

Congress of the United States
Washington, DC 20515

January 18, 2022

Anne Melissa Milgram
Administrator
U.S. Drug Enforcement Administration
600 Army Navy Drive
Arlington, Virginia 22202

Dear Administrator Milgram,

We write to voice concern about the U.S. Drug and Enforcement Administration's (DEA) obstructing access to psilocybin for therapeutic use consistent with the letter and intent Right to Try (RTT) laws. Research demonstrates that psilocybin provides immediate, substantial, and sustained relief from debilitating anxiety and depression in individuals with terminal illnesses. We strongly believe that our constituents suffering such illnesses should have access to this investigational drug should they decide to pursue such a course of treatment.

Individuals with advanced cancer that are also suffering from treatment-resistant anxiety and/or depression have been found to experience significant reductions in both anxiety and depression, and improvements in mood, following a single guided session of psilocybin-assisted therapy, with no safety concerns or clinically significant adverse effects.¹ Of note, researchers have also found that the benefits from such a treatment are sustained, with patients experiencing increases in measures of quality of life, life meaning, death acceptance, and optimism six months after treatment. We are excited by this research and the implications it has for our constituents suffering terminal illness.

Recognizing that people with terminal conditions do not have the luxury of time to await the slow approval process for new drugs, in 2018 federal lawmakers enacted the Right to Try Act, echoing 41 similar State legislative enactments, to ensure that these individuals have access to drugs in investigational stages. RTT statutes allow for terminally ill individuals to access drugs still in investigational stages. Psilocybin qualifies as an investigational drug under the terms outlined in applicable state and federal statutes. Notwithstanding, suffering dying individuals seeking treatment with psilocybin are being prohibited from receiving such a treatment because of the DEA's refusal to accommodate RTT. This has led the Advanced Integrative Medical Science Institute (AIMS), an outpatient oncology clinic and research institute that has been denied access to psilocybin for therapeutic use with terminally ill individuals, to file suit against the DEA (AIMS, et al v. USDEA). This case can and ought to be quickly settled in a manner which addresses DEA's legitimate concerns about ensuring adequate security to prevent diversion, while enabling dying cancer patients such as those in the AIMS case access to psilocybin, as intended by RTT laws. Urgent action is needed to ensure that people currently

¹ Griffiths et al., *Psilocybin Produces Substantial and Sustained Decreases in Depression and Anxiety in Patients With Life-Threatening Cancer: A Randomized Double-Blind Trial*, 30 J. Psychopharmacology 1181, 1195 (2016)

suffering terminal illness can elect treatment involving psilocybin.

We therefore urge you to take quick action to ensure that the DEA follows duly enacted RTT law and accommodates constituents with terminal illnesses in receiving psilocybin for therapeutic use. We appreciate your attention to this urgent matter.

Sincerely,



Earl Blumenauer
Member of Congress



Don Bacon
Member of Congress



Rashida Tlaib
Member of Congress



Sheila Jackson Lee
Member of Congress



Dean Philips
Member of Congress



Andy Biggs
Member of Congress



Madeleine Dean
Member of Congress