

USAREC Supplement 1 to AR 600-85

Personnel—General

The Army Substance Abuse Program

**Headquarters
United States Army Recruiting Command
1307 3rd Avenue
Fort Knox, KY 40121-2725
3 August 2009**

UNCLASSIFIED

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***USAREC Supplement 1 to AR 600-85**

Effective 15 August 2009

Personnel—General

The Army Substance Abuse Program



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Major General, USA
Commander

History. This publishes a revised supplement which is effective 15 August 2009.

Summary. This publication supplements AR 600-85, dated 2 February 2009.

Applicability. This supplement is applicable to all personnel within the U.S. Army Recruiting Command. Military personnel

who violate provisions of this publication are subject to disciplinary action under the Uniform Code of Military Justice and to adverse administrative actions.

Proponent and exception authority. The proponent of this supplement is the Assistant Chief of Staff, G1. The proponent has the authority to approve exceptions to this supplement that are consistent with controlling law and regulation. Proponent may delegate the approval authority, in writing, to the deputy G1 within the proponent agency in the grade of lieutenant colonel.

Supplementation. Further supplementation of this supplement is prohibited.

This supplement is current until further notice from this headquarters.

Suggested improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQ USAREC, ATTN: RCPER-HRD-CON, 1307 3rd Avenue, Fort Knox, KY 40121-2725.

Distribution. This supplement is available in electronic media only and is intended for command distribution level B.

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Add paragraph 2-38 after paragraph 2-37.

Brigade prevention leader • 2-38

*This supplement supersedes USAREC Supplement 1 to AR 600-85, dated 25 October 2004.

Paragraph 1-1, Purpose

Add the following:

To establish guidelines for the U.S. Army Recruiting Command's (USAREC's) Substance Abuse Prevention Program; conduct urinalysis testing; assist commanders, brigade prevention leaders, BPLs, and UPLs in managing the ASAP; and provide USAREC-specific guidance on quality control audits and shipments of urinalysis samples to the lab.

Paragraph 2-16, Commanders of Corps, Divisions, and Brigades

Add paragraphs j through l after paragraph i.

j. Brigade commanders will continually monitor the serious traffic and disciplinary incidents within their units to determine if substance abuse problems exist in all or parts of their units.

k. Brigade commanders will appoint, in writing, an officer, an NCO in the pay grade of E-5 (promotable) or above, or a civilian in the grade of GS-6 or above to serve as the brigade prevention leader. The brigade prevention leader must be certified through the UPL training addressed in paragraph 9-6. Copies of current duty appointments will be provided to the Headquarters, U.S. Army Recruiting Command (HQ USAREC) substance abuse program coordinator.

l. Ensure that all activities within the ASAP are conducted in accordance with this regulation and supplement and the Commander's Guide and UPL Collection Handbook to include education, prevention, training, rehabilitation, identification, referral, followup, and program evaluation for his or her brigade.

Paragraph 2-31, Battalion/squadron commanders

Add paragraphs p through u after paragraph o.

p. Ensure that a minimum of one certified primary UPL and one certified alternate UPL are on appointment orders to serve as the company UPL for each company within the battalion. A certified UPL may be on appointment orders to serve more than one company provided he or she receives the support from the chain of command to perform all duties related to the ASAP.

q. Brief all UPLs on their responsibilities and ensure each UPL signs a USAREC Form 1160 (Memorandum for Record for the Unit Prevention Leader) (see fig 2-1) at the time of his or her certification or recertification.

r. Ensure all urinalysis testing is conducted with the use of the DTP software to select Soldiers for testing, print all required documentation to conduct urinalysis testing, and ensure that DTP is updated with all results.

s. Ensure all positive results that require MRO consideration are submitted to the MRO within 5 working days of receipt. Once completed, forward a copy of the MRO's findings to the HQ USAREC substance abuse program coordinator.

t. Conduct random urinalysis testing of at least 10 percent of their unit's authorized personnel strength each month using smart testing practices.

Note: Exception to DA policy to randomly select and test a minimum of four percent weekly of a unit's authorized personnel strength is on file at HQ USAREC.

Commanders will build their testing program around random selection to ensure that testing is unpredictable to the testing population. All Soldiers that are not randomly selected for testing prior to the end of the 3rd quarter of the fiscal year will be tested under the Inspection Other test code during the 4th quarter of the fiscal year.

u. Consult the brigade judge advocate if there are questions concerning whether someone may be tested (that is, probable cause, commander directed, etcetera).

Paragraph 2-32, Commanders of companies, detachments, and equivalent units

Add paragraphs n through r after paragraph m.

n. Ensure all urinalysis testing is conducted with the use of the DTP software to select Soldiers for testing, print all required documentation to conduct urinalysis testing, and ensure that DTP is updated with all results.

o. Ensure all activities within the ASAP are conducted in accordance with this regulation and supplement and the Commander's Guide and UPL Collection Handbook to include education, prevention, training, rehabilitation, identification, referral, followup, and program evaluation for his or her unit.

p. Brief all UPLs on their responsibilities and ensure that each UPL signs a USAREC Form 1160 (see fig 2-1) at the time of his or her certification and annual recertification.

q. The commander or his or her representative will conduct a precollection and posturinalysis testing site inspection to ensure that all procedures are being followed, conduct quality control audits of all documents for complete and accurate entries prior to samples being shipped to the lab, and ensure proper packaging procedures are followed prior to

shipment.

r. Ensure that any Soldier that tests positive for a drug that requires MRO consideration provides the required documents within 5 working days of being notified of the positive result.

Paragraph 2-34, Battalion/squadron prevention leaders

Add paragraphs o through x after paragraph n.

o. Coordinate all activities within the ASAP ensuring the program is conducted in accordance with this regulation and supplement and the Commander's Guide and UPL Collection Handbook to include education, prevention, training, rehabilitation, identification, referral, followup, and program evaluation for his or her unit.

p. Conduct urinalysis testing in accordance with this regulation and supplement, unit SOP, and the Commander's Guide and UPL Collection Handbook.

q. Use the DTP software to select Soldiers for urinalysis testing, print all required documents to conduct urinalysis testing, and ensure that DTP is updated with all results.

r. Ensure all Soldiers selected for testing read the second page of USAREC Form 1001 (Acknowledgment of Proper Urinalysis Specimen Collection Procedures) (see fig 2-2) prior to providing a sample and once a sample is provided and all documents are complete, the Soldier signs and dates the form.

s. Train and brief all observers on their responsibilities and ensure that each observer signs a USAREC Form 1159 (Memorandum of Record for the Observers) (see fig 2-3) prior to conducting urinalysis testing.

t. Ensure that all samples are packaged in accordance with paragraph E-9 and the Commander's Guide and UPL Collection Handbook and submitted to Fort Meade FTDTL, Building 2490, Wilson and Llewellyn Streets, Fort George G. Meade, MD 20755-5235, under the USAREC base area code of RC04. (Any unit that submits samples to an installation DTC must make arrangements for the DTC to report the results directly to the HQ USAREC substance abuse program coordinator.)

u. Maintain all files as required by AR 25-400-2 (see Administration section in UPL Collection Handbook).

v. Maintain a USAREC Substance Abuse Program Book consisting of this regulation and supplement, unit SOP, Commander's Guide and UPL Collection Handbook, and BPL appointment orders.

w. Maintain a list of all certified UPLs within the battalion and the date those UPLs require recertification.

x. Forward all urinalysis results received from the brigade prevention leader to the responsible UPL and ensure that DTP is updated.

(1) Serve as the commander's primary advisor and point of contact for the battalion on all ASAP issues.

(2) Ensure that all newly assigned Soldiers are briefed on the ASAP within 30 days of inprocessing into the unit. Ensure that each Soldier signs USAREC Form 1124 (Statement of Understanding - Army Substance Abuse Program) (see fig 2-4). Civilian employees should be briefed within 60 days of assignment.

(3) At a minimum, provide annual substance abuse awareness training of 4 hours for all Soldiers and 2 hours for civilian employees. Ensure that each Soldier signs a new USAREC Form 1124 upon completion of annual training.

(4) Keep the brigade prevention leader informed of all ASAP issues within the unit, to include, UPL certification and recertification requirements.

Paragraph 2-35, Company, detachment, and equivalent unit prevention leaders

Add paragraphs l through r after paragraph k.

l. Conduct urinalysis testing in accordance with this regulation and supplement, unit SOP, and the Commander's Guide and UPL Collection Handbook.

m. Use the DTP software to select Soldiers for urinalysis testing, print all required documents to conduct urinalysis testing, and ensure that DTP is updated with all results.

n. Ensure all Soldiers selected for testing read the second page of USAREC Form 1001 (see fig 2-2) prior to providing a sample; once a sample is provided and all documents are complete, the Soldier will sign and date the form.

o. Train and brief all observers on their responsibilities and ensure that each observer signs a USAREC Form 1159 (see fig 2-3) prior to conducting urinalysis testing.

p. Ensure that all samples are packaged in accordance with paragraph E-9 and the Commander's Guide and UPL Collection Handbook and submitted to Fort Meade FTDTL under the USAREC base area code of RC04. (Any unit that submits samples to an installation DTC must make arrangements for the DTC to report the results directly to the HQ USAREC substance abuse program coordinator.)

q. Maintain all files as required by AR 25-400-2 (see Administration section in UPL Collection Handbook).

r. Maintain a USAREC Substance Abuse Program Book consisting of this regulation and supplement, UPL appointment orders, unit SOP, and the Commander's Guide and UPL Collection Handbook.

Add paragraph 2-38 after paragraph 2-37.

2-38. Brigade prevention leader

a. Coordinate all activities within the ASAP ensuring the program is conducted in accordance with this regulation and supplement and the Commander's Guide and UPL Collection Handbook to include education, prevention, training, rehabilitation, identification, referral, followup, and program evaluation for his or her unit.

b. Act as a liaison between the HQ USAREC substance abuse program coordinator and brigade and battalion headquarters regarding ASAP issues, to include, recertification of BPLs and UPLs.

c. Ensure all new and updated information concerning ASAP is passed down to all BPLs and UPLs in a timely manner.

d. Access the DAS to retrieve daily, weekly, monthly, and annual urinalysis results and statistics. Forward all results and statistical reports to the responsible BPL to ensure the DTP is updated and training needs are identified.

e. Monitor statistical data to ensure that each battalion meets the minimum random urinalysis testing requirements.

f. Submit a written request to the HQ USAREC substance abuse program coordinator for brigade level UPL certification courses.

g. Ensure that all BPLs and UPLs are recertified every 18 months. Upon request the HQ USAREC substance abuse program coordinator will forward the recertification test to a test proctor via e-mail. Upon completion of the test, the answer sheet will be returned to the HQ USAREC substance abuse program coordinator to score and issue the certificate. (The recertification test will be permanently deleted from the proctor's computer once completed.)

h. Notify the HQ USAREC substance abuse program coordinator of any changes in the point of contact for urinalysis results, statistics, and positive urinalysis notification. Maintain an updated list of all qualified BPLs and UPLs within the brigade and the date recertification is due.

i. Maintain all files as required by AR 25-400-2 (see Administration section in UPL Collection Handbook).

j. Monitor the progress of all positive urinalysis testing results that require MRO consideration and ensure that those reviews are completed within 20 working days of receipt by the battalion commander or executive officer.

Appendix A, References

Add the following to section III, Prescribed Forms:

USAREC Form 1001

Acknowledgment of Proper Urinalysis Specimen Collection Procedures. (Cited in paras 2-34r and 2-35n.)

USAREC Form 1124

Statement of Understanding - Army Substance Abuse Program. (Cited in paras 2-34x(2) and 2-34x(3).)

USAREC Form 1159

Memorandum for Record for the Observers. (Cited in paras 2-34s and 2-35o.)

USAREC Form 1160

Memorandum for Record for the Unit Prevention Leader. (Cited in paras 2-31q and 2-32p.)

Add the following to section IV, Referenced Forms:

USAREC Form 958

Incident Information Report.

Paragraph B-6, What does the unit commander do when notified that a Soldier has tested positive during a drug test?

Add the following:

Upon notification of a positive test result of illegal drugs, the battalion commander will take action as prescribed below:

a. Laboratory confirmed positive tests. When laboratory testing confirms illegal drug abuse or when other evidence amounting to probable cause of illegal drug use is presented (such as an admission following a drug test), suspend immediately from recruiting duty any personnel who would have any contact with applicants, prospects, or members of the Future Soldier Training Program. Stop special duty assignment pay as of the date of suspension. Soldiers will

remain suspended until final disposition of the case.

b. Laboratory confirmed positive for drugs that require an evaluation by an MRO. No adverse action will be taken until the MRO determines if drug was being used for a valid medical reason. If the MRO determines the drug use was not for a valid medical reason, the same action will be taken as in a above.

c. Suspension of self-referral is at the discretion of the commander, unless additional illegal drug use is indicated or unless the self-referral was in anticipation of a test for the presence of drugs in the system. If either of these circumstances exist, then immediate suspension is required.

d. Complete and submit a USAREC Form 958 (Incident Information Report) to the USAREC Security Office for each substance abuse case, including all positive urinalysis results for illegal drug use and arrests or apprehensions for drug or alcohol offenses. A USAREC Form 958 will not be submitted for a positive result requiring MRO consideration, unless the MRO determines use was unauthorized. Followup reports of all reported incidents are required.

Paragraph E-9, Shipping to the FTDTL

Add paragraph (g) after paragraph b(3)(f).

(g) Samples may also be submitted to the FTDTL via overnight United Parcel Service or Federal Express.

Glossary

Add the following abbreviations alphabetically to section I:

HQ USAREC

Headquarters, U.S. Army Recruiting Command

USAREC

U.S. Army Recruiting Command

UNIT HQ USAREC

MEMORANDUM FOR RECORD FOR THE UNIT PREVENTION LEADER

SUBJECT: Responsibilities of Unit Prevention Leader During Drug Testing

1. General:

a. As the unit prevention leader (UPL) you must be properly trained and evaluated to ensure that you possess sufficient skill, integrity, and maturity to carry out the highly sensitive duties required of this position. Quality assurance is of utmost importance to ensure the handling and processing of collecting specimens are error free.

b. The results of a test may be used in legal proceedings and consequently each urine sample is considered as evidence. A valid chain of custody is mandatory for a successful prosecution. As the UPL, you will be required to provide testimony at legal or administrative proceedings. If there is evidence of a specimen being altered while under the UPL's control, chain of custody must be strictly maintained and the commander will turn the evidence over to the local Criminal Investigation Division (CID) for investigation as a federal offense.

2. Criteria for UPL:

- a. Be an officer, warrant officer, noncommissioned officer E-5 or above, or a civilian corps, NSPS employee pay band equivalent to GS-05 or above.
- b. Designated on appointment orders by the commander.
- c. Successful completion of the Department of the Army UPL Certification Training Program.
- d. Knowledgeable of AR 600-85 with USAREC Supplement 1 thereto for chain of custody for commander-directed urinalysis.
- e. Not have been enrolled in the Army Substance Abuse Rehabilitation Program or under investigation for any substance abuse related offenses.

3. Responsibilities. The UPL must:

- a. Ensure he or she has ample supply of authorized materials and equipment required to conduct a 100 percent unit sweep (inspection unit) as directed by the commander. (Commander is the only one authorized in the unit to identify donors and direct a unit, random, or probable cause seizure collection for urinalysis.)
- b. Ensure the latrine being used is posted as "Off Limits," and that there are no cleaning products or questionable materials present while the urinalysis collection is being conducted.
- c. Ensure that observers are properly trained and have read and signed the observer statement acknowledging their responsibilities. Observers must be the same gender as the Soldier providing the specimen.
- d. Wear a pair of authorized disposable rubber gloves when handling specimens. Rubber gloves must not contain any holes and will not be used by more than one individual before being disposed.
- e. Ensure that all Soldiers identified by the commander provide a specimen and commander is immediately notified if a Soldier does not report, does not have authorized identification, refuses to void, or if any tampering or dilution of the urine is suspected.
- f. Require Soldiers to remove any unnecessary outer garments such as ACU jacket, shirt, or other obstructive clothing that might conceal items or substances that could be used to tamper with or adulterate the Soldier's urine specimen.
- g. Verify the Soldier's identity and social security number from a military identification card or driver's license and official unit manning roster.
- h. Complete all required documents using the Soldier's identification and ensure the Soldier reads and signs USAREC Form 1001 (Acknowledgment of Proper Urinalysis Specimen Collection Procedures) and the unit urinalysis ledger (and initials the bottle label) prior to leaving the collection site.
- i. Check each specimen for temperature, color, clarity, and that the bottle cap is securely tightened to ensure the bottle does not leak prior to affixing authorized tamper resistant tape (each bottle must have the tamper resistant tape affixed in the presence of the Soldier and the observer).
- j. Accept custody of all urine specimens from the Soldier and maintain physical custody until custody is properly transferred or the sealed package is provided to authorized mail handlers (US Post Office, Federal Express, or equivalent).
- k. Ensure all required documents are completed or corrected only as prescribed in AR 600-85 and a quality assurance check of specimens and documentation is completed in the presence of the observer prior to packaging.
- l. Ensure that only the original DD Form 2624 (Chain of Custody) front to back with the completed chain of custody is placed in an envelope with the BAC (RC04) printed in bold print is taped to the specimen box (no photocopies). If more than one batch is in a single box, all DD Forms 2624 front to back with the completed chain of custody will be placed in the same envelope and taped to the specimen box. A single batch of specimens cannot be divided and placed in separate boxes. A batch will not contain more than 12 specimens and the UPL will ensure that there are no more than three observers at any time for each DD Form 2624. The UPL will not complete the documents for his or her own specimen, handle his or her own specimen, or include it in a package for mailing that he or she has custody.

4. UPL Affidavit: I have read and understand this document. I will comply with the responsibilities as stated above and will report anything out of the ordinary immediately to the commander. I hereby acknowledge that I have read the following and understand that I may be subject to court-martial or other adverse action under the Uniform Code of Military Justice (UCMJ), or to involuntary separation under the provisions of AR 600-8-24 or AR 635-200, if I should commit any of the following offenses in the course of this urinalysis inspection:

- a. Article 78: Being an accessory after the fact by deliberately: (1) Allowing an adulterated sample to be tested, or (2) Failing to check a sample for warmth as it is delivered, in order to assist a Soldier you know to be a drug offender in concealing the offense.
- b. Article 92: Being derelict in the performance of your duties by intentionally or negligently: (1) Allowing a sample to be submitted for testing that you know to have been tampered with, or (2) Failing to check the sample for warmth as it is delivered to you.
- c. Article 134: Committing misprision of a serious offense by concealing and failing to report to civilian or military authorities that a Soldier has committed a drug offense.

David L. Bennett
(UPL's Printed Name)

/signed/
(UPL's Signature)

09/28/09
(Date)

Figure 2-1. Sample of a completed USAREC Form 1160

ACKNOWLEDGMENT OF PROPER URINALYSIS SPECIMEN COLLECTION PROCEDURES

(For use of this form see USAREC Suppl 1 to AR 600-85)

INSTRUCTIONS: Soldier submitting the urinalysis specimen will read the procedures to be followed on the reverse of this form prior to testing. After providing a specimen, Soldier will initial and sign below to ensure the proper procedures were conducted during this collection.

SPC David L. Bennett, 000-00-0000

(Printed Rank and Full Name)

HQ USAREC, Fort Knox, KY

(Unit Assigned: Recruiting Station, Battalion, Brigade, etc., with city and state)

1. I have read and understand the procedures to be followed by the unit prevention leader (UPL), observer, and Soldier submitting the specimen during the collection as outlined in the memorandum on the reverse of this form. I understand that if any of the proper procedures were not followed, I have a duty to immediately report any irregularities, and that I am encouraged to do so.

dlb (Soldier's initials)

2. I verify that I had visual contact with my specimen until the UPL sealed the bottle and that the urine in the bottle at the time it was sealed was mine. All entries documented on the specimen bottle, specimen custody document (drug testing), and the unit urinalysis ledger, to this point, are consistent and correct.

dlb (Soldier's initials)

3. I verify, to the best of my knowledge, that all the proper procedures were were not (check applicable box) followed regarding my specimen. Explain in detail, below, if proper procedures were not followed.

dlb (Soldier's initials)

I hereby acknowledge that I have read the following and understand that I may be subject to court-martial or other adverse action under the Uniform Code of Military Justice (UCMJ), or to involuntary separation under the provisions of AR 600-8-24 or AR 635-200, if I should commit any of the following offenses in the course of this urinalysis inspection:

Article 90: Willfully disobeying a lawful order of my commander or superior commissioned officer by not providing a urine sample as directed.

Article 107: Making a false official statement in signing the UPL's unit urinalysis ledger acknowledging my sample as only urine, or this sample as mine if it is not.

09/28/09

(Date)

/signed/

(Soldier's Signature)

NOTE: If the Soldier alleges that the procedures were not correctly followed, the commander (or his or her representative) will ascertain if any irregularities or deficiencies occurred; if so, immediately proceed to collect a second urine specimen.

Figure 2-2. Sample of a completed USAREC Form 1001

FOR Soldiers Participating in Commander-Directed Urinalysis Testing Program

SUBJECT: Procedures to be Followed During Specimen Collection (AR 600-85)

1. **PURPOSE:** To provide information concerning proper specimen collection procedures for Soldiers participating in the urinalysis testing program. Each Soldier must read this information prior to submitting a specimen. The reverse must be initialed and signed (indicate remarks if appropriate) only after the collection process is completed. A designated individual, the UPL or observer, will ensure that each Soldier is provided a copy of this information to read prior to testing and physically check that the reverse is signed prior to returning the Soldier's identification (ID) card and releasing the Soldier from the collection site area.

2. **PROCEDURES:**

a. The UPL will be an officer, warrant officer, noncommissioned officer in the grade of sergeant (E-5) or above, or a civilian corps member GS-05 or NSPS pay band equivalent or above. The UPL will:

(1) Initiate and record appropriate information on DD Form 2624 (Specimen Custody Document - Drug Testing) in accordance with AR 600-85, appendix E.

(2) Maintain a unit urinalysis ledger with the correct unit, calendar date, batch number, type test, test basis, SSN (verified from the ID card) for the Soldier submitting the specimen, Soldier's signature, and observer's signature.

(3) Provide the labeled urine specimen bottle to the Soldier in the presence of the observer. Prior to providing a specimen, the UPL will direct the Soldier to verify the information on the unit urinalysis ledger, DD Form 2624, and bottle label by having him or her initial the bottle label. After returning from the latrine, the observer and Soldier will also verify the information and sign the unit urinalysis ledger.

(4) Initial the label on the bottle after receiving it from the Soldier indicating transfer of the chain of custody.

(5) In the presence of the observer and Soldier submitting the specimen, seal the bottle with tamper proof tape.

(6) Ensure the information on the label and DD Form 2624 is correct and legible. Write-overs are prohibited. Corrections will be made with a single strikethrough, the correct information written above, and the date and initials of the UPL making the correction. This must be done in the presence of the Soldier. Any corrections not in the presence of the Soldier will be indicated on a certification of correction.

b. The observer must be an officer, warrant officer, or noncommissioned officer sergeant (E-5) or above, and of the same gender as the Soldier being observed. The observer will:

(1) Direct the Soldier to wash his or her hands with plain water prior to submitting the sample.

(2) Directly observe the Soldier urinating into the specimen bottle and placing the cap on the bottle to prevent possible contamination or alteration of the sample.

(3) Ensure that the bottle is not reopened while in the custody of the Soldier or the UPL.

(4) When the optional wider mouth specimen collection container is used by female Soldiers, ensure the female Soldier, while still under direct observation of the observer, pours her own urine into the approved urine specimen bottle immediately after collection and caps it tightly.

(5) Report any unusual occurrences and attempts to adulterate the specimen to the UPL.

(6) Sign the prepared unit urinalysis ledger verifying that the actions specified above were performed.

c. As a Soldier identified to provide a urine sample, you will be required to ensure the following actions are followed:

(1) Under the direction of the UPL you will approach the collection table with the ACU top removed, provide your ID card and this form unsigned to the UPL. Confirm all information on the DD Form 2624, unit urinalysis ledger, and bottle label is correct by initialing the bottle label in SM block.

(2) You will provide a specimen of at least 30 milliliters under direct observation of the assigned observer.

(3) In the case of insufficient specimen or no specimen you will report back to the UPL, who will direct you to remove the label from the bottle and dispose of the sample by pouring it down the toilet. The bottle will be rinsed and disposed of in the trash.

(4) You will maintain eye contact with your specimen at all times until the UPL seals the bottle with tamper tape and places it in the specimen box.

(5) Once your specimen has been sealed and placed back in the box and the observer has signed the unit urinalysis ledger, you will sign the unit urinalysis ledger, and complete and sign this form.

(6) You will ensure, to the maximum extent possible, that the UPL and observer adhere to all testing procedures.

(7) You will immediately inform the commander (or his or her representative) of any irregularities in the testing procedures.

USAREC Form 1001, Rev 1 Jun 2009 (Reverse)

Figure 2-2. Sample of a completed USAREC Form 1001 (Continued)

UNIT HQ USAREC

MEMORANDUM FOR RECORD FOR THE OBSERVERS

SUBJECT: Responsibilities of Observers During Drug Testing

1. General:

- a. Observers are a critical link in the process of collecting urine specimens to be tested for substance abuse. Instances have occurred in the past where observers did not follow proper collection procedures and positive drug tests were not usable in legal and/or administrative actions. In order to prevent similar occurrences in the future, the observer will read and sign this Memorandum for Record.
- b. The testing procedures do not violate a Soldier's Fourth or Fifth Amendment rights, nor does the observation procedure violate the right to privacy. A refusal to produce a specimen is a violation of a direct order and may result in the Soldier being processed for separation.
- c. The results of tests may be used in legal proceedings and consequently the urine sample may be considered as evidence. A valid chain of custody is mandatory for a successful prosecution. As an observer, you may be asked to provide testimony at legal or administrative proceedings. You may be subject to UCMJ or administrative action if it is discovered that the specimen was altered in any way while it was under your control. May include but not limited to the following:
 - (1) Article 92: Knowingly failing to obey a lawful general order or regulation by not maintaining direct line of sight of the urine into the bottle.
 - (2) Article 107: Making a false official statement in signing the unit prevention leader's (UPL's) urinalysis ledger acknowledging the urination process was directly observed and no tampering occurred.
 - (3) Article 134: False swearing by authenticating that no substitution or tampering of the urine sample occurred.

2. Criteria for observers:

- a. Be an officer, warrant officer, or noncommissioned officer in the rank of E-5 or above, or a civilian corps, NSPS employee pay band equivalent to GS-05 or above.
- b. Be of the same gender as the Soldier being tested.
- c. Possess sufficient maturity and integrity to preserve the dignity of the Soldier being observed.
- d. Not be currently enrolled within the Army Substance Abuse Rehabilitation Program or currently be under investigation for any substance abuse related offenses.

3. Responsibilities: As outlined in AR 600-85, an observer must follow protocol during urinalysis collection procedures.

4. Once assigned to a specific Soldier:

- a. Observer controls the urine collection process at all times.
- b. Maintains visual contact with the bottle at all times.
- c. Ensures the Soldier washes his or her hands with water only, no soap, prior to providing a specimen.
- d. Ensures that the specimen provided is not contaminated or altered.
- e. Directly observes the Soldier (one Soldier at a time per observer) voiding urine into the specimen bottle. (When the optional wide mouth specimen collection container is used, immediately after the collection and while still under direct observation of the observer, the urine must be poured into the currently approved urine specimen bottle and tightly capped by the Soldier providing the specimen.)
- f. Ensures direct observation of the flow of urine from the Soldier's body into the bottle.
- g. Supervises the Soldier tightly capping the bottle.
- h. Ensures the bottle is not reopened after the cap is tightened.
- i. Escorts the Soldier back to the UPL's station or table with the bottle in full view.
- j. Observes the UPL placing tamper evident tape over the top of the bottle and across the label, not to cover printed information.
- k. Observes the UPL place the specimen in the collection box.
- l. The observer will sign the unit ledger in front of the UPL and Soldier verifying the collection process and direct observation was conducted.

5. Observer Affidavit: I have read and understand this document. I will comply with the responsibilities as stated above and will report anything out of the ordinary immediately to the UPL or commander.

<u>Bill Wishbone</u> <i>(Observer's Printed Name)</i>	<u>/signed/</u> <i>(Observer's Signature)</i>	<u>09/28/09</u> <i>(Date)</i>
<u>David L. Bennett</u> <i>(UPL's Printed Name)</i>	<u>/signed/</u> <i>(UPL's Signature)</i>	<u>09/28/09</u> <i>(Date)</i>

Figure 2-3. Sample of a completed USAREC Form 1159

**STATEMENT OF UNDERSTANDING
ARMY SUBSTANCE ABUSE PROGRAM**
(For use of this form see USAREC Suppl 1 to AR 600-85)

1. dlb (Soldier's Initials) I understand the legal consequences of alcohol and drug abuse. Under the UCMJ, there are several articles that address the abuse of drugs and alcohol. These articles could include: Article 111 (Drunken or reckless driving), Article 112 (Drunk on duty), Article 112a (Wrongful use, possession, etc., of controlled substances), and Article 134 (Drunkenness - incapacitation for performance of duties through prior wrongful indulgence in intoxicating liquor or any drug).
2. dlb (Soldier's Initials) I understand voluntary (self) identification is the most desirable method of discovering alcohol or drug abuse. I understand that, if I have an alcohol or drug problem, I have a personal obligation to seek treatment and rehabilitation. Individuals seeking medical help through self-identification are protected under the Limited Use Policy (AR 600-85, chap 10). Individuals voluntarily seeking medical assistance are not to have negative comments entered on their noncommissioned officer evaluation report or officer evaluation report. I understand there are military and local civilian programs available to treat alcohol and drug abuse. Information is available through the unit commander, first sergeant, battalion adjutant, unit prevention leader, battalion prevention leader, brigade alcohol and drug control officer, USAREC Army substance abuse program (ASAP) coordinator, any installation ASAP office, and the local Alcoholics Anonymous or Narcotics Anonymous support groups.
3. In accordance with USAREC Reg 600-25, paragraph 2-5:
 - a. dlb (Soldier's Initials) I understand that I cannot consume alcoholic beverages while on duty, including during meals or other breaks when scheduled to return to a recruiting facility or have contact with an applicant.
 - b. dlb (Soldier's Initials) I understand that I cannot drive a Government-owned or -provided vehicle (including rental car) within 8 hours of consuming alcohol.
 - c. dlb (Soldier's Initials) I understand that I cannot consume alcohol with a subject of recruiting efforts or use alcoholic beverages as a recruiting incentive.
 - d. dlb (Soldier's Initials) I understand that I cannot consume alcohol with or provide alcohol to a subject of a recruiting effort.
 - e. dlb (Soldier's Initials) I understand that I cannot report for duty with a blood alcohol content of .05 or greater which is presumed to be under the influence of alcohol. In the absence of a blood alcohol test, direct or other evidence can be used to establish this condition and that the current MCM definition of drunk on duty, which is found at Article 112, UCMJ, will be used to determine whether I, as a Soldier, am considered drunk while on duty.
 - f. dlb (Soldier's Initials) I understand that I cannot possess, transport, or consume alcohol in any recruiting facility or Government vehicle, to include Government-provided rental car. However, on temporary duty status I will be allowed to transport unopened containers of alcohol for personal use in a rental car from the purchase site store back to my hotel room in accordance with state laws.
 - g. dlb (Soldier's Initials) I understand that I cannot use alcoholic beverages as a recruiting incentive or consume alcoholic beverages with any individual under the state drinking age.
4. dlb (Soldier's Initials) I understand that I am subject to Federal, state, and local government laws relating to alcohol and drug abuse, to include driving under the influence (DUI).
5. dlb (Soldier's Initials) I understand that if I am apprehended by the military or civilian police while in a military or civilian vehicle and cited for DUI, I am subject to such adverse actions as a bar to reenlistment, UCMJ punishment, and possible administrative separation under AR 635-200 or AR 600-8-24. I further understand that the commander must, at a minimum, process me for a General Officer Memorandum of Reprimand and refer me to the installation ASAP for evaluation and counseling.
6. dlb (Soldier's Initials) I understand that I am required to submit a urine specimen when identified through random urinalysis testing or when individually directed by the commander. I understand that failure to submit a specimen may result in UCMJ action.
7. dlb (Soldier's Initials) I understand that a positive test result will render me flagged from any positive personnel actions in accordance with AR 600-8-2. I also understand that I will be subject to UCMJ action (see Limited Use Policy for exceptions) and separation action will be initiated against me and processed in accordance with AR 635-200 or AR 600-8-24, as applicable. I will also have my driving privileges suspended in accordance with USAREC Reg 700-5. If I am a recruiter, I will be suspended from recruiting duties and my special duty assignment pay will be terminated in accordance with USAREC Suppl 1 to AR 600-85 and AR 601-1.
8. _____ (Soldier's Initials) As an officer or noncommissioned officer, I am responsible for the identification and referral of individuals employed by the US Army who are suspected of abusing alcohol or drugs. I am also responsible for the maintenance of military discipline and the enforcement of the UCMJ, when applicable.

PRINT OR TYPE SOLDIER'S FULL NAME: David L. Bennett	SOLDIER'S SIGNATURE: /signed/	DATE: 09/28/09
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Figure 2-4. Sample of a completed USAREC Form 1124

USAREC

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