Congress of the United States
Washington, DC 20515

September 28, 2018

The Honorable Jeff Sessions
Attorney General
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

The Honorable Uttam Dhillon
Acting Administrator
Drug Enforcement Administration
8701 Morrissette Drive
Springfield, VA 22152

Dear Attorney General Sessions and Acting Administrator Dhillon:

Considering the recent decision by the Drug Enforcement Administration (DEA) to approve the importation from Canada of marijuana for research, we write with deep concern and with questions over the delay in approving additional approved domestic manufacturers of cannabis for this same purpose.

Cannabis offers breakthrough possibilities to help alleviate suffering and disease, but more research is needed. Currently, there is only one legal domestic supplier of marijuana for research purposes. Many have raised concerns about the cannabis it manufactures, however, such as the quality of the product. In August 2016, DEA adopted a new policy so as to increase the number of domestic manufacturers in order to increase the amount of cannabis supply and facilitate research.

Further, on October 18, 2017, you, Attorney General Sessions, testified before the Senate Judiciary Committee. In response to a question from Senator Orrin Hatch about federally-approved manufacturers of research cannabis, you stated "I think it would be healthy to have some more competition in the supply." We agree. Fortunately, over two dozen American companies have filed applications to manufacture cannabis products for research purposes.

Unfortunately, in the two years since DEA's new policy, no additional manufactures have been approved. There have been several unsuccessful attempts to ascertain the cause of this delay, most recently a July 25, 2018 letter from a bipartisan group of Senators and an August 31 letter from a bipartisan group of Representatives.

The need for additional domestic manufacturers of marijuana for research purposes was illustrated a few days ago by DEA. On Tuesday, September 18, it granted approval to the University of California San Diego's *Center for Medical Cannabis Research* to import capsules of THC and CBD from a Canadian company, Tilray Inc., for purposes of medical research. The one manufacturer in the U.S. does not offer capsules of cannabis compounds. If there were other domestic manufacturers, they might offer this option.

On April 18, 2017, President Trump issued an executive order to "Buy American and Hire American." Despite the Department of Justice (DOJ) and DEA possessing over two dozen applications from qualified domestic manufacturers, however, DEA approved the importation of cannabis products from Canada. Adding insult to injury, one application to produce research

cannabis was submitted by a campus within the University of California system — and one campus of that system will be the eventual recipient of Tilray, Inc.'s THC and CBD products.

We should note that just recently the House Judiciary Committee approved by voice vote the *Medical Cannabis Research Act*. This bill would require there be at least three domestic suppliers of cannabis for research purposes. There is strong and bipartisan interest in Congress in increasing the number of manufacturers in the U.S. of cannabis for research. While Congress will act if the Administration does not, the Administration could make this goal a reality much more quickly if it approved some of the pending applications.

With that in mind, and considering the news of the need to import cannabis products from Canada for U.S. research, we would like answers to the following questions, some of which have been asked by some of us previously:

1. What is the current status of the twenty-six cannabis manufacturer applications? How long has each been pending before DOJ and DEA?

2. What steps have the DEA and DOJ taken to review the cannabis manufacturer applications currently pending? What are the reasons these applications have not been approved?

3. When do you estimate the DEA and DOJ will complete their review of all of the cannabis manufacturing applications and begin approving some as new manufacturers?

4. In the past twelve months, excluding Schedule I Bulk Manufacturer registrations for cannabis, how many other DEA registrations has DOJ reviewed?

We look forward to working with the Administration to see that our domestic need for cannabis for research can be met by American institutions. Your prompt response would be greatly appreciated. Thank you for your time and consideration.

Sincerely,

Matt Gaetz
Member of Congress

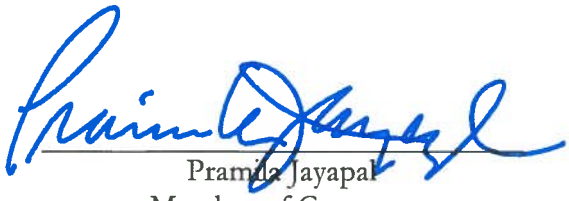
Eric Swalwell
Member of Congress

Cc: Dr. Nora D. Volkow, Director, National Institute on Drug Abuse

Earl Blumenauer
Member of Congress

Steve Cohen
Member of Congress

Peter DeFazio
Member of Congress



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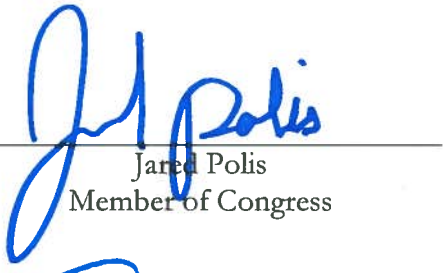

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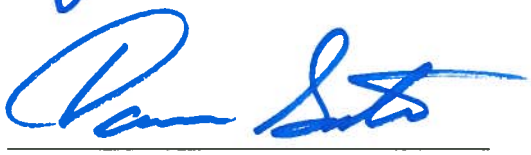

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