

**AMENDMENT TO H.R. 4367, 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  
2 be used for testing applicants for marijuana (as defined  
3 in section 102(16)(A) of the Controlled Substances Act  
4 (21 U.S.C. 802(16)(A)), except for positions listed as Pre-  
5 sumptive Testing Designated Positions by the Selection of  
6 Testing Designated Positions Guidance under Federal  
7 Drug-Free Workplace Program established pursuant to  
8 Executive 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, Ohio, Oklahoma, Or-  
16       regon, Pennsylvania, Rhode Island, South Carolina,  
17       Tennessee, Texas, Utah, Vermont, Virginia, Wash-  
18       ington, and Wisconsin; or

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

