

Congress of the United States
Washington, DC 20515

May 23, 2019

The Honorable Robert Wilkie
Secretary
United States Department of Veterans Affairs
810 Vermont Ave NW
Washington, DC 20571

Secretary Wilkie,

We write to express concern about the Department of Veterans Affairs' denial of loan guarantees to veterans who derive their income from state-legalized cannabis activities and ask that you take specific steps to clarify the Department's position on this matter.

A vast majority of U.S. states have now legalized medicinal and/or recreational cannabis in some form, giving rise to a state-legal industry that generates up to \$11 billion per year in sales, creates over \$1 billion in state-collected excise tax revenues, and supports the livelihood of over 211,000 Americans. A substantial number of veterans earn their livelihoods in this industry, and in coming years, that number is likely to further rise. The VA must acknowledge this reality and ensure veterans who work in this sector are able to clearly understand and can equitably access the benefits they've earned.

The ambiguity under which the cannabis industry operates is unique, and we fully understand the VA's resulting aversion to legal and financial risk. Denying veterans the benefits they've earned, however, is contrary to the intent Congress separately demonstrated in its creation of VA benefit programs. In recent years the Department of Justice has substantially narrowed its prosecutorial priorities in this area, Congress has taken action to prevent federal interference with the implementation of state cannabis laws, and legislation has been introduced providing "safe harbor" to private financial institutions operating in this space. Yet, the VA has not issued any policies or guidance on this topic, leaving veterans with no way to clearly and readily understand whether their choice of legal employment in this industry could result in the denial of benefits they've earned.

We ask that you reply in the next 30 days detailing the Department's position on loan guarantees, and that to the extent practicable, you also include information about whether a veteran's eligibility for any other specific VA benefit is jeopardized solely on the basis of their employment in a legal cannabis industry in a given state. We also request that your reply include an assurance that you will begin the process of issuing guidance to publicly clarify the VA's position on this matter.

We look forward to your timely response and to working with you toward a positive resolution of this issue.

Sincerely,


Katherine Clark
MEMBER OF CONGRESS


Julia Brownley
MEMBER OF CONGRESS



Earl Blumenauer
MEMBER OF CONGRESS



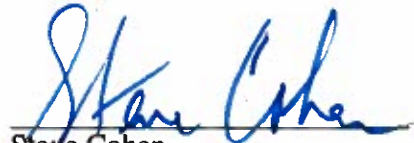
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