

Congress of the United States
Washington, DC 20515

February 9, 2022

William Kilbride
Chair, Board of Directors
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, TN 37902

Dear Chairman Kilbride:

We write to express deep concern with the recent statement issued by the Tennessee Valley Authority (TVA) on February 2, 2022, detailing plans to have the agency deputize its employees to attempt to enforce outdated and scientifically baseless federal cannabis policies against state-legal cannabis businesses. We urge a swift rescission of the TVA's February 2 statement and a commitment by the agency to abide by congressional intent in refraining from impeding states in the implementation of medical cannabis programs.

The TVA, operating as a federal-owned electric utility corporation, has a statutory duty under the Tennessee Valley Authority Act (Pub. L. 73-17) to provide power to customers within its service area, which includes portions of Mississippi. The actions outlined in the February 2 memo, issued on the same day as Mississippi's enactment of a medical marijuana program, disregard the democratic will of the people of Mississippi. Any suggestion of requiring TVA employees to report end-use customers suspected of engaging in activity involving marijuana is an affront to the people who voted in support of a medical cannabis program, to say nothing of the state legislature and governor, who overwhelmingly enacted a medical cannabis program.

The Department of Justice is restricted from using congressionally appropriated funding to assist with these misguided efforts. By suggesting that these individuals be reported to the Department of Justice for enforcement, the TVA could be impeding patients from accessing medicinal cannabis products in accordance with state law, something that the Department of Justice has been restricted from doing since 2014.

We urge the Tennessee Valley Authority to rescind the February 2, 2022, statement and associated policy guidelines immediately, to abide by congressional intent when interpreting federal law and to refrain from impeding states in the implementation of their medical cannabis programs. Please respond to this letter by February 25, 2022.

Sincerely,



Earl Blumenauer
Co-Chair, Congressional Cannabis Caucus
Member of Congress



Steve Cohen
Member, Congressional Cannabis Caucus
Member of Congress

CC: Jeff Lyash, Tennessee Valley Authority CEO