

# DATIA

## Washington Update

Wednesday, February 10, 2021



### ***Senate Confirms Secretary of Transportation, Pete Buttigieg***

The Senate confirmed former South Bend, Indiana Mayor Pete Buttigieg as Transportation Secretary last week. Buttigieg was easily confirmed by a vote of 86-13 in the Senate. Buttigieg is the first openly gay man to win Senate confirmation to run a Cabinet department. He will lead the Department's 55,000 employees and manage the budget of tens of billions of dollars.

Buttigieg has pledged to focus on climate change, job creation, and racial justice through infrastructure overhaul. He recently stated how civil rights and transportation have been intertwined through history due to the importance of transit in providing economic opportunity.

Buttigieg has also stressed the importance of focusing on new modes of transportation that have grown in recent years, including scooters and bike sharing.

Because Buttigieg is expected to focus greatly on infrastructure, there is great opportunity for engagement with the DOT regarding drug and alcohol testing policy. The administration has yet to commit to strong policy positions on these matters, so the new administration provides a great opportunity to educate and advocate for DATIA.



### ***VA Legislature Votes to Legalize Marijuana***

Both chambers of the Virginia General Assembly passed legislation last Friday, February 5, to legalize Marijuana for adult recreational use. This shift has been a priority for the Democratic party in Virginia. The state joins 15 others and DC in legalizing small amounts of marijuana.

Virginia Governor Ralph Northam publicly shifted his stance to support marijuana legalization this past November, citing criminal justice problems regarding marijuana use. The legislature also cited substantial tax revenues they expect with the legalization. They expect legalizing and taxing the drug to generate between \$154 and \$308 million after five years.

### ***Senate Dems Release Joint Statement on Cannabis Reform Legislation***

Senate Majority Leader Schumer (D-NY), Senator Booker (D-NJ), and Senator Wyden (D-OR) released a joint statement regarding cannabis reform on Monday, February 1st. They stated they plan to "release a unified discussion draft on comprehensive reform to ensure restorative justice, protect public health and implement responsible taxes and regulations" in the early months of 2021.

## *Happening in Washington*

- The second Senate Impeachment trial of Former President Trump began on Tuesday. A guilty conviction will require 17 Republicans and all 50 Democrats to vote in favor, making conviction unlikely.
- Last Thursday, the Senate held its “vote-a-rama” on the budget resolution, part of the budget reconciliation process. The “vote-a-rama” ended with the Senate passing the budget resolution. Notably, the Senate voted against raising the federal minimum wage to \$15/hour by approving an amendment introduced by Senator Joni Ernst (R-IA) that banned the increase during a pandemic. The budget resolution also passed due to Vice President Kamala Harris casting her first-ever tiebreaking vote, due to the 50-50 split in the Senate. The budgetary measure was passed in the House on Friday and will now go through the committee process, meaning additional relief will likely be finalized by mid-March.

## *Bill Watch*

### **The Marijuana Opportunity, Reinvestment, and Expungement (MORE) Act of 2020- H.R. 3884**

- The MORE Act proposes the removal of marijuana from the list of scheduled substances under the Controlled Substances Act. The Act also proposes eliminating criminal penalties for people who manufacture, distribute, or possess marijuana. The Act also provides social justice measures to ameliorate the harm done by the War on Drugs, including the establishment of a grant program to provide eligible entities with funds to administer services for individuals adversely impacted.
- The bill passed in the House in 2020, has been received in the Senate, and referred to the Senate Finance Committee.

### **The Strengthening the Tenth Amendment Through Entrusting States (STATES Act)- H.R. 2093**

- The STATES Act proposes amending the Controlled Substances Act to exclude persons in compliance with state laws related to marijuana, thereby allowing states to have more power to determine their own legal approach to marijuana regulation.
- The bill was first introduced in 2018 and was referred to the House Energy & Commerce, House Judiciary, and House Transportation & Infrastructure Committees.

### **H.R. 365 and H.R. 430**

- H.R. 365 provides for the rescheduling of marijuana into Schedule III of the Controlled Substances Act. H.R. 430 prohibits the Secretary of Veteran Affairs from denying a veteran benefit administered by the Secretary for reason of the veteran participating in a state-approved marijuana programs.
- Both bills were introduced by Rep. Greg Steube (R-FL) in January of this year.

### **Comprehensive Credit Reporting Enhancement, Disclosure, Innovation, and Transparency (CREDIT) Act of 2020 - H.R. 3621**

- The Comprehensive CREDIT Act provides additional consumer credit protections, sets forth requirements for credit reporting agencies, and prohibits the inclusion of specified information on credit reports. The bill specifically limits the reporting of adverse events in consumer credit reporting, including past drug screening results. Because of this proposed regulation of the industry, the Professional Background Screening Association (PBSA) is keen to work with DATIA to promote more transparency around screening.
- The bill passed in the House in January of this year and has been received in the Senate.