

Congress of the United States

Washington, DC 20515

August 18, 2026

The Honorable Donald J. Trump
President
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

The Honorable Robert F. Kennedy, Jr.
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, SW
Washington, D.C. 20201

The Honorable Scott Bessent
Secretary
U.S. Department of the Treasury
1500 Pennsylvania Avenue, NW
Washington, D.C. 20220

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

Dear President Trump, Secretary Kennedy, Secretary Bessent, and Attorney General Todd Blanche,

We write regarding the Department of Justice's (DOJ) April 23, 2026, order partially rescheduling certain categories of marijuana under Schedule III of the Controlled Substances Act (CSA), including FDA-approved marijuana products and state-licensed medical marijuana.

The order marks a significant step in establishing a federal framework for certain state-licensed medical marijuana entities to register and comply with the CSA. We appreciate this development and the progress it reflects toward greater clarity in federal policy. As implementation moves forward, additional guidance would be helpful on several practical questions, including worker protections, patient rights, healthcare coverage, privacy safeguards, home cultivation, and the operation of the new DEA registration system.

Accordingly, we respectfully ask that you consider providing answers to the following questions by September 30, 2026.

- How will the order affect patients currently participating in state medical marijuana programs?
 - Is medical marijuana cultivated by a patient or their registered caregiver in accordance with state law currently considered a Schedule I or Schedule III substance?
- Does the DOJ anticipate coordination with the Centers for Medicare & Medicaid Services regarding Medicare coverage or reimbursement considerations for Schedule III medical marijuana products?
 - Please describe how, if at all, the framework addresses health insurance reimbursement or coverage for marijuana-based treatments for patients operating in compliance with state medical marijuana laws.
- How will the order apply to operators who participate in both medical and adult-use marijuana markets? For example, certain states have a single license that covers both medical and adult use and other states have a dual license that covers both activities.

- Specifically, will such entities remain eligible for federal tax treatment changes associated with Schedule III status, including relief from Internal Revenue Code Section 280E?
- How will DEA registration and compliance with Schedule III obligations be expected to affect federal enforcement posture with respect to businesses, healthcare providers, workers, and patients?
 - How does the Department anticipate federal enforcement will be handled for businesses that do not register with the DEA, and for patients who obtain medical marijuana from state-licensed businesses that are not registered under the federal framework?
- What information will be required to obtain and maintain DEA registration, and how will the DEA use that information? What safeguards will be in place to prevent misuse of this information?

We appreciate the establishment of a Schedule III framework for certain marijuana-related products under the Controlled Substances Act. As implementation proceeds, we look forward to continued engagement and await your timely guidance to ensure clarity and consistency across all affected stakeholders. Thank you for your full and fair consideration of this important matter, consistent with applicable statute and agency guidelines. We look forward to your response and to continued efforts to advance a clear and effective federal marijuana policy.

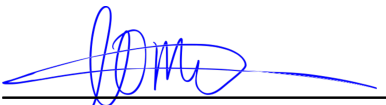
Sincerely,



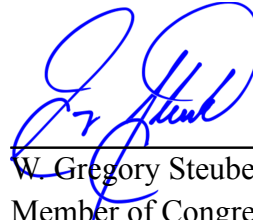
Dina Titus
Member of Congress



David P. Joyce
Member of Congress



Ilhan Omar
Member of Congress



W. Gregory Steube
Member of Congress