.

For nearly fifty years, the University of Mississippi has had the sole contract with the National Institute on Drug Abuse (NIDA) to grow cannabis for research purposes. To expand the number of manufacturers, the DEA submitted a notice in the Federal Register on August 11, 2016, soliciting applications for licenses to manufacture marijuana for research purposes. Under this notice, DEA explained its legal authority to "increase the number of entities registered under the Controlled Substances Act (CSA) to grow (manufacture) marijuana to supply legitimate researchers in the United States."¹ However, almost two years have passed since the DEA's notice without any new schedule I marijuana manufacturer registrations.

On April 25, 2018, during testimony before the Senate Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies, in response to questioning you stated: "We are moving forward and we will add, fairly soon . . . additional suppliers of marijuana under the Controlled [Substances Act]." ² In a prior hearing, you testified: "It would be healthy to have some more competition in the [marijuana] supply."³

Additional registered marijuana manufacturers in the United States will assist not only in expanding legitimate research opportunities, but also will act in a way that allows for the United States' continued compliance with the United Nations' Single Convention on Narcotics Drugs. Specifically, in DEA's August 2016 notice, the agency explained, "DEA believes it would be consistent with the purposes of articles 23 and 28 of the Single Convention for DEA to register

¹ <https://www.federalregister.gov/documents/2016/08/12/2016-17955/applications-to-become-registered-under-the-controlled-substances-act-to-manufacture-marijuana-to>.

² "Attorney General Sessions on Justice Department Budget Request," C-SPAN, 25 April 2018, <https://www.c-span.org/video/?444368-1/attorney-general-declines-resign-mueller-rosenstein-fired>.

³ "Justice Department Oversight Hearing," C-SPAN, 18 Oct. 2017, <https://www.c-span.org/video/?434413-1/attorney-general-interviewed-special-counsel>.

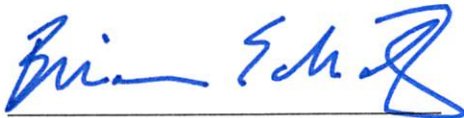
marijuana growers outside of the [National Institute on Drug Abuse]-contract system to supply researchers, provided the growers agree that they may only distribute marijuana with prior, written approval from DEA.”

To prevent further delays in approving the at least twenty-six pending DEA applications for licenses to manufacture marijuana for research purposes, we ask you to respond to the following questions and requests by August 10, 2018:

- 1) What is the current status of the twenty-six marijuana manufacturer applications?
- 2) What steps have both DEA and DOJ taken to review the twenty-six marijuana manufacturer applications currently pending?
- 3) By what date do you estimate the DEA will have completed its review of the twenty-six marijuana applications and commence registration of new marijuana manufacturers?
- 4) Please share DOJ’s analysis of the Single Convention and if the opinion of the Justice Department is the same or similar to that of DEA’s.
- 5) If there are legal barriers to licensing multiple schedule I marijuana manufacturers under the Single Convention, please identify and explain them.

Thank you for your attention to this matter.

Sincerely,



BRIAN SCHATZ
United States Senator



CHUCK GRASSLEY
United States Senator



CORY GARDNER
United States Senator



KIRSTEN GILLIBRAND
United States Senator



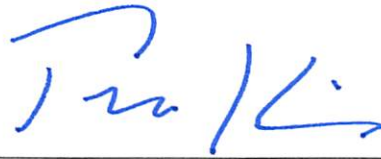
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