

Re: Request for Reconsideration of Public Access Limitation in DEA Docket No. 1362, Hearing Docket No. 26-96

The Honorable Derek C. Julius
Chief Administrative Law Judge
Office of Administrative Law Judges
Drug Enforcement Administration
700 Army Navy Drive
Arlington, VA 22202

June 25th, 2026

Dear Chief Administrative Law Judge Julius:

Americans for Safe Access (ASA), a non-profit organization of patients, medical professionals, scientists, and concerned citizens founded in 2002 to ensure safe and legal access to cannabis for therapeutic use and research, along with the undersigned coalition partners, respectfully request that the tribunal reconsider the portion of the June 18, 2026, Preliminary Order stating that “[t]he hearing will not be televised, livestreamed, or broadcast in any way.”

The upcoming hearing is of direct national importance to the patients and communities we serve. The outcome will affect a wide swath of patients, families, caregivers, clinicians, researchers, state officials, regulated businesses, public health agencies, and communities across the country.

We appreciate the tribunal’s recognition that this proceeding carries national public interest and that transparency must be weighed against the safety of those involved. We also respect the need for courtroom decorum, security screening, orderly proceedings, and protection of the parties, witnesses, court staff, and members of the public.

However, the current public access structure does not meaningfully satisfy the public interest in this proceeding. The Order provides that the hearing will be open to the public and the media only in a limited capacity, with access available on a first-come, first-served basis based on available seating, and no overflow seating provided. Many patients with the greatest interest in this proceeding are unable to travel to Arlington, Virginia. Many are disabled, immunocompromised, elderly, financially constrained, or managing serious medical conditions. Even patients and advocates who can travel may not be physically able to wait in line for an uncertain chance at admission, only to be turned away once the limited seating is filled. As such, the hearing may technically be open to the public, yet practically inaccessible to most.



We also respectfully note that livestreaming this type of proceeding is possible, as the prior DEA cannabis rescheduling hearing was livestreamed before subsequent proceedings were postponed. The agency has already demonstrated that remote public observation can be provided while maintaining control over the proceeding. A one-way public livestream, a delayed livestream, an audio feed, or a same-day publicly available recording would allow meaningful public access without disrupting courtroom operations or increasing physical security burdens.

To be clear, we are not requesting permission for attendees to record the hearing from inside the courtroom. We are not asking the tribunal to compromise security, decorum, witness management, or the integrity of the proceeding. Rather, we ask that the tribunal provide an official public access mechanism controlled by DEA or the Office of Administrative Law Judges, with appropriate safeguards.

The national public interest in this matter supports a policy of transparency. Patients across the country have lived under the consequences of federal cannabis scheduling for decades. They should not be shut out of observing a proceeding that will help determine the future of federal cannabis policy simply because they cannot travel, cannot stand in line, or cannot secure one of a small number of seats.

Respectfully, the tribunal can protect safety and decorum while also providing meaningful public access. These goals are not in conflict. A controlled livestream or similar official access option would reduce pressure on the physical courtroom, reduce the likelihood of crowds or confusion at the DEA Visitor Center, and better serve the public interest the Order itself recognizes.

For these reasons, we respectfully request reconsideration of the prohibition on televising, livestreaming, or broadcasting the hearing, and ask that the tribunal provide an official remote access option for public observation.

Thank you for your consideration.

Respectfully submitted,

Steph Sherer

Founder and President

Americans for Safe Access

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Americans for Safe Access

Veterans Initiative-22

U.S. Pain Foundation

Realm of Caring

CMM--New Jersey.

Montel Williams, Montel Media

ASA San Diego

Michigan for Safe Access

Firefighters for Plant Medicine

Georgia Medical Cannabis Society

