# Congress of the United States

Washington, DC 20515

March 12, 2024

The Honorable Xavier Becerra
Secretary
U.S. Department of Health and Human Services
200 Independence Ave SW
Washington, D.C. 20201

The Honorable Anne Milgram
Administrator
U.S. Drug Enforcement Administration
8701 Morrissette Drive
Springfield, VA 22152

Dear Secretary Becerra and Administrator Milgrim:

President Biden signed our Medical Marijuana and Cannabidiol Research Expansion Act (Public Law No. 117-215) into law on December 2, 2022 – representing a historic breakthrough in addressing the federal government's misguided restriction of research on the impacts of cannabis. At a time when more than half of Americans reside in a place where adult-use of cannabis is legal at the state or local level, and there are four million registered medical marijuana users with many more likely to self-medicate, it is essential that we are able to fully study the impacts of cannabis use. The American public deserves to know the effect modern marijuana has on the human body.

We are deeply troubled by recent reporting[1] that the Medical Marijuana and Cannabidiol Research Expansion Act is not being implemented in line with congressional intent. It is unacceptable that researchers continue to face harmful barriers to cannabis research after Congress expressly removed obstacles to research into this substance. More than 150 pending research applications for studies into cannabis and related products have yet to receive an approval or denial from the U.S. Food and Drug Administration (FDA), and many more researchers are excluded through the U.S. Drug Enforcement Administration's (DEA) licensing process, which has not been adequately updated. Additionally, Congress has yet to receive a report on the potential therapeutic effects of cannabis and barriers to research on state- or locally-legalized marijuana despite the law mandating this report be sent a year after enactment.

Continued research barriers signal ineffective implementation of the Medical Marijuana and Cannabidiol Research Expansion Act. Therefore, we request further details on the rollout of this law:

- What is the standard timeline for FDA to issue a decision to approve or deny cannabis-related research applications? How does this compare to timelines for research that is not cannabis-related?
- How many research licensing applications are pending before DEA? What is the average timeline for DEA to approve or deny license applications related to cannabis?

[1] Ovalle, David and Fenit Nirappil. Michigan wants to study marijuana's health benefits. It's not easy. Washington Post. February 29, 2024. https://www.washingtonpost.com/health/2024/02/29/marijuana-research-fda-dea/

- What caused the Department of Health and Human Services (HHS) to miss the December 2, 2023 deadline to report to Congress on potential impacts of cannabis and barriers to research?
- What is HHS' target deadline to transmit this report to Congress?
- What specific steps are HHS and the DEA taking to ensure that congressional intent to streamline research registration and expand research on cannabis is reflected in updated processes for research application processing and approvals?

While Congress works to address the impacts of the federal-state gap on cannabis policy, the urgency of improved implementation of our Medical Marijuana and Cannabidiol Research Expansion Act must inform the Administration's engagement with researchers. Congress passed this legislation with robust bipartisan, bicameral support because increasing research into the impacts of cannabis requires timely action. We look forward to your response and to your proactive engagement to reflect congressional intent in the implementation of the law.

Sincerely,

Earl Blumenauer
Member of Congress

Andy Harris, M.D.
Member of Congress

CC: The Honorable Robert M. Califf, Commissioner, Food and Drug Administration