

# CRS Report for Congress

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## Periods of War

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### Summary

Many wars or conflicts in United States history have a federally designated “periods of war” date for their beginning and ending. These dates are important for qualification for certain veterans’ pension or disability benefits. The American Legion also follows these dates closely in determining who is eligible for membership; the Veterans of Foreign Wars has its own much more elaborate list of dates. Confusion can occur because beginning and ending dates for “periods of war” in many nonofficial sources are often different from those given in treaties and other official sources of information, and armistice dates can be confused with termination dates. This report lists the beginning and ending dates for “periods of war” found in Title 38 of the *Code of Federal Regulations*, dealing with the Department of Veterans Affairs. It also lists and differentiates other beginning dates given in declarations of war, as well as termination of hostilities dates and armistice and ending dates given in proclamations, laws, or treaties. This report will be updated when events warrant.

### War Dates

Congress, usually through a declaration of war, has often been the first governmental authority to designate the beginning date of a war. The President, or executive branch officials responsible to him, through proclamation, or Congress, through legislation, is responsible for designating the war’s termination date.<sup>1</sup> In some cases, later legislation is enacted to extend these beginning and ending dates for the purpose of broadening eligibility for veterans’ benefits. This explains the variations in the *Code of Federal Regulations* (CFR) “periods of war” from those dates given in the declarations of war beginning and the proclamations, laws, or treaties terminating such conflicts. Adding to the confusion, during World War II, wars were declared and terminated with six

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<sup>1</sup> For background on the War Powers Act, see the following CRS Issue Brief IB81050, *War Powers Resolution: Presidential Compliance*, Richard F. Grimmett.

individual combatant countries. Moreover, armistice dates are also often confused with termination dates.<sup>2</sup>

Title 38, Part 3, Section 3.2 of the *Code of Federal Regulations*, dealing with the Department of Veterans Affairs, lists beginning and termination dates for each war period from the Indian Wars to the present.<sup>3</sup> The material below reproduces this list. After each lettered section of CFR language are listed declaration, armistice, cease-fire, or termination dates from other official sources.

## Indian Wars

January 1, 1817, through December 31, 1898, inclusive. Service must have been rendered with U.S. military forces against Indian tribes or nations. *Code of Federal Regulations*, 3.2 (a).

## Spanish-American War

April 21, 1898, through July 4, 1902, inclusive. If the veteran served with the United States military forces engaged in hostilities in the Moro Province, the ending date is July 15, 1903. The Philippine Insurrection and the Boxer Rebellion are included. *Code of Federal Regulations*, 3.2 (b).

Declared by an act of Congress April 25, 1898 (30 Stat. 364, ch. 189). Armistice signed August 12, 1898. Terminated by Treaty signed at Paris, December 10, 1898 (30 Stat. 1754), ratified and proclaimed April 11, 1899.

## Mexican Border Period

May 9, 1916, through April 5, 1917. In the case of a veteran who during such period served in Mexico, on the borders thereof, or in the waters adjacent thereto. *Code of Federal Regulations*, 3.2 (h).

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<sup>2</sup> *Armistice* — “In International law, a suspension or temporary cessation of hostilities by agreement between belligerent powers.” *Department of Defense Dictionary of Military and Associated Terms*. Joint Publication 1-02, Department of Defense, April 12, 2001 (Washington: GPO, 2001), p. 32.

See also the more detailed definition in the *Parry and Grant Encyclopaedic Dictionary of International Law* (New York: Oceana Publications, Inc., 1986), p. 30.

<sup>3</sup> Title 38 of the CFR, titled “Pensions, Bonuses and Veterans’ Relief,” is not to be confused with Title 38 of the *United States Code*, titled “Veterans Benefits.” Laws enacted in each Congress are first collected as session laws, published in the *Statutes at Large* for each session. These laws are then codified by subject and published in the *United States Code*. The general guidance given by these laws results in the issuance of more detailed regulations to implement these laws. Such regulations are first published in the *Federal Register* and are then codified by subject in the CFR.

## World War I

April 6, 1917, through November 11, 1918, inclusive. If the veteran served with the United States military forces in Russia, the ending date is April 1, 1920. Service after November 11, 1918, and before July 2, 1921, is considered World War I service if the veteran served in the active military, naval, or air service after April 5, 1917, and before November 12, 1918. *Code of Federal Regulations*, 3.2 (c).

**World War I against Germany.** Declared by Joint Resolution of Congress of April 6, 1917 (40 Stat. 429, ch. 1). Armistice signed near Compiègne, France, November 11, 1918. Terminated July 2, 1921, by Joint Resolution (42 Stat. 105, ch. 40, 1).

**World War I against Austria-Hungary.** Declared by Joint Resolution of Congress, December 7, 1917 (40 Stat. 429, ch. 1). Armistice signed near Compiègne, France, November 11, 1918. Terminated July 2, 1921, by Joint Resolution of Congress (42 Stat. 106, ch. 40, 3).

## World War II

December 7, 1941, through December 31, 1946, inclusive. If the veteran was in service on December 31, 1946, continuous service before July 26, 1947, is considered World War II service. *Code of Federal Regulations*, 3.2 (d).

Note: During World War II, war was officially declared with six countries. The war with each was not over until the effective date of the Treaty of Peace. Note also the confusion cited below over which day is the official Victory in Europe Day (V-E Day)<sup>4</sup> and Victory Over Japan Day (V-J Day).<sup>5</sup>

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<sup>4</sup> May 7 is listed as V-E day in commentary about signing the first German surrender document in *Historic Documents of World War II* by Walter Consuelo Langsam (Westport, CT: Greenwood Press, 1958), p. 144. However, May 8 is cited as V-E day in *The Encyclopedia of American Facts and Dates*, p. 528; as the “Official V-E Day” in Louis L. Snyder, *Louis L. Snyder’s Historical Guide to World War Two* (Westport, CT: Greenwood, 1982), p. 736; and the *World Almanac of World War II*, ed. Brigadier Peter Young (New York: Pharos Books, 1981), p. 347, states in its chronology for May 8, “The British and Americans celebrate VE Day (Victory in Europe Day). Truman, Churchill and King George VI all make special broadcasts.”

Although President Truman did not officially proclaim May 7 as V-E (Victory in Europe) Day; he did proclaim Sunday, May 13, a day of prayer. To make for more confusion, his May 8, 1945, Proclamation 2651, proclaiming May 13 as a day of prayer, is titled “Victory in Europe; Day of Prayer” (3 CFR, 1943-1948 Comp.), p. 55. In addition, his May 8 news conference in which he proclaims May 13 a day of prayer is titled, “The President’s News Conference on V-E Day” — *Public Papers of the Presidents of the United States. Harry S. Truman, 1945* (Washington: GPO, 1961), p. 43.

<sup>5</sup> In his news conference of Aug. 14, 1945, announcing news of the Japanese government’s complete acceptance of terms of surrender, President Truman states, “Proclamation of V-J Day must wait upon the formal signing of the surrender terms by Japan.” — *Public Papers*, p. 216. The proclamation of Sept. 2 as V-J Day was given in his Sept. 1, 1945, “Speech to the American People After the Signing of the Terms of Unconditional Surrender by Japan.” — *Public Papers*, p. 254. However, no formal, numbered proclamation was apparently issued. Both Aug. 14, the

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**World War II with Germany.** Declared by Joint Resolution of Congress, December 11, 1941 (55 Stat. 796, ch. 564). German representative Colonel General Alfred Jodl signed the unconditional act of surrender to Allied Representatives in a Riems, France schoolhouse on May 7, 1945. A second German surrender ceremony was held on May 8 in Berlin at the insistence of the U.S.S.R. Cessation of hostilities declared as of noon, December 31, 1946, by presidential proclamation of December 31, 1946 (Proc. no. 2714, 61 Stat. 1048). State of war with the “government of Germany” terminated October 19, 1951, by Joint Resolution of Congress of that date (65 Stat. 451, ch. 519), by presidential proclamation 2950, October 24, 1951. No peace treaty with Germany signed.

**World War II with Japan.** Declared by Joint Resolution of Congress, December 8, 1941 (55 Stat. 795, ch. 561). Japanese representatives publicly sign unconditional surrender document on the deck of the *U.S.S. Missouri* anchored in Tokyo Bay on September 2, 1945. President Truman proclaimed this date Victory over Japan Day or V-J Day. Cessation of hostilities declared as of 12 noon, December 31, 1946, by presidential proclamation of December 31, 1946 (Proc. no. 2714, 61 Stat. 1048). Terminated by Multilateral Treaty of Peace with Japan, signed at San Francisco, September 8, 1951 (3 UST 3329), and ratified March 20, 1952, effective April 28, 1952.

**World War II with Italy.** Declared by Joint Resolution of Congress of December 11, 1941 (55 Stat. 797, ch. 565). Cessation of hostilities declared as of noon December 31, 1946, by presidential proclamation of December 31, 1946 (Proc. no. 2714, 61 Stat. 1048). Terminated by Treaty of Peace dated at Paris, February 10, 1947 (61 Stat. 1247), effective September 15, 1947.

**World War II with Bulgaria.** Declared by Joint Resolution of Congress, June 5, 1942 (56 Stat. 307, ch. 323). Cessation of hostilities declared as of noon December 31, 1946, by presidential proclamation of December 31, 1946 (Proc. no. 2714, 61 Stat. 1048). Terminated by Treaty of Peace dated at Paris, February 10, 1947 (61 Stat. 1915), effective September 15, 1947.

**World War II with Hungary.** Declared by Joint Resolution of Congress, June 5, 1942 (56 Stat. 307, ch. 324). Cessation of hostilities declared as of noon December 31, 1946, by presidential proclamation (Proc. no. 2714, 61 Stat. 1048). Terminated by Treaty of Peace dated at Paris, February 10, 1947 (61 Stat. 1757), effective September 15, 1947.

**World War II with Romania.** Declared by Joint Resolution of Congress of June 5, 1942 (56 Stat. 307, ch. 325). Cessation of hostilities declared as of noon December 31, 1946, by presidential proclamation December 31, 1946 (Proc. no. 2714, 61 Stat. 1048).

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<sup>5</sup> (...continued)

day of President Truman’s announcement of the Japanese surrender, and Sept. 2, the official day proclaimed by President Truman in his speech, are cited as V-J Day in *Chase’s Calendar of Events 2002* (New York: McGraw-Hill, 2002), pp. 421 and 555. August 15 is cited as V-J Day by *The Encyclopedia of American Facts and Dates*, 9<sup>th</sup> ed., by Gordon Carruth (New York: Harper Collins, 1993), p. 530. August 15, on which the Japanese Emperor made his historic broadcast to the Japanese people telling of Japan’s surrender, is cited as V-J Day in *The World Almanac of World War II*, p. 353.

Terminated by Treaty of Peace dated at Paris, February 10, 1947 (61 Stat. 1757), effective September 15, 1947.

## **Korean Conflict**

June 27, 1950, through January 31, 1955, inclusive. *Code of Federal Regulations*, 3.2 (e). On June 25, 1950, North Korean Communist forces attacked South Korean positions south of the 38<sup>th</sup> parallel, leading to an immediate United Nations Security Council resolution calling for a cease-fire and withdrawal of the North Korean forces. On June 26, President Truman ordered U.S. air and sea forces in the Far East to aid South Korea. On June 27, the U.N. Security Council adopted a resolution asking U.N. members for assistance in repelling the North Korean armed attack and in restoring peace and security in the area. On June 30, the President stated that he had authorized the use of certain U.S. air and ground units wherever necessary. No declaration of war requested of Congress. Armistice signed at Panmunjom, Korea, on July 27, 1953, between United Nations and Communist representatives (4 UST 234; TIAS 2782). No peace treaty was ever signed.

## **Vietnam Era**

The period beginning on February 28, 1961, and ending on May 7, 1975, inclusive, in the case of a veteran who served in the Republic of Vietnam during that period. The period beginning on August 5, 1964, and ending on May 7, 1975, inclusive, in all other cases. *Code of Federal Regulations*, 3.2 (f). No declaration of war requested of Congress.

**Tonkin Gulf Resolution.** A Joint Resolution of Congress to promote the maintenance of international peace and security in Southeast Asia stated in part that the Congress “approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent any further aggression.” H.J.Res. 1145, P.L.88-408, August 10, 1964 (78 Stat. 384). Agreement Ending the War and Restoring Peace in Viet-Nam signed in Paris, January 27, 1973 (TIAS 7674). Joint communiqué implementing the agreement and protocols of January 27, 1973, signed at Paris, June 13, 1973. Entered into force June 13, 1973.

## **Persian Gulf War**

August 2, 1990, through date to be prescribed by presidential proclamation or law. *Code of Federal Regulations*, 3.2 (i). Congress passed H.J.Res. 77, Authorizing the Use of Military Force Against Iraq, the same day it was introduced (January 12, 1991), and it was signed by the President on January 14, 1991 (P.L.102-1).

Operation Desert Storm and the air war phase began at 3 a.m. January 17, 1991 (January 16, 7 p.m. Eastern Standard Time).<sup>6</sup> Allied ground assault began at 4 a.m. February 24 (February 23, 8 p.m. Eastern Standard Time). Cease-fire declared at 8:01

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<sup>6</sup> U.S. Department of Defense, The Operation Desert Shield/Desert Storm Time Line, available at [[http://www.defenselink.mil/news/Aug2000/n08082000\\_20008088.html](http://www.defenselink.mil/news/Aug2000/n08082000_20008088.html)]. Used for this and all subsequent dates and times for Persian Gulf War.

a.m. February 28, 1991 (12:01 a.m. Eastern Standard Time).<sup>7</sup> Cease-fire terms negotiated at Safwan, Iraq, March 1, 1991.<sup>8</sup> Iraq officially accepted cease-fire terms, April 6, 1991.<sup>9</sup> Cease-fire took effect April 11, 1991.

## Global War on Terrorism (GWOT)

Shortly after the terrorist attacks in the United States on September 11, 2001, President George W. Bush called on Afghanistan's leaders to hand over Osama bin Laden and other al Qaeda leaders and close their terrorist training camps. He also demanded the return of all detained foreign nationals and the opening of terrorist training sites to inspection.<sup>10</sup> These demands were rejected. Operation Enduring Freedom began on October 7, 2001, with U.S. troops deployed to Afghanistan. For details, see CRS Report RL32758, *U.S. Military Operations in the Global War on Terrorism: Afghanistan, Africa, the Philippines, and Colombia*, and for information on military issues, see CRS Report RL31334, *Operations Noble Eagle, Enduring Freedom, and Iraqi Freedom: Questions and Answers About U.S. Military Personnel, Compensation, and Force Structure*.

**Operation Enduring Freedom (OEF).** Operations began with U.S. military forces deployed on October 7, 2001, and are ongoing in Afghanistan and in other nations.

**Operation Iraqi Freedom (OIF).** On March 17, 2003, in an address to the nation, President Bush gave Iraqi President Saddam Hussein and his sons a 48-hour ultimatum to leave Iraq.<sup>11</sup> On March 19, 2003, in an address to the nation, President Bush announced that the early stages of military operations against Iraq had begun.<sup>12</sup> In a May 1, 2003, address to the nation, President Bush declared that "... major military combat actions in Iraq have ended."<sup>13</sup> U.S. and coalition forces remain in Iraq.

## Future Dates

The period beginning on the date of any future declaration of war by the Congress and ending on a date prescribed by presidential proclamation or concurrent resolution of the Congress. *Code of Federal Regulations*, 3.2 (g).

<sup>7</sup> *Cease fire* — "A command given to any unit or individual firing any weapon to stop engaging the target." *Department of Defense Dictionary*, p. 65.

<sup>8</sup> This agreement is actually a transcript of the discussion held at Safwan Airfield, Iraq, between Coalition participants, U.S. Gen. M. Norman Schwarzkopf and Lt. Gen. Khalid of the Joint Arab Forces, and Iraqi participants, Lt. Gen. Sultan Kasim Ahmad, Chief of Staff of the Ministry of Defense, and Lt. Gen. Sala Abud Mahmud, III Corps Commander.

<sup>9</sup> Acceptance is in the form of a letter to the U.N. Security Council accepting the terms of U.N. Resolution 687 (U.N. document S22485, Apr. 11, 1991).

<sup>10</sup> President George W. Bush, *Address Before A Joint Session of Congress on the United States Response to the Terrorist Attacks of September 11*, September 24, 2001.

<sup>11</sup> *Weekly Compilation of Presidential Documents*, Mar. 24, 2003, vol. 39, no. 12, pp. 338-341.

<sup>12</sup> *Ibid.*, pp. 342-343.

<sup>13</sup> *Ibid.*, May 5, 2003, vol. 39, no. 18, pp. 516-518.