

To: Robert Patterson, Director, United States Drug Enforcement Administration

CC: Jefferson Beauregard Sessions III, Attorney General of the United States

From: Rev. Bryan Krumm, CNP

Re: Cannabis rescheduling petition filed 5/20/17

11/22/17

On May 20, 2017 I filed a rescheduling petition for Cannabis with the DEA by certified mail. Return receipt shows that this request was received by the DEA on 5/25/17 at 9:27 am. Return receipt shows that the petition was signed for by Jeff Sessions office on May 30, 2017 at 4:20 pm. It has now been 6 months since I filed my rescheduling petition demanding that Cannabis be removed from federal control, allowing the States to determine ways Cannabis can be legally regulated much like alcohol and tobacco, or other substances used for medical, nutritional, recreational, religious and/or industrial reasons. The Administrative Procedure Act, 5 U.S.C. 701 et seq. ("APA") requires agencies presented with such petitions to decide the petition "within a reasonable period of time." 5 U.S.C. 555(b). Six months is a reasonable period of time for your office to either accept my petition for review, or to deny it. While I overstand the difficulties adjusting to your new office, I am requesting that your office make a determination on my petition within the next 30 days or I will be forced to file a complaint in the US Court of Appeals based on your unreasonable delays.

I know that you have only recently taken over control of the DEA, so please allow me to bring you up to date on the status of this petition. I filed a previous rescheduling petition in 2009, demanding that Cannabis be removed from schedule 1 of the CSA. Another petition was filed by the Governors of Washington and Rhode Island in 2011 asking that Cannabis be placed in schedule 2. I had to file 2 civil lawsuits before the DEA finally acted on these petitions and denied them on August 12, 2016. However, as a result of our petitions, FDA, HHS, and NIDA recommended that DEA end restrictions against Cannabis research and allow more producers of Cannabis for research purposes. The Attorney General, and you, are required to defer to the recommendations of the "Medical Experts" at FDA, HHS and NIDA when making determinations regarding the Controlled Substances Act, because you are not qualified to impose your own "medical opinion" in order to interfere with appropriate medical care as recommended by FDA, HHS and NIDA.

Your predecessor, Chuck Rosenberg, recently resigned over these issues, stating that he didn't trust this administration to obey the law, after Jeff Sessions ordered him to disregard his legal obligation to implement the settlement of my 2009 rescheduling petition. I have now filed a criminal complaint against Jeff Sessions with the New Mexico Attorney General, Hector Balderas, showing that Sessions is imposing his own medical opinion over that of the qualified experts at HHS, FDA and NIDA. In doing so, he is interfering with my medical practice, and therefore he is practicing medicine without a license. I'm prepared to file similar criminal charges against you under New Mexico law if you cause unreasonable delays in either accepting my May 20, 2017 petition for review, or denying it. I would like to request a response no later than 30 after your office receives this letter.

Please don't forget, you are no more allowed to impose your own medical opinion over that of HHS, FDA and NIDA, than is your boss, Jefferson Beauregard Sessions III. Hopefully you will

demonstrate the wisdom and courage to stand up to Jeff Sessions and recommend that Cannabis be removed from control under the federal CSA. You can delay this by resigning like your predecessor, Chuck. However, I'm hoping you demonstrate a little more courage and willingness to stand up for the Constitution than he did. If I am forced to file a civil complaint in the Federal Court of Appeals for delays, I intend to concurrently file a criminal complaint against you for interfering with medical practice in the State of New Mexico.

I am including a copy of my new rescheduling petition for your review in case it was not handed down to you by Chuck. I'm also including a copy of my most excellent article "Cannabis for posttraumatic Stress Disorder: A neurobiological approach to treatment", for which I was awarded Nurse Practitioner Journal "Author of the Year" for 2017. You are not qualified to practice medicine and I'm guessing you know little about the endocannabinoid system. I, on the other hand, am well prepared to demonstrate your incompetence in making medical decisions that override the recommendations of HHS, FDA and NIDA. Let me show you what New Mexico law says about practicing medicine without a license.

[NM Stat § 61-6-20 \(1996 through 1st Sess 50th Legis\)](#)

61-6-20. Practicing without license; penalty. (Repealed effective July 1, 2016.)

A. Any person who practices medicine or who attempts to practice medicine without first complying with the provisions of the Medical Practice Act and without being the holder of a license entitling him to practice medicine in New Mexico is guilty of a fourth degree felony.

B. Any person who practices medicine across state lines or who attempts to practice medicine across state lines without first complying with the provisions of the Medical Practice Act and without being the holder of a telemedicine license entitling him to practice medicine across state lines is guilty of a fourth degree felony.

C. Any person convicted pursuant to Subsection A or B of this section shall be sentenced under the provisions of the Criminal Sentencing Act [31-18-1 NMSA 1978] to imprisonment for a definite period not to exceed eighteen months and, in the discretion of the sentencing court, to a fine not to exceed five thousand dollars (\$5,000), or both. Each occurrence of practicing medicine or attempting to practice medicine without complying with the Medical Practice Act shall be a separate violation.

Thank you for your consideration and Happy Holidays!

Respectfully submitted this 22'nd day of November, 2017

Bryan A. Krumm, CNP

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Albuquerque, NM 87110

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