



SECRETARY OF THE ARMY
WASHINGTON

13 MAR 2012

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Army Directive 2012-07 (Administrative Processing for Separation of Soldiers for Alcohol or Other Drug Abuse)

1. Abuse of alcohol or the use of illegal drugs is inconsistent with Army Values, the Warrior Ethos and the standards of performance, discipline and readiness necessary to accomplish the Army's mission. The Army Substance Abuse Program's mission is to strengthen the overall fitness and effectiveness of the Army's workforce, conserve manpower and enhance the combat readiness of Soldiers through the deterrence, prevention, education and rehabilitation of alcohol and other drug abuse.

2. As outlined in the 2010 Army Health Promotion, Risk Reduction and Suicide Prevention Report, current Soldier separation policies for alcohol and drug abuse rehabilitation are not ideally suited to respond to the Army's emerging drug use, high-risk behavior and death trends. Mindful of my commitment to informed decision-making and the significant institutional interest and investment in our Soldiers, I am directing needed revisions to criteria and retention authorities for drug- and alcohol-related separations.

3. The following policies shall apply to separations initiated under provisions of Army Regulation (AR) 135-175 (Separation of Officers), AR 135-178 (Enlisted Administrative Separations), AR 600-8-24 (Officer Transfers and Discharges) and AR 635-200 (Active Duty Enlisted Administrative Separations). This directive also includes revised policies pertaining to AR 600-8-2 (Suspension of Favorable Personnel Actions (Flags)) and AR 600-85 (The Army Substance Abuse Program). The bases for separation for alcohol and drug abuse and authority for retention are revised as follows:

a. In addition to existing separation policies for alcohol or other drug abuse rehabilitation failures, Soldiers with a subsequent alcohol- or drug-related incident of misconduct at any time during the 12-month period following successful completion of the Army Substance Abuse Program or during the 12-month period following removal from the program, for any reason, will be processed for separation as an alcohol or drug abuse rehabilitation failure. This expanded period, however, does not prevent separation for other reasons authorized by existing administrative separation regulations (or as cited below). The term "process for separation" means that the separation action will be initiated and processed through the chain of command to the separation authority for appropriate action.

b. Except for Soldiers referred to a court-martial authorized to impose a punitive discharge, commanders will process for separation all Soldiers who are:

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(1) Identified as illegal drug abusers, as defined in AR 600-85.

(2) Involved in two serious incidents of alcohol-related misconduct within a 12-month period. As defined in AR 600-85, a serious incident of alcohol-related misconduct is any offense of a civil or military nature that is punishable under the Uniform Code of Military Justice by confinement for a term exceeding 1 year.

(3) Involved in illegal trafficking, distribution, possession, use or sale of illegal drugs.

(4) Tested positive for illegal drugs a second time during his/her career.

(5) Convicted of driving while intoxicated OR driving under the influence a second time during his/her career.

c. For Soldiers who meet these separation criteria but for whom commanders support retention as an exception to existing separation policy, I exercise my authority to withhold the retention authority for enlisted Soldiers of the Active Army and U.S. Army Reserve Active Guard Reserve (AGR) to the first general officer in the chain of command with a judge advocate or legal advisor available in the following instances. This authority may not be delegated. The following guidance is provided:

(1) Noncommissioned officers (corporal and above) processed for separation as provided for in paragraph 3b(1) require a retention decision from the first general officer in the chain of command. All separation decisions (including retention in the Army) for specialist and below will remain with existing separation authorities.

(2) All enlisted Soldiers processed for separation as a result of drug or alcohol misconduct as provided for in paragraphs 3b(2) through 3b(5) require a retention decision from the first general officer in the chain of command.

(3) All separation actions on enlisted Soldiers with 18 or more years of qualifying service for retired pay will be submitted to Headquarters, Department of the Army for final decision in accordance with existing regulatory provisions.

d. The provisions in paragraphs 3c(1) and 3c(2) do not apply to enlisted Soldiers of the Army Reserve (less AGR), Army National Guard or Army National Guard of the United States because a general officer currently is the prescribed separation authority.

e. Continue to process officer separations in accordance with the provisions of AR 600-8-24 and AR 135-175.

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f. Commanders must initiate suspension of favorable actions (flags) on all Soldiers who engage in the misconduct described in paragraphs 3a and 3b. Commanders will initiate and remove flags using the newly created adverse action codes as follows:

(1) For drug-related misconduct including, but not limited to, positive drug tests in accordance with AR 600-85, Total Army Personnel Database Code U.

(2) For alcohol-related misconduct including, but not limited to, driving under the influence, on-duty impairment due to alcohol consumption, or drunk and disorderly conduct, Total Army Personnel Database Code V.

(3) Commanders will remove the flag only when:

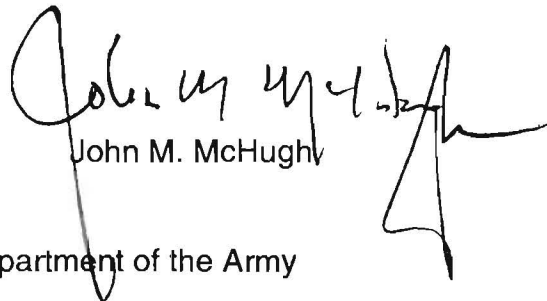
(a) the Soldier is reassigned to the transition point for separation, or

(b) the separation/retention authority (as appropriate) retains the Soldier.

g. After any positive drug test result, the supporting Alcohol and Drug Control Officer will review the Soldier's past urinalysis records in the Drug and Alcohol Management Information System to determine if the Soldier has previous positive urinalysis results. The Alcohol and Drug Control Officer will notify the Soldier's company commander, as well as the first general officer in the chain of command, of all positive urinalysis results in the Soldier's records.

4. The provisions of this directive are effective immediately. The Deputy Chief of Staff, G-1 is the proponent for this policy and will incorporate the guidance in this directive as soon as practical in AR 135-175, AR 135-178, AR 600-8-2, AR 600-8-24, AR 600-85 and AR 635-200.

5. This directive is rescinded upon publication of the last updated regulation.



John M. McHugh

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