

## Reduced Eligibility Age for Retirement Pay

**AFR Message:** The [National Defense Authorization Act for 2008](#), section 647, amended [USC Title 10, section 12731](#), reduces eligibility age for retirement pay below 60 by 3 months for each cumulative total of 90 eligible days of active duty service per fiscal year

- [DoDI 1215.07, Service Credit for Reserve Retirement](#), incorporating change 1, dated 7 Nov 2008, implements this change in law
- May not be reduced below age 50
- Reserve retiree health care remains at age 60, regardless of eligibility age for Reserve retirement pay
- Only eligible active duty service (as a member of the Ready Reserve) on or after 29 Jan 2008 can be credited for purposes of receiving retirement pay below age 60
- Call or order to active duty service which may be creditable:
  - Contingency operation as defined in [10 U.S.C. § 101\(a\)\(13\)\(b\)](#)
    - Retired members called to AD ([10 U.S.C. § 688](#))
    - Mobilized (declared by Congress) ([10 U.S.C. § 12301\(a\)](#))
    - Mobilized (declared by President) ([10 U.S.C. § 12302](#))
    - Mobilized for other than war or national emergency ([10 U.S.C. § 12304](#))
    - Stop loss ([10 U.S.C. § 12305](#))
    - Any other provision of law during a war or nat'l emergency declared by the President or Congress
  - Voluntary active duty under [10 U.S.C. § 12301\(d\)](#)
    - Both MPA funded orders and RPA funded orders
      - ❖ Voluntary Active Duty for contingencies and deployments
      - ❖ Operational Support (ADOS-formerly ADSW)
      - ❖ Training
      - ❖ School Tours
  - Specific Guard status under [32 U.S.C. § 502\(f\)](#) (not addressed in this message card)
- **Not creditable service** for purposes of reducing eligibility age for retired pay:
  - As an Active Guard Reserve (AGR) member ([10 U.S.C. § 12310](#))
  - Annual tour ([10 U.S.C. § 12301\(b\)](#))
  - While in captive status ([10 U.S.C. § 12301\(g\)](#))
  - Medical treatment, medical evaluation for disability purposes or medical study ([10 U.S.C. § 12301\(h\)](#))
  - As a member not assigned to, or participating satisfactorily in units ([10 U.S.C. § 12303](#))
  - Under active duty agreements ([10 U.S.C. § 12311](#))
  - Disciplinary/courts-martial ([10 U.S.C. § 12315](#))
  - Muster duty ([10 U.S.C. § 12319](#))
  - Inactive Duty is not eligible for reducing eligibility age for retired pay
  - As a member of the Regular Component
- Until automated systems are set up to capture data, tracking will present challenges – entry level and at ARPC. Reservists should:
  - Ensure all active duty orders specify authorizing section of law, i.e., Auth: Title 10 USC, Section 12301(d)
  - Monitor days served (89 days in an FY is a day short)
  - Keep copies of all orders

**Bottom Line:** This change in law is truly a great benefit which recognizes the contributions of our Reservists and encourages future participation. To ensure credit, keep personal records and monitor official records.