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Options for Using Military Waiver Information in Personnel Security Clearance Investigations

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BACKGROUND

The Defense Personnel Security Research Center was tasked by the Defense Security Service to identify methods for incorporating military waiver data into personnel security clearance background investigations. Background investigators may be able to reduce investigative resources and obtain criminal and civil records, drug and alcohol records and other relevant information by accessing military waiver data. At the very least, waiver records can supplement security clearance investigations. At best, waiver records may alleviate investigative leg work by reducing redundant investigations.

HIGHLIGHTS

The military waiver process captures considerable personal data such as criminal record and substance abuse. The waiver process also captures supporting documentation, such as arrest reports and court records which may provide a more complete picture of offense, behavior, or circumstance. Some of this information is stored electronically with search capabilities that make the information readily available. This report reviewed sources of waiver data and accessibility to those data and provides recommendations on search options that may enhance the efficiency and effectiveness of background investigations on applicants for access to classified information.

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PREFACE

Military enlistment applicants and service members who do not meet eligibility requirements for enlistment, reenlistment, or promotion can, under certain circumstances, request waivers. If approved, waivers allow enlistment, reenlistment, or advancement. Waiver requests may contain investigative work by military recruiters who have obtained criminal history data, character references, financial records, or other relevant information.

The reasons or circumstances surrounding military service disqualifications may also bear directly on the adjudicative guidelines for granting access to classified information. Integrating waiver records into security clearance background investigations may enhance the efficiency and effectiveness of these investigations by eliminating redundant investigations and requests to local agencies for records checks, while also increasing the amount of information available to both background investigators and the adjudicators who grant or deny national security clearances.

The objective of this project was to identify and implement strategies for incorporating military recruiting waivers into personnel security clearance background investigations.

James A. Riedel
Director

PREFACE

ACKNOWLEDGMENTS

The author would like to acknowledge the help of the United States Army, Navy, Air Force and Marine Corps Recruiting Commands as well as the United States Military Entrance Processing Command for providing insight, expertise, and opinions during the course of this project.

ACKNOWLEDGMENTS

EXECUTIVE SUMMARY

BACKGROUND

The Defense Personnel Security Research Center (PERSEREC) was tasked in 2005 by the Defense Security Service (DSS) to identify methods for incorporating military waiver data into personnel security clearance background investigations. This report presents the findings of the research.

To enlist, reenlist, or be promoted in the United States military, a person must meet the eligibility standards prescribed by each Military Service. These standards generally pertain to education, health, finances, criminal records, moral behavior, and substance use and abuse. Enlistment applicants and current Service members who are disqualified because they do not meet eligibility requirements may request a waiver that, if approved, would allow them to enlist, reenlist, or be promoted.

Recruiters and career counselors are responsible for obtaining and documenting relevant information for waiver requests. Relevant information may include medical and mental health records, law enforcement and court records, or credit reports. Additional documentation may include personal recommendations or professional references, evidence of mitigating facts associated with an offense or behavior, or evidence of rehabilitation (e.g., completion of a substance abuse program).

Eligibility issues surfaced during military employment processes, such as criminal conduct, citizenship, and substance abuse, bear directly on adjudicative criteria for granting and continuing access to classified information. Incorporating waiver records into background investigations could enhance these investigations by eliminating duplicate investigations performed by recruiters and background investigators; providing information to background investigators by filling in the gaps in accessible records; corroborating findings of background investigations; improving the availability of background information to adjudicators; and reducing the demands on data custodians, such as law enforcement agencies that respond to requests for records checks.

OBJECTIVE

The objective of this project is to examine the utility of military waiver data, outline the military waiver process for each of the Services, and identify strategies for efficiently incorporating waiver data into personnel security clearance background investigations. Databases containing waiver records, search capabilities of these databases, and a description of data elements within each of these databases is provided in an effort to map potential sources for accessing waiver data.

EXECUTIVE SUMMARY

METHODOLOGY

A review was conducted of the Department of Defense (DoD), Armed forces, recruiting commands, and United States Military Entrance Processing Command (USMEPCOM) directives, regulations, instructions, and orders pertaining to enlistment, reenlistment, and promotion standards and waivers. Specific information on waiver types, waiver processes, and waiver data storage and accessibility was culled from these sources and used to map the waiver process for each of the Services.

Recruiting stations (RS), recruiting squadrons, recruiting battalions, recruiting districts, recruiting commands, military training commands, Military Entrance Processing Stations (MEPS), and USMEPCOM were visited and recruiting personnel were interviewed for another project, *Screening for Potential Terrorists in the Enlisted Military Accessions Process* (Buck et al., 2005). Data were collected on enlistment standards, waiver processes, and waiver documentation. This project was able to utilize that waiver data to supplement existing research.

An online search for data systems containing enlistment and waiver data was conducted. The *DoD Privacy Act Systems of Records Notices* Web site contributed a significant amount of information to this report. Information on all DoD systems and data elements in each system were collected from this Web site and summarized in this report. Follow-up phone calls and emails with recruiting commands were conducted to verify the use of the system and the type of data stored in the system.

FINDINGS

Regardless of military Service, waiver processes capture significant amounts of data pertaining to personal backgrounds such as criminal records, immoral behavior, and substance abuse. These processes may also capture supporting documentation that can sometimes provide a more robust account of the offense, behavior, or circumstance. Some of this information is stored electronically with search capabilities that make the information readily available. Waiver data can also be found in multiple locations which may provide local search options for background investigators.

RECOMMENDATIONS

Sources of waiver data and accessibility to those data were reviewed to produce waiver data search options that may enhance the efficiency and effectiveness of background investigations on applicants for access to classified information. The following recommendations are provided for accessing military waiver records:

- The Office of the Deputy Under Secretary of Defense, Counterintelligence and Security (USD(I), DUSD(CI&S)) should consider establishing a regulation that requires background investigators to collect military enlistment, reenlistment, and promotion waiver data on all military personnel during the course of a National Agency Check with Local Agency and Credit Check (NACLC) investigation.
- Establish memorandums of understanding between USD(I), DUSD(CI&S), Under Secretary of Defense, Personnel & Readiness, Office of the Assistant Secretary of Defense, Force Management Policy, Military Manpower and Personnel Policy, Accession Policy Directorate (USD(P&R), OASD(FMP)(MPP)/AP), the Defense Manpower Data Center (DMDC), the United States Military Entrance Processing Command (USMEPCOM) and the Army, Navy, Air Force and Marine Corps Personnel Commands with the objective of facilitating information sharing.
- The Office of the USD(P&R), OASD(FMP)(MPP)/AP should establish a regulation requiring military recruiting commands and USMEPCOM to electronically and centrally store waiver data.
 - Data access options
 - Modify current enlistment processes at the Military Entrance Processing Stations (MEPS) so that waiver data on each enlistment applicant are collected and provided to background investigators at the same time the NACLC investigation is initiated.
 - Modify the USMEPCOM Integrated Resource System (USMIRS) to capture more than three waiver codes. Create procedures for recording descriptive waiver information into USMIRS.
 - Create policy and procedure for electronic storage of military waiver data in the Defense Central Index of Investigations (DCII) or the Joint Personnel Adjudication System (JPAS). Create procedures for recording descriptive waiver information into DCII or JPAS.
- USD(I), DUSD(CI&S) should establish a regulation requiring access to waiver data be provided to background investigators conducting investigations on applicants for access to classified information.
- USD(I), DUSD(CI&S) should establish a regulation requiring follow-up investigations when waiver codes are available but descriptive waiver data are missing. Establish policy, procedures, and protocol directing investigations.

RECOMMENDATIONS

- Develop a typology that differentiates between waiver codes of significant interest and no significant interest. Waiver codes indicating an offense or behavior is outside the scope of the investigation should be excluded from follow-up investigation.
- Follow-up investigations should be conducted on relevant waiver codes by obtaining records from recruiting stations, MEPS, recruiting commands and other personnel resources.
- Initiate a pilot test of the collection and incorporation of military waiver data in existing investigations.
 - Evaluate the redundancy of investigative efforts by comparing recruiting personnel waiver requests against background investigators' reports of investigations.
 - Assess the extent to which waiver data provide information not found during background investigations.

In an effort to facilitate data sharing, information pertaining to systems of records containing waiver data and points of contact are provided in the report.

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INTRODUCTION

The Defense Personnel Security Research Center (PERSEREC) was tasked by the Defense Security Service (DSS) to identify methods for incorporating military waiver data into personnel security clearance background investigations. The purpose of this report is to present the findings of this effort.

Each branch of the Armed forces prescribes qualifications that enlistment, reenlistment, and promotional applicants must meet. When these standards are not met, waivers may be requested. A waiver is a tool used by the Armed forces to allow disqualified applicants to proceed as if they were fully qualified for service or promotion. Waivers are approved throughout all levels of recruiting; however, serious disqualifications require approval from high-ranking recruiting authorities.

Generally, without a waiver, issues in any of the following areas can disqualify a person from service or promotion: health, criminal conduct, citizenship, financial problems, number of dependents, and drugs and alcohol. Recruiters and career counselors are responsible for obtaining and documenting relevant information for waiver requests. This may include medical and mental health records, law enforcement and court records, or credit reports. Additional documentation may include personal recommendations or professional references, evidence of mitigating facts associated with an offense or behavior, or evidence of rehabilitation.

Enlistment applicants and Service members who obtain waivers may also eventually apply for access to classified information or be subject to periodic reinvestigations for continued access to classified information. To initiate the application process, individuals complete the *Standard Form 86, Questionnaire for National Security Positions (SF-86)*. The SF-86 requires applicants to disclose information on previous residences, employment history, associations, finances, criminal and civil records, mental health, and substance abuse.

The SF-86 is the baseline from which personnel security clearance background investigators begin their investigations. The purpose of background investigations is to collect information that will aid in the determination of eligibility for access to classified information. Results of these investigations are forwarded to a Central Adjudication Facility (CAF) where adjudicators evaluate the findings, assess the risk each applicant may pose to national security, and make eligibility determinations.

In addition to the SF-86, background investigators collect information on applicants' eligibility for access to classified information. For example, investigators conduct local agency checks with law enforcement agencies and courts to obtain criminal and civil records and, when necessary, verify citizenship of applicants and their immediate family members.

To determine access eligibility, adjudicative guidelines, required by Executive Order 12968, specify security-relevant behavior that may preclude a person from holding

INTRODUCTION

a security clearance. Information on waiver requests would have a direct bearing on the following adjudicative guidelines:

- Foreign influence
- Personal conduct
- Financial considerations
- Alcohol consumption
- Drug involvement
- Criminal conduct

Incorporating relevant waiver data into background investigations may increase efficiency and effectiveness of these investigations by eliminating redundant investigations conducted by both recruiters and background investigators and by providing additional information to background investigators that may not otherwise be available to them. The following examples illustrate circumstances under which background investigators may not obtain all relevant information to their investigation and how waiver data may fill the gap of missing information:

- *Law enforcement agencies denying access to criminal records because of jurisdictional record-sharing policies¹*

Anecdotal evidence suggests military recruiters have, to some extent, effectively adapted to jurisdictional limitations on access to criminal records. Recruiters, who were interviewed indicated that enlistment applicants sometimes travel with recruiters to law enforcement agencies and request copies of their own records.

- *Incomplete or inaccurate responses on the Standard Form 86, Questionnaire for National Security Positions (SF-86)²*

¹While authority to access criminal records for national security purposes is granted to federal agencies via the Security Clearance and Information Act of 1985 (SCIA), Buck (2004) found jurisdictional interpretations of SCIA may be different than was intended and may consequently affect access to criminal records. In some cases, DSS federal and contract investigators were denied access to law enforcement criminal records, and were instead redirected to court record systems. In situations like this, criminal records on subjects who were arrested, but never formally charged, could go undetected.

² The SF-86 collects background information on subjects applying for security clearances, and serves as the starting point for background investigations. However, Buck et al. (2005) found the following:

“The importance of the SF-86 may not be sufficiently understood or respected by some recruiting personnel. They might see it as an administrative or bureaucratic hassle in the process of getting applicants to commit to contracts. Recruiters often help applicants fill out the SF-86, sometimes incompletely and inaccurately, to meet paperwork requirements for enlistment.”

Because of the potential for misunderstanding the SF-86, we cannot be sure information pertaining to conditions requiring an enlistment waiver are accurately documented on this form.

Comparing waiver data to responses on the SF-86 will provide investigators with additional information on an applicant when a relevant military waiver exists but there is no indication of potentially disqualifying information on the SF-86.

Incorporating waiver data into security clearance background investigations will also serve to corroborate investigators' findings, improve the availability of background information to adjudicators, and reduce the demands on data custodians such as law enforcement agencies that have to respond to multiple requests for records checks.

OBJECTIVE

Waiver information has not been systematically incorporated into security clearance investigations. Consequently, security clearance investigators may not be aware of disqualifying factors or may be replicating data collection efforts completed during the waiver request process. The objective of this project is to identify strategies for incorporating military recruiting waivers into personnel security clearance background investigations.

The United States Army, Navy, Air Force, and Marine Corps are each unique in terms of eligibility standards and waiver processes. Therefore, this report describes the collection and management of waiver information, relevant to the adjudicative guidelines, for each military branch. In addition, details on where and how waiver data are stored and to the extent the data are electronically accessible are provided. Recommendations for accessing waiver information in security clearance investigations are offered based on this information.

METHODOLOGY

METHODOLOGY

REVIEW OF DIRECTIVES AND REGULATIONS

A review was conducted of the Department of Defense (DoD), Armed forces, recruiting commands, and United States Military Entrance Processing Command (USMEPCOM) directives, regulations, instructions, and orders pertaining to enlistment, reenlistment and promotion standards and waivers. Specific information on waiver types, waiver processes, and waiver data storage and accessibility was culled from these sources and used to map the waiver process for each of the Services.

The review of directives, regulations, instructions, and orders yielded information pertaining to automated enlistment systems, and other DoD automated systems that contain waiver data. System capabilities are summarized and descriptions of the waiver data are provided.

SITE VISITS

Recruiting stations (RS), squadrons, battalions, districts, and commands; military training commands; Military Entrance Processing Stations (MEPS); and USMEPCOM were visited, and recruiting personnel were interviewed for another project, *Screening for Potential Terrorists in the Enlisted Military Accessions Process* (Buck et al., 2005). Data were collected on enlistment standards and waiver processes. Commanders and other recruiting personnel were interviewed and provided waiver-related forms and documentation. These data were useful for this project.

As needed follow-up phone calls were made to recruiting commands, waiver officers, and operations sections to obtain additional information on the waiver process and data storage.

ONLINE SEARCH

An online search for data systems containing enlistment and waiver data was conducted. The *DoD Privacy Act Systems of Records Notices* Web site contributed to a significant amount of information contained in this report. Information on all DoD systems and data elements in each system were collected from this Web site and summarized in this report. Follow-up phone calls and emails with recruiting commands were conducted to verify the use of the system, and the type of data stored in the system.

FINDINGS

Regardless of military service, waiver processes capture significant amounts of data pertaining to personal backgrounds such as criminal records, inappropriate or immoral behavior, and substance use and abuse. These processes may also capture documentation that 1) support or refute applicants' claims of rehabilitation or maturation, and 2) provide evidence of mitigating factors associated with a specific behavior or offense. Some of this information is stored electronically with search capabilities that make the information readily available. Waiver data can also be found in multiple locations which may provide local search options for background investigators.

The following sections provide a brief description on waivers, situations in which a waiver is required, procedures for issuing waivers, and systems of records that maintain waiver data.

WAIVERS FOR DISQUALIFICATIONS BASED ON ELIGIBILITY STANDARDS

In this section, regulations, instructions, and orders are reviewed, and specific evidence of waivable eligibility standards pertaining to the adjudicative guidelines for access to sensitive or classified information are discussed. The most common waivers found across all branches of the Armed forces are enlistment waivers for moral, alcohol, and drug disqualifications. Some branches of the armed forces are more restrictive on who they enlist, reenlist, and promote and, therefore, may not authorize the use of waivers for certain offenses, convictions, or behaviors. In other cases, a waiver of eligibility standards may not be authorized for certain jobs, promotions, or ranks.

Information on how a waiver request is processed and what type of information is collected and documented is presented in this section. Additionally, all supplemental documents and forms submitted with waiver requests are noted.

United States Army, Army Reserves and Army National Guard Waivers

Financial Waiver for Enlistment. The Army's enlistment standards require applicants who need dependency waivers to also obtain financial waivers to enlist (USAREC Reg. 601-56; AR 601-210; and AR 135-18). Conditions under which a dependency waiver is required:

- Applicant has a spouse and three or more dependents under 18 years of age;
- Applicant has a spouse and two dependents under 18 and wife is expecting additional children;
- Applicant has a spouse who is currently on active duty or who is a member of a Reserve Component (excluding IRR) of the U.S. Armed forces and has a dependent under 18 years of age;

FINDINGS

- Nonmarried applicant is ordered by the court to pay child support for three or more dependents;
- Applicant pays child support for one or more dependents from previous relationship, and, when added to total dependents from current marriage (including spouse), equals three or more under the age of 18;
- Spouse has custody of or pays child support for one or more dependents from previous relationship, and, when added to total dependents from current marriage (including spouse), equals three or more under the age of 18.

Moral Waiver for Enlistment. Enlistment applicants with a criminal record must request a moral waiver. Criminal records include tickets (including minor traffic offenses), arrests, charges, and convictions (USAREC Reg. 601-56; AR 601-210; and AR 135-18).

Civil Waiver for U.S. Army Officer Candidate School (OCS) Applicants. Current military service members who apply for enrollment in OCS must request a moral waiver if they have ever been convicted in civil or military courts, or have been adjudicated as a juvenile offender (AR 350-51). Minor traffic convictions with fines of less than \$250 do not require a waiver.

Pre-accession Drug and Alcohol Use Waivers. Applicants who test positive for drugs or alcohol while at MEPS or while in the Delay Entry Program (DEP) must request a waiver to continue with the accession process. Applicants may request a waiver 6 months after testing positive for marijuana or alcohol, and 12 months after testing positive for cocaine. Applicants who test positive once again for marijuana or alcohol may retest in 12 months. Testing positive on this retest is permanently disqualifying (USAREC Reg. 601-56; AR 601-210; and AR 135-18).³

Prior Service Separation or Discharge Waiver. Prior service applicants who were separated or discharged for any of the following reasons and from any branch of the Armed forces may request a waiver: separated in lieu of a court-martial, misconduct personality disorder, concealed an arrest conviction, enlisted fraudulently, or were aliens who were not lawfully admitted to the United States (AR 601-210).

Reenlistment Waiver. Service members who have a court-martial conviction during their current term of service are not eligible to reenlist. However, service members who have a court-martial conviction and are being considered for promotion or advancement to the rank of Sergeant or Staff Sergeant are authorized to request a reenlistment waiver (AR 600-8-19; and AR 601-280).⁴ Service members with an Article 15 or serious indebtedness may also request a reenlistment waiver.

³ AR 601-210 does not require a waiver for admitted preservice use of drugs and alcohol. A waiver is required when there is a criminal record associated with drug and alcohol use or drug possession. Applicants who are alcoholics or drug dependent are disqualified from service and may not apply for a waiver.

⁴ Army Regulation (AR) 601-280; 3-10. *Waivers and Exceptions to Policy*, Subsection m: "Civil offenses: a civil offense, in itself, does not require a waiver because there are other

United States Army, Army Reserves and Army National Guard Waiver Process and Documentation

United States Recruiting Command (USAREC) Regulation 601-56, *Waiver, Delayed Entry Program Separation, and Void Enlistment Processing Procedures*, provides instruction on processing regular Army and Army Reserve waivers for enlistment applicants. Waiver requests must be accompanied with specific DoD and USAREC forms (see Table 1 for specific forms). Once completed, these forms are stored in a hardcopy format in the waiver request package, and electronically stored in the Guidance Counselor Redesign (GCR) automated enlistment system. These packages and the electronic waiver requests are forwarded through the chain of command for review and final approval (F.A. Shaffery, personal communication, January 10, 2005). See Table 1 for a list of required Army and DoD forms, and for an overview of the waiver process for enlistment applicants.

Prior service applicants enlisting in either the regular Army or the Army Reserves who were discharged or separated for reasons that require waiver(s) must be interviewed by the recruiting battalion commander. Based on the interview and all other relevant documentation, the commander decides whether or not to initiate a waiver request. If a request is initiated, it is electronically forwarded along with documentation of the applicant interview; applicant's statement as to the circumstances surrounding the discharge or separation; DD Form 214, *Certificate of Release or Discharge from Active Duty*; DD 215, Correction to DD Form 214; *Certificate of Release or Discharge from Active Duty*; DD 220, *Active Duty Report*; DD 368, *Request for Conditional Release* (if applicable); DD 1569, *Incident/ Complaint Report*; DD 1966, *Record of Military Processing*; and SF-86 through the chain of command to either the Commanding General (CG) of the Human Resources Command (HRC) or the CG of the USAREC. The CG makes the final determination of eligibility.

AR 350-51, *United States Army Officer Candidate School*, authorizes the enrollment of Service members who are applying to OCS but have conviction(s) in either civil or military courts, or have been judged as a juvenile offender, provided the candidates have applied for and received a Civil/UCMJ waiver. Waiver requests are submitted with the OCS application. Waiver requests include: DA Form 4187, *Personnel Action*, candidate affidavits detailing the nature and circumstances of the offense(s), date and place of the offense(s), and punishment(s) imposed. Requests are submitted with the OCS application (DA Form 61, *Application for Appointment*) to the Unit Commander for review and endorsement; and then forwarded through the chain of command to the CG U.S. Total Army Personnel Command (PERSCOM). The CG makes the eligibility determination.

disqualification provisions in this regulation, or retention considerations in other regulations, that apply. Commanders will carefully review the records of soldiers convicted of civil offenses to ensure appropriate administrative action is taken per AR 600-8-19 and AR 635-200.”

FINDINGS

Soldiers who plan to reenlist but require a waiver must complete Department of the Army (DA) Form 3072-R, *Waiver of Disqualification for Reenlistment/Promotion in the Regular Army*. This form provides a summary of Service members' military courts-martial, nonjudicial punishments (NJP), and letters of indebtedness during the current term of service. The waiver request is initiated by Service members' CO. Reenlistment waivers⁵ are forwarded through the chain of command for approval. Any level of the command has the authority to disapprove a waiver request. If a waiver is approved, the approval is documented on the DD Form 4 and the waiver request along with any other documentation or evidence is attached to the reenlistment contract (AR 601-280).

⁵ Waivers are usually not sent electronically. Per AR 601-280, Section 3-10, Waivers and Exceptions, Subsection J, Administrative Instructions, the use of electrical communication to request waivers is discouraged.

**Table 1
United States Army Enlistment Waiver Process and Documentation**

	<i>Financial Waiver</i>	<i>Moral Waiver</i>	<i>Pre-accession Drug and Alcohol Waiver</i>
Forms & other documentation	<ul style="list-style-type: none"> • DA Form 3072-2, <i>Monthly Financial Statement</i> • USAREC 670, <i>Waiver Worksheet</i> 	<ul style="list-style-type: none"> • <i>Felony waiver memo</i> • <i>Misdemeanor waiver memo</i> • USAREC 670 • USAREC 1037, <i>Probation / Court Records</i> • FL 41 & 146, <i>Information Request at Place of Incarceration/ Arresting Agency</i> • DD 1966/1, <i>Record of Military Processing</i> • DD 369, <i>Police Record Check</i> 	<ul style="list-style-type: none"> • <i>Waiver memo</i> • DD 1966/1 • SF-86, <i>Questionnaire For National Security Positions</i> • USAREC 1144, <i>Enlistment Eligibility</i> • DD 369 • SF-88, <i>Medical Examination</i> • SF-93, <i>Medical History</i>
Process	<ul style="list-style-type: none"> • Recruiter submits waivers to Recruiting Station (RS) CO • Waivers and supporting documents are scanned into GCR • Waivers are sent electronically via GCR through the chain of command • Approved waivers sent to Recruiting Command • Waivers are sent to Operations Noncommissioned Officer (NCO) at the Recruiting Battalion 		
	<ul style="list-style-type: none"> • Recruiting Battalion CO will either automatically approve waiver or request an applicant interview • Waiver sent to Recruiting Headquarters (HQ) for final decision 	<ul style="list-style-type: none"> • NCO submits recommendation on USAREC 670 • Action Officer reviews waivers and sends to Battalion CO • CO interviews applicants who have felony convictions or adverse adjudications • Eligibility determination 	<ul style="list-style-type: none"> • Waivers sent to Battalion CO for final eligibility determination
Documentation	USAREC 670 is updated with recommendations, approval, and applicants' interviews		

United States Navy Waivers

Financial Waiver for Enlistment. Enlistment applicants with a history of bad checks, repossessions, accounts in arrears, or a total indebtedness greater than half of applicants' foreseeable salaries are required to obtain a financial waiver (COMNAVCROUTCOMINST 1130.8F).

Moral Waiver for Enlistment. Enlistment applicants with any type of criminal record must request a moral waiver. Offenses that are nonwaiverable are Chart C or Chart D offenses (See Appendix B for list of offenses) within 6 months of last conviction; weapons discharge; physical violence; stalking; sexual misconduct; one

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or more drug-related DUIs; or two or more alcohol-related DUIs (COMNAVCRUITCOMINST 1130.8F).

Drug and Alcohol Use for Enlistment. Enlistment applicants who admit to or have a record of illegal drug use, other than marijuana, and those convicted of two or more drug (excluding marijuana) or alcohol offenses must obtain a waiver (COMNAVCRUITCOMINST 1130.8F).

Reenlistment Waiver. Sailors are not eligible for reenlistment if they have one general or special court-martial conviction or two summary court-martial convictions or a combination of more than two NJPs or summary court-martial convictions in the year preceding application or reenlistment date (OPNAVINST 1160.5C). Sailors may request a waiver that, if approved, would grant them up to a 24-month extension on their current contract, or a reenlistment contract with a 2-year service term.

Clear Record Waiver. Sailors requesting transfers to certain job ratings⁶ such as submarine duty, special programs (i.e., precommissioning crew) and overseas assignment, or transfer to any service school will require a waiver if they have a record of civilian convictions, military courts-martial or NJP within the previous 12 to 36 months (depending on job rating). A single NJP for a minor offense may be waived by the sailor's CO.

Drug Waiver for Submarine Duty. Sailors requesting transfers to submarine duty may not have any in-service drug use. However, sailors who admit to preservice marijuana use, after enlistment, may request a waiver. Admission, after enlistment, to any other preservice drug use is permanently disqualifying.

United States Navy Waiver Process and Documentation

Commander Navy Recruiting Command Instruction (COMNAVCRUITCOMINST) 1130.8F, *Navy Recruiting Manual – Enlisted* provides information on the basic eligibility requirements for enlistment into the Navy, and also describes the circumstances in which applicants who do not meet enlistment standards may request waivers. The waiver approval process for enlistment applicants begins by recruiters submitting waiver requests to Zone Supervisors. Zone Supervisors review each waiver and decide if it should be approved, denied or forwarded for consideration to the next person in the chain of command. All levels within the chain of command have the authority to disapprove a waiver, while authority to approve a waiver rests with the appropriate authority mandated by Navy Recruiting Manual. Table 2, below, summarizes the waiver approval process for financial, moral, drug, and alcohol waivers.

Authority for reenlistment waivers comes from the Office of the Chief of Naval Operations Instruction (OPNAVINST) 1160.5C, *Reenlistment Quality Control*

⁶ Waivers (except for minor traffic offenses) are not available for brig, physical security/law enforcement, and nuclear propulsion assignments.

Program. Sailors ineligible for reenlistment can initiate the waiver process by submitting NAVPERS 1306/7, *Enlisted Personnel Action Request* to their CO. COs review and endorse applications for reenlistment and requests to waive eligibility requirements. Sailors with their CO's endorsement will have their request for reenlistment and waiver reviewed in the office of the Chief of Naval Personnel (Pers-831 for E-5 and above and Pers-254 for E-4 and below) for final eligibility determinations.

Sailors requesting a clear-record waiver or a drug waiver for submarine duty must submit documentation pertaining to the nature of the disqualification, justification for the approval, and the CO's recommendation and evaluation of overall potential (NAVPERS 15909G).

Waiver Submissions

- Submarine duty clear-record and drugs use waiver requests submitted to the Commander, Naval Personnel Command (COMNAVPERSCOM) PERS-401
- Special programs waiver requests submitted to COMNAVPERSCOM
- Overseas assignment waiver requests submitted to COMNAVPERSCOM PERS-40
- Service school waiver requests submitted on NAVPERS 1306/7, Personnel Action Request to Assignment Control Authorities (ACA) for approval. When any of these waivers is approved, Navy Personnel Form (NAVPERS) 1070/613, Administrative Remarks, is annotated with waiver data and signed by the sailor.

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**Table 2
United States Navy Waiver Process and Documentation**

	<i>Financial Waiver</i>	<i>Moral Waiver</i>	<i>Drug and Alcohol Waiver</i>
Forms and other documentation	<ul style="list-style-type: none"> • NAVCRUIT 1133/39, <i>Waiver Briefing Sheet</i> 	<ul style="list-style-type: none"> • NAVCRUIT 1133/39 • <i>Illicit Behavior Form</i> • Documented family interviews • School attendance records 	<ul style="list-style-type: none"> • NAVCRUIT 1133/39 • <i>Illicit Behavior Form</i> • Statement of Understanding
Process	<ul style="list-style-type: none"> • Waiver requests are forwarded through the chain of command in hardcopy format via personal delivery, fax or United States Postal Service • Recruiter submits hardcopy waiver requests to the Zone Supervisor 	<ul style="list-style-type: none"> • Approved waivers are sent to Navy Recruiting District (NRD) CO • Applicants interview with NRD CO • NRD submits waivers to the Region CO • CO sends waivers to the Waiver Branch at Commander Navy Recruiting Command (CNRC) • Waiver officer reviews and forwards to CNRC CO • CNRC CO makes final determinations 	<ul style="list-style-type: none"> • Applicants interview with Zone Supervisor • Waivers may be approved for applicants who are not entering nuclear or submarine programs • Waivers for nuclear and submarine program applicants are sent to NRD for the CO's review and approval
Documentation	<ul style="list-style-type: none"> • MEPS liaison annotates DD 1966/1, Record of Military Processing with appropriate waiver code (s), waiver approval or disapproval and a control number • Approval or disapproval is documented on Waiver Briefing Sheet • Waiver-related documents are placed in applicants' service records (Chief Montoya, personal communication, January 11, 2004). Copies of waiver requests with supporting documentation are located in subjects' enlistment files.⁷ 		

United States Air Force Waivers

Financial Waiver for Enlistment. Financial waivers are requested when one of three circumstances is present: the applicant is 23 years of age or older; the applicant is currently or has previously been married; or the applicant has declared bankruptcy. In addition, United States Air Force (USAF) enlistment standards require applicants' total monthly debt not exceed 40 percent of anticipated pay (USAF Recruiting Procedures; AFRSI 36-2001), and when it does, a waiver must be requested.

⁷ An automated recruiting system maintaining enlistment files, including waiver requests, is currently in development. Until an automated system is implemented, enlistment files will continue to be stored for a limited time at MEPS, RS, and the Recruit Training Center.

Moral Waiver for Enlistment—For Convictions. Air Force applicants convicted of an offense(s) in categories 1 through 5 (see Appendix C) are not eligible to enlist in the USAF (AFI 36-2002; USAF Recruiting Procedures and AFRSI 36-2001) without first requesting and receiving a moral waiver.

Moral Eligibility Determinations for Enlistment—For Nonconvictions. Applicants with dropped or dismissed criminal charges, or who admit to an offense but were never caught, must request a Moral Eligibility Determination (MED). Available information about the offense(s) is used to make a determination about applicants' conduct. Applicants found not guilty for an offense by the judicial system do not require a MED (USAF Recruiting Procedures; AFRSI 36-2001).

Moral Waiver for Officer Training Applicants. Civilian and USAF airmen applying to Officer Training School (OTS) who have ever been convicted by court-martial or civil court, NJP, are ineligible (see AFI 36-2013) without first receiving a moral waiver for the specific offense(s). Applicants who have committed acts such as con games, fraud, unprovoked assaults, robberies, thefts, or murders will not be granted a waiver.⁸

Drug Related Eligibility Determination for Enlistment. Applicants who have admitted to or have a record of marijuana use, drug-related arrest without conviction, dropped or dismissed drug charges, or excessive use of legal over-the-counter drugs require a Drug Related Eligibility Determination (DRED). Prior use of illegal drugs, excluding marijuana, is nonwaiverable and permanently disqualifying (USAF Recruiting Procedures; AFRSI 36-2001).

Waiver of Reenlistment Ineligibility Conditions. Airmen with a civil court conviction can request a waiver to reenlist or extend their service contract if they are classified as a first-term, second-term, or career Airman (AFI 36-2606).

United States Air Force Waiver Process and Documentation

Enlistment waiver requests are sent electronically through the chain of command via the Air Force Recruiting Information System (AFRISS) (R. Burse, personal communication, January 12, 2005). Hardcopies of supporting documents, DoD and Air Force forms submitted with waiver requests are faxed to the next approval level, and then stored in applicants' enlistment files. Table 3 summarizes the approval process for financial, moral, MED and DRED waivers.

Reenlistment waiver requests are submitted to the Airmen's unit commander, who has the authority to approve or disapprove requests. When waivers are disapproved, Airmen may appeal to their group or wing commanders. AF Form 901, *Reenlistment Eligibility Annex to DD Form 4, Enlistment/Reenlistment Document – Armed forces of the United States* is completed by the Military Personnel Flight. This form documents applicants' waiver requests, waiver approvals, or appeals of denied

⁸ Civilians applying to OTS are subject to the enlistment standards of the USAF and may need to apply for an enlistment waiver, depending on their previous behavior and criminal histories.

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waiver requests. Waiver requests are forwarded to the Unit Personnel Record Group for storage.

Air Force Instruction (AFI) 36-2013, *Officer Training School (OTS) and Airman Commissioning Programs*, provides guidance on the moral waiver process for OTS applicants with a record(s) of courts-martial, civil convictions or NJP. These applicants require a moral waiver for admission to OTS. Waiver requests are submitted with the OTS application through the chain of command to the final processing authority. The waiver request must include a memo detailing the nature of the offense and reasons why the waiver should be granted; and a statement from the base Education Services Officer (ESO) certifying that the applicant meets all requirements for OTS school except that for which the waiver is being requested. Table 4 provides a summary of the waiver process for OTS applicants with disqualifying criminal records.

**Table 3
United States Air Force Waiver Process and Documentation**

	<i>Financial Waiver</i>	<i>Moral Waiver</i>	<i>MED</i>	<i>DRED</i>			
Forms and other documentation	<ul style="list-style-type: none"> • AFRS 1325, <i>Financial Status of Applicant</i> • AFRS 1415, <i>Waiver Request/Authorization</i> • AFRS 1356, <i>Applicant Waiver Worksheet</i> 	<ul style="list-style-type: none"> • AFRS 1415 • AFRS 1419, <i>Request for Evaluation</i> • DD 369, <i>Police Record Check</i> ^a • Applicants' statements ^b • Memo detailing applicants' interviews ^c • AFRS 1356 	<ul style="list-style-type: none"> • DD Form 369 • AF Form 1419 • Applicants' statements 	<ul style="list-style-type: none"> • AF 2030, <i>Drug & Alcohol Abuse Certificate</i> • AFRS 1415 • DD Form 369 or AFRS 1419 • Squadron CO memorandum • Applicants' statements • Character references 			
Process	<ul style="list-style-type: none"> • Recruiter interviews applicants and provides details in AFRISS • Recruiter submits waiver requests via fax and AFRISS to the Flight Chief • Flight Chief interviews applicants and provides details in AFRISS • Flight Chief submits waiver request to the Squadron Operations Sections • Squadron CO receives waiver, makes recommendation and forwards to: <table border="0" style="width:100%; margin-top: 10px;"> <tr> <td style="width:33%; vertical-align: top;"> <ul style="list-style-type: none"> • Recruiting Group for final approval </td> <td style="width:33%; vertical-align: top;"> <ul style="list-style-type: none"> • Category 3, 4, and 5 offenses can be approved by Squadron CO • Category 2 offense are forwarded to the Group 6 CO for approval • Category 1 offenses are forwarded to Air Force Recruiting Service Headquarters (AFRS HQ) for approval </td> <td style="width:33%; vertical-align: top;"> <ul style="list-style-type: none"> • Applicants who have used marijuana 10 (+) times require a DRED approval at the Group Command level </td> </tr> </table> 				<ul style="list-style-type: none"> • Recruiting Group for final approval 	<ul style="list-style-type: none"> • Category 3, 4, and 5 offenses can be approved by Squadron CO • Category 2 offense are forwarded to the Group 6 CO for approval • Category 1 offenses are forwarded to Air Force Recruiting Service Headquarters (AFRS HQ) for approval 	<ul style="list-style-type: none"> • Applicants who have used marijuana 10 (+) times require a DRED approval at the Group Command level
<ul style="list-style-type: none"> • Recruiting Group for final approval 	<ul style="list-style-type: none"> • Category 3, 4, and 5 offenses can be approved by Squadron CO • Category 2 offense are forwarded to the Group 6 CO for approval • Category 1 offenses are forwarded to Air Force Recruiting Service Headquarters (AFRS HQ) for approval 	<ul style="list-style-type: none"> • Applicants who have used marijuana 10 (+) times require a DRED approval at the Group Command level 					
Documentation	<ul style="list-style-type: none"> • Applicants' files in AFRISS are updated with waiver approval or disapproval • MEPS liaison annotates DD 1966/1, Record of Military Processing with appropriate waiver code (s) and approval authority • Hardcopies of all waiver documentation, such as police and court records are maintained for three months at the MEPS where an applicant was processed, and at the nearest Air Force Operations Section HQ for one year ^d 						

Notes

^a When DD 369 and AF 1419 are completed, official police and court records are attached to these forms

^b Applicants' statements are rarely entered into AFRISS and are usually sent by fax to the Squadron CO

^c Memos on applicants' interviews are always entered in AFRISS and sent by fax to the Squadron CO

^d There are 30 Air Force Operation Section HQ nationwide, with each attached to a particular recruiting squadron

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**Table 4
Moral Waiver Process for United States Air Force Officer Training Applicants with
a History of Courts-martial, Civil Convictions or Nonjudicial Punishments**

<i>Type of Applicant</i>	<i>Responsible for Initiating and Processing Waiver Requests</i>	<i>Type of Conviction or Adverse Adjudication</i>	<i>Waiver Authority</i>	<i>Final Processing Authority</i>
USAF airman	ESO	Four or more minor traffic; or three minor traffic and one serious traffic or minor nontraffic offense in any 1 year of the previous 3 years	Airman’s commander	HQ Air Force Military Personnel Center /Airman Education and Commissioning;
		Serious traffic and minor nontraffic offenses (two in the previous 4 years, three in 6 years, or four or more in one’s lifetime), one or more serious nontraffic offense; one or more major nontraffic offense	Final processing authority	HQ Air Force Reserve Officer Training Corps; and HQ Air Force Recruiting Service
Civilian applying for OTS as an active duty officer	USAF Recruiting Squadron	Four or more minor traffic; or three minor traffic and one serious traffic or minor nontraffic offense in any 1 year of the previous 3 years; Serious traffic and minor nontraffic offenses (two in the previous 4 years, three in 6 years, or four or more in one’s lifetime)	USAF Recruiting Squadron	HQ Air Force Recruiting Service/RSOO
		One or more serious nontraffic offense; one or more major nontraffic offense	Air Force Recruiting Service	
Civilian applying for OTS as a Reserve officer	Military Personnel Flight or Recruiting Squadron	One or more serious nontraffic offense; one or more major nontraffic offense	HQ Air Force Reserve/DP RI	HQ Air Force Reserves/DPRT

United States Marine Corps Waivers

Financial Eligibility Determination. Applicants who request a dependency waiver must also request a financial waiver (MCO P1100.72C). Financial waivers are not required under any other circumstances.

Dependency Waiver. Single or divorced applicants with minor dependents are not eligible for military service. The following list denotes dependency status for which a waiver is required:

- Single, married, legally separated or divorced applicants with minor or non-minor dependents;
- Divorced applicants with court-ordered support;

- Legally separated applicants with joint custody combined with court-ordered support.

Moral Waiver for Enlistment. A moral waiver is required under the following circumstances:

- Applicants with five or more minor traffic offenses;
- Two or more serious traffic offenses;
- Four or more Class 1 nonminor traffic offense;
- Two to five Class 2 minor nontraffic offenses; and
- Up to two serious offenses (except for simple possession of marijuana or steroids)

Misdemeanor or felony domestic violence offenses are permanently disqualifying (MCO P1100.72C).

Drug Waiver for Enlistment. Enlistment applicants who admit to any preservice drug use or abuse must obtain a drug waiver prior to enlistment. Applicants who admit to or have a record of a current dependency on drugs, a previous dependency on alcohol, or a drug-related court conviction (except for simple possession of marijuana or steroids) are permanently disqualified (MCO P1100.72C).

Hostile Countries/Countries of Instability Waiver for Enlistment.

Applicants who, since their 15th birthday, have resided in countries that have been deemed by the USMC to have hostile interests toward the United States or to be unstable must have a favorable Entrance National Agency Check (ENTNAC) or verification from OPM that a National Agency Check/Local Agency/Credit Check (NACLIC) has been requested (MCO P1100.72C).

Applicants who have made more than two trips to hostile countries or countries of instability within the previous 5 years also require an ENTNAC or confirmation of a NACLIC request. Applicants' enlistment files are sent up the chain of command to the Marine Corps Recruiting Command (MCRC) G-3 Operations section, where the Waiver Chief will make final eligibility determinations (J.T. Allan, personal communication, January 18, 2005). See appendix D for a complete list of hostile countries.

Reenlistment Waiver. Marines who intend to reenlist and have a record of any of the following must obtain a waiver (MCO P1040.31J):

- Court-martial conviction
- Conviction by civil authorities
- More than two nonjudicial punishments
- Guilty of DUI/DWI

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United States Marine Corps Waiver Process and Documentation

Enlistment waivers are submitted via hardcopy through the chain of command. Requests include official documents associated with the event(s) or behavior(s) that preclude applicants from military service (J.T. Allan, personal communication, January 18, 2005). Table 5 provides a summary of the enlistment waiver process and includes a list of required USMC and DoD forms.

Reenlistment waiver requests are forwarded through the chain of command to the Commandant of the Marine Corps (CMC). Waiver requests are initiated on NAVMC Form 10842, Reenlistment, Extension, Lateral Move Request, and submitted to the CMC via the Total Force Retention System (TFRS). Documentation relevant to the waivable condition should also be included with the request.

**Table 5
United States Marine Corps Waiver Process and Documentation**

	Moral Waiver	Drug Waiver	Hostile Country Waiver
Forms and other documentation	<ul style="list-style-type: none"> • Waiver form • DD 369, <i>Police Record Check</i> • DD 370, <i>Request for Reference</i> 	<ul style="list-style-type: none"> • Waiver form • <i>Drug Abuse Screening form</i> 	<ul style="list-style-type: none"> • Favorable ENTNAC • Verification from OPM that a NACLIC has been requested
Process	<ul style="list-style-type: none"> • Recruiter submits hardcopy waivers to Recruiting Station (RS) Operations Officer, who reviews waivers and submits to RS Commanding Officer • Applicants interview with RS CO 		
	<ul style="list-style-type: none"> • Five or more minor or two or more serious traffic, four or more class 1 non-minor traffic, two to five class 2 minor non-traffic, and up to two serious offenses <ul style="list-style-type: none"> ▪ RS CO makes final determinations • Six to nine class 2 minor non-traffic, three to five serious, and reduced felony offenses <ul style="list-style-type: none"> ▪ Waivers are faxed and emailed (PDF) to the Marine Corps District (MCD) CO for final determinations ▪ Select cases are forwarded to USMC Recruiting Command G-3 Waiver Officer for final determination 	<ul style="list-style-type: none"> • Marijuana less than 50 times: RS CO makes final determination • Marijuana 50 or more times, steroid use, prescription drug abuse, or in-DEP marijuana or steroid use - waivers are faxed and emailed to MCD CO, for final determinations • Marijuana 200 or more times, cocaine, narcotics, opiates, peyote, psychoactives, or in-DEP use other than marijuana or steroids - waivers faxed and emailed to MCD CO. Approved waivers forwarded to the Commanding General of the Recruiting Region, for final determination 	<ul style="list-style-type: none"> • In questionable cases, the waiver is forwarded to the Waiver Chief who makes final eligibility determinations
Documentation	<ul style="list-style-type: none"> • MEPS liaison annotates DD 1966/1, Record of Military Processing with appropriate waiver code (s) and approval or disapproval • Waiver decisions are documented on Unit letterhead. Letters (hardcopy) are stored in applicants' residual files and at USMC Recruiting Command (MCRC) G-3 waiver storage room for 3 years and then destroyed • Type of waivers applied for, approval or disapproval, and level of approval is documented in Marine Corps Recruiting Information Support System • Residual files contain copies of applicants' enlistment packets, including waiver data. Files are maintained at the recruiter's office for 4 years 		

MILITARY ENTRANCE PROCESSING STATIONS

When enlistment applicants are believed to be fully qualified for enlistment, or have obtained necessary waiver(s) of standards, they are sent to a Military Entrance

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Processing Station (MEPS) for evaluation. “Processing” at MEPS is a joint-Service operation with the purpose of verifying that each applicant meets specific enlistment standards. Applicants are subject to a medical exam, mental aptitude testing and a pre-enlistment interview. The pre-enlistment interview is a one-on-one interview between an applicant and the MEPS’ Human Resources Assistant (HRA). The HRA asks all applicants about their criminal history and prior drug use. When an applicant provides derogatory information not originally shared with the recruiter, the appropriate recruiting station is notified and, if eligible, a new waiver is requested.

When no new information is provided to the HRA, or all necessary waivers have been requested and approved, all enlistment applicants are subject to a National Agency Check with Local Agency and Credit Check (NACLCL). A NACLCL is required for entry into the Armed Forces and is also the background investigation for determining eligibility for access to Secret or Confidential information. The NACLCL includes a name-based records search of the FBI for felony and serious misdemeanor offenses, the Central Intelligence Agency, U.S. Citizenship and Immigration Services, a search of local law enforcement records, and a credit history check.

The investigative request is accompanied by applicant fingerprints and sent to OPM, which conducts the investigation. Military personnel who enlist with a completed NACLCL may eventually apply for a security clearance. Because OPM also conducts security clearance investigations, supplying OPM with waiver data when the initial request for a NACLCL is submitted is the most pragmatic approach for incorporating waiver data into the security clearance background investigation. OPM could house the data and provide access to its investigators. This would eliminate the need for OPM investigators to search other data sources for waiver information, and quite possibly reduce the amount of time spent investigating each subject.

The availability of waiver data is widespread, so, failing an agreement between appropriate agencies to share and transmit waiver data, other search options are available. The following section outlines the availability of waiver data by component.

STORAGE AND MAINTENANCE OF WAIVER DATA

Regardless of military service, waiver data are currently recorded in several locations and in several formats with varying degrees of detail. The purpose of the next section is to provide an overview of manual and automated record systems that contain data pertaining to waivers of enlistment, reenlistment, and promotion standards. We obtained information on these sources from the DoD Systems of Record Notices Web site, and from information culled from regulations, instructions, and orders.

United States Military Entrance Processing Command

United States Military Entrance Processing Command Integrated Resource System. The USMEPCOM Integrated Resource System (USMIRS) is an electronic database networked across all MEPS and USMEPCOM. USMIRS is partially populated by the Form *DD 1966, Record of Military Processing*. The DD 1966 contains enlistment applicant data falling into one of three categories: personal, medical, and administrative. Falling within the administrative category are waiver data.

Waiver data are condensed into alpha-numeric codes. These codes were established by DoD in an effort to standardize and summarize waivers granted for accession⁹ and Delayed Entry Program (DEP) enlistments across all military branches (see Appendix A for waiver codes and their meanings). The alpha-numeric format provides information on the level of offense (i.e., minor and serious traffic, misdemeanor or felony), whether the offense was adjudicated as a juvenile or adult, and level of authorization (i.e., recruiting station, recruiting command).

USMIRS can capture up to three accession¹⁰ waiver codes and three DEP codes for each recruit. Medical waiver codes are given priority, followed by aptitude codes, and then moral, drug/alcohol, financial and dependency waiver codes, if space permits (USMEPCOM Reg. 680-3/MOP). Applicants who have three or more waivers and at least three of those waivers are medical or aptitude will appear to have no moral or administrative waivers even when they do.¹¹

Defense Manpower Data Center

United State Military Entrance Processing Command Examination and Accession File. The Defense Manpower Data Center (DMDC) maintains transaction records on military enlistment applicants who are processed at any of the MEPS facilities. USMEPCOM sends data from USMIRS to DMDC in weekly and monthly updates. DMDC records hold up to three accession waiver codes and three DEP waiver codes.¹²

⁹ Accession waiver codes pertain to waivers that were granted prior to a recruit signing an enlistment contract. DEP waiver codes pertain to waivers that were granted after a recruit signs an enlistment contract but before the recruit ships to basic military training.

¹⁰ DD Form 1966 has the capacity to hold six accession waiver codes and six DEP waiver codes but USMIRS has the capacity to hold only three accession waiver codes and three DEP waiver codes.

¹¹ Applicants with waiver codes exceeding the number of data fields may have their waiver codes placed in a backup date file located at DMDC-West (Rick Moreno, personal communication, March 10, 2006).

¹² When DMDC receives a waiver update on applicants with three existing waiver codes, the first waiver code is pulled from the master file to allow for the inclusion of the new waiver code. The original waiver code is then archived in a historical file.

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United States Army, Army Reserves and Army National Guard

The Official Military Personnel File (OMPF). The OMPF files are established when a soldier becomes a member of any Army component. Personnel files are separated into three types: performance, service, and restricted. Waiver data are located in the service file, which is stored on microfiche and permanently retained.

System Managers and File Locations:
Commissioned and Warrant officers
Commander, PERSCOM
ATTN: TAPC-MSR
Alexandria, VA 22332-0444

Army Enlisted on Active Duty
Commander, U.S. Army Enlisted Records and Evaluation Center
ATTN: PCRE-F
Fort Benjamin Harrison, IN 46249-5301

Army National Guard (ARNG) Commissioned or Warrant Officers
Commander, ARNG Personnel Center,
ATTN: NGB-ARP-CA
4501 Ford Avenue
Alexandria, VA 22302-1405

ARNG Enlisted Soldiers
The Adjutant General of the soldier's state

U.S. Army Reserves
Commander, ARPERCEN ATTN: DARP-PRM
9700 Page Boulevard
St. Louis, MO 63132-5200

Guidance Counselor Redesign (GCR). The Guidance Counselor ReDesign System (GCR) is an automated enlistment processing system available in all recruiting and MEPS liaison offices. The GCR is able to maintain an applicant's entire enlistment file because of its ability to store PDF documents. DoD and U.S. Army Recruiting Command (USAREC) forms and official documents, such as criminal history records, education degrees, drug counseling records, marriage certificates etc., are scanned into the GCR (C.J. Kim, personal communication, June 2, 2004).

Waiver requests are initiated and forwarded through the chain of command via the GCR. Therefore, the following data can be located in this system: type of waiver, disqualifying conditions, and level of approval authority (USAREC PAM601-34). When a waiver has been approved or disapproved, the "Waiver Information" screen will indicate the waiver status.

System Manager:
Commander, United States Army Recruiting Command
Fort Knox, KY 40121-5000

Enlisted Eligibility Files. The Enlisted Eligibility File system is used to store moral waiver requests pertaining to felony offense(s) by Regular Army applicants. Evaluation documents, decisions, and correspondence concerning approval/disapproval are located in each record. Records are in hardcopy format and maintained for a period of 2 years.

System Manager and Record Location:
Commander, United States Army Recruiting Command
Fort Knox, KY 40121-5000

Eligibility Determination Files. The Eligibility Determination Files contain enlistment records and waiver data on applicants who require a waiver for an adult felony, and on soldiers who request to continue on active duty but require waiver for certain disqualifications.

Files are maintained in hardcopy and electronic storage media format. Individual records are maintained until applicants with approved waivers reenlist in the U.S. Army.

System Manager and Record Location:
Commander, United States Army Human Resources Command
2461 Eisenhower Avenue
Alexandria, VA 22332

United States Navy

Personalized Recruiting for Immediate and Delayed Enlistment. The Personalized Recruiting for Immediate and Delayed Enlistment (PRIDE) is used throughout CNRC to manage the enlistment process and reserve seats for applicants in Navy training schools (OPNAV INSTRUCTION 1514.1B). Waiver data are stored in PRIDE but limited to daily lists of waiver requests,¹³ and waiver approval status.

System Manager:
Commander, Navy Recruiting Command
5720 Integrity Drive
Millington, TN 38055-3130

Residual Files and Service Records. Residual files and service records contain DD Form 1966/1, Record of Military Processing, which are annotated with waiver codes when recruits enlist with a waiver (COMNAVCRUITCOMINST 1130.8F). Waiver approval letters, containing information on applicant interviews, and justifications for waiver approval are also placed in each of these files.

Residual files are hardcopy and stored in recruiters' offices for 4 years after an applicant enlisted or attempted to enlist. Every sailor has a service record that follows him from command to command, and is maintained as long as the sailor remains in the Navy.

¹³ PRIDE only provides the DoD waiver codes.

FINDINGS

Navy Military Personnel Records System. The Navy Military Personnel Records System maintains information on Navy personnel to include enlistment, retention, assignment, advancement, separation, and administration. Data are maintained in both automated and nonautomated formats, and the types of waivers with which each applicant enlisted can be found in both systems.

Records are maintained at the Navy Personnel Command and at worldwide Navy personnel offices for as long as the sailor is in the Navy. Once the sailor leaves the Navy, the records are forwarded to the National Archives.

System Manager:
Commander, Navy Personnel Command (PERS-312)
5720 Integrity Drive
Millington, TN 38055-3130

United State Air Force

Air Force Military Personnel Database System. This automated system maintains information on all personnel in all USAF components, and includes enlistment/reenlistment records (including information on approved waivers) and disciplinary actions. Records are maintained for 1 year after an Airman is terminated, or destroyed when an Airman retires.

System Manager and Record Location:
Commander, HQ Air Force Military Personnel Center
550 C Street West
Randolph Air Force Base, TX 78150-4703

Air Force Recruiting Information Support System. The Air Force Recruiting Information Support System (AFRISS) is an automated enlistment system available in every recruiting office. Enlistment data, including waiver requests, approval or disapproval, and detailed notes pertaining to waiver interviews, are stored here.

Information from supplemental documentation such as police and court records, educational records and source¹⁴ documents is entered in AFRISS. Supplemental documents in hardcopy format are located in the USAF liaison's office at the MEPS where the applicant was processed. Documents are stored at MEPS for 3 months and at the Operations Section headquarters for 1 year, and then destroyed (Sergeant Brown, personal communication, March 2, 2005).

System Manager:
Air Force Recruiting Service
Randolph Air Force Base, TX 78150-4703

Drug Abuse Waiver Requests File. The USAF maintains the Drug Abuse Waiver Requests File, a hardcopy filing system. Files contain waiver data on

¹⁴ Source documents are those that establish one's identity. Driver's license, birth certificate, alien registration card, and social security card are all examples of source documents.

enlistment applicants who have requested a drug waiver because of a history of preservice drug abuse. The following documents are located here: USAF Drug Abuse Certificate, Drug Abuse Circumstances, Recommendation of Intermediate Commands, and cover letter containing HQ USAF decision on waiver requests. Files are decentralized and are maintained for 6 months.

System Manager and Record Location:
Deputy Chief of Staff/Manpower and Personnel
HQ, USAF

United States Marine Corps

Total Force Recruiting System. The Total Force Recruiting System is a subsystem of the Marine Corps Total Force System (MCTFS), an automated system that maintains USMC official military personnel files. Specifically, enlistment records, service records, and derogatory information are stored here. The Total Force Recruiting System is used by career planners to create, submit, and track reenlistment (including waivers), extension, and lateral move requests.

System Manager:
HQMC, Manpower Information Operations (MIO) 3280
3280 Russell Road
Quantico, VA 22134-5103

The Drug/Alcohol Abuse Reporting System (D/AARS). D/AARS maintains files on all military personnel who have been tested for, evaluated, apprehended, or rehabilitated for drug or alcohol abuse; who have been granted drug abuse exemption; or who are seeking assistance in drug or alcohol abuse programs. Data are stored in hardcopy and automated formats such as file folders, card files, punched cards and magnetic tape formats, and can be retrieved by searching on last name or SSN. Records are located at decentralized locations including Navy alcohol rehabilitation centers and alcohol units in Naval hospitals.

System Manager:
Commandant, United States Marine Corps
HQ, USMC
Washington, DC 20380-1775

Residual Files. Residual files contain applicants' enlistment forms, including waiver requests and documentation. These files are stored in paper format at recruiting substations for 4 years and then destroyed.

The Personnel Procurement Working Files System (PPWFS). PPWFS maintains data on enlistment applicants who have requested a waiver. Files contain enlistment forms such as DD 1966 and the SF-86. This is an automated system that maintains files for 2 years. System access is granted to Reserve unit command, recruiting, and law enforcement or federal agents.

FINDINGS

The system manager is the commander of the unit holding the file. Files are decentralized and are located at HQ, USMC, Personnel Procurement Branch, CG, Marine Corps Recruit Depots/Western and Eastern Recruiting Region, Marine Corps Districts, Recruiting Stations, Officer Selection Offices, Organized Marine Corps Reserve units, and U.S. Marine Corps recruiting substations.

Microsoft Access Database at MCRC G-3 Operations. The Waiver Chief at USMC Recruiting Command maintains a Microsoft Access database with the names and SSNs of all USMC applicants who have applied for a waiver(s). Specific information on the type of waiver, approval or disapproval status, and waiver approval authority is also tracked with this database. Access to this database is restricted to the Waiver Chief¹⁵ and Waiver Officers (J.T. Allan, personal communication, January 18, 2005).

¹⁵ Current Waiver Chief is Master Sergeant John T. Allan.

CONCLUSION

There are several types of waivers with a direct bearing on adjudicative guidelines. The sources of waiver data reviewed provide robust data but are sometimes limited either because of data destruction requirements, lack of automation, or too narrow of a scope for data collection. However, careful consideration should be given to all sources regardless of limitations. Decisionmakers should consider the value of information, accessibility of records, and overall effects on the quality and completeness of NACLC investigations for access to classified material.

USMIRS or DMDC's *USMEPCOM Examination and Accession File* are feasible search options for obtaining waiver data. Data management and storage could be optimized by eliminating waiver prioritization and increasing the number of data fields to accommodate waiver data on each enlistment applicant. Modification could serve one of two purposes, either provide the base for which background investigators start their investigation, or serve as a verification tool with which investigators can compare their investigative results.

Regardless of which data source is accessed, background investigators will have to conduct follow-up investigations in instances where relevant waiver codes of significant interest do exist. The alpha-numeric format of waiver codes provides information on the level of offense (i.e., minor and serious traffic, misdemeanor or felony), whether the offense was adjudicated as a juvenile or adult, and level of authorization (i.e., recruiting station, recruiting command). Using a typology that differentiates between waivers of no significant interest and significant interest would reduce the number of follow-up investigations. For example, waiver codes denoting minor traffic offenses approved at the lowest authority level may not require follow-up investigation whereas felony offenses approved at the highest authority level may require additional investigation.

Access to the Army's GCR would provide background investigators with comprehensive access to waiver data and could potentially alleviate investigative workload. Because the U.S. Army enlists almost twice as many recruits as the other Services,¹⁶ the bulk of military background investigations will be for Army personnel. Access to the GCR could significantly improve the efficiency and effectiveness of investigative activity.

While the Navy's automated enlistment system is not operational, the Personnel Procurement Files are automated and operational. Inquiries into the feasibility of accessing this data source should be made, while the Navy continues to bring their enlistment system online.

¹⁶ Enlistment numbers for 2004: Army - 77,587; Air Force - 34,362; Marine Corps - 36,794; and Navy - 39,874. Source: American Force Information Services at Defense Link

CONCLUSION

With respect to the Air Force, the most viable source of waiver data may be the automated enlistment system, AFRISS. Automated records allow for efficient searches based on name or SSN. AFRISS records contain waiver data that include annotations on personal interviews and official documents such as police and court records. For those cases that require official documentation, investigators can follow up with any of the other Air Force waiver sources, including recruiter and MEPS liaison offices.

The Marine Corps automated enlistment system and/or the Personnel Procurement Working Files are the most efficient sources of waiver data. These files are automated and would, therefore, allow for more efficient name or SSN-based searches. The Personnel Procurement Working Files have an additional benefit in that law enforcement and federal agents are granted access to this system. This condition alone will reduce the amount of time spent working out a memorandum of understanding between the USMC, DoD and OPM for access to personnel files.

The development of efficient and effective access to waiver data must take into consideration that some files are destroyed after a period of time elapses from enlistment; therefore, the time between a subject's enlistment in the military and when a security clearance investigation is conducted may preclude the need to access waiver sources. Additionally, enlistment waivers may not be appropriate resources for periodic reinvestigations (PR) because the information contained in these waivers should already exist in the original report of investigation from the initial background investigation. Reenlistment waiver data, however, would have a bearing on a PR if it is the first investigation since reenlistment. Investigators must take into consideration the age of the data they are accessing. For example, official court records retrieved by a recruiter one year prior to the start of the security clearance investigation may not be the most accurate record because subjects may reoffend after recruiters have conducted background investigations.

RECOMMENDATIONS

Sources of waiver data and accessibility to that data were reviewed to produce waiver data search options that may enhance the efficiency and effectiveness of security clearance background investigations by reducing background investigative activity by security clearance investigators, recruiting personnel, and career counselors; corroborating intelligence obtained during the course of security clearance investigations; and increasing access to criminal and civil records. The following recommendations are provided for accessing military waiver records:

- The Office of the Deputy Under Secretary of Defense, Counterintelligence and Security (USD(I), DUSD(CI&S)) should consider establishing a regulation that requires background investigators to collect military enlistment, reenlistment, and promotion waiver data on all military personnel during the course of a National Agency Check with Local Agency and Credit Check (NACLC) investigation.
- Establish memorandums of understanding between USD(I), DUSD(CI&S), Under Secretary of Defense, Personnel & Readiness, Office of the Assistant Secretary of Defense, Force Management Policy, Military Manpower and Personnel Policy, Accession Policy Directorate (USD(P&R), OASD(FMP)(MPP)/AP), the Defense Manpower Data Center (DMDC), the United States Military Entrance Processing Command (USMEPCOM) and the Army, Navy, Air Force and Marine Corps Personnel Commands with the objective of facilitating information sharing.
- The Office of the USD(P&R), OASD(FMP)(MPP)/AP should establish a regulation requiring military recruiting commands and USMEPCOM to electronically and centrally store waiver data.
 - Data access options
 - Modify current enlistment process at the Military Entrance Processing Stations (MEPS) so that waiver data on each enlistment applicant are collected and provided to background investigators at the same time the NACLC investigation is initiated.
 - Modify the USMEPCOM Integrated Resource System (USMIRS) to capture more than three waiver codes. Create procedures for recording descriptive waiver information into USMIRS.
 - Create policy and procedure for electronic storage of military waiver data in the Defense Central Index of Investigations (DCII) or the Joint Personnel Adjudication System (JPAS). Create procedures for recording descriptive waiver information into DCII or JPAS.
 - USD(I), DUSD(CI&S) should establish a regulation requiring access to waiver data be provided to background investigators conducting investigations on applicants for access to classified information.
 - USD(I), DUSD(CI&S) should establish a regulation requiring follow-up investigations when waiver codes are available but descriptive waiver data

RECOMMENDATIONS

are missing. Establish policy, procedures, and protocol directing investigations.

- Develop a typology that differentiates between waiver codes of significant interest and no significant interest. Waiver codes indicating an offense or behavior is outside the scope of the investigation should be excluded from a follow-up investigation.
- Follow-up investigations should be conducted on relevant waiver codes by obtaining records from recruiting stations, MEPS, recruiting commands and other personnel resources.
- Initiate a pilot test of the collection and incorporation of military waiver data in existing investigations.
 - Evaluate the redundancy of investigative efforts by comparing recruiting personnel waiver requests against background investigators' reports of investigations.
 - Assess the extent to which waiver data provide information not found during background investigations.

Implementation of these recommendations will require relationships between security clearance background investigators and USD(I), DUSD(CI&S), USD(P&R), OASD(FMP)(MPP)/AP, DMDC, USMEPCOM and the Army, Navy, Air Force and Marine Corps Personnel Commands. Contact information for the agencies responsible for these systems is provided in Table 6.

**Table 6
Points of Contact**

DoD Component	Data Source	POC	Address
U.S. Military Entrance Processing Command	USMIRS	Commander	2834 Green Bay Rd N. Chicago, IL 60064-3094
U.S. Army Human Resources Command	Eligibility Determination Files	Commander	2461 Eisenhower Ave Alexandria, VA 22332
United States Army Recruiting Command	GCR; Enlisted Eligibility Files	Chief of Staff	1307 Third Avenue Fort Knox, KY 40121-2726
U.S. Army Commissioned and Warrant Officers	OMPF	Commander: PERSCOM	ATTN: TAPC-MSR Alexandria, VA 22332-0444
U.S. Army Enlisted on Active Duty, Enlisted Records & Evaluation Center	OMPF	Commander,	ATTN: PCRE-F Fort Benjamin Harrison, IN 46249-5301
Army National Guard Commissioned or Warrant Officers Personnel Center	OMPF	Commander,	ATTN: NGB-ARP-CA 4501 Ford Avenue Alexandria, VA 22302-1405
Army National Guard Enlisted Soldiers	OMPF	State Adjutant General	
U.S. Army Reserves	OMPF	Commander, ARPERCEN ATTN: DARP-PRM	9700 Page Blvd, St. Louis, MO 63132-5200
U.S. Navy Recruiting Command	Personalized Recruiting for Immediate and Delayed Enlistment Residual Files Service Records	Commander	5722 Integrity Dr, Bldg 784 Millington, TN 38054
U.S. Navy Personnel Command	Navy Military Personnel Records System	Commander	5722 Integrity Drive, Bldg 784 Millington, TN 38054
U.S. Air Force Recruiting Service	Air Force Recruiting Information Support System	Commander	HQ Air Education and Training Command 550 D St, Suite 1 Randolph AFB, TX 78150-4527
U.S. Air Force Military Personnel Center	Air Force Military Personnel Database System	Commander	550 C Street West Randolph Air Force Base, TX 78150-4703
U.S. Air Force Manpower and Personnel	Drug Abuse Waiver File	Deputy Chief of Staff	HQ, U.S. Air Force
U.S. Marine Corps Recruiting Command	Residual Files PPWFS Waiver Database	Chief of Staff Waiver Chief, G-3 Operations	3280 Russell Road Quantico, VA 22134
U.S. Marine Corps	D/AARS	Commandant	HQ, USMC Washington, DC, 20380
U.S. Marine Corps Manpower Information Operations (MIO) 3280	Total Force Recruiting System		3280 Russell Road Quantico, VA 22134-5103

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APPENDIX A
DEPARTMENT OF DEFENSE WAIVER CODES

APPENDIX A

**Table A-1
Department of Defense Waiver Codes**

<i>Waiver code</i>	<i>Explanation</i>
AYA	Age maximum exceeded for enlistment purposes; waiver granted by the highest authority 1 level.
AYB	Age maximum exceeded for enlistment purposes; waiver granted by the Recruiting Command Headquarters level.
AYC	Age maximum exceeded for enlistment purposes; waiver granted by the US Marines Corps Command level.
AYD	Age maximum exceeded for enlistment purposes; waiver granted by US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
AYE	Age maximum exceeded for enlistment purposes; waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
AYF	Age maximum exceeded for enlistment purposes; waiver granted by the US Coast Guard Recruiting Center.
BAA	Dependency of a military spouse; waiver granted by the highest authority level.
BAB	Dependency of a military spouse, waiver granted by the Recruiting Command Headquarters level.
BAC	Dependency of a military spouse; waiver granted by the US Marine Corps Regional Command level.
BAD	Dependency of a military spouse; waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
BAE	Dependency of a military spouse; waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
BBA	Dependency due to number of dependents; waiver granted by the highest authority level.
BBB	Dependency due to number of dependents; waiver granted by the Recruiting Command Headquarters level.
BBC	Dependency due to number of dependents; waiver granted by the US Marine Corps Regional Command level.
BBD	Dependency due to number of dependents; waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
BBE	Dependency due to number of dependents; waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
BBF	Dependency due to number of dependents; waiver granted by the US Coast Guard Recruiting Center.
CYA	Mental qualification – meets ASVAB testing requirements (AFQT and subtest); waiver granted by the highest authority level.
CYB	Mental qualification – meets ASVAB testing requirements (AFQT and sub-test); waiver granted by the Recruiting Command Headquarters level.

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<i>Waiver code</i>	<i>Explanation</i>
CYC	Mental qualification – meets ASVAB testing requirements (AFQT and sub-test); waiver granted by the US Marine Corps Regional Command level.
CYD	Mental qualification – meets ASVAB testing requirements (AFQT and sub-test); waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
CYE	Mental qualification – meets ASVAB testing requirements (AFQT and sub-test); waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
CYF	Mental qualification – meets ASVAB testing requirements (AFQT and sub-test); waiver granted by the US Coast Guard Recruiting Center.
DAA	Law violations of adjudicated minor traffic offense(s); waiver granted by the highest authority level.
DAB	Law violations of adjudicated minor traffic offense(s); waiver granted by the Recruiting Command Headquarters level.
DAC	Law violations of adjudicated minor traffic offense(s); waiver granted by the US Marine Corps Regional Command level.
DAD	Law violations of adjudicated minor traffic offense(s); waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
DAE	Law violations of adjudicated minor traffic offense(s); waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
DAF	Law violations of adjudicated minor traffic offense(s); waiver granted by the US Coast Guard Recruiting Center.
DBA	Law violations of adjudicated serious traffic offense(s); waiver granted by the highest authority level.
DBB	Law violations of adjudicated serious traffic offense(s); waiver granted by the Recruiting Command Headquarters level.
DBC	Law violations of adjudicated serious traffic offense(s); waiver granted by the US Marine Corps Regional Command level.
DBD	Law violations of adjudicated serious traffic offense(s); waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
DBE	Law violations of adjudicated serious traffic offense(s); waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
DBF	Law violations of adjudicated serious traffic offense(s); waiver granted by the US Coast Guard Recruiting Center.
DCA	Law violations of adjudicated minor non-traffic offense(s); waiver granted by the highest authority level.
DCB	Law violations of adjudicated minor non-traffic offense(s); waiver granted by the Recruiting Command Headquarters level.

Waiver code	Explanation
DCC	Law violations of adjudicated minor non-traffic offense(s); waiver granted by the US Marine Corps Regional Command level.
DCD	Law violations of adjudicated minor non-traffic offense(s); waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
DCE	Law violations of adjudicated minor non-traffic offense(s); waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
DCF	Law violations of adjudicated minor non-traffic offense(s); waiver granted by the US Coast Guard Recruiting Center.
DDA	Law violations of adjudicated serious non-traffic offense(s); waiver granted by the highest authority level.
DDB	Law violations of adjudicated serious non-traffic offense(s); waiver granted by the Recruiting Command Headquarters level.
DDC	Law violations of adjudicated serious non-traffic offense(s); waiver granted by the US Marine Corps Regional Command level.
DDD	Law violations of adjudicated serious non-traffic offense(s); waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
DDE	Law violations of adjudicated serious non-traffic offense(s); waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
DDF	Law violations of adjudicated serious non-traffic offense(s); waiver granted by the US Coast Guard Recruiting Center.
DEA	Law violations of adjudicated felony offense(s) as an adult; waiver granted by the highest authority level.
DEB	Law violations of adjudicated felony offense(s) as an adult; waiver granted by the Recruiting Command Headquarters level.
DEC	Law violations of adjudicated felony offense(s) as an adult; waiver granted by the US Marine Corps Regional Command level.
DED	Law violations of adjudicated felony offense(s) as an adult; waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
DEE	Law violations of adjudicated felony offense(s) as an adult; waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
DEF	Law violations of adjudicated felony offense(s) as an adult; waiver granted by the US Coast Guard Recruiting Center.
DFA	Law violations of adjudicated felony offense(s) as a juvenile; waiver granted by the highest authority level.
DFB	Law violations of adjudicated felony offense(s) as a juvenile; waiver granted by the Recruiting Command Headquarters level.
DFC	Law violations of adjudicated felony offense(s) as a juvenile; waiver granted by the US Marine Corps Regional Command level.

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Waiver code	Explanation
DFD	Law violations of adjudicated felony offense(s) as a juvenile; waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
DFE	Law violations of adjudicated felony offense(s) as a juvenile; waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
DFF	Law violations of adjudicated felony offense(s) as a juvenile; waiver granted by the US Coast Guard Recruiting Center.
EAA	Previous military separation (does not apply to delayed entry program separation); re-enlistment eligibility waiver granted by the highest authority level.
EAB	Previous military separation (does not apply to delayed entry program separation); re-enlistment eligibility waiver granted by the Recruiting Command Headquarters level.
EAC	Previous military separation (does not apply to delayed entry program separation); re-enlistment eligibility waiver granted by the US Marine Corps Regional Command level.
EAD	Previous military separation (does not apply to delayed entry program separation); re-enlistment eligibility waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
EAE	Previous military separation (does not apply to delayed entry program separation); re-enlistment eligibility waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
EAF	Previous military separation (does not apply to delayed entry program separation); re-enlistment eligibility waiver granted by the US Coast Guard Recruiting Center.
EBA	Previous military separation (does not apply to delayed entry program separation); pay grade waiver granted by the highest authority level.
EBB	Previous military separation (does not apply to delayed entry program separation); pay grade waiver granted by the Recruiting Command Headquarters level.
EBC	Previous military separation, does not apply to delayed entry program separation; pay grade waiver granted by the US Marine Corps Regional Command level.
EBD	Previous military separation (does not apply to delayed entry program separation); pay grade waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
EBE	Previous military separation (does not apply to delayed entry program separation); pay grade waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
EBF	Previous military separation (does not apply to delayed entry program separation); pay grade waiver granted by the US Coast Guard Recruiting Center.
ECA	Previous military separation (does not apply to delayed entry program separation); lost time waiver granted by the highest authority level.
ECB	Previous military separation (does not apply to delayed entry program separation); lost time waiver granted by the Recruiting Command Headquarters level.
ECC	Previous military separation, does not apply to delayed entry program separation); lost time waiver granted by the US Marine Corps Regional Command level.

Waiver code	Explanation
ECD	Previous military separation (does not apply to delayed entry program separation); lost time waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
ECE	Previous military separation (does not apply to delayed entry program separation); lost time waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
ECF	Previous military separation (does not apply to delayed entry program separation); lost time waiver granted by the US Coast Guard Recruiting Center.
EDA	Previous military separation (does not apply to delayed entry program separation); condition that existed prior to service waiver granted by the highest authority level.
EDB	Previous military separation (does not apply to delayed entry program separation); condition that existed prior to service waiver granted by the Recruiting Command Headquarters level.
EDC	Previous military separation (does not apply to delayed entry program separation); condition that existed prior to service waiver granted by the US Marine Corps Regional Command level.
EDD	Previous military separation (does not apply to delayed entry program separation); condition that existed prior to service waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
EDE	Previous military separation (does not apply to delayed entry program separation); condition that existed prior to service waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
EDF	Previous military separation (does not apply to delayed entry program separation); condition that existed prior to service waiver granted by the US Coast Guard Recruiting Center.
EEA	Previous military separation (does not apply to delayed entry program separation); skill requirement waiver granted by the highest authority level.
EEB	Previous military separation (does not apply to delayed entry program separation); skill requirement waiver granted by the Recruiting Command Headquarters level.
EEC	Previous military separation (does not apply to delayed entry program separation); skill requirement waiver granted by the US Marine Corps Regional Command level.
EED	Previous military separation (does not apply to delayed entry program separation); skill requirement waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
EEE	Previous military separation (does not apply to delayed entry program separation); skill requirement waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
EEF	Previous military separation (does not apply to delayed entry program separation); skill requirement waiver granted by the US Coast Guard Recruiting Center.
FAA	Drug involvement not considered a law violation with alcohol abuse; waiver granted by the highest authority level.
FAB	Drug involvement not considered a law violation with alcohol abuse; waiver granted by the Recruiting Command Headquarters level.

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<i>Waiver code</i>	<i>Explanation</i>
FAC	Drug involvement not considered a law violation with alcohol abuse; waiver granted by the US Marine Corps Regional Command level.
FAD	Drug involvement not considered a law violation with alcohol abuse; waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
FAE	Drug involvement not considered a law violation with alcohol abuse; waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
FAF	Drug involvement not considered a law violation with alcohol abuse; waiver granted by the US Coast Guard Recruiting Center.
FBA	Drug involvement not considered a law violation with marijuana usage; waiver granted by the highest authority level.
FBB	Drug involvement not considered a law violation with marijuana usage; waiver granted by the Recruiting Command Headquarters level.
FBC	Drug involvement not considered a law violation with marijuana usage; waiver granted by the US Marine Corps Regional Command level.
FBD	Drug involvement not considered a law violation with marijuana usage; waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
FBE	Drug involvement not considered a law violation with marijuana usage; waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
FBF	Drug involvement not considered a law violation with marijuana usage; waiver granted by the US Coast Guard Recruiting Center.
FCA	Drug involvement not considered a law violation with other drug usage; waiver granted by the highest authority level.
FCB	Drug involvement not considered a law violation with other drug usage; waiver granted by the Recruiting Command Headquarters level.
FCC	Drug involvement not considered a law violation with other drug usage; waiver granted by the US Marine Corps Regional Command level.
FCD	Drug involvement not considered a law violation with other drug usage; waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
FCE	Drug involvement not considered a law violation with other drug usage; waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
FCF	Drug involvement not considered a law violation with other drug usage; waiver granted by the US Coast Guard Recruiting Center.
FDA	Drug involvement not considered a law violation with drug and alcohol test positive; waiver granted by the highest authority level.
FDB	Drug involvement not considered a law violation with drug and alcohol test positive; waiver granted by the Recruiting Command Headquarters level.

<i>Waiver code</i>	<i>Explanation</i>
FDC	Drug involvement not considered a law violation with drug and alcohol test positive; waiver granted by the US Marine Corps Regional Command level.
FDD	Drug involvement not considered a law violation with drug and alcohol test positive; waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
FDE	Drug involvement not considered a law violation with drug and alcohol test positive; waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
FDF	Drug involvement not considered a law violation with drug and alcohol test positive; waiver granted by the US Coast Guard Recruiting Center.
HAA	Medical disqualification; height waiver granted by the highest authority level.
HAB	Medical disqualification; height waiver granted by the Recruiting Command Headquarters level.
HAC	Medical disqualification; height waiver granted by the US Marine Corps Regional Command level.
HAD	Medical disqualification; height waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
HAE	Medical disqualification; height waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
HAF	Medical disqualification; height waiver granted by the US Coast Guard Recruiting Center.
HBA	Medical disqualification; weight waiver granted by the highest authority level.
HBB	Medical disqualification; weight waiver granted by the Recruiting Command Headquarters level.
HBC	Medical disqualification; weight waiver granted by the US Marine Corps Regional Command level.
HBD	Medical disqualification; weight waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
HBE	Medical disqualification; weight waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
HBF	Medical disqualification; weight waiver granted by the US Coast Guard Recruiting Center.
HCA	Medical disqualification; Disease Classification (ICD-9) waiver granted by the highest authority level.
HCB	Medical disqualification; Disease Classification (ICD-9) waiver granted by the Recruiting Command Headquarters level.
HCC	Medical disqualification; Disease Classification (ICD-9) waiver granted by the US Marine Corps Regional Command level.
HCD	Medical disqualification; Disease Classification (ICD-9) waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.

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Waiver code	Explanation
HCE	Medical disqualification; Disease Classification (ICD-9) waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
HCF	Medical disqualification; Disease Classification (ICD-9) waiver granted by the US Coast Guard Recruiting Center.
JYA	Sole surviving family member waiver granted by the highest authority level.
JYB	Sole surviving family member waiver granted by the Recruiting Command Headquarters level.
JYC	Sole surviving family member waiver granted by the US Marine Corps Regional Command level.
JYD	Sole surviving family member waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
JYE	Sole surviving family member waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
JYF	Sole surviving family member waiver granted by the US Coast Guard Recruiting Center.
KYA	Minimum education requirement wavier granted by the highest authority level.
KYB	Minimum education requirement wavier granted by the Recruiting Command Headquarters level.
KYC	Minimum education requirement wavier granted by the US Marine Corps Regional Command level.
KYD	Minimum education requirement wavier granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
KYE	Minimum education requirement wavier granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
KYF	Minimum education requirement wavier granted by the US Coast Guard Recruiting Center.
LYA	Aliens who have traveled or resided in a nation whose interests are inimical to those of the United States (also applies to aliens whose spouse, parent, brother, sister, or children reside in such a nation); waiver granted by the highest authority available.
LYB	Aliens who have traveled or resided in a nation whose interests are inimical to those of the United States (also applies to aliens whose spouse, parent, brother, sister, or children reside in such a nation); waiver granted by the Recruiting Command Headquarters level.
LYC	Aliens who have traveled or resided in a nation whose interests are inimical to those of the United States (also applies to aliens whose spouse, parent, brother, sister, or children reside in such a nation); waiver granted by the US Marine Corps Regional Command level.
LYD	Aliens who have traveled or resided in a nation whose interests are inimical to those of the United States (also applies to aliens whose spouse, parent, brother, sister, or children reside in such a nation); waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.

Waiver code	Explanation
LYE	Aliens who have traveled or resided in a nation whose interests are inimical to those of the United States (also applies to aliens whose spouse, parent, brother, sister, or children reside in such a nation); waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
LYF	Aliens who have traveled or resided in a nation whose interests are inimical to those of the United States (also applies to aliens whose spouse, parent, brother, sister, or children reside in such a nation); waiver granted by the US Coast Guard Recruiting Center.
MYA	Refusal or failure to complete a loyalty certificate (includes derogatory information entered on loyalty certificate); waiver granted by the highest authority.
MYB	Refusal or failure to complete a loyalty certificate (includes derogatory information entered on loyalty certificate); waiver granted by the Recruiting Command Headquarters level.
MYC	Refusal or failure to complete a loyalty certificate (includes derogatory information entered on loyalty certificate); waiver granted by the US Marine Corps Regional Command level.
MYD	Refusal or failure to complete a loyalty certificate (includes derogatory information entered on loyalty certificate); waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
MYE	Refusal or failure to complete a loyalty certificate (includes derogatory information entered on loyalty certificate); waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
MYF	Refusal or failure to complete a loyalty certificate (includes derogatory information entered on loyalty certificate); waiver granted by the US Coast Guard Recruiting Center.
NYA	Conscientious objector waiver granted by the highest authority level.
NYB	Conscientious objector waiver granted by the Recruiting Command Headquarters level.
NYC	Conscientious objector waiver granted by the US Marine Corps Regional Command level. US Marine Corps Regional Command level.
NYD	Conscientious objector waiver granted by the US Army Brigade, US Marine Corps District, US Navy Area, or US Air Force Group level.
NYE	Conscientious objector waiver granted by the US Army Battalion, US Navy District, US Air Force Squadron, or US Marine Corps Recruiting Station.
NYF	Conscientious objector waiver granted by the US Coast Guard Recruiting Center.
PYA	Army Service Administrative Waiver – Service unique waiver policy granted at the highest authority level.
PYB	Army Service Administrative Waiver – Service unique waiver policy granted at the Recruiting Headquarters level.
PYD	Army Service Administrative Waiver – Service unique waiver policy granted at the Army Brigade level.

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<i>Waiver code</i>	<i>Explanation</i>
PYE	Army Service Administrative Waiver – Service unique waiver policy granted at the Army Battalion level.
QYA	Air Force Service Administrative Waiver – Service unique waiver policy granted at the highest authority level.
QYB	Air Force Service Administrative Waiver – Service unique waiver policy granted at the Recruiting Headquarters level.
QYD	Air Force Service Administrative Waiver – Service unique waiver policy granted at the Air Force Group level.
QYE	Air Force Service Administrative Waiver – Service unique waiver policy granted at the Air Force Squadron level.
RYA	Navy Service Administrative Waiver – Service unique waiver policy granted at the highest authority level.
RYB	Navy Service Administrative Waiver – Service unique waiver policy granted at the Recruiting Headquarters level.
RYD	Navy Service Administrative Waiver – Service unique waiver policy granted at the Navy Area level.
RYE	Navy Service Administrative Waiver – Service unique waiver policy granted at the Navy District level.
SYA	Coast Guard Service Administrative Waiver – Service unique waiver policy granted at the Recruiting Center level.
XYA	Marine Corps Service Administrative Waiver – Service unique waiver policy granted at the highest authority level.
XYB	Marine Corps Service Administrative Waiver – Service unique waiver policy granted at the Recruiting Headquarters level.
XYC	Marine Corps Service Administrative Waiver – Service unique waiver policy granted at the Regional Command (USMC only).
XYD	Marine Corps Service Administrative Waiver – Service unique waiver policy granted at the District level.
XYE	Marine Corps Service Administrative Waiver – Service unique waiver policy granted at the Recruiting Station level.
XXB	Marine Corps Service Administrative Waiver – USMC Medical Rehabilitation Program (MREP) granted at the Recruiting Headquarters level.
XXE	Marine Corps Service Administrative Waiver – USMC Medical Rehabilitation Program (MREP) granted at the Recruiting Station level.
XXF	Rescinded
YYY	No condition currently exists requiring a waiver; however, there may be administrative conditions that exist.

APPENDIX B
NAVY CHART C AND D OFFENSES

APPENDIX B

Table B-1
Chart C Offenses

Accessory before/after the fact of a misdemeanor
Assault/Assault and battery
Behind the wheel (regardless of blood alcohol content level)
Bigamy
Breaking and entering
Check, worthless, making or uttering, with intent to defraud (\$500 or less)
Child neglect
Conspiring to commit misdemeanor
Contributing to delinquency of minor
Criminal mischief
Criminal trespass
Cruelty to animals
Driving while drugged or intoxicated
Failure to stop and render aid after accident
False imprisonment
Harassment; Indecent, insulting, or obscene language
Indecent exposure
Juvenile delinquency involving criminal misconduct
Leaving scene of accident (hit and run)
Wrongful appropriation of vehicle; driving motor vehicle without consent
Negligent homicide
Prostitution
Petty larceny (value \$500 or less), stealing hubcaps, shoplifting
Possession and/or use of marijuana/controlled substance
Possession of drug paraphernalia
Probation violation
Providing false information to police/authorities
Reckless driving
Resisting arrest
Sex crime related charges
Shooting
Slander
Stolen property, knowingly receiving (value \$500 or less)
Suffrage rights, interference with
Unlawful carrying of firearms; carrying concealed firearm
Unlawful entry
Unlawful use of long-distance telephone lines
Use of telephone to abuse, annoy, harass, threaten, or torment
Using boat without owner's consent
Willfully discharging firearm to endanger life; shooting in public place
Wrongful use of chemical substances

APPENDIX B

Table B-2
Chart D Offenses

Accessory before or after the fact of a felony
Adultery
Aggravated assault; assault with dangerous weapon; intentionally inflicting great bodily harm; assault with intent to commit a felony
Arson
Attempt to commit a felony
Bomb threat
Breaking and entering with intent to commit a felony
Bribery
Burglary
Carnal knowledge of female under 16
Cattle rustling
Car jacking
Check, worthless, making or uttering, with intent to defraud or deceive (over \$500)
Child abuse
Concealing knowledge of a felony
Conspiring to commit a felony
Criminal libel
Extortion
Forgery; knowingly uttering or passing forged instrument
Grand larceny; embezzlement (value over \$500)
Housebreaking
Indecent acts or liberties with child under 16
Indecent assault
Kidnapping; abduction
Mail: abstracting, destroying, obstructing, opening, secreting, stealing, or taking
Mails, depositing obscene or indecent matter in
Maiming; disfiguring
Manslaughter
Murder
Pandering
Perjury; subordination of perjury
Possession and/or use of marijuana/controlled substance
Public record: altering, concealing, destroying, mutilating, obliterating, or removing
Rape
Riot
Robbery
Sedition; solicitation to commit sedition
Selling or leasing weapons to minors
Sodomy
Stalking
Stolen property, knowingly receiving (value over \$500)

APPENDIX C
AIR FORCE MORAL WAIVER OFFENSE CATEGORIES

APPENDIX C

Table C-1
Air Force Moral Waiver Offense Category

Category 1 <i>Moral offense examples</i>
Aggravated assault Bribery Burglary Carnal knowledge of a child under 16 Draft evasion Drugs: Use, possession, trafficking, sale, or manufacture Extortion Indecent acts with a child under 16 Kidnapping Manslaughter Murder Perjury Rape Robbery
Category 2: Any offense punishable by confinement for one year or longer <i>Moral offense examples</i>
Arson Carrying a concealed firearm or unlawful carrying a firearm DUI/DWUI/DWI Forgery
Category 3: Any offense punishable by confinement for four months up to one year <i>Moral offense examples</i>
Assault (simple) Breaking and entering a vehicle Check: Insufficient funds
Category 4: Any offense punishable by confinement for four months or less <i>Moral offense examples</i>
Careless or reckless driving Driving with a suspended or revoked license Altered identity to purchase alcohol Disorderly conduct
Category 5: Minor traffic offenses <i>Moral offense examples</i>
Blocking or retarding traffic Driving with expired plates or without plates Failure to have vehicle under control

APPENDIX C

APPENDIX D
U.S. MARINE CORPS HOSTILE COUNTRIES/COUNTRIES OF
INSTABILITY

APPENDIX D

Table D-1
USMC Hostile Countries/Countries of Instability

Afghanistan	Libya
Angola	Montenegro
Bulgaria	Mongolia
Cambodia	Nicaragua
China	North Korea
Columbia	Lithuania
Cuba	Pakistan
Estonia	Somalia
Ethiopia	South Yemen
Hungary	Syria
Iran	Vietnam
Iraq	Yemen
Kurile Islands	Former Yugoslavia
Laos	Former USSR
Latvia	
