

Victories, Updates, and What YOU Can Do to Help

By Jaime Zerbe

Jaime Zerbe currently serves as SAM's Chief of Staff where she focuses on internal and external communications, manages daily operations, and provides guidance for SAM's legislative and communications strategy.



The last month has been a busy month for our movement; many things we've been tracking over the last several years have had major updates.

As many of you know, the Delta-8 loophole was addressed in the current version of the 2024 Farm Bill. After hundreds of meetings and hundreds of hours of staff education on this topic by not only SAM staff and many of you, but also by partner organizations like CADCA, language to close the Delta-8 loophole in the 2024 Farm Bill was added in committee markup. [Click here to read more on what's next for the 2024 Farm Bill.](#)

The Biden Administration recently issued a Notice of Proposed Rulemaking (NPRM) proposing to move marijuana from Schedule I to Schedule III. This means the comment period is officially open. If you haven't already, [please click here to submit your public comment!](#)

We've created and are regularly updating SAM's [rescheduling page](#). This page is the headquarters for all things related to rescheduling, including various resources, media statements, and FAQs. Be sure to review that page or watch the recording of our [rescheduling webinar](#) that took place on June 13 if you have questions on the specifics.

I cannot emphasize enough how important it is to submit your comments and make your voice heard on this issue, especially as parents or loved ones with lived experience. Anything you put in the comment will be public information, so be mindful about the specifics you choose to include, like names, diagnosis, or any other personal information that you don't want to be made public. The Biden Administration needs to hear from you on what you've experienced, and they need to know that making marijuana more available has consequences.

SAM is working overtime to assemble opposition for this move behind the scenes. Something we have discovered while talking with our friends at NDASA is that the proposed rule failed to address the potential impact to drug testing programs. While we're not exactly sure what this could mean or what groups it would impact, THC testing must be retained. We know that THC impairs judgment, delays reaction time, and affects memory, so this is a concern.

My family owned a small trucking company hauling agricultural products and my dad was a truck driver, so I grew up watching Department of Transportation (DOT) standards for truck drivers change. Things like mandatory rest periods were no longer up to company policy, they became a DOT requirement. These regulations protected workers and made our roads safer.

I know about these standards because I've lived them. Today, my husband is a commercial pilot and I have a background in aviation, so this issue is especially concerning for me because I know the high standard that these workers are held to.

I know that the Federal Aviation Administration (FAA) maintains high standards for commercial pilots regarding medications because I've spent hours at the pharmacy deciphering active ingredients and comparing them to the FAA's prohibited medications list and reviewing what OTC medications my husband can or cannot take if he has a cold or a cough. The FAA only permits the limited use of a handful of OTC and prescription medications. These medications have been on the market for a certain number of years and may have additional restrictions on dosage and waiting periods. The FAA updates these permitted medications regularly; something that was deemed safe for flight yesterday could no longer be deemed safe today. It is up to the pilot to keep up with these standards.

Additionally, the FAA requires pilots to exercise judgment that the condition that the medication is treating is not inherently disqualifying. Even a bad cold could be a disqualifying condition because it could impact sinus pressure and prevent

the pilot's ears from pressurizing at altitude. There are also explicit rules surrounding anything that could alter the mind or intoxicate, including alcohol and OTC medications like Benadryl. Not only are these rules in place for the safety of passengers, but they're in place for the safety of the pilot.

I share my background and firsthand knowledge of the standards transportation workers are held to explain my shock that drug testing was overlooked in the proposed rule. I am far from an expert in any of these policies, but my lived experience watching my dad and my spouse work in these regulated positions has helped frame my understanding of this issue.

Your lived experience has also given you a unique perspective and an understanding of this issue that others may not have. Sharing your experience may reveal a blind spot the DEA has not yet considered. This is the power of telling your story. Do not think that because you're not an "expert" your voice is not needed. It is desperately needed. **Please share your story in opposition of moving marijuana to a less restrictive schedule.**