

116TH CONGRESS  
1ST SESSION

# S. 2021

To amend the Immigration and Nationality Act by striking marijuana use, possession, and distribution as grounds of inadmissibility and removal.

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IN THE SENATE OF THE UNITED STATES

JUNE 27, 2019

Mr. BOOKER introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend the Immigration and Nationality Act by striking marijuana use, possession, and distribution as grounds of inadmissibility and removal.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Removing Marijuana  
5 from Deportable Offenses Act”.

6       **SEC. 2. STRIKING MARIJUANA USE, POSSESSION, AND DIS-**  
7                       **TRIBUTION AS GROUNDS FOR INADMIS-**  
8                       **SIBILITY AND REMOVAL.**

9       (a) IN GENERAL.—The Immigration and Nationality  
10 Act (8 U.S.C. 1101 et seq.) is amended—

1           (1) in section 101(a)(43)(B) (8 U.S.C.  
2           1101(a)(43)(B)), by inserting “other than the dis-  
3           tribution of marijuana,” after “(as defined in section  
4           102 of the Controlled Substances Act)”;

5           (2) in section 212(a)(2) (8 U.S.C. 1182(a)(2)),  
6           by amending subparagraph (F) to read as follows:

7                   “(F) MARIJUANA OFFENSES.—Notwith-  
8                   standing any other provision of this section, any  
9                   offenses involving the use, possession, or dis-  
10                  tribution of marijuana shall not be considered  
11                  as grounds of inadmissibility.”; and

12           (3) in section 237(a)(2)(B)(i) (8 U.S.C.  
13           1227(a)(2)(B)(i)), by striking “other than a single  
14           offense involving possession for one’s own use of 30  
15           grams or less of marijuana” and inserting “other  
16           than offenses involving the use, possession, or dis-  
17           tribution of marijuana”.

18           (b) RIGHT TO REAPPLY OR RETURN.—

19                   (1) REAPPLICATION.—Any alien who was pre-  
20                   viously denied a visa to enter the United States as  
21                   a direct result of the alien’s use, possession, or dis-  
22                   tribution of marijuana may reapply for admission to  
23                   the United States.

24                   (2) REISSUANCE.—Any alien who was deported  
25                   from the United States as a direct result of the

1 alien's use, possession, or distribution of marijuana  
2 shall be readmitted to the United States and re-  
3 issued the visa that they had at the time of the  
4 alien's deportation if the alien is not inadmissible  
5 under section 212(a) of the Immigration and Na-  
6 tionality Act, as amended by subsection (a)(2).

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