

**Congress of the United States**  
**Washington, DC 20515**

January 21, 2020

Chairman Mike Crapo  
Senate Committee on Banking, Housing, and Urban Affairs  
534 Dirksen Senate Office Building  
Washington, D.C. 20510

Dear Chairman Crapo:

As the four lead sponsors of H.R. 1595, the SAFE Banking Act, we are encouraged by your December 18, 2019 statement concerning cannabis banking, and we appreciate the attention the Senate Committee on Banking, Housing, and Urban Affairs is giving this important issue. The primary objective of our bill is to address public safety concerns resulting from marijuana-related transactions being forced outside the regulated banking system. We welcome your ideas and solicitation for stakeholder feedback on how to improve this effort.

47 states, four U.S. territories, plus the District of Columbia have spoken and legalized some form of marijuana, including cannabidiol. By bringing businesses out of the shadows and into the well-regulated banking system, our legislation will improve transparency and accountability and help law enforcement root out illegal transactions to prevent tax evasion, money laundering, and other white-collar crime. Most importantly, this will reduce the risk of violent crime in our communities as these businesses and their employees are currently targets for crime, robbery, assault and more by dealing in all cash.

We share your goal of preventing bad actors and cartels from accessing the financial system. As witnesses at both the House and Senate hearings testified, the 2014 FinCEN Guidance Regarding Marijuana-Related Businesses is an important framework for depository institutions choosing to serve cannabis clients. We welcome the discussion about how this guidance addresses legacy cash and how we can further keep out bad actors and prevent illicit cash from entering the financial system.

We are also encouraged by your proposal of a national study on the health and safety effects of marijuana. We agree there is a lack of federal research evaluating marijuana and its effects, and additional research would be helpful for state and federal lawmakers so decisions can be made on the best available science. However, we should exercise caution before adding limitations to the legislation's safe harbor that impose unworkable burdens on financial institutions, or would jeopardize the larger, bipartisan effort to address public safety concerns associated with cash-only transactions.

We respect your opposition to the legalization of marijuana at the federal level and in the state of Idaho. Many of the 321 Members of Congress who supported H.R. 1595 also oppose federal marijuana legalization. Our bill is about public safety. It does not change the legal status of marijuana and is focused solely on taking cash off the streets and aligning federal banking laws with the decisions states are already making regarding cannabis.

This is a constructive step forward for our legislative effort and an important step toward making our communities safer and providing regulatory certainty to banks, credit unions, and other firms—many of which are not directly involved in the marijuana industry—which are trying to operate their businesses in a safe and legal way. We stand ready to partner with you and your colleagues, and we look forward to continued progress on this issue.

Sincerely,



Ed Perlmutter  
Member of Congress



Steve Stivers  
Member of Congress



Denny Heck  
Member of Congress



Warren Davidson  
Member of Congress

Cc: Sherrod Brown, Ranking Member, Senate Committee on Banking, Housing, and Urban Affairs