

will recess on July 3 and reconvene on July 6. The hearing may be moved to a different place and may be continued from day to day or recessed to a later date without notice other than announcement thereof by the Administrative Law Judge (“ALJ”) at the hearing.⁷ The hearing will be conducted pursuant to the provisions of 5 U.S.C. 556 and 557, and 21 CFR 1308.41–1308.45, and 1316.41–1316.68. DEA is committed to conducting a transparent proceeding. Accordingly, DEA will provide updates on the DEA website, <https://www.dea.gov>, regarding public access to the hearing.

In accordance with 21 U.S.C. 811 and 812, the purpose of the hearing is to “receiv[e] factual evidence and expert opinion regarding” whether marijuana should be transferred to schedule III of the list of controlled substances.⁸

Every “interested person”—defined in 21 CFR 1300.01(b) as “any person adversely affected or aggrieved by any rule or proposed rule issuable” under 21 U.S.C. 811—who wishes to participate in the hearing shall file a written notice of intention to participate. Electronic filing may be made as a PDF attachment via email to the Drug Enforcement Administration, Attn: Administrator at nprm@dea.gov, on or before 11:59 p.m. Eastern Time on May 24, 2026. If filing by mail, written notice must be filed with the Drug Enforcement Administration, Attn: Administrator, 8701 Morrisette Drive, Springfield, VA 22152, and must be postmarked on or before May 20, 2026. Paper requests that duplicate electronic submissions are not necessary and are discouraged.

Each notice of intention to participate must be in conformity with the requirements of 21 CFR 1308.44(b) and in the form prescribed in 21 CFR 1316.48. Among those requirements, such requests must:

- (1) state with particularity the interest of the person in the proceeding;
- (2) state with particularity the objections or issues concerning which the person desires to be heard; and
- (3) state briefly the position of the person regarding the objections or issues.

Following DEA’s assessment of the notices of intention to participate submitted by interested persons, on June 22, 2026, I will notify the interested persons selected to participate in the hearing. I also will designate an ALJ to preside over the hearing. The ALJ’s functions shall commence upon designation, as provided in 21 CFR 1316.52. The ALJ

will have all powers necessary to conduct a fair hearing, to take all necessary action to avoid delay, and to maintain order. The ALJ’s authorities include the power to hold conferences to simplify or determine the issues in the hearing or to consider other matters that may aid in the expeditious disposition of the hearing; require parties to state their position in writing; sign and issue subpoenas to compel the production of documents and materials to the extent necessary to conduct the hearing; examine witnesses and direct witnesses to testify; receive, rule on, exclude, or limit evidence; rule on procedural items; and take any action permitted by the presiding officer under DEA’s hearing procedures and the APA. In accordance with E.O. 14370 and the Attorney General’s directives, it is DEA’s expectation that the ALJ will expedite proceedings in a manner compliant with Federal law and commensurate with the gravity of the matter.

Comments on or objections to the proposed rule submitted under 21 CFR 1308.43(g) will be offered as evidence at the hearing, but the presiding officer shall admit only evidence that is competent, relevant, material, and not unduly repetitive.⁹

Dated: April 22, 2026.

Todd Blanche,

Acting Attorney General.

[FR Doc. 2026–08177 Filed 4–27–26; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1301

[Docket No. DEA–1362; Attorney General Order No. 6752–2026]

Schedules of Controlled Substances: Rescheduling of Marijuana; Withdrawal

AGENCY: Drug Enforcement

Administration, Department of Justice.

ACTION: Notice of hearing on proposed rulemaking; withdrawal.

SUMMARY: The Department of Justice published a notice of proposed rulemaking in the **Federal Register** on May 21, 2024, which proposed to transfer marijuana from schedule I of the Controlled Substances Act to schedule III. The Drug Enforcement Administration (“DEA”) published a notice of hearing on the proposed rule in the **Federal Register** on August 29, 2024. Upon further review, DEA is

withdrawing the notice of hearing and terminating the pending hearing proceedings. As directed by Executive Order 14370, DEA has determined that the most expeditious manner of completing the rulemaking process in accordance with Federal law is to terminate the pending hearing proceedings and initiate new hearing proceedings. DEA is publishing a new notice of hearing elsewhere in this issue of the **Federal Register**.

DATES: As of April 28, 2026, the notice of hearing on the proposed rule that was published in the **Federal Register** on August 29, 2024 (89 FR 70148), is withdrawn, and all hearing proceedings related thereto are terminated.

ADDRESSES: 8701 Morrisette Drive, Springfield, Virginia 22152.

FOR FURTHER INFORMATION CONTACT: Drug and Chemical Evaluation Section, Diversion Control Division, Drug Enforcement Administration; Telephone: (571) 362–3249. *Email:* nprm@dea.gov.

SUPPLEMENTARY INFORMATION: On May 21, 2024, the Department of Justice published a notice of proposed rulemaking (“NPRM”) in the **Federal Register**, which proposed to transfer marijuana from schedule I of the Controlled Substances Act to schedule III pursuant to the procedures defined in 21 U.S.C. 811(a).¹ Interested persons were invited to participate in the rulemaking effort by submitting written comments on the proposal or by requesting a hearing.²

In response to the NPRM, DEA received numerous comments and requests for hearing from interested persons. DEA scheduled a hearing on the NPRM and published a notice to that effect in the **Federal Register** on August 29, 2024.³ The **Federal Register** notice announced that the hearing would commence on December 2, 2024.⁴ The then-Administrator of DEA designated an administrative law judge

¹ *Schedules of Controlled Substances: Rescheduling of Marijuana*, 89 FR 44597 (May 21, 2024).

² *Id.* at 44598–99.

³ *Schedules of Controlled Substances: Rescheduling of Marijuana*, 89 FR 70148 (Aug. 29, 2024). After considering more than 160 individuals and entities that requested to participate in that hearing, the then-DEA Administrator designated 25 persons and entities (in addition to the Federal Government) permitted to give live testimony, present argument, and conduct cross-examination as part of the hearing. As of Nov. 19, 2024, five of the 25 participants had either withdrawn their requests to participate, signaled their intent to waive participation, or failed to respond to the tribunal’s orders. Order Regarding Standing, Scope, and Prehearing Procedures, DEA Docket No. 1362, Hearing Docket No. 24–44 (Nov. 19, 2024).

⁴ 89 FR 70148.

⁷ 21 CFR 1316.53.

⁸ See also 21 CFR 1308.42.

⁹ 21 CFR 1316.59(a).

(“ALJ”) to preside over the hearing. The presiding ALJ conducted significant prehearing activity, including holding a preliminary hearing, ruling on motions, ordering and receiving prehearing statements, and issuing a comprehensive and detailed hearing schedule delimiting the permissible number of witnesses and the timing of presentations. The presiding ALJ also independently reviewed the “standing” of all interested persons that had been selected by the then-Administrator to participate in the hearing, requiring each selected participant to assert again their interest in the proceeding. The presiding ALJ then ruled that certain interested persons selected by the Administrator “may not independently continue to participate” in the proceedings because they did not demonstrate standing.⁵ In short, the presiding ALJ indelibly imprinted the proceedings. On January 13, 2025, the presiding ALJ issued an order, staying the hearing proceedings pending resolution of an interlocutory appeal filed by two parties to the proceedings. The proceedings remain stayed to this day. In the intervening period, the presiding ALJ retired from Federal service.

On December 18, 2025, President Trump issued Executive Order (E.O.) 14370, entitled “Increasing Medical Marijuana and Cannabidiol Research,” which directs the Attorney General to “take all necessary steps to complete the rulemaking process related to rescheduling marijuana to Schedule III of the CSA in the most expeditious manner in accordance with Federal law, including 21 U.S.C. 811.”⁶ To comply with the directive in E.O. 14370, the Administrative Procedure Act (5 U.S.C. 551–559), the CSA (21 U.S.C. 811 *et seq.*), and DEA regulations, and to best ensure fairness and transparency, DEA has determined that the most expeditious manner of completing the rulemaking process is to terminate the hearing that was initiated pursuant to the August 29, 2024, **Federal Register** notice and to initiate new hearing proceedings. DEA has concluded that a new hearing is likely to result in a more expeditious conclusion to the rulemaking process, even in light of the time required to publish this notice, receive notices of intention to participate from interested persons, assess such notices, and assign a DEA ALJ to preside over the proceedings.

⁵ Order Regarding Standing, Scope, and Prehearing Procedures (Nov. 19, 2024).

⁶ Executive Order 14370, Increasing Medical Marijuana and Cannabidiol Research, 90 FR 60541, 60542 (Dec. 23, 2025).

DEA is committed to accelerating the rulemaking process from this point forward.

DEA, therefore, withdraws the notice of hearing. The hearing on the proposed rule is cancelled, and all proceedings related thereto are hereby terminated. DEA is publishing a new notice of hearing elsewhere in this issue of the **Federal Register**.

Dated: April 22, 2026.

Todd Blanche,

Acting Attorney General.

[FR Doc. 2026–08178 Filed 4–27–26; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Parts 5, 60, 92, 93, 200, 202, 203, 206, 221, 236, 266, 291, 570, 574, 578, 582, 583, 700, 850, 880, 882, 884, 886, 891, 960, 970, 982, 984, 1005, and 1006

[Docket No. FR–6518–P–01]

RIN 2501–AE12

Equal Access to Housing in HUD Programs Revisions

AGENCY: Office of the Secretary, U.S. Department of Housing and Urban Development (HUD).

ACTION: Proposed rule.

SUMMARY: This proposed rule would harmonize HUD’s existing Equal Access regulations with the directions of the Executive Order titled “Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government.” The rule would remove references to “gender” and “gender identity” from HUD regulations, or remove and replace it with “sex,” as defined by the Executive Order. Through these revisions, the rule would ensure equal access to qualifying facilities would be provided in accordance with the sex of an individual based on his or her immutable biological classification as either male or female rather than the ever-shifting concept of self-assessed gender identity. It would also provide grant recipients, subrecipients, owners, operators, managers, and providers under HUD programs that permit single-sex or sex-specific facilities (such as temporary, emergency shelters or other facilities with physical limitations or configurations that require and are permitted to have shared sleeping quarters or bathrooms) the ability to require reasonable assurances and evidence to confirm the sex of an

individual seeking service in order to protect the safety of other individuals in the facility.

DATES: Comments must be received by June 29, 2026.

ADDRESSES: There are two methods for submitting public comments. All submissions must refer to the above docket number and title.

1. *Electronic Submission of Comments.* Comments may be submitted electronically through the Federal eRulemaking Portal at www.regulations.gov. HUD strongly encourages commenters to submit comments electronically. Electronic submission of comments allows the commenter maximum time to prepare and submit a comment, ensures timely receipt by HUD, and enables HUD to make comments immediately available to the public. Comments submitted electronically through www.regulations.gov can be viewed by other commenters and interested members of the public. Commenters should follow the instructions provided on that website to submit comments electronically.

2. *Submission of Comments by Mail.* Comments may be submitted by mail to the Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street SW, Room 10276, Washington, DC 20410–0500.

Note: To receive consideration as a public comment, comments must be submitted through one of the two methods specified above.

Public Inspection of Public Comments. HUD will make all properly submitted comments and communications available for public inspection and copying during regular business hours at the above address. Due to security measures at the HUD Headquarters building, you must schedule an appointment in advance to review the public comments by calling the Regulations Division at 202–708–3055 (this is not a toll-free number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>. Copies of all comments submitted are available for inspection and downloading at www.regulations.gov. In accordance with 5 U.S.C. 553(b)(4), a summary of this proposed rule may be found at www.regulations.gov.