

SECURITY THOUGHT:



CANNABIS & THC

RULES & GUIDELINES FOR CLEARED INDIVIDUALS



THE FACTS

Over the past years, the regulation of cannabis has quickly evolved. Several states now allow the recreational use of cannabis products, while others allow it for medical purposes or not at all. In fact, recreational marijuana is legal in 19 states and medical marijuana is legal in 37 states and on a limited basis in 12 other states.

Unfortunately for cleared individuals, involvement with cannabis or even hemp products could put your clearance in jeopardy.

ABOUT CANNABIS - HEMP, CBD, & THC PRODUCTS

- Hemp is a variety of cannabis that contains 0.3% or less of THC (this is the compound associated with getting a person "high")
- Marijuana is any variety of cannabis that contains more than 0.3% of THC
- CBD (cannabidiol), a compound found in cannabis, can be made either from hemp or marijuana. While technically CBD made from hemp is federally legal, it is still illegal in some states. All CBD made from marijuana is still federally illegal.



FREQUENTLY ASKED QUESTIONS

IF CBD FROM HEMP IS FEDERALLY LEGAL, CAN I USE PRODUCTS WITH HEMP CBD IN IT?

It is highly recommended that you don't. Although most CBD products 'claim' to have under 0.3% THC, this is still unregulated, which makes the TCH levels on product labels unreliable. Even if it is under 0.3% THC, there is a possibility that regular use or use in large doses may cause a positive drug test.

MARIJUANA & ITS DERIVED PRODUCTS ARE LEGAL IN MY STATE, SO I'M OKAY, RIGHT?

No! Your clearance is regulated by Federal law, not state law. Federal law (the Controlled Substances Act and the Farm Bill of 2018) does not legalize cannabis products. The Farm Bill is specific to state that only products with a THC of 0.3% or less are legal (i.e., hemp products)

IS IT ILLEGAL TO ...

- Purchase Cannabis products? Yes. It is illegal to purchase any product with a THC over 0.3%, regardless if it is for yourself, another person or even a pet. It is also illegal to pick up a prescription of any kind with THC over 0.3% for another person (or pet), even if you don't pay for it. It is considered possession of an illegal substance.
- Invest in stocks that have marijuana? Yes. You cannot *knowingly* invest in any stocks that have products with THC over 0.3%. If you are invested in a mutual fund or your stocks are managed for you where you have no involvement in the stock selection, then you are okay.
- Own or partially own a business involved in cannabis? Yes. If that business is involved with products with a THC over 0.3%

CONTACT PERSONNEL SECURITY FOR MORE INFO

WHAT TO DO

Under the National Adjudicative Guideline H, Security Executive Agent Directive 4, drug “involvement”, including possession, distribution, cultivation, processing and purchasing are all actions that could put your security clearance at risk.

If you have knowingly or unknowingly used cannabis or a by-product that is federally illegal, report it to your Facility Security Officer (FSO)

If you're in doubt – talk it out! The FSO is always open to answer questions, provide guidance, and supply any resources and support needed to ensure your security clearance remains in good standing.

Being proactive and reporting issues of concern rather than waiting for it to be discovered as part of an investigation or reinvestigation is better for you and your clearance.

IMPORTANT

- The DOE's Title 10 Code of Federal Regulations, Part 707, Workplace Substance Abuse Program at DOE Sites, prohibits the use of marijuana for all workers in Testing Designated Positions (TDP) on DOE sites, regardless of state law.
- For individuals with DOD clearances – the NSA, ODNI and OGC have stated that all hemp-derived products are prohibited regardless of whether the THC level is below 0.3% until the agencies have made an official determination.

Bottom Line – avoid cannabis and cannabis-derived products until final official notice from federal agencies are made.

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