



NATIONAL GUARD BUREAU

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ARLINGTON VA 22204-1382

ARNG-HRR

22 December 2016

MEMORANDUM FOR NG J1 RRF (All-Entire RRF)

SUBJECT: SMOM 17-013, Suspension of Enlistment Waivers (Change 2)

1. References:

- a. DoDI 1304.26 (Qualification for Enlistment, Appointment, and Induction), 20 September 2005 with Change dated 20 September 2011.
- b. Office of the Under Secretary of Defense (OUSD) memorandum, 7 July 2009, Subject: Enlistment or Commissioning of Individuals with Felony Convictions for Sexual Assault.
- c. AR 601-210 (Active and Reserve Components Enlistment Program), dated 31 Aug 2016.
- d. Director of Military Personnel Management (DMPM) memorandum, 13 December 2016 Subject: Suspension of Enlistment Waivers.
- e. SMOM 12-080 dated 14 September 2012 and SMOM 15-026. (Rescinded).

2. The purpose of this memorandum is to rescind Reference 1e above and to notify the enlistment agencies of the waiver authority changes reflected in paragraph 3 below.

3. Suspended conduct enlistment waivers for the categories below are changed as indicated.

- a. Waivers for positive Drug/Alcohol Test (DAT) at the Military Entrance Processing Station (MEPS) is amended. On a one-time basis for individual applicants, the State Adjutant General (TAG) (may be delegated to COL/O-6) may consider a DAT waiver for a one-time DAT failure for marijuana if after 90 days a subsequent DAT retest at the MEPS is found negative. Enlistment waivers remain suspended for applicants whose retest on the DAT at the MEPS after a 90 day wait renders positive results.

- b. Waivers for criminal misconduct (juvenile or adult) for possession of marijuana or possession of drug paraphernalia for marijuana use is amended. The State Adjutant General (TAG) (may be delegated to COL/O-6) may consider an enlistment waiver for a single conviction or adverse adjudication for marijuana offenses or for possession of drug paraphernalia (this does not include sale, distribution, trafficking, or intent to distribute).

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Single conviction or adverse adjudication includes stacked charges during a single incident. Prior to considering an enlistment waiver, applicant must receive a negative DAT at the MEPS. Enlistment waivers remain suspended for applicants with two or more incidents that resulted in a conviction or adverse adjudication for these charges.

c. Conduct enlistment waivers for the categories below remain suspended.

(1) Enlistment or commissioning of any individual with a conviction or adverse adjudication for a sexual offense is prohibited and no waiver authorized.

(2) Major Misconduct (Adult Convictions and Adult Adverse Adjudications).

(3) Misconduct or Juvenile Major Misconduct for criminal drug use (for drugs other than marijuana).

(4) No conduct or DAT waivers authorized for Prior Service personnel.

(5) No RE Code waivers for reasons involving misconduct may be considered.

4. Enlistment waivers for the following mental health conditions, as defined in the Diagnostic and Statistical Manual of Mental Disorders (DSM-5), remain suspended.

a. Mood disorders, to include major depression, cyclothymia, bipolar and other mood disorders appropriately disqualified in accordance with relevant sections of DoDI 6130.03 (Medical Standards for Appointment, Enlistment, or Induction in the Military Service).

b. Drug or alcohol use disorder, not in sustained remission (less than 12 months since last occurrence of any diagnostic criterion other than craving).

c. Any overdose of any medication (prescription or over the counter) accidental or otherwise.

d. Any condition involving self-mutilation as a means of emotional coping.

e. Any suicidal attempt or gesture, to include ideation with plan.

5. This guidance will remain in effect until rescinded or superseded.

6. The point of contact for this message is SFC Nsilo Samuels, 703-607-0944 or nsilo.k.samuels.mil@mail.mil.

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1 Encls

1. [DMPM Memo on Enlistment Waivers 13 Dec 16.pdf](#)

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