

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3617) TO DECRIMINALIZE AND DESCHEDULE CANNABIS, TO PROVIDE FOR REINVESTMENT IN CERTAIN PERSONS ADVERSELY IMPACTED BY THE WAR ON DRUGS, TO PROVIDE FOR EXPUNGEMENT OF CERTAIN CANNABIS OFFENSES, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 6833) TO AMEND TITLE XXVII OF THE PUBLIC HEALTH SERVICE ACT, THE INTERNAL REVENUE CODE OF 1986, AND THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974 TO ESTABLISH REQUIREMENTS WITH RESPECT TO COST-SHARING FOR CERTAIN INSULIN PRODUCTS, AND FOR OTHER PURPOSES; AND FOR OTHER PURPOSES

MARCH 31, 2022.—Referred to the House Calendar and ordered to be printed

Mr. PERLMUTTER, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 1017]

The Committee on Rules, having had under consideration House Resolution 1017, by a record vote of 9 to 4, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 3617, the MORE Act, under a structured rule. The resolution provides one hour of general debate on the bill equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their designees. The resolution waives all points of order against consideration of the bill. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117-37, modified by the amendment printed in part A of this report, shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution makes in order only those further amendments to H.R. 3617 printed in Part B of this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The resolution waives all

points of order against the amendments printed in part B of this report. The resolution provides for one motion to recommit. The resolution provides for consideration of H.R. 6833, the Affordable Insulin Now Act, under a closed rule. The resolution provides one hour of general debate equally divided among and controlled by the chairs and ranking minority members of the Committees on Education and Labor, Energy and Commerce, and Ways and Means, or their respective designees. The resolution waives all points of order against consideration of the bill. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117–38, modified by the amendment printed in part C of this report, shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution provides one motion to recommit. The resolution provides that House Resolution 188, agreed to March 8, 2021 (as most recently amended by House Resolution 900, agreed to February 2, 2022), is amended by striking “April 1, 2022” each place it appears and inserting (in each instance) “April 29, 2022”.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of H.R. 3617 includes a waiver of clause 3(d)(1) of rule XIII, which requires the inclusion of committee cost estimate in a committee report.

The waiver of all points of order against provisions of H.R. 3617, as amended, includes waivers of the following:

—Clause 4 of rule XXI, which prohibits reporting a bill carrying an appropriation from a committee not having jurisdiction to report an appropriation.

—Clause 5(a) of rule XXI, which prohibits a bill or joint resolution carrying a tax or tariff measure from being reported by a committee not having jurisdiction to report tax or tariff measures.

Although the resolution waives all points of order against the amendments printed in part B of this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

The waiver of all points of order against consideration of H.R. 6833 includes waivers of the following:

—Clause 12 of rule XXI, which prohibits consideration of a bill pursuant to a special order of business reported by the Committee on Rules that has not been reported by a committee.

—302(f) of the Congressional Budget Act, which prohibits consideration of legislation providing new budget authority in excess of a 302(a) or 302(b) allocation of such authority.

Although the resolution waives all points of order against provisions in H.R. 6833, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 207

Motion by Mr. Burgess to amend the rule to H.R. 3617 to make in order amendment #1, offered by Rep. Bishop (NC), which re-

quires the Secretary of Transportation, in consultation with the Attorney General, to develop best practices for the recognition and testing of drivers impaired by marijuana. Defeated: 4–9

Majority Members	Vote	Minority Members	Vote
Mrs. Torres	Nay	Mr. Cole	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mr. Reschenthaler	Yea
Ms. Scanlon	Nay	Mrs. Fischbach	Yea
Mr. Morelle	Nay		
Mr. DeSaulnier	Nay		
Ms. Ross	Nay		
Mr. Neguse	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 208

Motion by Mr. Cole to strike the language in the rule that would continue the tolling of days for Resolutions of Inquiry. Defeated: 4–9

Majority Members	Vote	Minority Members	Vote
Mrs. Torres	Nay	Mr. Cole	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mr. Reschenthaler	Yea
Ms. Scanlon	Nay	Mrs. Fischbach	Yea
Mr. Morelle	Nay		
Mr. DeSaulnier	Nay		
Ms. Ross	Nay		
Mr. Neguse	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 209

Motion by Mrs. Fischbach to amend the rule to H.R. 3617 to make in order amendment #6, offered by Rep. Stauber (MN), which provides that nothing in this Act shall be construed to prohibit the deportation of an alien convicted of driving under the influence of marijuana. Defeated: 4–9

Majority Members	Vote	Minority Members	Vote
Mrs. Torres	Nay	Mr. Cole	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mr. Reschenthaler	Yea
Ms. Scanlon	Nay	Mrs. Fischbach	Yea
Mr. Morelle	Nay		
Mr. DeSaulnier	Nay		
Ms. Ross	Nay		
Mr. Neguse	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 210

Motion by Mrs. Fischbach to amend the rule to H.R. 3617 to make in order amendment #4, offered by Rep. Lamb (PA), which maintains the penalties in the Controlled Substance Act for selling or providing minors with marijuana and for distributing marijuana near schools. Defeated: 4–9

Majority Members	Vote	Minority Members	Vote
Mrs. Torres	Nay	Mr. Cole	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea

Majority Members	Vote	Minority Members	Vote
Mr. Raskin	Nay	Mr. Reschenthaler	Yea
Ms. Scanlon	Nay	Mrs. Fischbach	Yea
Mr. Morelle	Nay		
Mr. DeSaulnier	Nay		
Ms. Ross	Nay		
Mr. Neguse	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 211

Motion by Mr. Perlmutter to report the rule. Adopted: 9–4

Majority Members	Vote	Minority Members	Vote
Mrs. Torres	Yea	Mr. Cole	Nay
Mr. Perlmutter	Yea	Mr. Burgess	Nay
Mr. Raskin	Yea	Mr. Reschenthaler	Nay
Ms. Scanlon	Yea	Mrs. Fischbach	Nay
Mr. Morelle	Yea		
Mr. DeSaulnier	Yea		
Ms. Ross	Yea		
Mr. Neguse	Yea		
Mr. McGovern, Chairman	Yea		

SUMMARY OF THE AMENDMENT TO H.R. 3617 IN PART A CONSIDERED AS ADOPTED

1. Nadler (NY): Clarifies that the provisions in section 9 mirror the scope of relief under the criminal justice provisions.

SUMMARY OF THE AMENDMENTS TO H.R. 3617 IN PART B MADE IN ORDER

1. Gottheimer (NJ): Authorizes \$10M for the National Highway Traffic Safety Administration to conduct a study on technologies and methods that law enforcement may use to determine whether a driver is impaired by marijuana. (10 minutes)

2. Lamb (PA): Directs the National Institute for Occupational Safety and Health (NIOSH) to conduct a study on the impact of legalization to the workplace, using states that have legalized recreational use of cannabis as a guide, and requires NIOSH to develop best practices for employers as companies transition their policies related to cannabis, prioritizing employers engaged in federal infrastructure projects, transportation, public safety, and national security. Directs the Department of Education to conduct a study on the impact of legalization to schools and school aged children, using states that have legalized recreational use of cannabis as a guide, and requires the Department of Education to develop best practices for educators and administrators to protect children from any negative impacts. (10 minutes)

3. Raskin (MD): States that cannabis use shall not be the reason for denying or rescinding a security clearance. (10 minutes)

SUMMARY OF THE AMENDMENT TO H.R. 6833 IN PART C CONSIDERED AS ADOPTED

1. DeLauro (CT): Strikes section 3(d).

PART A—TEXT OF AMENDMENT TO H.R. 3617 CONSIDERED AS ADOPTED

Page 79, line 5, strike “relating to cannabis” and insert “relating to the possession or use of cannabis that is no longer prohibited pursuant to this Act or an amendment made by this Act”.

PART B—TEXT OF AMENDMENTS TO H.R. 3617 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GOTTHEIMER OF NEW JERSEY OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following:

SEC. 16. STUDY ON MARIJUANA IMPAIRMENT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall conduct a study on technologies and methods that law enforcement may use to determine whether a driver is impaired by marijuana.

(b) REQUIREMENTS.—The study conducted under subsection (a) shall be carried out by the National Highway Traffic Safety Administration, in consultation with any other agency the Secretary determines appropriate.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$10,000,000 to carry out this section.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LAMB OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end of the bill the following:

SEC. 16. WORKPLACE IMPACT OF MARIJUANA LEGALIZATION STUDY.

Not later than one year after the date of enactment of this Act, the National Institute for Occupational Safety and Health shall—

(1) conduct a study and submit to Congress a report on the impact of the legalization of recreational cannabis by States on the workplace; and

(2) develop best practices for use by employers that are transitioning their policies related to the use of recreational cannabis, prioritizing the development of best practices for employers engaged in Federal infrastructure projects, transportation, public safety, and national security.

Add at the end of the bill the following:

SEC. 17. SCHOOL IMPACT OF MARIJUANA LEGALIZATION STUDY.

Not later than one year after the date of enactment of this Act, the Secretary of Education shall—

(1) conduct a study and submit to Congress a report on the impact of the legalization of recreational cannabis by States on schools and school-aged children; and

(2) develop best practices for use by educators and administrators to protect school-aged children from any negative impacts of such legalization.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RASKIN OF MARYLAND OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 78, after line 20 insert the following:

(c) REVIEW AND REASSESSMENT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, each Federal agency shall review and reassess each decision, made on or after May 1, 1971, to deny or rescind the security clearance of an individual described.

(2) REASON FOR DENIAL.—A review and reassessment conducted under paragraph (1) shall not use past or present cannabis or marijuana use as a reason to deny or rescind a security clearance.

(3) NOTICE.—A Federal agency conducting a review and reassessment under paragraph (1) shall notify each individual described of such review and reassessment and provide such individual an opportunity to decline the review and reassessment. As applicable, an individual described shall be notified of the outcome of any review and reassessment conducted as soon as practicable.

(4) INDIVIDUAL DESCRIBED.—In this subsection, the term “individual described” means any individual who has had a security clearance denied or rescinded for past or present cannabis or marijuana use.

PART C—TEXT OF AMENDMENT TO H.R. 6833 CONSIDERED AS ADOPTED

Strike section 3(d).

