DEPARTMENT OF THE ARMY
HEADQUARTERS, III CORPS AND FORT HOOD
1001 761ST TANK BATTALION AVENUE
FORT HOOD, TEXAS 76544-5000

AFZF-CG

# COMMANDING GENERAL'S POLICY LETTER # 10

MEMORANDUM FOR SEE DISRIBUTION

SUBJECT: Military Urinalysis Drug Testing Policy

1. REFERENCES:

a. DoDI 1010.01 Military Personnel Drug Testing Program, 13 September 2012.

b. Army Regulation 600-85, Army Substance Abuse Program (ASAP), 28 December 2012.

c. Army Regulation 630-10, Absence Without Leave, Desertion, and Administration of Personnel Involved in Civilian Court Proceedings, 13 January 2006.

d. Army Directive 2012-07, Administrative Processing for Separation of Soldiers for Alcohol or Other Drug Abuse, 13 March 2012.

e. Fort Hood Regulation 350-1, III Corps and Fort Hood Training, 30 March 2009.

f. Operation Order PW 12-05-436 (Tasking Results from IG Special Inspection of Commander's Compliance with Mandatory ASAP Referral Requirements).

g. Manual for Courts-Martial, United States, Mil. R. Evid. 313, Inspections and Inventories in the Armed Forces (2012 Supp.).

2. APPLICABILITY. This policy applies at all times and in all locations to all U.S. Army Soldiers assigned to, attached to, or performing duties in units or activities assigned, attached, stationed, based, or otherwise located on the Fort Hood military reservation. All U.S. Army Soldiers assigned to, attached to, or performing duties in units or activities over whom Commander, III Corps and Fort Hood, exercises Senior Commander (SC) authority are also subject to this policy.

3. DEFINITIONS. For the purpose of this policy, the following definitions apply:

a. "Battalion" means any battalion, squadron, or equivalent-level unit.

b. "Company" means any company, troop, battery, detachment or equivalent unit.

c. "BPL" means Battalion Prevention Leader. "CPL" means Company Prevention Leader. "UPL" means Unit Prevention Leader, and includes both BPLs and CPLs.

d. "Use of illicit or abuse of licit drug" means the use of any substance in violation of Army Regulation 600-85, paragraphs 4-2n-p, and the use of prescription medication in a manner deemed illegitimate by a Medical Review Officer (MRO).

e. "Process for separation" means separation action is initiated and processed through the separation authority for appropriate action.

4. POLICY. Battalion and company commanders' responsibilities:

a. Battalion commanders will issue orders appointing one BPL and one alternate BPL. Battalion Prevention Leaders can be officers, warrant officers or noncommissioned officers (NCOs) (E-5 promotable or above). Battalion Prevention Leaders must be certified through the UPL training course. The appointing commander will forward the BPL's appointment orders, with completed local files check (DA Form 7281), to the Army Substance Abuse Program, Drug Testing Coordinator (DTC).

b. Company Commanders will issue orders appointing one CPL and one alternate CPL. Company Prevention Leaders can be an officer, warrant officer or NCO (E-5 or above). Company Prevention Leaders must be certified through the UPL training course. The appointing commander will forward the CPLs' appointment orders, with completed local files check (DA Form 7281), to the ASAP, DTC.

c. Commanders will ensure that the appointed UPL attends the initial forty (40) hour ASAP Urinalysis Certification Training Course. The certification is valid for 18 months. To maintain certification, the UPL must successfully complete the UPL certification exam. Unit Prevention Leaders are responsible for briefing the Urinalysis Collection Observers (Observers) on their duties.

d. Observers must be an officer, warrant officer, or NCO (E–5 or above), of the same gender as the Soldier being observed, of unimpeachable moral character, and sufficient maturity to preserve the dignity of the Soldier being tested. Observers cannot be currently enrolled in the ASAP Program or under investigation for legal, administrative, or substance abuse related offenses. Observers must be briefed on and receive a demonstration of their duties by a UPL each time they are selected to observe and sign a urinalysis observation briefing memorandum that outlines their duties and penalties for not performing them properly.

e. The Drug Testing Program (DTP) is a commander's program that is conducted in a truly random manner to avoid predictability by the tested population. The DTP should be randomly selecting and testing 4–5 percent of the unit's strength weekly. Using this method, Soldiers are deterred from using drugs because they know that they have the possibility of being selected any day of any week. A brigade or higher commander may waive weekly drug testing for short-term field exercises, block leave, or similar short term events.

f. When a Soldier's urinalysis test result is positive for the use of illicit drugs, the following procedures will be used:

(1) The Soldier's unit commander or First Sergeant (1SG) will secure the positive test documentation from the IDTC, ASAP, building 36041, and refer the Soldier who tested positive to ASAP using DA Form 8003 within 5 duty days.

(2) If a Soldier is unavailable for referral or any other ASAP appointments due to AWOL, confinement, deployment, chapter separation, ETS, or any other reason, the unit commander or 1SG will notify the Alcohol Drug Control Officer (ADCO) or responsible ASAP Counselor. The Counselor will re-schedule the appointment to accommodate the situation. Only the unit commander or 1SG can request to change or reschedule a Soldier's appointment in this way.

(3) All separation actions will be forwarded to the appropriate separation authority IAW AR 635-200. Retention should be reserved for Soldiers that show clear potential for both excellent future service to the Army and for remaining free from substance abuse. Soldiers diagnosed as drug dependent will be offered rehabilitation prior to final separation from the Army.

(4) If a Soldier tests positive for the use of illicit drugs twice or more during the Soldier's career, or if any NCO (Corporal or above) tests positive for use of illicit drugs, the authority to retain the Soldier is held by the first general officer in the Soldier's chain of command IAW Army Directive 2012-07. This authority may not be delegated.

(5) If the positive drug report resulted from the use of a prescription drug, all adverse administrative and legal actions will be suspended pending review by the MRO. The MRO will then make the determination if the use of the drug was for legitimate medical purposes. If the MRO determines the use was for legitimate medical purposes, no adverse administrative action will be taken against the Soldier based on the positive test result.

(6) All Soldiers who test positive for illicit drug use must be evaluated for drug dependence IAW AR 600-85 paragraph 4-14e.

g. Personnel subject to this policy will immediately report all offenses involving illegal possession, use, manufacture, distribution, importation, exportation, or introduction into an installation of illegal drugs or drug paraphernalia to the USACIDC. This includes all positive test results except those from a rehabilitation test that requires MRO review, as directed by USAMEDCOM. Test results requiring MRO review will not be reported unless the MRO's findings determine illegitimate use. The ADCO will provide a list of positive test results for the use of illicit drugs to their supporting CID office on a weekly basis.

h. Within 72 hours, commanders will test all Soldiers who—

(1) Return from leave in excess of 30 days;

(2) Return from leave that involved travel to a foreign country;

(3) Return from a continuous unauthorized absence of 14 days or greater;

(4) Return from a second or subsequent unauthorized absence, regardless of the length of the second or subsequent unauthorized absence, where the duration of the first unauthorized absence was greater than or equal to 24 hours;

(5) Return from an unauthorized absence of any length for which the Soldier was dropped from rolls in accordance with Army Regulation 630-10, or meets the definition of deserter as defined in Army Regulation 630-10; or

(6) Provided a previously tested but rejected specimen, to include cases in which the command has a reasonable belief that the test specimen was altered, adulterated, or originated from an unauthorized source.

These Soldiers will be tested under Inspection Other (IO) code. Subordinate commanders are authorized to supplement the requirements set forth in this subparagraph with a unit level policy memorandum. Any unit policy memorandum must conform to all applicable laws, rules, and regulations, to include Military Rule of Evidence 313 and Army Regulation 630-10.

i. Commanders will test Soldiers involved in any drug related incident within 24 hours after the Soldier has been identified. Testing code Probable Cause (PO) will be utilized. Commanders will verify that probable cause exists with their servicing Staff Judge Advocate (SJA) prior to ordering the test.

j. Upon receipt of a blotter report for an alcohol related incident or having knowledge or any other alcohol related incident, the commander will refer Soldiers to the ASAP within five working days, utilizing DA Form 8003. If the Soldier has been involved in two serious incidents of alcohol related misconduct within one year (such as intoxicated on duty or operating a motor vehicle while intoxicated), he/she will be processed for administrative separation (see AR 600-85, para 3-3). Administrative or action under the Uniform Code of Military Justice (UCMJ) will not delay the five working days referral requirement.

k. All Soldiers will receive four hours of Drug and Alcohol Abuse Prevention Training annually as outlined in AR 600-85 and Fort Hood Regulation 350-1. Commanders will contact the ASAP Prevention Education Branch, at (254) 618-7446 and schedule a one hour class each quarter. If desired, commanders may schedule additional prevention classes, such as training specific to cocaine or marijuana abuse, etc.

5. EXPIRATION. This policy memorandum supersedes Commanding General's Policy Letter # 5, DHR-02 dated 11 April 2013, and will remain in effect until superseded or rescinded.

SEAN B. MacFARLAND
LTG, U.S. Army
Commanding

DISTRIBUTION:
IAW FH Form 1853: A