



UNDER SECRETARY OF DEFENSE

**4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000**

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MEMORANDUM FOR CHIEF, NATIONAL GUARD BUREAU
ASSISTANT SECRETARY OF DEFENSE FOR MANPOWER AND
RESERVE AFFAIRS
ASSISTANT SECRETARY OF THE ARMY FOR MANPOWER
AND RESERVE AFFAIRS
ASSISTANT SECRETARY OF THE NAVY FOR MANPOWER
AND RESERVE AFFAIRS
ASSISTANT SECRETARY OF THE AIR FORCE FOR MANPOWER
AND RESERVE AFFAIRS

SUBJECT: Prohibition on the Use of Marijuana or its Chemical Components by Military
Service Members and Department of Defense Civilian Employees

This memorandum reaffirms the Federal prohibitions on the use of marijuana by military personnel at all locations in accordance with Article 5, Uniform Code of Military Justice (UCMJ). The provisions of the UCMJ apply regardless of State, District, or Territorial laws permitting the use of marijuana, to include medical use. Military personnel are subject to prosecution and administrative action for marijuana use, possession, or distribution under Article 112a of the UCMJ. Federal Law supersedes the legislative initiatives of the State, District, or Territories of the United States. Legislative initiatives of States, District, or Territories are not binding on the military in the administration of military justice under Chapter 47 of title 10, United States Code. This prohibition includes chemical components and extracts of marijuana listed as Schedule I illicit drugs by the Drug Enforcement Administration.

Department of Defense (DoD) civilian employees are subject to restrictions governing drug use contained in DoD Instruction 1010.09, "DoD Civilian Employee Drug-Free Workplace Program," and applicable Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Guidelines.

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