



NCIA POLICY COUNCIL

Advocating for Sensible Cannabis Policy Solutions

INVITATION TO SHAPE STATE AND NATIONAL CANNABIS POLICY

Summary

NCIA's Policy Council is the cannabis industry's policy "think tank," leading the development of robust public policy recommendations for the state-legal cannabis industry. Policy Council members provide critical thought leadership in the form of recommendations on important policy matters that will shape the future of the industry for years to come. Whether it's making the case for replacing federal prohibition with sound regulations, or incremental reforms such as SAFE Banking or legislative fixes to the federal tax code, Policy Council members promote the most cutting edge policy matters in the fastest growing industry in the United States.

The Policy Council is a small, yet consequential group of industry leaders who help support and steer NCIA policy development work and participate in special policy-related events throughout the year. The policy papers published by the Council inform members of Congress, executive branch officials, state legislators and regulators, the media, and other stakeholders on matters critical to the future of the state-legal cannabis industry.

Special Policy Council working groups dive more deeply into regulatory matters and produce recommendations that are intended to lead to greater consistency at the state level, while also serving as guidance for federal regulators.

Why join NCIA's Policy Council?

The U.S. cannabis market is a state-based industry, governed by a patchwork of state and local laws and regulations. Up to this point, there has been no attempt to regulate cannabis at the federal level. This will not be the case forever. Eventually, the federal government will regulate the industry, and when it does, it is important that they do so in an informed and thoughtful manner. The Policy Council is producing a library of policy papers in order to ensure that federal lawmakers and regulators are educated and informed about the most pressing issues facing the industry. Serving on NCIA's Policy Council is an opportunity for leading cannabis business operators to have a seat at the table in crafting model public policies for the industry while elevating their brand and stature to help grow their business.

POLICY COUNCIL MEMBERSHIP BENEFITS

We seek industry thought leaders, representing large and small cannabis and ancillary businesses from various industry sectors, to join the Policy Council. NCIA Committee Chairs and Two representatives from the NCIA Board are entitled to a seat on the Policy Council. For others, a seat on the Policy Council requires a *sustaining* membership in NCIA and a \$5,000 *minimum* annual donation to help underwrite the Council's important public policy work or a \$5,000 annual donation to NCIA's Political Action Committee to support our federal lobbying work. Benefits to Policy Council membership include the following:

- A seat on the Policy Council
- Participation in monthly Policy Council meetings and semi-annual deliberations about the work that the Council will undertake
- An opportunity to co-author and publish significant public policy papers impacting the cannabis industry
- NCIA marketing of policy papers and their authors' work
- Priority speaking opportunities at NCIA trade shows on significant policy topics
- Logo impression and link to business website on NCIA's Policy Council webpage
- Business listing included in each Policy Council publication for the duration of your policy council membership
- Invitation to participate in an exclusive day of VIP meetings with congressional offices before NCIA's Cannabis Industry Lobby Days in Washington, D.C.
- Invitation to private policy briefings or luncheons with special guests hosted in conjunction with NCIA's trade shows and Cannabis Industry Lobby Days

POLICY COUNCIL BRIEFINGS

In addition to monthly conference calls, Policy Council members will be invited to participate in exclusive in-person briefings and roundtable discussions on relevant policy topics affecting the industry. When appropriate, guest speakers from other industries and outside policy experts will present to the Council to provide insights that can be applied to policy development for the cannabis sector.

For more information about becoming a member of the Policy Council, contact Andrew Kline at Andrew@TheCannabisIndustry.org

POLICY COUNCIL HIGHLIGHTS

Since its inception, the Policy Council has been serving as the think tank for the cannabis industry. These are some of the highlights of the important work that the Policy Council has accomplished.

In April 2019, NCIA built a coalition to respond to FDA's Federal Register Notice seeking comment on cannabis and cannabis-derived products. On May 31, 2019, the coalition submitted 60 pages of comments to inform and influence FDA rule-making.

- ❖ **National Cannabis Industry Association's Response to the U.S. Food and Drug Administration's Request for Public Comments on Scientific Data and Information About Products Containing Cannabis or Cannabis-Derived Compounds**

In May of 2019, the Policy Council released a white paper on social equity. We released the paper at a social equity event on Capitol Hill, in partnership with the Minority Cannabis Business Association.

- ❖ **Increasing Equity In The Cannabis Industry: Six Achievable Goals For Policy Makers**

In October 2019, the Policy Council released a seminal report around classifying cannabis at the federal level and proposed how cannabis should be regulated post-federal prohibition. The paper generated great interest in the cannabis community, and with state regulators, federal lawmakers, and with 2020 Presidential candidates.

- ❖ **Adapting A Regulatory Framework For The Emerging Cannabis Industry**

In November 2019, the Policy Council collaborated with NCIA's Hemp Committee to submit comments to the U.S. Department of Agriculture on establishing a domestic hemp production program.

- ❖ **Comment To The U.S. Department Of Agriculture: Establishment Of A Domestic Hemp Production Program**

As reports began to appear of a potential linkage between lung injuries and use of nicotine and/or cannabis vaping products, the Policy Council established a Safe Vaping Task Force to communicate clearly in response to press reports and governmental actions, and articulate the state-legal cannabis industry's fulsome efforts to act with integrity as responsible actors. In November 2019, this effort culminated with testimony submitted to the Senate Committee on Health Education, Labor, and Pensions, and a report attempting to clear up some of the myths that exist about vaping cannabis oil and offering explanations for other potential dangers and strategies for minimizing risk.

- ❖ **The Key to Consumer Safety: Displacing the Illicit Cannabis Market – Recommendations for Safe Vaping**

In May of 2020, the Policy Council submitted comments regarding the DEA's Request For Information On Controls To Enhance The Cultivation of Marijuana For Research In The U.S.

❖ **NCIA Response To DEA: RFI On Controls To Enhance The Cultivation of Marijuana For Research In The U.S.**

In June of 2020, with the assistance of Perkins Coie LLP, the Policy Council submitted an Amicus Brief to the 9th Circuit Court of Appeals in support of Harborside Health Center's fight against Section 280E of the IRS tax code, which could have a major effect on the exorbitant taxes currently placed on the entire cannabis industry, up to an effective tax rate of 75%.

❖ **Brief of Amicus Curiae National Cannabis Industry Association Supporting Appellant (Harborside Health Center) in Favor of Reversal (of § 280E Ruling)**

Additional reports can be found on the NCIA website at thecannabisindustry.org/reports