



NATIONAL GUARD BUREAU

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ARNG-HRP

5 August 2013

MEMORANDUM FOR THE ADJUTANTS GENERAL OF ALL STATES, PUERTO RICO, GUAM, THE U.S. VIRGIN ISLANDS, AND THE COMMANDING GENERAL OF THE DISTRICT OF COLUMBIA

SUBJECT: Implementation Guidance for Reduced Retirement Age for Army National Guard Soldiers (PPOM #13-029)

1. References:

- a. National Defense Authorization Act (NDAA) for Fiscal Year 2008, Section 647, 28 Jan 08
- b. Title 10, United States Code (USC), sections 101(a)(13)(B), 12301 (a), 12301 (d) 12302, 12304, 12304 (a), 12305, 12406, chapter 15 (insurrection), 12301 (h) continuation order
- c. Title 10, United States Code (USC), sections 12731(f)(2)(A) and 12731(f)(2)(B)
- d. Title 32 USC, sections 115 and 502(f)
- e. Department of Defense Instruction 1215.07, 24 Jan 13
- f. Army Regulation 135-180, Qualifying Service for Retired Pay Non-regular Service, 1 Jul 87
- g. National Guard Regulation 680-2, Automated Retirement Points Accounting Management, 19 Aug 11

2. Purpose. Previous version dated 22 Jun 09 is hereby rescinded. This memorandum provides updated guidance for reduced age eligibility for receipt of non-regular service retired pay by Army National Guard Soldiers based on performance of certain types of active service as announced in section 647 of NDAA for 2008. This change does not affect the requirement to complete at least 20 years of qualifying service (which may be reduced under certain conditions in 10 USC 12731b to 15 years) nor does it negate the requirement for those who must complete the last 6 or last 8 qualifying years cited in 10 USC 12731(a)(3) based on when they completed their 20th qualified year of service.

3. Eligibility. The NDAA for 2008 reduces the retirement age for Reserve Component (RC) Soldiers from 60 to a lesser age, but not below age 50, for those who have served on Active Duty (AD) in an eligible status on or after 29 Jan 08. For qualifying service on or after 29 Jan 08, each day on that AD tour could count toward a reduction in retirement age. However, even though each day counts, days are credited in aggregates of 90 days only within any Fiscal Year. A day of duty shall be included in only one aggregate of 90 days.

a. AD, for this purpose, means service pursuant to a call or order to AD on orders specifying, as the authority for such orders, a provision of law referred to in section 101(a)(13)(B), and performed under section 688, 12301 (a), 12302, 12304, 12305, 12406, or chapter 15 (insurrection), or under section 12301 (d) of Title 10 USC. Active Guard Reserve (AGR) duty under section 12310 of Title 10 USC will not be included as service on active duty for determining eligibility for reduced age retired pay for non-regular service. If a Soldier is wounded or otherwise injured or becomes ill while serving on AD pursuant to a call to order to AD under a provision of law referred to above, and the member is then ordered to AD under section 12301 (h) (1) to receive medical care for the wound, injury, or illness, each day of AD under that order for medical care, shall be treated as a continuation of the original call or order to active duty for purposes of reducing the eligibility age of the member.

b. Active service includes service on AD as defined in DoDI 1215.07, Enclosure 3, paragraph 5b and Full-time National Guard when under a call to active service by a governor and authorized by the President or the Secretary of Defense under section 502 (f) or 115 and 502 (f) of Title 32 USC for purposes of responding to either a national emergency declared by the President or a national emergency supported by Federal funds.

c. See Enclosure 1 for a chart providing the definitions, limitations and examples of the applicable Sections of Title 10 & Title 32 USC.

d. To calculate the total number of months by which a Soldier's eligibility age may be reduced:

(1) Determine the aggregate number of days in the qualifying periods by adding all the days of qualifying service in each FY. Divide the total by 90 and read only the whole number. The result is the number of qualifying 90-day periods in each FY in which the Soldier has qualifying periods for the purpose.

(2) Multiply the number of aggregate 90-day periods by 3 to determine the number of months the Soldier's retirement age may be reduced. Subtract the result from the Soldier's 60th birthday and you will have the new eligibility date for early retired pay.

(3) Calculation scenario examples are furnished in Enclosure 2

4. The reduction of the minimum age for eligibility for retired pay for non-regular service does not reduce the age for eligibility for health care under 10 USC 1074 (b). The


eligibility for health care will continue to be 60 years of age. Qualified Retired Reserve members under the age of 60 requiring TRICARE medical coverage may purchase TRICARE Retired Reserve (TRR). Once the retiree reaches age 60, the service member and qualifying family members become eligible for TRICARE Standard, Extra or Prime (where available). See www.tricare.mil for additional information.

5. Soldiers may submit their request for early retirement with verifying documents to the U.S. Army Human Resources Center of Excellence-Ft. Knox at: ATTN: AHRC-PDP-TR, 1600 Spearhead Division Avenue, Dept. 482, Ft. Knox, KY 40122-5402. Their State Retirement Services Officer or Retirement Points Accounting Manager can offer assistance and validation of the retired pay application.

a. Soldiers are required to submit verifying documents, to include orders placing them in the Retired Reserves and 20 or 15 year Notice of Eligibility (NOE) for Non-Regular Retired Pay, at the time of application to receive the reduction in retirement age.

b. In order to ensure each Soldier receives proper credit, it is incumbent upon the Soldier to maintain supporting documentation, which includes: Department of Defense (DD) Forms 214 (Certificate of Release or Discharge from AD), and DD Forms 220 (AD Report) for periods of AD less than 90 days. For periods of AD not covered by DD Forms 214 or 220, please submit copies of your Leave and Earning Statements or a NGB Form 23A1, Army National Guard Retirement Points Statement Supplemental Detailed Report for the period along with your orders. Orders alone are not proof of duty performed, but merely an authorizing document.

6. The point of contact is COL Roberta Niedt, Chief, Personnel Division, at DSN 327-7100, 703-607-7100, or Roberta.niedt@us.army.mil.



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2 Encls

1. [USC Definitions.docx](#)
2. [Calculation Examples.docx](#)