



NATIONAL GUARD BUREAU

111 SOUTH GEORGE MASON DRIVE
ARLINGTON VA 22204-1382

ARNG-HRR

19 January 2017

MEMORANDUM FOR NG J1 RRF (All-Entire RRF)

SUBJECT: SMOM 17-016, Suspension of Enlistment Waivers (Change 4)

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), 31 August 2016.
- d. Director of Military Personnel Management (DMPM) memorandum, Subject: Suspension of Enlistment Waivers (Change 3) dated 4 Jan 2017.
- e. Director of Military Personnel Management (DMPM) memorandum, Subject: Suspension of Enlistment Waivers (Change 4) dated 9 Jan 2017.
- f. SMOM 12-044, 12-080, 15-026, and 17-013 are rescinded.

2. The purpose of this memorandum is to update the waiver suspension policy for the Army National Guard.

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) for the Army National Guard (ARNG) may consider a 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

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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 and/or for possession of drug paraphernalia (this does not include sale, distribution, trafficking, or intent to distribute). 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. Waivers for Prior Service (PS) personnel is amended. The Director, Army National Guard (DARNG), may consider waivers for PS that were separated for misconduct (excludes separation for Drug Abuse) discharge. Waivers for PS personnel in this category cannot be considered until 24 months after date of separation.

d. The TAG (may be delegated to COL/O-6) may consider a waiver for PS personnel for one-time DAT failure for marijuana if after 90 days a subsequent DAT retest at the MEPS is found negative. No additional waiting period is required.

e. The TAG (may be delegated to COL/O-6) may consider a waiver (misdemeanor offense level 300 or lower) for PS personnel for offenses, regardless when occurred. No waiting period is required, prior to submitting the request for waiver.

f. Any DAT or Possession of Marijuana waiver that was previously disapproved at the NGB level, may be immediately reconsidered by the TAG IAW AR 601-210, paragraph 4-26c. Waiting periods for other NGB level waivers remain in effect.

g. 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. 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 (also known as cyclothymic), 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).

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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 be effective on date of publication of this memorandum and will remain in effect for two years unless rescinded or revised by this office.

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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