

§ 59.4

personnel or disbursing officer, or one of their representative who shall witness the signature. The Military Departments may waive this requirement for senior enlisted service members and loan repayment allotments payable to the Army Emergency Relief, Navy Relief Society, the Air Force Aid Society, and American Red Cross.

(3) Charitable contribution allotment requests by enlisted members may be accepted without a witnessing official, when submitted on contribution forms in accordance with DOD Directive 5035.1 and DOD Instruction 5035.5.

(4) Retired military personnel need not submit allotment requests on the prescribed forms. A signed personal letter may be used to support an allotment request, change, or cancellation by retired military members as long as all required information is provided.

§ 59.4 Responsibilities.

(a) The Assistant Secretary of Defense (Comptroller) shall exercise primary management responsibility for the voluntary military pay allotment program and provide assistance to the Military Departments in the form of instructions, requirements, reviews, and other guidance.

(b) The Secretaries of the Military Departments shall ensure that this part is implemented by the Military Services concerned.

PART 61—MEDICAL MALPRACTICE CLAIMS AGAINST MILITARY AND CIVILIAN PERSONNEL OF THE ARMED FORCES

Sec.

61.1 Purpose.

61.2 Applicability.

61.3 Delegation of authority.

61.4 Procedures.

AUTHORITY: Pub. L. 94-464, sec. 1(a), 90 Stat. 1985, 10 U.S.C. 1089(f), 2733 and 5 U.S.C. 301.

SOURCE: 43 FR 15148, Apr. 11, 1978, unless otherwise noted.

§ 61.1 Purpose.

This Directive: (a) Delegates authority, with the power to redelegate, to the Secretaries of the Military Departments to provide relief to health care personnel of the Department of Defense

from personal tort liability in connection with their authorized activities, and (b) establishes procedures to be followed in providing such relief.

§ 61.2 Applicability.

The provisions of this Directive apply to the Office of the Secretary of Defense, the Military Departments, and all other Department of Defense Components.

§ 61.3 Delegation of authority.

(a) The authority vested in the Secretary of Defense by title 10 U.S.C. section 1089(f) hold harmless or provide liability insurance for Department of Defense health care personnel is hereby delegated to:

(1) The Secretary of each Military Department for military members and civilian employees of his Department, and

(2) The Secretary of the Army for civilian employees of the Office of the Secretary of Defense and Department of Defense Components other than the Military Departments (see DoD Directive 5515.9).¹

(b) The authority delegated above may be redelegated as appropriate and necessary to carry out the provisions of title 10, U.S.C., section 1089(f).

§ 61.4 Procedures.

(a) In all cases under title 10 U.S.C. section 1089, medical personnel shall be required to:

(1) Promptly forward all process served upon them or attested true copies thereof to the appropriate official designated by the Secretary of the Military Department concerned;

(2) Furnish such other information and documents as the Attorney General may request; and

(3) Comply with the directions of the Attorney General relative to the final disposition of a claim for damages.

(b) The procedures set forth in title 10 U.S.C. section 2733 and regulations issued pursuant thereto shall be utilized in determining costs, settlements,

¹Filed as part of original. Copies may be obtained, if needed, from the U.S. Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, Pa. 19120 Attention: Code 301.

or judgments under title 10 U.S.C. section 1089(f).

PART 62b—DRUNK AND DRUGGED DRIVING BY DoD PERSONNEL

Sec.

62b.1 Purpose.

62b.2 Applicability.

62b.3 Policy.

62b.4 Procedures.

62b.5 Responsibilities.

62b.6 DoD Intoxicated Driving Prevention Task Force.

62b.7 Definitions.

APPENDIX 1 TO PART 62B—DRIVER'S LICENSE INFORMATION (SAMPLE LETTER)

APPENDIX 2 TO PART 62B—STATE DRIVER'S LICENSE AGENCIES

AUTHORITY: 10 U.S.C. 131.

SOURCE: 48 FR 41581, Sept. 16, 1983, unless otherwise noted.

§ 62b.1 Purpose.

This part:

(a) Establishes DoD policy regarding drunk and drugged driving by DoD personnel (hereafter referred to as "intoxicated driving").

(b) Assigns responsibility for and explains DoD policy and procedures on the establishment and operation of the DoD Intoxicated Driving Prevention Program, which is designed to address the problem of and increase the awareness and attention given to intoxicated driving by DoD personnel.

(c) Establishes the DoD Intoxicated Driving Prevention Task Force (DIDPTF).

§ 62b.2 Applicability.

This part applies to the Office of the Secretary of Defense, the Military Departments, the Organization of the Joint Chiefs of Staff, the Unified and Specified Commands, and the Defense Agencies (hereafter referred to collectively as "DoD Components"). The term "Military Services," as used herein, refers to the Army, Navy, Air Force, and Marine Corps.

§ 62b.3 Policy.

(a) Intoxicated driving is incompatible with the maintenance of high standards of performance, military discipline, DoD personnel reliability, and readiness of military units and sup-

porting activities. It is DoD policy to reduce significantly the incidence of intoxicated driving within the Department of Defense through a coordinated program of education, identification, law enforcement, and treatment. Specifically, the goal of the DoD Intoxicated Driving Prevention Program is to reduce the number of fatalities and injuries suffered by DoD personnel and the amount of property damage that result from intoxicated driving. Persons who engage in intoxicated driving, regardless of the geographic location of the incident, have demonstrated a serious disregard for the safety of themselves and others. It is appropriate for military commanders, in the exercise of their inherent authority, to protect the mission of an installation and the safety of persons and property therein to restrict driving privileges of persons who engage in such actions.

(b) The Department of Defense shall participate in the national effort to prevent intoxicated driving by maintaining appropriate relationships with other governmental agencies and private organizations and shall cooperate with responsible civil authorities consistent with statutory and regulatory constraints in detecting, identifying, apprehending, prosecuting, educating, and counseling intoxicated drivers and in reporting cases as required by State laws and applicable Status of Forces Agreements.

§ 62b.4 Procedures.

(a) *Education and training.* (1) The Military Services shall provide drug and alcohol education that focuses on intoxicated driving for each of the following: law enforcement, public information, emergency room, and safety personnel. Club managers, bartenders, and waitresses serving alcoholic beverages and Class VI or package sales personnel shall receive annual refresher training. In addition, leadership curricula at all levels (PCO/PXO indoctrination, training for judge advocates and military judges, and officer and noncommissioned officer schools) shall include specific information and a review of current Military Service policy on intoxicated driving.

(2) Other DoD Components shall provide similar instruction in conjunction