

APPLICANT DRUG POLICY STATEMENT

The United States Secret Service (USSS) is committed to a drug-free workplace. Therefore, the unlawful use of drugs by USSS employees is not tolerated. Furthermore, applicants for employment with the USSS who currently use illegal drugs (i.e., illegal use of federally controlled substances), misuse of legal drugs, or have other involvement with illegal drugs will be found unsuitable for employment. The USSS does not condone any prior unlawful drug activity by applicants, but it is recognized that some otherwise qualified applicants may have used or otherwise interacted with illegal drugs at some point in their past. This policy balances the needs of the USSS to maintain a drug-free workplace and to accomplish its protective and investigative missions by setting forth the criteria for determining whether prior drug use makes an applicant unsuitable for employment. When adjudicating an applicant for a security clearance, drug usage is a critical factor, but it is only one factor considered when adjudicating the whole person. Consequently, when adjudicating an applicant for a security clearance, any prior illegal drug activity along with various considerations associated with that activity will be weighed in that adjudication process.

Misrepresentation of Drug Activity

It is recommended that individuals whose drug history includes any of the below listed activities not apply for employment with the USSS until such time that the drug history is clearly outside the specific time periods. An applicant for employment with the USSS shall not deliberately misrepresent their history of drug activity in connection with the application for USSS employment. If deliberate misrepresentation is found, the applicant will be ineligible for employment.

Drug History Considerations

Marijuana and Cannabis Products

An applicant who has used or purchased marijuana or cannabis products during their lifetime may still be eligible for employment with the USSS. Marijuana and cannabis products include but are not limited to cannabis, hashish, hash oil, medical cannabis, and tetrahydrocannabinol (THC) in both synthetic and natural forms.

To be eligible for employment with the USSS, regardless of the age of the the applicant when they last used or purchased marijuana (except as set forth below), the date of application for employment with the USSS should be at least one (1) year since the last use or purchase.

It is recognized that an applicant may have used or purchased cannabidiol (CBD) or hemp-seed related over-the-counter products (e.g., oils, lotions, shampoos, dietary supplements, food) or any CBD or hemp-seed related drug or medical product approved for use by the U.S. Food an Drug Administration, in the one (1) year period prior to the date of application. In such cases, the applicant's eligibility for employment will be considered on a case-by-case basis by adjudicative personnel.

Note: Applicants are required to pass a drug test. Use of CBD or hemp-seed related over-the-counter products is not an acceptable reason for failing the required applicant drug test.

Use or purchase of marijuana includes use or purchase for medicinal purposes or use or purchase in jurisdictions (e.g., states or countries) where use or purchase is legal.

An applicant who has sold, distributed, or cultivated marijuana may still be eligible for employment with the USSS. Eligibility may be considered in instances when the applicant sold, cultivated, or distributed marijuana not for income or profit, including for personal use or recreational use. Personal use includes use with friends and relatives (including immediate family members). Recreational use is defined as the sale, cultivation, or distribution, other than for personal use, not intended for income or profit. The amounts sold, cultivated, or distributed will be considered.

To be eligible for employment with the USSS, the date of application for employment should be at least 10 years since the applicant last sold, cultivated, or distributed marijuana for personal or recreational use.

If the applicant had instances of sale, cultivation, or distribution of marijuana beyond what is described above, the applicant is ineligible for employment with the USSS.

Steroids

An applicant who has used or purchased illegal steroids during their lifetime may still be eligible for employment with the USSS. Steroids include, but are not limited to, forms of anabolic steroids and corticosteroids. Steroids taken with a prescription are not disqualifying and do not affect an applicant's eligibility to be hired.

To be eligible for employment with the USSS, the date of application for employment should be at least 5 years since the last use or purchase of illegal steroids.

An applicant is ineligible for employment with the USSS if they have ever sold, distributed, or manufactured steroids.

Inhalants

An applicant who has misused inhalants during their lifetime may still be eligible for employment with the USSS. Inhalants are volatile substances that produce chemical vapors that can be inhaled to induce a psychoactive, or mind-altering, effect. These include but are not limited to solvents (paint thinners and removers, dry-cleaning fluids, degreasers, gasoline, glues, correction fluids, felt-tip markers); aerosols (spray paints, deodorant and hair sprays, vegetable oil sprays for cooking, and fabric protector sprays); gases (medical anesthetics such as ether, chloroform, halothane, nitrous oxide, butane, propane, and refrigerants); and nitrites (cyclohexyl nitrite, isoamyl (amyl) nitrite, and isobutyl (butyl) nitrite commonly known as "poppers" or "snappers.")

To be eligible for employment with the USSS, the date of application for employment should be at least 5 years since the last misuse of inhalants.

Prescription Drugs and Over-the-Counter Drugs

An applicant who has misused prescription drugs or over-the-counter drugs during their lifetime may still be eligible for employment with the USSS. Prescription drugs include, but are not limited to, Codeine, Oxycodone/Oxycontin, Morphine, Ritalin, Diazepam/Valium, Hydrocodone, Xanax, and Adderall.

To be eligible for employment with the USSS, regardless of the age of the applicant when they last misused prescription drugs, the date of application for employment with the USSS should at least one (1) year since the last misuse.

If an applicant had prolonged use of a prescription drug without a proper prescription, regardless of whether it was used for its intended purpose, or had prolonged misuse of a prescription drug or over-the-counter drug, to be eligible for employment with the USSS, the date of application for employment should be at least three (3) years since the last prolonged use without a proper prescription or misuse.

An applicant who has illegally sold or distributed over-the-counter or prescription drugs may still be eligible for employment with the USSS. Eligibility may be considered in instances when the applicant illegally sold or distributed over-the-counter or prescription drugs recreationally and not for income or profit. In addition, the amounts sold or distributed will be considered. In such instances, to be eligible for employment with the USSS, the application for employment should be at least 10 years since the last occasion of sale or distribution.

If the applicant had instances of sale or distribution of over-the-counter or prescription drugs beyond what is described above, the applicant is ineligible for employment with the USSS.

Hard Drugs/Schedule I and II Drugs

Hard drugs are defined by this policy to include any drugs listed in Schedule I or Schedule II of 21 U.S.C. § 812 (Controlled Substances Act of 1970, as amended) and include, but are not limited to, amphetamine, all forms of cocaine, heroin, LSD, MDMA, hallucinogenic mushrooms, methamphetamine, various chemicals commonly found in hallucinogenic mushrooms, and Phencyclidine (PCP), but do not include marijuana, steroids, prescription drugs, and over-the-counter drugs.

MDMA (Ecstasy or Molly)

An applicant who has used or purchased MDMA during their lifetime may still be eligible for employment with the USSS. MDMA, also known as Ecstasy or Molly, includes but is not limited to, synthetic drugs that alter mood and perception (awareness of surrounding objects and conditions).

To be eligible for employment with the USSS, the date of application for employment should be at least 5 years since the last use or purchase.

An applicant is ineligible for employment with the USSS if they have ever sold, distributed, or manufactured MDMA.

Cocaine (All Forms)

An applicant who has used or purchased any form of cocaine during their lifetime may still be eligible for employment with the USSS.

To be eligible for employment with the USSS, the date of application for employment should be at least 10 years since the last use or purchase of any form of cocaine.

An applicant is ineligible for employment with the USSS if they have ever sold, distributed, or manufactured any form of cocaine.

Hallucinogenic Mushrooms

An applicant who has used or purchased hallucinogenic mushrooms during their lifetime may still be eligible for employment with the USSS.

To be eligible for employment with the USSS, the date of application for employment should be at least five (5) years since the last use or purchase.

An applicant is ineligible for employment with the USSS if they have ever sold, distributed, or grew/manufactured any form of hallucinogenic mushrooms.

Hard Drugs/Schedule I and II Drugs Other than MDMA, Cocaine, and Hallucinogenic Mushrooms

An applicant is ineligible for employment with the USSS if they have ever used or purchased a hard drug other than MDMA, cocaine, or hallucinogenic mushrooms.

An applicant is ineligible for employment with the USSS if they have ever sold, distributed, or manufactured a hard drug.

Use of Drugs While in a Public Trust Position

A Public Trust position, as defined by 5 CFR § 731.106, is a position designated as having a high or moderate risk level as determined by the position's potential for adverse impact to the efficiency or integrity of the service. Such positions may involve policy making, major program responsibility, public safety and health, law enforcement duties, fiduciary responsibilities or other duties demanding a significant degree of public trust, and positions involving access to or operation or control of financial records, with a significant risk for causing damage or realizing personal gain.

An applicant who, while in a Public Trust position, used or purchased marijuana, steroids, or, used, for other than its intended purpose, a prescription drug or over-the-counter drug, may still be eligible for employment with the USSS. However, to be eligible for employment with the USSS, the date of application should be at least 10 years since the last use or purchase of these drugs while the applicant was in a Public Trust position, regardless of whether the use occurred while the applicant was on or off duty.

The frequency of use and the circumstances must also be considered.

If, while in a Public Trust position, an applicant used or purchased MDMA, cocaine, hallucinogenic mushrooms, other hard drugs or had prolonged use of a prescription drug without a proper prescription, regardless of whether it was used for its intended purpose, or had prolonged misuse of a prescription drug or over-the-counter drug, the applicant is disqualified from employment with the USSS. This ineligibility applies whether the illegal use occurred while the applicant was on or off duty at the time of use.

Use of Drugs While Holding a Security Clearance

An applicant who, while holding a security clearance, used or purchased marijuana, steroids, or, used, for other than its intended purpose, a prescription drug or over-the-counter drug, may still be eligible for employment with the USSS. However, the following general restrictions apply:

- If the applicant was working in a Public Trust position, to be eligible for employment with the USSS, the date of application for employment, should be at least 10 years since the last use or purchase of these drugs while the applicant was holding a security clearance in a Public Trust position, regardless of whether the use occurred while the applicant was on or off duty.
- If the applicant was not working in a position of public trust, the timeframe to be eligible for employment with the USSS depends on the drug used or purchased and adheres to the timeframe requirements outlined previously in this policy.

The frequency of use and the circumstances must also be considered.

If, while holding a security clearance, an applicant used or purchased MDMA, cocaine, other hard drugs or had prolonged use of a prescription drug without a proper prescription, regardless of whether it was used for its intended purpose, or had prolonged misuse of a prescription drug or over-the-counter drug, the applicant is disqualified from employment with the USSS. This ineligibility applies whether the illegal use occurred while the applicant was on or off duty at the time of use.

Other Considerations

For all of the above, in addition to the extent and type of usage, age at the time of usage, and the passage of time since the last usage, purchase, sale or cultivation, other mitigating factors and circumstances to consider are how the drugs were obtained or sold, under what circumstances the drugs were used, whether the drugs were used for medicinal purposes, whether use of the drug was legal and/or legally obtained in the jurisdiction (e.g., state or country) where the drug was used, and any compelling mitigating circumstances.