

# Republicans Protest Cannabis Rescheduling in Last-Ditch Effort

## Republicans Push Back Against Biden's Move to Reschedule Cannabis

Republicans are making a final push against the Biden administration's move to reschedule marijuana, despite advocates arguing that the effort may be futile. The formal rulemaking process to reclassify marijuana has garnered significant public attention and debate.

### Biden Administration's Rescheduling Move

In May, the White House initiated the formal rulemaking process to shift marijuana from Schedule I of the Controlled Substances Act (CSA) — a category for drugs with the highest potential for abuse and no accepted medical use — to Schedule III, which includes drugs with a “moderate to low potential” for physical and psychological dependence. The comment period for this proposed rule ended last week, with over 40,000 comments submitted, the majority in favor of the change.

### Republican Opposition

A notable element of the opposition came in the form of a 42-page letter from 11 GOP state attorneys general, directed to Attorney General Merrick Garland. These officials voiced their concerns, arguing that rescheduling marijuana is a step toward “normalizing” the marijuana business, a move they believe is premature and potentially harmful.

### Key Arguments Against Rescheduling

The GOP attorneys general outlined five primary reasons for their opposition:

**Procedural Concerns:** The proposed rule was not signed by Anne Milgram, the administrator of the Drug Enforcement Administration (DEA), raising questions about the procedural validity of the move.

**International Treaty Obligations:** They argued that rescheduling marijuana would violate the U.S.'s international treaty obligations, which require certain controls over marijuana.

**Deference to HHS:** The proposed rule wrongly asserts that “significant deference” is owed to the determination made by the Department of Health and Human Services (HHS), potentially undermining the DEA's authority.

**Consistency with Previous DEA Decisions:** They pointed out that previous refusals by the DEA to reschedule marijuana were based on the same essential facts currently under consideration, suggesting inconsistency in the decision-making process.

**CSA Conditions:** The decision to reschedule did not satisfy the conditions set by the Controlled Substances Act (CSA), according to the attorneys general, implying that the move could be legally challenged.

## **Public and Political Reactions**

The rescheduling proposal has sparked widespread public and political reactions. While many advocates argue that [reclassifying cannabis](#) is a necessary step to recognize its medical benefits and reduce the burden on the criminal justice system, opponents are concerned about the broader implications for public health and international commitments.

The Biden administration's move to reschedule marijuana has reignited the debate over the drug's legal status in the United States. As the process moves forward, the clash between supporters and opponents will likely intensify, highlighting the complex legal, medical, and international dimensions of cannabis policy. The outcome of this debate will have significant implications for the future of marijuana regulation in the country.

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