

MILPERSMAN 1910-128

SEPARATION BY REASON OF DEFECTIVE ENLISTMENTS AND INDUCTIONS - MINOR

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Reference	(a) 10 U.S.C.
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1. Policy

a. Members may be separated for a defective enlistment and induction on the basis of being a minor (under the age of 18 years); however, if the member turned 18 prior to discovery of defective enlistment or induction, retain unless the Commanding officer (CO) determines it is in the Navy's best interest to separate the member.

b. Age 17: Void enlistment and separate per reference (a), section 1170, in the following circumstances, except when retained for the purpose of trial by courts-martial:

(1) Satisfactory evidence of member's age, e.g., birth certificate is provided.

(2) Member enlisted without written consent of parent or guardian.

(3) Member's separation request is submitted to the Navy by the parent or guardian within 90 days of the member's enlistment in the Navy.

2. Separation Authority. CO with Special Courts-Martial Convening Authority (SPCMCA) have separation authority for defective enlistments and inductions of minors.

3. **Procedures**

a. Notification procedure per [MILPERSMAN 1910-402](#) will be used.

b. Members discharged are not considered to have acquired a service obligation per reference (a), section 651, nor is service under enlistment or induction creditable toward fulfillment of any subsequently acquired service obligation.

c. Where applicable, ensure the enlisted service record is corrected prior to discharge to ensure the member's true age, name, and status are correct.

4. **Characterization of Separation.** The characterizations of separation per [MILPERSMAN 1910-308](#).

a. Age 17 - Entry-level Separation.

b. Under Age 17 - Issues an order of release from custody and control of the Naval service by reason of void enlistment and induction.

5. **Separation Program Designator (SPD).** Use the following SPD code:

SPD CODE	EXPLANATION
YFC	Released from custody and control by reason of void enlistment or induction