

Senate Proposal Would Weed Out Prior Marijuana Use for Federal Job Applicants

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The DOOBIE Act – yes, you read that correctly – could soon become law. While the law isn't as fun as it might sound to certain cannabis enthusiasts, it would substantially change the hiring practices of the federal government and potentially influence rules at the state level.

As reported by [Law360](#):

S. 4711, the Dismantling Outdated Obstacles and Barriers to Individual Employment (“DOOBIE”) Act, was favorably reported out of the Senate Homeland Security and Governmental Affairs Committee on a 9–5 vote without debate or discussion.

A Democrat-backed bill that would curb federal agencies' ability to use past medical or recreational cannabis use as a factor in hiring and security clearance decisions was advanced out of a Senate committee Wednesday, paving the way for a vote before the whole chamber.

...

The DOOBIE Act would prevent federal agencies from using past marijuana use as the sole determining factor for establishing fitness for employment or security clearance and would require the Office of Personnel Management and Office of the Director of National Intelligence to issue conforming regulations.

If the DOOBIE Act was to become law – and there are a number of steps that would have to happen for that to become the case – it would represent a continuation of a liberalization of the federal government's policies regarding marijuana. As we have [written about extensively](#), the federal government is currently considering rescheduling marijuana under the Controlled Substances Act to allow Americans to obtain marijuana just like numerous other medications. And even without formal rescheduling, the federal government has made clear through its [words](#) and [actions](#) for more than a decade that it has no intention of prosecuting garden-variety marijuana cultivation, processing, and sales.

Supporters of the DOOBIE Act argue that the law would (1) align federal policy with existing agency

guidance and (2) expand the talent pool available to the federal government by ensuring that qualified applicants are not disregarded simply because of past marijuana use.

If the federal government implements some version of the DOOBIE Act, we'd expect to see similar laws enacted at the state level. And, as always, we'll continue to monitor the proposal's progress as it moves through Congress. Stay tuned.

Oh, you are most welcome for me avoiding my desire to fill this blog post with Doobie Brothers' lyrics. Ok, fine, I suspect marijuana advocates must be thinking:

But what a fool believes, he sees

No wise man has the power to reason away

What seems to be

Is always better than nothing

Than nothing at all

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