

AMENDMENT TO RULE COMMITTEE PRINT
118-36
OFFERED BY MR. ROBERT GARCIA OF
CALIFORNIA

At the end of subtitle A of title XVII, add the following new section:

1 **SEC. 17___ . PROHIBITION ON AVAILABILITY OF FUNDS TO**
2 **DENY SECURITY CLEARANCES FOR MARI-**
3 **JUANA USAGE.**

4 (a) PROHIBITION.—None of the funds authorized to
5 be appropriated by this Act may be used to revoke or deny
6 a security clearance under section 3002(b) of the Intel-
7 ligence Reform and Terrorism Prevention Act of 2004 (50
8 U.S.C. 3343(b)) or any other provision of law prior to the
9 completion of a full security clearance background inves-
10 tigation by an authorized investigative agency and
11 issuance of a final decision on denial or revocation by an
12 authorized adjudicative agency on the sole basis that an
13 individual used marijuana (as defined in section
14 102(16)(A) of title II of the Comprehensive Drug Abuse
15 Prevention and Control Act of 1970 (21 U.S.C.
16 802(16)(A)) if, under the law of the State where such indi-
17 vidual used marijuana, such use was lawful.

1 (b) DEFINITIONS.—In this section:

2 (1) The terms “authorized investigative agen-
3 cy” and “authorized adjudicative agency” have the
4 meanings given those terms in section 3001(a) of
5 the Intelligence Reform and Terrorism Prevention
6 Act of 2004 (50 U.S.C. 3341(a)).

7 (2) The term “State” means each of the several
8 States, and includes the District of Columbia,
9 Guam, and Puerto Rico.

