

abusers who cannot or will not be rehabilitated, in accordance with appropriate laws, regulations, and instructions.

(7) Work in concert with national alcohol and drug abuse prevention programs, maintaining appropriate relationships with governmental and non-governmental agencies.

(8) Prohibit members of the Armed Forces, and DoD civilians while on the job, to possess, sell, or use drug abuse paraphernalia.

(9) Prohibit the possession or sale of drug abuse paraphernalia by DoD resale outlets to include military exchanges, open messes, and commissaries, and by private organizations and concessions located on DoD installations.

(b) The Department of Defense encourages DoD Components to use, as guidance and as a legal background in addressing paraphernalia issues, the Model Drug Paraphernalia Act prepared by the Drug Enforcement Administration, at the request of the President (Model Drug Paraphernalia Act, Drug Enforcement, March 1980, Volume 7, No. 1).

(c) Programs and standards of care promulgated in execution of this policy for military personnel shall be in compliance with Pub. L. 92-129.

(d) Programs and standards of care promulgated in execution of this policy for civilian employees shall be in compliance with Pub. L. 92-255, Pub. L. 91-616, and FPM Supplement 792-2.

§ 62.5 Responsibilities.

(a) The *Assistant Secretary of Defense (Health Affairs) (ASD(HA))*, or designated representative, is responsible for the development, coordination, and supervision of the DoD alcohol and drug abuse prevention program, in accordance with this part and shall:

(1) In coordination with the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) (*ASD(MRA&L)*), develop and promulgate policies designed to ensure that the DoD alcohol and drug abuse prevention programs reach military members, their families, DoD civilian employees and, to the extent feasible, their families. Programs and standards of care for family members shall be

consistent with those for the military and civilian components, with accepted practice in the alcohol and drug abuse area, and with applicable laws and jurisdictional limitations.

(2) In coordination with the *ASD(MRA&L)*, issue DoD instructions to implement the DoD alcohol and drug abuse prevention program, with specific attention to the functional areas of assessment, deterrence and detection, treatment and rehabilitation, and education and training.

(3) Act as focal point for the Department of Defense for interagency and nongovernmental coordination of national alcohol and drug abuse prevention programs.

(4) Evaluate and report upon the effectiveness and efficiency of the DoD alcohol and drug abuse prevention program.

(5) Establish a DoD Alcohol and Drug Abuse Advisory Committee to advise on policy and program matters. The Committee shall include representatives of each Military Service, designated by the Military Department concerned, and such other advisors as the *ASD(HA)*, or designated representative, considers appropriate. The Committee charter shall be approved by the *ASD(HA)*.

(b) The *Secretaries of the Military Departments and Directors of Defense Agencies* shall establish and operate programs prescribed by this part and supporting DoD instructions. They may make exceptions to the policy contained in this part only for legitimate medical, educational, and operational purposes. This authority shall not be delegated.

(c) In addition, the *Secretaries of the Military Departments* shall require appropriate commanders to assess the availability of drug abuse paraphernalia in the vicinity of DoD installations through their Armed Forces Disciplinary Control Boards and in conformity with the Armed Forces Disciplinary Control Boards and Off-Installation Military Enforcement Guidance, and take appropriate action, when the availability of drug abuse paraphernalia reveals a threat to the discipline, health, welfare, or morals of the Armed Forces.