

H.R. 5040, CURE Act

As ordered reported by the House Committee on Oversight and Accountability on September 20, 2023

By Fiscal Year, Millions of Dollars	2024	2024-2029	2024-2034
Direct Spending (Outlays)	*	*	*
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	*	*	*
Spending Subject to Appropriation (Outlays)	*	*	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2035?	No	Statutory pay-as-you-go procedures apply?	Yes
		Mandate Effects	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2035?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 5040 would amend the Intelligence Reform and Terrorism Prevention Act of 2004 to prevent prior marijuana use from disqualifying any person from federal employment or from receiving a security clearance. The bill also would require agencies to create a process to review such disqualifications that occurred in the past and would allow denied candidates to request an assessment on whether their disqualification was because of marijuana use.

Under current law, the National Archives issues General Records Schedules and federal agencies set more specific Record Disposition Schedules that delineate how long government documents must be retained. According to those schedules, records of personnel eligibility and security clearance determinations are designated as temporary records and can be destroyed after a short period. The General Records Schedule directs that most files related to people who are not issued security clearances are to be destroyed after one year. The period to maintain personnel eligibility records is left to the discretion of each agency and CBO expects that most agencies destroy such records after a few years. (For example, the Department of Defense disposes of job vacancy records two years after a selection is closed.)

For those reasons, CBO expects that most agencies would have a limited capacity to ascertain the reasons for the disqualification of job and security clearance candidates from

See also

[CBO's Cost Estimates Explained](#), [CBO Describes Its Cost-Estimating Process](#), [Glossary](#)



previous years. The costs of implementing the bill would depend on how extensive a process each agency would undertake. Because most of the records the agencies would need to review are probably not available, CBO estimates that implementing H.R. 5040 would not have a significant cost. Any spending would be subject to the availability of appropriated funds.

Enacting H.R. 5040 also could affect direct spending by some agencies that are allowed to use fees, receipts from the sale of goods, and other collections to cover operating costs. CBO estimates that any net changes in direct spending by those agencies would be negligible because most of them can adjust amounts collected to reflect changes in operating costs.

The CBO staff contact for this estimate is Kelly Durand. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

A handwritten signature in black ink, appearing to read "Phillip L. Swagel". The signature is fluid and cursive, with a long, sweeping tail.

Phillip L. Swagel
Director, Congressional Budget Office