

United States Senate

WASHINGTON, DC 20510

September 26, 2023

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

The Honorable Mitch McConnell
Senate Minority Leader
United States Senate
Washington, D.C. 20510

Dear Leader Schumer and Leader McConnell,

We write to express concern about the development of the Secure and Fair Enforcement Regulation (SAFER) Banking Act. In the past, proponents have tried to slip this bill into must-pass legislation, like the National Defense Authorization Act or appropriations bills for several years. We will oppose the SAFER Banking Act if it advances to the Senate Floor for a vote as a stand-alone bill or as a part of any legislative vehicle.

The growth of the marijuana industry has already caused THC potency to skyrocket from 2-5% in the 1970s to 99% in many concentrates sold today. The significant mental health damage to youth caused by these products will only worsen with the passage of the SAFER Banking Act, as the industry will use new investments to increase potency further and bring in new users, including children. Marijuana use is associated with psychosis, motor vehicle accidents, respiratory problems, and low birth weight.¹

This legislation also compromises the integrity of the United States banking system by giving banks government approval to participate in illegal activity, setting a dangerous new precedent. Allowing banking access to a Schedule I drug sets a dangerous legal precedent and will help facilitate money laundering for drug cartels. Last year, the Biden Administration Department of Justice wrote a memo outlining their concerns that the SAFER Banking Act would make it easier to launder money through marijuana businesses.² No Department of Justice officials were present at the May Senate Banking Committee hearing on the bill. Testimony from the Department of Justice should be heard before any further movement on the SAFER Banking Act.

The chief justification for SAFER Banking is founded on the myth that marijuana dispensaries are cash-only businesses. The Financial Crimes Enforcement Network (FinCEN) published data showing that 807 banks and credit unions provided financial services to marijuana businesses in

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https://journals.lww.com/pain/fulltext/2021/07001/general_risks_of_harm_with_cannabinoids_cannabis.7.aspx

² https://punchbowl.news/wp-content/uploads/HR-1996-SAFE-Bank-Act-DOJ-TA-5.31.22.pdf?utm_source=Sailthru&utm_medium=email&utm_campaign=12/2/22%20%20Punchbowl%20News%20AM&utm_term=Punchbowl%20AM%20and%20Active%20Subscribers%20from%20Memberful%20Combined

the first quarter of this year.³ Additionally, many criminals who rob marijuana dispensaries do not take the cash but steal pot shops' highly valuable marijuana products to resell on the black market. The SAFER Banking Act would do nothing to address the public safety threat inherently posed by the existence of marijuana dispensaries.

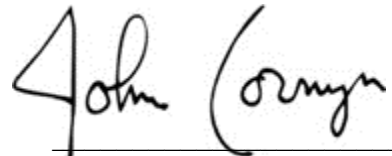
The SAFER Banking Act is sold as an easy banking fix. In reality, the legislation is fatally flawed and its consequences are complex and sweeping. We will remain opposed to liberalizing drug laws and will fight the SAFER Banking Act to protect our youth from dangerous policies that would result in increased promotion of marijuana use.

Thank you for your prompt attention to this matter.

Sincerely,



Pete Ricketts
United States Senator



John Cornyn
United States Senator



Ted Budd
United States Senator



James Lankford
United States Senator

³ <https://www.fincen.gov/frequently-requested-foia-processed-records>