Report on the Retirement Benefits
for Former Employees
of Air America

July 2011

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SECTION 1. SCOPE

This report is a response to Section 1057 of the Fiscal Year 2010 National Defense Authorization Act for a history of Air America and its associated companies during the period that the Company was owned by the U.S. Government and operated or managed by the Central Intelligence Agency (CIA), as well as to discuss the advisability of providing Federal retirement benefits to U.S. citizens for their service before 1977.

We performed a de novo review of the issue of retirement benefits for U.S. citizens and their efforts toward attaining Federal retirement benefits. Such a report requires a substantial and intensive effort, given the number of files and the difficulty in deriving information useful to this effort from them. To reduce the length of time required to produce this report, the Office of the Director of National Intelligence (ODNI) was granted relief from re-creating a full history on Air America, which has been covered extensively and in great detail by professional historians and former employees of Air America. Instead, this document summarizes the work of these parties, focusing on Air America’s corporate history, its workforce and missions, and the casualties suffered by its employees. References are made throughout the document to the original sources.

Air America’s associated companies include Air America, Inc.; Air America, Ltd.; Air Asia Company, Ltd.; most of the government work of Civil Air Transport (CAT), Inc.; CAT, Ltd.; the Pacific Division of Southern Air Transport; and Thai-Pacific Services Company, Ltd. Thai-Pacific was an inactive company with limited cross-identification with Air America and whose primary purpose was to exist in case of future need. Unless otherwise specified, “Air America” includes the associated companies in this report. Continental Air Services, Inc. (CASI), a company owned by Continental Airlines, flew humanitarian missions, as well as hazardous and sensitive covert missions for the CIA under the same conditions and challenges as Air America. It was not owned by the CIA. The Government contracted with CASI to avoid the appearance that Air America had a monopoly.1

This report includes the following elements:

(A) The history of Air America before 1977, including a description of—
   (i) The relationship between Air America and the CIA or any other element of the U.S. Government.
   (ii) The workforce of Air America.
   (iii) The missions performed by Air America and its employees for the U.S.
   (iv) The casualties suffered by employees of Air America in the course of their employment.

(B) A description of—
   (i) The retirement benefits contracted for, or promised to, the employees of Air America before 1977.
   (ii) The contributions made by such employees for such benefits.
   (iii) The retirement benefits actually paid to such employees.
   (iv) The entitlement of such employees to the payment of future retirement benefits.

1 Interview with Dr. Timothy N. Castle, April 29, 2011. Congresswoman Loretta Sanchez of California recognized CASI with a Tribute to Continental Air Services, Inc., honoring the personnel of CASI for their service between 1965 and 1975 in Southeast Asia (see http://www.air-america.net/images/CASI/CASI-Commendation.pdf).
(v) The likelihood that such employees will receive any future retirement benefits.

(C) An assessment of the difference between—

(i) The retirement benefits that former employees of Air America have received or will receive by virtue of their employment with Air America.

(ii) The retirement benefits that such employees would have received, or be eligible to receive, if such employment was deemed to be employment by the U.S. Government, and their service during such employment was credited as Federal service for the purpose of Federal retirement benefits.
SECTION 2. EXECUTIVE SUMMARY

This report provides a history of Air America and its associated companies, including the workforce, missions, and casualties, during the period that the Company was owned by the U.S. Government and operated or managed by the CIA. This report also reviews Air America's retirement plan, including a description of the retirement benefits contracted for, or promised to, the employees of Air America before 1977, the contributions made by such employees for such benefits, the retirement benefits actually paid to such employees, their entitlement to payment of future retirement benefits, the likelihood that such employees will receive any future retirement benefits, and an assessment of the difference between the benefits they received under Air America's retirement plan and those they would have received had they been deemed employees of the Federal Government. The ODNI alone is responsible for the conclusions of this report.

The conclusion of the report is based on weighing three critical factors in determining whether Federal retirement benefits are warranted: mission, precedent, and extenuating circumstances. In our view, consideration of these factors does not support granting universal and retroactive Federal status to former employees of Air America. We believe strongly that the legacy of Air America and its contributions should not hinge on the granting of Federal retirement benefits that were neither expected, nor we believe, justified.

The CIA bought CAT in 1950 use in anti-Communist operations in Asia. In 1959 CAT was renamed Air America. The airline supported the CIA and other government agencies, including the U.S. Agency for International Development (USAID) and the Department of Defense (DoD), until the end of the U.S. presence in Vietnam in 1975. The Company was dissolved the following year.

Between 1947 and 1975, 250 employees of Air America died, 131 of whom were American. Of those, 98 were job-related deaths, 8 were missing in action.

Air America is considered to have been the CIA's largest proprietary company, a legitimate business owned by the CIA and used as a base for covert activities operations. The extensive workforce performed as pilots and other aircrew, ground support, management, and staff to support the large presence of Air America employees and their families throughout Asia. Their missions included airdrops of food and supplies, reconnaissance, and Close Air Support missions in support of Search and Rescue (SAR) and infiltration/exfiltration missions. According to a CIA historian, Air America employees were not under contract for SAR missions—which they undertook on their own initiative—and researchers found no evidence that they were compensated for those missions.

Interviews with former employees of Air America indicate that they did not have an understanding when hired—or in the case of one interviewee, when CAT was taken over by the CIA—that they were employees of the U.S. Government.

The pursuit by former Air America employees of Federal benefits through the Merit Systems Protection Board (MSPB), through the Office of Personnel Management (OPM), in court, and in

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4 Interview with Dr. Timothy N. Castle, December 23, 2010.
Congress has proved unsuccessful. The courts twice have determined that Air America employees were not Federal employees, ruling consistently in each case. Attempts to date to get legislation passed in Congress conferring benefits have failed. A review of the information found during preparation of this report, including an exploration of the records of the Company and the personnel, indicate that Air America pilots, flight crew, support staff, and administrators were hired and employed by Air America as private citizens. As such, they were managed by the executive staff of Air America, acting in the interest of the Company. They were given letters of employment, benefits packages, and compensation from Air America, and the employment and benefits policies of the Company were managed by the Company’s executive staff.

Importantly, two separate policies of Air America were available to employees and/or their beneficiaries once their employment ended, as follows:

- The Air America Retirement Plan gave employees a vehicle to save money to purchase an annuity on retirement. Air America contributed six percent of an employee’s compensation to that fund, with the employees vesting incrementally.

- The death benefits policy compensated the survivors of employees who died in job-related incidents. The policy in effect and the amount of coverage varied throughout the lifetime of the Company. This benefit was separate from—and in addition to—the Company’s retirement benefits.

The employees of CAT and Air America provided dangerous and vital services in support of the U.S., and they performed their missions swiftly and courageously. They have been honored by U.S. Presidents, the Government of France, and the Director of the CIA, among others, for their devotion and courage. A list of some of the honors bestowed on Air America appears in Appendix C. Those honors include the French Foreign Legion Award, letters from President Ronald Reagan and President George H.W. Bush, and a symposium cosponsored by the CIA to honor Air America’s rescue efforts during the Vietnam War.

Although the employees of CAT and Air America and its associated companies supported U.S. operations and worked alongside government and military employees, this study finds no factual basis to support the claim that employees of Air America were or should be considered Federal employees.
SECTION 3. METHODOLOGY

The study involved a de novo review of this longstanding issue, which was initiated in September 2010 and continued over the following months. The motivation for such an intensive and comprehensive review is clear and straightforward: to ensure that every avenue was pursued in responding to the petition of people who have risked, and in some cases given, their lives in the service of their country. At the same time, the study sought to balance the need for fairness with the need for timeliness—to provide a review of the recognition and benefits issues concerning a population of former employees who have endured other assessments, legal and administrative, and who are considerably advanced in age.

To complete this report, researchers drew on histories available through the CIA; the Air America Organization; the CAT/Air America Archive at the McDermott Library, University of Texas at Dallas; the Vietnam Center and Archive at Texas Tech University; authors, including William M. Leary and Joe F. Leeker; interviews with former Air America employees and current and former CIA staff members; as well as the CIA’s collection of personnel records and boxes of corporate records on Air America.

Because of the large number of records in storage—318 boxes of Air America personnel records—and the incomplete nature of these records, researchers relied on a review of a strong sample of the records, rather than perform a comprehensive review of every individual employee file. To preserve the privacy of the employees, these files are assigned numbers.

Researchers used exemplars, based on a range of employee status, time in service, and level of participation in the Air America Retirement Plan, to demonstrate the plan’s benefits payouts. The personnel records are incomplete and inconsistent with respect to the type of records in each file; therefore, salary and compensation information is estimated based on the data available.

Contributions made by employees for such benefits and retirement benefits actually paid to these employees are drawn from individual personnel files, randomly selected, where available.

Because the retirement plans of Air America and the Federal Government are fundamentally different—the former is a defined contribution plan and the latter is a defined benefit plan—comparison is difficult. For illustrative purposes only, the exemplars include an estimated Civil Service Retirement System (CSRS) annuity.
SECTION 4. REPORT ON AIR AMERICA

4.1 INTRODUCTION
Air America, the largest proprietary company wholly owned by the CIA, employed thousands of people, both U.S. citizens and foreign nationals.

The CIA bought the airline that would become Air America from General Claire Chennault of the World War II Flying Tigers and his associate Whiting Willauer in 1950, when the agency purchased all the shares of CAT to provide air transport capabilities for covert operations in Asia, as well as to keep the airline from falling into communist Chinese hands. The airline flew commercial flights as well as overt and covert missions for the U.S. Government.

Operational activities with the CIA ended with the fall of Saigon to North Vietnamese forces on April 30, 1975, and Air America was dissolved in 1976.

Air America employees have petitioned for Federal retirement benefits, which courts have ruled against. They also have presented their case to Congress to request legislation to grant the former employees status as Federal employees.

4.2 AIR AMERICA'S RELATIONSHIP WITH THE U.S. GOVERNMENT: LITIGATION AND LEGAL STATUS
A review and summary of legislation, case law, and congressional actions addressing Air America employees' eligibility for Federal retirement benefits, and their efforts in seeking such benefits, is presented in Appendix A. This section of the report summarizes that review.

The issue of Air America employees' eligibility for Federal retirement benefits has been litigated twice in Federal courts, with the courts finding no eligibility in both instances based on a lack of appointment into a Federal position. See Bevans vs. OPM and Watts vs. OPM. Employees of Air America and related entities also petitioned for Federal benefits through the U.S. Air Force (USAF) and through an employee class action suit. In both instances, their claims were denied.

Air America employees also have raised the prospect of gaining Federal employment status by classifying Air America as a government corporation. The issue of whether or not Air America qualifies as a government corporation has never been litigated in the courts, but Air America employees point to similarities between Air America and Radio Free Europe (RFE) in arguing for its inclusion as a government corporation. The status of RFE was considered by the courts in 1985, post-passage of an amendment to the Foreign Service Act in 1980, which granted service credit to a narrow class of RFE employees, with the court finding RFE not to be a government corporation based on an explicit lack of congressional intent to create it as such and the

5 Church Committee Report, Book I Section XI, Proprietaries. "Acting under broad authority granted them by the National Security Act of 1947 and the CIA Act of 1949 as noted in 50 USC 403(j), the various Directors of CIA have established proprietaries (Government-owned business enterprises, foundations and quasi-business enterprises) to serve a variety of intelligence and covert action purposes." 1975-76, p. 206. http://www.aarclibrary.org/publib/contents/church/contents_church_reports.htm.
6 Ibid., p. 1.
7 See Bevans vs. OPM, 900 F.2d 1558 (Fed.Cir. 1990). See also Watts v. OPM, 814 F.2d 1576 (Fed. Cir. 1987).
government was not involved in extensive, day-to-day supervision of RFE/RL. See *Ralis v. RFE/RL*. In 1995, the Supreme Court provided a brief history of government corporations in its adjudication of the case *Lebron v. National R.R. Passenger Corp.*, in which it noted that government corporations are specifically legislated into existence by Congress per 31 USC §9102, for furtherance of governmental objectives, and retains for itself permanent authority to appoint a majority of the directors of that corporation.

Air America employees have argued for treatment similar to that of RFE employees in receiving Federal retirement benefits. In 1980, Congress passed an amendment to 5 USC §8332(b), retroactively providing Federal service credit to RFE employees for certain periods of employment. The legislation specifically noted that it was not meant to set a precedent for any future action. The fact that the amendment passed has been construed by Air America employees as having some precedential value, however, granting RFE employees Federal service credit did not transform RFE into a government corporation, as seen in subsequent litigation. See *Ralis v. RFE/RL*, 770 F.2d 1121 (C.A.D.C. 1985).

Finally, Air America employees point to a change in OPM’s Federal Personnel Manual (FPM) that, at one juncture, granted retroactive Federal employment status for individuals who were working under Personal Service Contracts (PSC) with the Government. The Court, in *Horner v. Acosta*, struck down this argument, holding that Federal employment status was granted only by meeting all three prongs of 5 USC §2105. The Court did not find that the FPM was a formal regulation (as would be promulgated through formal agency rulemaking—see Administrative Procedure Act of 1947). Even if the FPM were considered a formal rule, the Court found that such a rule was inconsistent with the statute governing Federal employment status and, therefore, was not valid because statutes override agency rulemaking where there exists such a conflict. The Court did not address whether or not appellants were indeed working under PSCs, but rejected the argument that such contracts could confer Federal employee status. This finding was upheld in later cases. See *Bevans v. OPM* (directly addressing Air America employees) and *Bernabe v. OPM* (citing *Horner v. Acosta* and *Bevans v. OPM* in noting that “employment contracts did not make individuals employees”).

### 4.3 History of Air America as Related by Former Employees

The ODNI interviewed former employees of Air America, who graciously gave their time to inform this report, patiently answering questions they have undoubtedly answered many times before. The stories these airmen told were both heart-wrenching and inspiring.

For these interviews, the researchers developed a set of standard questions, focusing on the employees’ awareness and understanding of the CIA’s ownership of Air America, as well as of the status of Air America staff as Federal employees and expectations of Federal retirement benefits. The ODNI’s Program Manager held interviews with three former Air America employees, as well as one former CIA undercover officer who worked with Air America for 7 years. These interviewees, who are not named in this report, include Air America management, legal counsel, and flight crew. Their description of the history of the Company and their

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12 See *LeBron*, 513 U.S. at 390.
employment status adds depth to the written histories and news articles on CAT and Air America and sheds light on the understanding of Air America's relationship with the CIA. A compilation of the responses to these interviews is presented in Appendix B.

The Program Manager met with current CIA employees from the Office of General Counsel and Center for the Study of Intelligence. They reiterated unanimously that Air America employees were not Federal employees. They also were unanimous in their respect for and appreciation of the heroic feats that Air America employees performed in supporting the U.S. mission in Asia.

The CIA employees pointed to the recognition ceremonies and honors given to the employees of Air America, including—

- A 2009 symposium, titled Air America: Upholding the Airmen's Bond, at the University of Texas at Dallas.
- Invitation to family members of former Air America employees to visit CIA Headquarters and meet with senior CIA leadership.
- Inclusion of two Air America pilots on the CIA’s Wall of Honor.
- Artwork depicting Air America’s missions hung in the CIA’s museum displays.

Interviews conducted in October 2008 by Dr. Timothy N. Castle, Center for the Study of Intelligence, CIA, with employees and family members were included in the brochure of the 2009 symposium.

4.3.1 Relationship with the CIA: Understanding of Ownership of Air America
At the time that CAT and later Air America and associated companies were in operation there were few employees—primarily high-level management—who were witting of the relationship with the CIA. The CIA’s ownership of CAT/Air America was top secret, and information about the CIA’s role was highly restricted, becoming widely known only after the dissolution of the airline. Interview with former employees bear that out—while it was generally understood by the pilots and crew who flew covert missions that the "customer" was the CIA, no more than a dozen knew that the CIA owned CAT/Air America or that about a half dozen were employees of the CIA, working undercover. As far as the employees of CAT and Air America and its associated companies understood, the airline was privately owned and managed.

4.3.2 Workforce and Understanding of Employment Status
The Air America workforce included pilots, ground crew, air freight specialists, and flight attendants for the commercial flights. In 1962, the U.S. Government markedly increased the number of helicopter pilots serving Air America. They were primarily former U.S. Marines, who were told that the

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15 For additional honors and recognitions, see Appendix C.
17 Interview with former Air America legal counsel, October 20, 2010.
18 Interviews with former Air America legal counsel and former Air America executives, October 20, 2010.

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"Government wants you to work for this airline." These Marines who left the military to join Air America understood they could rejoin the military and receive credit for their service toward their retirement plan.

The interviews indicate that former employees other than that group of those Marines did not have an understanding when hired—or in the case of one interviewee, when CAT was taken over by the CIA—that they were employees of the U.S. Government.

4.4 CORPORATE HISTORY AND CHRONOLOGY OF AIR AMERICA

Air America provided air support for U.S. operations in southeast Asia under cover of a commercial flying service, financing itself from contracts with DoD, USAID, and the CIA. The airline and its associated companies employed both U.S. citizens and foreign nationals.

Until March 1955, CAT, Inc., then the only company in what is now known as the Air America complex, performed all the airline's services: operation of the Taiwanese flag airline doing business as CAT, contract and covert flying, and maintenance work. After a reorganization, most of the operations of CAT, Inc.—renamed Air America Inc., on March 31, 1959,—performed the Company's contract and covert flying. Civil Air Transport Company, Ltd., (CATCL) was organized to comply with foreign investment requirements and to permit conduct of international passenger flights. Asiatic Aeronautical Company, Ltd., (AACl)—renamed Air Asia Company, Ltd., on April 1, 1959,—operated a large maintenance base. The management of the companies overlapped to a degree.

4.4.1 Timeline

The chronology that follows focuses on the corporate history and ownership of Air America. A timeline depicting Air America's missions and notable events in the airline's history, beginning in 1947 as CAT, to the CIA's commendation of Air America employees in 2001, can be found in the publication, Air America: Upholding the Airmen's Bond.

Figure 1 illustrates the corporate relationships of Air America.

1946: The Chinese National Relief and Rehabilitation Agency (CNRRA) Air Transport (CAT) was established by General Claire Chennault and Whiting Willauer to support CNRRA by airlifting food and supplies into China.

1948: CNRRA closed, and CAT became Civil Air Transport.

1949: CAT's head office moved to Hong Kong, and CAT signed contracts to support the CIA.

1950: The CIA purchased CAT to support clandestine operations in Asia and to keep the airline, which no longer had funding from contracts with the Chinese Nationalist Government, from falling into Communist Chinese hands. The CIA established the Airdale Corporation in the state
of Delaware as a holding company to purchase all shares of CAT from Chennault and Willauer. The Airdale Corporation, in turn, established CAT, Inc., as its operating subsidiary.  

1955: The CIA established the Pacific Corporation to replace the Airdale Corporation. The Pacific Corporation created two Chinese companies, CATCL and AACl, licensed to the Chinese government. These companies served as flag carriers for the Republic of China and equipment and personnel providers for CATL and CAT, Inc., respectively.

1959: CAT, Inc., was renamed Air America, Inc., and Asiatic Aeronautical Company, Ltd., became Air Asia Company, Ltd.

1960: The Pacific Corporation purchased Southern Air Transport (SAT). An SAT Pacific Division was established in Japan to replace Air America, Inc., on specific U.S. military contracts.

1975: CIA Director William Colby declared that, with the withdrawal of the U.S. from Vietnam, “Air America appropriately named has served its country well,” and would conclude operational activities.

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26 Ibid., and Memorandum to Marvin L. Evans, Assistant General Counsel (CIA), dated November 7, 1962.
27 The History of CAT/Air America, p. 6.
28 Ibid.
29 Ibid., p. 6. Note that the Memorandum to Marvin L. Evans, Assistant General Counsel (CIA), dated November 7, 1962, states that SAT was not owned by the Pacific Corporation.
30 Air America: Upholding the Airmen’s Bond, p. 6.
Figure 1: Corporate Relationships of Air America

4.5 WORKFORCE OF AIR AMERICA

The number of Air America employees at the Company's peak is estimated at more than 5,000 individuals. The majority of employees of Air America and associated companies were citizens of Taiwan, Thailand, Laos, South Vietnam, Japan, South Korea, and the Philippines, stationed at various locations across Southeast Asia.

Some of the original CAT crew was, like General Chennault, former Flying Tigers and World War II veterans. As the organization grew in size and scope, crew and support personnel were recruited from all branches of the military services and from civilian sources.

4.5.1 Review of Air America Employee Records

The CIA currently holds 318 boxes of Air America employee records. A strong sampling using approximately 10 percent of the records revealed the following:

- Records were those of U.S. citizens.
- No record contained an employee's comprehensive compensation history or a continuous career history. In general, the compensation and career history records were limited, inconsistent, and incomplete.
- Some records contained administrative processing information, such as the initial offer of employment letters, home leave, and associated travel requests; visa request assistance; personal travel and reduced airfare rate requests; leave requests; letters of resignation or retirement; retirement fund information; and repatriation travel documentation. Some of the later records included health insurance claims.
- Almost half of the sampled records contained retirement plan contribution amounts (e.g., employee/employer contributions plus gains).

4.5.2 Snapshots of the Workforce

The size and responsibilities of the workforce of Air America and its associated companies varied throughout the history of Air America. Positions included aircrew, ground support, management, and staff to support the employees and their families living at Udorn, Thailand. The size of the aircrew, who were primarily U.S. citizens, was small in comparison to the overall workforce.

A list of aircrew members on July 1, 1972, included a total of 616 aircrew members, consisting of 442 pilots (captains and first officers), 18 flight engineers, 9 flight navigators, 23 air freight specialists, 68 flight mechanics, 5 flight attendants, and 51 air flight dispatchers. They were located in Taipei, Yokota, Hong Kong, Bangkok, Udorn, Vientiane, Saigon, and the U.S.

In Laos, in January 1973, 1,615 employees supported operations, of which 13 percent were Americans. About 60 percent were on the Lao pay scale and about 25 percent were third-

31 Adapted from Memorandum to Assistant General Counsel, CIA, November 7, 1962, which describes SAT as owned by the CIA directly, to include information from the chronology in Air America Log, Special Edition, "Support S. 651 & H.R. 1276," September 2005, which describes SAT as owned by the Pacific Corporation.
33 List provided to the ODNI by Mr. William J. Merrigan, former Air America Legal Counsel.
country nationals, primarily Thais, Filipinos, and Chinese. The workforce included a security department, with a guard force, investigative staff, and inspection service staff; a fire brigade; weather forecasters; flight watch radio monitors; ground handlers; runway maintenance and repair workers; medical personnel; technical trainers; aircraft engineers; planning, production, and quality control personnel; aircraft shops (e.g., electronics, ground communications, welding, paint, and carpentry); janitors; utility maintenance; architectural and engineering staff; administrative staff; traffic trainers; rice and cargo warehouse workers; and cabin, parachute, and ramp service staff.  

At Udorn Royal Thai Air Force Base, Thailand, as of February 28, 1973, there were 2,366 employees, according to records held by the CIA. Of that number, 80 percent were Thai. The workforce included technical trainers, 33 fire brigade members, 102 members of the police force and security department, 15 narcotics inspection group members, school teachers, technicians and supervisors, aircraft shop workers (e.g., carpentry and electronics), maintenance workers, quality inspectors, and engineering staff.  

4.6 Missions Performed for the U.S. Government by Air America

Air America pilots flew key missions in support of the U.S. Government throughout Asia. Missions included airdrops of food and supplies, and reconnaissance flights, and the flight crews conducted Close Air Support missions in support of Search and Rescue (SAR) and infiltration/exfiltration missions. Air America crews were not under contract for SAR missions—which they undertook on their own initiative—and researchers found no evidence that they was compensated for them.  

"...[W]e quite often ended up making the pickups because we just happened to be there closer, and what we would end up doing is meeting them at a safe place and turning the people over to them and they would bring them back and we would just go about our business. And, as a result, I know from being chief pilot for many years, there was not a whole lot of good records kept on these missions simply because guys would be up there for a couple weeks at a time, they'd get a call, they'd go pick somebody up and then they would go back to their regular business and by the time they got back they probably forgotten about what they had done."  

— Marius Burke, chief pilot

"Rumors were circulating re big bonuses for rescues—it was untrue. It cost us money to do it. No stand-by pay. We got $5 an hour for flying in enemy territory—hazardous duty."

— Marius Burke

"... Dick Ford, who was the long-time operations manager, was asked time and time again—why didn't they keep better records on those rescues they made? And he said because it was all in a day's work."  

— Judy Porter, photographer, Air America

In Air America: Upholding the Airmen's Bond, video interviews (unofficial transcription)

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34 CIA Corporate Records, Box 3.  
35 CIA Corporate Records, Box 3.  
36 Air America crews were not required to monitor military emergency radio calls, fly to the location of military personnel in distress, or place their lives at risk of enemy ground-fire and possible capture. They received no extra compensation for rescue work and sometimes lost wages for their efforts. However, in their flying community it was enough to know that a downed aviator was in trouble and that airmen should always come to the aid of other airmen. It was simply the Airmen's Bond." Air America: Upholding the Airmen's Bond, p. 5. Personnel records did not make reference to any such payments.
The missions described are for reference. A full exploration of these missions can be found in several of the histories written on the topic.

4.6.1 China

In 1948 and 1949, Chennault and Willauer's CAT flew supply missions to besieged Chinese cities in support of the Chinese Nationalist forces, flying evasively to avoid Communist ground fire. Throughout the Chinese civil war, CAT supported the Nationalist government until its fall to Communist forces.

4.6.2 Korea

CAT flew sensitive personnel between Japan and Korea beginning in 1950, and carried cargo and personnel in support of the U.S. Air Force's Far East Air Material Command (FEAMCOM). In 1950, CAT began Operation Booklift to support UN Forces in Korea and flew 100 hazardous missions over mainland China to airdrop agents and supplies during the Korean War. CAT also supported the Office of Policy Coordination's (OPC) efforts to build a network of guerrilla teams and intelligence units in North Korea.

4.6.3 French Indochina

In 1953, the administration of President Dwight D. Eisenhower authorized the use of CAT pilots to fly airlift missions to support French forces in Indochina. Beginning in March 1954, CAT pilots flew airdrop missions to French forces in Dien Bien Phu, airlifting personnel, food, ammunition, artillery pieces, and other supplies to the surrounded troops. Between March and May 7, 1954, when Dien Bien Phu fell, CAT pilots flew 682 airdrop missions, losing one plane and its two pilots, sustaining damage to numerous other planes, and severely injuring another pilot. Seven of the pilots were awarded the French Legion of Honor for their efforts.

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38 Ibid., p. 117.

39 Air America: Upholding the Airmen's Bond, p. 9.


41 Leary, Perilous Missions, pp. 124–125.

4.6.4 Laos

In support of the CIA’s secret war in Laos, which began in 1961, Air America pilots, co-pilots, flight mechanics, and airfreight specialists transported tens of thousands of troops and refugees, flew emergency medical evacuation (medevac) missions, rescued downed airmen throughout Laos, inserted and extracted road-watch teams, flew nighttime airdrop missions over the Ho Chi Minh Trail, monitored sensors along infiltration routes, conducted a highly successful photoreconnaissance program, and engaged in numerous clandestine missions using night-vision glasses and state-of-the-art electronic equipment.43

Air America pilots conducted the Company’s first SAR mission to recover a U.S. Navy pilot, Lieutenant Charles F. Klussman, shot down over the Plaine des Jarres in Laos.44 Following that, the need for SAR missions for their own crews as well as for military pilots continued. "In 1964–1965, when the US military had few SAR aircraft in the region, the USAF reports that Air America rescued 21 American pilots."45

4.6.5 Bay of Pigs

Air America pilots Connie Seigrist, William Beale, and Douglas R. Price trained transport pilots in preparation for the U.S.-backed invasion of Cuba in 1960. Seigrist, Beale, and Price also flew strafing missions to quell an insurrection by the Guatemalan armed forces, and Seigrist and Beale flew bombing missions in support of ground troops in the Bay of Pigs. Another Air America pilot, Don Teeters, flew radio transmission flights over the invasion area. In addition to the pilots, Air America employees helped train the Cubans for their mission.46
4.6.6 Vietnam
Air America evacuated nearly 20,000 Vietnamese from the North to the South after the signing of the Geneva Accord in 1954. Later, in support of the U.S. war in Vietnam, the number of Air America contracts with DoD to support operations increased from $18 million in 1972 to $41 million in 1973, indicating the military’s reliance on the Company. Near the end of the war, Air America helicopter pilots evacuated people from Saigon, ending with the famous photograph of evacuees climbing into an Air America helicopter atop the Pittman Building on April 29, 1975.47

1975: Fall of Vietnam
After fending off five armed Vietnamese soldiers with his M-16 rifle and his fist, Air America pilot Edward Adams climbed into the cockpit of an available C-46 transport plane on the Saigon airstrip’s ramp. The aircraft was crammed with people sitting in the aisles, toilet, and baggage area, seeking escape from the city. Despite the fact that the plane carried about 100 people more than it had seats, Adams “put a mechanic in the right seat for moral support,” and started the engine. Making a hard turn around another aircraft on the ramp, Adams hit the airplane’s vertical fin. Hoping the plane was not damaged, Adams—with his swollen fist—reached the runway and took off successfully, with all his passengers.


4.7 COMPARISON OF AIR AMERICA AND FEDERAL EMPLOYEE BENEFITS
Research into the benefit policies—employee, death, and retirement—of Air America and its associated companies shows a clearly documented set of policies, adopted and changed at the discretion of the Company’s management. The Company made provisions for sick leave; home leave; injury or death on the job; and early, normal, and late retirement. The policies were those of a commercial company, and research revealed no promise or expectation of benefits beyond those offered by Air America.

While the focus of this report is on retirement benefits, it may be helpful to review the employee benefits package as a whole.

Employees were hired by the proprietary Company, CAT and later Air America and associated companies, and received their compensation and all benefits through contract with those organizations. Appendix D contains an example of an Air America “offer of employment” letter sent to prospective applicants. It addresses the proprietary Company’s terms and conditions of employment, salary, and work location, as well as some of the benefits48 and allowances related to employment as set forth in the Company’s personnel manual.49 In particular, the offer of employment letter states—

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47 Air America: Upholding the Airmen’s Bond.
48 A copy of the highlights of the benefits, presented to employees upon onboarding with the Company, is included in Appendix D.
49 The 650-page Air America personnel manual is a personnel policy and administrative processing manual for onboarding and separating employees as well as for providing guidance for various types of Company benefits. Those benefits include annual, sick, and home leave; medical care and insurance; workers’ compensation; allowances (e.g., housing, cost of living, overseas, and education); travel and per diem; discounted travel on other airlines; passport and visa requests; termination; and benefits due to death, injury, capture, or internment. A copy of the personnel manual was provided by the CIA Information Management Services Office, at the request of the researchers. A copy of the table of contents for the manual is included in Appendix D.
This letter constitutes the only authorized offer of employment to you from or on behalf of the Company. If this offer of employment is acceptable to you, will you please indicate your acceptance by signing the enclosed copy hereof, as provided below, and returning that copy to us.

The Air America offer of employment letter and the Company’s personnel manual do not address or promise any Federal retirement benefits. Air America employees paid Social Security taxes from their Air America wages and Air America paid the employer’s portion. Federal employees, during the 1950–1976 timeframe, were neither subject to Social Security taxes nor eligible for Social Security benefits based on their employment with the Federal Government. Air America employees working overseas claimed and received an exemption from U.S. Federal taxes. Federal employees could not claim this exemption.

Table 1 shows a side-by-side comparison of elements of benefits, including health and life insurance, retirement benefits, tax status, and injury and death benefits, of Air America and Federal Government employees.

Table 1: Comparison of Air America and Federal Benefits (1950–1976)

<table>
<thead>
<tr>
<th>Air America</th>
<th>Federal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thrift Plan, established in 1962 (Defined Contribution)</td>
<td>Civil Service Retirement System (Defined Benefit)</td>
</tr>
<tr>
<td>Social Security is a matching employee’s choice</td>
<td>Social Security is a defined benefit based on an employee’s earnings scheme</td>
</tr>
<tr>
<td>Paid into FICA toward a Social Security pension, based on origin of payment (e.g., U.S.-owned Air America, Inc., versus Chinese-owned Air Asia Company, Ltd.)</td>
<td>No FICA</td>
</tr>
<tr>
<td>* Social Security survivor benefits</td>
<td>Federal health and life insurance</td>
</tr>
<tr>
<td>Exempt from Federal income tax, may have paid and been compensated for local tax</td>
<td>Liable for Federal income tax</td>
</tr>
<tr>
<td>Workers’ compensation (injury and death benefits)</td>
<td>Federal workers’ compensation (death benefits)</td>
</tr>
<tr>
<td>* Pre-1962: Air America paid $10,000 to $20,000</td>
<td></td>
</tr>
<tr>
<td>* 1962: Longshore and additional amount from Air America, if necessary, to reach a total of $10,000</td>
<td></td>
</tr>
<tr>
<td>* 1967: Longshore + $5,000 from Air America for extra-hazardous duty</td>
<td></td>
</tr>
</tbody>
</table>

4.8 INCEPTION OF THE AIR AMERICA RETIREMENT PLAN

In 1962, a CIA Inspector General’s report recommended that the Deputy Director (Support) direct the management of Air America to instate a retirement plan, according to the standards of U.S. airlines. The Air America Retirement Plan had been in development for several years –

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beginning when the airline was CAT—resulting in a voluntary savings and investment plan adopted March 1962 (see Appendix E).\textsuperscript{51}

The Deputy Director (Support) concurred, providing a chronology of Air America’s nearly 5-year effort\textsuperscript{52} to establish a plan and giving details of the plan finally adopted.

Effective 30 March [1962], a Thrift Plan was adopted under which participating employees will contribute [expunged] of their earnings to a trust fund at the Manufacturers Hanover Trust Company. The Company will contribute matching amounts and, upon retirement, each employee’s share in the trust fund can be converted into lifetime income. As presently written, the plan remains subject to modification through about the middle of June 1962, by which time Internal Revenue Service approval will need to have been obtained. Past service costs are expected to be slightly over [expunged], which will be paid by the Company into the trust fund in equal installments over a ten-year period, the shortest span of time the Internal Revenue Service will approve. The retirement arrangements are to be carried out in the name of Air America, Inc., and all non-Chinese employees in Air America, Inc., Air Asia Co., Ltd., and Southern Air Transport, Inc., are to have the opportunity to join the Plan.\textsuperscript{53}

4.9 RETIREMENT BENEFITS CONTRACTED FOR, OR PROMISED TO, AIR AMERICA EMPLOYEES

4.9.1 Highlights of the Air America Retirement Plan\textsuperscript{54}

The Air America Retirement Plan was considered a savings and investment plan. As such—

- Participation was voluntary.
- Employees contributed six percent of their monthly compensation\textsuperscript{55} into the Plan.
- The Company contributed amounts equal to the aggregate of all participants’ contributions every fiscal year (ending March 31).
- The Plan provided for “past service contributions” equal to the aggregate to six percent of the total compensation earned by participants during continuous service under the following conditions:
  - Subsequent to October 25, 1946.
  - Before the effective date of the Plan.

\textsuperscript{51} Memorandum from the CIA Deputy Director (Support) to the Director of Central Intelligence, dated May 1, 1962, subject, Inspector General’s Survey of Civil Air Transport (CAT). (Note: This memorandum was declassified by the CIA and approved for release on March 30, 2009.)

\textsuperscript{52} Ibid. “…In 1957, an insured plan was proposed by field management, and the idea of a retirement plan was approved in principle by the Board of Directors, but nearly two years were required to get the insurance company to produce an estimate of the cost of their proposal. Meanwhile, many employees took a position against an insured plan and argued effectively for a funded plan which would afford the contributors better protection against inflation,” p. 5.

\textsuperscript{53} Ibid.

\textsuperscript{54} The highlights of the plan are derived from “The Air America Retirement Plan,” provided to the ODNI in October 2010 by Mr. William J. Merrigan, former Air America Legal Counsel and Secretary of the Retirement Board.

\textsuperscript{55} Compensation, as defined by Section 1.3(n) of the Retirement Plan, page 4, “…included basic salary, longevity, position allowance, and flight pay time remuneration. It did not include per diem, expense payments, cost-of-living allowances, provisional assignment allowances, project pay, bonuses and any other form of compensation not specifically included.”
Subsequent to their attainment of age 25.
- On the completion of 1 year of continuous service. 56

- The Plan addressed benefits for normal, early, late, and disability retirements as well as a
death benefit.
- The Plan addressed the purchase of an annuity via the fund trustee or another insurance
company(s).
- Employee and employer contributions were delivered to a trust fund, with the
Manufacturers Hanover Trust Company in New York, NY, serving as trustee. The trustee
administered the fund, invested the fund's assets, and made the appropriate payment of
benefits to terminating participants.
- The responsibility for administration of the Plan was vested in the Air America
Retirement Board, selected by the Company's board of directors.

4.9.2 Eligibility for Participation
An employee in active service of the Company or on Company-approved leave was eligible to
participate in the Plan after 1 year of continuous service and attaining the age of 25. Enrollment
was not automatic, and employees were required to file a written application for membership in
the Plan within 90 days of eligibility date or such later date as prescribed by the Retirement
Board. The Air America Retirement Plan forms (e.g., Invitation to Participate, Application to
Participate, and Election Not to Participate) are included in Appendix E, the Air America
Retirement Plan. 57 The Invitation to Participate and the Air America Retirement Plan provided
detailed information on the Plan and offered the opportunity to discuss the Plan with the Air
America Retirement Board, whose members were employees of Air America.

4.9.3 Withdrawal from the Plan and Re-Eligibility
Because participation in the Plan was strictly voluntary, a participant could opt out of it at any
time. The participant could rejoin the Plan one year after date of withdrawal on filing an
application for renewed participation. 58

4.9.4 Computation and Payment of Benefits
The Plan defines the benefits available to the participants through the Plan, based on employee
units, 59 or shares of the Plan purchased through employee contributions, and employer units, or
shares of the Plan purchased through employer contributions. On retirement, the employee
received a payout of the full amount of his or her individual account (100 percent of the
employee units, matching employer contributions, as well as any gains from investments). 60

56 A review of the personnel records showed that four senior pilots and two senior managers received "past service
contributions," each having more than 15 years of service. Total retirement plan payments for these six employees
equated to $63,714; $62,937; $51,560; $45,495; $47,025; and $88,359, of which $13,918; $12,795; $10,509;
$5,735; $6,737; and $19,407 were credited to "past service contributions."
57 Forms found in the file review of CIA personnel record files.
58 Per Section 2.6 of the Air America Retirement Plan.
59 Each unit was equal to $100 initial value, as of the 1964 amendment to the Plan.
60 Per Section 7.2 of the Air America Retirement Plan.
Normal Retirement Benefit. An amount equal to the full unit values of the employee’s individual account on his or her Normal Retirement Date.61

Early Retirement Benefit. An amount based on the full unit values in the individual account, with the employer units paid according to vestment, on the following schedule:
- For up to five years of credited service, the participant received 25 percent of the employer units in his account.
- For credited service between 5 and 10 years, the participant received 50 percent of the employer units.
- For credited service between 10 and 15 years, the participant received 75 percent of the employer units.
- On or after 15 years of credited service, the participant received an amount equal to the full unit values in his individual account at date of early retirement.

Late Retirement Benefit. An amount equal to the full unit values in the participant’s individual account on his actual retirement date.62

Disability Retirement Benefit. An amount equal to the full unit values in the participant’s account at such retirement date.

Death Benefit. For a non-retired participant, an amount equal to the full unit values in the participant’s account at the time of death. For a retired participant, an amount equal to the remaining number of units in the participant’s account. Both payable to the account-designated beneficiary(s).

Special Ruling by Internal Revenue Service (IRS) (Due to the Dissolution of the Company). “Thereafter, a determination was reportedly made by the IRS to the effect that all Air America employees on the rolls May 30, 1974, were vested 100% in the employer contribution to the pension plan, regardless of years of service.”63

4.9.5 Rules for Payment of Benefits
All benefits were paid in a lump-sum amount. However, in the case of retirement benefits, the Plan allowed for either—
1. Payment of the lump-sum amount in installments for a certain term.
2. Payment of the lump-sum amount for purchase of an annuity through the fund trustee or from an insurance company(s).

4.9.6 Other Mandatory Retirement Benefits
If the Company was required by other law or other regulatory measure to pay or contribute to pension or retirement benefits other than those provided in the Plan, such benefits would be paid from, or in lieu of, the Company’s contributions to the Plan.

61 Normal Retirement Date, as defined in Section 1.3(g) of The Retirement Plan, p. 2, “...shall mean for any Participant the first day of the month coincident with or next following attainment of age sixty (60) in the case of Flight Personnel and age sixty-five (65) in the case of Non-Flight Personnel, or the first Anniversary Date, if later.”
62 Late Retirement, as defined in Section 3.3 of The Retirement Plan, p. 8, “Any participant may continue in the service of the Company beyond his Normal Retirement Date with the year-to-year consent of the Company. However, no contributions will be made by either the Participant or the Company after his Normal Retirement Date.”
63 Statement drawn from several CIA personnel files, including file 65, an employee who challenged his less than 100 percent payment of employer contributions at the time of his termination in March 1974.
The exception to that provision was Social Security payments made by the Company on behalf of the participants and required by the U.S.

4.10 CONTRIBUTIONS MADE BY EMPLOYEES TO THE AIR AMERICA RETIREMENT PLAN

The Air America Retirement Plan went into effect March 30, 1962. It was a voluntary savings and investment plan whereby participants contributed 6 percent of their salary (with matching employer contributions), which was invested with the Manufacturers Hanover Trust Company.

In addition to employee/employer contributions made to the Air America Retirement Plan, employees paid Social Security taxes on their Air America wages, and Air America paid its portion, as required by the U.S.

4.11 RETIREMENT BENEFITS PAID TO EMPLOYEES

The majority of the personnel record files reviewed contain limited compensation data, although many of them contain records of retirement plan fund payouts. Of the files reviewed, a little over one-third of the records contain retirement plan payout information, with amounts ranging from $13.70 to $88,343.40.

The Air America Retirement Plan’s terms indicate that it intended to provide a mechanism for employees of Air America to purchase a lifetime annuity on their retirement from the Company.

Air America ceased operations 13 years after the Plan was established. Employees who participated in the Plan and left the Company before the end of operations in 1975, due to resignation or termination, were provided with lump-sum payments, based on their level of participation and years of service, as prescribed by the Plan.

Many of the employees had not yet reached normal retirement age in 1975 or had not contributed sufficient funds in the Plan to purchase an annuity. Those who remained employed and in the Retirement Plan when operations ceased received lump-sum payments representing 100 percent of employer and employee contributions as well as separation compensation.

4.12 ENTITLEMENT TO PAYMENT OF FUTURE RETIREMENT BENEFITS

The Air America Retirement Plan was a thrift plan, which allowed employees to purchase an annuity with the funds paid out to them on their retirement or separation from the Company. Air America employees are not entitled to future benefits payments from the Plan, but they may be eligible to receive Social Security benefits based on payments made into Social Security during their tenure at the Company.

4.13 LIKELIHOOD EMPLOYEES WILL RECEIVE FUTURE RETIREMENT BENEFITS

The likelihood that employees will receive future retirement benefits is determined by whether or not they purchased an annuity on retirement or separation from Air America. In addition, the former employees of Air America paid FICA taxes on their Air America earnings, which are tied to the Social Security annuity benefit that retirees may receive.

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64 Air America Retirement Plan, Section 4.6, Payment of Benefits, p. 11.
65 During the personnel records file review (sampling of the records in the 318 boxes held at CIA), various records showed that the employees received separation compensation equaling one month’s pay for the first four years of service, and one week’s pay for each year of service thereafter.
66 Social Security benefits are based on earnings averaged over a worker’s career, up to 35 years.
4.14 DIFFERENCE BETWEEN RETIREMENT BENEFITS RECEIVED BY AIR AMERICA EMPLOYEES AND THE RETIREMENT BENEFITS THEY WOULD HAVE RECEIVED HAD THEY BEEN DEEMED FEDERAL EMPLOYEES

The Air America Retirement Plan was a thrift plan, or defined contribution plan, paid out in lump-sum on retirement or separation, based on their contributions and employer contributions. The Federal retirement plan in place during the period in which the CIA owned Air America, the Civil Service Retirement System (CSRS), is a defined benefit plan, paying an annuity based on length of service and the average of the employee’s three highest annual salaries. These two plans are fundamentally different, which makes a direct comparison difficult. Table 2 presents a high-level comparison of the two plans.

<table>
<thead>
<tr>
<th>Air America Retirement Plan</th>
<th>CSRS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defined contribution plan</td>
<td>Defined benefit, contributory plan</td>
</tr>
<tr>
<td>Distributes a single, lump-sum payment</td>
<td>Distributes an annuity for life</td>
</tr>
<tr>
<td>Administered by Air America</td>
<td>Administered by the Federal Government</td>
</tr>
<tr>
<td>Payment based on employee and employer contributions, payout of the latter graduated according to years of service</td>
<td>Payment based on high-three average salary and length of service</td>
</tr>
</tbody>
</table>

To assess the difference between the retirement benefits provided under the Air America Retirement Plan and the benefits employees might have received under the CSRS, researchers developed exemplars using actual data from a sampling of employee file records held by the CIA. These exemplars are intended to substitute for a full review of the 2,429 employee record files at the CIA, which would be time-prohibitive.

The exemplars represent a range of employee positions, time in service, salaries, and lump-sum payouts from the Air America Retirement Plan. For illustrative purposes only, the exemplars also include an estimated CSRS annuity.

The exemplars do not take into consideration the Social Security contributions or resulting payments due to employment with Air America, neither of which applies to employment with the Federal Government.

Notable records from the exemplars described in Table 3 include the following (full contingent of exemplars can be found in Appendix F):

- Senior managers with 14 and 25 years of service, with salaries above the GS pay schedules and retirement plan payouts of $35,000 to $88,000 (records 1 and 93).
- A senior pilot with almost 24 years of service, with a salary above the GS pay schedule, and a retirement plan payout of more than $63,000 (record 212).
- A pilot with 19 years of service, with a retirement plan payout of more than $36,000, but no salary data in the personnel record file (record 209).
- A pilot with 11 years of service, who resigned before the inception of the retirement plan (record 213).
- An administrative assistant with five years of service, with a retirement plan payout of $4,480 (record 147).
- A personnel administrator with 10 years of service, with a retirement plan payout of $16,000 (record 65).
- A death case of a pilot with 1 year of service, with a retirement plan payout of $13.70 (record 101).

### Table 3: Retirement Benefits Comparison for Select Air America Employees

<table>
<thead>
<tr>
<th>Exemplar</th>
<th>Occupation</th>
<th>Years of Service</th>
<th>Air America Salary Year and Age</th>
<th>AAM Retirement Plan Payout</th>
<th>Estimated CSRS Annual Annuity</th>
<th>Gov't General Schedule Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Manager</td>
<td>14</td>
<td>$51,410 1974 44</td>
<td>$35,161</td>
<td>$12,466</td>
<td>$36,000</td>
</tr>
<tr>
<td>9</td>
<td>Flight Engineer</td>
<td>7</td>
<td>$19,080 1972 42</td>
<td>$11,013</td>
<td>$2,098</td>
<td>GS-13/1</td>
</tr>
<tr>
<td>11</td>
<td>Communications Engineer</td>
<td>7</td>
<td>$17,556 1973 46</td>
<td>$5,437</td>
<td>$1,932</td>
<td>GS-12/1</td>
</tr>
<tr>
<td>39</td>
<td>Pilot</td>
<td>16</td>
<td>$29,184 1971 49</td>
<td>$45,495</td>
<td>$8,244</td>
<td>GS-16/2</td>
</tr>
<tr>
<td>65</td>
<td>Personnel Officer</td>
<td>10</td>
<td>$19,946 1974 53</td>
<td>$16,172</td>
<td>$3,241</td>
<td>GS-13/6</td>
</tr>
<tr>
<td>68</td>
<td>Maintenance Manager</td>
<td>10</td>
<td>$21,629 1974 52</td>
<td>$3,514</td>
<td>$13,251</td>
<td>GS-13/1</td>
</tr>
<tr>
<td>93</td>
<td>Senior Manager</td>
<td>25</td>
<td>$59,800 1975 59</td>
<td>$88,359</td>
<td>$27,567</td>
<td>GS-13/1</td>
</tr>
<tr>
<td>94</td>
<td>Air Freight Specialist</td>
<td>8</td>
<td>$24,173 1974 33</td>
<td>$5,803</td>
<td>$3,082</td>
<td>GS-15/1</td>
</tr>
<tr>
<td>101</td>
<td>Pilot, Death</td>
<td>1</td>
<td>$10,680 1972 42</td>
<td>$13,70</td>
<td>N/A</td>
<td>GS-12/5</td>
</tr>
<tr>
<td>105</td>
<td>Flight Mechanic</td>
<td>8</td>
<td>$16,015 1973 35</td>
<td>$6,071</td>
<td>$2,118</td>
<td>GS-11/5</td>
</tr>
<tr>
<td>137</td>
<td>Mgr., Training</td>
<td>9</td>
<td>$23,684 1975 60</td>
<td>$11,434</td>
<td>$3,434</td>
<td>GS-13/2</td>
</tr>
<tr>
<td>144</td>
<td>Pilot, Traffic</td>
<td>16</td>
<td>$26,090 1970 47</td>
<td>$27,926</td>
<td>$7,082</td>
<td>GS-15/2</td>
</tr>
<tr>
<td>142</td>
<td>Mgr., Traffic</td>
<td>7</td>
<td>$17,308 1974 40</td>
<td>$60,81</td>
<td>$1,913</td>
<td>GS-11/5</td>
</tr>
<tr>
<td>146</td>
<td>Mgr., Traffic</td>
<td>12</td>
<td>$19,991 1974 40</td>
<td>$19,737</td>
<td>$4,091</td>
<td>GS-12/4</td>
</tr>
<tr>
<td>147</td>
<td>Admin. Assistant</td>
<td>5+</td>
<td>$8,400 1968 37</td>
<td>$4,480</td>
<td>$630</td>
<td>GS-11/3</td>
</tr>
<tr>
<td>156</td>
<td>Deputy Base Manager</td>
<td>12</td>
<td>$10,650 1973 36</td>
<td>$9,156</td>
<td>$1,936</td>
<td>GS-13/6</td>
</tr>
<tr>
<td>170</td>
<td>Pilot</td>
<td>8</td>
<td>$24,744 1968 47</td>
<td>$21,156</td>
<td>$3,154</td>
<td>GS-13/3</td>
</tr>
<tr>
<td>208</td>
<td>Mgr., Traffic</td>
<td>19</td>
<td>$30,014 1959 51</td>
<td>$36,985</td>
<td>No data</td>
<td>No data</td>
</tr>
<tr>
<td>212</td>
<td>Pilot</td>
<td>24</td>
<td>$53,825 1974 54</td>
<td>$83,713</td>
<td>$23,817</td>
<td>$36,000</td>
</tr>
<tr>
<td>213</td>
<td>Pilot</td>
<td>17</td>
<td>$54,000 1957 44</td>
<td>$4,380</td>
<td>No data</td>
<td>GS-13/1</td>
</tr>
<tr>
<td>216</td>
<td>Chief, Base Store</td>
<td>8</td>
<td>$12,568 1966 58</td>
<td>$1,604</td>
<td>No data</td>
<td>GS-13/1</td>
</tr>
</tbody>
</table>

Compensation for Air America employees is not always comparable to that of the GS schedules in effect at the time. For example, senior management and senior pilots received salaries in excess of the GS scale; whereas, corporate support personnel, such as legal counsel, personnel administrators, and accountants, received pay comparable to that of a GS-11 or GS-12.

Table 4 shows an estimate of Air America’s pay scale, based on a sampling of the files reviewed. Because compensation data in the files is neither complete nor comprehensive, the pay structure in this table is an estimate, for illustrative purposes only.
Table 4: Illustrative Salaries of Air America Staff from the 1960s and 1970s

<table>
<thead>
<tr>
<th>Position</th>
<th>Annual Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clerical staff</td>
<td>$5,000-$8,000</td>
</tr>
<tr>
<td>Corporate staff (e.g., accountant, legal counsel, and personnel administrator), flight mechanics, and flight engineers</td>
<td>$10,000-$20,000</td>
</tr>
<tr>
<td>Air freight specialist</td>
<td>$20,000-$25,000</td>
</tr>
<tr>
<td>Pilot*</td>
<td>$25,000-$55,000</td>
</tr>
<tr>
<td>Senior manager* (early 1970)</td>
<td>$50,000-$55,000</td>
</tr>
<tr>
<td>Company president*</td>
<td>$60,000</td>
</tr>
</tbody>
</table>

*Salaries for pilots, senior managers, and the Company president exceeded the pay cap of $36,000 to $37,800 for Federal employees under the GS pay schedule in effect during the 1960s and 1970s.

4.15 Casualties Suffered by Employees of Air America in the Course of their Employment

During the period of 1947 to 1975, 98 U.S. citizen employees of Air America were killed on the job. Table 5 lists the deaths by year, beginning before the purchase of Air America by the CIA, and ending with the dissolution of the Company in 1975. Eight of the 98 were classified as missing in action. Appendix G describes some of these individuals and the missions that took their lives.

Table 5: Air America Job-Related Deaths by Year

| 98 Air America Deaths—US Citizen Job-Related Deaths in China and Southeast Asia |
|--------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
|-----------|---------|---------|---------|---------|---------|---------|---------|---------|---------|-------|
| 1948-49   | 7       | 6       | 1       | 16      | 17      | 14      | 16      | 16      |         | 98    |

4.16 Death Benefits

Before the adoption of the death benefits provisions of the Longshore and Harbor Workers' Compensation Act (LHWCA), as extended by the Defense Base Act, Air America provided death benefits to beneficiaries in the amounts of $10,000 and $20,000. As of 1962, workers' compensation benefits for Air America employees were covered under the LHWCA, as extended by the Defense Base Act and the War Hazards Compensation Act. Federal civilian employees

67 250 Air America employees of many nationalities died while employed by the airline. Of the total 250 casualties, approximately 131 were US citizens, 98 of whom died on the job.

68 Civil Air Transport, Air America, Air Asia, and Southern Air Transport lists of Employee Deaths, given to the ODNI by Mr. William M. Merrigan, October 2010. Three deaths occurred before the CIA's purchase of Air America and are included on the Civil Air Transport and Air America Association Memorial Plaque at the University of Texas at Dallas.

69 Memorandum to Air America Vice President Senior Legal Counsel from William J. Merrigan, Assistant to the Secretary, dated July 10, 1962, Obligations of the Company under the Longshoremen's and Harbor Workers' Compensation Act, the Defense Base Act, and the War Hazards Compensation Act. "...A determination that the Company is obligated by the Defense Base Act will require implementation of all aspects of the Longshoremen's Act. Implementation of the Act will place no added burden on the Company in respect to injuries since injured employees may presently claim the benefits of the Act. It may increase the Company expenses where death is concerned as there is no statutory limit to the death benefits payable and these payments may exceed the present $10,000-$20,000 limit. Revisions would have to be made in the Personnel Manual in regard to death benefits."
workers’ compensation benefits were covered under the Federal Employees’ Compensation Act (FECA).70

On August 1, 1967, the Air America Personnel Manual, section “Benefits Due to Death, Injury, Capture or Internment,” paragraph A.2.b.(3), was revised to provide an additional death benefit of $25,000 to those employees who died as a result of “extra hazardous” duty, above the provisions of the LHWCA.

In addition to the LHWCA and Company death benefits, employees were insured with the American International Life Assurance Company (AILIFE) of New York (effective date unknown), which provided an additional $25,000 death benefit.71 In 1973, Air America Senior Vice President Clyde S. Carter (deceased) reopened some death cases, resulting for some in the award of an additional $25,000 to the designated beneficiaries.

Beneficiaries were eligible for benefits according to the Company’s policy at the time, for Social Security survivor benefits, and, beginning in 1962, for benefits under the death benefit policies of the LHWCA.

Table 6 provides a summary review of the files of 21 of the 98 deaths among U.S. employees of Air America killed on the job as well as the death benefits provided to the survivors and/or beneficiaries by the Company.

In addition to, but separate from, death benefits, survivors of those killed on the job received any payouts from the employee’s retirement account owed to the employee at the time of his death, according to the provisions of the Air America Retirement Plan. Of the 21 files reviewed, 11 reflect 1 year or less of service with Air America, making those individuals ineligible for the Company’s retirement plan. Thirty-five of the 98 were killed before the inception of the Air America Retirement Plan, or shortly thereafter, and were not eligible for Air America retirement benefits. However, their survivors were compensated according to the death benefits policies in place at the time. Additional details on these 21 files can be found in Appendix F.

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70 LHWCA, as extended by the Defense Act and the War Hazards Compensation Act; and FECA http://www.dol.gov/compliance/laws/comp-feca.htm
71 Personnel file record of one employee who was killed in action November 1972. In a letter dated August 29, 1973, to Robert J. Leggett from Paul C. Velte, Jr., Vice President, Air America Velte wrote, “...pilots are compensated for their duties (our records reflect that [Personnel Record File Number 26] was paid as much as $52,000 in one year). In connection with her husband’s death, [his wife] received $25,000 under a Company-provided group insurance policy and the Company paid an additional $25,000 to her because of the hazardous nature of the flying [Subject] was performing...” Other personnel files indicate that the AILIFE policy replaced the Company’s payment of $25,000 in the event of job-related death.
Table 6: Job-Related Deaths of U.S. Citizen Employees of Air America

<table>
<thead>
<tr>
<th>Personnel Record File Number</th>
<th>Year of Death</th>
<th>Years/Months of Service</th>
<th>AAMI Death Benefit</th>
<th>AIIIFE</th>
<th>Workers Comp Received</th>
<th>AAM Retirement Plan Payout</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>1973</td>
<td>No data</td>
<td>No data</td>
<td>$25,000</td>
<td>No data</td>
<td>$28,026</td>
</tr>
<tr>
<td>28</td>
<td>1972</td>
<td>7 years</td>
<td>$25,000</td>
<td>$25,000</td>
<td>Yes</td>
<td>No data</td>
</tr>
<tr>
<td>35</td>
<td>1967</td>
<td>2 years</td>
<td>$25,000</td>
<td>N/A</td>
<td>Yes</td>
<td>$2,083</td>
</tr>
<tr>
<td>43</td>
<td>1967</td>
<td>10 months</td>
<td>$10,000 – $25,000</td>
<td>N/A</td>
<td>No qualified survivor</td>
<td>No data</td>
</tr>
<tr>
<td>46</td>
<td>1956</td>
<td>6 years</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>53</td>
<td>1973</td>
<td>1 month</td>
<td>No</td>
<td>$25,000</td>
<td>Yes</td>
<td>No data</td>
</tr>
<tr>
<td>67</td>
<td>1963</td>
<td>1 year</td>
<td>No data</td>
<td>N/A</td>
<td>No data</td>
<td>No data</td>
</tr>
<tr>
<td>80</td>
<td>1973</td>
<td>7 years</td>
<td>No</td>
<td>$25,000</td>
<td>Yes</td>
<td>$13,707</td>
</tr>
<tr>
<td>81</td>
<td>1966</td>
<td>No data</td>
<td>$10,000</td>
<td>N/A</td>
<td>No qualified survivor</td>
<td>No data</td>
</tr>
<tr>
<td>100</td>
<td>1962</td>
<td>No data</td>
<td>$20,000</td>
<td>N/A</td>
<td>No data</td>
<td>No data</td>
</tr>
<tr>
<td>101</td>
<td>1963</td>
<td>1 year</td>
<td>No data</td>
<td>N/A</td>
<td>Yes</td>
<td>$13,70</td>
</tr>
<tr>
<td>124</td>
<td>1965</td>
<td>4 months</td>
<td>$10,000</td>
<td>N/A</td>
<td>No data</td>
<td>No data</td>
</tr>
<tr>
<td>143</td>
<td>1970</td>
<td>No data</td>
<td>$25,000</td>
<td>N/A</td>
<td>Yes</td>
<td>No data</td>
</tr>
<tr>
<td>164</td>
<td>1965</td>
<td>6 months</td>
<td>N/A</td>
<td>N/A</td>
<td>Yes</td>
<td>No data</td>
</tr>
<tr>
<td>166</td>
<td>1967</td>
<td>1 year</td>
<td>$25,000</td>
<td>N/A</td>
<td>Yes</td>
<td>No data</td>
</tr>
<tr>
<td>171</td>
<td>1966</td>
<td>1 year</td>
<td>No</td>
<td>N/A</td>
<td>Yes</td>
<td>No data</td>
</tr>
<tr>
<td>182</td>
<td>1972</td>
<td>4 years</td>
<td>No</td>
<td>$25,000</td>
<td>Yes</td>
<td>No data</td>
</tr>
<tr>
<td>185</td>
<td>1961</td>
<td>3 months</td>
<td>$10,000</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>191</td>
<td>1965</td>
<td>7 months</td>
<td>No data</td>
<td>N/A</td>
<td>Yes</td>
<td>No data</td>
</tr>
<tr>
<td>211</td>
<td>1962</td>
<td>4 months</td>
<td>No data</td>
<td>N/A</td>
<td>Yes</td>
<td>N/A</td>
</tr>
</tbody>
</table>

4.17 CONCLUSION

Section 1057 of the Fiscal Year 2010 National Defense Authorization Act requested that the ODNI provide "any recommendations regarding the advisability of legislative action to treat such employment as Federal service for the purpose of Federal retirement benefits in light of the relationship between Air America and the associated companies and the United States Government and the services and sacrifices of such employees to and for the United States." In other words, we are asked not just for a legal opinion but for an overall assessment as to whether such benefits are justified. For at least some former Air America employees, the fundamental question is: Does the U.S. have a compelling moral, if not a legal, obligation to further recognize the service and sacrifice of former Air America employees in the form of Federal retirement benefits? As one former senior employee put it, "The benefits sought are a measure of whether...

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72 Data based on sampling of the personnel record files contained in the 318 boxes at CIA.
73 American International Life Insurance Company of New York (Company-provided life insurance, sometime after August 1967).
74 LHWCA, as extended by the Defense Base Act (effective February 24, 1964). Death benefits (paid by Air America) to eligible survivors (wife and children up to age 18) determined based on formula set forth in LHWCA (1966 rates: widow $36.75 a week; child $15.75 a week. Rate increase in 1972: widow $125.25 a week; child $41.75 a week; NTE $167 a week). Source of LHWCA rates: Personnel File Records 171 and 53, respectively.
75 Personnel File Record 46 (Subject died of natural causes within a year of being released after spending 5 years in a Chinese Communist prison. Four years of his service, from 1946 to 1950, were with CNRRA. Air America provided him with full salary, totaling $102,990.32, for his years spent in prison.

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this country will give respectful and just treatment to those who have served it" (Merrigan to DNI Blair, May 17, 2010). This section addresses that issue. Our criteria for reaching a judgment – addressing the historical, legal, and moral dimensions of this story – are based on three factors:

**Mission.** What serves, and does not disserve, the continuing mission of the intelligence community with respect to granting Federal retirement benefits?

**Precedent.** How did employees view their status and how have similarly situated personnel been treated?

**Extenuating Circumstances.** Are there unique circumstances that argue compellingly for differential treatment of Air America employees? Did the Government take or fail to take certain actions that unintentionally or intentionally disfavored Air America employees?

Based on these criteria, we do not believe there is a clear and compelling case for granting universal and retroactive Federal retirement benefits to former employees of Air America. Granting such benefits would undermine the national security utility of proprietaries, create a costly and unjustified precedent for granting such benefits to other proprietary employees, and would not withstand legal or public scrutiny. The case for granting Federal retirement benefits is based on a construction and interpretation of events that occurred largely after the dissolution of Air America. It was primarily after Air America was disestablished that questions were raised, not about whether the Government had mistreated or shorted Air America employees, but why the treatment of other organizations and employees was not extended to former employees of Air America.

In reaching this conclusion, we searched law, administrative proceedings, court cases, precedents, records, histories, memories, and conversations – within and outside the Government. We have attempted to get below the bureaucratic surface of this story, but we cannot find the evidence or documentation that would support the granting of retirement benefits. Nevertheless, we do recognize and appreciate the clear and intense sense, among at least some former employees of Air America and their families, of entitlement for their service to the U.S., service characterized by heroism and sacrifice.

Former Air America employees have been seeking Federal retirement benefits for decades. We honor and respect their service and sacrifice, including 98 U.S. citizens who died in action. It is clear from the history of Air America that its employees, both American and foreign nationals, went consistently beyond the call of duty. However, that duty and its compensation were consistent – and fair – with the contract signed by employees and with prevailing practice at the time.

In responding to this congressional tasking, we interviewed former employees, reviewed records, analyzed and debated the issues, and, most important, considered potential options in determining the right thing to do in this case. However, any option must fit into a framework of justified entitlement. We were unable to construct that framework, and without finding or establishing a clear and compelling basis for granting Federal retirement benefits that would withstand public scrutiny and legal precedent, we believe granting such benefits would not serve the interests of the intelligence community, the Nation, or the legacy of Air America.
Mission

We believe granting Federal status to those employed in a proprietary organization is fundamentally contrary to the very nature of a proprietary organization and to the employees’ ability to perform their mission as non-Federal employees serving the lawful purposes of the U.S. Government.⁷⁶ Such an action would impair the ability of the Government to respond swiftly, flexibly, and appropriately to national security contingencies, and would deny a critical tool to decision makers that could result in greater cost in terms of lives, treasure, and mission compromises. Indeed, the history of Air America clearly demonstrates the value of a proprietary relationship in meeting urgent and continuing national security requirements. Granting Federal retirement benefits and Federal employment status to former employees of Air America, the largest CIA proprietary, would fundamentally change the nature and utility of such entities.

Precedent

We believe there are no sound precedents for granting Federal retirement benefits to former employees of Air America. Air America’s seeming similarity to a Government-owned corporation appears to be the principal basis upon which former Air America employees claim an entitlement to Federal retirement benefits, regardless of whether the employees were formally appointed in the civil service, as the following statement demonstrates: “(Air America) was a government corporation and historically, by law and administrative determinations of the Civil Service Commission, employees of government corporations are Federal employees.... it is misleading to use the term contractor in lieu of corporation” (Merrigan to Verma, e-mail of February 7, 2004). This statement is not supported by fact. While it seems that Air America functioned as a government-owned corporation, there is a clear distinction. Under a 1945 law, such corporations can only be established explicitly and in law. Government-owned corporations are specifically legislated into existence by Congress. By the end of World War II, government-created and -controlled corporations had expanded in number and lacked accountability. Congress moved to reestablish order through the Government Corporation Control Act of 1945. The Act required that specified corporations, both wholly and partially owned by the Government, be audited by the Comptroller General. The Act also dissolved or liquidated all corporations created under state law, except for those that Congress acted to incorporate. Government-owned corporations also were required to submit their budgets to Congress. A full list of such chartered organizations is found in 31 USC 9101. The law and the record have been clear since 1945: Air America—irrespective of its top secret charter—was never chartered by the Government as a Government-owned corporation under title 31 of the U.S. Code.

We searched for other potential legislative precedents in an effort to find an analogous situation. We reviewed legislation that would compensate various American groups, such as the Pigford and Individual Indian Money Account Litigation Settlement Act of 2010 (S. 3693) and related legislation. In our view, these proposals do not provide a credible basis for granting Federal retirement benefits to Air America employees.

⁷⁶ The National Security Act of 1947 and the CIA Act of 1949, as amended, provide broad authority for the establishment and administration of proprietaries.
Additionally, employees of Air America had no expectation of Federal status or benefits and no understanding that they were employees either of the U.S. Government or the CIA, contrary to claims that Air America employees are “now universally acknowledged as having been employees of a government-owned (CIA) corporation, who have been left living without Federal retirement benefits for over three decades...” (Merrigan to Sen. Webb, December 5, 2010). The Air America employment contract, the absence of any claim of Federal status by employees, and the wide difference between Federal and Air America retirement systems, indicate that there was no expectation of Federal status or retirement benefits. Merrigan points out that during the period of 1962-1975, the Company had 1,826 employees who were eligible to participate in the Air America (not a Federal) retirement plan, “but many elected not to join” (Merrigan to DNI Blair, May 17, 2010).

We also looked closely at granting Federal status for time served with Air America to those former employees who were later employed as Federal employees. This was done in the case of some 50 people employed by various organizations, including RFE/RL and Radio Free Asia under Public Law 96-465, “Foreign Service Act of 1980.” This law provided civil service retirement credit for the post-July 1, 1946, service of employees of the National Committee for a Free Europe; Free Europe Committee, Incorporated; Free Europe, Incorporated; Radio Liberation Committee; Radio Liberty Committee; subdivisions of any of those organizations; RFE/RL, Incorporated; Radio Free Asia; the Asia Foundation; and the Armed Forces Network, Europe (AFN-E), but only if such service was not credited for benefits under any other retirement system. Unfortunately, the legislative history from the Senate sheds no light on the reasons for granting retirement credit. The estimate assumed there were approximately 50 people affected by this provision, and that they would retire at a rate of approximately 10 per year. However, Air America was dissolved.

In light of the above legislation, should former Air America employees who were later employed in the Federal civil service have their Air America service time included in the calculation of Federal retirement benefits? The treatment of these other entities is not analogous to that of Air America because these other organizations became part of a federal agency, the State Department. In our view, there is no principled basis from which to create a further precedent by granting such retirement credit to former employees of Air America with later Federal service.

Extenuating Circumstances

Based upon our review, we believe the employees of Air America were treated fairly with respect to their system of compensation and that there are no extenuating circumstances that call for granting Federal retirement benefits. In reaching this conclusion, we have looked at whether the Government took or failed to take certain actions that unintentionally or intentionally disfavored Air America employees. The following is an instance claiming unfavorable treatment by the Government.

“Although Federal employees by definition under the U.S. Code during their course of employment in wartime, OPM changed its rules retroactively after the Vietnam War in a way that excluded Air Americans [Air America employees], among others, from Federal recognition” (Merrigan to Sen. Webb, December 5, 2010).

In our research of this claim, we found that the Federal courts already had ruled on this issue, denying benefits based on changes in OPM rules (See Horner v. Acosta). The Court did not find
that the Federal Personnel Manual (FPM) was a formal regulation (as would be promulgated through formal agency rulemaking [see Administrative Procedure Act of 1947]). Even if the FPM were considered a formal rule, the Court found that such a rule was inconsistent with the statute governing Federal employment status (5 USC §2105) and, therefore, was not valid because statutes override agency rulemaking where there exists such a conflict.

We also considered whether the some $20 million turned over by Air America to the U.S. Treasury on its dissolution in 1976 should have been reimbursed to employees? Page 253 of the Church Committee report states “[a]s for the treatment in the budget, there are both policy and procedural aspects. The policy of CIA was changed by the February 1975 General Counsel ruling that profits of proprietaries and proceeds of liquidation must be returned to the Treasury as miscellaneous receipts, and cannot be used to augment the Contingency Reserve or otherwise be applied to operations. This ruling overturned the practice of the past which on occasion included the transfer of a proprietary’s net proceeds to the Contingency Reserve for later release to operations.” On that same page a senior official of the CIA was quoted as saying “I view them (i.e., funds built up) as segregated funds to the extent that there was a profit, unnecessary for the purposes of the proprietary, that the profit would have to be turned over to the Treasury and it could not be used for other Agency programs.” On page 256, the report states “The disposal of proprietaries has also generally proceeded along legal and ethical lines with more than due concern for conflicts of interest.” It is our view that the question of returning these funds to former Air America employees is separate from the question of eligibility for Federal retirement benefits. Because we are unable to find a basis for changing the underlying contract with employees on retirement, we need not answer this question.

We also asked whether some might view the CIA as negligent in not pressing CAT/Air America to establish a retirement plan for years after the Company’s inception. In 1962, the CIA Inspector General (IG) report recommended that the Deputy Director (Support) direct the management of Air America to instate a retirement plan, according to the standards of American airlines. We have no evidence that would indicate that Air America management or employees, then or now, viewed the 1962 establishment of a retirement plan as indicating a managerial lapse on the part of the CIA. We considered this issue, again, to ensure that we reviewed all pertinent evidence in this matter. In this instance, we view the IG recommendation not as evidence of previous disregard (the Company was growing over the preceding years), but of genuine concern on behalf of the CIA for these employees, and so do not believe the later establishment of a retirement plan serves as grounds for granting Federal retirement benefits.

While we conclude that former Air America employees should not receive Federal retirement benefits, this recommendation in no way diminishes their service to our country. Professor William M. Leary, former Professor of History at the University of Georgia, summed it up well in an article entitled “CIA Air Operations in Laos 1955–1974:”

“CAT/Air America performed superbly for the CIA…. there is no question that personnel in the Directorate of Operations considered CAT/Air America as an essential tool for their work…. Although lacking the discipline found in a military organization, the personnel for the air proprietary nonetheless continued to place their lives at hazard for years…. As pointed out by a senior Agency official during the dedication of a plaque to Air America personnel at CIA Headquarters in May 1988: ‘The aircrew, maintenance, and other professional aviation skills they applied on our behalf were extraordinary. But,
above all, they brought a dedication to our mission and the highest standards of personal
courage in the conduct of that mission."

Beyond the conferences, references, and artifacts (including representation on CIA's Memorial
Wall and the painting donated by former Air America employees Marius Burke and Boyd
Mesecher of an Air America mission displayed at the CIA acknowledging the service of Air
America), the CIA and the intelligence community will continue to honor the service and
sacrifices of Air America.