

CLARIFICATION ON USE OF MARIJUANA BY DON EMPLOYEES

Sent: Wednesday, November 09, 2016 3:12 PM

Subject: CLARIFICATION ON USE OF MARIJUANA BY DON EMPLOYEES

BLUF: The use of marijuana remains illegal for Federal employees.

Background: Recent election results legalizing marijuana in California, Massachusetts and Nevada necessitates clarification on use of marijuana by Department of the Navy (DON) employees.

Discussion: Marijuana remains illegal under Federal law, regardless of state laws, as a Schedule I drug in the Controlled Substances Act. Marijuana is therefore illegal for Federal employees unless or until there is further specific guidance issued at the Federal level allowing for marijuana use in some (or any) situations. Those employees subject to random testing, or any other testing (applicant, reasonable suspicion, post-accident, or follow-up), remain subject to the consequences for illegal drug use. In other words, nothing changes for us based on state laws and we remain accountable to comply with Federal law unless there are changes at the Federal level.

Recommendation: Ensure immediate and widest dissemination to all DON employees.