NATIONAL DISTRICT ATTORNEYS ASSOCIATION
THE VOICE OF AMERICA'S PROSECUTORS

November 12, 2026

The Honorable Mike Johnson
Speaker
U.S. House of Representatives
Washington, D.C. 20515

The Honorable John Thune
Majority Leader
United States Senate
Washington, D.C. 20510

The Honorable Hakeem Jeffries
Minority Leader
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Charles Schumer
Minority Leader
United States Senate
Washington, D.C. 20510

Dear Speaker Johnson, Majority Leader Thune, Minority Leader Jeffries, and Minority Leader Schumer:

On behalf of the National District Attorneys Association (NDAA), representing America's prosecutors, we write to urge Congress to reject any further effort to delay, repeal, suspend, or weaken the revised federal definition of hemp, and to allow it to take full effect on December 11, 2026.

NDAA is the oldest and largest national organization representing state and local prosecutors in the nation. NDAA is a non-partisan, non-profit membership association that provides training, technical assistance, and resources to prosecutors to aid in their pursuit of justice. With more than seven-thousand members, NDAA's mission is to be the voice of America's prosecutors and to support their efforts to protect the rights of individuals and the safety of communities.

We applaud Congress' decision in the November 2025 Continuing Resolution and Agriculture appropriations law (Nov. 2025 CR) to close the loophole in the 2018 Farm Bill that allowed intoxicating hemp-derived products to flood the national market. The revised definition measures total THC, including THCA, rather than delta-9 THC alone; excludes cannabinoids synthesized or manufactured outside the plant; and limits final products to 0.4 milligrams of total THC per container.[1] In September, Congress delayed most of these changes of the definition until December 11, 2026, as part of the current continuing resolution.[2] As Congress negotiates the next funding package, we respectfully urge you to not extend the delayed implementation of this definitional change any longer.

States, businesses, and consumers have already adjusted in anticipation of the more responsible and streamlined regulatory framework clarified in the Nov. 2025 CR. Many jurisdictions are

[1] *Continuing Appropriations, Agriculture, Legislative Branch, Military Construction and Veterans Affairs, and Extensions Act, 2026,* Pub. L. No. 119-37 § 781, 139 Stat. 559 (2025) p. 64, 65.
[2] *Continuing Appropriations and Extensions Act, 2027*, Pub. L. No. 119-103 § 2019 (2026) p.17.

aligned or aligning their laws and enforcement efforts with the new federal definition, parallel to the Congressional intent of the change.

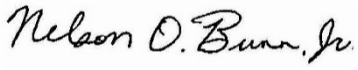
If the implementation and enforcement of the Nov. 2025 CR language is weakened or repealed, jurisdictions across the country will be faced with inconsistent enforcement, regulatory uncertainty, disruption of lawful businesses, and most importantly an increased opportunity for unregulated intoxicating cannabis products to be readily available for youth consumption.

Those in opposition to the Nov. 2025 CR language have proposed a further delay or an interim "bridge" while Congress considers a broader regulatory framework. We respectfully disagree with this proposal. Every delay keeps intoxicating products on store shelves and within reach of young people, while leaving courts, law enforcement, and businesses with an uncertain standard. Congress has already made its decision, and its now time for it to take effect.

For these reasons, we respectfully urge Congress to allow the revised federal definition of hemp to take full effect on December 11, 2026, with no further delay in its implementation, and to reject any proposal to repeal, suspend, or weaken the revised definition, including interim frameworks that would allow intoxicating hemp-derived products to remain on the market.

America's prosecutors stand ready to work with Congress to protect the public from these dangerous products. Thank you for your leadership in closing this loophole and for your attention to this important public safety issue.

Sincerely,



Nelson Bunn
Executive Director, NDAA