

**AMENDMENT TO H.R. 4368, AS REPORTED**  
**OFFERED BY MR. ROBERT GARCIA OF**  
**CALIFORNIA**

At the end of the bill (before the short title), insert the following:

1       SEC. \_\_\_\_\_. None of the funds in this Act may be used  
2 for testing applicants for marijuana (as defined in section  
3 102(16)(A) of the Controlled Substances Act (21 U.S.C.  
4 802(16)(A)), except for positions listed as Presumptive  
5 Testing Designated Positions by the Selection of Testing  
6 Designated Positions Guidance under Federal Drug-Free  
7 Workplace Program established pursuant to Executive  
8 Order 12564, in—

9           (1) any of the States of Alabama, Alaska, Ari-  
10       zona, California, Colorado, Connecticut, Delaware,  
11       Florida, Georgia, Hawaii, Illinois, Iowa, Kentucky,  
12       Louisiana, Maine, Maryland, Massachusetts, Michi-  
13       gan, Minnesota, Mississippi, Missouri, Montana, Ne-  
14       vada, New Hampshire, New Jersey, New Mexico,  
15       New York, North Carolina, Oklahoma, Oregon,  
16       Rhode Island, South Carolina, Tennessee, Texas,  
17       Utah, Vermont, Virginia, Washington, and Wis-  
18       consin; or

1 (2) in the District of Columbia, Puerto Rico, or  
2 Guam.

