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June 5, 1975

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Chief Executive Officer

General Counsel

Creditability of military service

This is in reply to your request concerning a memorandum to you dated May 19, 1975, from the Chairman, raising a question as to whether the proclamation issued by the President designating May 7, 1975, as the end of the Vietnam Era affects the creditability under the Railroad Retirement Act of military service performed after that date.

The proclamation in question merely served to terminate on May 7, 1975, the eligibility period for those Vietnam war benefits that the President is empowered by law to end. In the proclamation, the President also stated that he was submitting "appropriate legislation to the Congress requesting the termination of the eligibility period for G.I. Bill education and training benefits." It may be noted that a similar proclamation issued by President Eisenhower established a January 31, 1955, termination date for most of the Korean Conflict benefits.

As can be seen from the foregoing, the proclamation in question was not addressed to the period of national emergency which has been in effect since December 16, 1950, and does not, therefore, have any effect upon the continued creditability of military service under the Railroad Retirement Act.

Dale G. Zimmerman
General Counsel

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