



Monday, July 21, 2025

The Honorable Mike Johnson
Speaker of the House
521 Cannon House Office Building
Washington, DC 20515

The Honorable Hakeem Jeffries
House Minority Leader
2267 Rayburn House
Washington, D.C. 20515

Dear Speaker Mike Johnson and Minority Leader Hakeem Jeffries,

On behalf of the millions of activists we partner with at Americans for Prosperity, I write to express our opposition to Section 759 of H.R. 4121 – the FY2026 Agriculture Appropriations bill – which redefines hemp in a way that effectively prohibits the production and sale of hemp-derived cannabinoid products containing any “quantifiable” amount of THC. This provision is a counterproductive attempt to remedy a dangerous situation created by the federal government through a combination of vague statutory language in the 2018 Farm Bill and the Food and Drug Administration's failure to fulfill its role in ensuring product safety.

States have effectively stepped up with a range of innovative regulatory approaches in the absence of needed federal clarity in ways that reflect local values and conditions. Rather than supporting these state-led efforts, Section 759 would impose a one-size-fits-all federal prohibition that undermines existing state systems and reintroduces the very uncertainty the 2018 Farm Bill sought to resolve. A federal ban would not only override these efforts but also disrupt legitimate markets, harm small businesses, and confuse consumers.

We believe the better path forward for intoxicating hemp-derived products is a regulatory one—one that respects state leadership, encourages innovation, and provides clear federal standards for product safety and labeling. Untested and unregulated products pose a serious danger to both consumers and non-consumers in our communities.

But history proves that prohibition will not eliminate demand for these products. Instead, it will drive consumers into the black market, where there is less transparency, no quality control, and greater risk of contamination. Research shows that prohibition can and will lead to the use of more potent and dangerous substances.

We urge you to reject Section 759 and any similar efforts. A better path forward is an approach that addresses the FDA's regulatory gap by establishing federal quality and safety standards and labeling requirements, without resorting to the failed approaches we've already tried in the past.

We encourage Congress to support a modern, science-based regulatory framework that protects consumers, respects state autonomy, and fosters economic opportunity.

Sincerely,

Brent Wm. Gardner
Chief Government Affairs Officer
Americans for Prosperity

Jeremiah Mosteller
Policy Director
Americans for Prosperity

CC: Representative Tom Cole
Representative Rosa DeLauro
Representative Andy Harris
Representative Sanford Bishop, Jr.