

**AMENDMENT TO**  
**RULES COMMITTEE PRINT 118–40**  
**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 made available by this  
2 Act may be used to test an applicant for marijuana (as  
3 defined in section 102(16)(A) of the Controlled Sub-  
4 stances Act (21 U.S.C. 802(16)(A)), except for positions  
5 listed as Presumptive Testing Designated Positions by the  
6 Selection of Testing Designated Positions Guidance under  
7 Federal Drug-Free Workplace Program established pursu-  
8 ant to Executive Order 12564, in—

9           (1) Alabama, Alaska, Arizona, California, Colo-  
10 rado, Connecticut, Delaware, Florida, Georgia, Ha-  
11 waii, Illinois, Iowa, Kentucky, Louisiana, Maine,  
12 Maryland, Massachusetts, Michigan, Minnesota,  
13 Mississippi, Missouri, Montana, Nevada, New  
14 Hampshire, New Jersey, New Mexico, New York,  
15 North Carolina, Ohio, Oklahoma, Oregon, Pennsyl-  
16 vania, Rhode Island, South Carolina, Tennessee,

1 Texas, Utah, Vermont, Virginia, Washington, or  
2 Wisconsin; or  
3 (2) the District of Columbia, Puerto Rico, the  
4 Northern Mariana Islands, the Virgin Islands of the  
5 United States, or Guam.

