

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

June 28, 2016

The Honorable Paul Ryan  
Speaker of the House  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Mitch McConnell  
Majority Leader  
U.S. Senate  
Washington, DC 20510

The Honorable Harry Reid  
Minority Leader  
U.S. Senate  
Washington, DC 20510

The Honorable Nancy Pelosi  
Minority Leader  
U.S. House of Representatives  
Washington, DC 20515

Dear Speaker Ryan, Majority Leader McConnell, Minority Leader Reid, and Minority Leader Pelosi:

We write to express our serious concern with the conferenced Military Construction, Veterans Affairs, and Related Agencies Appropriations Act for Fiscal Year 2017. The Conferees failed to include a provision passed by bipartisan votes in the House and Senate that would allow VA doctors to discuss medical marijuana and make recommendations regarding its use in states where it is legal. The provisions that appeared in both the House and Senate bills were substantially similar and had broad bipartisan support. We strongly believe the inclusion of either the House or Senate language in the final text should have been nonnegotiable.

Currently, twenty-six states and the District of Columbia have laws allowing for the medical use of the cannabis plant to treat certain conditions, and sixteen more have laws allowing for the use of some its constituent compounds. However, under VHA Directive 2011-004, the Veterans Health Administration effectively prohibits VA physicians from taking any steps toward providing their own clinical judgment when discussing or recommending the use of cannabis with their patients.

For the second year in a row, language correcting this and giving veterans a life changing benefit has overwhelmingly passed the Senate after being adopted by the Senate Appropriations Committee, this year by a bipartisan vote of 20-10. A substantially similar amendment passed the House by a vote of 233-189. There is precedent and an expectation that identical or similar language is to be accepted in the final version of conferenced legislation. Additionally, both the House and Senate sponsors of the legislation wrote to the Conferees requesting inclusion of the language and providing guidance on a preferred outcome. As you will note, the texts of these provisions are drastically similar.

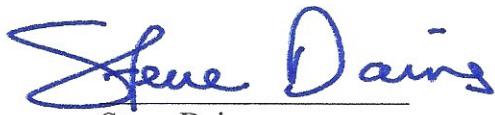
**Senate Text:** SEC. 247. None of the funds appropriated or otherwise made available to the Department of Veterans Affairs in this Act may be used in a manner that would interfere with the ability of a veteran to participate in a medicinal marijuana program approved by a State; deny any services from the Department to a veteran who is participating in such a program; or

limit or interfere with the ability of a health care provider of the Department to make appropriate recommendations, fill out forms, or take steps to comply with such a program.

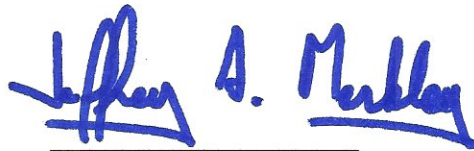
**House Text:** SEC. 523. None of the funds made available by this Act may be used to implement, administer, or enforce Veterans Health Administration directive 2011-004 (or directive of the same substance) with respect to the prohibition on "VA providers from completing forms seeking recommendations or opinions regarding a Veteran's participation in a State marijuana program."

We feel the failure of the Conferees to include either provision is a drastic misfortune for veterans and is contrary to the will of both chambers as demonstrated by the strong bipartisan support for these provisions. We urge you to act to ensure one of these provisions is included in any final funding bill sent to the President.

Sincerely,



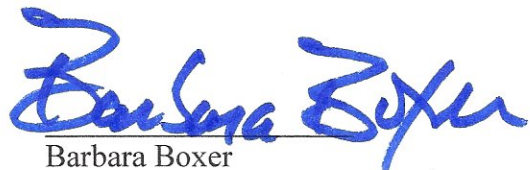
Steve Daines  
United States Senator



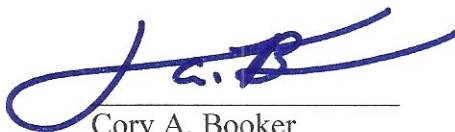
Jeffrey A. Merkley  
United States Senator



Kirsten Gillibrand  
United States Senator



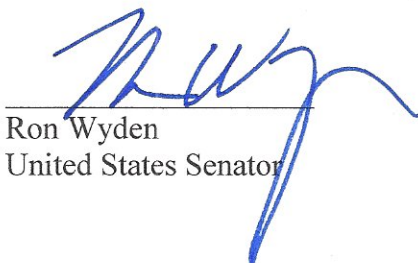
Barbara Boxer  
United States Senator



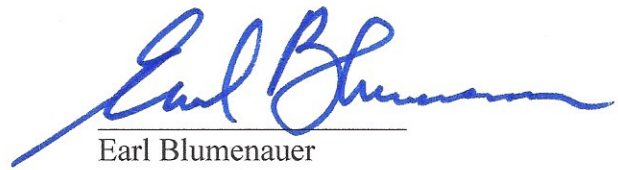
Cory A. Booker  
United States Senator



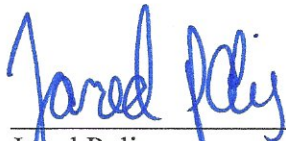
Tammy Baldwin  
United States Senator




Ron Wyden  
United States Senator



Earl Blumenauer  
Member of Congress

  
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Jared Polis  
Member of Congress

  
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Dina Titus  
Member of Congress

  
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Ruben Gallego  
Member of Congress