

DEA Announces December Hearing on Proposal to Reschedule Marijuana

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As we discussed during our recent webinar, the administrative process associated with the US Drug Enforcement Administration's (DEA) proposed rescheduling of "marijuana" should be expected to proceed slowly and deliberately. The DEA's recent announcement states that it plans to hold an administrative hearing on rescheduling the proposal on December 2, just weeks after the 2024 presidential election.

View our recent webinar [here](#) and read the DEA's announcement [here](#).

On May 21, the DEA published a notice of proposed rulemaking to loosen decades-old restrictions on "marijuana" by moving it from Schedule I of the Controlled Substances Act (CSA) — the most restrictive category — to Schedule III. Under the CSA, such rescheduling proposals are required to be made through formal rulemaking on the record following an opportunity for an administrative hearing. In June, an anti-marijuana-legalization advocacy organization, Smart Approaches to Marijuana, took advantage of this opportunity by formally requesting a hearing, a request that was subsequently amplified by several state attorneys general.

The DEA's recent announcement should therefore be seen as the next step in the administrative process. If anything, the announcement signals that the rescheduling process continues to move forward, albeit slowly and deliberately, with an uncertain future.

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