

**Mr. Robert Noble
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October 23, 2014

BRUCE T. BROWN
Executive Secretary and Legal Advisor
DoD Civilian/Military Service Review Board
SAF Personnel Council
1500 West Perimeter Road, Suite 3700
Joint Base Andrews NAF, MD 20762-7002

RE: Letter from David Robarge, CIA Chief Historian to Dr. Bruce T. Brown

ATTACHMENTS: Cover letter to rebuttal; Letter to DCIA dated 7.18.2014; Letter from CIA dated 4.15.2003; Letter from DCIA dated 10.3.2014

Not Classified

Rebuttal

Dear Sir,

The letter from Dr. Robarge, while laudatory in tone, is actually prejudicial to the claim Air America employees supported U.S. Armed Forces in Laos during a wartime condition and acted under their jurisdiction and authority.

The C/MSRB is tasked with determining the truth about Air America during a period and place where covert and clandestine activity was commonplace and disinformation was considered appropriate. Dr. Robarge's letter is an ideal example and is disheartening. It would have served a greater purpose had he held discussions with those who were with Air America and studied the history before writing his letter. Now, we are left with the choice of rebutting his letter robustly and alienating a friend, or falling on our sword and accepting a fait accompli we know is false and undeserving.

This endeavor is all the more difficult, because we are rebutting an opinion from the CIA and we lack the credentials that perhaps are necessary to parse our differences on an equal level. Yet, the evidence contained in various CHECO reports and USAF documents do not support his conclusion and we are obligated

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to rebut his comments in the interest of truth and the former employees of Air America.

Dr. Robarge cleverly describes Air America employees' "skill, bravery, loyalty, and faith in themselves", but then says they were always under the control of the CIA and only conducted SAR activity because "they simply recognized other airmen were in peril and reacted accordingly." This is a polite way of calling us unlawful combatants undeserving of patriot benefits.

Dr. Robarge contradicts himself repeatedly. He says, "While non-CIA employees largely handled day-to-day supervision of Air America, management and responsibility for the proprietary's activities remained under the authority of senior CIA officials." But, then he says "Air America also generated revenue by flying support missions for other government entities. This included daily work, often interspersed with Agency missions in the same geographic area, for the Departments of Defense (DOD) and State (DOS) and the U.S. Agency for International Development (USAID)."

It is the support missions for the Department of Defense, that Dr. Robarge says occurred, that Air America claims satisfies the requirements for military service recognition. Who had supervisory authority over Air America while they were supporting the DOD? How could we be characterized as unlawful combatants if we were supporting the DOD as requested and ordered by Washington? That's the question and there isn't any evidence to support his opinion the CIA controlled all Air America operations, but there is ample documented evidence that says something quite different.

Dr. Robarge says, "Given the unique political environment in Laos during this time period and the corresponding need to conceal any overt American military activity, the U.S. ambassador to Laos had special oversight authorities regarding DOD actions. To preserve U.S. national security equities and still fulfill important aviation tasks, successive U.S. ambassadors sought permission from higher authority to use Air America in military support duties. Given the international restrictions placed on the U.S. military and their lack of in-theater capability, Washington often approved these U.S. Embassy Vientiane requests."

We agree, and the documented evidence supports that statement, but then Dr.

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Robarge says this. "At all times, however, Air America activities in Laos were based on CIA directives, which, in turn, were authorized at the highest levels of the U.S. government. Neither the DOS nor the DOD ever exercised exclusive operational control over Air America. Air America employees had the right to refuse any assignment. Moreover, as with any civilian company, resignation was a standing employee option."

The documented evidence does not support that opinion and Dr. Robarge does not offer any evidence to support his statement. I think we can all agree the CIA is not an autonomous entity. Both the Secretary of State and the Secretary of Defense have more authority than the Director of Central Intelligence. All three are part of the National Security Council, so why would Air America be required to operate in accordance with CIA directives when they were working for DOD? Air America had the right to refuse any assignment? I suppose that's true, but isn't that true for anyone? However, how long would a person continue to work for Air America, CIA or DOD if they made a practice of refusing assignments?

The opinions expressed by Dr. Robarge more than likely came from Tim Castle, who authored the Airmen's Bond opinion that was presented at the SAR symposium at UTD in 2009, and who served in the same office as Dr. Robarge. Yet, this opinion, which is not supported by any evidence, is in direct opposition to the opinion expressed by Earl Tilford's book *Search and Rescue in Southeast Asia*, which *is* supported by documented evidence.¹

For example, Dr. Tilford wrote,

"The loss of two American aircraft within twenty-four hours over northern Laos made the June 15 meeting at Udorn, attended by General Moore, Colonel Catlin, and Colonel Tyrrell as well as representatives from Air America, even more critical to future operations. At the conference a plan evolved whereby Air America assumed responsibility for rescue coverage on the Plain of Jars during all Yankee Team missions. The Deputy Commander of the 2d Air Division became responsible for all Air Force search and rescue operations in Laos subject to the rules of engagement established by the American Embassy in Vientiane.

¹ Search & Rescue in Southeast Asia, Earl H. Tilford, Jr., Center for Air Force History, Office of Air Force History, United States Air Force

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The need for their services increased when, throughout June 1964, the communists continued their offensive across northern Laos. By July the tempo of Air Force and Navy air operations over Laos was beyond the limited capabilities of the Air Rescue Service unit at Nakhon Phanom.

Although additional rescue forces were scheduled to arrive, the urgent problem in Laos required an immediate remedy. The fleet of sixteen H-34s turned over to Air America at Udorn in March 1961, had decreased to four. These helicopters provided search and rescue support, in addition to their normal functions, for both the Royal Laotian Air Force and U.S. combat missions. In July 1964, Air America asked for four additional H-34s from Department of Defense resources. CINCPAC protested that all Navy and Marine H-34s in the Pacific had operational commitments. It was suggested that the Royal Thai Army be asked to lend Air America the needed choppers.

Ambassador Martin, fearing an adverse Thai reaction, rejected this suggestion. The Secretary of Defense solved the controversy by instructing the Chairman of the Joint Chiefs of Staff to order CINCPAC to loan the four helicopters to Air America. Admiral Felt then took the H-34s from the Fleet Marine Forces, Pacific, and turned them over to Air America.

These additional helicopters were soon put to use. On August 18, 1964, during the Neutralist withdrawal from their stronghold in the northwestern corner of the Plain of Jars, communist gunners brought down a T-28 engaged in a close air support mission. The wingman notified the Air Support Operations Center at Udorn, and the controllers there, following rescue procedures established at the June 15 Udorn conference, contacted the Air America Air Operations Center at Vientiane. An H-34 took off from Wattay Airport and U.S. Air Force F-100 fighters scrambled from Takhli to form a Rescue Combat Air Patrol. Pathet Lao gunners zeroed in on the approaching helicopter and shot it out of the air. As the F-100s strafed suspected gun emplacements, the enemy scored hits on one of them. The pilot wrestled his crippled craft up to a safe altitude and turned south toward Udorn. He managed to nurse the plane to the Mekong River, then ejected and landed on the southern outskirts of the Thai river town of Nong Khai. An Air America helicopter soon picked him up and flew him to Udorn.

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In Vientiane, six T-28s took off from Wattay to escort a second H-34 search and rescue attempt. Meanwhile, the Air Force jets continued blasting suspected enemy positions with rocket and cannon fire. When the guns fell silent, the chopper darted in and picked up a badly burned Air America helicopter pilot. A Filipino crewman died in the helicopter crash, and the two Thai T-28 flyers, objectives of the original rescue, were last seen scurrying into the bushes, where they disappeared.

In the next two days enemy gunners bagged two more T-28s and the crews were not rescued. From the earliest days of the air war in Southeast Asia it was apparent that search and rescue had to be timely and well organized if it was to succeed. To improve the rescue capability, Ambassador Unger asked the State Department for discretionary authority for use of Air America helicopters and planes for search and rescue whenever he felt the situation warranted such action. The Air Rescue Service HH-43Bs at Nakhon Phanom were limited in range, therefore limited in their usefulness. Royal Laotian Air Force rescue capabilities were negligible, and language differences would have made proper coordination among rescue forces, airborne controllers, the Air Support Operations Center in Udorn, the Air Operations Center in Vientiane, and the downed pilot impossible. Additionally, Air America pilots had knowledge of flying conditions in Laos that came from years of experience.

By November 1964 the Air Rescue Service commitment in Southeast Asia included units at six bases in Thailand and Vietnam. However, the HH-43Bs at Korat and Takhli were useless for aircrew recovery missions in Laos. The Nakhon Phanom local base rescue unit, although designated for Yankee Team search and rescue, lacked the range necessary for effective coverage in northern Laos or the Bolovens Plateau area west of Attapeu in the south. In these places Air America still carried the burden of aircrew recovery.

The first large-scale search and rescue effort of the Indochina war took place on November 18 and 19, 1964, and involved Air Force, Navy, and Air America aircraft. It began when Ball 03, one of two F-100s escorting a Yankee Team reconnaissance mission, was shot down while trading fire with an enemy anti-aircraft gun position. Ball 03's wingman called "dropkick" (a distress signal used in place of mayday to confuse any listening enemy troops) to the Air America

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Air Operations Center in Vientiane at 11:27 in the morning. Ball 03 crashed just south of Ban Senphan in central Laos near the North Vietnamese border. The Air America operations officer at the Air Operations Center diverted one of their C-123s to reconnoiter the area and act as airborne controller until Air Force HU-16s arrived from Korat. Once in position, Tacky 44 (call sign for the H-16 control ship) asked that U.S. Navy A-1E Skyraiders fly to the Ban Senphan area to join the search for the wreckage and pilot and to suppress enemy opposition if it were encountered. Pansy 88 and 89, Air Rescue Service HH-43s at Nakhon Phanom, were put on alert.

F-105s returned to the Ban Senphan area. At mid-morning the aircraft commander of Tacky 45 sighted the downed pilot's parachute and the wreckage on a rocky outcropping only fifty yards from the nearest anti-aircraft position.

As the F-105s attacked the gun position, the on-scene commander contacted Nakhon Phanom and ordered helicopters and their propeller-driven escorts. However, poor weather conditions kept the helicopters grounded for nearly two hours before a pair of Air America H-34s took off and joined four American-piloted T-28s out of Savannakhet to provide escort.

Tacky 44, a second HU-16, relieved Tacky 45 as the on-scene commander and began to control the pickup attempt. Upon arrival at the crash site the copilot of one of the Air America choppers was lowered on a cable. He found that the flyer had apparently died of injuries sustained when he landed on the karst.

On November 21, an RF-101 on a Yankee Team mission was lost forty miles east of Thakhek. The pilot ejected and came down in a tropical rain forest. An Air America H-34 happened to be in the area and recovered the survivor within an hour. Within thirty-six hours the Air Force was forced to rely on Air America twice to perform aircrew recovery missions. At the end of 1964 it was evident that the Air Rescue Service was not able to handle the rescue mission in Laos.

The May 1964 directive from the Joint Chiefs of Staff ordering the introduction of search and rescue forces and plans to deploy those units, inaugurated air-sea rescue service in Southeast Asia. However, orders and plans alone did not meet the needs of combat aircrews. They needed a rescue force capable of aircrew recovery

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missions far inside enemy-held areas of Laos and South Vietnam and in North Vietnam, and this was not forthcoming for another year. The short-range local base rescue Kaman HH-43 Huskie helicopters, sent to Bien Hoa in June but diverted to Nakhon Phanom Air Base, Thailand, had yet to pick up their first survivor. In Laos, Air America remained the backbone of rescue throughout 1964 and into 1965.

In late 1964, due to the limitations of the HH-43 helicopter, Air Rescue Service units were not providing dependable aircrew recovery. In Vietnam, Army and Marine choppers often picked up their own downed flyers. In Laos, Air America pilots, thoroughly familiar with the nuances of terrain and weather, still performed most of the aircrew recoveries. For instance, between June 1964 and June 1965, Air America helicopters picked up twenty-one downed aircrew members. Air Rescue Service choppers rescued only five flyers downed in Laos.”

When Tim Castle was confronted with this evidence he stepped back partially and said this situation only occurred for two years, but that's not true either. Certainly the USAF rescue force did improve their capability, but the order from State to include Air America assets in a SAR situation was never rescinded and Air America continued to be involved with SAR activity at the request of 7th/13th AF until the war in Laos ended. Proof of that statement is located in several CHECO reports generated by the USAF. Joint SAR responsibility for LS-85 was in effect until the site fell in 1968. It was Air America who conducted most of the rescue effort.

The Spectre 22 rescue was a joint SAR operation involving USAF and Air America assets that occurred in in March 1972, well after 1965. It is purported to be the largest rescue in the Vietnam War where thirteen crewmembers of an AC-130 gunship that had been shot down over the Ho Chi Minh Trail were saved. Numerous rescues of downed USAF and Navy aircrew members by Air America are documented in the late sixties and early seventies. Training by USAF and US Army personnel occurred in the early seventies for C-130 and the CH47C helicopter, and Air America piloted these aircraft carrying tons of Ammunition supporting the USAF Ravens operating in Laos. Therefore, the statement “Air America rescue operation only lasted for two years” is false.

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Still the jurisdiction and authority question remains in limbo due the ambiguity and differences of opinion among historians. Adding more confusion, the DNI had generated a report on Air America that was requested by Congress authored by the Booze, Allen, Hamilton law firm. They interviewed a couple of line pilots, who did not conduct any historical research before speaking, but the Base Manager Udorn, Mr. C.J. Abadie, and the Chief Pilot Helicopter Udorn, Mr. E.W. Knight, who both served for many years with Air America were not interviewed. Both of these gentlemen are still living and could have been contacted, but were not.

That report echoed the opinion of Tim Castle and it is apparent the law firm did not consult USAF documents and USAF CHECO reports before submitting their finding. The report is prejudicial and factually false and was justifiably questioned. Evidence to the contrary was presented to the DNI and a request was made to revise the opinion based on the presented evidence.

This is what General James R. Clapper said in a letter to Allen Cates.

“Dear Mr. Cates:

Thank you for your recent letters seeking my endorsement of Air America's rebuttal to the 6 November 2013, US Air Force Judge Advocate's Offices' opinion denying Air America employees veteran status.

While I recognize the sacrifice and service Air America pilots provided during the conflict in Vietnam, current law bars me from personally endorsing or otherwise participating in your request to the Air Force for reconsideration. Furthermore, to act in a professional capacity in this matter would be outside the scope of my authority.”

Henry Kissinger pretty well said the same thing, so apparently neither the current DNI nor the Secretary of State during the war in Laos wants to either corroborate or refute the finding, when confronted with contrasting evidence. It was hoped the CIA historian would not follow suit, because being called a skillful, brave mercenary is not complimentary.

It is interesting to note that in a letter written to the Personal Operations Division in Oklahoma City, OK from Harry C. Aderholt, B/Gen, USAF Ret. said,

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“I was the commander of the Air Commando project 404, Udorn, Thailand; as well as the Commander of the Air Commando First and 56th Wing.

In this capacity, I was responsible for furnishing the aircraft and instruction pilots for the Air America pilots flying clandestine missions to Laos.

This letter is to verify that John C. Wiren was one of the original pilots recruited by the U.S. Embassy/CIA in Vientiane, Laos to fly insurgent/search and rescue missions in Laos and Vietnam during the period of 2 May 1964-11 Jan. 1966.

(flying T-28's)

This group was code named Eagle Flight and was required to resign from Air America, Inc. working directly for Ambassador Leonard Unger and Col. Robert Tyrrell (USAF). They were instrumental in rescuing many downed U.S. Military pilots during their tenure.”

Apparently General Aderholt didn't mind speaking up for former Air America pilots. I would like to point out however, John Wiren was, as Gen. Aderholt stated, required to sign resignation papers, as was all the other Air America T-28 pilots, but they didn't actually resign. All of them continued to work flying for Air America and operated the T-28s when missions were required. None of them worked for the CIA because if they did they would have been issued Personal Service Agreements, but were not, nor was any other Air America employee, except for a scant few who were actual CIA employees embedded in Air America and who were paid on a different scale and benefit package. The USAF technicians who manned Site-85 were also required to resign from the USAF, although they too never actually resigned and wore their uniforms while in Udorn and civilian clothes when in Laos. Therefore, resignations by USAF and Air America personnel were for plausible deniability and never actually occurred.

Major General Richard Secord wrote in a letter to Allen Cates in 2004, stating,

“AAM supported the joint project 404 (US Army and USAF personnel deployed at the 6 main operating sites in Laos) which entailed continuing combat. AAM also directly supported the USAF RAVEN FAC program in Laos with both fixed and rotary wing aircraft.

Additionally. AAM support of the US manned “Site -85” radar bombing facility in far northern Laos during 1967 is well documented. I was the Agency officer in charge of the defense of this site. AAM helicopters rescued all our surviving

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military personnel on 11 March 1968 while the site was under heavy NVA Infantry and Artillery attack.”

The declassified CHECO report on the fall of LS-85 said this:

“As conceived in evacuation plans, the decision to evacuate was reserved for the Ambassador, Vientiane. First priority of evacuees was allocated to the 13 TSQ/TACAN personnel; however, enough helicopters were to be provided to permit a total of 155 to be lifted out. The others, guerrillas, were to be extracted when the Local Area Defense Commander deemed appropriate. Five helicopters, three USAF and two Air America, were designated as the force required to accomplish the evacuation.

To provide an immediate capability, the two Air America helicopters were to remain overnight (RON) each night at nearby Lima Site 98; USAF helicopters were to come from Thailand-based resources. Subsequently, some USAF messages expressed the desire for Air America helicopters to RON Site 85, not 98. However, this was not changed; it was feared helicopter presence at Site 85 would have provoked an enemy attempt to destroy these lucrative targets. If they had been destroyed, the planned emergency lift capability would have vanished. But the point was well taken, for weather also might have disrupted the rescue flight from Site 98 to Site 85.

Following a decision to evacuate, the Ambassador was to notify 7/13 AF TACC at Udorn AB, Thailand who could in turn notify 7AF at Tan Son Nhut AB, Vietnam. Weather permitting, 7 AF was to scramble or divert four A-1 aircraft to provide cover for the evacuation, suppress enemy fire, and FAC or subsequent jet strikes. The LADC and an attache-provided FAC were to help direct the strikes. The plan allowed a limited night evacuation capability (the RON helicopters at Site 98), but pre-supposed a daylight effort. ”

Actually, it was impossible to separate AAM, DOD, DOS USAF and the CIA because everybody was supporting each other. And, according to the records in the document *The War in Northern Laos by Victor Anthony and Richard Sexton* that we are using for our reconsideration request, they were all bickering with each other over who was in charge. Everything was secret then, but all of it has been

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declassified now. And this document clearly corroborates Air America/U.S. military joint activity. So, why all the subterfuge and disinformation at this late date, and why is the CIA historian discrediting Air America employees by heaping praise and chastising them for seeking benefits at the same time? ²

Dr. Robarge said the CIA subject matter experts conducted extensive research on Air America, and then said the company was created in 1959. This is slightly off subject, but goes to credibility. CAT, Inc. was created in 1950 as a Delaware corporation. The name was changed in 1959 to Air America, Inc. The president of Air America, Mr. Hugh Grundy, said the name was changed because Civil Air Transport, commonly called CAT and 40% owned by CAT, Inc. was confusing when referring to CAT, Inc. However, some speculation was made the name was changed when CAT, Inc. started their support for U.S. Special Forces in Laos before the CIA even got there.

I believe everyone agrees the history of Air America was complicated and difficult due the secrecy required in Laos, but the CIA should know it, and apparently doesn't. Many of the current CIA personnel were not even born yet when the war in Laos was unfolding. Therefore, to a certain extent it is understood why errors exist, but most historians will either rebut or alter their remarks when confronted with evidence that challenges the opinions stated. The CIA did neither.

Dr. Robarge cited several awards and honors the CIA provided Air America. One was a Unit Citation. Reading the citation there is not one mention of work conducted for the Armed Forces or DOD. The insinuation made by Dr. Robarge was the employees should not want more recognition than the citation itself. It was a nice gesture but most employees assumed the citation was for work conducted for the CIA, and was not for work conducted for other entities that Dr. Robarge referred to. Furthermore, the citation itself does not provide any benefits and the cost to the CIA was zero.

Dr. Robarge talked about the CIA-University of Texas at Dallas symposium in 2009 focused on Air America's wartime role in SAR operations. That symposium

² The War in Northern Laos 1954-1973 by Victor B. Anthony and Richard R. Sexton Center for Air Force History United States Air Force

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was centered on a common theme by Tim Castle, who stated Air America employees conducted SAR activity solely due to an "Airman's Bond" but without jurisdiction and authority from the USAF. But that contradicts what Dr. Robarge said later in his letter when he said U.S. Ambassadors sought permission from higher authority to use Air America in military support duties. He didn't say the Ambassadors sought permission from the CIA.

The evidence previously submitted supports the conclusion Air America did operate under the jurisdiction and authority of the USAF while operating military aircraft in support of USAF operations in Laos. The CIA position taking credit for work conducted for the USAF is not supported by any documentation that I am aware of and is not included in the letter by Dr. Robarge.

Dr. Robarge said Air America offered their employees higher pay and benefits equal to or greater than paid to other airline professionals. That's not true. The pay scale for Air America was typically equal to a pilot with most airlines. However, an airline pilot did not normally conduct military operations in hazardous conditions and suffer MIA, WIA and KIA casualties. Furthermore, most airlines offered substantial retirement benefits and Air America did not. A typical military pilot O-3 was making \$900.00 a month in the mid sixties, but had far more benefits. The more we flew in Laos the greater the threat and we were paid more than our base pay with over time, but the CIA had nothing to do with this and even Dr. Robarge doesn't repeat the often repeated phrase the "CIA owned Air America." Air America was paid by the Office of Personnel Management and the U.S Treasury the same as any other federal employee, but was not offered retirement benefits.

Dr. Robarge went on to say Air America chose to have their families join them and the company operated an elementary through twelfth grade school. What he does not say is that most Air America employees averaged more than five years working in Laos. They had tremendous experience and the company could not afford to use new hires for a very difficult job. It stands to reason the employees would have families that needed an education, but this school was not just for Air America. Children from DOD, DOS, CIA, and USAID also went to this school. Therefore it was not just an Air America benefit. The truth is the school was a benefit from the Mad River contract executed by the U.S. military between them and Air America.

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It was not easy duty for wives and children, which is suggested by Dr. Robarge. There were no cell phones back then and communications were limited. The families never knew if their husband and father would come home safe and sound until he showed up at the door. The families were packed up and shipped home immediately within a day if the pilot was killed in action. No time was given for goodbyes or memorial events and many families were left essentially penniless with no human resource assistance. Those seriously wounded in action, or burned in accidents were immediately shipped off to medical centers in Tokyo or the United States. All pay was stopped abruptly for those KIA. Fortunately there were limited workers comp benefits available, but workers comp benefits were required by USAF contracts and had nothing whatsoever to do with the CIA. It is disingenuous for Dr. Robarge to suggest the CIA took care of families of Air America employees.

The same went for airline discounts. The CIA, DOD, DOS and USAID had these same discounts. In fact, all airline crewmembers have discounted travel benefits and still do today.

Near the end of his letter Dr. Robarge talks about SAR. He says there was a CIA-U.S. military relationship and that's true, but he goes on to say Air America was not contractually obligated to conduct U.S. military-related rescue missions. Neither was the U.S. Air Force helicopter rescue force in Thailand. How do you contract a SAR mission? However, Air America was contracted by the U.S. military for support to U.S. Armed Forces in Laos and designated primary SAR for Northern Laos and that is documented.

Wayne Knight, former Chief Pilot Helicopter Udorn, stated in writing he personally set up LS-36 in Laos with USAF personnel to stage SAR operations in the event they happened when USAF aircraft were shot down in Laos and in North Vietnam. The crews were obligated to standby with HF radios and if a SAR situation developed they were told what frequency to contact the overhead command center and then coordinated with close air support that were either T-28s flown by Air America pilots or A-1E aircraft flown by USAF pilots.

Aircrews were not paid to standby and usually SAR situations didn't develop daily.

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The crews complained and eventually better communication networks allowed crews to fly missions while standing by on guard channel and checking in with Udorn Operations every 30 minutes. This was a better use of assets and satisfied the complaints, but the claim by both Tim Castle and Dr. Robarge that Air America was not obligated to conduct SAR missions is patently false. Yes, I am sure some spontaneous rescues did occur, however, the DOD, DOS and 7th/13th AF knew it was far better to have a rescue force in northern Laos that could act quickly to extract a downed pilot rather than rely on a rescue from the USAF helicopters in Thailand. Therefore, the Secretary of State Dean Rusk in writing designated Air America as the primary SAR for Northern Laos and that is documented in several books.

The same situation applied to SAR responsibility for LS-85. It was too far north for USAF helicopters to get there in time if an emergency developed. Therefore, Air America and the USAF rescue force in Thailand were tasked with joint SAR responsibility. The emergency did develop and two Air America helicopters were launched from LS-20A (LS-98) when the attack occurred. Dr. Robarge's claim of a radio beacon alerting Ken Wood did not happen. Where would it come from? There was no downed plane. Site-85 had radio contact with 7th/13th AF. They needed help and they didn't really care where it came from. Ken Wood may not have known about the joint SAR plans. AAM pilots were not always told about these plans. Earlier in the war one of the AAM pilots that was there that day, Phil Goddard, gave a briefing to Navy pilots about the capability of AAM to assist. There is documented evidence CINCPAC demanded his photo recon pilots have escorts and a helicopter rescue force available in close proximity if needed.

The Geneva Accords prevented overt military activity, but there was plenty of covert activity. Military personnel in Laos wore civilian clothes. This included the Ravens and AIRA/ARMA attaches. Everybody there was an unprivileged belligerent in the eyes of the enemy, including Air America, but not to those who sent them in harms way, because they were acting in accordance with jurisdiction and authority from the president thru the NSC. To even suggest Air America employees were unlawful combatants and therefore not qualified for veteran status is either defamatory or woefully ignorant of the definition. Therefore, Dr. Robarge's glowing remarks ring hollow because they are lacking in substance and inconsequential when evaluating Air America for veteran status.

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Under ordinary circumstances it would be laughable except the difference was everybody there covertly, including CIA employees, Ravens, USAF, and U.S. Army personnel, received death and disability benefits as veterans except Air America.

Thanks to the USAF contracts, Air America employees who received injuries resulting in long term disabilities were covered by Workers' Compensation. But, this was only thru the Defense Base Act and the total amount was only 30% of base pay. As veterans, they would come under the War Hazards Act and could receive as much as 100% just like any other veteran. Had these contracts not existed the CIA would not have provided one cent to those they say they controlled and supported.

Actually there is only a handful that this would apply to. Most of Air America's employees were not in harm's way and were support personnel and most were already veterans. The majority would not receive any tangible benefits, but the intangible benefit of being recognized as a veteran and a patriot would create the legacy that Air America employees deserve.

Edward Marek was a USAF officer stationed in Thailand during the Lao conflict. He later conducted research on the fall of LS-36 and wrote *LS-36 "The Alamo" in Laos*.³

Lt/Col. Marek wrote,

"Air America received four H-34s in December 1960 and another 16 in March 1961, the latter based at Udorn RTAFB, Thailand. Lt. General Andrew Boyle was in charge of US advisors in Laos from January 1961 to May 1962. He would become the chief of the Military Advisory and Assistance Group (MAAG) in Laos.

In May 1961, Boyle urged the USAF's Far East procurement agency to consummate a contract with Taiwan-based Air America to "fly airplanes where I want them, when I want them, and with no interference." This contract came to be

³ LS-36, "The Alamo" in Laos, By Edward S. Marek, Lt. Col., USAF (Ret.) 1020 Parcher Street Wausau, WI 54403 <http://www.talkingproud.us/Military/Military/LS36Alamo.html>

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known as “Mad River” and was signed in July 1961.

In reality, the Mad River contract did not significantly change what Air America was doing before 1961, but it certainly received a lot more helicopters with which to do it when it got this contract. The contract was, by the way, sole source.”

At the end of his research document he said this,

“I found an undated memo from National Security Advisor Kissinger to President Nixon in the State Department’s historical documents. The subject of this document is, “The War in Laos and the Significance of the Fall of Na Khang.

Kissinger’s remarks that I wanted to highlight are as follows:

The war in Laos took a serious turn a month ago with the fall of the Na Khang guerrilla base in Northeastern Laos ... There are two levels of conflict in Laos—the more limited conflict between the RLG and the Communists and the larger conflict relating to the Vietnam War ... The Fall of Na Khang in the Strategic Perspectives: This incident is not vital to either level of conflict, but it may relate to both.

Not much of a memo, especially given the number of people who died trying to hold it and their valor and courage.”

Lt/Col Marek went on to say,

“I wish to close with one final comment. Air America people were sent home in 1975, and probably because of all the politics and secrecy surrounding it, Air America people were not received with much, if any, fanfare. As an USAF veteran of the Indochina War whose unit was involved in electronic reconnaissance, mostly over Laos, I can tell you that the term “Air America” has always brought out the “haters” I will call them in the journalism and book writing businesses. My guess is none of them really understood the service, sacrifices, loyalty and valor with which these men flew, and more important, did not understand they did what they did for their country and its allies in that war. I personally tip my hat to them.”

Dr. Robert Noble
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A letter from the Chief historian with the CIA carries a lot of weight, and will be part of Air America's history whether we like it or not. And, if it's the truth we should accept it, but the history of Air America should not be chronicled as a group of brave, skilled, but unlawful combatants because it's not the truth. The books by USAF veterans, CHECO reports and documented messages from DOD and DOS to the Ambassador in Laos do not support Dr. Robarge's opinion. He may even believe what he wrote, but the opinion is unsubstantiated and carries only the weight of his position. It is not in our interest to discredit Dr. Robarge. We would rather prefer to present the documented evidence and enlist his support. Yet, in the end, and if he remains firm with his resolve, we are forced to rebut with the truth that cannot be denied.

Veteran status to those in the majority who are already veterans will cost the government virtually nothing, but it will correct the record and establish whom we really were and what we really did. I urge the C/MSRB to support the reconsideration request based on documented evidence, and not on unsupported opinion. And perhaps, we didn't cross every T or dot every I in the eyes of every historian, but there should be no doubt whatsoever that Air America supported the U.S. Armed Forces in Laos at the direction of DOD, DOS and in accordance with 7th/13th AF directives. We did it valiantly and we did it together because neither they nor us could have done it without each other's support. And yes, both Air America and the U.S. Armed Forces died or were severely injured, but we did it because it was the right thing to do.

Should there be any doubt in your mind, then I'm asking you to do it for the same reason, because it's the right thing to do.

Yours truly,

Robert Noble